

When Autonomy is Necessary for Performance: a Study on Brazilian Public Defenders' Offices

Empirical Article

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ABSTRACT

Autonomy is an important factor in explaining the performance of Public Defenders' Offices (PDOs), organizations responsible for providing access to justice for vulnerable citizens. This is due to the fact that these organizations often directly litigate against the State in defense of socially vulnerable groups. The present study aims to test the impact of perceived autonomy on the perceived performance of Brazilian PDOs. To this end, we applied a questionnaire to bureaucrats from 27 Brazilian PDOs and analyzed the data using structural equation modeling. The variables observed include performance and autonomy, whose relationship is the focus of this work, in addition to the availability of resources, skills and accountability. The results indicate that autonomy is positively related to performance. PDOs are organizations that often litigate directly against the State to ensure quality in the provision of public services to the most vulnerable population and to avoid discriminatory application of the law by Governments. Therefore, such organizations should operate at certain levels of autonomy. It was also observed that bureaucrats' skills influence performance, and moderate the relationship between autonomy and performance. It is also noteworthy that the availability of resources did not present a statistically significant relationship with performance. This result deserves to be better evaluated in future studies, as it may come from a general perception of bureaucrats that there is a lack of resources for the PDOs. In addition, the resources availability was negatively related to autonomy. That is, greater autonomy is related to less resources availability. This may be connected to the distance between the PDOs and the politicians responsible for the distribution of public resources. It should also be noted that accountability has stronger influence on performance than autonomy. This indicates that caution should be exercised when granting autonomy to PDOs. High levels of autonomy, without mechanisms that allow PDOs to be held accountable for poor performance, will tend to lead to behaviors in which the agent satisfies his own interests, to the detriment of the PDO's mission. This article presents important theoretical contributions. First, this research shows a positive relationship between the autonomy and performance, thus, adding to a group of studies that verify the positive relationship between autonomy and performance. This is evidence that public agencies with a mission related to promoting access to justice and controlling public policies aimed at the vulnerable population need greater autonomy to perform better. It is also important to highlight the novelty of this type of approach for PDOs. Moreover, the study proposes explanations about the mechanisms by which autonomy is able to influence performance, thus indicating that there is an interaction between autonomy and skills of these bureaucrats. In addition, higher levels of autonomy are not related to higher levels of availability of resources. There are also practical contributions, which can be applied in the management of PDOs, and by extension, to other organizations of the Justice System. The increase in the skills of bureaucrats, as well as the guarantee of autonomy in the exercise of their functions, and establish accountability mechanisms may be relevant ways to the expansion of their performance.

Keywords: Autonomy; Performance; Public Defender's Offices; Survey; Structural Equation Modeling