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political sociology: an evaluation approach

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The justice of public policies and the analytical perspective of political sociology: an evaluation approach¹

La justicia de las políticas públicas y la perspectiva analítica de la sociología política

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Abstract: The purpose of this paper is to reflect on how to conduct analysis and evaluation of public policies from a political sociology perspective that takes into account issues of social justice. It is argued that while the analytical perspective of political sociology implies adopting a relational and historical approach, considering issues of social justice requires adopting the normative debate of theories of justice as a parameter for analyzing conceptions of justice in public policies. Finally, it is argued that such an analytical stance makes it possible to pursue a substantive reflection on the meanings of public policies and their outcomes.

Keywords: public policies, justice, political sociology.

Resumen: El objetivo de este texto es reflexionar sobre la realización de análisis y evaluaciones de políticas públicas desde una perspectiva de sociología política que tenga en cuenta las cuestiones de justicia social. Se sostiene que, si bien la perspectiva analítica de la sociología política implica la adopción de un enfoque relacional e histórico, la consideración de las cuestiones de justicia social requiere la adopción del debate normativo de las teorías de la justicia como parámetro para el análisis de las concepciones de la justicia de las políticas públicas. Por último, se argumenta que esa postura analítica permite buscar una reflexión sustantiva sobre los significados de las políticas públicas y sus resultados.

Palabras-clave: public policies, justice, political sociology.

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Introduction

The purpose of this paper is to reflect on the need and possibility of conducting analysis and evaluation of public policies from a political sociology perspective that takes into consideration issues of social justice.

The reflection presented here, as research notes, is part of a broader agenda that I have been developing since my doctoral thesis and that seeks to question the normative foundations of public policies. I argue, in this and previous works, based on a theoretical and methodological debate, that problems of justice are constitutive of collective action, and it would be no different with the production process of public policies, institutions whose purposes and forms of action are guided by socially constructed conceptions of justice and daily challenged to face the fissures, dilemmas and ambiguities that are only revealed through the challenges imposed by the practice, confronting the actors involved in its production with the normative foundations that define, justify and legitimate its existence.

Adopting political sociology as an analytical perspective implies taking a relational and historical approach and questioning how public policies translate and respond to social conflicts and reproduce themselves over time. It means to assume that they result from or react to social transformations and, at the same time, influence and constrain behaviors by intervening in people's lives, causing other kinds of transformations. A historical look is especially important to reflect on the legitimacy of public policies.

In proposing that we should consider issues of social justice, I suggest that we conduct an analysis and evaluation of public policies from an approximation with a certain normative approach of the theories of justice. I understand this approach as proposed by Álvaro de Vita (2017), as one whose analysis is guided by problems, by controversial issues of the contemporary world that involve the public debate and permeate social relations.

The intention of this article, based on the proposed analytical bias, is to seek a substantive reflection on the meanings of public policies and their results. In the first part of the text, through the arguments elaborated by Álvaro de Vita (2017) and

Valeriano Costa (2015), I seek to demonstrate the analytical approximation between normative theories of justice and the public policy field. In the second part, I briefly present how issues and conceptions of social justice are elaborated by public policy analysis and its importance considering the context of public policy production in Brazil since the re-democratization. In the third part, I develop analytically the points that I consider important for the realization of public policy analyses that are based on normative conceptions of justice. Finally, I present my concluding remarks.

1 - Normative theories of justice and the public policy field: analytical approaches

To scrutinize the impact that public policies have on people's lives and their role in the promotion of more just societies imposes on us analytical questions that inquire beyond the material conditions of policy production, or the questions commonly posed by the literature on state capacities. The need arises for normative parameters that allow us to investigate the underlying values in dispute and that guide the agenda, implementation, and evaluation of policies.

In this sense, the normative debate of contemporary theories of justice functions as a parameter for the analysis of conceptions of justice in public policies. In arguing that the theories of justice of Rawlsian matrix are problem-oriented, for controversial issues of the contemporary world, Alvaro de Vita (2017) argues that normative political theory is built from evaluative judgments that we can submit to a rational examination. For him, this examination must take place for two reasons: the first is that controversial issues in the contemporary world have a normative dimension, even empirical research requires that this dimension be adequately addressed if we are to reflect substantively on its findings. The second is that we need valid criteria on which to base our judgments about laws and institutions.

The author stresses that institutions have profound effects on the lives we are able to lead, because they act as norms and constitute the means for the exercise of authority, they regulate rights, taxation, the provision of fundamental basic goods such as health and education. Therefore,

A question for those subject to these effects is whether these institutions are ethically defensible and, if not, how they should be reformed. This constitutes a significant part of public discussion in societies in which there is a democratic form of organization of political authority and in which freedom of expression is guaranteed. And the judgments we make on these issues are based at least in part on general principles. But we disagree about fundamental principles just as much as we disagree about questions of public policy. Doing normative political theory consists essentially in rationally explaining and justifying some of these principles and confronting them with different principles and their possible institutional implications. (Vita, 2017, p. 97)

Reflecting on the research agenda of the public policy field, Valeriano Costa (2015) presents two complementary questions that dialogue with the analytical perspective I advocate. He argues that we need to invest in a perspective of analysis that breaks with the scheme of the "cycle of public policies" and considers the relational and procedural complexity of its productive process, added to an analysis of the normative dimension of policies - norms that show that each public policy has an intention that depends on the conceptions of person and social justice that are at its core.

The premise of the "State in Action" contains the idea that the State intervenes in our lives through public policies. Costa reminds us that this intervention, whose limits are undefined, is the object of analysis in the field of public policies. Moreover, any issue can be the stage for state intervention, since any agent of the state or of society can propose an activity that will become a public policy agenda. Therefore, the scope of the State and its limits are constantly negotiated and disputed in the public space. "In other words, the limits of Public Policies are indefinite. They are the agenda of the very conception of Public Policies. This creates a field in eternal reconstruction" (Costa, 2015, p.143).

For Costa, the agenda of public policies is prisoner of tensions and contradictions about different conceptions of the world, such as conceptions of development, citizenship, and social participation. Conflicts between different values, ideas, and beliefs. In fact, what the actors dispute are the limits of legitimacy of state action.

However, in the process of producing public policies, the State becomes the main actor in the mobilization and transformation of society, but it is not the only one. For this reason, we must think of a "cycle of public policies" that is much more complex and marked by the contradictory nature of the State and society, requiring reflection on what we are doing, on the meanings of action through public policies.

This means that we should be less descriptive and more analytical, making more room for indeterminacy, for what is unexpected and escapes the rationality of institutional designs and regulations and implementation and evaluation schemes, even considering that the State "becomes a partner and sometimes an object of PPs themselves." (Costa, 2014, p.149)

Thus, it is necessary to ask who decides and guides public policies, whether it is predominantly the state or society, or even, how the coordination between different actors involved with the policy production process takes place. It is this path that leads us to the normative dimension of the analysis that is developed in at least two fields: legitimacy and conceptions of justice.

Reflecting on legitimacy leads us to question which sectors of society can generate conditions of legitimacy in the conflicting environment of public policy production. Moreover, the dispute over legitimacy creates an ethical-political conflict that develops in the field of "conceptions of justice in public policies". This leads us to the need to answer what would be and how to implement a just public policy, in your terms:

We can think in terms of what today is the field proper of Public Policy, the field of conceptions of justice of PPs, that is, how can I conceive a PP that is fair, that meets in a fair way the beneficiaries or those affected by the policy (Costa, 2014, p. 156)

2 - Conceptions of social justice in public policy analysis

Conceptions of justice in public policies are most easily observed in policies developed from a (re)distributivist perspective - as is the case of policies such as the Bolsa Família Program - aimed at reducing inequality and poverty, requiring state action aimed at

achieving the distribution of goods and resources in society. Added to these policies are those formulated based on the notion of the right to recognition, such as affirmative action policies.

As Fleischacker (2006) puts it, the idea that the State should be the guarantor of a fair distribution of resources aimed at combating social inequality was not perceived, until very recently, as a matter of justice by people, who did not believe that justice should be concerned with the demand for a distribution of resources that would satisfy the needs of all. It is in its modern sense, as the author points out, that distributive justice invokes the state as guarantor of this distribution.

The normative debate on distributive justice (especially in the field of theories of justice with a Rawlsian matrix) tends to revolve around the resources to be guaranteed, their quantity and the degree of state interference necessary for this. The idea that income, wealth, goods and social resources should not be distributed according to merit is implicit in it. Coadjunct to this discussion is the notion that certain goods - such as health and education - should be understood as universal rights whose indiscriminate guarantee of access is one of the facets of a just society.

I emphasize that such questions are at the basis of the dilemmas faced during the process of producing public policies. Beyond material and practical issues, it is also necessary to answer about the conceptions of right, citizenship, and State that underlie the debate about which goods and resources should be guaranteed as citizens' rights, what the State's duty is, or how to establish the limits of its actions before the demands placed from this perspective. But it is not only in the dimension of distributive action that conceptions of justice are present. This is an important point: they guide the action of the state and collective action, as well as macroeconomic decisions, international policy decisions, decisions about the judicial system, or about the forms of control over state action and accountability requirements, and even the adoption of criteria for evaluating public policies have a normative orientation.

In the Brazilian case, the struggle for redemocratization sought not only to defend fundamental human rights, but also to ensure that the state was responsible for promoting development and equality through the institutionalization of social rights and

their implementation via public policies (ACCA, 2013). After the 1988 Constitution, it is possible to recognize among the normative purposes of public policies the concern with promoting equity and improving the living conditions of the population.

Terms such as equity, participation, social development, equality, inclusion and social justice entered our political and academic lexicon and became increasingly present issues in analyses concerned with the results of social participation and public policies in general (TELLES,1999).

The socially constructed expectations from the participatory democratic project, and the political disputes that have been configured around it, have constituted a field of debate on the production of public policies permeated by controversial issues about their scope of action and purposes that express the different conceptions of justice in dispute.

About the analysis of public policies, it is possible to observe that concerns with social justice emerge from themes such as the importance of social inclusion, development, equity, and the fight against inequality and poverty. Recently the analysis of the political dimensions of justice has emerged as an issue for studies that begin to point to the need to better inform and thematize the justice debate or to bring normative conceptions of justice into the analysis. Examples of this movement are the analyses by João Feres (2013; 2014) on affirmative policies, by Walquíria Rego and Alessandro Pinzani, on the Bolsa Família Program (2013), and, specifically, by Lena Lavinás (2014), on social policies aimed at combating poverty and inequality.

However, it is still necessary to advance in a discussion that supports and references such mentions, demonstrating the need to bring the conceptual debate on public policy analysis closer to reflections on justice in its different dimensions, especially the normative dimension, whose questioning has been taking place in a distinct field and apart from the analysis of political action in general. This implies strengthening a substantive research bias for policy analysis and developing research methods that allow us to understand the impact of ideas and values on policy outcomes.

Although the debate about the different dimensions of justice and its relationship with public policies is not new, the approach proposed here is unusual and counter-hegemonic in the Brazilian public policy field. A search on the Scielo website is indicative

of this phenomenon. In a search conducted on 10/07/2020, using as criteria the terms "justice" and "public policies" applied to all the search indexes, 25 articles were found. While using the terms "social justice" and "public policies" two articles resulted, both from the collective health area, which proposed a discussion on health and justice carried out from the notion of functionings proposed by Amartya Sen.

3 - Ideas, values, and the analysis of policy guiding problems

I propose an analysis of public policies that, based on normative conceptions of justice, performs an interpretation of the moral principles and values that underlie the policy, questioning its goals and its role in the distribution of goods and social resources.

It is possible to think about justice in public policies from at least three angles: a practical one, within the scope of the application of the law that guarantees social rights and the conflicts arising from the state obligation or not generated by it; a normative dimension and, at the same time, practical, in a procedural scope analyzing the justice of the norms and institutional procedures and their fulfillment, aiming to understand the results achieved; and an essentially normative dimension, in a substantive scope to reflect on the values that sustain and are sustained by the policy.

The first two biases give rise to an analytical and methodological undertaking closer to the hegemonic theories of the public policy field, as they are developed in an "institutional-proceduralist" key, without the need for in-depth questioning that reflects on the role played by actors on an individual scale and on the ideas and values that justify and legitimate the policy.

As I elaborate below, the substantive analysis from criteria of justice requires another analytical scope.

John Rawls puts it in Political Liberalism (2005) that a political conception of justice has three central features. The first refers to its content, which is moral, meaning that it is explained by ideals, principles, and standards that articulate political values. Therefore, it is a conception aimed at a specific world, which is that of political, social, and economic institutions. That is, to the institutions that are part of the basic structure of society.

The second characteristic is that it is a conception that does not define itself from other comprehensive conceptions of good. That is, because it is a political conception, it is not defined by broader moral conceptions, for example, by an understanding of friendship, family relations, or personal character.

The third characteristic is that its content is expressed based on certain fundamental ideas implicit and shared in the political culture of a democratic society.

It should be noted that Rawls strives to define conceptions of justice from a strictly political perspective. But we need not enter this controversy, nor follow the same path, because more broadly, the intent is to argue that it matters for the analysis and evaluation of public policies to identify the competing conceptions of justice in society that are present in political practice. I understand that these conceptions justify the institutional arrangements, the production of public policies, and social relations more broadly.

It matters, for the purposes of this text, the central normative understanding, which we derive from the Rawlsian argumentation on how to define conceptions of justice, namely: that these have a moral content; that they are mobilized into political practice by different actors and groups for the defense and justification of their interests; and, finally, that they are expressed from ideas implicit in the political culture of a society.

At this point, I return to the two central premises guiding the analysis of public policies: the first refers to the study of the "state in action", which means analyzing why the state acts as it does, given the conditions and context. The second is that public policy analysis is a problem-oriented perspective: to the problems involved in its production process and to the problems that generate its necessity and its impact on them. As Faria (2013) argues, both premises cannot shy away from an analytical perspective guided by values, especially those of democratic ethos and those guiding the pursuit of human dignity.

Such premises enable the development of an analytical perspective that is guided by the ideas and values that permeate, sustain, and justify public policies. We thus defend the need for substantive analyses that question the processes of policy production and its results by identifying the values in dispute within the policy and the social context in which the policy is inserted.

In this way, it is reinforced here that it is necessary to go beyond presentist analyses, focused on implementation, on decision-making processes, on the internal dynamics of participatory instances, or on the political role of the epistocracy and its influence on the production process of public policies. This need is based on at least two reasons: one is contextual, and the other is normative.

As for the context, as it is not possible to develop all the points highlighted above in the space of this text, just as an example, I ponder that an essentially epistocratic approach is not in line with the historical process of redemocratization in Brazil and its influence on the production of public policies.

The various participatory instances that were created within the State throughout the 1990s and 2000s included in the production of politics actors that were previously excluded from political decision-making processes and that cannot be understood only through the analytical bias of the technical specialist. These new actors have also brought to the State subjective demands, linked to group identities and to an expanded conception of the person, of citizenship, and of human and social rights. As a result of this process, we have hybrid public policies, with designs that end up combining distinct and sometimes even antagonistic values and justice criteria, leading to implementation and evaluation problems whose complexity can only be understood if normative issues are taken into consideration.

One must also add the influence exerted by the public debate that occurs in spaces external to the production of public policies, involving actors who have no direct contact with the policy. An example is the process of construction and dissemination of ideas driven by traditional media and social networks, which play the role of opinion makers on the relevance and quality of public policies, an important process for their social justification and legitimacy.

The normative issue is more complex. It is about thinking about how ideas and actors directly and indirectly involved with institutions influence the production of public policies, and about how to recognize their ideas and the power play that is established around them so that we can perform a substantive analysis of public policies that is concerned with their foundations, their justification, and their legitimacy.

Social justice emerges as a key idea because of the Latin American and Brazilian political context, and because in Brazil the central purposes of post-re-democratization public policies incorporate the construction of a more just society, aiming at promoting equality and development. These are demands that require from the State an action that necessarily includes the promotion of public policies dedicated to ensuring a more equitable distribution of goods, income, and social resources.

The production of public policies and institutional arrangements in general, to be sustained over time, to be justified to society and to be perceived as legitimate, need the support of citizens and, therefore, of individuals who do not participate directly in their production, but who form public opinion and whose participation in contemporary democracies takes place mostly through voting. In this sense, legitimate public policies need to have some correspondence with socially shared beliefs, ideas, and values. Among these values, conceptions of justice are essential.

However, it must be recognized that the underlying values that guide people's actions in different contexts are not always consciously addressed or questioned by those who act. Therefore, as Lavinás and Cobo (2014) point out, knowing citizens' normative preferences is useful if we are to design policies that are more likely to have their support and, we would add, more likely to be considered legitimate. In their words:

Understanding such a gap between theoretical conceptions of justice (and of public policies that flow from it) and intuitive conceptions would be important, therefore, not only as a form of "preference diagnosis," but also possibly as a precondition for any progressive (or otherwise) reform strategy. (COBO; LAVINAS, 2014, p. 37).

Comprehensive conceptions of good and social justice and perceptions about the other and the role of the state, in general, are not necessarily rationalized by people, which makes the task of analysis much more complex than we might assume by adopting a mostly rational perspective.

4 - Final Considerations

The adoption of political sociology as an analytical perspective and the incorporation of normative issues of justice in our analyses allows us to question and reflect on the impact that public policies actually have on people's lives and the effects they have in terms of social justice. For the latter, knowing the political culture and the underlying values held by society and embodied by institutions play a key role.

Broadening our analytical lens also makes it possible to rescue a historical perspective on the production process of public policies that encompasses the impact of social structures and actors from agenda-building to the continuous evaluation of results. Tracing this movement is fundamental for us to think about the legitimacy and maintenance of public policies over time, as well as their transformations and adaptations to conflicts and demands that have a direct impact on institutions, that is, on the daily doing and remaking of processes and procedures, on the actors directly involved, and on the principles, values and objectives that justify them publicly in a general and reciprocally valid way.

This focus is especially necessary in neoliberal contexts marked by the rise of (neo)conservative groups to government, as is the case in Brazil, the United States, and different European countries. Necessary because, as I tried to demonstrate, the understanding of public policies - in a broad sense - and its impacts on the quality of life of the population require reflecting on the meaning of politics and its legitimacy. That is, about the conceptions of the world, of citizenship, and of social justice that are present in their objectives and that publicly justify them.

Moreover, we cannot forget that the neoliberal "minimal state" of these governments continues to implement policies in the areas of security, economy, social assistance, and defining the guidelines for sensitive social areas, such as labor, education, or health. These are governments that work tirelessly to build public arguments to justify a political agenda that breaks with the founding values of public policies that are now being dismantled (as is the case in Brazil), because the intention is to re-found societies, an action that requires the destruction of inherited institutions, but also of the founding values of democracy and human rights, hegemonic until then - even if only discursively.

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