Public Action and Social Innovation: dilemmas of democratic governance in the System to Guarantee Children and Adolescents Rights (SGDCA) in Florianópolis city, Brazil.

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Article 227. It is the duty of the family, society and state to ensure children and adolescents’ rights, with absolute priority.

Full protection to children and adolescents.

Brazil is recognized worldwide for its advanced legislation on the guarantee of rights for children and adolescents.
Rights Guarantee System for Children and Adolescents (SGDCA)

Network formed by governmental and non-governmental actors
INTRODUCTION

BRAZIL - The fifth most populous country in the world

- 14 cases of violence against children and adolescents are registered at every hour in Brazil
- Every hour dies a teenager for murder
- This violence affects mainly afro-descendant boys

FLORIANÓPOLIS CITY

- 3th IDHM
- 88,970 children and adolescents (19%)
- One in seven children lives in social risk
- Territorial inequalities and between ages

Source: ICOM, 2016
UNICEF, 2014
INTRODUCTION – Purpose and Research Question

The law, although recognized for its excellence, does not have the condition to change social reality by itself.

We aim to analyze the public policy in practice - beyond a normative or institutional reading - to understand how function the guarantee of children and adolescents rights in Florianopolis.

How does the actor-network *perform* the SGDCA in Florianópolis?
Theoretical Framework
From Public Policy to Public Action

Main approaches in public policies field

**Policy Analysis**

**Positivist** (LYNN, 1987; WEIMAR; VINING, 1992).

- Laws and official regulation
- Top-down
- Outputs
- Planning X Implementation
- Rational Analysis
- Quantitative Methods


- Assumptions and Processes
- Bottom-up
- Relation with political systems
- Determinants and Constraints
- Policy Content

**Sociology of Public Problems (Pragmatist)**

THEORETICAL FRAMEWORK

Pragmatic analysis of public action with focus on social innovation processes

• Public policies as "public actions" (multicentric) means observing them while they are being produced

• Allows focusing on the experience of the process for multiple actors at different levels (macro, meso and micro) and situations in public arenas

• Takes into consideration the consequences of these experiences on public problems

Pragmatic SOCIOLOGY

Inspiration:
Chicago School – Dewey (1927)

Authors:

Francis Chateauraynaud (CHATEAURAYNAUD, 2009)

Bruno Latour (Latour, 2012; 2014)
RESEARCH DESIGN AND METHODOLOGY

Mapping the public arena regarding the guaranteeing of children and adolescents

Field research with direct observation in several moments of connection of the actors related to the SGDCA

Observing the ordinary practices of Child Protection Agency of Florianópolis (Conselho Tutelar)
MACRO:
Mapping the public arena of children and adolescents rights
1980-2015

Political: 181 from 283 News from found in the Newspaper “O Globo”, session “O País”.

Scientífico: 89 from 123 scientific articles (Children and adolescent AND right)
Database: Ebsco, Scielo, Scopus and Web of Science

Legal: 65 legal documents
RESULTS - Macro Scale

Actor Network – 1980

Actor-Network – 2010
RESULTS - Macro Scale

Cartography of controversies - 1980

GARANTIA DE DIREITOS DA CRIANÇA E DO ADOLESCENTE - 1985 A 1989

- Ineficiência da política
- Instabilidade jurídica
- Publicização dos abusos
- Defesa dos direitos

Cartography of controversies - 2010

GARANTIA DE DIREITOS DA CRIANÇA E DO ADOLESCENTE - 2010 A 2015

- Violência doméstica
- Prevenção e combate
- Direitos de vítimas e familiares
- Proposta de recaída
- Proposta de moralidade

Legend:
- Problema Público
- Vídeos de Mundo
- Temas de Controvérsia
- Principais Sentenças
- Caixas Pretas
The effects of this choice led to numerous distortions that are now questioned, re-opening the ‘black boxes’ and generating new controversies on issues before stabilized (Latour, 2012).

- **Overestimation of institutional-legal** apparatus facing the public problem, especially those related to violation of rights;

- Treatment of **children and adolescents as “beneficiaries”** of the policies, seen either as victims or as delinquents;

- A **depreciation of the central role of families and communities** in guaranteeing rights, as established by the Constitution; and

- A look at the guaranteeing of rights linked especially to combat violations in a more **punitive conception** than prevention or promotion
• Institutional development of 15 civil society organizations working with children and adolescents in Florianópolis.
• 04 seminars with policy makers
• *Agenda for Strengthening the System of Guaranteeing Children and Adolescents Rights* created with the participation of more than 80 policy managers and about 130 children and adolescents from public and private schools in the city

• Municipal Council of Children and Adolescents’ Rights
• Commission on Public Policies
• Forum of Public Policies
RESULTS – Meso Scale

Analysis permits to capture the issues around which policy managers, and children and adolescents mobilize and engage.

Policy makers showed a great concern for the policy management and operation. The main controversies raised by them were:

- Low participation of the city government as part of the CMDCA
- Lack of coordination between the actors of the network and between policies
- Asymmetry in the relationship between the city government and the nonprofits
- The absence of an accurate research about the situation of children and adolescents living in the city
- Lack of transparency in the Childhood and Adolescence Fund; and
- Low degree of involvement of the legislative power in the SGDCA.
RESULTS – Meso Scale

How to ensure greater quality and sensitivity of medical care toward children and adolescents?
Focusing on a more humanistic medical training, caring for the context in which the patient is inserted without only aiming at the profit.

How to ensure a greater appreciation of prevention about children and adolescents’ diseases cure?
Through more directed communication about diseases and prevention mode for children and adolescents.

How to create spaces where children and adolescents can talk about their rights, obligations, freedoms and prejudices?
Through students that participate of the pre-conference and incentivize the creation and strengthening of students’ union at schools.

How to include the issue and look for support about violence and bullying at the school?
Developing projects at schools like anti-bullying-violence campaigns including principals, students, professors, psychologists, employees and families.

How to improve the police approach to the adolescent offender?
Promote lectures and generate opportunities to discuss these issues with the policemen. Mutual respect. Less resistance of the approached youngster and more police patience.

How to ensure students the right to express at the school and a closer relationship with principals, professors and other students?
Conselho Tutelar is a permanent and autonomous institution called to act whenever there is a threat to or a violation of rights. One of the main roles of Conselho Tutelar is to remove from the judiciary system those cases that do not require, a priori, a judicial decision and can be solved in the community or administratively (Assis et al., 2009).

Etnography: Three times a week from February to June 2015 participating on daily activities.
The “field of experience” of the child protection agency (conselho tutelar) is marked by a deep precariousness of conditions to work on solving the problems faced.

They have a high demand and a low service capacity and resoluteness.

Although the Conselho Tutelar role is to negotiate and resolve conflicts, avoiding the judicial processes, in order to guarantee rights, in practice their professionals end up acting as promoters of the judicial cases.
Observe the SGDCA performance in Florianópolis to better understand the experience and feelings of the actors involved with the “problematic situations” targeted by the public action. It was possible to observe the wide gap between the legal and institutional framework and the consequences of this action that seems to result in the opposite of what is intended: a connected network that promotes the integral protection of children and adolescents.

In this sense, the consequences of the policy is not the right guarantee, but, in many cases, the stigmatization of children/teenagers and families that are beneficiaries of this policy.
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