

Brazilian Environmental Public Policies Analysis

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Abstract—This paper is an overview on public policy analysis focused on the study of Brazilian public policy making process. The methodology is based on the review of some theories on the subject, linking them to Brazilian reality. The study presents basic policy analysis concepts, such as policy, polity and politics. It is emphasized John Kingdon's Multiple Stream Model, because of its clarifying aspects concerning public policies formulation process in democratic countries. In this path it was possible to establish interpretations on environmental public policies in Brazil and understand its methods, instead of presenting only a case study. At the end, it is possible to connect theory with Brazilian reality, identifying negative and positive points of its political processes and structure.

Keywords—Brazilian policies, environmental public policy, multiple stream model, public policy analysis.

I. INTRODUCTION

THIS is a study on public policies analysis theories, applied to environmental public policies in Brazil. The work begins by punctuating important concepts on the subject and types of public policies formulation process analysis.

Environmental policy in Brazil is a new and dynamic issue; related to other sectoral policies; influenced by popular participation and includes several divergent actors in the process, what causes conflicts among them [2].

The objective of this work is to explore the academic field, aiming to interpret public policies instruments in the light of basic theoretical concepts.

Frey [2] considers Brazilian democracy composed by fragile democratic institutions, and the coexistence of modern and traditional politic behavior, what he calls a *neo-patrimonialist* democracy.

The understanding of the formulation process of the complex environmental public policy would be more superficial when studied from traditional public policies analysis theories, because most used theories comes from developed countries, where democratic system are more stable and consolidated [2].

John Kingdon's Multiple Stream Model [2] was chosen in this research as a convenient way to analyze public policy in democratic countries, because of the participative way they are established.

This work overviews the subject identifying the main concepts. Second step, it presents different points of view on public policy studies in Brazil, emphasizing the need to establish strong theoretical bases on academic research.

This contributes with the hypothesis presented in this paper,

about the need of exploring academic basement on the analysis and evaluation of public policies.

At last, it was important to detail how theory refers to the actors in the process of making environmental public policy, once there is a theoretical base also to evaluate the role of each one involved in the formulation process. This ensures that the analysis will present more academic aspects than narrative ones.

The method developed in this work is a bibliographical review focusing on defining concepts that better answer the parameters of analysis of environmental public policies, in democratic countries, such as Brazil.

II. FUNDAMENTAL CONCEPTS ON PUBLIC POLICIES ANALYSIS

Frey [2] presents concepts that he considers basic to understand public policy. Although, they are presented separately, those elements always appear related in practice [2]. The policy elements definition and theory, essentials to organize a critical review, are:

- *Polity* - Institutional dimension. Refers to the political system; to the legal system and to the institutional structure of the political and administrative system.
- *Politics* - Refers to the political process, usually conflicting, where objectives and contents are defined.
- *Policy* - Objectives and contents previously defined that will be put into practice. Represents the feature of politic programs that will be applied to each political decision.

Public policies relate, intrinsically, to politics and both relates to social power, when studying democratic countries. Politics represents the power in general, while public policy relates to specific solutions to public problems.

Politics is the art or the science of governing, it is also a group of procedures that express the relations of power to solve public problems, or questions related to public properties [4]. It is a constant search for establishing public policies, or to influence them. For this reason, governors have the function of design, manage and proceed the evaluation of the public policies.

In democratic regime, politics are mechanisms of social decision, and public policy is the intersection among politic, govern decisions and opposition [4].

Applying those concepts to this study on the Brazilian environmental public policy making, it is possible to understand that this is a process through what different social groups, with their divergent values, take collective decisions that rules the society in its entirety. Those binding decisions affect all actors involved, participants or nonparticipants in the process of decision-making. Several strategic actions are required to implement the objectives and they are sovereign decisions. They represent State intervention, applied by local

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governments, and they result of a politic activity.

Politicians have the duty of make public policies concrete; therefore, they are making a mistake when they keep themselves restricted to theories. Government is another actor that might be committed in putting public policies in practice, especially by organizing public sector activities to this objective [4].

Many times the institutional design is not appropriate to actuate in the implementation of a public policy, what leads the action to the collapse. Lack of organization and bureaucracy usually are factors for the impracticability of some policy instruments, especially in *neo-patrimonialist* democracy [2].

Some characteristics are important to improve the chances of success of a public policy [4]:

- Objectives decided in a participative way (public sector, local community and private sector).
- Clear orientation to implement the instruments proposed and to adequate the institutional design.
- Preview of the results through indicators (economy, efficiency, cost, etc.).
- Preview real costs and financing alternatives.
- Evaluate the relations of cost and benefits for the society.
- Integrated consistence (defining with which policy it will be related or controversial).
- Take part of friendly political environment - *politic window* [2].

Often the decision about those points are already a point of disagreement among social groups, but this is an important process of social participation that keeps public sector open to the citizens, and not closed in its technocracy or influenced by immediate populism [4].

Other important concept that helps to understand the process of public policy making, also presented by Parada [4], is *political space*: a set of public policies so deeply related that is impossible to describe one of them without mentioning the others. That fits well to the case of environmental policies made in Brazilian context, because the outline of instruments and policies focused on environmental management together compose a web, where many rules are conflicting.

In the decentralized Brazilian political system is common to find policies that overpass one govern sphere and involve local, regional and even federal managers to be executed; this situation is defined as *State Public Policy* [4].

A usual situation that illustrates this concept is the management of watersheds, in which representatives of all State levels, besides civil society members compose the committees. Or even the management of coastal zones that comprises since local to national level of government, and several institutions, from the Ministry of Agriculture and Fisheries to the Ministry of Tourism.

III. STUDIES ON PUBLIC POLICIES IN BRAZIL

In Brazil are growing both the number and the relevance of the studies on public policies made by Academy and Research Centers interested in government activities [5]. One definition

to *public policy analysis* is the study of the government in action [5]. Most part of the studies developed in Brazil on this subject focuses on case studies; few of them analyze the policy formulation process. For this reason researches usually generate specific results, inefficient to explain a structural situation [5]. It is important that researchers include in their studies theories that could clarify the stages of the process:

- Analysis of how the problem appears;
- Analysis of Agenda setting;
- Analysis of how solutions are chosen;
- The process of implementation and evaluation of the instruments.

Researches should focus on public policy concepts including more bibliographical academic material, reducing the exploration of case studies and their isolated political contexts [5]. Policy analysis also goes beyond the study of laws, plans and programs; it must reach the relation among political institutions; politic process; and policy contents [2].

In Brazil still predominates speeches apart of the embracing political process, called macroprocess. Many times they are limited in terms of thematic and temporal view, and this way, it is impossible to achieve results that can be generalized [2].

The authors mentioned get to the conclusion that Brazilian academic studies on public policies present few methodological rigor; they are exceedingly narratives [2], [5]. To overpass this stage, it has been adopted the *neo-institutionalist* literature and the theories on *political style analysis*, as tools to analyze public policy, especially in developing countries [2].

Neo-institutionalism is a theory that describes the role of institutions in the success or in the fail of public policies, but also emphasizes political actors [2]. It gives importance to the polity - the institutional dimension of the political system - represented by political and administrative legal system and by institutional structure [2]. There are many problematic institutions in developing countries that affect the public policies execution.

Political style analysis is an instrument focused on how politics happen, especially cultural factors; political behavior; and actors influence. All those factors must reflect in the quality of programs and projects elaborated within a public policy [2].

It is important to strongly consider socio-economic and political aspects and particularities in policy analysis theories, applied for developing societies. That is a reason to disagree with the traditional theories to explain political process in countries where institutions are weak and have contradictory behaviors concerning political and administrative systems [2], privileging *neo-institutionalism*. An important characteristic to be considered is that traditional and modern political systems still coexist in some developing countries, including Brazil [2], what means they do not have the same efficiency in applying public policies as the developed democracies.

Neo-institutionalism and *political style analysis* are analysis instruments that consider the importance of the institutions and the political actors' participation as a relevant variable in the political process; including non-governmental and civil

societies institutions, besides the traditional ones.

Some public policies typologies of formulation and analysis developed in the neo-institutionalist theory basis are mentioned [6]:

- Public Policies Cycle or Garbage Can Theory, developed by Cohen, March and Olsen, en 1972.
- Multiple Stream Model following the Public Policies Cycle was developed by John Kingdon, in 1984.
- The Advocacy Coalition, developed by Sabatier and Jenkins-Smith, en, 1993.
- Punctuated Equilibrium, developed by Baumgartner and Jones, en 1993.

In this paper it was adopted the *Multiple Stream Model* as a theoretical alternative to understand Brazilian environmental public policy making process.

IV. MULTIPLE STREAM MODEL: A POLICY ANALYSIS TYPOLOGY

Kingdon [1] refers to the American public policy formulation process that contributes to explain modern public policies formulation in other democratic countries, once it considers some elements characteristics of societies where there are political participation and intense ideas circulation. In this research the work of John Kingdon is explored as a typology to explain environmental policy-making process in Brazil.

The theory was developed to answer why some problems become important to the government and how an idea or solution enters into the discussion of governors, becoming a public policy [2]. The Multiple Stream means that three factors, called *streams*, might happen simultaneously to change de government Agenda: the *problems*; the alternatives or solutions proposed - *policies*; and the propitious *politic* conditions [3].

Four different stages happen in the formulation process, according to the Model [1]:

- The Agenda setting of public policies.
- Identification of alternatives or solutions.
- Making the choice of one or more alternatives.
- Implementation of the selected alternatives.

The Agenda setting is defined as set of themes over what governors and public sector staff will be concentrated in certain period [3]. It is the result of a social construction, discussion, and dispute among the actors or groups trying to impose one alternative. Considering the unequal strength of some groups over others less representatives or influents, the Agenda is made by the options given by the *winner* groups [4].

It is possible to identify a heterogeneous political and social representation in Brazilian reality, where economic power represents more political power, although minority groups have achieved representative voice, in the last decades. Environmental public policy and social issues has been treated with more democratic participation of the organized society, especially NGOs.

Latterly, even urban policy has mentioned environmental

questions within its themes in public policy decisions, considering the environmental quality as a human right just together with the right of housing and urban infrastructure.

The first of three streams defined by kingdon is the *Problem Stream*, straightly related to the Agenda setting. A question enters the government Agenda when it reaches the attention of public policies creators, among several important problems at the same time [1]. It is called *Decisional Agenda* [1] composed by the problems selected to be on top, at that period.

Governors need to have their attention called to look at a specific problem, at the same time; several other problems will be ignored. Some factors to put a problem into the Agenda might be [1]:

- *Indicators* that call attention to a question transforming it in a problem; for example: high mortality rates; programs executed with high costs; or others.
- *Focusing Events* or *crises* that call the attention of public opinion to a question.
- *Feedback* of government actions, such as negative economic balances or non-achievement of goals, can be reasons to point a problem.

The definition of a problem is primordial within politic strategy, once it is a highly competitive process to enter into the public Agenda [1]. After that, the challenge is to keep in mind the complexity of a problematic situation and not simplify it.

Usually problems are simplified when they become a public policy subject, so it is usual to disregard institutional aspects or even do not include financial support or evaluation methods in the public policy; factors that make the policy inefficient for the original problem [4].

Second point in Kingdon's model is *Policy Stream*, the author considers that policy communities are always thinking on alternatives for their challenges, and once this challenges become a problem and need alternatives of solutions, they will have it ready [4]. That is the policy stream of the theory, the flux of alternatives created by specialists, researchers, public sector employees, or the affected community itself.

There is no consensus on the alternatives of public policy, so it might have a conviction process. The propagation of one idea is made by a multiplier effect called *bandwagon* [1].

This negotiation among groups for acceptance of ideas, in Brazil is provided by law in the figure of *Participative Process* that can be seen in almost every Brazilian environmental public policy. It is a procedure that involves public meetings with govern and civil society representatives.

Policy stream put in evidence the power of some groups over others, although the original theory of Multiple Stream Model considers that the ideas must be more important than power dispute.

The third stream is the *Politic Stream*, the political dimension that includes institutional arrangement. Negotiation is the most evident characteristic of politic stream. Some factors that influence in politic stream are:

- *National mood* - A general situation in the society in which several groups share the same questions for a

period.

- *Political forces or pressure groups* - They influence by supporting an idea.
- *Turnover* - When occurs an important person position or competence change. When it occurs changes in important bureaucratic positions in public sector or when there are elections, it is a moment of change in the Agenda.

This is a familiar frame compared to Brazilian situation. Negative national mood usually created by failure in the governmental system or any political scandal, and emphasized by the media, orientates politic decisions on the design of public policies.

Changes in governmental Agenda occur when the three streams - problems, policies and politic conditions - converge. This is called *policy window*. It is important that public sector is prepared in terms of structure and present an efficient institutional design, when it happens a policy window, otherwise all the conditions will not be enough to the implementation of a public policy [4].

V. IDENTIFYING THE ACTORS

This title presents the points of view over the political arena, looking for who are the actors and what their roles in the public policy process.

The policy entrepreneurs are individuals willing to support and afford a political alternative of public policy. The reasons for this investment are future gains, usually material gains but it also for the social involvement, in some situations. Policy entrepreneurs came from government staff, media, academic community, civil society groups.

Other policy communities defined in the Multiple Stream Model are Brazilian political frame stereotypes, and they can be characterized as:

- Visible actors - those who have the attention of media and general public.
- Invisible actors - those who generate the ideas and launch them to the public.
- Political party and campaigners - they use the election campaign to promise to put a problem in the Agenda, if they are elected.
- Legislative power - important group of actors that create the political Agenda and can propose the alternatives for solution.
- National President - the strongest actor in the process. He can decide by itself or interpose in others decisions. But this person needs technical advice because he is not capable of anticipating the results of the policies.

Media can help to structure a problem as it is presented to the public, but it cannot create alternatives [1].

Bureaucrats are essential for the public Agenda, because they have straight contact with the public, being the bridge between society and the State. They have the basic information to describe the problems and to indicate solutions [7]. Besides that, bureaucrats are usually experts in the area they work in public sector, what gives them more background to influence decisions.

An important duty of the bureaucrats is the implementation of public policies. They must turn political decisions into practice. That is the problematic point of their action in Brazilian reality: objectives established by decision makers are usually ambiguous, generic or even contradictories [7]. Bureaucrats in their executor positions can commit arbitrariness, that sometimes seems positive because than can solve inconsistencies of the public policies.

VI. CONCLUSION

This work is an associative point of view of the theory discussed and its relation with the environmental public policies process in Brazil.

It is possible to make public policy with efficiency and democracy when the rules are clearly established [7]. It is necessary to prevent the power disputes and privilege the democratic discussion by using the existent legal instruments.

Although the legal and institutional structures for environmental management in Brazil are relatively defined, the actors involved have not the same power of influence, and there is a lot of new actors actuating outside the official political system.

Institutional design is also a problem: it does not respond to the needs of implanting the environmental policies that are usually very complex. The fact that environmental issues affect territorial management and require concomitant actions from all levels of government; makes its implementation more difficult and complex.

Positive points can also be listed in Brazilian scenario: democratic elections open opportunity to change people in important positions, so new options of public policies can be adopted; besides that, legal outline is strong and there are good instruments to preserve and manage natural resources in Brazil. To put this in practice it is necessary the civil society participation, once it is a legal right. That means it is necessary a long term popular participation, to ensure more developed participation ways than only voting [4].

The study of theoretical models and the adoption of basic concepts allow identifying the basis of public policy, beyond the simple study of laws, governmental programs or simply describing cases. Besides that, from this academic point of view it was possible to look at the Brazilian environmental policy as an association of several political styles; with a fragile institutional design that does not ensure that instruments proposed will be effectively executed.

Public policy theme is a process, so it cannot be explored with static approach as it has been studied in most researches that focus on a case study [1], [5]. The theme might be seen as a complex net of influences and several factors involved, all of them able to negotiate, each one with one limit of power.

Environmental public policies have specific characteristics, such as complexity because it involves several sectoral Agendas; they point out new approaches for the traditional political system, such as sustainability, conservation of natural resources, solidarity with future generation, and so on; it is required specific institutional and political structures to

execute proposed instruments [2]. It was necessary to create sectoral secretaries in Brazilian institutional frame, for example the creation of an specific environmental department inside the national structure: the Environmental Ministry, in 1992. After that, several new governmental and civil institutions entered into the scenario.

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