Social Participation in Policymaking: Does It Make a Difference? Analyzing the Evolution and Effectiveness of Participatory Institutions in Brazil

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Roberto Pires, from the Institute for Applied Economic Research (IPEA), presented on the extensive range of participatory processes in Brazil: formal processes that create opportunities for citizens and social movements to participate in policy decision making, implementation, and evaluation. In his presentation Roberto analyzed the historical evolution of the phenomenon, explained the different forms of participation, presented the evidence on their impact, and finished with an assessment of the challenges to increasing the effectiveness of participatory institutions in policymaking in Brazil. This was followed by lively debate among participants.

**TAKE-AWAY MESSAGES**

- Social participation mechanisms work; through participation in structured spaces citizens and citizen groups have been able to affect the content of policies in Brazil (such as in the content of Internet Bill). Citizen participation can also help mitigate social tensions and conflict in implementation of controversial development projects thereby increasing the legitimacy of the project (as in the case of the transposition of the São Francisco River). Encouraging active citizen participation can also help build coalitions to counter the influence of opposing lobbies (such as in the case of Internet bill where opposition by the telecom sector was mitigated by active citizen participation and the alliances that were formed thereof).

- The challenges that participatory approaches face in order to have this impact are multi-fold. First, there are challenges to making this participation inclusive and accessible to all citizens. In Brazil, these spaces face constraints; there are differences in the degree of participation across genders and races, and also across social policy areas. Second, government officials continue to see these mechanisms as instruments of control, and sometimes as tools to provide transparency, rather than as channels of citizen input and feedback on policy content.

- In order to increase the impact of these participatory mechanisms it is imperative that we take systematic approach where different mechanisms of participation are
coordinated and speak to each other. We need to devise ways that systematically manage the knowledge produced in participatory spaces, and to increase our capacity to follow-up on the knowledge created. Improving the quality, inclusiveness, legitimacy and authenticity of these participatory mechanisms should be the focus of future endeavors.

- The session - the presentation as well as the comments and discussion after the presentation - revolved around following topics: discussion of participatory mechanisms, evolution of participatory mechanisms in Brazil and motivations behind it, various dimensions and examples of impact of these mechanisms, challenges in ensuring the effectiveness of these mechanisms, and finally the way forward.

I. PARTICIPATORY MECHANISMS IN BRAZIL

Brazil has used several mechanisms to encourage citizen participation in policy-making and demanding government transparency and public oversight. Social participatory mechanisms were given legal foundation through the 1988 Constitution. A number of legislations that followed emphasized social participation in different areas, establishing institutional forms of interaction between State and society. Currently, there are four structured ways of social participation in Brazil: National Councils, National Conferences, Public Hearings and Ouvidorias. In addition there are formalized ad-hoc mechanisms, such as meetings, taskforces and work groups. There is a wide variety within these mechanisms: they operate at different levels from local to national; some are regular scheduled events and others are ad-hoc; and some invite individuals to participate and others engage through CSOs.

Roberto Pires, considered the Councils and Conferences to be the most robust mechanism for opening space for participation and creating conditions for engaging with government. Conferences are open and are held at local level and are organized across policy sectors. There is no restriction on participation. Public hearings are common in infrastructure projects. More recently, these discussions have also been held through social electronic media. Ouvidorias, on the other hand, are a centralized phenomenon inspired by the Ombudsman model. Every department and ministry has a unit to receive complaints and suggestions, reports of corruption and mistreatment and requests for information from citizens.

II. EVOLUTION OF PARTICIPATORY MECHANISMS IN BRAZIL AND MOTIVATIONS BEHIND IT

It was clear from the discussion that social participation is a fundamental aspect of Brazilian social and political life, as suggested by Pedro Abramovay during the discussion: “Participatory processes are part of the DNA of Brazilian democracy.”

Evolution of participatory processes in Brazil can be divided into two phases: From the 80s to the late 90s they grew mainly at the local level through participatory budgeting. The second phase began in the 2000s, when participation was established at the national level. Between 2002 and 2010, the number of federal policies...
featuring at least one type of participatory process rose from 11% to 75%. Analysis of causes and forms of variations in sub-national performance can provide valuable lessons for designing development interventions. Comparative case studies are perhaps the best method for this purpose.

III. IMPACT OF SOCIAL PARTICIPATION IN BRAZIL

As with all evaluations there are methodological challenges to assessing the impact of these extensive participatory processes. Firstly, participation can be associated with a wide number of potential outcomes. Among others, it can affect government operations, the content of public policies, organization of civil society, and the ability of citizen for political engagement. Secondly, given how widespread these mechanisms are in Brazil it is no longer possible to evaluate the presence of these initiatives against the absence of such initiatives. Furthermore, beyond just creating spaces for participation and understanding their impact it is important to examine if that space is creating opportunities for inclusion and deliberation, and how these different forms of participation affect outcomes differently. To mitigate some of these methodological challenges IPEA has used multi-modal approach, including process tracing, comparative analysis and econometric approaches. The presentation highlighted two primary dimensions of impact of social participation in Brazil.

First, social participation has affected the content of the public policies in Brazil. There are several examples of this impact. Boulding & Wampler (2009) and Touchton & Wampler (2013) have shown that municipalities that have participatory budgeting spend more on health and sanitation, and have lower child mortality rates. Samuel & Pogrebinschi (2014) and Pogrebinschi & Santos (2011) analyzed correlations between proposals approved in national conferences and the Congress’s agenda and found 26% of all conferences proposals are incorporated in some way into legislative proposals, but with variations across policy areas. Similarly, a study by IPEA found that the intensity of the online debate on Internet Bill concurred directly with the changes made in the proposed bill. The issues that were more intensely debated were precisely the issues that underwent the greatest changes in the Bill.

Second, social participation can also mitigate social tensions and conflicts in development projects and contribute to achieving consensus. An example of this impact comes from a comparative study of two infrastructure projects -- the transposition of the São Francisco River (PTSF) and the construction of the Belo Monte Dam (UHBM). In UHBM project, social participation was minimal; public hearings with the affected population were few and far between and were conducted poorly. PTSF project, on the other hand, allowed for inclusive, multi-dimensional participation process using different mechanisms that included councils, consultations and working groups. The comparative study found that in UHBM project tensions persist and different stakeholders continue to pose new obstacles to the continuation of the project. In the PTSF project, however, extensive and inclusive participation of citizens helped dissolve tensions and increased the legitimacy of the project. It also changed the design of the project, which now includes a sustainable development component.

The discussion after the presentation highlighted another potential positive impact of social participatory approaches; wide participation of citizens and citizen groups encourages building of alliances that can help push a policy forward and counter strong opposition from a powerful stakeholder. The case in point is the Internet
bill. A public interactive blog on the Ministry of Justice page allowed citizens to comment on the bill. This discussion allowed various actors including internet providers, intellectual property actors, and internet users to form a strong coalition that was then able to work together to oppose the lobbying of the telecommunications companies. In the end the text of the Bill that was approved reflected the citizen engagement.

IV. CHALLENGES TO EFFECTIVENESS OF THESE APPROACHES

One of the greatest challenges to the effectiveness of social participation approaches discussed was the issue of inclusiveness and access to these mechanisms. The data collected by IPEA showed that participation varies widely across gender and ethnic groups in Brazil. Related to this issue, session’s participants after the presentation also highlighted the issue of authenticity of these participatory processes. They also highlighted that these mechanisms remain subject to elite capture, and abuse and manipulation by political parties.

The Conferences have shown some innovation in trying to address these issues. For example when looking at issues of youth detention, they created mini conference inside the detention centers so inmates could participate. They have also introduced quotas for under-represented groups in conference participation.

In addition to differences in access by different groups, opportunities for participation differ across policy areas. While social policy issues provide mechanisms for participation through Councils and Conferences, economic development initiatives provide opportunity for citizen participation only through ad-hoc meetings with citizen groups.

Second greatest challenge associated with participatory approaches in Brazil is government’s attitude toward these approaches. IPEA research shows that government officials see these mechanisms as instruments of control, or sometimes as a channel to provide information to citizens, and not as a way to include citizens’ feedback in policy-making. Related to this issue is the perception of private sector regarding these mechanisms.

During the discussion, another challenge to the effectiveness of these mechanisms was highlighted – the inability of these mechanisms to enforce their decisions. Participants also indicated that recent street protests in Brazil in June 2014 pose a challenge to the authenticity of these participatory mechanisms; why were people in the street protesting and not in the Conferences and Councils debating. While there was a lively discussion this topic, there was no consensus of how to address this puzzle.

V. WAY FORWARD

The above discussion suggests that “the debate in Brazil is no longer if the institutionalized participatory processes are effective, but rather why are they effective and how they can be improved” (as was suggested by Roberto in the beginning of his presentation). To this end, Roberto proposed some strategies to move forward. He emphasized that there is a need to think about these mechanisms systematically and holistically, so that we
can coordinate across different participatory approaches. We need to devise ways that systematically manage the knowledge produced in participatory spaces, and to increase our capacity to follow-up on the knowledge created. Also, we need to focus on improving the quality of participation in trying to make it more inclusive, accessible to everyone and across all policy areas, authentic and legitimate.

The presentation ended on a positive note: “The pains we feel are growing pains. We are at a mid-life crisis point. We have achieved a lot but now we need to review and make changes to progress even further”.

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