Chile: Interaction between the State and civil society
in policies on childhood

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This article discusses the public-private links that exist in Chile to collaborate on childhood policies. It analyses the role played by the two sectors and the dimensions and components that are needed to ensure that their collaboration puts the best interests of the child at the forefront. It considers expert opinion through an analysis of content, which makes it possible to identify the relevant dimensions and components of the interaction, which are then prioritized quantitatively using the analytical hierarchical process (AHP) methodology to ensure a positive effect on childhood. The article shows that this interaction is top-down, with the State defining policies and civil society implementing them, which mainly reflects the fact that the public domain manages resources that are largely sustained by the private sector. The conclusion is that there is a challenge in generating horizontal dialogues, in which interaction is not constrained by economic resources but by shared purpose with regard to children.

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I

Introduction

The child protection system in Chile has been adopting new forms in response to the changing and emerging needs of each stage in the child development cycle.

In this regard, possibly the most important milestone affecting these new forms of child protection has been the signing and ratification of the Convention on the Rights of the Child (1989 and 1990, respectively), hereinafter referred to as the Convention, which obliges signatory States to use the legislative, administrative and other means available to them to ensure conditions exist for those rights to be exercised effectively (Convention on the Rights of the Child, Article 4).

The rights in question exist a global setting framed by the deregulation of financial markets and boom in communications and inter-connectivity. These factors generate new societal dynamics and ultimately redefine the conception of child welfare systems and the role of the State and society at large in visualizing and constructing a social policy that would no longer see the State as the universal supplier of social programmes (Serrano, 2005).

From a historical standpoint, this is not entirely new. Studies such as Pilotti (1994), Anríquez (1994) and Farías (2003) showed that Chile has several long-standing initiatives aimed at addressing the needs of children, sometimes coordinated with the State, but other times implemented independently and targeting the most vulnerable children in particular.

This article analyses the mechanisms that exist for State and civil society to collaborate to produce and implement policies and programmes targeting children in socially vulnerable situations. Its purpose is to generate public-policy recommendations that are applicable to any State agency that articulates and coordinates with civil society in the task of improving the living conditions of children, hereinafter referred to as "co-responsibility".

This co-responsibility necessarily implies the willingness of each of the participating domains to bring not only its knowledge, but also its economic, technical and institutional resources to this joint task, to improve the reality of the children being targeted, safeguarding or restoring the rights enshrined in the Convention. With this as a backdrop, the article is guided by the following questions: How is co-responsibility generated in practice between the State and civil society on policies targeting vulnerable children? What are the roles of State and civil society in the current context with regard to targeted policies? In what domains does the State-civil society nexus function in this public-policy space? And, lastly, what are the relevant dimensions and components that need to be strengthened or generated for this public-private relation to best serve the best interests of the child?

The organization of this article reflects these questions as follows: Section II discusses childhood policies; Section III discusses public policies on childhood in a framework of State-civil society interaction; Section IV refers to the dimensions and components of this interaction; Section V makes a number of observations on the public-private interaction in the childhood domain; Section VI sets out the most important conclusions of the article; and, lastly, an annex describes the methodology used in the analysis.

II

Childhood policies

1. Universal and targeted policies

The specialized social-policy literature frequently publishes studies of the various areas of welfare systems: education, health, pensions, housing and others.

This article does not focus on sector policies, however, mainly because children's problems and needs are multidimensional *per se*, so considering them separately would only make it possible to address one domain of the problem.

Research on childhood issues validates and highlights the importance of the setting in which children develop. Their problems are observed from multidimensional standpoints ranging from the most basic needs to validation of the importance of the territorial space in which children live their lives.

García Sánchez (2001), a specialist on early childhood education and childcare issues, argues that the ecological-model approach, developed by Urie Bronfenbrenner in the late 1970s, visualizes the evolutionary journey of children as "a process of progressive differentiation of the activities they undertake, their role and the interactions they maintain with the environment" (García Sánchez, 2001, p. 3). If we extrapolate this idea to the reality in which socially vulnerable children live, this implies an urgent call to develop favourable conditions for adequate growth. Accordingly, this article will define the category of children living in situations of social vulnerability as encompassing all children under 18 years of age (Art. 1. Convention on the Rights of the Child, 1989) who have difficulties in effectively exercising their rights in the family, and also in the affective, economic, socio-community, school-educational, and health domains, and in terms of relations between peer groups (Andrade, 2009b).[1]

From this point of view, what we see today is that both universal and targeted childhood policies —whether executed jointly by the State and civil society organizations or implemented independently— recognize the importance of the environment into which children are born and in which they grow up. This represents a paradigm shift in approaches to meeting children's needs, from actions that have historically been focused on providing assistance, to an approach that currently focuses on the exercise of rights and overcoming vulnerabilities —including those present in the environment— which put the adequate development of children at risk.

With regard to the distinction between universal and targeted policies, the Inter-American Children's Institute (IIN, 2003) provides a definition which helps to internalize what will subsequently be understood by these concepts. The two types of policy are reviewed below:

(a) *Universal policies*

These express a duty of the State to uphold the rights of children, young people and families in any society. In many countries, the policies and programmes implemented have constitutional status, and usually relate to basic health, education, housing and food services, among other issues. They are universal in the sense that they are available to the entire child population, without any discrimination. Consequently, they do not require any selection within a category of users, because their universe has been covered.

In articulating or coordinating these universal policies and programmes, it is essential to optimize use of the State's human, material and financial resources, and to ensure fulfilment of the economic, social and cultural rights enshrined in the Convention.

An example of a universal-type policy is Chile's early childhood protection system *Chile Crece Contigo*, in which all children, irrespective of origin, religion or ethnicity, are automatically incorporated into the system at the time of the mother's first pregnancy health checkup (Ministry of Planning, 2007).

(b) *Targeted policies*

Targeted policies pursue equal opportunities for children and adolescents living in situations involving vulnerability, or rights violations, or both. In other words, the beneficiary population of these programmes or provisions are children and adolescents facing impaired opportunities to develop their potential, compensate deficits, or integrate or reintegrate into

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[1] Andrade's study lists eight dimensions of social vulnerability. To facilitate the analysis, these have been subsumed in the six mentioned above.

their families, communities, education system or the formal labour market.

Examples of this type of policy in Chile are those implemented by the National Children's Service (SENAME), which attends children who have suffered a rights violation, or are living in situations of risk or social vulnerability as a result of problems of coexistence in their families, conduct problems, or having broken the law.

This article focuses mainly on this type of policy, by seeking to review how coordinated action between the State and civil society in this domain of public policies can —if certain conditions are satisfied—help compensate for the deficits faced by children in situations of vulnerability, and enable them to effectively and actively exercise the universal rights enshrined in the Convention.

III

The approach to public policies on childhood in the framework of interaction between State and civil society in Chile

1. Concept of civil society

The literature generally understands the concept of civil society as an intermediate space located between the State and market, which has come to be generally known as the "third sector". It has the following characteristics: it is independent of the public apparatus; it is non-profit seeking; and it is motivated to intervene in social problems (Serrano 1998; Laurnaga, 1999; De la Maza, 2000).

Serrano (1998) distinguishes three groups that comprise civil society:
(i)   non-State organizations (NGOs) and volunteer actions.
(ii) associative and community mechanisms.
(iii) universities and centres of thought.

This article, however, places the emphasis on foundations, corporations, volunteer groups and grassroots organizations, because, historically, it was foundations and other social entities that attended to the needs of vulnerable children in Chile, before the State became involved. In fact, the historical records show that the first action targeting the needs of unprotected children emerged from civil society in the form of the country's first orphanage in 1751 (Anríquez, 1994; Andrade, 2009b).

Nonetheless, the sector started to assume a major role in childhood policy following the structural reforms implemented in the late 1970s (Pilotti, 1994). As a result of this development, which also entailed

a downsizing of the public apparatus, various NGOs emerged in the early 1980s, mainly committed to poverty reduction.

This occurred largely for sociopolitical reasons: professionals that had left the public sector as a result of the reforms set up new organizations at that time; and with the assistance of international agencies, these produced an NGO with actions targeted on the social policy areas that the State did not cover. Moreover, for ideological reasons, organizations of this type also arose in response to the policies implemented by the State at that time (Pilotti 1994; Ferrer, Monje and Urzúa, 2005).

According to Pilotti (1994), in many Latin American countries NGOs were "a sort of alternative social policy parallel to the official one, often covering the deficiencies and shortcomings of the latter (Pilotti, 1994, p. 22).

In this context, actions began to address the needs of vulnerable groups, but in some cases from decoupled the State apparatus, thus giving rise to "implicit co-responsibility" between the State and civil society, with the common denominator being reduced to the group targeted rather than the actions that were being articulated and coordinated in pursuit of a common goal.

In the childhood-protection domain, formal relations with the public apparatus started to develop somewhat earlier, involving increasing coordination between private entities and State agencies.

Here it is important to note that although there are precedents for State help in maintaining the first organizations devoted to assisting vulnerable children (in those years referred to as children living in "irregular situations"), it was only in 1967, when Law 16.618 created the National Children's Council (CONAME), that this relationship started to become more formal, and the notion of co-responsibility steadily gained force through close interaction and cooperation between civil society organizations and the State.[2]

This relation developed mainly through two channels: firstly, in the form of economic contributions, known as "institutional maintenance"; and secondly, by recognizing organizations that received funding as "collaborating entities", having previously fulfilled the legal requirements to be considered as such (Anríquez, 1994).

Nowadays, most public-private interaction occurs through the National Children's Service (SENAME), which succeeded CONAME in 1979 and is currently the public organization tasked with "promoting development of the social protection system for children and adolescents through the exercise of rights and the social/family reintegration of children and adolescents who have suffered rights violations, and those that have broken the law, through a network of programmes implemented either directly or by organizations collaborating with the service."[3]

The SENAME mission is important in terms of public-private interaction, since it serves 98% of its target population through subsidies paid to civil society organizations (Andrade, 2009b).

It is important to note here that while there are civil-society organizations that do not receive an operating subsidy from SENAME, studies show that of all childhood programmes present in the different territories, 75% of them receive some type of support from that agency. This supports the hypothesis that the majority of targeted childhood policies are currently defined by this public organization, although there initiatives that receive economic support from the State, other than subsidies, in amounts set by the contestant fund mechanism (Andrade, 2009b).

2. Moments of interaction between State and civil society in public policies

In an article reviewing the public-private nexus in poverty-reduction policies, Ferrer, Monje and Urzúa (2005) systemize the various forms of civil-society participation in the life cycle of a public policy and argue that these depend on the stages of the policy (see table 1).

These authors make an interesting contribution by highlighting, not the participation by private organizations in public-policy design, but the contribution they can make to prioritizing the specific areas to be addressed through policies and programmes.

The authors argue that public policies are defined in a specific economic, social and political context, which may or may not include civil-society organizations. Once approved by the corresponding agencies, these can be implemented by the State through its executive institutions, or else be delegated

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[2] See Andrade (2009b).
[3] See the mission of sename in www.sename.cl.

TABLE 1

Interaction in a public policy

Stage	Forms of civil-society participation
1. Diagnostic study	- Identification of basic needs in the policy domain. - Generation of possible solutions to society demands.
2. Programming	- Prioritization of needs and deficits in the policy domain.
3. Implementation and execution	- Contribution of services, activities and resources to manage the policy. - Execution of the policy.
4. Evaluation	- Control of efficiency, effectiveness and transparency in resource use. - Critique of outcomes.

Source: Prepared by the authors on the basis of M. Ferrer, P. Monje and R. Urzúa, *El rol de las ONGs en la reducción de la pobreza en América Latina*, Paris, United Nations Educational, Scientific and Cultural Organization (UNESCO), 2005.

for implementation by civil society organizations (Ferrer, Monje and Urzúa, 2005, pp. 10 and 11).[4]

From the work of these authors, one can therefore conclude that there would be a specific space for the private sector in the productive cycle of public policies, which would mainly be centred on implementation and execution.

A comparison of the findings of Ferrer, Monje and Urzúa (2005) with a study undertaken by six third-sector organizations in Chile which considers civil-society participation in various public domains, produces interesting information on the most frequent lines of action of social organizations working with children.

Collating the lines of action reported by 108 organizations that serve children with the stages of a public policy, shows that public-private interaction occurs almost a 90% of the time in the policy implementation and execution phase.

This is an important piece of data because it highlights one of the key principles of public-private interaction on childhood policies in Chile.

FIGURE 1

Lines of action/moments of public policy
(Percentages)
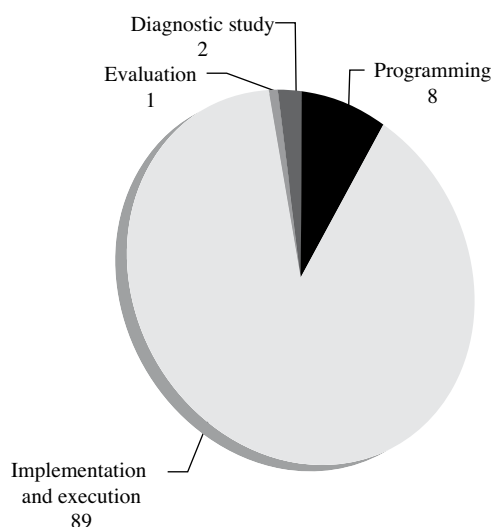
Source: Prepared by the authors on the basis of the sample used in FLACSO-Chile/Instituto Libertad y Desarrollo/Asociación Chilena de Organizaciones No Gubernamentales/Corporación Participa/Fundación para la Superación de la Pobreza/Fundación Ideas, *Más voces para la democracia. Los desafíos de la sociedad Civil*, Santiago, Chile, 2004; and M. Ferrer, P. Monje and R. Urzúa, *El rol de las ONGs en la reducción de la pobreza en América Latina*, Paris, United Nations Educational, Scientific and Cutural Organization (UNESCO), 2005.

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[4] The authors allude to the idea of NGOs, which in this article are included among civil-society organizations.

IV

Dimensions and components of the interaction between State and civil society

1. Dimensions

The dimensions of the public-private interaction on childhood policies can be grouped as follows:[5]

(a) *Institutional*
The institutional dimension can be understood through the contributions made by North (1993), who argued that institutions are the "humanly

devised constraints that structure human interaction" (North, 1993, p. 13). This author recognizes formal and informal institutions; the former include all rules created by human beings, while the latter are those that do not contain in formal instruments, but define codes and dynamics of conduct (North, 1993). He argues that "institutions can be created as if they are political constitutions of States; or else simply evolve through time, as common law evolves" (North, 1993, p. 14).

This approach to childhood policies reveals the institutional change that consolidated after 1989 with the Convention on the Rights of the Child. This not only crystallizes a reference body of doctrine that is

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[5] It is assumed that these dimensions are not the only domains of approximation. Nonetheless, to facilitate the analysis, the authors have tried to capture, in these three, the variables mixed up in the interaction in the childhood domain.

binding on States that ratify the Convention, but also serves as a basis for designing and adapting regulatory and legal instruments to guide —and limit— actions undertaken on behalf of children, steering interactions between the State and civil society in this public-policy domain. Following North (1993), the present article views the "institutional dimension" firstly as the framework within which the public-private interaction is generated. It is rooted in the Convention, and encompasses the entire set of formal instruments, both legal and normative, such as laws and public policies that guide actions on behalf of children. Secondly, informal institutions are understood as codes of conduct that promote or limit the "public-private" dialogue on childhood policies.

(b) *Financial*

This dimension will be understood as the instruments through which the State makes transfers to fund targeted childhood policies which are implemented by civil society (Andrade, 2009a).

(c) *Organizational*

To understand this dimension, it is instructive to use the concept of "interface" introduced by De la Maza (2004), which sees the link generated between the initiatives of State action and those of civil society as a combination between different rationales, that produces specific outcomes, depending on the distribution of power resources of the actors that form mutual links" (De la Maza, 2004, p. 108).

This dimension will thus refer to the different capacities that civil society possesses, compared to those of State, and which it puts at the service of childhood policies.

2. Components

Both the specialized literature and expert opinion highlight several components contained in the dimensions of the interaction between State and civil society, which, while not the only elements of the link, have nonetheless been highlighted as the most relevant in relation to children. These are discussed below:

(a) *Institutional dimension - components*
— *Rights Protection Law*
  This component refers to a law protecting the rights of the child, which firstly frames and gives orientation to institutional changes on public policies; and, secondly, generates the institutional

scenario for the public-private interaction within the rights framework. A draft law on the protection of childhood and adolescent rights has been unable to pass the second constitutional stage in the Senate since 19 January 2005, and is currently classified as "non-urgent".[6]
— *Effective articulation of universal policies*
  This component implies universal policies such as education or health that are effectively articulated, so as to strengthen their preventive action in relation to specific rights-violation episodes.

(b) *Financial dimension - components*
— *Subsidies*
  This component refers to the transfer modality that SENAME operates in Chile, involving a monthly transfer for each child attended by a SENAME-collaborating organization. The subsidy is accessed by applying through a competitive process (Art. 25, Law No. 20.032, 2005).[7]
— *Contestable funds*
  This component refers to a State transfer distinct from the SENAME subsidy. It is paid as a fixed sum to execute a project awarded by public tender. All accredited organizations may apply to receive State funds.
— *Mixed-operations fund*
  This component involves a differentiated and progressive State transfer modality. Initially, it would be assigned by public competition for new (not previously trialled) initiatives to provide services to children.
  In the second stage, following the accreditation of results, the transfer would be received without the need to compete for the funds, by establishing a cooperation agreement lasting a fixed period, renewable according to the results accreditation.

(c) *Organizational dimension - components*
— *Identity*
  This is understood as the set of elements that constitute the differentiated identity of civil society. It includes own capacity to innovate in terms of working methods: for example by making the most of the "informal" or community approach.

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[6] It was still in the same situation as of 31 May 2009,.
[7] The aforementioned law establishes the subsidy system for all civil-society organizations that work with SENAME in Chile.

— *Organizational capacity*
    This component brings together the good
    management and administration practices that
    strengthen civil society in organizational terms. It
    involves human-resource training in the private
    domain, development of management systems,
    and all elements that help strengthen the non-
    government domain.
— *Interlocution spaces*
    These encompass the public-private dialogue
    mechanisms that legitimize and empower
    knowledge of the intervention in the private
    domain, strengthening the organizational
    capacities of civil society, facilitating policy design
    and implementation, public-private articulation
    and coordination, and the retrieval of "know-
    how" as regards working in the childhood domain
    both from the State and from civil society.

3. **Subcomponents of the organizational
    dimension**

Experts have identified potential strategies (known
as subcomponents) from the components of this
dimension, to be developed by the State to strengthen
the differentiated capacities of civil society. These
are framed by the organizational components of
the interaction.

(a) *Subcomponents of the identity factor*
— *Minimum "plus" of innovation*
    This subcomponents refers to how the State could
    generate formalized institutional strategies that
    seek a guaranteed minimum in the results of the
    intervention for the programmes executed under
    public-sector interaction rationales, allowing a
    margin to work with innovative methodologies
    recognized and empowered through increases in
    the State transfers.
— *New public policy intervention strategies*
    This subcomponent relates to how the State can
    generate mechanisms in a targeted childhood
    policy that formally allow for the possibility of
    developing intervention strategies other than
    those defined by the public apparatus, and these
    can also gain access to State transfers.

(b) *Subcomponents of the organizational
    capacity factor*
— *Civil society management improvement plans*
    This subcomponent relates to the strategies the

State can develop to strengthen management
in the civil society organizations with which
it implements targeted childhood policies. It
encompasses formal training plans for human
resources in private organizations, support for
the establishment of management models and
monitoring of intervention, among others.
— *Knowledge transfer by assigning a score to the
    "joint application"*
    This subcomponent aims to generate a State system
    that favours and empowers joint applications
    between civil society organizations to implement
    childhood policies and programmes. This would
    generate positive externalities by strengthening
    inter-organizational links between childhood
    institutions, promoting knowledge transfer
    through the exchange of successful intervention
    methodologies, and helping to consolidate the
    identity sphere of private organizations working
    on childhood issues.

(c) *Subcomponents of the interlocution
    spaces factor*
— *"Counterpart" organizational figure*
    This subcomponent invokes the concept of an
    organizational figure established within the
    public agency that implements childhood policies
    under rationales of interaction with civil society,
    promoting dialogue on public policies, highlighting
    the "know-how" of private organizations, and
    setting guidelines and strategies for support by
    the public agency who transfer the implementing
    childhood policy to a civil-society organization.
    This subcomponent is established and redefines the
    tasks of the State, assigning it active roles in terms
    of training, technical assistance, systemization
    of the intervention and the retrieving of good
    practices, among other things.
— *Spaces for thematic encounters on
    public policies*
    This component involves the idea of generating
    meeting spaces between organizations that work
    on childhood programmes, to promote the
    exchange of good practices and retrieve joint
    lessons on services for children, among other
    things. Unlike the "counterpart" organizational
    figure, this subcomponent is not seen as an
    entity established within the public agency that
    convenes civil society to implement policy in an
    interaction framework, but instead reflects the

willingness of the public authorities to generate these meetings, but not necessarily established as a formal practice.

4. Hierarchical structure

The dimensions, components and subcomponents, recognized firstly by the literature and secondly by the experts consulted, are brought together in figure 2, which shows the hierarchical structure validated as representative of elements that would promote public-private interaction, putting the best interests of the child at the fore.

Table 2 shows the experts' priorities, for each element of the interaction and which, in their opinion, would aim at putting the best interests of the child first, in the context of public-private interaction. The percentage importance attached to each of these in the framework of their "parent dimensions" is shown in figure 2.

TABLE 2

Global priorities (GP) and local priorities (LP) on the basis of the AHP methodology[a]

Dimensions	Component	Sub-component
Institutional GP: 0.55 LP: 0.55	Rights protection law GP: 0.38 LP: 0.68 Effective articulation of universal policies GP: 0.18 LP: 0.32	
Financial GP: 0.27 LP: 0.27	Mixed-operations fund GP: 0.18 LP: 0.65 Contestable funds GP: 0.05 LP: 0.19 Subsidies GP: 0.04 LP: 0.16	
	Interlocution spaces GP: 0.09 LP: 0.52	Counterpart organizational figure GP: 0.08 LP: 0.81 Spaces for thematic encounters on public policies GP: 0.02 LP: 0.19
Organizational GP: 0.18 LP: 0.18	Identity GP: 0.05 LP: 0.26	New public policy intervention strategies GP: 0.03 LP: 0.65 Minimum "plus" of innovation GP: 0.02 LP: 0.35
	Organizational capacity GP: 0.04 LP: 0.21	Civil society management improvement plans GP: 0.02 LP: 0.63 Knowledge transfer by assigning a score to the "joint application" GP: 0.01 LP: 0.37

Source: Prepared by the authors.

[a] The unit of measurement is "priorities", expressed in terms of proportions.

FIGURE 2

Hierarchical structure: Elements of the interaction validated by experts
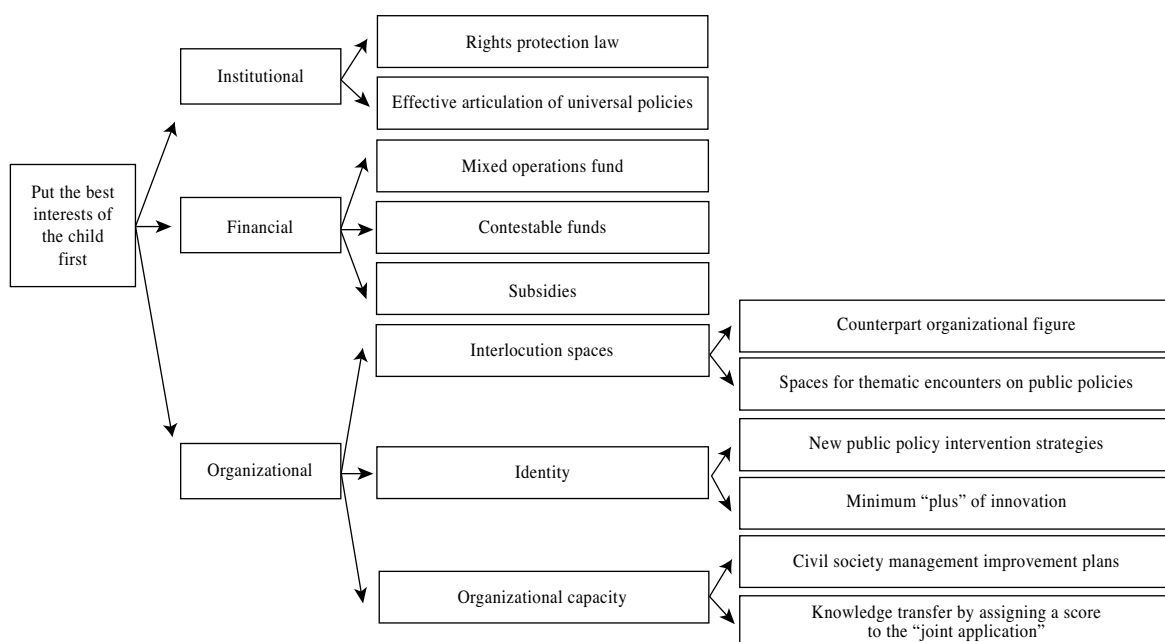
Source: Prepared by the authors.

V

Observations on the public-private interaction in childhood

In the institutional domain, the public-private interaction in Chile occurs in a context of progressive administrative adjustment in which the country has been adapting its legal and regulatory instruments to postulates of the Convention. Nonetheless, a formal institutional deficit remains, since a law protecting rights that relates to the doctrinal framework promoted by the Convention has not yet been passed. This dimension is seen by the experts consulted as the most important area in which the interaction between State and civil society occurs, attaining a 55% priority (see table 2).

With regard to the protection of rights and the notion of co-responsibility, it can be seen that to fulfil the task of protecting and restoring children's rights,

it is crucial in the institutional domain to activate and implement this protection law, which relates to the institutional framework promoted by the Convention (priority almost 70%), over and above the component of effective articulation of universal policies (just over 30% priority). At the same time, expert opinions on the idea of co-responsibility show that this involves recognizing shared responsibilities among all social actors in the task of protecting or restoring —as the case may be— the rights of children.[8]

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[8] All experts reported that the notion of co-responsibility means that each actor becomes responsible for safeguarding the rights of the child population.

In terms of the characteristics of the interaction, the encounter occurs particularly in the stage of implementation and execution of childhood policies (see figure 1), where the State would be the key actor at the time of design.

With regard to the contributions to the policies made by each domain: firstly, civil society possesses the "know-how" of the intervention, capitalized over centuries since it started to take responsibility for children's needs; a second contribution is its capacity to innovate because it is a more malleable and permeable domain than State, which tends to be more bureaucratic and hierarchical. This enables it to serve as a laboratory for new methodologies in working with the child population. Another contribution would be the fact that it is embedded in localities, which enables it to develop a supply of rights-based services constructed on the basis of close proximity with the subject themselves, namely children.[9] A final contribution is its capacity to promote public policies (legislative or otherwise) on childhood for the State based on what is observed on the ground. The State contribution would mainly involve the definition of guidelines for work on childhood issues; and, secondly, the development of management systems that make it possible to transfer economic resources to civil society to implement and execute the policies.[10]

In the financial domain, there is a need to review how the financing system conditions the way the State and civil society collaborate to address childhood policies. At the macro level, the State defines policies in top-down fashion, involving private actors in the consultation only when the authority recognizes added value in this practice for designing lines of action.[11] The financing system today consists of a public domain that administers resources and delivers them, under contestable tenders, to private entities that execute the policy. According to the consultations made, this means that civil society has few channels for criticizing and commenting on the public policies, which situation may be due to the fact that its very survival depends largely on obtaining these public resources.[12] This is significant in that it probably also affects the supervision of childhood policies "…The suitability of the different mechanisms for monitoring public policies and ensuring that these respect rights depends not only on their institutional characteristics, but also on their appropriation by social organizations and the existence in civil society of actors with the desire and resources to use them." (Abramovich, 2006, p. 47).

Relating this idea to the fact that the financing system would condition the State's response capacity in terms of services for children, makes it possible to envisage a system which, while protecting public resources, firstly ensures the survival of the private sphere; secondly, generates conditions for a critical-constructive horizontal dialogue between the two spheres; and thirdly, delivers institutional resources to enable civil society to play an active role in supervising the public policies developed to serve children.

According to Andrade (2009a), only a small proportion of funding from private organizations comes from private firms or international cooperation, which would put those that depend least on public funding in a better position to criticize and respond to the State-defined actions on childhood issues.[13] At the same time, the financing mode generates negative externalities such as keeping successful methodologies confidential when they could be shared for work on childhood issues.[14] The recognized advantage of the tenders modality is that the private sphere would be permanently improve its intervention product to reapply and again obtain support from a specific fund. In short, there is a clear need to create a new alternative within the system in the form of a mixed-operations fund that creates new forms of financing for policies, without diminishing the private sphere's capacity to criticize the work done on childhood issues (see table 2).

At the organization level, a need felt by experts consists of strengthening dialogue spaces through an organizational "counterpart" figure, formally set up within any public organization that implements

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[9] On this point there is agreement between the representatives of academia and the United Nations Children's Fund (UNICEF).
[10] Responses from experts from the public and private spheres.
[11] There is consensus among all actors consulted that it is the State that defines childhood policies.
[12] State and UNICEF experts agree that the capacity to criticize is mediated by resource independency.

[13] Andrade (2009a), shows that in 2004 are only 9.5% of the financing of child and organizations came from the private sector; 25% was provided by international cooperation, while State funding accounted for nearly 50%. The remainder corresponded to self-management resources. These values are averages.
[14] According to a State representative, is impossible to ask a private organization that competes with other organizations for public funds its operation, to also share its working methodologies with them.

childhood policies in conjunction with the private sector (see table 2).[15] In this regard, it is necessary to redefine the roles of the State in providing technical support for the intervention and retrieving knowledge held in the private domain.[16]

In this domain, it is also important to strengthen the identity-component of civil society, to perpetuate those specific characteristics that differentiate it from the State: lower levels of bureaucracy and hierarchy; greater sensitivity to the problems to be addressed, owing to its closer proximity to the population; innovation in ways of working through methodologies that are different from those used by the State: for example the incorporation of community or informal approaches to intervene in education, among other things. For that purpose, the public domain could generate financing instruments that would make it possible to flexibly incorporate new intervention strategies in public policies on childhood, that are different from and complement those defined by the State.[17]

Lastly, the organizational-capacities component is seen as relevant at the time of generating an interaction which, in the "interface" rationale, generates positive impacts on childhood policies. According to State representatives, promoting lines of action from the public domain to improve management capacities in the civil-society organizations with which it implements the policies, should be a formally defined and institutionalized strategy.[18] Such would be the case, for example, of SENAME, because in December 2007 just 2.4% of the child population served was attended through its own organization, while the remaining 98% was attended by civil society organizations (Andrade, 2009b). This is supported by the following data: the development of plans to improve civil society management is rated a 63% priority by the experts consulted (see table 2), compared to the 37% priority given to the knowledge-transfer component through joint application for the various contestable funds put out to tender by the State to provide services to the child population.

VI

Conclusions

In Chile, nearly 20 years after the ratification of the Convention on the Rights of the Child, collaboration between State and civil society to address targeted childhood policies occurs vertically, where the public domain mainly defines the policies to be implemented to meet the needs of the most vulnerable children, leaving private organizations to apply and execute them.

The top-down nature of this relationship is largely explained by the system for financing private organizations to execute the policies, a high percentage of which comes from funds managed by

the public sector, thus producing negative externalities in dealing with the State and also between the organizations that implement public childhood policies. In the public-private interaction, these externalities undermine the capacity for criticism that the civil domain could exert with regard to State actions on behalf of children, largely because the civil society organizations depend on these public funds for their survival. Negative externalities also occur within the private domain as a result of competition dynamics whereby public funds are transferred for the implementation and execution of childhood policies.

Competition between private organizations to gain access to funding would generally mean that successful methodologies are kept confidential, when they could be adopted by other organizations to

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[15] 81% priority, compared to 19% for spaces for thematic encounters.

[16] The State experts consulted agree that the support of public apparatus is based on financial topics owing to the sensation of "less knowledge" of work in childhood issues, compared to the expertise possessed by civil society.

[17] According to the consultation, the incorporation of new intervention strategies into public policy is of 65% importance as a gravitating factor to maintain the differentiated identity of civil society.

[18] A State expert declared that if there is an organization that serves over 90% of its users through civil society organizations, this should then have a policy and management model defined with regard to work with private agencies..

improve their strategies for providing services to the most vulnerable children. The challenge thus arises of devising a financing system that would make it possible to create conditions for horizontal and constructive critical dialogue on childhood policies —but without undermining civil society's capacity to criticize and supervise State actions for children. While safeguarding public funds, this would make it possible to establish dialogue both within civil society and between it and the State, for the common purpose of putting the best interests of the child before economic resources.

Nonetheless, this requires institutional conditions that are adapted to the postulates of the Convention; and the Chilean State has made significant progress on this, for example, by setting up the *Chile Crece Contigo* early childhood protection system, or through institutional and legal adaptation, passing laws creating the family courts and adolescent criminal responsibility, among other things. Nonetheless, a law still needs to be passed to protect childhood and adolescent rights consistently with the doctrine promoted by the Convention.

In this regard, the Chilean State has a crucial weakness which manifests itself through two channels: firstly, by having to be accountable outside every five years to the United Nations Committee on the Rights of the Child for the specific measures implemented to apply the rights recognized in the Convention (Article 44); and secondly because there is currently no inward-looking legal and formal instrument that makes it possible to demand these rights be upheld.

Strategies to improve the public-private interaction necessarily require a new institutional order of a formal and informal type as the initial condition. At the formal level, the adjustment of legal and public policy instruments to the postulates of the Convention needs to be consolidated. This could be done specifically, for example, by implementing a rights protection law that is consistent with its postulates and guides the spirit of every State measure implemented on behalf of children. Such a law should incorporate mechanisms that require dialogue, so that the public-private approximation is not conditioned merely by the legitimacy that public authorities decide to give to it, but should be a safeguarded and guaranteed practice in rights-based childhood policies.

At the informal level, at least two factors are essential: (i) reconciliation of the wills of political actors, making the benefits of this new institutional order for children visible; (ii) an empowered civil society that actively promotes adjustment to this new institutional order. With this as the initial condition, the challenge is to again identify how the two spheres fulfil their task on behalf of children: on the one hand, the State, giving a new meaning and protagonist role to modes of relating with civil society, stressing tasks such as the retrieval and dissemination of good practices in service, technical support for the intervention and, lastly, the generation of interlocution spaces to jointly discuss and construct childhood policies; on the other hand, a civil society with strengthened organizational capacities, which fully exercises its role as co-responsible for childhood, owing to its proximity and the acquired knowledge regarding the intervention. Until these institutional conditions achieve full development that enables each domain to actively and fully exercise its role on behalf of children, interaction will be vertical rather than total co-responsibility in relation to the child population.

Consequently, achieving this full institutional development means having a civil society that has moved from being essentially a policy executor, to positioning itself as a relevant player in constructing, participating in dialogue and debate on the design, supervising State actions and, ultimately, participating actively in the evaluation of each initiative developed, whether by State or by civil society, with a view to improving living conditions for the most vulnerable children.

Method of analysis

The following section describes the method used to process the information. It sets out both the methodologies and the stages in which this article was produced.

1. Expert opinion from the analysis of content and its integration with quantitative instruments: Analytical hierarchical process (AHP)

The methodological approach to the research questions combined qualitative and quantitative tools, integrating a multi-criterion methodology known as the analytical hierarchy process (AHP) into the analysis of content in the discourse of experts on childhood quantitative tools. The methodological work began using the analysis of content, as this involved technical interpretation of data: transcription of interviews, speeches and other items, making it possible to ascertain certain aspects and phenomena of social life (Andreu Ávela, 2003). When this analysis was integrated with quantitative tools using a multi-criterion methodology, it was possible to visualize the main characteristics of the public-private interaction with regard to vulnerable children, and to sustain public policy proposals to improve this articulation, putting the best interests of the child at the fore.

Data collection and processing was done in four stages: The first consisted of a review of bibliographic sources on social policy, childhood programmes, and the interaction between the public and private domains. Then information in databases made available by the Fundación para la Superación de la Pobreza (Foundation for Overcoming Poverty) and SENAME were systemized and analyzed. This review and systemization made it possible to generate background information for the research and to identify the main dimensions of the public-private interaction on childhood issues: the institutional, financial and organizational dimensions; and secondly, the main components of each case in the light of the review of specialized documents and literature. This identification also made it possible to define the key questions that guided the field work.

The second, qualitative, stage made it possible to identify the general characteristics of the interaction on childhood issues. For that purpose, a group of experts was interviewed from the State, civil society, academia and UNICEF. The sampling method used to select the expert group was non-probabilistic, using "criterion sampling", based on the criterion or opinion of the researcher with the aim of selecting representative sampling units for the purpose of the research (Fernández, 2004).

The key questions that guided the field at the institutional dimension level were: "Is the institutional setup adequate for establishing the public-private interaction within a rights framework?" At the financial level: "Does the financing modality favour the interaction on childhood issues?" In the organizational domain: "What are the main weaknesses and strengths in the public-private approximation process?" And lastly, at the level of prioritizing dimensions and components: "What elements need to be strengthened or generated from the State to improve the public-private interaction, putting the best interests of the child in first place?"

The third stage incorporated the AHP methodology, which made it possible to bring together the dimensions and components identified in the previous stages in a hierarchical structure that was validated as representative; and through its application priorities were assigned to each of its elements, to promote the State-civil society interaction on childhood issues.[19]

Lastly, the main reflections and conclusions of the article have been highlighted and public policy recommendations developed aimed at putting the best interests of the child in first place.

2. Integration of AHP with qualitative tools

Any decision process necessarily entails comparing alternatives, which requires measurements to make it possible to apply comparison criteria and establish preferences between them.

What needs to be done is to measure how much more preferable a given alternative is (in this article, components or dimensions) compared to another one. For this purpose, a common evaluation scale is needed —a scale of priorities— which makes it possible to characterize the elements under the same comparison standard and thus establish relations of preference and intensity between them (Saaty, 1997).

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[19] What in this article is referred to as "dimension", in the AHP methodology is seen as a "criterion". A similar situation occurs with the "components" in this article, which in AHP are seen as "sub-criteria". See Saaty (1997).

In general terms, AHP is a method for decomposing complex structures into their components, ordering them in a rankable structure, which AHP refers to as the "hierarchical structure". This methodology also makes it possible to assign numerical values to subjective judgments on the relative importance of each one, and finally synthesizes them to determine which of them has the highest priority (Saaty, 1997).

To identify the best decision, the AHP method needs to define a general objective for the decision process in conjunction with the stakeholders involved, who must be carefully chosen because the representativeness of the models results depends on them.

The problem is organized in a structure that involves all elements of interest (in this article: dimensions, components and subcomponents), to rank the alternatives if there are any.

To build the structure, the following axioms of the methodology need to be taken into account:

Axiom 1: Reciprocity

Given two alternatives A_i and A_j, the intensity of preference for A_i over A_j is inverse to the intensity of preference for A_j over A_i.

Axiom 2: Homogeneity

Homogeneity refers to the fact that the elements to be compared need to be of a similar order of magnitude (to compare elements according to a given criteria a limited scale needs to be available).

Axiom 3: Dependency

This relates to the need to control dependency between the elements of two consecutive levels (external dependency and, within the same level, internal dependency). A hierarchical structure is characterized by the fact that its elements have unidirectional external dependency. In other words: Children depend on their parents and there is no relation between them.

Axiom 4: Expectations

The hierarchical structure is a model that represents all criteria and alternatives, fulfilling the expectations of experts consulted in the process. This axiom relates to the need to aggregate or eliminate alternatives to faithfully represent the perception of the participants in the decision-making process.

Once the hierarchical structure has been built, the process continues by calculating priorities for each of its constituent elements. This is done by comparing pairs of elements with respect to the element immediately above it in the structure, forming matrices using the Saaty scale to enter the judgments of experts relating to the intensity of preference for one element over another, and then make a synthesis to obtain a vector of priorities or the relative importance —or weights— of elements, in addition to the index of consistency to determine the consistency of the judgments.

In calculating the priorities for each level of the hierarchical structure, it should be remembered that there are local and global priorities. The former stem from opinions regarding a single element, obtained in the vector of priorities. The sum of these priorities is 1, if expressed as a proportion, and 100% if expressed as a percentage. An element's global priority is calculated by multiplying its local priority by the global priority of the element immediately above. In other words, global priorities show how an element distributes its weight over the elements that stem from it in the structure.

Subsequently, the judgments are analyzed on an integrated basis by applying geometric means.

This procedure not only makes it possible to assign weights to the different elements of the structure, but also to select, evaluate and prioritize alternatives for projects, actions and products. Methodologically, this article has used part of the tool to structure the dimensions and relevant components of the interaction, to assign the priorities based on exact sciences.

This methodology was chosen, firstly because of the scant information available in databases that record this public-private relation and its effects on childhood issues; and secondly, with the aim of extracting a consistent decision from experts, to rank components and dimensions making it possible to put a best interests of the child in first place.

(Original: Spanish)

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