

## Article

## Politicization space in the structure of the Brazilian Federal Government, 1999-2021

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What was the extent of the Brazilian president's politicization space within the structure of the federal public bureaucracy from 1999 to 2021? The extent of this space is related to the importance of politicization as a strategy for controlling the bureaucracy, monitoring partners, and political accommodation, following the logic of coalition presidentialism. Thus, this article sought to measure it using a descriptive methodology based on data collected from the Federal Government's *Painel Estatístico de Pessoal*, encompassing positions and functions within the government throughout the period. By considering all possibilities of appointments and designations made by the president for high-level positions, this article presented an innovative approach compared to previous Brazilian Political Science studies assessing politicization in the federal government. This approach led to the conclusion that the extent of the politicization space did not substantially decrease despite the reduction in senior management and advisory positions (known in Brazil as *Cargos de Direção e Assessoramento Superior – DAS*), in addition to revealing a new pattern of politicization characterized by increased use of *funções de confiança* exclusively held by career public servants and the valorization of these servants even in DAS positions.


Keywords: politicization; bureaucracy; president's powers; political appointments; career public servants.

## O espaço da politização na estrutura do Governo Federal brasileiro, 1999-2021

Qual foi o tamanho do espaço que o presidente brasileiro possuiu para politizações na estrutura da burocracia pública federal no período 1999-2021? Considerando que o tamanho desse espaço está relacionado à importância da politização como estratégia de controle da burocracia, de monitoramento de parceiros e de acomodação política, conforme a lógica do presidencialismo de coalizão, este artigo procurou dimensioná-lo empregando metodologia descritiva, baseada em coleta de dados obtidos do Painel Estatístico de Pessoal do governo federal, abrangendo cargos e funções do governo federal ao longo do período em questão. Ao considerar todas as possibilidades de nomeações e designações efetuadas pelo presidente para cargos e funções da alta gestão, este artigo apresentou uma abordagem inovadora em relação a outras análises previamente desenvolvidas no âmbito da Ciência Política brasileira, no que tange à avaliação do fenômeno da politização no governo federal. Tal abordagem permitiu concluir que o tamanho do espaço para politização não diminuiu substantivamente com a redução de cargos DAS, além de revelar um novo padrão da politização, marcado pelo maior uso das funções de confiança, desempenhadas exclusivamente por servidores de carreira e pela valorização desses servidores também entre as nomeações para cargos DAS.

Palavras-chave: politização; burocracia; poderes presidenciais; nomeações políticas; servidores de carreira.


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## El espacio de politización en la estructura del Gobierno federal brasileño, 1999-2021

¿Cuánto espacio tuvo el presidente brasileño para la politización en la estructura de la burocracia pública federal durante el período 1999-2021? Considerando que el tamaño de este espacio está vinculado a la importancia de la politización como estrategia de control burocrático, monitoreo de aliados y acomodación política, siguiendo la lógica del presidencialismo de coalición, este artículo intentó dimensionarlo mediante una metodología descriptiva, basada en la recolección de datos del Panel Estadístico de Personal del Gobierno federal, que abarca cargos y funciones gubernamentales a lo largo del mencionado período. Al considerar todas las posibilidades de nombramientos y designaciones realizadas por el presidente para cargos y funciones de alta dirección, este artículo presentó un enfoque innovador en comparación con otros análisis previamente desarrollados en el campo de la Ciencia Política brasileña, en cuanto a la evaluación del fenómeno de la politización en el gobierno federal. Este enfoque permitió concluir que el tamaño del espacio para la politización no disminuyó sustancialmente con la reducción de cargos de dirección y asesoramiento superior (cargos DAS), además de revelar un nuevo patrón de politización, caracterizado por un mayor uso de funciones de confianza desempeñadas exclusivamente por servidores de carrera, y por la valoración de estos servidores también en los nombramientos para cargos DAS.

Palabras clave: politización; burocracia; poderes presidenciales; nombramientos políticos; servidores de carrera.

### 1. INTRODUCTION

Employing principal-agent models, public choice theory seeks to understand delegation dilemmas applicable to the relationship between the president and the bureaucracy. In certain situations, even when the agent acts on behalf of the principal, the interests of these two actors may not align, or the outcome of the agent's action may not be as desired by the principal (McCubbins et al., 1989; Moe, 2012). What mechanisms can promote alignment between the principal and agent in these scenarios?

The unilateral executive theory posits that the president uses tools of politicization and centralization to exert control over agency actions. These tools include appointments to bureaucratic positions, supervision in the drafting of legislative proposals by cabinets and bureaucratic agencies, as well as command and control over the budget process and resources (Amorim, 2018; Bonvecchi & Scartascini, 2011; Howell & Lewis, 2002; Inácio & Llanos, 2016; Moe, 1985; Moe & Howell, 1999).

Therefore, the politicization of bureaucracy, understood as the discretionary choice to make appointments and designations in government agencies (Grindle, 2012; Lewis, 2008), appears as one of the strategies for aligning the actions of the bureaucracy with the president's orders or preferences (Huber & Shipan, 2002; Lewis, 2008; Moe, 1989). The assumption that political appointees can modify policy or supervise an agency's activities, convey the presidential vision (McCubbins et al., 1989; Thies, 2001), and contribute to meeting patronage demands (Lewis, 2008) underpins the rationale for politicization.

Considering the incentives for politicization, this article sought to answer the question: what was the extent of the Brazilian president's politicization space within the structure of the federal public bureaucracy from 1999 to 2021? The aim was to analyze the extent and composition of this space through the president's discretionary appointments and designations, in order to identify patterns that clarify the politicization strategy.

I argue that:

- 1) The extent and characteristics of the politicization space are related to the importance of politicization as a strategy for controlling the bureaucracy, monitoring partners, and political accommodation, in line with the logic of coalition presidentialism;
- 2) The analysis of politicization in Brazilian Political Science studies needs to be revised to include not only senior management and advisory positions (DAS positions) and special nature positions but also the *funções de confiança* (commissioned functions), as the designation criteria for these functions is political;
- 3) Expanding the analysis to include *funções de confiança* reveals a change in the politicization pattern. Initially, much of the politicization was carried out using positions, and the discretion in appointments was greater. Throughout the analyzed period, the requirement for a minimum percentage of career servants in DAS positions appointments was increased, and from 2016 onwards, there was significant increase in *funções de confiança* held only by these servants. This increase in *funções de confiança* occurred almost in the same proportion as the significant decrease in DAS positions, as if there were a gradual replacement of one for the other. These facts, combined, represented the valorization of career servants in the politicization strategy;
- 4) The new politicization pattern has contributed to reducing presidential discretion, as it requires the president to consider the status of career servants when making appointments to positions or designations to functions.

In summary, I believe that the main contributions of this article are twofold: 1) demonstrating that the extent of the politicization space was not substantially altered during the analyzed period, even when considering the large reduction in DAS positions; 2) revealing a new politicization pattern marked by increased use of *funções de confiança* performed exclusively by career servants and the valorization of these servants also among appointments to DAS positions.

Studying the politicization of bureaucracy is important because it sheds light on the relationship between the bureaucratization process and democracy (Lindblom & Woodhouse, 1993), a classic theme in Political Science since the studies of Max Weber (1991, 1999). Moreover, it helps to understand the tension between political control and technical competence in public administration, a fundamental issue given that the politicization of the Executive can affect the performance of public policies (Kennedy, 2015; Lewis, 2008). Therefore, a deeper understanding of the politicization space can help identify continuities and discontinuities in these policies, as well as assess their impact on governance and decision-making by rulers.

The argument was structured as follows: Section 2 outlines the methodological framework, followed by a discussion in Section 3 on the spaces provided for politicization by the president in the institutional structure of the federal government. This includes ministries, special nature positions, DAS positions, and *funções de confiança*. Section 4 provides an analysis of the changes in politically appointed positions and designated functions during the period under review. Finally, Section 5 presents the conclusion.

## 2. METHODS AND DATA

The analysis utilized a descriptive approach, concentrating on presenting data to elucidate and understand the bureaucratic politicization within high-level positions and functions in the Brazilian federal executive branch.

Data on the total number of active civil servants were obtained from the Federal Government's *Painel Estatístico de Pessoal*<sup>1</sup>. Within the panel, I selected the “*servidores*” tab, then the “*por tipo*” display, applying the filters “*sem GDF*” and “*com DPU*”. I adjusted the display to “*anual*” data and observed, for each year, in the “*Grupo situação de vínculo*” section, the number of active civil servants.

Regarding high-level management positions, I consulted specialized literature and information available on official websites to collect data related to the number and composition of ministries (Governo Federal, 2019).

The rules regarding commissioned positions and *funções de confiança* were obtained from the official Legislation Portal (*Portal da Legislação*)<sup>2</sup>, and data related to these positions and functions were extracted from the Federal Government's *Painel Estatístico de Pessoal*. When the panel was opened, the filtering procedure was performed after clicking on the “*Faça você mesmo*” option, located in a menu on the left. The filters applied were: in “*Seção*”, the “*cargos e funções*” filter; in “*Dimensões*”, the “*função*”, “*nível de função*”, and “*subnível de função*” filters; in “*Métricas*”, the DAS positions and related filters (including “*funções de confiança*”). Following the final selection, the option to choose the specific year was enabled, facilitating the collection of data for each year within the research period. The same procedure was applied to the special nature positions, with the distinction of selecting this category under “*Métricas*”. The extracted data were then systematically organized into spreadsheets for the creation of graphs, boxes, and tables.

### 3. WHAT IS THE EXTENT OF THE POLITICIZATION SPACE WITHIN THE STRUCTURE OF THE FEDERAL EXECUTIVE BRANCH?

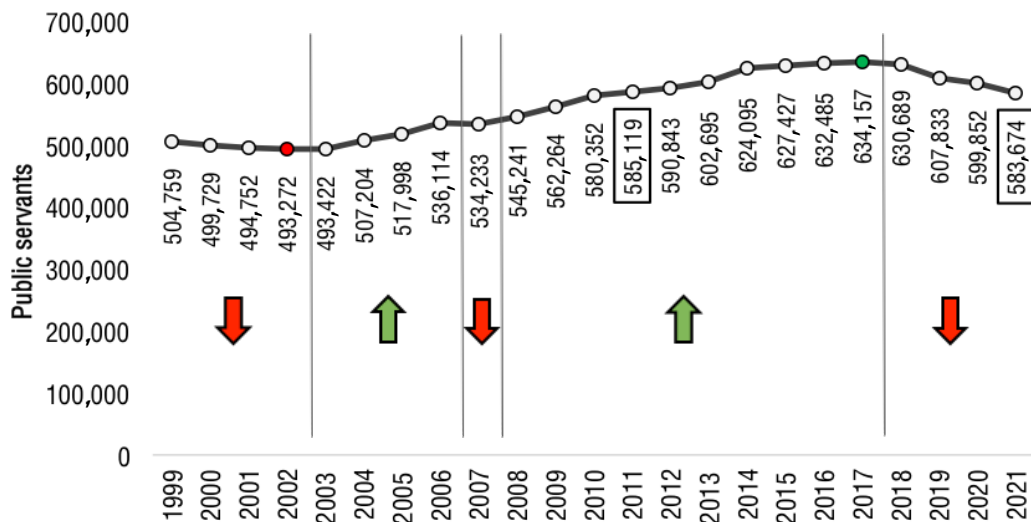
According to data from the Federal Government's *Painel Estatístico de Pessoal*, the federal government concluded 2021 with a total of 583,674 public servants. This figure includes active public officials from federal public administration agencies, encompassing civil servants with permanent positions, commission-based roles, public employees, and professionals temporarily hired to address public interest needs. It excludes retirees, pension beneficiaries, interns, outsourced workers, and public security personnel from the Federal District government (funded by the Federal District Constitutional Fund, as stipulated by the Federal Constitution, 1988).

Graph 1 shows the evolution of the number of public servants from 1999 to 2021. It is possible to observe a decline in the number of public servants between 1999 and 2002 (FHC 2), followed by a period of growth from 2003 to 2006 (Lula 1). In 2007, the first year of Lula 2, there was a slight decrease, followed by the longest period of growth in the series from 2008 to 2017 (Lula 2, Dilma 1, Dilma 2, Temer). The peak was reached in 2017, with 634,157 servants. From 2018 (Temer) onward, a new decrease was observed, continuing until 2021 (Bolsonaro), bringing the number of servants back to levels close to those of 2011.

<sup>1</sup> <https://painel.pep.planejamento.gov.br/QvAJAXZfc/opendoc.htm?document=painelpep.qvw&lang=en-US&host=Local&anonymous=true>

<sup>2</sup> <https://www4.planalto.gov.br/legislacao>

GRAPH 1 ACTIVE CIVILIAN PUBLIC SERVANTS OF THE FEDERAL EXECUTIVE BRANCH, BRAZIL, 1999-2021



Source: Elaborated by the author based on data from the Federal Government's statistical personnel panel.

During the analyzed period, the politicization of high-level management positions and functions within the federal executive branch occurred in roles subject to discretionary appointment and dismissal, such as ministries, special nature positions and DAS positions.

*Funções de confiança*, performed exclusively by tenured servants, were included in this analysis because their designation is discretionary. This arrangement blurs the lines between technical-administrative and political command, resulting in designations based on trust criteria that often align with political command positions (Graef & Carmo, 2008, p. 2).

### 3.1 Minister of state

The minister of state is a political appointee selected by the president of the Republic and serves at their discretion, subject to dismissal at any time. As the highest-ranking official within the public bureaucracy, the minister plays a pivotal role in the public policy process.

Composing the cabinet to ensure effective governance in a coalition presidentialism context (Abranches, 1988; Limongi, 2006) is not a straightforward task. Inácio (2018) illustrates how this composition is shaped by the prevailing context, institutional structures, and the various actors involved in the political arena. The author contends that, within coalition presidentialism, minority presidents may strategically use cabinet appointments to secure political success, though this can reduce their control over ministerial portfolios, depending on the president's approach to "cabinet politics".

The logic of coalition presidentialism suggests that ministerial appointments are often designed to accommodate the government's parliamentary support base, thereby stabilizing the Executive-Legislative relationship (Figueiredo & Limongi, 1999; Amorim, 2018). Successful coalition management may require a close alignment between parliamentary representation and ministerial

appointments, aimed at enhancing political stability (Amorim, 2000). Additionally, a comprehensive understanding of power distribution dynamics necessitates considering the centrality of the Executive, the presidential toolbox, and the significance of ministries (Inácio, 2018; Raile et al., 2010).

Thus, in determining the composition and number of ministries, the president may balance technical and practical considerations with political factors, including social demands and the construction of a supportive political base.

Table 1 illustrates the evolution of the number of ministries from 1995 to 2022, showing an overall increase from 1995 to 2016, followed by a decrease in subsequent years. During Fernando Henrique Cardoso's presidency, the number of ministries rose from 26 in his first term to 27 in his second. Under Lula da Silva, the count increased to 30 ministries in his first term and further expanded by 7, reaching 37 ministries in his second term. Dilma Rousseff's presidency saw the peak, with a total of 39 ministries. In contrast, Michel Temer reduced the number of ministries by 10 compared to the previous administration. Jair Bolsonaro's presidency adopted the leanest ministerial structure among those analyzed, with only 23 ministries.

Table 1 also reveals a notable increase in the number of ministerial-level agencies linked to the Presidency starting from Lula da Silva's second term. This centralization strategy engenders three primary effects: (a) it amplifies the prominence of specific issues on the governmental agenda through the establishment of Special Secretariats; (b) it generates positions with the rank of a minister of state, which can be strategically utilized for coalition negotiations; and (c) it positions these roles in closer proximity to the president, thereby enhancing supervision and control mechanisms (Howell & Lewis, 2002; Inácio, 2018).

**TABLE 1** NUMBER OF MINISTRIES AND SPECIAL SECRETARIATS, FEDERAL GOVERNMENT, BRAZIL, 1995-2022

Administration period	Ministry	Extraordinary Ministry	Militar Ministry	Presidential Agencies with Ministerial Status	Central Bank Presidency with Ministerial Status	Total Number of Ministries
FHC 1 (1995-1998)	17	4	3	2	0	26
FHC 2 (1999-2002)	20	1	0	6	0	27
Lula 1 (2003-2006)	23	0	0	6	1	30
Lula 2 (2007-2010)	24	0	0	12	1	37
Dilma 1 (2011-2014)	24	0	0	14	1	39
Dilma 2 (2015-2016)	24	0	0	14	1	39
Temer (2016-2018)	23	0	0	5	1	29
Bolsonaro (2019-2022)	18	0	0	5	0	23

Note: The following were not considered: a) the *Ministério Extraordinário de Coordenação do Gabinete de Transição Governamental*, held by Onyx Lorenzoni from November 5, 2018, as it did not represent a governmental role configuration under the Temer administration; b) the presidency of the Central Bank during the Bolsonaro administration, which fluctuated between a ministerial position and a special nature position, with the latter prevailing due to the need for regulation of the law concerning the Central Bank's autonomy, which defines the institution as a sectoral agency within the federal public administration systems and establishes a four-year term for the president and directors of the Central Bank.

Source: Barbosa and Pompeu (2017) and Governo Federal (2019).

The peak of this strategy occurred during Dilma Rousseff’s administrations. Under Michel Temer and Jair Bolsonaro, the number of ministerial-status agencies linked to the Presidency reverted to the levels observed during Fernando Henrique Cardoso’s second term and Lula da Silva’s first term.

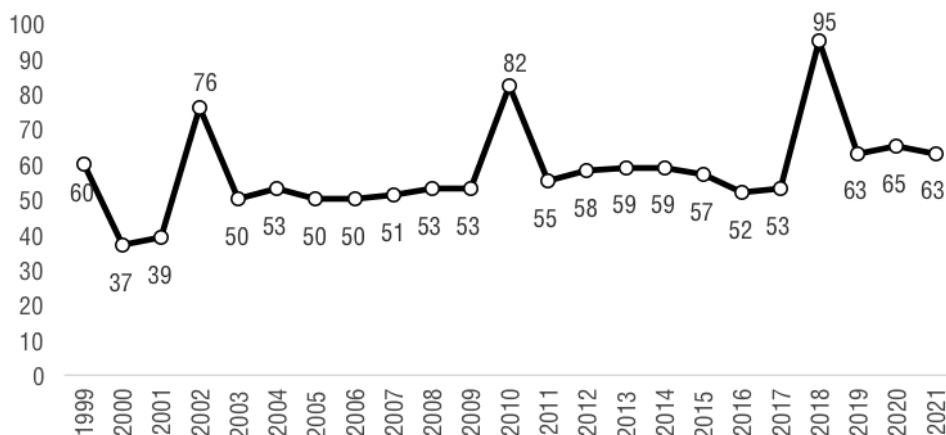
The analysis demonstrated that the determination of the number of ministries followed a logic of politicization, particularly in the context of building successful governmental coalitions. Furthermore, it highlighted the reduction in the number of ministries in the two most recent administrations, which reversed the historical trend of growth observed since the beginning of the series. In addition to the minister of state, other positions within the federal executive branch are also subject to politicization and will be examined in the following sections.

### 3.2 Special nature positions

Special nature positions are high-command roles appointed by the president of the Republic, state ministers, or other heads of agencies within the Presidency. These positions are of utmost trust and carry significant leadership responsibilities in key agencies. Consequently, they also represent a privileged allocation within the federal executive branch and are subject to politicization.

Graph 2 illustrates the variation in the number of special nature positions from 1999 to 2021. Although these positions are not numerous, they have generally increased over time, despite an initial decline from 60 in 1999 to 37 in 2000. This decline was primarily due to the exclusion of Directorate and Superintendency positions from the category of special nature positions. By 2001, the number of these positions had risen to 39 and fluctuated between 50 and 53 from 2003 to 2009. From 2011 to 2014, the number increased to 59, with a slight decrease in 2015 before stabilizing at 52 and 53 in 2016 and 2017, respectively. Between 2019 and 2021, the number ranged between 63 and 65. The series highlights three peaks: in 2002, with 76 positions; in 2010, with 82 positions; and in 2018, with 95 positions. These anomalies were attributable to the need for appointing transition team members for incoming governments.

**GRAPH 2** NUMBER OF SPECIAL NATURE POSITIONS, FEDERAL GOVERNMENT, BRAZIL, 1999-2021



Note: The data are annualized based on the results of the last month for each year. The series begins in December 1999.

Source: Elaborated by the author based on data from the Federal Government’s statistical personnel panel.

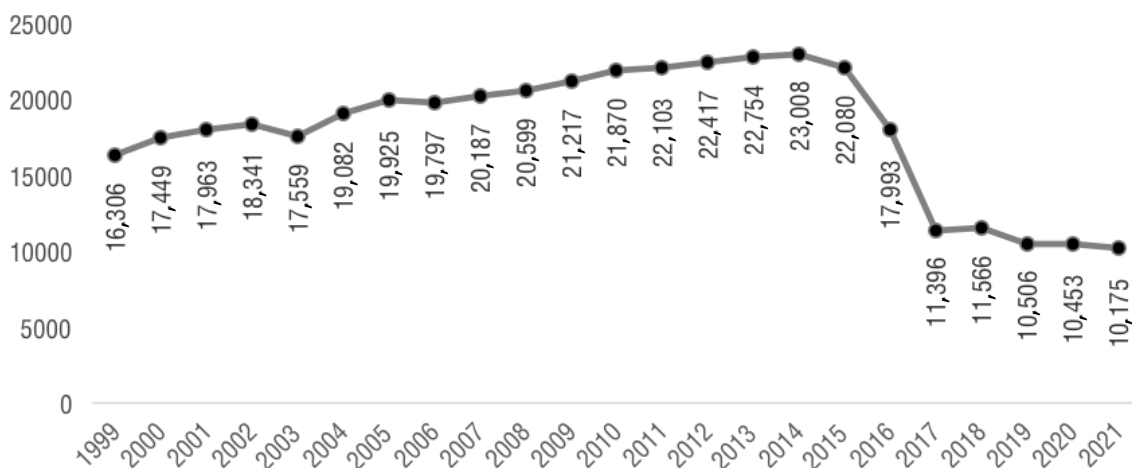
### 3.3 DAS positions

Until the enactment of Law No. 14,204 on September 16, 2021, which restructured the commissioned positions and *funções de confiança* of the federal executive branch, DAS positions were the primary form of commissioned position. Appointed by the president or ministers, DAS positions could also be filled by individuals without prior ties to the federal public administration. They served as a strategic resource for incorporating specialized knowledge, forming teams, rewarding allies, neutralizing opponents, and exercising control over political and/or economic resources (D'Araújo & Lameirão, 2009; Loureiro & Abrucio, 1999).

Established in 1967 and formalized in 1970, DAS positions were initially divided into two categories (senior directorate: DAS-101; and senior advisory: DAS-102). In 1976, these categories were further classified into levels 1 to 6, with levels 4 to 6 exerting significant influence over the hierarchy to facilitate, control, influence, and implement decisions. Alongside those in special nature positions, the president, vice president, and ministers constitute the ruling elite governing the country (D'Araújo & Lameirão, 2009; Lopez et al., 2015; Lopez & Praça, 2015; Praça et al., 2012).

Graph 3 illustrates the evolution of DAS positions from 1999 to 2021. Beginning with 16,306 positions in 1999, there was a consistent increase until 2014, when the number peaked at 23,008. Although slight negative fluctuations occurred in 2003 and 2006, a downward trend began in 2016 and intensified in subsequent years. The reduction in DAS positions slowed from 2017, reaching 11,396 by that year and further decreasing to 10,175 by 2021.

GRAPH 3 NUMBER OF DAS POSITIONS, FEDERAL GOVERNMENT, BRAZIL, 1999-2021

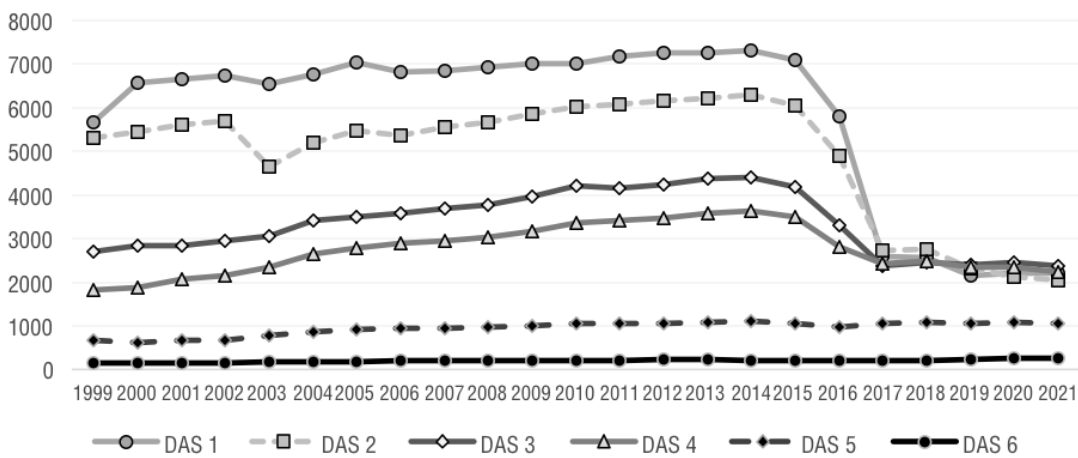


Source: Elaborated by the author based on data from the Federal Government's statistical personnel panel.



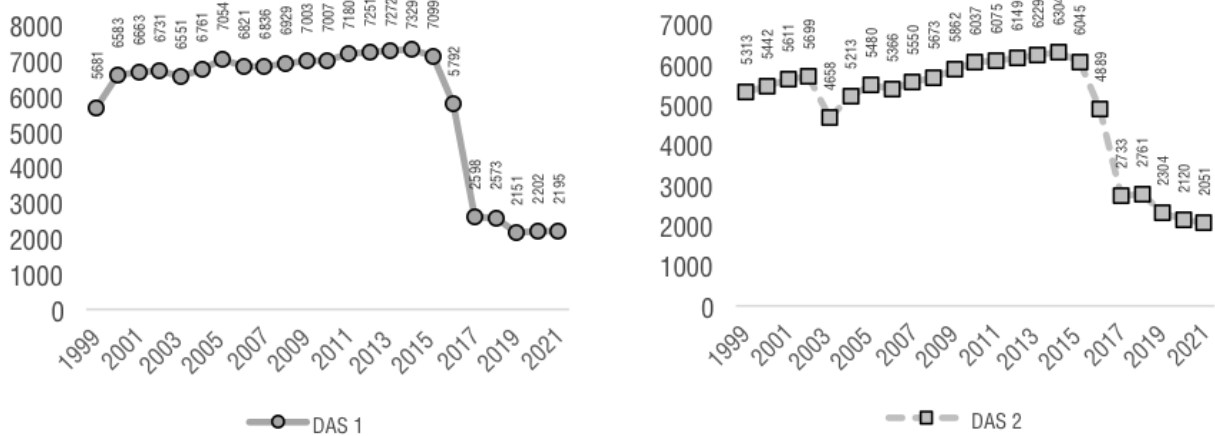
Analysis of the evolution of DAS positions across all levels (see Graph 4 and Panel 1) reveals that the decline significantly impacted levels 1, 2, and 3. Level 4 also experienced a reduction, though it was more moderate. Level 5, after an initial decline in the early years of the series, showed growth until 2014, followed by a period of relative stabilization. Level 6 generally demonstrated a trajectory alternating between stability and growth, with more pronounced growth towards the end of the series.

GRAPH4 NUMBER OF DAS POSITIONS BY FUNCTION LEVEL, FEDERAL GOVERNMENT, BRAZIL, 1999-2021

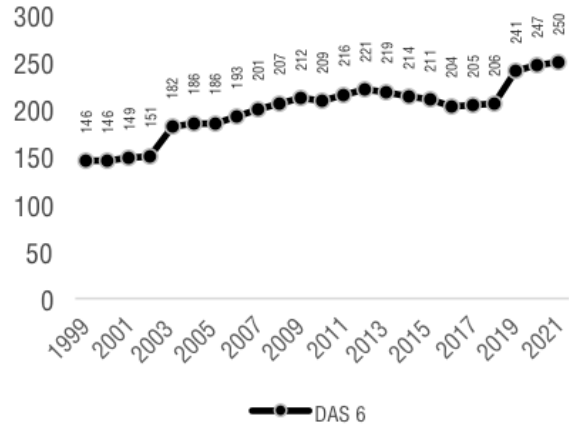
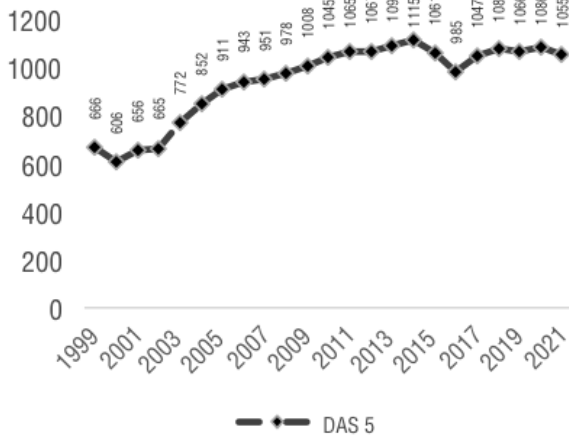
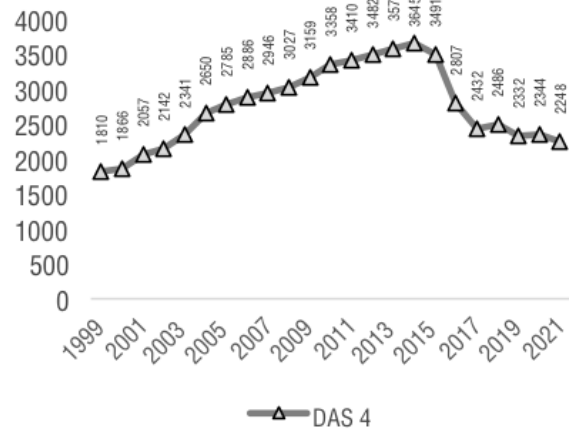
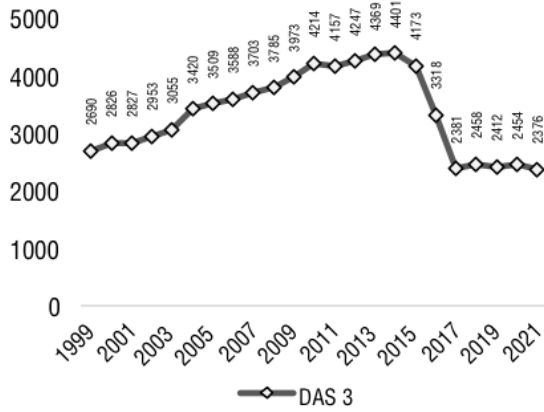


Source: Elaborated by the author based on data from the Federal Government's statistical personnel panel.

PANEL 1 NUMBER OF DAS POSITIONS DISAGGREGATED BY FUNCTION LEVEL, FEDERAL GOVERNMENT, BRAZIL, 1999-2021



Continue



Source: Elaborated by the author based on data from the Federal Government's Statistical Personnel Panel.

Box 1 outlines the main regulatory changes related to DAS positions since 1999. These changes are presented to provide a clearer understanding of the centralization and decentralization trends in the appointment process for these positions.

## BOX 1 MAIN REGULATORY CHANGES RELATED TO DAS POSITIONS, 1999-2021

Administration period	Amendment
FHC 2 (1999-2002)	Presidential Decree No. 2947/1999 – Empowered state ministers to appoint DAS-101 (direction) and DAS-102 (advisory) positions, levels 1 to 4. Appointments of DAS-101 positions, levels 3 and 4, were subject to prior review by the Presidency through the Secretariade Estado de Relações Institucionais. Appointments for the Chefe de Assessoria Parlamentar (DAS-101.4) and DAS positions at levels 5 and 6 were the responsibility of the president.
	Presidential Decree No. 3362/2000 – Transferred the responsibility for prior review by the president from the Secretariade Estado de Relações Institucionais to the Secretaria-Geral da Presidência da República.
	Presidential Decree No. 4243/2002 – Delegated appointment authority for DAS positions and other gratified positions within the Secretaria Especial de Desenvolvimento Urbano, Secretariade Estado de Comunicação de Governo and Gabinete do Presidente da República to the Chefe da Casa Civil da Presidência da República, upon proposal by the respective heads.
Lula 1 (2003-2006)	Presidential Decree No. 4567/2003 – Centralized technical analysis in the Ministério do Planejamento, Orçamento e Gestão and all decisions regarding DAS positions appointments in the Casa Civil da Presidência da República.
	Presidential Decree No. 4579/2003 and Presidential Decree No. 4676/2003 – Delegated authority to the Chefe da Casa Civil to appoint DAS positions at levels 5 and 6, and the Chefe de Assessoria Parlamentar (DAS-101.4), as well as positions within the agencies of the Presidency with ministerial status.
	Presidential Decree No. 4734/2003 – Centralized the appointment of all DAS levels in the Casa Civil, including the heads of ministerial-status agencies.
	Ministerial Order No. 1056/2003 (Casa Civil) – Delegated appointment authority for DAS levels 1 through 4 to state ministers.
Temer (2016-2018)	Presidential Decree No. 5497/2005 – Introduced following the “Mensalão” scandal, mandating that 75% of DAS positions at levels 1 through 3 and 50% of DAS positions at level 4 be occupied by tenured servants. The Presidential Decree can be regarded as a reaction to accusations of politicization within the federal executive branch. The Ministério do Planejamento, Orçamento e Gestão was assigned to regulate, monitor, and control this provision and review appointments of non-tenured employees.
	Presidential Decree No. 8821/2016 – Delegated authority to state ministers to appoint DAS levels 1 through 4 without presidential approval. Proposals for appointments at levels 5 and 6 were to be submitted to the Casa Civil for authorization.
	Presidential Decree No. 9021/2017 – Established reserved percentages for career public servants, requiring 60% of DAS positions at levels 5 and 6 to be occupied by tenured servants.

Continue

Administration period	Amendment
Bolsonaro (2019-2022)	Law No. 14204/2021 – Mandated the elimination of DAS positions and funções de confiança by October 31, 2022 (for autonomous agencies or public foundations) and by March 31, 2023 (for direct public administration agencies or undefined allocations), replacing them with executive commissioned positions (cargos comissionados executivos - CCE) and executive commissioned functions (funções comissionadas executivas - FCE) within the federal public administration.  Presidential Decree No. 10829/2021 – regulated Law No. 14204/2021.

Source: D’Araújo and Lameirão (2009) and the legislation and regulations cited in this Table.

Box 1 reveals a pattern regarding the authority for appointing DAS position holders. This authority was delegated to state ministers for levels 1 through 4, while appointments for levels 5 and 6 were managed by the Presidency. However, this does not imply a complete absence of Presidential supervision over the lower-level DAS appointments, whether directly or through delegation to affiliated agencies. Deviating from this pattern, the Lula government, during its initial six months, assigned the Casa Civil the authority to appoint holders for all DAS levels. Subsequently, the Casa Civil was responsible for appointments at levels 5 and 6, while state ministers were assigned the appointment of levels 1 through 4.

Table 2 illustrates the evolution of the legal requirement for minimum percentage limits of career public servants in DAS positions. There is a clear gradual increase in the requirement for tenured public servants to occupy these positions, starting from the lower levels and progressively reaching the higher levels. This progression can be interpreted as a way to establish more technical and rigorous criteria for filling these positions, especially for DAS levels 5 and 6, reducing discretion in appointments.

**TABLE 2** MINIMUM PERCENTAGE LIMITS FOR DAS POSITION OCCUPANCY BY CAREER SERVANTS, 1979-2021

	FIGUEIREDO	ITAMAR	LULA 1	TEMER	BOLSONARO
POSITION/ FUNCTION-LEVEL	DECREE-LAW NO. 1660/1979, ART. 10.	LAW NO. 8460/1992, ART. 14.	PRESIDENTIAL DECREE NO. 5497/2005, ART. 1º.	PRESIDENTIAL DECREE NO. 9021/2017, ART. 1º.	LAW NO. 14.204/2021, ART. 13, III. PRESIDENTIAL DECREE NO. 10829/2021, ART. 27.
DAS 1	50%	50%	75%	50%	60%
DAS 2	50%	50%	75%	50%	60%
DAS 3	–	50%	75%	50%	60%
DAS 4	–	–	50%	50%	60%
DAS 5	–	–	–	60%	60%
DAS 6	–	–	–	60%	60%

Source: D'Araújo and Lameirão (2009) and the legislation and regulations cited in this Table.

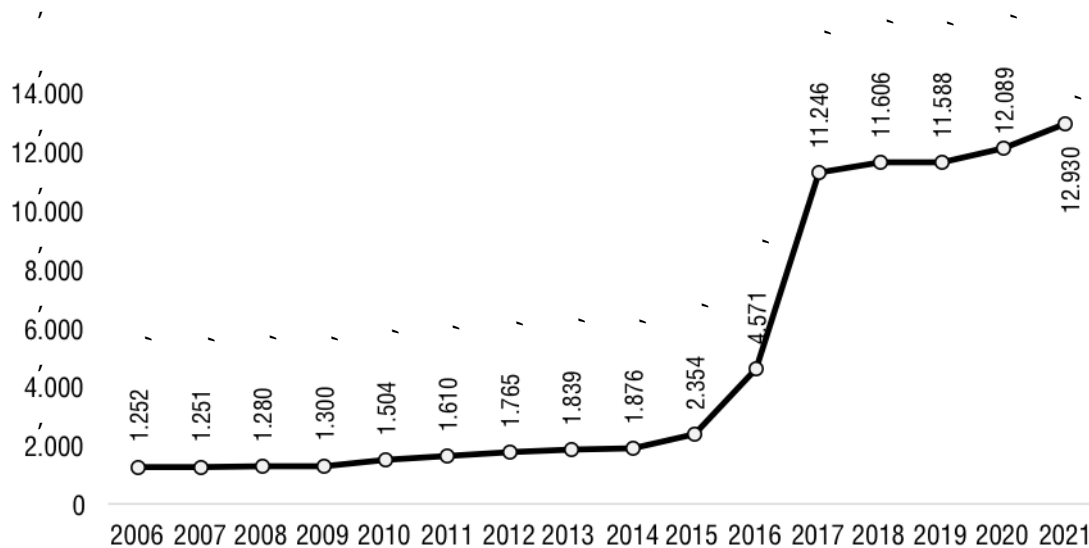
### 3.4 Funções de confiança

*Funções de confiança* are characterized by their direction and advisory roles and are intended for tenured public servants, as specified by Article 37, Item V, of the Constitution. They differ from commissioned positions, which are full public positions with defined duties within the organizational structure, independent of tenured or career positions. In contrast, *funções de confiança* represent additional managerial or supervisory responsibilities assigned to tenured or career public servants, considering the correlation of duties. Ideally, these additional responsibilities are relevant to the direction, management, and advisory functions of the administrative unit. Otherwise, they essentially constitute another position. Compensation for *funções de confiança* is provided through a stipend, rather than a salary or compensation, unlike commissioned positions (Graef, 2008).

Graph 5 illustrates the increased use of *funções de confiança* beginning in 2016, with significant growth in 2017, and a slower growth rate thereafter.

Graph 6 shows the evolution of the number of special nature positions, DAS positions, and *funções de confiança*, clearly indicating that the reduction in the number of DAS positions coincides with the increase in the number of *funções de confiança*.

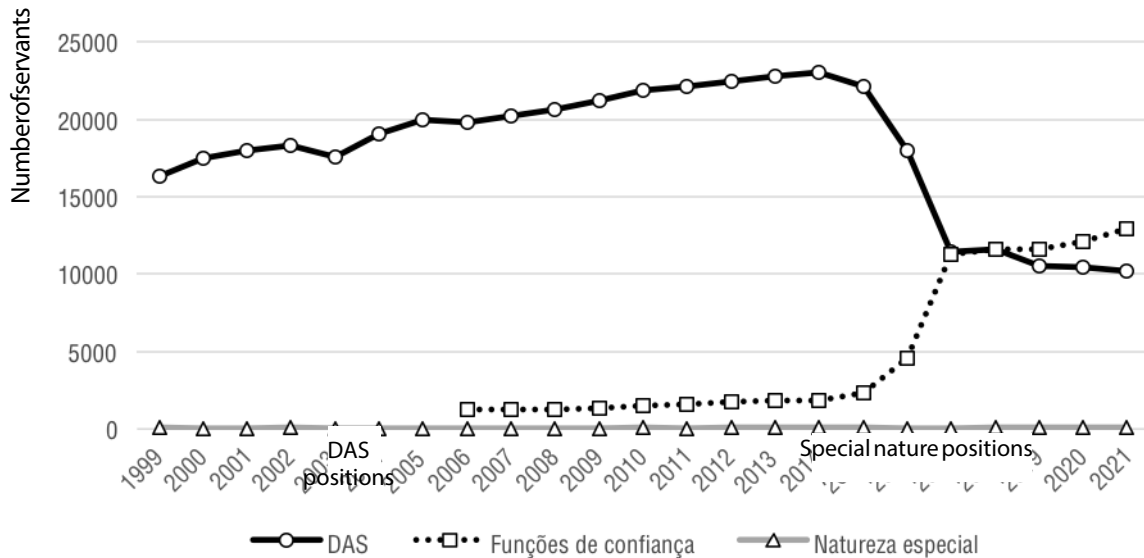
GRAPH 5 NUMBER OF FUNÇÕES DE CONFIANÇA, FEDERAL GOVERNMENT, BRAZIL, 2006-2021



Note: Law No. 14204/2021 established the executive commissioned functions (*funções comissionadas executivas-FCE*), and only two of these functions were granted during 2021. However, the statistics presented in Graph 5 for the year 2021 do not include them.

Source: Elaborated by the author based on data from the Federal Government's statistical personnel panel.

**GRAPH 6** NUMBER OF SPECIAL NATURE POSITIONS, DAS POSITIONS, AND FUNÇÕES DE CONFIANÇA, FEDERAL GOVERNMENT, BRAZIL, 1999-2021

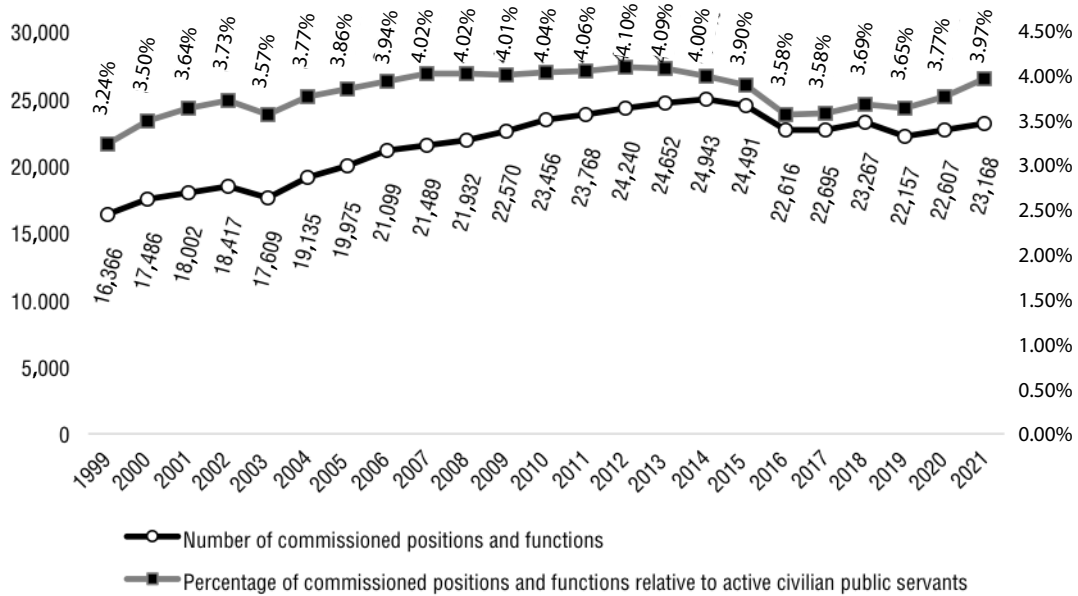


Source: Elaborated by the author based on data from the Federal Government’s statistical personnel panel.

Considering special nature positions and DAS positions as commissioned positions, and *funções de confiança* as commissioned functions, Graph 7 illustrates that, from 1999 (16,366) to 2014 (24,943), there was a general increase in commissioned positions and functions, except for 2003. This growth was followed by a slight reduction in 2015 (24,491) and 2016 (22,616), and subsequent stabilization around 22,779 (the average of the last five years).

When considering the percentage of these positions and functions relative to the total number of active civilian public servants in the federal executive branch, Graph 7 reveals only minor variations throughout the period. This indicates that the increase in commissioned positions and functions was primarily driven by the expansion of the federal executive workforce. The graph leads to the conclusion that the significant decline in DAS positions, particularly after 2016, had minimal impact on the number of commissioned positions and functions, as well as their percentage relative to the total number of active civilian public servants in the federal government.

**GRAPH 7** COMMISSIONED POSITIONS AND FUNCTIONS, AND THEIR PERCENTAGES RELATIVE TO THE TOTAL NUMBER OF ACTIVE CIVILIAN PUBLIC SERVANTS IN THE FEDERAL EXECUTIVE BRANCH, BRAZIL, 1999-2021



Source: Elaborated by the author based on data from the Federal Government’s statistical personnel panel.

#### 4. WHAT MIGHT BE HAPPENING WITH POLITICAL APPOINTEES IN THE FEDERAL EXECUTIVE BRANCH?

In the previous sections, I presented data indicating a shift in the composition of the politicization space within the federal executive branch. This change suggests that the reduction in DAS positions has not resulted in a decrease in the space for politicization, which has increasingly been occupied by tenured servants. This is evident from: 1) the establishment of rules that fixed minimum percentages of career or tenured servants for DAS positions, progressively covering all levels of these positions (as shown in Table 2); and Box 1) the increase in *funções de confiança*, held exclusively by career or tenured servants, based on discretionary appointments and trust criteria, often associated with political leadership positions. It is worth noting that the increase in *funções de confiança* was simultaneous and proportional to the reduction of DAS positions.

But what does this change mean? What consequences might be expected from it? To understand what is happening with the space for politicization in the federal executive branch, it is important to revisit the ongoing debate about the balance between technical and political roles within public administration.

Traditional analyses of public administration positions and careers are based on the polarization between politicians and bureaucrats (Bonis & Pacheco, 2010). In a comparative study of both developed and developing countries, Grindle (2012) examined the acquisition and utilization of public sector jobs since the 19<sup>th</sup> century. This study revealed how patronage, as a political recruitment mechanism, was

significant and how it was challenged by those seeking to replace it with a merit-based recruitment system. Grindle demonstrates that patronage persists due to its adaptability, flexibility, and utility for political elites. However, while patronage can be used to create islands of efficiency and excellence in the public sector, it can also exacerbate corruption and inefficiency, potentially leading to calls for reform.

Grindle demonstrated that the ability to advance reforms aimed at expanding meritocracy was limited by institutional legacies, primarily related to the way political decisions were made, how social structures of class and education were defined, and the presence or absence of political (partisan) competition. Additionally, changes in patronage systems occurred in exceptional situations, such as defeats in wars or severe political and economic crises, which provided opportunities for reformers to advance their agendas. However, the outcomes of these reforms were not always problem-free, as evidenced by criticisms of bureaucracy for its excessive stability, rigidity, incompetence, and limited capacity to respond to citizens' needs (Grindle, 2012).

In Brazil, the debate on public service reform, particularly regarding the allocation of space between technical and political roles, has been ongoing for some time. Regarding the profile of political leaders, Graef (2008), while acknowledging that bureaucrats should be subordinate to political leadership, advocated for transforming DAS positions into *funções de confiança*, arguing that political positions should be limited to those strictly necessary for effective political control. Instead, the management of the permanent administrative structure should be entrusted to highly qualified professionals, with specific training and proven experience, selected internally based on technical and merit-based criteria.

According to Graef (2008), the excessive expansion of political positions tends to generate discontinuity and administrative inefficiency, while also potentially fostering favoritism towards interest groups and corrupt practices. From this perspective, professionalizing the administration is crucial for modernization and for enhancing its efficiency, effectiveness, and efficacy. This inevitably implies a reduction in the number of leadership positions filled based on political trust. However, it is important to note that *funções de confiança* are also assigned based on trust criteria!

Over the past 20 years, particularly following the “*Mensalão*” scandal, regulations have been enacted to increase the presence of career or tenured servants in DAS positions (see Table 2). In June 2016, aligning with Graef's perspective, the federal government introduced a Provisional Measure (*Medida Provisória*) that converted 10,462 DAS positions into *funções de confiança*. The *Ministério do Planejamento* justified this action as a means to reduce the prevalence of non-tenured positions and to promote “meritocracy” within the public service (Martello, 2016).

Is this change beneficial? Did it effectively contribute to the professionalization of public administration? Addressing these questions exceeds the scope of this article. It is crucial to highlight the need for a research agenda aimed at assessing the impact of this change on the quality of public services and public policies.

The literature clearly indicates that defining the boundaries of career bureaucracy's involvement in leadership roles is a complex task (Lopez & Praça, 2015). Initially, one might assume that increasing the number of career or tenured servants would enhance the professionalization of public administration (Lopez & Praça, 2018), potentially leading to efficiency gains. However, it is also necessary to consider the unintended consequences of expanding the role of these servants (Loureiro & Abrucio, 1999), many of which were highlighted by Grindle and previously discussed (Grindle, 2012). Currently, much of the debate on bureaucratic politicization in developed European countries revolves around finding ways



to re-politicize public service and reduce bureaucratic independence in policy formulation, in order to restore political influence over public policy directions (Lopez & Praça, 2018; Peters & Pierre, 2004).

Lastly, it is worth noting that some scholars argue that the professionalization of management should account for the fact that the role of public executives requires a distinct ethos, separate from that of politicians and bureaucrats (Bonis & Pacheco, 2010). The ethos of an executive should focus on achieving results through the optimal application of available resources. The competencies required would be managerial and judgmental, subject to political feedback, to whom they must demonstrate responsiveness. Consequently, turnover for such executives would be higher, as their selection would consider both their competencies and their alignment and loyalty to the appointing authority (Bonis & Pacheco, 2010). However, this conception of public leadership is not yet reflected in the current structure of positions, careers, and functions within federal public administration.

## 5. CONCLUSION

The Brazilian president possesses significant power resources to implement his agenda. The assumption of this analysis was that there are incentives for the politicization of the bureaucracy, stemming from the potential for control over it, monitoring of partners, and political accommodation within the context of coalition presidentialism. If there are incentives to politicize, what is the reserved space for politicization within the structure of the Brazilian federal public bureaucracy? This article aimed to assess this space from 1999 to 2021.

The data revealed a trend of growth in politicizable positions and functions until 2014, except for 2003. After 2014, there was a slight decline, followed by a stabilization near the peak level of the series. When considering these positions and functions relative to the total number of active civilian public servants in the federal government, only minor variations were observed throughout the period, indicating that the space for politicization remained relatively stable.

This conclusion would not have been reached if only special nature positions and DAS positions were considered. Therefore, I argued that the traditional approach compromises the comprehension of the space for politicization, which has consequences for understanding political dynamics. There is not enough space in this article to analyze all the consequences related to the scope of appointment discretion, the impacts on political dynamics, and the level of professionalization of public executives. However, I aimed to highlight, primarily, that 1) the extent of the space for politicization was not substantially altered by the significant reduction of DAS positions; 2) a new pattern of politicization emerged, characterized by the increased prominence of career or tenured servants in politicizable positions and functions. Initially, much of the politicization occurred using positions with greater discretion in appointments. Over the analyzed period, there was an increased requirement for a minimum percentage of career or tenured servants in DAS positions. Additionally, starting in 2016, there was a notable increase in *funções de confiança*, which are performed exclusively by these servants. This growth in *funções de confiança* occurred almost in proportion to the significant decrease in DAS positions, suggesting a gradual substitution of one by the other. These facts, combined, represent the increased value placed on career or tenured servants in the strategy of politicization.

Revisiting the debate between politicians and bureaucrats, which characterizes analyses of positions and careers in public administration, I sought to demonstrate that the change observed in Brazil seemed inspired by a vision of valuing the meritocratic or Weberian perspective of public service

(Graef, 2008; Martello, 2016), although, paradoxically, it resulted in the maintenance of politicization levels due to the mixed nature of the *funções de confiança* (political and technical). The impact of this change on Brazilian Public Administration remains to be properly measured and constitutes an important agenda for future research.

The highlighted change may indicate a strategy of politicization focused more on controlling the bureaucracy and its role in shaping and implementing public policies, rather than distributing management space among political partners. However, this article does not provide a conclusive answer on this matter. To some extent, it prompts consideration of how political actors might react to a scenario where politicization increasingly involves career or tenured servants. Could this result in greater partisan alignment of the bureaucracy? Some specialized literature, examining DAS positions, has explored partisanship (party affiliation) as an indicator of politicization (Lopez & Silva, 2019; Praça et al., 2012). However, while party affiliation is an aspect of politicization, formal ties to a party are not the only criteria that reveal affinity with the appointee, pointing to the methodological challenges of measuring something that many wish to conceal.

Finally, specialized literature reveals that politicizing does not always equate to effective control over the bureaucracy. Mere politicization of an agency does not necessarily ensure a positive response to the president's demands. Technical issues involved can compromise the performance of political appointments or designations and the agencies subject to these appointments (Lewis, 2008; Kennedy, 2015). Additionally, it is crucial to consider the reactions of the bureaucracy to attempts at control through politicization, such as sabotage or resistance against presidential appointees (O'Leary, 2019), or even procedural maneuvers to avoid political control (Potter, 2019), among other forms of reaction.

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**Antonio Luiz Arquetti Faraco Junior:** Conceptualization (Lead); Data curation (Lead); Formal analysis (Lead); Investigation (Lead); Methodology (Lead); Project administration (Lead); Resources (Lead); Supervision (Lead); Validation (Lead); Writing - original draft (Lead); Writing - review & editing (Lead).

### DATA AVAILABILITY

The entire data set that supports the results of this study is available on the Federal Executive Branch Personnel Statistical Panel and can be accessed at <https://painel.pep.planejamento.gov.br/QvAJAZZfc/pendoc.htm?document=painelpep.qvw&lang=en-US&host=Local&anonymous=true>

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