



# **Article**

# The Public Prosecutor's Offices in Brazilian states: differences in autonomy and capacity

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The Brazilian Public Prosecutor's Office is known for its autonomy and low levels of accountability. However, the literature has yet to explore the diversity among the Public Prosecutor's Offices in Brazilian states, neglecting the territorial dimension in analyses and how different local political dynamics influence these organizations' autonomy and capacity. Thus, this article aims to understand to what extent the Public Prosecutor's Offices in Brazilian states differ in terms of their financial autonomy and capacity. The study employed mixed methods of analysis and proposes an autonomy and capacity indicator. The results unveiled significant diversity and considerable inequality among the offices. Furthermore, it was possible to observe how these differences reflect the territorial dimension and local political dynamics.

**Keywords:** autonomy; state capacity; public prosecutor's office; federalism.

## Os Ministérios Públicos estaduais no Brasil: diferenças de autonomia e capacidade

O Ministério Público (MP) brasileiro é conhecido por sua autonomia e seus baixos níveis de accountability. No entanto, a literatura ainda não explorou a diversidade entre os Ministério Públicos estaduais (MPEs), isto é, não considera a dimensão territorial em suas análises e como as diferentes dinâmicas políticas locais podem influenciar nos diferentes níveis de autonomia e capacidade dessas organizações. Dessa forma, o artigo tem por objetivo compreender em que medida os MPEs diferem em termos de autonomia e capacidade. Para tanto, foram utilizados métodos mistos de análise, além da construção de um indicador de autonomia financeira e capacidade. Observaram-se grande diversidade e enorme desigualdade entre os MPs. Ademais, foi possível notar como essas diferenças são reflexo da dimensão territorial, inclusive no que diz respeito às dinâmicas políticas locais.

Palavras-chave: autonomia; capacidade estatal; ministério público; federalismo.

#### Los ministerios públicos estatales en Brasil: diferencias de autonomía y capacidad

El Ministerio Público brasileño es conocido por su autonomía y sus bajos niveles de rendición de cuentas. Sin embargo, la literatura aún no ha explorado la diversidad entre los ministerios públicos estatales, es decir, no considera la dimensión territorial en sus análisis y cómo las diferentes dinámicas políticas locales pueden influir en los diferentes niveles de autonomía y capacidad de estas organizaciones. Por lo tanto, el artículo tiene como objetivo

DOI: https://doi.org/10.1590/0034-761220230200x

Article received on July 14, 2023 and accepted on December 29, 2023.

[Translated version] Note: All quotes in English translated by this article's translator.

Editor-in-chief:

Alketa Peci (Fundação Getulio Vargas, Rio de Janeiro / RJ – Brazil) 📵

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Two of the reviewers did not authorize the disclosure of their identities.

Peer review report: the peer review report is available at this <u>URL</u>.

ISSN: 1982-3134 🙃 🛈

comprender en qué medida difieen los ministerios públicos estatales en términos de autonomía y capacidad. Para ello, se utilizaron métodos mixtos de análisis, además de la construcción de un indicador de autonomía financiera y capacidad. Se observó una gran diversidad y una enorme desigualdad entre los ministerios públicos. Además, fue posible notar como estas diferencias son reflejo de la dimensión territorial, incluso en lo que respecta a las dinámicas políticas locales.

Palabras clave: autonomía; capacidad estatal; ministerio público; federalismo.

#### 1. INTRODUCTION

States confronted by different public challenges, presenting distinct levels of social capital and political dynamics, give rise to organizations that distinguish themselves in relation to autonomy, capacity, and specific institutional structures. Furthermore, these organizations are impacted by the diverse political relationships that involve them. This research seeks to understand the effects of federalism on the diversity of autonomy, capacity, and institutional construction of organizations within the justice system. Therefore, we start with the following research question: how do different political and social contexts contribute to differences in autonomy and capacity in State Public Prosecutor's Offices?

The choice of the object is justified as follows: they are organizations inserted within the federative context; they are autonomous, in formal terms, which is a possible variable to isolate in order to investigate others that are related to state autonomy and capacity; they present similar formal structures, which enables comparative analysis; and they are autonomous among themselves, that is, they suffer interference from the distinct contexts and social and political dynamics of each state.

Thus, this work aims to understand the extent to which state Public Prosecutor's Offices differ in terms of their autonomy and capacity. For this purpose, we propose a comparative analysis matrix of the Public Prosecutor's Offices (MPs), which, using the existing literature, defines specific dimensions to measure autonomy and capacity. It was possible, therefore, not only to suggest a framework of the MPs but also to investigate the relationship between the concepts.

The literature addressing the Public Prosecutor's Office, both in the field of Law and Political Science, frequently points to a considerable institutional autonomy. Furthermore, the wide margin of discretion and the low accountability associated with this institution are commonly notable. However, it is important to emphasize that this assumption is often based on a normative view of the institution. This view does not take into account the process of social and political construction of the autonomy exercised by the Public Prosecutor's Office.

In other words, the traditional understanding of the autonomy and discretion of the Public Prosecutor's Office does not always reflect the complex interaction between this institution, the social and political context in which it operates, and the way in which this autonomy is shaped by various factors. This has already been a more common effort in the literature that adopts a sociological approach, however, few works are comparative and consider factors such as those linked to the broader context, including public problems specific to each state.

Furthermore, the focus on the Public Prosecutor's Office, and not on other control bodies, is justified by the fact that it is an essential organization in the state and national context. It is an institution that accumulates many important functions, such as the monopoly of criminal prosecution, external control of police activity, defense of the democratic legal order, and control over public policies. It is also an organization that is not linked to any branch of government, having its autonomy recognized by the Federal Constitution.

Therefore, this study sought to contribute to the investigation of the relationship between autonomy and capacity by: (i) highlighting the territorial perspective as essential for understanding differences among public organizations; (ii) proposing an indicator and an operationalization of these concepts; and (iii) empirically, presenting an initial comparative framework of the State Public Prosecutors' Offices.

Significant diversity was identified in terms of autonomy, capacity, and institutional designs of the State Public Prosecutors' Offices (MPEs). Moreover, the state context was found to be a significant factor in the observed differences. The wealth and social capital of each state were important for understanding levels of financial autonomy and organizational reputation, though they were not the only factors. Capacity indices appeared to be linked to other elements, such as state size and stature. Regarding public issues, these influence institutional design in terms of expertise and specialization. Finally, the relationship with local politics also matters in the quest for financial autonomy.

Beyond exogenous factors, the importance of endogenous factors was noted as an explanation for the differences between units, warranting further exploration in future research. This aspect is connected to the significance of leadership exercised by the Attorneys-General of Justice (Rodrigues & Marinho, 2023).

However, we highlight the potential for a more detailed investigation into how different political contexts can impact disparities in autonomy and capacity, which was not extensively explored in this study. This issue requires deeper exploration through case studies using comparative analyses.

Regarding the structure of this article, besides this introduction, we present a brief discussion on autonomy and capacity and the Public Prosecutor's Office in Brazilian federalism. In the third section, we describe the methods and data adopted for analyzing the institutional differences in capacity and autonomy and how the indicator was operationalized. Finally, we conclude with the discussion and final considerations.

#### 2. AUTONOMY AND CAPACITY IN PUBLIC ORGANIZATIONS

Administrative autonomy initially refers to the ability of public organizations to determine their own preferences and translate them into authoritative actions (Bach, 2014). It is important to note that this is a multidimensional concept (Cingolani, 2013; Verhoest et al., 2004), making various factors crucial for its measurement, implying that dimensions beyond formal designs must be considered (Maggeti, 2007; Verhoest et al., 2004). In this study, we selected some dimensions of autonomy and capacity to measure the differences between the State Public Prosecutors' Offices.

Autonomy can be categorized into formal autonomy, which pertains to the institutional model that shapes it, and "actual" autonomy, which are the real decision-making powers of the institutions (Bach, 2014; Busuioc, 2011) that translate into regulatory actions in everyday operations (Maggetti, 2007). This distinction is vital for understanding that formal autonomy does not always translate into actual autonomy; that is, an organization that is formal in institutional terms will not necessarily be autonomous in its practices.

Carpenter (2001) develops the concept of autonomy achievement based on three major characteristics: organizational reputation, bureaucratic legitimacy, and the building of multiple coalitions. Knowing this, we can understand that the ability to achieve its goals is not only tied to state or organizational capacity but also to factors that include earning legitimacy among stakeholders

(Bach, 2014), reputation, and political coalitions in networks of diverse actors. The role of organization members in achieving autonomy (Carpenter, 2001) is also noteworthy. This means that political networks and connections matter for the autonomy of organizations (Lotta & Santiago, 2017).

According to Verhoest et al. (2004), the types of autonomy are: a) managerial autonomy: pertains to internal managerial actions within the institution (definition of principles, procedures, and transactions); b) procedural autonomy: related to the choice of instruments to use, setting own objectives, and implementation norms; c) structural autonomy: refers to who selects the agency head and who evaluates them; d) financial autonomy: concerns the source of the agency's resources; e) legal autonomy: the extent to which the legal status of the organization is tied to the central government; and f) intervention autonomy: relates to how much the agency's internal decisions need to be reported to the central government.

Elisson (1995) identifies expertise, public and political support, organizational vitality, and leadership as essential elements for the autonomy of organizations. Additionally, Peters (2015) discusses the importance of advocacy skills and the commitment of its members. Hence, the relational aspect of autonomy becomes evident, as well as the significance of the inherent and internal characteristics of organizations. In other words, autonomy is not limited to the principal-agent relationship but is the result of organizations' integration into complex networks and their interactions with multiple actors (Maggeti & Verhoest, 2014).

Diversity is also evident in autonomous organizations. Even those with similar institutional structures can be quite diverse (Bach, 2014). Regarding the level of autonomy, Bach (2014) notes how the context affects human resource management autonomy in formally similar institutions in Germany and Norway. Similarly, Buta (2021) identifies how conditions related to the social and institutional context are sufficiently related to high levels of formal autonomy in Public Defender's Offices in sixteen Latin American countries. Furthermore, Buta et al. (2022) show how in the case of control organizations, autonomy is essential for ensuring their performance, such as in overseeing public policies.

Turning to the dimensions of capacity, according to Grindle (1996, as cited in Grin et al., 2021), they are: administrative, institutional, technical, and political capacity. While the first pertains to organizational efficiency, institutional and technical capacities are related to the ability to define rules of the game and formulate and administer policies, respectively. Political capacities are tied to the presence of legitimate and effective channels for dealing with conflicts and social demands.

Cingolani (2013) views political capacity as the level of power wielded by elected leaders to enforce their priorities, meaning autonomous organizations need resources for action so that they can pursue their interests independently. Similarly to the concept of autonomy, politico-relational skills are important for understanding an institution's power to achieve its objectives.

Part of the literature views the development of autonomy as building capacity within organizations. Investigating capacity is thus linked to analyzing the organizational structures essential for governments to fulfill their tasks (Evans et al., 2002) and represents the mastery of technical and administrative attributes mobilized for state action (Grin et al., 2021).

According to Peters (2015), the resources of public administration are based on four elements: expertise, procedural ability, stability, and political resources. The first element pertains to the technical knowledge and domain expertise within the organization's area of operation, understanding of the clients, and conditions within the political domain they serve. Procedural ability refers to the capacity

of bureaucratic institutions to make "things happen," that is, they are specialists in the processes necessary for the implementation of public policies. Stability in office is also an important resource for bureaucratic organizations (Carpenter, 2001; Peters, 2015). Lastly, they possess political resources derived from connections with clients and the ability to mobilize them to pressure decision-makers in their favor (Peters, 2015, p. 221).

Although autonomy implies some level of capacity, this relationship is not necessarily proportional (Bersch et al., 2017). The different dimensions of autonomy can also, to some extent, be employed in the investigation of capacities. Research on state capacities has been showing these differences in comparative analyses between countries, as well as the differences observed between local governments within a federal context (Cingolani, 2013; Grin et al., 2021).

Therefore, this study utilizes existing literature and defines distinct dimensions to operationalize each of the concepts. We chose to identify the dimensions that can be measured based on the data and information available about the Public Prosecutors' Offices in the states. It is important to note that this depends not only on the theoretical framework but also on the empirical context, that is, the organization to be analyzed and the information available. Thus, we focus on specific dimensions of autonomy and capacity. Regarding autonomy, we examine the dimension of financial autonomy. To facilitate comparison and comprehensive analysis across all states, we decided to employ quantifiable dimensions, allowing for the comparison of a greater number of cases. In terms of capacity, we consider technical-administrative variables and procedural ability.

### **BOX 1** RELATIONSHIP BETWEEN DIMENSIONS OF AUTONOMY AND CAPACITY

	Dimension	References
Autonomy	Financial	Verhoest et al. (2004)
Capacity	Technical-Administrative	Grindle (1996 as cited in Grin et al., 2021); Pires and Gomide (2014)
	Procedural Ability	Peters (2018); Grindlee (1996 as cited in Grin et al., 2021); Pires and Gomide (2014)

**Source:** Elaborated by the author.

#### 3. THE PUBLIC PROSECUTOR'S OFFICE IN BRAZILIAN FEDERALISM

Brazilian federalism originates from oligarchic stateism, with strong power held by state governments during the redemocratization process (Abrucio, 1998). The conflict between the Federal and local state governments is a foundational characteristic of the Federation's trajectory. Another hallmark of the Federation is the various heterogeneities that compose it, expressed in its physical aspects, such as size and distinct ecosystems, regionalisms, and a context of profound socioeconomic inequality.

The inherent inequalities and heterogeneities of the Federation are observed at the level of public policy implementation and among organizations. In the case of control institutions, this reality is

still underexplored. For the Public Prosecutors' Offices, attention has been drawn to the effects of federalism on their institutional and organizational design (Abrucio et al., 2021). Another example is the different institutional arrangements and capacities of the MPEs to address education issues, highlighting the effects of organizational autonomy (Taporosky & Silveira, 2023; Ximenes et al., 2022).

As we will see, the formal organizational context and the institutional environment in which the MPs are embedded contribute to organizational differences and inequalities in autonomy and capacity among the units.

The division of governments also brings about unique political dynamics within the territory, especially because regional governments can exert control over organizations within their domain. The inequalities and heterogeneities are perceived at the level of public policies and among organizations. Thus, they exhibit varying degrees of autonomy depending on the different levels of action power and characteristics of the bureaucratic body (Lotta & Santiago, 2017) and according to the social and institutional context in which they are included.

To understand the actions of the Public Prosecutors' Offices, it is necessary to consider these points. More specifically, to comprehend the institutional environment in which they are situated, as well as their organizational context (Abrucio et al., 2021). Although the Organic Law has defined a structure for the composition of the higher administration bodies, a significant part of the definition and structure of the executive and auxiliary bodies were left to be determined by the state organic laws and internal resolutions. This means that all the MPEs have similarities and differences in their institutional designs. These distinctions are not only evident in their institutional designs but also in their size and structure, as well as in the levels of autonomy and capacity of each unit, which we will explore in the following sections.

# 4. OPERATIONALIZING THE DIMENSIONS OF AUTONOMY AND CAPACITY FOR COMPARATIVE **ANALYSIS**

#### 4.1. Data

This study employed a mixed-methods strategy to understand the institutional differences and the diversity of autonomy and capacity of the Public Prosecutors' Offices. For analyzing institutional differences, qualitative and content analysis of the Organic Laws of the state Public Prosecutors' Offices and research on institutional websites were conducted. In the quantitative analysis, comparisons of autonomy and capacity levels were undertaken. For the operationalization of these, data on the special funds of the state Public Prosecutors' Offices, the number of members per inhabitant, the number of staff per inhabitant, and the number of procedures per member were used. The data description and its connection with the literature presented earlier are outlined in Box 2.

#### **BOX 2** DATA SOURCE AND IDENTIFICATION IN ACADEMIC LITERATURE

Method	Dimension	Nature of Analysis	Time period	Source
Ovalitativa	Institutional	Personnel expenses	2015-2021	Siconfi (Sistema de Informações Contábeis do Setor Público Brasileiro)
Qualitative	Differences	Specialization; Operational Support Centers per MPE	2021	Institutional websites
	Financial Autonomy	Special funds values		Accountability reports to Courts of Audit and MPEs' transparency portals
Quantitative	Technical- Administrative	Members per 100,000 inhabitants Staff-to-Member Ratio	2016-2020	CNMP
	Procedural Ability	Ratio of procedures initiated per member		

**Source:** Elaborated by the author.

The data do not provide insights into the political autonomy or "actual" autonomy of these organizations. To achieve this, another type of analysis and a different data nature are essential. Finally, the data selection was constrained by the analysis period and the nature of the selected data due to the lack of more comprehensive surveys on the Public Prosecutors' Offices in Brazil.

## 4.2 Method

For the analysis of institutional differences, a review of documents and institutional websites was conducted. For personnel expenses, a descriptive data analysis was carried out, as well as the quantitative phase of the research. To measure the diversity among the MPEs, the construction of an indicator was chosen to enable comparative analysis between the states and also as a tool to understand and interpret the differences and standings of each within the Federation, without necessarily judging the ideal level of autonomy or capacity. In other words, the strategy aims to create a comparative framework to comprehend the differences and similarities among the units of the Public Prosecutors' Offices.

Based on the collected data (Table 1), an exploratory factor analysis (EFA) was conducted to calculate the weights of each variable. The EFA enables the reduction of the number of variables to a smaller set of factors (Matos & Rodrigues, 2019). This method does not examine the dependence

between variables, but rather their interdependence, aiming to identify a structure among them (Hair et al., 2009). In other words, factor analysis "facilitates the reduction of a set of variables to a smaller set" (Matos & Rodrigues, 2019, p. 15). In the case at hand, the exploratory model was chosen, that is, an inductive approach based on the observed data. The results can be seen in Table 1.

 TABLE 1
 COEFFICIENT OF AUTONOMY AND CAPACITY VARIABLES (2016-2020)

Dimension	Variable	Coefficient
Financial Autonomy	Total Revenue from Special Funds	0.29
Capacity	Staff-to-Member Ratio	0.60
	Members per 100,000 inhabitants	0.55
	Ratio of Procedures Initiated per Member	0.51

**Source:** Elaborated by the author.

Following the Exploratory Factor Analysis (EFA) calculation, a normalization technique was applied to the corresponding variables' values. This technique converts the data to a common scale without distorting differences in ranges. As a result, the coefficients could be multiplied by the variable values and the average for the selected period calculated. Below, equations (1 and 2) for calculating autonomy and capacity can be observed.

#### **Equation 1 – Financial Autonomy Calculation**

Autonomy =  $0.29 \times \text{Total}$  revenue from special funds in the year

#### Equation 2 – Capacity Calculation

 $Capacity = 0.60 \times (Index of staff per member in the year)$ 

 $+0.55 \times (Index of members per 100,000 inhabitants in the year)$ 

 $+ 0.51 \times (Ratio of procedures initiated per member in the year)$ 

The Public Prosecutor's Offices (MPEs) were ranked according to their average autonomy and capacity scores. That is, the states were grouped based on their standing relative to the average scores of autonomy and capacity.

### 5. RESULTS

#### 5.1 Political and territorial dimensions and institutional differences in Public Prosecutors' Offices

Despite the Organic Law of the National Public Ministry (MP) establishing general rules about the organization of the MPs, certain characteristics contribute to the emergence of diversities among the units, such as the leadership exercised by the Attorney General of Justice (PGJ), public problems, and the relationship with local politics.

Distinct Organic Laws were defined for the State Public Ministries (MPEs) and the Federal Public Ministry (MPU)<sup>1</sup>. Since the aim of the article is to understand the extent to which different contexts can contribute to differences between the MPEs, and these are governed by a single Organic Law, the MPU was not included in our analysis. However, based on data from 2021, it is possible to observe the differences in terms of quantity between the regions, the MPEs, and the MPU (Table 2). The Southeast region stands out, showing an average much higher than others, including the Union.

TABLE 2 DESCRIPTIVE STATISTICS OF THE NUMBER OF MEMBERS PER MP (2020)

Region	Mean	1 <sup>st</sup> Quartile	Median	3 <sup>rd</sup> Quartile	Coefficient of Variation	Standard Deviation	Minimum	Maximum
Southeast	1.049	749	964	1.258	58	613	280	2.020
South	636	478	693	721	20	126	445	779
Union	590	303	576	857	68	403	71	1.151
Northeast	292	167	216	418	48	141	134	584
Central-West	285	218	247	384	29	82	207	408
North	141	79	121	165	69	97	45	451

**Source:** Elaborated by the author based in CNMP (2021).

The MPEs (State Public Prosecutors' Offices), although allowing greater control over the Attorney General of Justice (PGJ) compared to the Attorney General of the Republic (PGR) in the Federal Public Prosecutor's Office (MPF), play crucial roles within the institution (Kerche, 2009). In other words, despite the lack of a functional hierarchy among the members, the leader of the MPE holds significant administrative functions, exerting control over the respective unit. As we will argue, this aspect constitutes a significant factor for the institutional disparities among the MPEs. Moreover, the creation of task forces and special groups to "circumvent" the limitations faced by the head of the Public Prosecutor's Office in encouraging or discouraging certain behaviors has been identified by Kerche (2018) in the context of the Car Wash (Lava Jato) investigation.

<sup>&</sup>lt;sup>1</sup> It comprises the Federal Public Ministry (MPF), the Labor Public Ministry (MPT), the Military Public Ministry (MPM), and the Public Ministry of the Federal District and Territories (MPDFT).

The administrative responsibilities of the PGJ include creating and modifying auxiliary positions and services, as well as appointing members to positions that do not require a public competition. The auxiliary bodies, which vary in appointment, function, and quantity, include Deputy Prosecutors, Offices and Secretariats, Operational and Technical Support Centers, Specialization Units, Training Centers, interns, operational support groups, and, in certain cases, Ombudsman's Offices. These represent domains of autonomy for the Public Prosecutors' Offices, allowing adjustments according to the needs of their states and the preferences of the members, as well as the specific interests of involved groups (Abrucio et al., 2021; Rodrigues & Marinho, 2023; Viegas, 2020). In summary, there is a formal aspect that determines their institutional format, in addition to a space for political decisions within these organizations.

The Attorneys General have the responsibility to conduct investigations against the governor, the presidents of the Legislative Assembly and the Court of Justice. According to the Constitution of each state, this prerogative may also extend to state deputies in cases of common crimes and/or government secretaries. In short, when the governor appoints the head of the Public Prosecutor's Office, they are designating someone with the authority to conduct investigations against their own government, giving this person the role of leading the institution responsible for overseeing the public administration in investigations involving government members<sup>2</sup>.

The essential elements of the executive bodies are also within the autonomy sphere of each MPE and are subject to the influence of their members' interests, including the organization of the Prosecutor's and the Justice Promoter's Offices. Moreover, other bodies such as Special Action Groups, Units, and Coordinations can be incorporated. However, the structure and definition of functions among the executive and auxiliary bodies can vary substantially among the different State Public Prosecutors' Offices.

As Box 3 shows, there are various themes of Support Centers identified in the MPEs. They also represent the direction of human resources and their administrative structure towards specific issues. However, they vary greatly in each unit, with some similarities, such as the prevalence of certain specific themes, namely environment, childhood, youth, and criminal matters. The five states with the highest number of Support Centers are Mato Grosso do Sul (25), Ceará (23), Minas Gerais (23), Mato Grosso (22), and Rio Grande do Sul (22). Roraima, Rondônia, Rio Grande do Norte, Paraná, Goiás, and Alagoas have only one Support Center each.

## **BOX 3 THEMES AND NUMBER OF SUPPORT CENTERS OF THE MPES**

Support Center Theme	Number
Civil Society	1
Jury	2
External Control of Police Activity	3
Public Safety	3
	Continue

<sup>&</sup>lt;sup>2</sup> It is noteworthy that, although the PGJ does not criminally prosecute governors, being that function of the PGR, he can act in cases of misconduct.

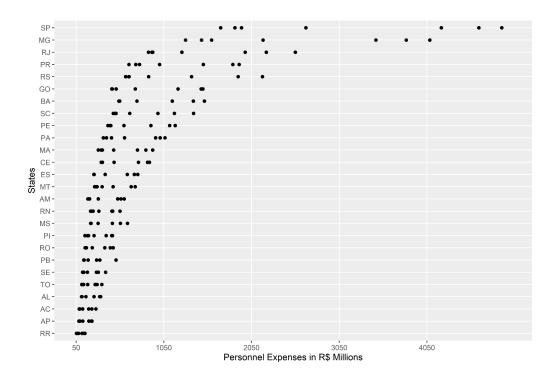
Support Center Theme	Number
Social Assistance	4
Economic and Tax Order	4
Single CAO (Centralized Administrative Office)	5
Women's Defense	5
Elderly and/or Persons with Disabilities	6
Administrative Probity	6
Electoral	8
Citizenship	10
Human Rights	10
Civil Rights	11
Education	13
Consumer's Rights	14
Health	14
Public, Historical, and Cultural Heritage and/or Urban Order	15
Criminal	19
Childhood and Youth	19
Environment	19

There are also similarities in the existence of Special Action Groups to Combat Organized Crime (GAECOS) across all MPEs (Viegas & Rodrigues, 2021). This finding indicates that, beyond the specificities – such as the existence of the Work Group for the Recovery of the Rio Doce (GTRD) in Espírito Santo, the Operational Support Center for the Protection of the São Francisco River and its Springs in Sergipe, the specialized prosecutors in the Defense of the Environment of the Hydrographic Basin of Baixo Acre in agrarian conflicts of Acre, and the Special Action Group in Major Football Events (GFUT) in Goiás –, there are common goals pursued by the MPs in different federal units.

Differences in the level of specialization have also been identified in specific areas like education (Ximenes et al., 2022) and capabilities in dealing with public policies (Taporosky & Silveira, 2023). In this case, specialization seems not only related to factors associated with the budget size but also with the characteristics and public problems unique to each state, the history and trajectory of each MP, and endogenous factors, such as the preferences of its members and the leadership role of the PGJ.

Regarding the interaction with the political system, although it is impossible to map exhaustively, these formally defined moments are not few. Three of them are obvious: the selection of the PGJ by the governor; the approval of the budget proposal for the Legislature; and the selection of the judge for the fifth constitutional quota. There is also the establishment, review, adjustment, and recomposition of the salaries of members and wages of employees. As can be seen in Graph 1 below, in addition to displaying differences in terms of budget size, personnel spending has been increasing in the years analyzed.

GRAPH 1 PERSONNEL EXPENSES OF THE PUBLIC PROSECUTOR'S OFFICE IN ALL STATES OF THE **FEDERATION BETWEEN 2015 AND 2021** 



**Source:** Elaborated by the authors based on Siconfi (2022).

Success in interacting with political actors depends on the political capacities of the members of the Public Prosecutor's Office (MP), which can be particularly seen in the approval of the budget and subsidies. It is important to note that, although the Constitution has opted for an institutional design that favors the organization's autonomy, the MPs are not completely isolated from other actors and the political system. Even though, formally speaking, the institution exhibits high levels of autonomy (Kerche, 2009), it is necessary to consider other factors beyond the formal ones (Viegas, 2020).

### 5.2 Differences in autonomy and capacity: comparative analysis

## 5.2.1. Financial autonomy

A common measure of autonomy is financial autonomy (Verhoest et al., 2004). In this context, the special management funds of the MPEs and their revenues do not depend on transfers from state governments, unlike the budget of the Public Prosecutor's Office. Although not used for payroll, the funds can be allocated to investment in organizational structure and institutional development or even in projects external to the institution and public policies.

The importance of development funds is crucial, even for the process of expansion and structuring of these organizations. As reported by Silveira (2022, p. 123), it was with the acquisition of more

resources for the development fund of the Public Prosecutor's Office of Santa Catarina that "it expanded its structure in some jurisdictions by installing prosecutorial offices in physical spaces independent of the courts. It was also through the Fund that the Public Prosecutor's Office established its new headquarters in the state capital". Moreover, these funds represent greater autonomy in relation to control over their budget.

Ten types of special funds were identified (Table 3), totaling 44. The majority are development funds, that is, funds aimed at institutional investment. The second most significant type is the funds for the restitution of damaged assets and diffuse and collective rights. These are intended for projects related to the defense of diffuse and collective rights, which does not exclude consumer protection. However, there are several cases where the values of these funds are transferred to the second type.

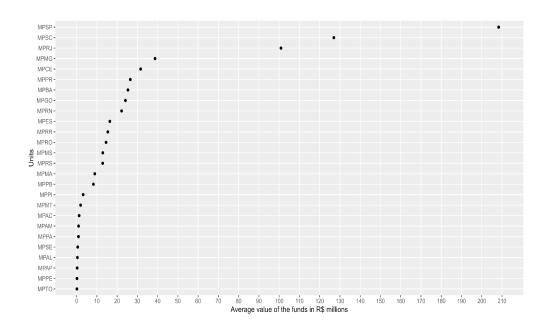
**TABLE 3** NUMBER OF FUNDS BY TYPE

Type of Fund	Quantity
Development Fund	25
Fund for the Restitution of Damaged Assets and Diffuse and Collective Rights	7
Consumer Defense Fund	3
Study Center or Higher Education School Fund	3
Fund for the Support and Protection of Threatened Victims and Witnesses	1
Fund to Fight Administrative Misconduct and Corruption	1
Drug Combat Fund	1
Competition Fund	1
Security Fund	1
Penitentiary Fund	1
Total	44

**Source:** Elaborated by the author.

When analyzing the average sum of the fund values by state, diversity can be observed (Graph 2). Although it reflects, to some extent, the different development levels of the states, there is a significant discrepancy. As we will argue, the wealth of the state alone does not explain these differences; political factors also contributed to the formation of this scenario.

**GRAPH 2** AVERAGE VALUE OF SPECIAL FUNDS IN MILLIONS BY STATE (2016-2020)



States may have different types and quantities of special funds, as seen in Table 4. These vary in several characteristics, such as the year of creation and the composition of their revenues. In analyzing the laws establishing special funds and other state laws, such as those defining the distribution of registry fees, we can see how some states secured special revenues for their funds. However, this process occurred in different ways and at different times.

TABLE 4 YEAR OF CREATION AND SPECIAL REVENUES OF THE PUBLIC PROSECUTORS' FUNDS ANALYZED

		Special revenues				
Unit	Year of Fund Creation	Fines from Consumer Service Institute (e.g., Procon)	Registry Fees and Judicial and Extrajudicial Costs	Surplus from the Public Prosecutor's Office Budget	Year of approval	
MPBA	2006	No	Yes	No	2018	
MPCE	2004	Yes	No	No	2004	
MPCE	2015	No	Yes	No	2016	
MPES	2006	No	Yes	No	2013	

Continue

		Special revenues			
Unit	Year of Fund Creation	Fines from Consumer Service Institute (e.g., Procon)	Registry Fees and Judicial and Extrajudicial Costs	Surplus from the Public Prosecutor's Office Budget	Year of approval
MPMA	2005	No	Yes	Yes	2005/2019
MPMG	2003	Yes	No	No	2003
MPMS	1998	No	Yes	No	2014
MPPB	1998	Yes	No	No	1998
MPPB	1991	No	Yes	No	1991
MPPI	2013	Yes	No	No	-
MPPI	2004	No	Yes	No	2018
MPPR	1998	No	Yes	No	2014
MPRJ	1997	No	No	Yes	2014
MPRN	1999	No	Yes	No	2010
MPSC	2002	No	Yes	No	2003
MPSP	1999	No	Yes	No	2015

## 5.2.2. Technical-administrative: members per inhabitant and staff per member

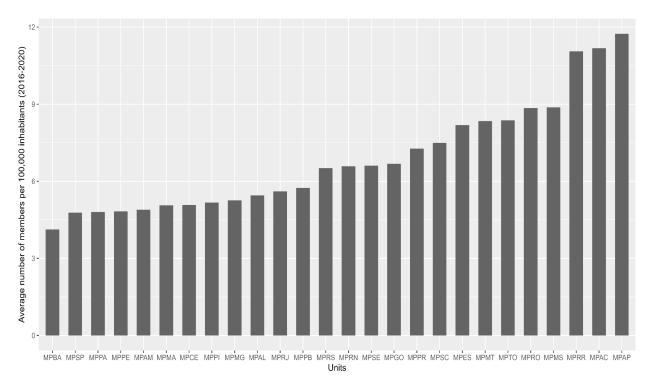
In the case of the State Public Prosecutors' Offices (MPEs), they show significant differences in terms of their bureaucratic body. São Paulo, Minas Gerais, and Rio de Janeiro are the states with the highest number of member positions filled in 2020, not considering the Federal Public Prosecutor's Office (MPF). Moreover, Roraima, Amapá, Acre, and Tocantins have the smallest absolute numbers of members. The difference between Roraima and São Paulo is about 1,900 members.

Among the MPEs, excluding the Federal Public Prosecutors, São Paulo, Minas Gerais, Rio de Janeiro, and Paraná have the highest absolute number of staff members. The lowest are in Alagoas, Roraima, Amapá, and Acre. The difference between São Paulo and Alagoas, which have the highest and lowest absolute numbers respectively, is over 5,000 career staff positions filled.

Furthermore, the number of members and staff of the MPs does not follow the logic of the population size per state or region, reinforcing the argument that the organizational environment influences the design and structure of the MPs. They also show a wide range of technical-administrative variety regarding the size of their bureaucratic body and profile (ratio of the number of members to staff).

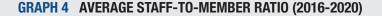
Although the most populous states have a lower coverage of services in relation to the population, when compared in absolute terms, the difference between the states is enormous. However, while the absolute number of members and staff is important, for example, in the number of members available for capacity building, we do not believe it to be the best measure of capacity. The more populous states have lower averages, but it is important to note that, although these are also units located in wealthier states, it does not mean that wealth is accompanied by capacity building (Graph 3).

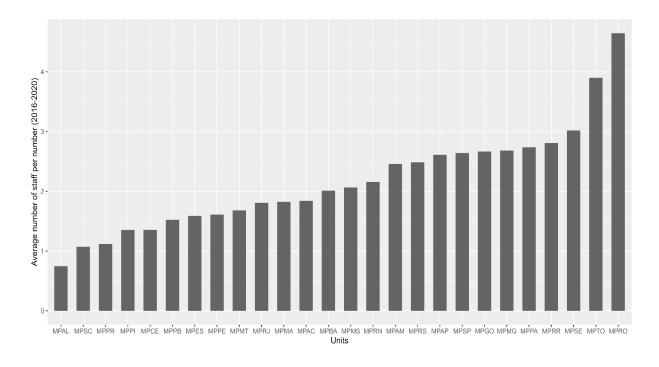
## **GRAPH 3** AVERAGE MEMBERS PER 100,000 INHABITANTS (2016-2020)



Source: Elaborated by the author.

The ratio of members to staff is also an important measure of technical-administrative capacity. Given the vast array of functions that members of the Public Prosecutor's Office hold, the work of staff is crucial for more efficient and technical performance. Additionally, staff members are responsible for various administrative functions for which legally trained personnel may not have expertise. In public policy implementation, staff specialized in specific areas also play a significant role in conducting technical inspections and reports that can guide the decisions of prosecutors. As seen in Graph 4, there is no standard pattern among the MPEs regarding the ratio of members to staff. There also does not appear to be a relationship between this index and the size of the bureaucratic body of each unit.



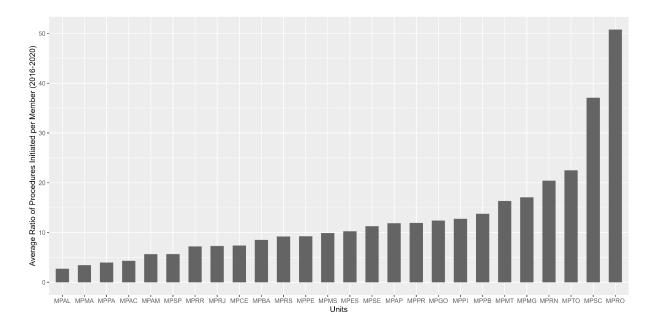


### 5.2.3. Procedural ability

The last measure of capacity used was procedural ability. This refers to the ability of bureaucratic organizations to make "things happen," that is, they are specialists in the processes necessary for the implementation of public policies or their goals (Peters, 2015). Analyzing the concrete actions of the MPs, we can observe significant differences between regions (Graph 5). For example, the South region stands out for its use of procedures like Terms of Conduct Adjustment and Recommendations. Meanwhile, the Northeast and Southeast regions account for a large share of the Civil Inquiries and Preliminary Civil Inquiry Procedures initiated, but it is the South region that has the highest percentage of procedures concluded.

Although the number of procedures is also linked to the number of members, in the South region, a prevalent style of action is observed. Again, a great diversity among the state units was identified. We also did not find a relationship between MPEs in more or less developed regions and the efficiency in the actions of their members.

**GRAPH 5** AVERAGE RATIO OF PROCEDURES INITIATED PER MEMBER (2016-2020)

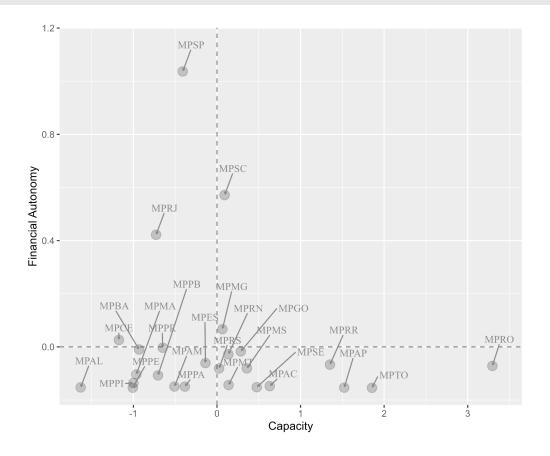


## 5.2.4. Autonomy vs. capacity

The development of the indicator enabled a comparative analysis of the MPEs in an autonomy and capacity matrix. It was also identified that autonomy and capacity are not concepts that necessarily move together. Public Prosecutors' Offices with high autonomy do not always exhibit high levels of capacity; the reverse is also true. As previously mentioned, the construction of autonomy and capacity depends on the context in which organizations are embedded. In other words, the formal design is not decisive.

The analysis of the matrix, in addition to indicating the divergence between the concepts of autonomy and capacity, highlights the disparities among the MPEs and the vast diversity they demonstrate. The dotted lines in Graph 6 represent the average values of autonomy and capacity. Noteworthy is the Public Prosecutor's Office of the State of São Paulo, which, apart from the distance in terms of autonomy level compared to other states, has the fact that its capacity does not match the high level of financial autonomy and organizational reputation.

#### **GRAPH 6** AUTONOMY AND CAPACITY MATRIX\*



<sup>\*</sup>Average between the years 2016 and 2020 per unit.

**Source:** Elaborated by the author.

Table 5 categorizes MPEs according to their position relative to the average autonomy and capacity. It shows that no MPE exhibits both autonomy and capacity above average, reinforcing our argument that autonomy and capacity do not necessarily go hand in hand. Furthermore, there is a higher concentration of units in the position of below-average autonomy and above-average capacity.

This classification also reinforces the argument that autonomy and capacity are not necessarily interconnected or directly proportional. This means that a state can exhibit high autonomy without necessarily having high capacity, or vice versa. This observation is evidenced by the distribution of states in Table 5, where it is noted that the majority of the MPEs do not fall within the quadrant representing above-average autonomy and capacity, demonstrating that these two aspects can manifest independently.

Therefore, Table 5 not only categorizes the MPEs according to their autonomy and capacity relative to the average but also supports the idea that these two factors are not obligatorily associated, and can appear in different combinations across the various MPEs in the country.

TABLE 5 CLASSIFICATION OF THE MPES ACCORDING TO THEIR POSITION RELATIVE TO THE AVERAGE **AUTONOMY AND CAPACITY** 

	Above Average Capacity	Below Average Capacity
Above Average Autonomy	MPSC, MPMG	MPSP, MPRJ e MPCE
Below Average Autonomy	MPRO, MPTO, MPAP, MPRR, MPAC, MPSE, MPMS, MPGO, MPRN, MPRS e MPMT	MPAL, MPPE, MPPI, MPBA, MPMA, MPPR, MPPB, MPAM, MPPA e MPES

While it is feasible to point out limitations in this categorization method, such as cases of units situated on the boundary between two groups and the lack of data that would allow for a more precise analysis regarding the measure of autonomy, it contributes to a deeper understanding of the diversity and heterogeneity of MPEs. Furthermore, it's worth noting the numerous cases where they are close to the average, but due to a small margin, they were categorized into distinct groups. Future research with greater depth may better explain these data and better situate the position of each case.

## 6. DISCUSSION AND CONCLUSION

This work has contributed to the investigation of the relationship between financial autonomy and capacity in public organizations, proposing an indicator and operationalizing the concepts, presenting a territorial perspective as essential to understanding differences between public institutions and providing a novel comparative framework of the MPEs.

Regarding the first point, the data indicate the need for the literature to adopt clear and transparent variables between measures of autonomy and capacity, including delineating the boundaries between these two concepts. This finding aligns with the studies of Bersch et al. (2017). However, in this research, we demonstrate not only the diversity in the differences between autonomy and capacity but also how both can be influenced by territorial and political dynamics.

Furthermore, we present a comparison between organizations with the same functions and similar institutional designs. Achieving autonomy does not necessarily equate to achieving capacity for public institutions. The analysis of the MPEs reinforces this. The indicator presented can be utilized in other studies focused on autonomy and capacity, applied in a way that enables a comparative analysis between organizations.

Although it requires further exploration, we can identify that the sources of diversity among the MPs are numerous, including public problems, the wealth/social capital of each state, the history/ trajectory of each MP, and the organization's relationship with local politics. Additionally, the influence of state characteristics on levels of financial autonomy and capacity, as well as how inequalities between states reflect in the diversity of these institutions, is notable.

An analysis of Graphs 5 and 6 shows that only the states of Santa Catarina and Minas Gerais were classified as having both capacity and autonomy above the average relative to other Brazilian

states. However, it is important to note that, despite their superior performance, both states are still close to the boundary that delineates the national average. A factor that may have contributed to this prominent position is that both Santa Catarina and Minas Gerais managed to secure special revenues for their respective state funds, as evidenced in Table 4.

It is apparent that Rio Grande do Sul, Rio Grande do Norte, Mato Grosso, Goiás, Mato Grosso do Sul, Acre, Roraima, Amapá, Tocantins, and Rondônia, although they show high levels of capacity compared with other units, do not have better levels of autonomy. The first aspect (capacity) may be influenced by the population size, while the second (financial autonomy) is linked to the state's wealth and political factors that limited these organizations' achievement of greater financial autonomy. Only Rio Grande do Norte, Goiás, and Mato Grosso do Sul secured special funds up to the data collection period for this research. It is crucial to emphasize that socioeconomic inequality among states also reflects on the organizations under their jurisdiction, even if it does not appear to be determinant and the sole explanatory factor.

The development of autonomy and capacity involves political negotiations and organizational conquest in relation to the Legislative, Executive, and Judiciary branches, as well as structure and budget. The Public Ministry's budget, as well as the creation and transformation of positions, needs to be approved by the Legislature and must be incorporated by the Executive head into the budget plans. Regarding the special funds analyzed, one can notice, for example, a process of achieving financial autonomy in the approval of revenues for the special funds of the MPEs, which compete for resources with other organizations, such as the Judiciary and the Executive itself.

The Public Ministries (MPs) of Ceará, Minas Gerais, Piauí, and Paraíba are responsible for managing consumer service institutes. This represents an additional source of revenue for the State Public Ministries (MPEs), an achievement within the scope of state politics. The same occurred with the acquisition of notary fees, originally shared with the Judiciary, but which have also been contested by the MPs. Maranhão and Rio de Janeiro have secured for their funds the surplus of the general budget of the MP, which, instead of returning to the state coffers, constitutes an additional revenue for the organization.

The recent approval of special revenue for the funds and state wealth explains why some of the analyzed MPs have not yet secured more resources for their funds, as is the case with Bahia, Piauí, and Maranhão. It also indicates that this is a recent process, led by some states like Ceará, Minas Gerais, Paraíba, and Santa Catarina, three of which have achieved above-average levels of autonomy. Moreover, the size of the revenue is related to the wealth of each state and, depending on the context, can increase the capacity for collection. However, while it explains differences in revenue collection, it does not account for institutional distinctions or in the design of the laws. An example is Santa Catarina, as reported by Silveira (2022). The process of securing revenue for the special fund for modernization and reequipment did not occur away from political disputes with the Judiciary.

This fund was formed by the collections from judicial services and had its revenue directed to sectors associated with the Judiciary, such as the maintenance of the state's prison units, and 'the establishments for the protection of the rights of the Child and Adolescent, under the responsibility of the State of Santa Catarina' (Art. 2°). The creation of a Reequipment Fund for the Public Ministry would allow greater control by the MPSC over its budget, but the state judiciary would have to share a portion of its revenue, leading to conflicts in the relationship between the classes (Silveira, 2022, p. 123, our translation).

The state of São Paulo stands out in the analyses both for the size of its special fund and the discrepancy between the indicators of autonomy and capacity. Regarding the former, there is a significant factor related to the population size of the states, which influenced the values associated with the number of members per inhabitant. However, there is also a matter of profile to consider in the outcome of the number of procedures initiated by its members. Yet, it is possible to identify the vast difference in structure and budget allocated to the unit compared to other states.

The second point warrants further exploration: why have organizations with high levels of financial autonomy not achieved similar values in building capacity? Despite the member-to-inhabitant ratio being significant and linked to territorial characteristics, even wealthier MPEs did not show greater efficiency in the ratio of initiated processes to the number of members.

São Paulo emerged as a special case in the matrix presented. This is special due to the organization's proximity to state politics and its achievements related to the historical process of organizational development (Zaffalon, 2017; Bonelli, 2002). It was under the administrations of Orestes Quércia and Luís Antonio Fleury that the organization greatly expanded its structure (Bonelli, 2002). The former governor and congressman Fleury was a public prosecutor, president of the São Paulo Public Ministry Association (1982 to 1986), Secretary of Public Security in Quércia's government, and a strong advocate for the organization's interests, which reflected in his political actions. In other words, the wealth of the state carries weight and impacts the indicators, but this process is linked to the organization's successive achievements in the political sphere, such as the acquisition of notary fees as an increase in the special fund.

The expansion of the Public Ministries (MPs) in the states occurs in a context of significant institutional powers granted to these organizations. The heads of these organizations, the Attorneys General of Justice (PGJs), are responsible for investigating the governor and the presidents of the Legislative Assembly and the Court of Justice. Depending on each state's Constitution, they also have the same prerogative over state deputies in cases of common crimes, and/or government secretaries. This is a common factor, resulting from the process of establishing our federalism, which reserved significant powers for the governors.

As we have shown, the PGJs are an endogenous source of diversity among the units. They adopt distinct paths in the leadership they exercise within the organization, being responsible for budget negotiations and institutional changes that depend on approval from the Legislative Assembly.

Another factor that may be linked to institutional differences is the historical process of forming these organizations, which explains the differences in organic laws and institutional designs presented, as well as specific public problems that influence the development of expertise and different specializations in public policy actions. However, the similarities found should be investigated as a possible influence of national bodies, such as the National Council of the Public Ministry (CNMP), without excluding the possibility of institutional learning among the units themselves.

This work does not exhaust the discussion about the diversities of the MPs. In fact, it indicates the need for further exploration, as state inequalities seem to influence organizational inequalities. However, state characteristics, such as state wealth and population size, do not explain all the institutional and organizational differences observed. Nor are they the sole explanatory factor for the discrepancies observed in relation to the MPSP and the rest of the states.

The importance of advancing to analyses that examine the "actual" autonomy of these organizations is highlighted, which was not possible in this study. Future research could investigate whether the

Attorneys General of Justice (PGJs), given their mandate, act autonomously concerning the interests of the governors, or whether the institutional design previously described prevents external control from being exercised.

Presenting the territorial variation of autonomy and capacity of the MPs aims to shift analysts' attention to the social and political context in which these institutions are embedded and with which they interact. This seeks to overcome the conception of the MP as an entity operating under a single ideology, without considering differences and singularities among its units. Understanding this diversity is crucial for analyses aimed at understanding the impacts of the institution's actions. Moreover, the goal is not to provide a definitive conclusion on how to measure autonomy and capacity but rather to indicate possible directions that can be refined in future research.

## **REFERENCES**

Abrucio, F. L. (1998). Os barões da federação: os governadores e a redemocratização brasileira. Hucitec.

Abrucio F. L., Viegas, R. R., & Rodrigues, R. V. (2021). A agenda esquecida do federalismo brasileiro: assimetria, heterogeneidade e diversidade dos ministérios públicos. SciELO Preprint.

Arantes, R. B. (2019). Ministério Público, política e políticas Públicas. In V. E. de Oliveira (Org.), Judicialização de políticas públicas no Brasil. Editora Fiocruz.

Bach, T. (2014). The autonomy of government agencies in Germany and Norway: explaining variation in management autonomy across countries and agencies. International Review of Administrative Sciences, 80(2), 341-361.

Bersch, K., Praça, S., & Taylor, M. M. (2017). Bureaucratic capacity and political autonomy within national states: mapping the archipelago of excellence in Brazil. In M. A. Centeno, A. Kohli, D. J. Yashar (Eds.), States in the Developing World (pp. 157-183). Cambridge University Press.

Bonelli, M. da G. (2002). Profissionalismo e política no mundo do direito: as relações dos advogados, desembargadores, procuradores de justiça e delegados de polícia com o Estado. Edufscar.

Buta, B. O., Teixeira, M. A. C., & Fernandes, A. S. A. (2022). Quando a autonomia é necessária para o desempenho: defensoria pública do Brasil. Revista de Administração Pública, 56(4), 488-507.

Buta, B. O. (2021). The autonomy of public defender's offices: A systematic comparison between Latin American countries. International Journal of Public Sector Management, 34(5), 586-601. https://doi. org/10.1108/IJPSM-09-2020-0241

Carpenter, D. P. (2001). Entrepreneurship, networked *legitimacy and autonomy*: *the forging of bureaucratic* autonomy - reputations, networks, and policy innovation in executive agencies (1862-1928). Princeton University Press.

Cingolani, L. (2013). The state of state capacity: a review of concepts, evidence, and measures. UNU-MERIT.

Completa, E. R. (2017). Capacidad estatal: ¿qué tipo de capacidades y para qué tipo de Estado? *Postdata*. Revista de Reflexión y Análisis Político, 22(1), 111-140.

Ellison, B. A. (1995). A conceptual framework for analyzing bureaucratic politics and autonomy. The American Review of Public Administration, 25(2), 161-182.

Gomide, A. A., Silva, F. S., & Pires, R. R. (2014). Capacidades estatais e políticas públicas: passado, presente e futuro da ação governamental para o desenvolvimento. In L. Monastério, M. C. Neri, & S. S. Dillon (Eds.), Brasil em desenvolvimento 2014: Estado, planejamento e políticas públicas. Instituto de Pesquisa Econômica Aplicada.

Grin, E. J., Demarco, D. J., & Abrucio, F. L. (2021). Capacidades estatais municipais: o universo desconhecido no federalismo brasileiro. Ed. UFRGS. http://hdl.handle.net/10183/236393

Hair, J. F., Black, W. C., Babin, B. J., & Anderson, R. E. (2009). Multivariate data analysis (7a ed.). Prentice Hall.

Kerche, F. (2009). Virtude e limites: autonomia e atribuições do Ministério Público no Brasil. Edusp.

Kerche F. (2018). Ministério Público, Lava Jato e Mãos Limpas: uma abordagem institucional. Lua Nova, 105, 255-86. https://doi.org/10.1590/0102-255286/105

Lotta, G., & Santiago, A. (2017). Autonomia e discricionariedade: matizando conceitos-chave para o estado de burocracia. Revista Brasileira de Informação Bibliográfica em Ciências Sociais, 83, 21-42.

Maggetti, M. (2007). De facto independence after delegation: a fuzzy-set analysis. Regulation & Governance, 1(4), 271-294.

Matos, D. A. S., & Rodrigues, E. C. (2019). Análise fatorial. Escola Nacional de Administração Pública.

Peters, B. G. (2015). Policy capacity in public administration. Policy and Society, 34(3-4), 219-228.

Rodrigues, R. V., & Marinho, C. M. (2023). O processo de especialização e desespecialização em educação do Ministério Público de Goiás: uma análise da mudança. Revista Brasileira de Ciência Política, 41, e269949.

Silveira, T. G. (2022). Guardião da sociedade: uma sociologia do Ministério Público (Tese de Doutorado). Universidade Federal de Santa Catarina, Florianópolis, SC, Brasil.

Sistema de Informações Contábeis do Setor Público Brasileiro. (2021). Consultas. https://siconfi.tesouro. gov.br/siconfi/index.jsf

Taporosky, B. C. H., & Silveira, A. A. D. (2023). Uma análise da capacidade do Ministério Público para a atuação na política educacional. Educação & Sociedade, 44, e268153. https://doi.org/10.1590/ ES.268153

Verhoest, K., Peters, B. G., Bouckaert, G., & Verschuere, B. (2004). The study of organisational autonomy: a conceptual review. Public Administration and Development. The International Journal of Management Research and Practice, 24(2), 101-118. Viegas, R. R. (2020). Governabilidade e lógica de designações no Ministério Público Federal: os "procuradores políticos profissionais". Revista Brasileira De Ciência Política, 33, e234299. https:// doi.org/10.1590/0103-3352.2020.33.234299

Ximenes, S. B., Stuchi, C. G., Marinho, C. M., Taporosky, B. C. H., & Jurkstas, A. B. (2022). Especialização do Ministério Público nos estados na temática educação: extensão, características e dinâmica institucional. Direito Público, 19(101), 396-427. https://doi.org/10.11117/rdp.v19i101.5791

Weber, M. (1999). Economia e sociedade: fundamentos da sociologia compreensiva. Universidade de Brasília.

Zaffalon, L. (2017). Uma espiral elitista de afirmação corporativa: blindagens e criminalizações a partir do imbricamento das disputas do Sistema de Justiça paulista com as disputas da política convencional (Tese de Doutorado). Fundação Getulio Vargas, São Paulo, SP, Brasil.

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Rayane Vieira Rodrigues: Conceptualization (Lead); Data curation (Lead); Methodology (Lead); Project administration (Lead); Writing - original draft (Lead); Writing - review & editing (Lead).

## **DATA AVAILABILITY**

The dataset supporting the results of this study is not publicly available.

## **FUNDING**

This work was conducted with the support of the Coordination for the Improvement of Higher Education Personnel (CAPES).

## **ACKNOWLEDGMENTS**

The author would like to thank the Coordination for the Improvement of Higher Education Personnel (CAPES) for the doctoral scholarship provided during the research period and researcher Lucas Falcão Silva for his review and support in data analysis.