



**UNIVERSIDADE FEDERAL DO ESTADO DO RIO DE JANEIRO – UNIRIO
CENTRO DE CIÊNCIAS JURÍDICAS E POLÍTICAS – CCJP
PROGRAMA DE PÓS-GRADUAÇÃO EM DIREITO – PPGD**

**PROCESSO SELETIVO PARA INGRESSO DE DISCENTES NO CURSO DE
MESTRADO DO PROGRAMA DE PÓS-GRADUAÇÃO EM DIREITO EM 2023
(EDITAL Nº 04/2022)**

**2ª ETAPA
PROVA DE COMPREENSÃO DE LÍNGUA ESTRANGEIRA**

Responda as perguntas abaixo em PORTUGUÊS baseado no seguinte texto:

Turgeon, J. and J.-F. Savard (2012). "Public Policy", in L. Côté and J.-F. Savard (eds.), The Encyclopedic Dictionary of Public Administration, [online], www.dictionnaire.enap.ca

“A public policy is a document drafted by government actors presenting their vision of an issue susceptible to public action and, incidentally, the legal, technical, practical and operational aspects of this action.

Can also be described as public policy, the process during which elected officials decide on public action on an issue for which certain governmental or non-governmental actors require intervention.

According to Muller (2008), the origin of public policies goes back to the transition from territorialized societies (in France, under the Ancien Régime) to sectorized societies where social functions are specialized. Muller explains that territorialized societies are characterized by an identification of individuals with the territory they inhabit, rather than with their social function as is the case in sectorized societies. Following this logic, it becomes clear that social control passes through the control of the territory by the lord, the king, etc.

In sectorized societies, the social function therefore becomes the organizing principle of identity; roles will specialize and social sectors will be created. This phenomenon will be particularly accelerated by the industrialization of societies from the 18th century. These societies must themselves manage the antagonisms between the different sectors that make them up in order to avoid their disintegration (Muller, 2008). Managing these antagonisms requires different modes of regulation. The appearance of the first regulatory modes around the 17th century constitutes the genesis of public policies.

It is therefore the transition from territorialized societies to sectorized societies that leads to the appearance of the first state interventions that will later be called public policies and which, today, become more complex as the problems and issues for which State solutions are expected.

The confusion around what is or is not a public policy is well presented by Lemieux (2002, p. 1-2): "a public policy is not understood in the same way depending on whether one is the governmental actor or academic researcher". This author raises four differences to better understand why there is so much confusion around this concept. They are retained here with the addition of certain details from other authors in the field of public policy analysis.

First, while government actors attempt to clearly circumscribe the actions they claim to be public policies, some researchers define them as "everything the government decides to do or not to do!" (Dye, 1978). These researchers then attribute two qualities to them. First, a public policy clearly

highlights the government's responsibility, which must intervene as a central player in the development of public policies. Thus the Dictionary of public policies specifies that a public policy “results from an intervention by an authority vested with public power and governmental legitimacy in a specific area of society or territory” (Thoenig, 2004). A first element to consider is therefore the origin of the decision. As such, not only the intervention but also the non-intervention of a public authority constitutes a political decision. In this regard, Brooks (1998) adds that to be considered a public policy, the absence of a decision or the inaction of a government must be deliberate in relation to the issue.

A second element is what government actors, the population in general or the media generally identify as public policies and refer rather, in the language of researchers, to policy statements, that is to say to public documents adopted by persons in authority: deputies of Parliament, ministers, Council of Ministers, members of municipal councils, but also members of boards of directors of educational establishments or of the socio-sanitary sector.

Public policy statements have characteristics of unequal importance. Thus, the heart of any statement of public policy should be made up of the vision to which it refers, that of the problem or issue, the values and major principles that underlie it, the ultimate objectives that it sets out. Two other components can generally be added to this hard core. First of all, the statement can contain and present the instruments (incentive, persuasion, constraints, taxation, subsidy, communication, etc.) that the government intends to use to achieve its ultimate objectives. Then, this policy, for government actors, can specify its possible deployment, specifying more or less the technical, practical and operational aspects of its implementation: services, budgets, human and material resources, implementation schedule, monitoring mechanisms and evaluation, etc. In relation to these last two components, operational objectives can also be formulated.

A third difference is that government actors translate public policies into programs, projects and activities; distinctions that are generally not retained by academic researchers. For example, for Jenkins (1978) “public policy refers not only to a set of interrelated decisions taken by a political actor or a group of political actors, but also to the selection of goals and the means to achieve them, therefore looking for solutions”. For Howlett and Ramesh (2003), Jenkins' definition is a clear improvement over Dye's. While the latter reduces public policies essentially to political decision-making, Jenkins rightly insists on the interdependent and not isolated nature of decisions relating to the public policies of a State, the product of a series of decisions implying a coordination of the all government actors involved. Jenkins also insists on the fact that public policy is primarily oriented towards achieving a goal and identifying the means to achieve it.

The final difference is that researchers define public policy as a process by which a government responds to a situation, opportunity, problem or crisis – for example, the A(H1N1) pandemic – without there was necessarily, as the governmental actors imagine, committees or commissions which would have produced, prior to the statement, the policy of the reports.

The idea of viewing public policy as a process is not new. More than half a century ago, Laswell (1956) recognized seven stages in the decision-making process: intelligence, promotion, prescription, invocation, application, termination, evaluation. In its wake, several authors broke down the process of producing a public policy into a more or less significant number of stages (Jones, 1970; Brewer, 1974; Anderson, 1975; Brewer and DeLeon, 1983). For his part, Lemieux defines, from a systemic perspective, a public policy as “being made up of activities oriented towards the solution of public problems in the environment, and this, by actors whose relations are structured, all evolving in time” (Lemieux, 2002, p. 5). The interest of this definition lies in its enrichment compared to the definitions of Dye (1978) and Jenkins (1978). Problems are thus conceived as stimuli to which a group of actors seeks to respond, and public policies represent the means of responding to them (Lemieux, 2002 p. 5). To the elements of problems, solutions and activities that are the subject of decisions, Lemieux adds to his representation of a process the concepts of structured power relations between the actors involved and the evolution of these relations over time, concepts which have an influence on the definition of the problem, the desired end as well as on the preferred solution. For Muller and Surel (1998), public policies are the product of government decisions comprising

objectives, means and resources – a set of concrete measures – which constitute the "visible" substance of the policy and which are part of both in a given societal environment or context as well as in a complex process in which different governmental and non-governmental actors interact pursuing multiple and frequently contradictory interests. It becomes understandable that, thus defined, the production of a public policy is often associated with an art rather than a science (Meier and others, 2001; Wildavsky, 1979). In short, the pursuit of multiple interests and omnipresent power relations are elements that shape public policy at each phase of its production, from its emergence to its evaluation, including its formulation and implementation.

Finally, a policy, whether it is called a statement of public policy or more colloquially public policy, once adopted, is not de facto implemented. Besides the fact that the planned means (financial, material, human) may not be there, "those who have to carry out this implementation have a margin of interpretation of the decisions, the public intervention tools are not malleable to infinity and finally the nature of the problems imposes, which moreover, its own logic to governments and their actions" (Thoenig, 2004, p. 329)."

Questão 01

As políticas públicas são compreendidas de forma igual pelos atores governamentais e pelos pesquisadores acadêmicos? Caso não, quais são as diferenças que o texto aponta entre tais visões?

Questão 02

As políticas públicas são tradicionalmente tidas como um processo ou ciclo. Cite uma outra percepção que o texto traz, que contrasta com esse conceito dominante.

BOA SORTE!