



The importance of institutional arrangements for effective public policies

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ABSTRACT

This article discusses the importance of the State in the formulation of public policies made up of institutional arrangements. It is bibliographical in nature and its arguments support the need to develop appropriate institutional arrangements for each public policy. Taking this perspective into account plays a fundamental role in guiding research and public policy proposals that allow for the evaluation of more effective institutional arrangements to support the State in the successful execution of its actions. In this respect, this text shows that institutional arrangements support and can provide better results for public policies, since they involve multiple actors, including members of government, representatives of private bodies and organized civil society, as well as those benefiting from public policies. All this involvement culminates in interaction and collective commitment in the search for the best results. It is concluded that this engagement is essential for environmental public policies.

KEYWORDS: State. Governance. Social participation.

1 INTRODUCTION

At every turn, the role of the State is confronted by new demands and the urgency of opening it up to the process of governance is undeniable. The need to decentralize public policies requires the organization of partnerships that encourage and stimulate popular participation. In this context, it is important to understand the role that institutional arrangements play in the establishment and effectiveness of proposed policies.

In Brazil, the State has the role of formulating public policies with the support of councils, conferences, public hearings, budgets and participatory planning (GOMIDE; PIRES, 2012; SCHNEIDER; TARTARUGA, 2004).

Within the formulation and organization of public policies there is the participation of multiple public and private actors and institutions, as well as the State, thus making up the institutional arrangements.

Institutional arrangements are important for the production of development policies because they bring together technical and administrative resources, providing coordination negotiation, spaces for negotiation and decision-making between actors and the imposition of transmission, accountability and control by citizens and bodies of the Legislative and Judicial branches. In addition, institutional arrangements can be used to establish and measure the capacities and protection of States to produce successful policies, since citizen participation and social control are also fundamental to the success of public policy (GOMIDE; PIRES, 2014).

This paper presents a theoretical discussion related to the role played by the State in formulating public policies and, within this, the importance played by institutional arrangements. It is part of doctoral research in Geography at Unioeste - Francisco Beltrão, which deals with Environmental Education policies in the municipality of Flor da Serra do Sul - Paraná. It is the result of a bibliographical survey to substantiate these issues and present arguments justifying the importance of forming the right institutional arrangements for each policy. This approach is fundamental for guiding studies and proposals for public policies, and within this, knowing how to assess which institutional arrangements can best advise the State so that its actions are successful.

The discussions proposed in this text are based on the theoretical arguments made by Souto-Maior and Gondim (1992), Fiani (2013), Gomide and Pires (2012). The works of Ferreira, Azzoni (2011), Herrlein Jr. (2014), Pereira (1995), Lottae Vaz (2015), Melo (2015),

Nascimento and Cury (2016); Schneider (2014); Schneider and Tartaruga (2004) contributed to the reflection on the role of the State in the construction of governance and social organization. In order to address the main characteristics of institutional arrangements, Loureiro, Macário and Guerra (2014), Lopes (2001), Lotta and Favareto (2016) and Pires and Gomide (2014) were added to the previous readings.

Presented in two sections that deal with the role of the State and civil society in a democratic social and political organization, the article contextualizes the exercise of the Brazilian State, conceptualizes, qualifies and indicates the importance of institutional arrangements in the democratic management process, especially those linked to governance and sustainability.

2 THE ROLE OF THE STATE

Within political science, the concept of the State is imprecise, but according to Pereira (1995), the State¹ is a part of society, which has a political organizational structure that, while submitting to the wishes of society, overlaps with it.

The State is defined as a territorial institution (MELO, 2015), theoretically understood as a space of public property (PEREIRA, 1995). As a result, its actions and decisions have an impact on space. Within spatial planning there are governance models, which are forms of action that the State has with civil society² and the economic environment, which enables the implementation and administration of decision-making processes that are subsequently incorporated into territorial policies (MELO, 2015).

The management model of a territory is incorporated into its governance, as this is where the adoption of public policies that are necessary to maintain regional balance and the physical organization of space is made, with the aim of building a new rationality (MELO, 2015). In this new rationality, governance and social participation are seen as necessary to allocate this new role to local organizations and institutions (SCHNEIDER; TARTARUGA, 2004).

Democracy is configured as a method of organizing society, in which development and the way in which social conflicts are processed are linked, so that the dynamic constructive and participatory mechanism of society is guaranteed (HERRLEIN JR., 2014).

The expansion of capacities and the real establishment of citizenship with the provision of material resources, educational training and the guarantee of fundamental rights can come about as a result of development policies, which must

¹ The State is the organizational and political structure that is the result of a social contract or political pact, which guarantees legitimacy to the government [...] The State is the organizational and legal apparatus that guarantees property and contracts." (PEREIRA, 1995, p. 87).

² "Civil society is made up of social classes and groups that have differentiated access to effective political power [...] In other words, civil society is the people, i.e. the group of citizens, organized and weighted according to the power of each individual and each social group" (PEREIRA, 1995, p. 87). "Civil society can be understood as the way in which the ruling classes organize themselves outside the state in order to control it and put it at their service. Civil society should therefore not be confused with the population or the people. The people can be considered to be all citizens with the same rights; civil society is made up of citizens organized and classified according to the power of the groups or associations to which they belong. The state formally exercises its power over civil society and the people. In fact, civil society is the real source of the state's power insofar as it sets the limits and conditions for the exercise of that power" (PEREIRA, 1995, p. 92).

therefore be closely linked to the achievement of human development and environmental sustainability goals (HERRLEIN JR., 2014, p. 90).

Another function of democracy is linked to the State's ability to control civil society and subject private capital to fulfilling the purposes established for the human development of all citizens. In this sense, democracy can be characterized as socially inclusive and combating inequality and exclusion (HERRLEIN JR., 2014).

For Fiani (2013), the State must act above private interests, as it is the only agent that can act strategically in the face of different types of institutional arrangements, including the market, which is just one form of arrangement.

The process of democratization in Brazil³ has given the State the task of formulating, implementing and coordinating public policies, and this must happen in a participatory way, i.e. with constant interaction with civil society and its organizations. In this way, the construction of development strategies needs to involve society and its multiple actors and interests, especially NGOs and the direct beneficiaries of public policies (GOMIDE; PIRES, 2012; SCHNEIDER; TARTARUGA, 2004).

In this scenario, there is a redefinition of the role of institutions, with town halls gaining greater importance due to the need to have State units that make implementation possible and allow for local participation. This is the evocation of the territory, which functions as a reference unit that contemplates and mediates local relations with other spheres (regional, national and even global) (SCHNEIDER; TARTARUGA, 2004).

It is also up to the state to take action when a sector is not delivering adequate results, providing an appropriate structure to promote services or provide incentives⁴ (FERREIRA; AZZONI, 2011).

Therefore, when questioning the contemporary state capacities needed to produce successful development policies, the central question becomes how and through which institutional arrangements the possible complementarities between democracy and State action can be equated, either by neutralizing and balancing tensions, or by transforming them into synergies. (GOMIDE; PIRES, p. 27, 2012).

In the second half of the 20th century, consecutive Brazilian governments built the core elements that characterize a developmental State, including effective institutional arrangements for monitoring and planning. However, it failed because it did not demand detailed reciprocity from the beneficiaries of the subsidies. For this reason, the developmental State was more successful in projects in which the public sector was used exclusively than in those in which the private sector was involved (SCHNEIDER, 2014).

The central purpose of public regulation of private economic activity is to contain the destructive tendencies of capitalist relations on the natural environment and personal living conditions, mainly by confronting large national and transnational corporations. Democracy will authorize the State to exercise social control over them

³ It refers to the process of democratization in Brazil, which began in the late 1970s and resulted in the opening up to the participation of different social entities and representatives in the discussion of public policies, as this was one of the popular demands (SOUTO-MAIOR; GONDIM, 1992).

⁴ As happened, for example, in the economic sector, when the Growth Acceleration Program (PAC) was created in Brazil.

through legal means that impose transparent management in accounting, labor and environmental terms, establishing full accountability towards employees and users and determining the participation of the former in corporate profits. With the support of popular mobilization and new legal provisions, consumers can gain power in companies as citizen users, in the form of quality control and inspection councils. In the same way, public policies must value and publicize companies' social responsibility commitments, through an institutional Framework that really commits them to the rights of consumers and workers and with resources to promote activities chosen by communities (HERRLEIN JR., 2014, p. 98).

Thus, although the composition of multiple institutional arrangements can potentially strengthen the public policies directed by the State, the choice of entities and the convergence of their interests with those presented by the State is fundamental.

The irrevocable role of the State, in this case, is to ensure that partnerships are not used to enable vested interests that are different from those presented by the objectives of the proposed public policies.

2. 1 Decentralization of public policies

An important milestone in the democratic process is the decentralization of public policies. This decentralization has become a significant axis for the reform of the State, which has made it possible to bring the State and citizens closer together and thus formulate public policies that are more closely linked to social needs (LOTTA; VAZ, 2015).

This decentralization of public policies has also boosted the generation of more effective and equitable results, experimenting with more complex institutional arrangements involving the potential of local entities.

Thus, local entities are involved in the process of deciding, implementing and evaluating related public policies, which makes it possible to achieve more satisfactory results in different locations (LOTTA; VAZ, 2015). This is possible because the process takes into account some specific and particular conditions of the beneficiaries, meeting the demands of users⁵.

The inclusion of popular participation in the process of drawing up and managing proposals has made the institutional environment for formulating, coordinating and implementing public policies more complex in Brazil (LOTTA; VAZ, 2015; PIRES; GOMIDE, 2014; NASCIMENTO; CURY, 2016). Given the importance of this participation, it represented a significant advance in the quality of State action (NASCIMENTO; CURY, 2016).

From the 2000s onwards, this process gained even more strength:

There has therefore been a movement towards building new relationships between federal entities, in a logic of coordination, in which the Federal Government acts

⁵ This involvement of other sectors in the formulation of public policies was made possible precisely by the Federal Constitution of 1988, which highlights the importance of social participation at various times. The Constitution also established a series of participation mechanisms, involving political, social and economic actors in the discussion and formulation of policy proposals and management, through instruments of control, participation and transparency in the public decision-making process. Later, forms of representation were implemented through councils, conferences, public hearings, budgets and participatory planning (forming networks).

more in the regulation and transfer of resources and the state and municipal governments in the implementation. At the same time, another movement has emerged in recent years and is characterized by the greater complexity of these new arrangements due to the involvement of new actors, in addition to government entities, in the processes of formulating, implementing and evaluating public policies (LOTTA; VAZ, 2015, p. 176).

The transformations witnessed over the last two decades have provided answers regarding organizations and public policies which, although they are still in the process of being improved, propose new institutional arrangements.

These make it possible to improve relations between federal entities, promote the articulation of public policies, create spaces for the participation of civil society and establish relations with third sector organizations. All this with the aim of achieving public policies with more effective, democratic and integrated results (LOTTA; VAZ, 2015).

In public management, according to Nascimento and Cury (2016), the legitimacy of the partnerships established between the State and non-governmental and private institutions is no longer questioned. The authors only draw attention to the fact that it is necessary to analyze and define the areas of joint action and under what conditions these partnerships take place, in order to guarantee the efficiency and effectiveness of these policies. If the conditions or the role that each actor will play are not carefully analyzed, there is a risk that the policy will fail.

These new institutional arrangements seek to promote the integration of people, areas and organizations, based on certain issues, such as improving federative relations that address specific issues (health, sanitation, etc.), solving more complex problems (an example of this would be the fight against poverty), services that are aimed at a specific population (such as the Minha Casa Minha Vida Program).

There are also arrangements that address one issue or sector (an example of this is the Unified Health System (SUS), which includes actions linked to the Ministry of Health and the State and Municipal Secretariats, among other cases (LOTTA; VAZ, 2015).

In fact, enabling institutional arrangements that provide public-private partnerships within an agile, reliable and flexible institutional space are elements that offer the indispensable conditions for innovation (NASCIMENTO; CURY, 2016).

Therefore, depending on the objective and its motivation, each institutional arrangement has its own characteristics, due to the actors involved in the decision-making processes, the different roles established and, above all, the moment (historical period) in which it takes place (LOTTA; VAZ, 2015).

3 INSTITUTIONAL ARRANGEMENTS

According to Gomide and Pires (2014) institutional arrangements are understood as "the set of rules, mechanisms and processes that define the particular way in which actors and interests are coordinated in the implementation of a specific public policy" (GOMIDE; PIRES, 2014, p.19-20). Thus, it is through these arrangements that the State is able to implement certain public policies.

As Lopes (2001), institutional arrangements are defined as a set of institutions made up of companies, organizations or production units that relate to each other in order to develop certain activities, through a network of relationships, partnerships and support, which not only make things possible, but also boost results, which can be total or partial.

In this sense, institutional arrangements are the set of relationships established between institutions of various kinds, uniting different components of society. This union provides the constitution and functioning of productive systems, combining social and economic dynamics, which operate in the political field and in various sources of power, and in some cases boost these systems and in other cases make them unfeasible (LOPES, 2001).

It is worth noting that the formation of appropriate institutional arrangements allows for the best development of the relationship between the state, society and the market, and this is where the catalyzing and characterizing element of state action that permeates development in the 21st century (GOMIDE; PIRES, 2012).

This openness came about as a result of changes in the functions and responsibilities of the State, especially since the middle of the 20th century. This has led to changes, from the structure to the character of the actions, where the State is no longer the inducer but the regulator of economic development, no longer centralized but allowing the participation of various instances of civil society (SCHNEIDER; TARTARUGA, 2004).

The evaluation of institutional arrangements has shown that democratic legitimacy depends on the incorporation of relevant political actors who permeate the various stages of public policy. The effectiveness of these arrangements depends on the bureaucratic capacity to achieve the proposed objectives (LOUREIRO; MACÁRIO; GUERRA, 2015).

In order to understand how public policies work, it is necessary to deepen the analysis of how institutional arrangements are supporting their implementation (PIRES; GOMIDE, 2014).

This analysis makes it possible to list the variables that are essential for understanding the formation of the arrangements, such as: defining the actors involved, how governance is carried out, how decision-making processes are established and the degree of involvement (LOTA; FAVARETO, 2016).

For Fiani (2018), institutional arrangements must specify which agents are qualified to carry out a given transaction and how these interactions need to take place during development. The author also points out that this action is subject to the institutional environment. One of the main institutional arrangements in the economic area is the market⁶.

With regard to the interactions established between democratic institutions and development policies, it is essential to carry out a prior analysis of the actual process before implementing these policies.

Pires and Gomide (2014) also consider it important to understand the performance between the bureaucracies of the executive branch and the structures of political control and participation. This process ranges from the set of decisions and actions developed from the

⁶ The characteristic that immediately stands out for analysis is the fact that the market is a less specialized institutional arrangement, since it encompasses a large number of transactions, without any one of them being treated differently from the others. In other words, a transaction is treated by the rules of its market in the same way as any other (FIANI, 2018, p. 118-119).

launch to the perception of results, which mainly involves execution activities, formulation or reformulation (when necessary) and decision-making.

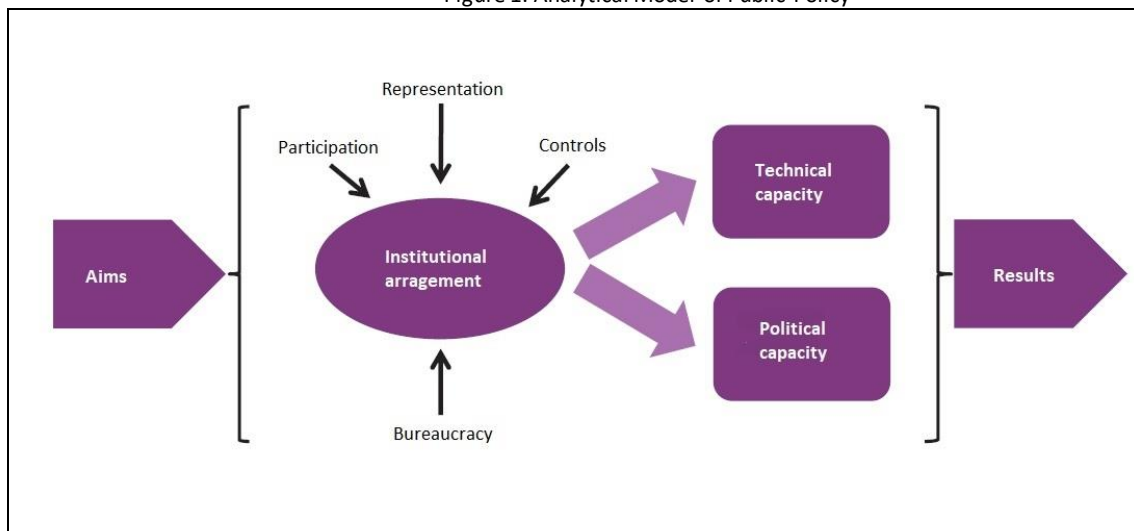
It is in the implementation process that the decisions and actions of government bureaucracies become evident, and where there is the repercussion of interaction with democratic institutions, which can generate impasses and obstacles or learnings and innovations, depending on the circumstances (PIRES; GOMIDE, 2014).

Within the Democratic Rule of Law, the capacity for execution comes about through institutional arrangements that are related to the technical-administrative and political components. The technical-administrative component includes the skills of State agents to execute its policies, in the quest to produce results through coordinated and targeted actions. The political component is linked to the skills of the Executive bureaucracy which, linked to the expansion of channels for dialogue, can negotiate with different social actors, processing conflicts and acting with specific interests. It is by organizing these two components that the State is able to implement its public policies more effectively (GOMIDE; PIRES, 2014; PIRES; GOMIDE, 2014).

As such, institutional arrangements allow the State to develop the skills it needs to implement its objectives, in other words, it is the arrangements that determine the state's capacities to implement the desired policy.

As can be seen in Figure 01, the technical-administrative and political components result from the relationships established between the bureaucracies of the executive branch and the representative, participatory and control systems. Thus, each specific arrangement is responsible for implementing rules and mechanisms and processes that explain the result achieved by each public policy (GOMIDE; PIRES, 2014; PIRES; GOMIDE, 2014).

Figure 1: Analytical Model of Public Policy



Source: Gomide e Pires, 2014, p. 21

Political skill stands out as far as it needs to work by articulating interests and negotiating with the plurality of groups that are socially organized and, based on this, build consensus that makes it possible to coordinate implementation and achieve the best possible

results. However, the State still has to deal with the bureaucracy that executes public policies, both in government and civil society, and the area of control, which is exercised by the Public Prosecutor's Office, the Federal Court of Auditors and the Office of the Comptroller General (LOUREIRO; MACÁRIO; GUERRA, 2014). For States and Municipalities, there are the State Audit Courts, the Public Prosecutor's Office and other regional bodies.

According to Gomide and Pires (2012, 2014), in order to think about the development of development policies, it is necessary to deepen the vision related to institutional arrangements, since these are what support the analysis and decision-making processes, both in terms of control and execution. In one way or another, public policies are involved in arrangements made up of:

[...] organizations (with their mandates, resources, competencies and legal instruments), coordination mechanisms, spaces for negotiation and decision-making between actors (from the government, the political system and society), as well as impositions of transparency, accountability and control by citizens and bodies of the Legislative and Judicial branches. (GOMIDE; PIRES, 2012. p. 27).

In this way, the production of public policies is naturally permeated by institutional arrangements, which involve political institutions with legal-organizational competencies that bring together technical-administrative capacity. However, this union of different arrangements is not free of tensions, as it brings together different actors from civil society, political parties and parliamentarians, which often ends up hindering efficient and swift decision-making (GOMIDE; PIRES, 2012).

It is a fact that it is not feasible to include all stakeholders in the process, from an operational point of view, so some will be included, while others will need to be excluded. In order to define who stays and who doesn't, many discussions and negotiations take place, as it is a matter of defending interests (SOUTO-MAIOR; GONDIM, 1992; LOTTA; FAVARETO, 2016).

It is important to mention that institutional arrangements also have their capacities and weaknesses at any given time. In view of this, it is essential to know how intensely these capacities can manifest themselves in the face of the challenges posed by each development policy (GOMIDE; PIRES, 2012). Often, the development of institutional arrangements involving the participation of private agents generates some problems that can affect the regulatory system (FIANI, 2018).

Thus, setting criteria to establish and measure these capacities and weaknesses helps to define the best measures to be used when defining the production of development policies,

[...] development policy arrangements that combine high technical-administrative capacity with high political capacity would be associated with the most innovative and successful policies, since they reconcile effective action by the State to achieve the proposed objectives with openness to the participation of stakeholders and social control. (GOMIDE; PIRES, 2012, p. 29).

In a study presented by Pires and Gomide (2014), it was shown that institutional arrangements with promoters of high political capacity are able to coordinate various actors and interests and process conflicts generated between them, and are able to carry out

revisions, changes and introduce novelties that had not been foreseen *a priori* (PIRES; GOMIDE, 2014).

The process of evaluating a public policy that involves institutional arrangements is complex. Souto-Maior and Gondim (1992) point out that a public policy is the representation of a government, where participation is understood as a means used by this government to achieve the best success in implementing this program/project. However, the authors state that evaluation should be based on the institutional arrangement, which comprises the "set of public and private organizations, rules and laws responsible for formulating and implementing a given policy" (SOUTO-MAIOR; GONDIM, 1992, p. 144).

Souto-Maior and Gondim (1992) point out that the fact that a public policy involves various bodies and levels of government (Federal, State and Municipal) and spheres of power (Executive, Legislative and Judiciary), as well as civil society, makes it theoretically impossible to carry out an evaluation that seeks to present overall efficiency.

Another issue that the authors draw attention to is the fact that the actors inside and outside the arrangements are taken into account, as well as the pressure they are under, so that the objectives are modified over time and during the process.

As Souto-Maior and Gondim (1992) point out, a number of variables need to be taken into account in the evaluation:

- a) in addition to the institutional arrangement developing policies that usually have several objectives, each of the entities that make it up also has multiple objectives;
- b) both the arrangement and each of the organizations that make it up can be effective in some aspects of their operations and not in others;
- c) effectiveness would have to be considered from the point of view of the people, groups and organizations inside and outside the arrangement, and who are affected by the policies it produces;
- d) the pressures on the arrangement change over time, so that some objectives are emphasized more at one time than another (SOUTO-MAIOR; GONDIM, 1992, p. 144-145).

That's why evaluations involving participatory experiences can't just focus on the overall results. The whole process of formulation and execution needs to be taken into account. This is important because the focus is not only on the effects and impacts caused by public policy, but also considers the participation of citizens at all stages, from formulation to implementation (SOUTO-MAIOR; GONDIM, 1992).

4 CONSIDERATIONS

The importance of setting up relevant institutional arrangements for the production of public policies is evident in this article. It shows that such arrangements potentially bring together technical and administrative resources and the various stakeholders and beneficiaries. In addition, their importance lies in their greater capacity to establish strategies for stimulating, executing and evaluating the governance processes that promote the success of public policies.

It should be noted here that institutional arrangements are the result of the democratization of the State, which allows the participation of the various sectors in order to establish objectives, actions and planning and management mechanisms for public policies in accordance with the reality of those involved.

Institutional arrangements are important for the production of public policies since, in addition to bringing together technical-administrative resources, they provide coordination negotiations, spaces for negotiation and decision-making between actors and the imposition of transmission, accountability and control by citizens and legislative and judicial bodies. On the other hand, institutional arrangements can be used to establish and measure the capacities and protection of States to produce successful development policies.

Although it is not possible to involve all stakeholders in the process of drafting and managing a policy, the State can and should invest in building a planning and management structure geared towards governance, and in this sense, the analysis of institutional arrangements has shown great potential. Based on the reflections made throughout this article, it is considered that the political and technical-administrative capacity to achieve the objectives proposed in a public policy depends on the institutional arrangements considered, thus citizen participation and social control are also fundamental to the success of the public policy through governance and sustainability.

In view of this, it is clear that the formation of appropriate institutional arrangements is essential if public policies are to be successful.

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