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*Social Policies and partnerships between Civil Society and State: São Paulo's (Brazil) case*

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**Júlia Moretto Amâncio**

jumorettoamancio@uol.com.br

PhD Student

Social Sciences PhD Program

Universidade Estadual de Campinas (UNICAMP)

São Paulo – Brazil

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## Abstract

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Actually the public policies management depends upon the establishment of partnerships between public power and civil society's organizations. At the same time in which one tries to constitute more public parameters in the policies management, occurs the growing uses of service's indirect executions and focused expenses mechanisms. Through the case analyses of São Paulo's social assistance policies we intend to answer these following questions: In this context, which limits are imposed to the State in the policies implementation? The fact that the social assistance policy in São Paulo's city depends on the shared actuation between public power and civil society would not insides directly on the policies focalization strategies claimed by the public power? Which are the limits that these considerations reveals for the social services executed through the partnership between State and civil society's organizations? Beginning from official data, we produced one territorial and sectorial characterization of the social assistance network existing in the city. Confronting this data with the social vulnerabilities references – used by the public power to define the policies focalization areas – we have concluded that the public power can not accomplish the focalized policy strategy of management in the social assistance area of the municipality.

**Key-words:** State - civil society partnerships; public policies; social assistance policies; citizenship; democracy; public spaces.

## Introduction<sup>1</sup>

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The management of public policies depends nowadays of the establishment of partnerships between the public authority and civil society entities. At the same time that there is an effort to create more public parameters to manage politics, there is also an increase of the use of several mechanisms, such as the indirect providing of services and the focus and rationalization of public expenses in social areas. This context, which was analysed based on a case study about the politics of social assistance in São Paulo City, has made us question the restrictions experienced by the State during the processes of execution of social policies, in order to reach the expected results. This study has also drawn attention to the importance of the investigations that may explain the partnerships between public authority and civil society in order to implement social politics. From this point of view, we realize that the theory about public policies in Brazil needs to be updated, and the roles and functions of each actor must be reconsidered.

In order to do this research, it was assumed that the neoliberal adjustments implemented in Brazil in the 90's were the main cause of the phenomena of partnerships created to execute social policies. Taking this hypothesis for granted, we believed that this situation was related to the

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<sup>1</sup> This article is based on my master tesis: Amancio, 2008. <http://libdigi.unicamp.br/document/?code=vtls000439234>

desresponsability of the State to provide social policies and to restrict expenditures in this area. Such hypotheses were formulated based on a bibliographical analysis of the debates about the issue of public policies in Brazil since the 90's (SOARES, 2002; SADER E GENTILI, 1995; DRAIBE, 1993; FAGNANI, 2005; MORAES, 2001; GIMENEZ, 2005; COELHO, 2002). Influenced by this theoretical universe, we'd like to ask the following questions: what does it mean to produce public policies in this context? What are the roles and limits established between the State and civil society during the formulation, management and implementation of such policies?

Nevertheless, by confronting such analysis with the reality found in the case study, we noticed that just a fraction of this hypothesis was confirmed. If, for one side, the neoliberal adjustments changed the general social policies decisions, which emphasized the transference of revenues and the focalization of these policies, which meant first of all a redefinition of the expenditures and not necessarily a reduction (SILVA, 2006), the fact that these adjustments were a consequence of the carelessness of the State and also the cause for the establishment of partnerships cannot be confirmed.

In the case of the policies of social assistance, focused on this study, it was verified that almost 100% of the policies are implemented through partnerships with civil society organisations. However, this situation was not created as a consequence of the neoliberal adjustments of the 90's, as the bibliography about this issue makes us believe. By analysing the tracks of the politics of social assistance in Brazil, it can be noticed that the primacy of the State was only confirmed with the promulgation of the Social Assistance Organic Law (Lei Orgânica de Assistência Social) in 1993. Thus, social assistance was always implemented by civil society's organizations and entities, supported or not by the State. In São Paulo's city, the relations established between public authority and civil entities to the execution of the policies of assistance were only regulated by a rigorous legislation since 2001. Since then, it has been verified a reformulation of the role of the State in this process, which act as a supervisor and formulator of the processes that involve the execution of such policies.

If we take these elements in consideration, the focus of our issues changes in a radical way. Although the rigorous juridical landmarks are formulated and put into practice in an effective way, we verify that the social assistance policies implemented in São Paulo's city between 2005 and 2007, object of this study, didn't accomplish the goals stated in the official documents, therefore it didn't achieve the expected results. Through a characterization of the social-assisting network, from the point of view of its territorial distribution, it was possible to verify that this network is still concentrated in the regions near the city centre despite the efforts of the the public authority to focus within the regions where the "poorest among the poors" are more concentrated. But which reasons could explain the inequality of the territorial distribution? Besides, the priority of the public

authority in charge, during the period of this research, was to attend families. Yet most of the social-assisting network is devised to attend children and teenagers. So why can't the public authority set up the politics of assistance it planned? And why can't it expand the social-assisting network to regions already identified as the most vulnerable and to areas that were defined previously as a priority?

The hypothesis of the neoliberal adjustments as an elucidative element was already discarded. The research was, from then on, based upon three points, in order to explain some of the dilemmas faced by social policies managed through partnerships between the public authority and civil society organizations: a) a network structure of actors that implements social-assistance policies in São Paulo city; b) the roles ascribed to public authority and social actors involved; c) historical affiliations established between the State and the civil society in this specific area.

Afterwards, we'll explore some of the most relevant data collected in the research to then retake those hypotheses.

### **The case study: the social assistance in São Paulo**

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São Paulo is a huge city full of contrasts. The city has nowadays more than 10,5 million inhabitants, which represents over 6% of the national population (SPOSATI, 2002) and 25% of the State's population (Plassp, 2006). Its territory is divided in 5 macro-regions (north, south, centre, east and west) and in 31 subprefectures that administrate 96 districts (Plassp, 2006). Highly urbanised, in this city "national, international and local issues are strongly reflected" (SPOSATI, 2002: 11). One of the most concerning issues, nowadays, is inequality. The population in the peripheries is increasing, inhabiting precarious and insalubrious shelters located in slums, as a result of disorganised urban patterns. These places offer few public services, environmental degradation and "the highest risks and social vulnerabilities, side by side with the lack of protection and social inclusion" (YAZBEK, 2004: 13). Thus, "São Paulo is a world metropolis for business and a terrible example of the guarantees provided by a city to assure quality of life to its children, youngsters, elderly and the large number of unemployed, subemployed and people who do odd jobs" (SPOSATI, 2002: 13). It's in this complex reality that our case study is based on: the agreements between social entities and the public authority within the social assistance politics in São Paulo city.

The general office of assistance and social development (SMADS) is the public organisation responsible for the management of these politics and depends on the largest social assistance network of Latin America, according to the data of PlasSP 2006. Nowadays, this office executes almost all its services through agreements with civil society entities, being now 759 agreements

with 334 civil society organisations<sup>2</sup> established. It's important to underline the fact that this agreement process just became regulated by the public authority in 2001, thus it's very recent. Besides, the largest city of the country was also the last capital to implement the LOAS<sup>3</sup>, and its management could only be fully implemented after 2001 (SPOSATI, 2002; YASBEK, 2004; CHIACHIO, 2006). Moreover, the social assistance in São Paulo was historically regarded as a minor practice, submitted to the charitable logic, philanthropy and *first-wivism* (YAZBEK, 2004). The city's office responsible for the management of assistance "accumulated in its route a superposition of institutional conceptions and arrangements characterized by a strong fragmentation and an absence of a unitary and democratic project of social assistance" as a consequence of this general characteristic (SPOSATI, 2002: 30 *apud* YASBEK, 2004: 12).

During the period studied, the social assistance politics in São Paulo city used the city's Social Vulnerability Index (IPVS), created by the SEADE Foundation, as one of the main social indicators, in order to frame and define the priorities of expenses and to direct the policies implemented by SMADS. Therefore, this data formulated by the SEADE Foundation and available in the official documents that establish the policies of assistance, mainly the PlasSP 2006 and the Report of Activities 2005, was compared with the data about the agreements and vacancies, organised by regions and subprefectures. So, the data was arranged taking into account the general population, the population inhabiting sectors 5 and 6<sup>4</sup> – high and very high vulnerability according to IPVS - agreement<sup>5</sup> and vacancies available. The data was analysed and differentiated according to city regions and subprefectures.

The following table demonstrates this dreadful reality; it displays the values of the percentage of the population that inhabits each region, comparing it to the population considered to be highly vulnerable.

*Table 1: Percentage of the general population and of people inhabiting IPVS's sectors 5 e 6, by region*

Region	Population	Vulnerability
South 2	21,6%	36,9%
East 2	21,7%	30,2%
North 2	11,6%	9,6%
subtotal	54,8%	76,7%
East 1	15,1%	7,7%

<sup>2</sup> Data published by the Observatory of Social Politics of SMADS in November 2006.

<sup>3</sup> Organic Law of Social Assistance, endorsed in Brazil in 1993.

<sup>4</sup> In the analysis of graphics and tables it will be named "Vulnerability", to save some space and make the comprehension easier.

<sup>5</sup> The quantity of services or equipments set up in the agreements.

West	8,8%	5,5%
South 1	9,2%	5,1%
North 1	8,5%	4,9%
Center	3,6%	0,1%
Total	100%	100%

Source: own elaboration

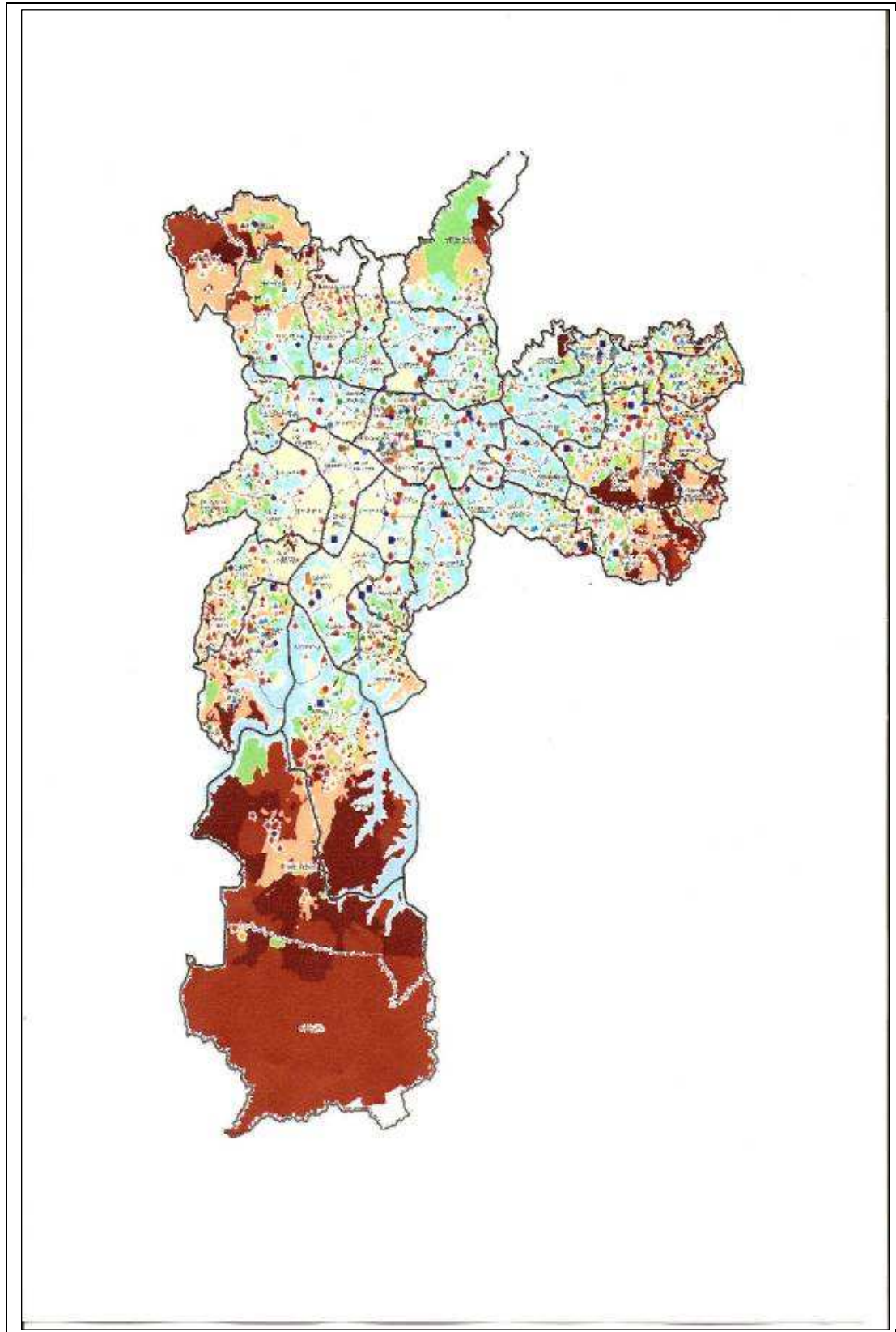
We can observe that the regions South 2, East 2 and North 2, together, concentrate most of the population (54,8%), but proportionally accumulate much more persons in a high or very high vulnerability condition (76,7%). Thus, most part of the population in a high or very high vulnerability condition is located in the “edges” of the municipality, and by recapturing the variables used to determine these vulnerability indexes, this data shows that in the regions that are more distant of the city centre there is, in fact, a larger absence of public or private services, more difficulties to find a job, fewer access to formal education and more numerous families, young or not.

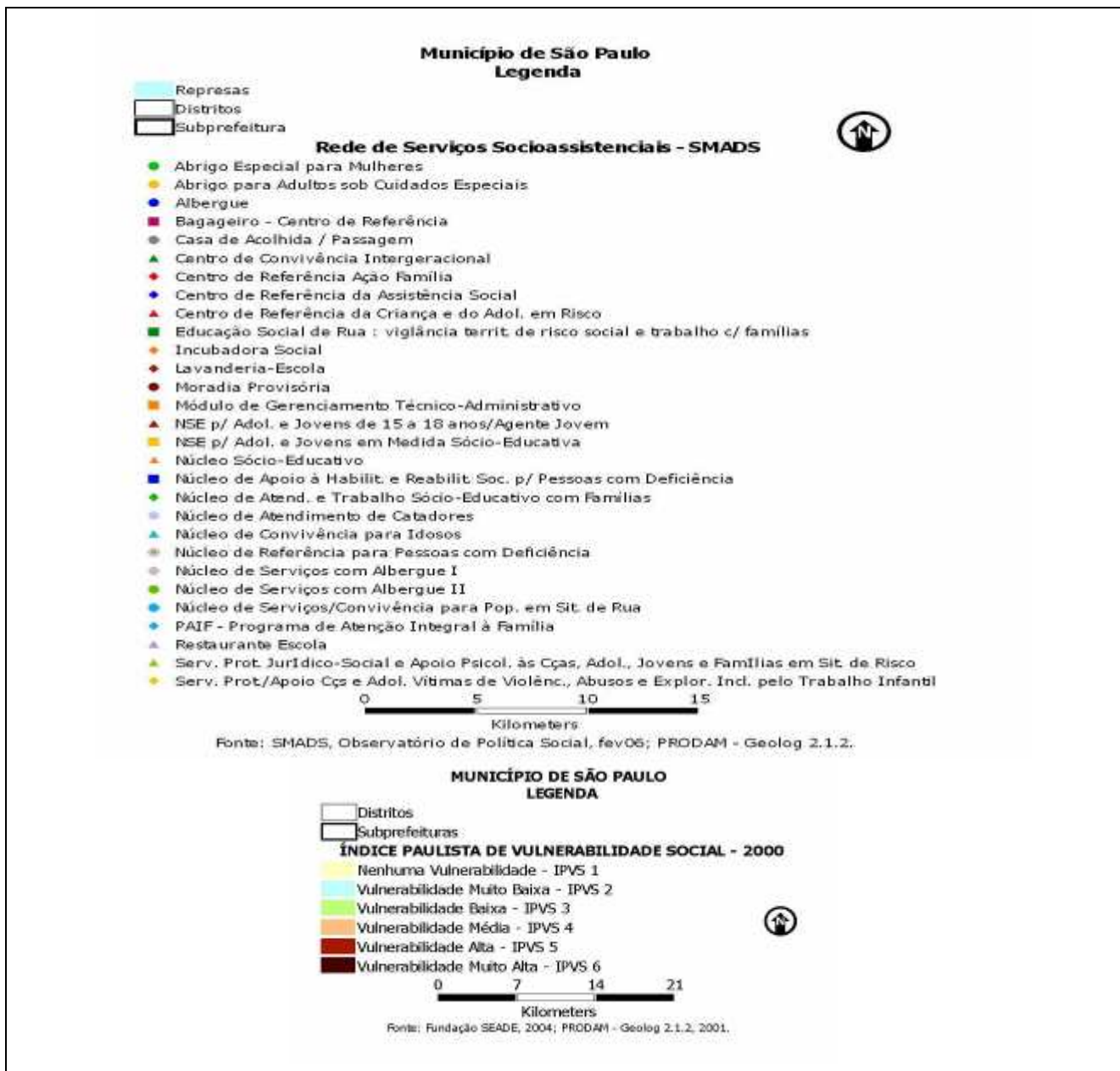
If it's true that the SMADS directs its social assistance policies to populations that inhabit IPVS's sectors 5 and 6, according to the priorities established by the programs Family Action and also by PlasSP (when they identify the target groups of their social assistance services and define their expenses priorities), the social-assistance network should direct more vacancies to services located in these places. But do those intentions stated by the public authority really take place? In order to verify that, we'll look at the following map, that compares the data of the vulnerability map available in the City Council's website, with the social assistance network map, also provided by the City Council. This map<sup>6</sup>'s purpose is to visualize the areas of the territory that concentrate more population resident in the sectors 5 and 6 more easily and compare them with the places where social assistance services are available.

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<sup>6</sup> This map was made using a simple image program, by overlaying both maps.

*Illustration 1: Maps overlaid: distribution of the social assistance network's map and vulnerability's map*





Source: own elaboration

From this single image, we can observe that in the regions identified with a red colour, which stand for the high and very high vulnerable sectors, there are few symbols indicating the presence of social assistance equipments and services. This first superficial look at the map shows that the services provided by SMADS don't match with the places that have a higher concentration of vulnerable population.

The following data corroborates this reality. Based on that, we notice that the regions that have the highest percentage of people resident in sectors 5 and 6 compared with the totality of people in the city that live in this situation, and which are also the most densely inhabited regions of the municipality, display a capacity of vacancies inferior to its needs. The region South 2, for example, has 36, 88% of the vulnerable population in São Paulo, yet it has less than 30% of the



vacancies provided by the social assistance network. The region East 2 also presents the same problem. However, regions East 1, West and above all the central region include a much higher number of vacancies in the social-assistance network than the percentage of vulnerable people. The central region is the most asymmetrical. This region only contains 0,09% of the vulnerable population of the city. Nevertheless, 6,4% of the vacancies of the social assistance network are concentrated in this area<sup>7</sup>.

The differences between the regions, in what relates to vacancies, vulnerability, resident populations and agreements can be observed in the following graphic and table:

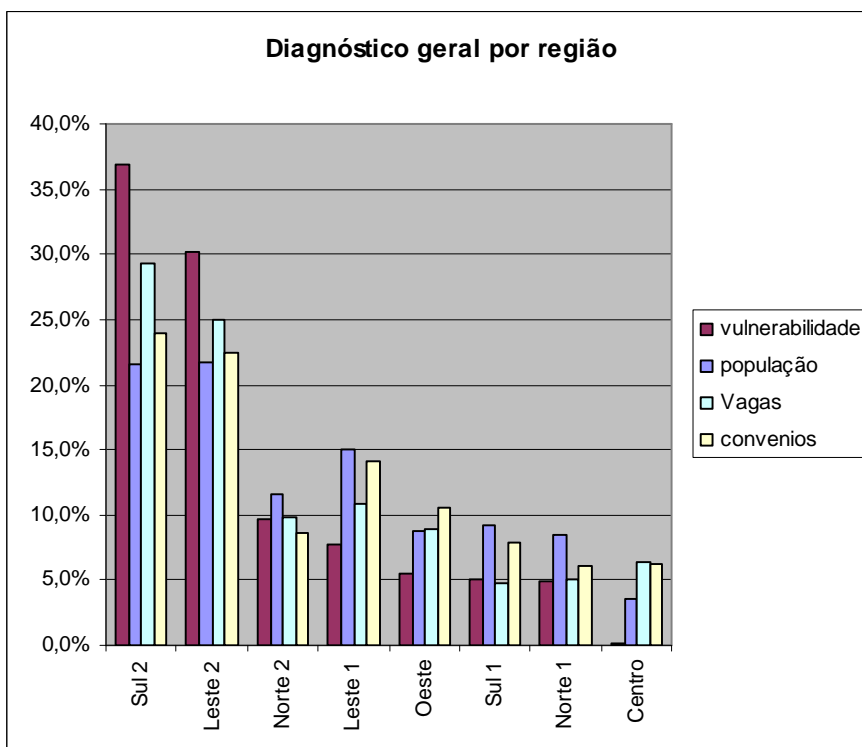
*Table 2: Percentage of agreements, vacancies, population and people inhabiting in sectors 5 and 6 of the IPVS, by region*

Region	Population	Vulnerability	Agreements	Vacancies
South 2	21,6%	36,9%	23,9%	29,3%
East 2	21,7%	30,2%	22,5%	25,0%
North 2	11,6%	9,6%	8,7%	9,8%
<b>Subtotal</b>	<b>54,8%</b>	<b>76,7%</b>	<b>55,0%</b>	<b>64,1%</b>
East 1	15,1%	7,7%	14,1%	10,8%
West	8,8%	5,5%	10,6%	8,9%
South 1	9,2%	5,1%	7,8%	4,7%
North 1	8,5%	4,9%	6,1%	5,0%
Center	3,6%	0,1%	6,3%	6,4%
	100%	100%	100%	100%

Source: own elaboration

<sup>7</sup> In the case of the Central and East 1 regions it may be that the discrepancy between vacancies and vulnerability have its origin in the fact that these regions concentrate most of the social-assistance network that involves the attending of homeless people. We searched in all the documents of the Foundation SEADE and also in the documents of the SMADS, but we didn't find any indication that could tell us if homeless people are included in the IPVS or not. We believe that they are not included because the index is based on the census data, which is based on questionnaires answered by people that live in houses, therefore these questionnaires are not answered by homeless people. IPVS, for this reason, doesn't take into account this population sector. This constitutes a limitation of the index we used to measure the population that supposedly needed the social-assistance network most; therefore it also constitutes a limitation in the conclusions and analysis we've made.

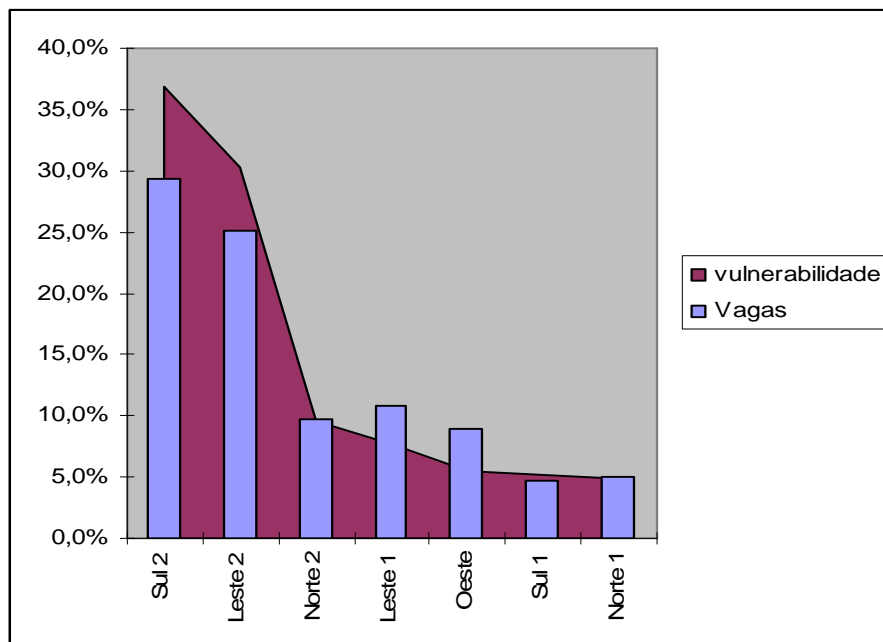
Illustration 2: Comparison between the percentage of population inhabiting sectors 5 and 6, population, agreements and vacancies



Source: own elaboration

This graphic explicits in a clear way that the available vacancies in the places with more people inhabiting sectors 5 and 6 aren't enough to satisfy the demands, while in other high vulnerable places there are much more vacancies. Only the regions North 2, North 1 and South 1 seem to be closer to the adequacy between these variables. And this discrepancy between the vacancies and the population that, according to the standards of SMADS, were more in need of social-assistance services, becomes even more evident if we take a look at the following graphic.

Illustration 3: Comparison between the percentage of vacancies and people inhabiting sectors 5 and 6 of the IPVS, by region



Source: own elaboration

We can also develop the same kind of analysis, considering each region separately<sup>8</sup>. In these cases, we've concluded that inside each region the places with a higher discrepancy between the vacancies and the number of people living in sectors 5 and 6 were, in fact, the subprefectures that were more distant from the city centre.

Let's look specifically to the subprefectures and make a comparison among them to find out the most vulnerable places and the ones with a higher concentration of vacancies. Considering all of them, we observe that the subprefectures of Capela do Socorro, M'Boi Mirim and Campo Limpo are the ones that contain the largest populations living in sectors 5 and 6, respectively. All of these subprefectures are located in the South 2 region. If we take a look at the list of subprefectures with the largest amount of populations living in these conditions, we can notice that the 10 first ones, at least, are located in the most peripheral regions of the city, such as South 2, East 2 and North 2 regions. We realise that some subprefectures contain a small percentage of general population compared with the remainder of the city; nevertheless they have high levels of population living in sectors 5 and 6. That means that a large amount of people that inhabit those places is poor. The clearest case is Parelheiros, followed by Guaianazes. But this can be detected in almost all the subprefectures where most of the vulnerable people live. We can analyse this situation in the next graphic and table.

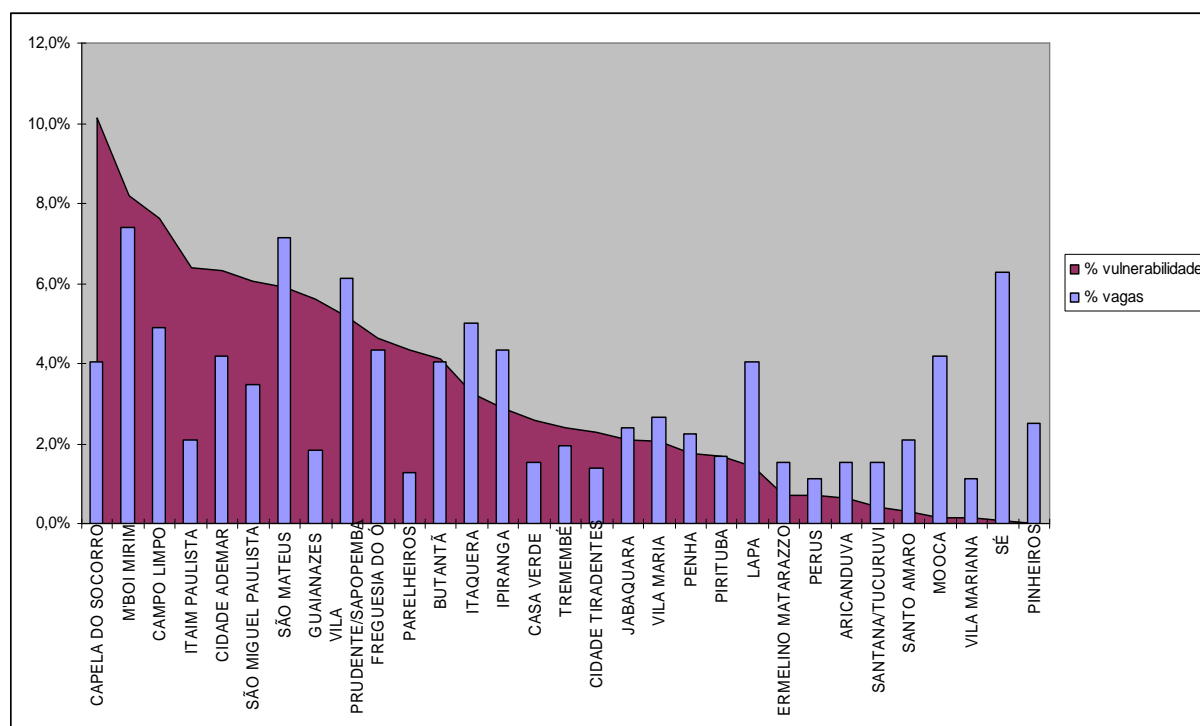
<sup>8</sup> This analysis was developed in the Master Degree's thesis, under financing for CNPq, in which this article is based on. Yet, we believe it would be very exhaustive to point out all the data.

Table 3: Percentage of vacancies, agreements, population and people inhabiting sectors 5 and 6 of the IPVS, by subprefectures

SUBPREFECTURES	% Vulnerability	% Agreements	% Vacancies	% Population
CAPELA DO SOCORRO	10,1%	5,4%	7,9%	4,1%
M'BOI MIRIM	8,2%	4,6%	9,3%	7,4%
CAMPO LIMPO	7,6%	4,8%	4,9%	4,9%
ITAIM PAULISTA	6,4%	3,4%	1,6%	2,1%
CIDADE ADEMAR	6,3%	3,6%	2,7%	4,2%
SÃO MIGUEL PAULISTA	6,1%	3,6%	3,7%	3,5%
SÃO MATEUS	5,9%	3,7%	7,8%	7,1%
GUAIANAZES	5,6%	2,5%	3,6%	1,8%
VILA PRUDENTE/SAPOPEMBA	5,2%	5,0%	4,0%	6,1%
FREGUESIA DO Ó	4,6%	3,8%	6,7%	4,3%
PARELHEIROS	4,3%	1,1%	3,2%	1,3%
BUTANTÃ	4,1%	3,6%	4,5%	4,1%
ITAQUERA	3,2%	4,7%	4,4%	5,0%
IPIRANGA	2,9%	4,1%	2,5%	4,3%
CASA VERDE	2,6%	3,0%	1,1%	1,5%
TREMembÉ	2,4%	2,4%	1,3%	2,0%
CIDADE TIRADENTES	2,3%	1,8%	2,6%	1,4%
JABAQUARA	2,1%	2,1%	1,5%	2,4%
VILA MARIA	2,1%	2,9%	2,6%	2,7%
PENHA	1,8%	4,6%	1,8%	2,2%
PIRITUBA	1,7%	3,7%	1,0%	1,7%
LAPA	1,4%	2,6%	2,8%	4,1%
ERMELINO MATARAZZO	0,7%	2,0%	1,3%	1,5%
PERUS	0,7%	1,0%	1,0%	1,1%
ARICANDUVA	0,6%	2,6%	0,9%	1,5%
SANTANA/TUCURUVI	0,4%	3,1%	1,1%	1,5%
SANTO AMARO	0,3%	2,1%	1,2%	2,1%
MOOCA	0,2%	3,0%	4,1%	4,2%
VILA MARIANA	0,1%	3,0%	0,7%	1,1%
SÉ	0,1%	3,6%	6,4%	6,3%
PINHEIROS	0,0%	2,6%	1,6%	2,5%
São Paulo	100,0%	100,0%	100,0%	100,0%

Source: own elaboration

Illustration 4: Comparison between the percentage of vacancies and the population inhabiting sectors 5 and 6 of the IPVS, by subprefectures



Source: own elaboration

It becomes clear, once more, that most of the places that contain a larger percentage of people living in sectors 5 and 6 have a very small percentage of vacancies in the social-assistance network. Subprefectures such as Parelheiros, Guaianazes, Itaim Paulista and Capela do Socorro, respectively, display the clearest disequilibriums. Those places, as we know, are located in the edges of the municipalities.

This analysis of the territories' datas confirms, in numerical ways, what we had already perceived in the previous map. Through these data, we can notice that the social-assistance network assist fewer persons in the places where most of vulnerable populations are located.

This same reality is perceived when we confront the vulnerability's data with the assisting areas or the target groups of the social-assistance network. The analysis considering target groups seemed an important variable to us because the politics of focalization adopted by the SMADS also takes into account the identification of some strategic publics in order to direct their actions.

From this perspective, we realised that the attending of children and teenagers constitutes the largest network, having a much smaller proportion of vacancies than of agreements. That happens because the services with agreements are focused on a smaller number of children to guarantee their quality of attending. The services that attend families have much less equipments and assist much more people, because they are more extensive and have an interaging nature or because they resemble the Family Action project, which is generally based in the work of agents

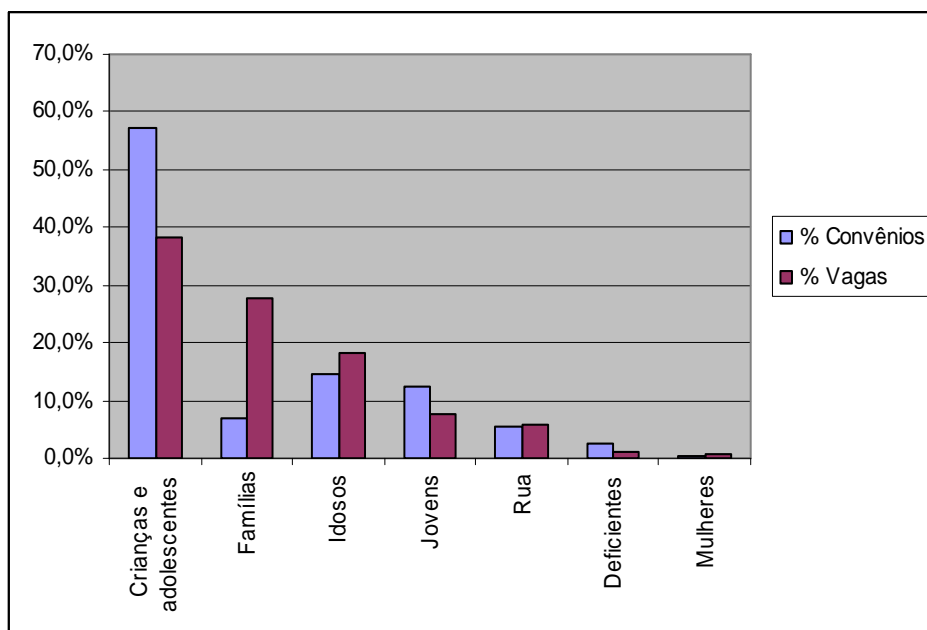
and workshoppers who make activities, rather than in physical places, equipments and services. These differences can be easily noticed in the following graphic and table.

Table 4: Comparison between the percentage of vacancies and agreements, by target groups

Area	% Agreements	% Vacancies
Children and teenagers	57,3%	38,1%
Families	6,9%	27,7%
Elderly	14,5%	18,3%
Youngsters	12,5%	7,8%
Homeless people	5,4%	6,0%
Disabled people	2,7%	1,2%
Women	0,5%	0,8%
Total	100,0%	100,0%

Source: own elaboration.

Illustration 5: Comparison between the percentage of agreements and vacancies, by target groups



Source: own elaboration.

When we compare these informations with the data that refers to the vacancies available in the social-assistance network for each of those specific target groups, we realise that there are very few vacancies appointed to females, being this target groups the one that concentrates most of the city's vulnerable population. The situation is also critical for youngsters. For the other side, we notice an opposite situation for children, teenagers and elderly. We can verify that tendency in the

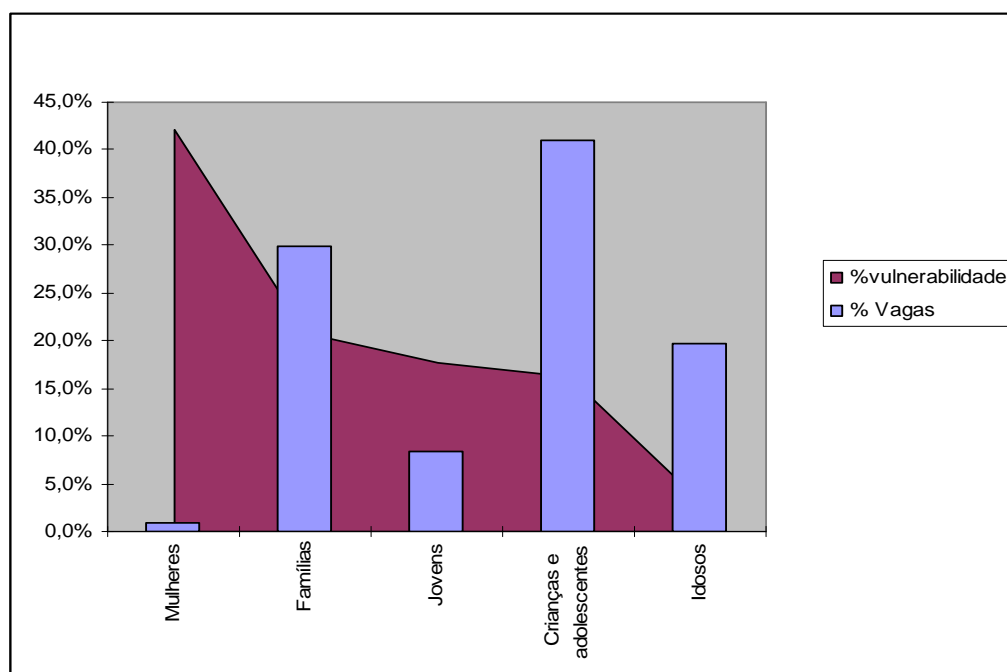
following graphic and table.

Table 5: Populations inhabiting sectors 5 and 6 of the IPVS and vacancies, by target groups

Area	% Vulnerability	Vulnerability	% Vacancies	Vacancies
Women	42,1%	684054	0,8%	986
Families	20,8%	338172	29,9%	34856
Youngsters	17,7%	287454	8,4%	9841
Children and teenagers	16,3%	264406	41,1%	47907
Elderly	3,1%	50203	19,8%	23057
Total	100,0%	1624289	100,0%	116647

Source: own elaboration

Illustration 6: Comparison between vacancies and people inhabiting sectors 5 and 6 of the IPVS, by target groups



Source: own elaboration

As a result, when we look also at the sectorial data, we realise that the focus of the policies is not adjusted to some sectors' needs, mainly of youngsters and women.

Next, we are going to make a territorial analysis of just one of these sectors: the family. We established it as a priority because it is considered to be, both in the LOAS and the SUAS, as well as in the PlasSP 2006, a crucial issue of the policies of social assistance. We can easily understand that most of the families inhabiting sectors 5 and 6 live in the South 2 and East 2 regions, reaching almost 70% of the totality. If we also add the North 2 region, we come to the amazing number of 80,86% of families in a high and very high vulnerable situation living in the most peripheral

places of the city.

If we relate the data that has to do with the vacancies available in the social-assistance network for families, in each region, with the data about the percentage of families inhabiting sectors 5 and 6, in each of the places, we can perceive that there are some imprecisions in the application of the policies applied to families according to the priority landmarks established by the City Council. In the South 2 region, as we can see, there is a large concentration of vacancies, almost 50% of them. In the East 2 region there are much fewer vacancies compared to the percentage of families inhabiting sectors 5 and 6. In the South 1 and North 1 regions we verify that families in sectors 5 and 6 do exist, however the concentration of vacancies is almost non-existing. Let's also look at these differences in the following graphic and table.

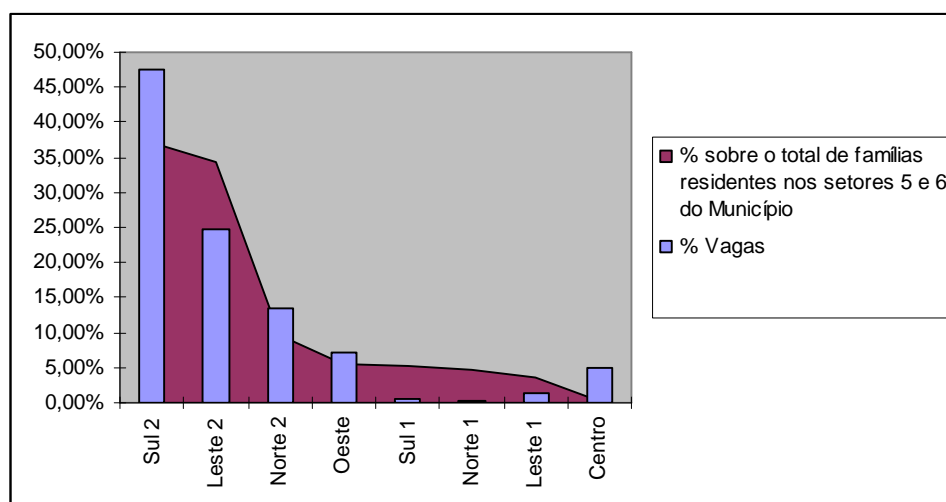
*Table 6: Comparison between the percentages of vacancies devised to the attending of families and the percentages of families inhabiting sectors 5 and 6 of the IPVS, by region*

Region	% Vacancies	% Over the totality of families inhabiting sectors 5 e 6 of the municipality
South 2	47,6%	37,15%
East 2	24,9%	34,21%
North 2	13,5%	9,50%
West	7,1%	5,39%
South 1	0,4%	5,23%
North 1	0,2%	4,80%
East 1	1,3%	3,61%
Centre	4,9%	0,22%
	100,0%	100,11%

Source: own elaboration



Illustration 7: Comparison between the percentage of families inhabiting sectors 5 and 6 of the IPVS and the vacancies devised to the attending of families, by region



Source: own elaboration

We can also make a characterization of the social-assistance network devised to the attending of families in the subprefectures. The subprefecture Capela do Socorro, which leads in terms of the vulnerability of its families, hasn't any vacancy available for the assistance of this target group. We notice that this situation occurs in other subprefectures and that there are others that exhibit less vulnerability, but offer more vacancies. It becomes clear that many places don't provide assistance for families, even if a relevant percentage of families inhabiting sectors 5 and 6 lives in those places. On the other side, in some subprefectures there are plenty of vacancies, even if the needs are smaller compared to places with no assistance.

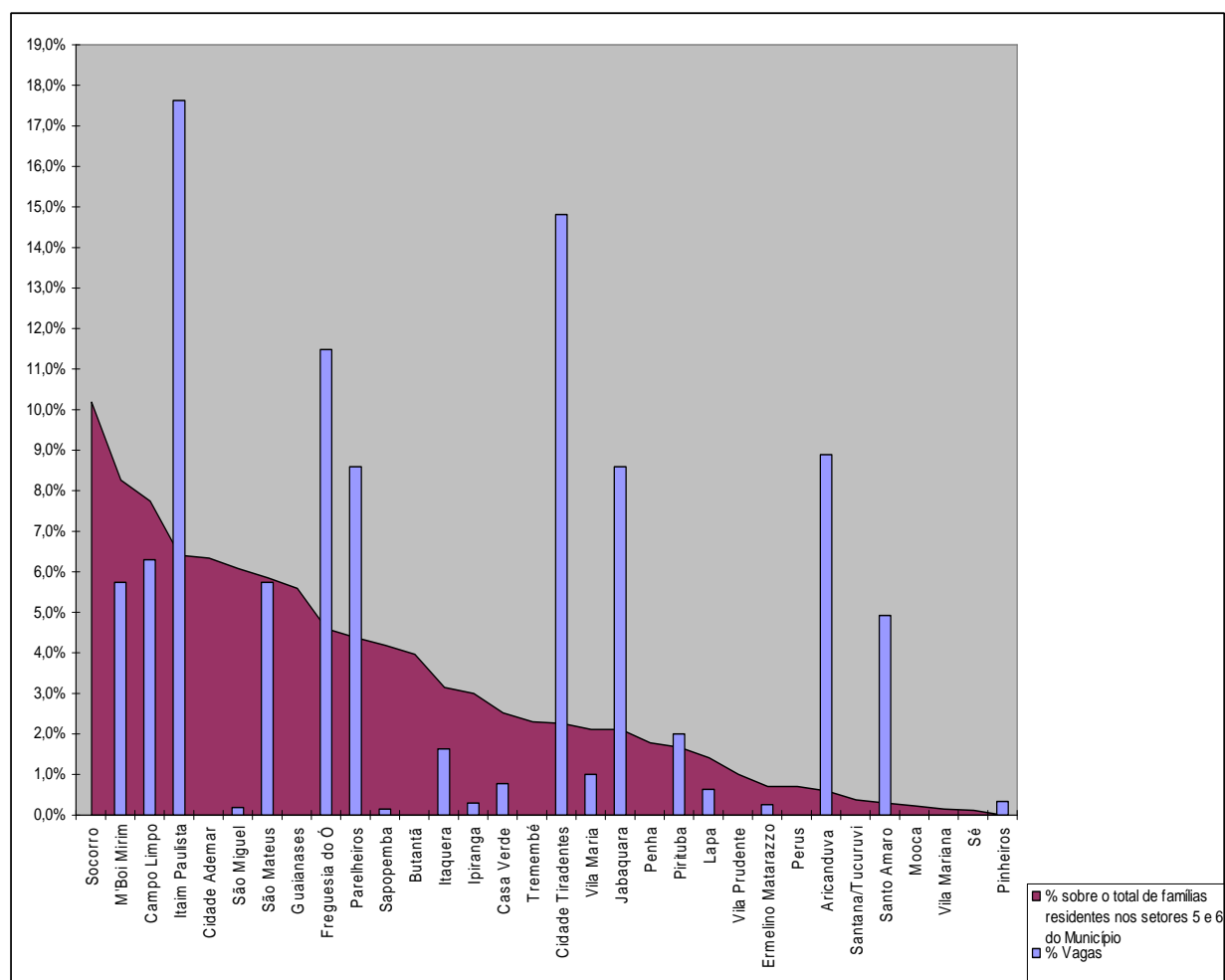
Table 7: Comparison between the percentage of families inhabiting sectors 5 and 6 of the IPVS and the percentage of vacancies devised to the attending of families, by subprefectures

Subprefecture	% Over the totality of families inhabiting sectors 5 e 6 of the municipality	% Vacancies
Socorro	10,2%	0,0%
M'Boi Mirim	8,3%	5,7%
Campo Limpo	7,7%	6,3%
Itaim Paulista	6,4%	17,6%
Cidade Ademar	6,4%	0,0%
São Miguel	6,1%	0,2%
São Mateus	5,9%	5,7%
Guaianases	5,6%	0,0%
Freguesia do Ó	4,6%	11,5%
Parelheiros	4,4%	8,6%

Sapopemba	4,2%	0,1%
Butantã	4,0%	0,0%
Itaquera	3,1%	1,6%
Ipiranga	3,0%	0,3%
Casa Verde	2,5%	0,8%
Tremembé	2,3%	0,0%
Cidade Tiradentes	2,3%	14,8%
Vila Maria	2,1%	1,0%
Jabaquara	2,1%	8,6%
Penha	1,8%	0,0%
Pirituba	1,7%	2,0%
Lapa	1,4%	0,6%
Vila Prudente	1,0%	0,0%
Ermelino Matarazzo	0,7%	0,2%
Perus	0,7%	0,0%
Aricanduva	0,6%	8,9%
Santana/Tucuruvi	0,4%	0,0%
Santo Amaro	0,3%	4,9%
Mooca	0,2%	0,0%
Vila Mariana	0,1%	0,0%
Sé	0,1%	0,0%
Pinheiros	0,0%	0,3%
<b>TOTAL</b>	<b>100,0%</b>	<b>100,0%</b>

Source: own elaboration

Illustration 8: Comparison between the percentage of families inhabiting the sectors 5 and 6 of IPVS and the percentage of vacancies devised to the attending of families, by subprefectures



Source: own elaboration

From the previously analysed data we can conclude that the General Office’s action doesn’t accomplish the goal of focusing the actions of the social-assistance network in the places that display a higher vulnerability, even though the family issue is considered to be a priority in SMADS’ action, which develops the Family Action Program focused on the “poorest among the poors”. We can easily verify it in the previous graphic<sup>9</sup>.

So, this territorial concentration or the absence of agreements in some areas, mostly in the edges of the municipality, should explain the row of difficulties faced by the Assistance’s General Office to implement its politics through agreements with social entities. The first of those

<sup>9</sup> It’s important to underline the fact that in most of the places and with the profiles made and analysed, we used the percentage of population inhabiting sectors 5 and 6 of the IPVS in order to make the comparison and not the whole population to draw our conclusions; this observation refers to all the analysis developed throughout this work. If we would refer the whole population, we’d see that the vacancies are often very few compared to the needs. That means that there are much fewer vacancies available in the social-assistance network than people that inhabit sectors 5 and 6, be it families, children, teenagers, elderly, women or people in general. That information is valid even in places where there is a higher percentage of vacancies than of people in a situation of vulnerability. Thus, in absolut terms there are always much fewer vacancies than vulnerable individuals or families.

difficulties relates with the links that exist between the diagnostic of social vulnerability, used by SMADS to focus its politics, and the reality of territorial dispersion of the social assistance network. As it can be seen, in the edges of the municipality, which are also the areas where most of the population in sectors 5 and 6 of the IPVS live, there aren't enough vacancies to satisfy all the needs. In the second place, the dispersion of the social assistance network within the territory also depends of the history of the institutions that attend these services in each of these places. According to CHIACHIO (2006), many organisations developed their actions for a long time in specific places. Many are located in the centre of the city, and plenty of others settled more than 40 years ago in places that were considered to be peripheries in the time those entities started to act. But what are the meanings of these statements?

### **Final considerations**

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The main cause of the difficulties faced by the public authority in the execution of the social assistance policies through agreements seems to reside in the incapability of the State, until the actual moment, to establish a network of actors who are involved in the process of implementation of a social assistance policy that can be, in fact, public. As a consequence of that first problem, the public authority couldn't manage to fulfil its own priorities, which were previously defined as parameters of the effectiveness of this same policy, as its intents on official texts indicate.<sup>10</sup>

The observation made by Chiachio (2006) about how the assistance office historically relates with the entities corroborates our hypothesis. According to her statement, this managing office historically worked as a "financing bank" (CHIACHIO, 2006: 118), within the agreements. Quoting Sposati (1994), Chiachio completes, "the processes were set up by the interest of the entity and not by the will of the public committee to install a social-assistance service in a given region of the city" (SPOSATI, 1994 *apud* CHIACHIO, 2006: 118).

If the agreements are used by the State as the main tool for the management of the Social Assistance policy, the public authority tries to direct their action to reach the goals already suggested by the public policies, through regulations and legal mechanisms. We realised that the regulations made for this area and that have to do with the relationships between public authority and social entities have turned more rigid in the last few years. However, in spite of all the advances that this regulation has made possible, in terms of transparency of the processes and of social control, the legal parameters and proposed regulations weren't enough to guarantee that the State is capable of structuring the public policy and constitute it with a network that obeys to public

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<sup>10</sup> The analysed documents were: Social Assistance Plan of the municipality for 2006; Report of Activities of 2005 and 2006; Quarterly Reports produced by the Observatory of Social Policies from SMADS; Project for the Development of the Family Action Program; Map of Vulnerability of São Paulo city, formulated by the SEADE Foundation in 2000.

regulations.

The regulation of the area cannot perform this role because it doesn't question and doesn't modify the complicated relationship that the assistance and philanthropic entities established with the State, in all levels of government, throughout time. There is a whole past related with the way how philanthropy and social assistance were constituted in São Paulo, which needs to be defeated. As several authors indicate, since its creation in 1942, LBA was responsible for the implementation of agreements directly made by the federal government and assistance entities. This institution has, since then, created a network of social assistance in function of the demands of the entities instead of the demands of the social vulnerability. For many years, the State has therefore become a hostage of the entities because it's them who define, in fact, the target groups they attend and the working area of their services. On the other hand, these entities are strongly dependent of the State financing. This immense machine was already constituted even before the creation of any legislation. Thus, a hiatus was constituted between the historical network and the social-assistance network that should be built based on the directives of the SUAS.

In other words, we consider that the governmental decision about the city's assistance policy is based on a diagnosis which points to the focusing. This macro-decision follows the directives suggested by the neoliberal adjustments. However, for this policy, which had been planned by the public authority, to come true, it depends on the organization of the social actors who render the services in the extremities of the structure. These services, built up throughout the agreements, result on micro-decisions which were taken by bottom instances of the public authority, but mainly by social entities. Such micro-decisions, which could be observed by the analysis of the distribution of vacancies in the social-assistance network, induce public policies much more than the State's rationality<sup>11</sup>.

Since the private action of these entities largely determines the public policy of social assistance in the case analysed here, and considering that the public isn't necessarily identified with the governmental<sup>12</sup>, how can we guarantee that public policy really follows public principles? In this perspective, considering social assistance as a public policy will not restrain its execution to the direct action of the State. According to Raichelis (1998),

“This comprehension does not restrain the universe of social assistance to an exclusive intervention of

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<sup>11</sup> The issue of the autonomy of the State won't be developed in this work, though we recognise its major importance to understand the questions of this work. A preliminary analysis of the issue can be found on the article AMÂNCIO, Júlia Moretto; AMÂNCIO, Christiane Oliveira da Graça; AMÂNCIO, Robson. “Autonomy of the State: the possibilities of a State and Society relation – a discussion between the neomarxism of Poulantzas and Offe and the neoinstitutionalism of Evans.” IN *Anais do Encontro de Administração Pública e Governança, Novembro de 2006*. This issue continues in our research agendas and will be soon developed.

<sup>12</sup> In this work, we aren't defending that the State necessarily needs to implement the policy through directly rendered services, and even if that was the case, the assistance policy analysed here would present better results.

governments, since it demands the participation, at different levels, of the organized segments of the civil society in its formulation, implementation and management” (RAICHELIS, 1998: 129 quotes of the author).

However,

“To conceive social assistance in this perspective does not imply the dilution of the State’s responsibility in its execution. On the contrary; locating it in the rights’ ground demands an active intervention of the State, guaranteeing its efficacy inside its legal parameters.” (RAICHELIS, 1998:37).

The solution for this impasse depends of the following:

“To allow the establishment of an open and connected public network of services and attentions (state and private), which complement each other in a global attention, within established patterns and with the guarantee and certainty of continuation and effectiveness” (MESTRINER, 2005:44).

And, in this context, to hold these parameters true there should be

“The possibility of a partnership with the State in the preparation, implementation and control of a public policy of social assistance, with a clear definition of the responsibilities of this State as a ruler, coordinator and financier of the policy that integrates the private initiatives within its own action, in an articulate and coherent system of actions” (MESTRINER, 2005:47).

The new recommended legislation for the management of the social assistance since 2004, called SUAS, seems to propose strategies which aim is the construction of a State aligned with these proposals. Chiachio points out that the “NOB/SUAS 2005 incorporates the social assistance organizations and entities in the constitution, development and consolidation of the social-assistance network” (2006:58) and wants, from this perspective, to institute new bonds with these entities. Quoting the author, “to build the SUAS means the construction of the policy’s unit, its connection and hierarchy and, among other issues, the (re)conceptualization of the partnership between the State and the organizations” (CHIACHIO, 2006:64). This relationship cannot, since then, be merely financial, of human or material resources, “yet it implies a political relationship of insertion in public policies, in the participation of the society in its formulation, monitoring and social control” (idem).

Meanwhile, we know that, despite some advances in this field, the assistance faces today the difficulties of dealing with a heavy heritage of the relationship between the State and the assistance entities, based on the most archaic political machine, whose vices, built along 500 years of philanthropic history in Brazil, cannot be defeated only with formal adjustments.

Nogueira (2001 *apud* CHIACHIO, 2006) synthesizes in a good way the challenges faced by the State, that with the perspective of consolidating its leadership to conduct public policies and to guarantee the rights, needs to assume new functions. It needs, however, not only to supervise its partner entities in legal and financial terms, as it has done throughout time. It needs to go even further and make it an

“(…) inductor ‘centre’, generator of an adjusted policy, a consistent direction, a continued coordination. It requires a State that redistributes and promotes the equalization of regions and social groups, correcting the inequalities. It requires a “centre” that is able to build management capabilities either in its own extent or in its decentralized extents, to guarantee the construction of the programs. A “centre”, in short, that spreads information and intelligence, that evaluates and monitors, organizes and develops, that participates in an active way in the different stages of the process of the improvement of public policies” (NOGUEIRA, 2001:30 *apud* CHIACHO, 2006:61).

In brief, this study concludes that the explanations for the difficulties faced by the public authority in the management of social policies through partnerships are: a) the specific trajectory of the relationships between the State and the civil society in what relates to social assistance and b) the incapability of the public authority to make up a coordinated and coherent network of societal partners.

From the historical perspective of social assistance, civil society entities used to have the primacy over the management of assistance actions. In this process, the State had to finance these actions without taking a direct role, through mechanisms such as subsidies. Therefore, the interests of the entities have always prevailed in this relationship, instead of the regulations that could be publicly defined. This situation started to change since the Constitution of 1988 and the LOAS, which defined social assistance as a public policy in which the State should assume the primacy in the processes. In São Paulo city, besides the adaptation to the national legislation, specific rules for the regulation of agreements between the public authority and the assistance entities were defined. However, the previous existing structure wasn't put behind and the State defines nowadays for its regulating function within a previously settled unarticulated network of actors that follows its own logic. Because of this previous self logic of the service providing assistant entities, and because the State can't build a network of coordinated and coherent actors, the goals of the social assistance policy in São Paulo city during the period that was analysed in this work could not be fulfilled.

The challenge, therefore, is to set this group of actors into a network with established public goals. In these processes, the existence and the effective functioning of public spaces are fundamental aspects. And this is another major challenge of the social assistance area. The municipal council for this area argues mainly about the funding of resources applied to the service

maintenance and doesn't argue, for example, about the parameters demanded for the attainment of partnerships and conventions, about the constitution of a network or about the goals of the assistance policy<sup>13</sup>.

Within the analysed context, we conclude that the State only relates with the contracted entities through legal and financial processes, which are necessary for the maintenance of the financing of the agreements<sup>14</sup>. If, for one side, this means an advance in what relates to the transparency and the inspection of the services' management, on the other hand that's not enough to establish public parameters or to build the indispensable coherent network. A pact between them is necessary to define their own relationships and the roles of each of these actors in a more public and collective involved way. It's not enough to establish perfect management contracts, made one by one.

Besides, in this process the role of the State to coordinate the processes, monitor and evaluate the impacts of the actions as well as of minimizing the inequalities and distortions that can exist is fundamental, as Nogueira points out in the quote above. This role hasn't been accomplished by the public authority in the studied case. But besides its role in the induction and rationalization of the policy, the State must have a relative autonomy, since it must have a wide view over the established network and at the same time it must act in a collective way with the actors involved in the processes. This double dimension seems to be the main challenge that this case shows.

## **Research Agenda**

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By observing the policy in the daily life, we understand that between these analysis that talk about the macro-structural aspects of public policies and the reality we observe in our field search, one has to establish numerous mediations to notice the complexity involving these processes and actors.

Thinking about that, we cannot point to a single variable to explain all this. We do believe that, in order to understand this reality, it would be more interesting to use as an analytical resource the idea that there is a policy trajectory and an institutional culture that, despite the revisions made since 1988 – such as the LOAS or the SUAS, have not changed. Therefore, variables such as the history and the cultural aspects that shape the actors, and the relationships they establish among them, seem to have a broader explanative weight, and help to disclose this complex processes.

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<sup>13</sup> As Tatagiba and Teixeira (2006) demonstrate, about this subject there are enormous differences between the COMAS (Municipal Council for Social Assistance) and the CMDCA (Municipal Council for the Rights of Children and Teenagers). In this last council, the logic of the relationships between the entities and the network is very different.

<sup>14</sup> The legal mechanism for an agreement as a strategy of constitution of public policy networks is not the only way possible. The State could, instead of that, try to establish dialogue and interest agreement channels, which wouldn't necessarily be more or less effective, as the case study done by Tatagiba (2003) points out about the attending network for children and teenagers in the city of Victoria.



Until now, we believed that many of the limits and challenges imposed to the execution of those social policies, in a municipal context, through agreements can also be applicable to other types of partnerships in other spheres of power, which could be analysed, in a comparative way, in different areas of social policy. And if, in fact, these challenges can be generalized, we ask the following question: how far can the strategy of execution of social policies, through partnerships with the organized civil society, be considered as a causing element determinant of the failure of social policies, by not accomplishing their goals? This strategy is limited because the State needs to share its autonomy with other social and political actors, who are external and act according to a different logic, during the processes of definition of priorities and of action strategies.

Considering these fundamental issues, we can also ask: do these new regulatory landmarks, created with the aim to regulate the relationship between the public sector and the society (whose relationship keeps growing in Brazil) to perform public services change the roles, functions, organization and attributions of the State? Can they be understood as the formalization of modifications that have been done before? Considering these political and administrative modifications, what are the roles and functions of the State in the implementation of social politics today? What are the impacts caused by these new functions to the organization of the bureaucratic structures of the State? And what are the impacts of that whole process on our current concept of State? With which theoretical and analytical landmarks can this new State arrangement be understood today?

On the other hand, which are the roles assumed by the civil society in this process? How is the civil society changed so that it can be able to assume the role of executing governmental policies and functions? Could we say, using these landmarks, that the limits faced by the civil society and the State have been modified, becoming more disperse and complex? Does the segment of the civil society that is fully dependent of the establishment of agreements with the State, will end up more bureaucratized and assuming some of its features to attend the demands imposed by these partnerships?

This whole set of questions makes us wonder about what the limits between the civil society and the State are, mainly in what relates to their public policies relationship. These limits, in our perspective, have been changing historically since the crisis of the Welfare State, but these changes seem to have become deeper since the 1990s. Since this historical and political landmark, these limits have become more disperse, complex and difficult to define. To understand them becomes, thus, an even more urgent task, due to the increasing of social problems and to the failure of many social policies that try to deal with these limitations.

In sum, what we can see is that the management strategy of social policies through partnerships between the State and the civil society presents new challenges to the public authority.

We still have to know if the public authority will be able to establish and implement its policies in order to deal with the social problems where they are located in the same way as it was able to build a regulatory landmark for these relationships.

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