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The right to the quality of public services in Brazil must cease to be a favor

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In June 2017, came into force law 13,460 that “Provisions about the participation, protection and rights defense of the public services user of public administration” [1]. According to the republic ombudsman, Gilberto Waller Junior, “The law attempts to redirect the state focus back to the citizen to better understand and meet their needs and expectations... to guarantee quality service, agile, and without bureaucracies” [2].

This law might bring significant improvements to public services provision in Brazil, but citizens should be aware: if the law enforcement is not planned, executed, and verified accordingly by governments departments, everything will be nothing more than just a demagogic action without practical application.

In countries like USA, France, and England there is a collective sense that laws are instruments to make societies work; either the rules are obeyed, or there is no reason they should exist.

The public services quality in Brazil

According to a survey published by *Confederação Nacional da Indústria*, CNI (National Industry Confederation), in June 2016, the worst services provided to the population were: a) health; b) public security; and c) the public office services. Thirteen services were evaluated based on an index ranging from 0 to 100, whose high scores indicated positive evaluations. Of the assessed services, none had an index higher than 50 [3].

Unfortunately, the survey results are not new for many Brazilians. At the international seminar “Governance, Innovation, and Development” held at ENAP, *Escola Nacional de Administração Pública* (National School of Public Administration), in July 2016, the Minister of Planning, Development, and Management, Dyogo Oliveira, acknowledged that there are difficulties to overcome. Although there is much talk about fostering innovation in the country, it was also important “not to give up on the task of

transforming public administration for making it more systematized, organized and professionalized” [4].

The transformation suggested by the minister needs to happen soon. According to Instituto *Brasileiro de Planejamento e Tributação*, IBPT (Brazilian Institute for Planning and Taxation), Brazil has high taxes rates (32.38% of GDP in 2016), and these resources are not being applied in a way that the population perceives its return [5] [6]. The question that arises is: why is it so difficult to offer to citizens quality services that live up to the amount of taxes that are paid?

Three-act drama

In the book “*O que faz o brasil, Brasil?*” (“What makes Brazil, Brazil?”) (sic), the anthropologist, Roberto DaMatta, tell how Brazilians behave in situations where

laws should apply to everyone but ended up circumvented. Due to the “Brazilian Way” (known as “*jeitinho brasileiro*” or simply “*jeitinho*”) people live in a society in which they “can operate a legal system that almost always has nothing to do with social reality” [7]. To exemplify, DaMatta presents a hypothetical situation called “three-act drama”, which many are familiar with:

1. An unknown citizen arrives at a public office to be attended by a server with a certain authority (at this moment, he creates a situation in which the server has a privileged position of power over the citizen);



2. The server takes time to answer the request and says that the citizen has failed to follow the procedures. Further, he complicates the rules that the citizen must follow; he cites penalties and does not even try to treat the citizen in a pleasant way (by having the authority and by representing a law the server sees no reason to treat the citizen more humanely);
3. When the citizen realizes that his needs will not be attended, he falls back on the “personal relations invocation” or “*jeitinbo*” to create some empathy with the servant. He tries to reconcile his interests with those of the servant to reach a “less unfair” resolution for both (personal relations invocation can be used to identify personal tastes, religion or football team similarities or even “financial motives”).

The “*jeitinbo*” is the Brazilians’ way of living with the absurd, of conciliating the impossible, of circumventing laws and social norms. DaMatta points out that in countries like USA, France, and England there is a collective sense that laws are instruments to make societies work; either the rules are obeyed, or there is no reason they should exist; otherwise, there will be gaps for bureaucratic corruption and public power mistrust. Curiously, the discipline, education, and social order found in these countries (and which constantly arouse the fascination and admiration of Brazilians) are nothing more than the result of their population’s social habits adjustment with their set of laws and legal worlds [7].

To improve public services quality is necessary to identify how to change Brazilians’ behavioral habits; it is necessary to instill a sense of collective-goal whose importance becomes greater than individual or local goals.

To sum up, there are cultural and sociological issues that need to be considered by leaders and legislators not only at the time laws are created, but also at the moment they will be implemented. The Brazilians’ behavior regarding their relationship with family, work environment, social groups and even religion has great importance in the changing habits process. To improve public services quality is necessary to identify how to change Brazilians’ behavioral habits; it is necessary to instill a sense of collective-goal whose importance becomes greater than individual or local goals.

When the country's collective goals are more important

In 1945, after the death of approximately 2.8 million people and two atomic explosions, Japan closed its participation in World War II [8]. The infrastructure and economy were devastated, and the Japanese government was increasing its debt since it needed to import practically everything that was necessary to rebuild the country; the main problems to be faced were unemployment, the scarcity of energy and food sources and inflation.

In the world’s post-war scenario, the US began to worry about the communist regime expansion led by the Soviet Union. To prevent the Japanese population from turning to communism, the US occupied Japan by ruling it indirectly by imposing a series of reforms to re-establish the economy and demilitarize the country entirely.

The imposed reforms were aimed at [9]:

- Ending the zaibatsu (Japanese government subsidized conglomerates that promoted the continuation of a semi-feudal system which prevented union's creation, the emergence of smaller enterprises and wages increase);
- Carrying out agrarian reform (2/3 of the land was leased before the war, which also contributed to the maintenance of a semi-feudal regime); and
- Initiating the labor democratization (that would result in unions’ formation that would fight for better work conditions and the creation of life-long jobs, which would eventually instill in the workers a sense of company loyalty).

These reforms, together with 1948’s Dodge Plan (which helped Japan gain its economic-financial independence) and the Korean War (which lasted from 1950 to 1953) boosted Japan's economy [9] [10].

During the Korean War, the US had a severe logistical problem at hand due to the Korean peninsula distance. Therefore, Japan, a trading partner in the Pacific Ocean region, played a crucial role in producing various items necessary to keep the American war-machine running. The high demand for industrialized items stimulated the Japanese economy and allowed Japan to be prepared for the next reconstruction stage without being strongly dependent on US resources [9] [10].

The creation of a culture aiming total quality

As part of the efforts to achieve economic independence, the Japanese knew that they should increase their product exportation level to other countries, but for this, Japanese companies would have to become globally competitive not only by offering products with lower prices but products with better quality.

The economic growth occurred between the 1950's and the early 1970's was not just the result of other implemented government policies. The Japanese systematically copied and improved techniques and technologies obtained from foreign countries [9] [10], and this is related to an unusual cultural aspect of Japanese creativity and ways of thinking since when they learn to write. For the Japanese, the term *manabu* (to learn) comes from the term *manebu* (to imitate). Thus, when the Japanese learn to write they do not try first to understand what they do, they merely imitate what they see, and in this process, they learn pattern recognition, leading them to conceive reality not so much by comprehending (understanding) but by apprehending (assimilating) [11].

It was around 1950 that the Japanese get acquainted with the works developed by Walter Shewhart, the "father of statistical quality control" [12]. Extremely interested in this technique, in 1951, the Japanese Union of Scientists and Engineers (JUSE) asked the engineer William Edwards Deming, a follower of Shewhart ideas, to give a series of lectures on statistical process control and quality concepts [13] [14].

The theories presented by Deming would make him the leader of an expert's generation who would transform the production modes of companies like Sony, Fuji, and Toyota. Deming's central message to the Japanese was that instead of having a quality control whose primary responsibility lies with a few managers or engineers that remain isolated at their desks, and away from the factory floor, they should have a quality control constructed from the tasks execution structure and the workers' relationship with the managers. All hierarchical levels should be involved with the statistical process control techniques, and training should be continuous [10] [13]. For Deming, managers were responsible for the company's problems, and nothing would be improved unless they took personal responsibility for changes [10].

It is important to highlight that part of the great success and receptivity of Deming's ideas was due to the notions of collective

work, human interdependence, collective responsibility, and waste disposal that were already part of the Japanese organizational work culture since remote times [10] [11] [13].

Quality approaches

Deming had a broad management philosophy (with 14 points) [10] [13] [15]. In short, one can say that his approach was based on an obsessive quality search, on the use of the scientific method for understanding data and on all employees' involvement, regardless of their hierarchical levels. Deming's work relies on the Shewhart Cycle (planning, doing, checking, and acting) which, if put into practice, helps to solve several production problems [13].

The engineer, Joseph Moses Juran, considered one of the most celebrated authors on quality management, was also in Japan in 1954 to present his techniques that had as main stages the planning, control, and improvement of quality. Juran was a pioneer in understanding the interrelationships between clients, suppliers, and processes [15]. The Japanese emperor himself awarded both Deming and Juran with the Second Order of the Sacred Treasury due to their contributions regarding their quality control approaches [15] [16].

A brief history of the power of overcoming old habits

In 1987, Paul O'Neill gave his first speech as Alcoa's new CEO to an apprehensive investors audience at a time when the company was not performing very well. Contrary to all expectations, O'Neill did not talk about profit margins, projections or other issues investors used to hear in such kind of presentation. He gave a speech about his goal of making Alcoa the

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safest company in America by adopting a zero-accident policy. One year after the speech, fighting against organizational resistance, the company presented record margin profits [17].

By establishing a clear mission and a sense of corporate emergency, all old habits related to safety guarantee processes had to be changed which meant that various organizational processes had to be improved or created. "I knew I had to transform Alcoa. But you can't order people to change. So, I decided I was going to start by focusing on one thing. If I could start disrupting the habits around one thing, it would spread throughout the entire company", O'Neill explained [17]. When the CEO retired after thirteen years of service, Alcoa's annual net revenue was about five times greater than when he had started.

Back to the Brazilian reality

What is the relationship between the presented cases and the difficulty of offering citizens service quality, as enacted by Law 13.460, and that lives up to the paid amount of taxes?

1. Brazil is not USA, France, or England. Our culture is different. Leaders and legislators must consider this fact, or Brazilians might end up using their "jeitinho" to manipulate the data about the real situation of the service delivery. The cultural issue needs to be considered, especially, by public sector managers if they want to implement processes that might ensure the quality of provided services;
2. The problem quality service delivery needs to be systematically approached by identifying the key elements that must be changed within the operational procedures of each public office, just as the American occupation forces did when they systematically imposed a series of reforms to the Japanese;
3. The Japanese knew they could not accommodate despite their successful restructuration efforts and the economically favorable conditions with the advent of the Korean War. To become globally competitive, they continued to seek new ways to improve their products' quality. In Brazil's case, the accommodation in the face of difficulties, the habit of circumventing laws, and the lack of quality of public services might condemn the country's chances of becoming a competitive protagonist alongside countries like USA, France, England, Germany, Japan, Russia, and China.
4. All public-sector managers need to be committed and take personal responsibility for changes in the provision of public

services by relying on a culture that seeks to pursue total quality continuously.

5. It is necessary to define a mission, to create a sense of collective-goal (as it happened at Alcoa), and to put an end to old individualistic habits in all public spheres by using knowledge on proper methods of planning, implementing, evaluating, and improving quality.

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Law 13,460 represents a significant achievement for Brazilians because it regulates at least the minimum each citizen expects regarding the quality of public services. One must stop doing "favors" and stop using the "Brazilian Way" of circumventing laws. It is high time Brazil's leaders and

its population embrace a collective cause so that the general welfare leads them to even better individual well-being.



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