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## **PHENOMENOLOGY OF PUBLIC GOVERNANCE**

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FENOMENOLOGÍA DE LA  
GOBERNANZA PÚBLICA

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<https://doi.org/10.22431/25005227.vol51n2.3>

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**Typology:** Reflection article

### How to cite this article

Aguilar, L. (2021). Phenomenology of public governance. *Administración & Desarrollo*, 51(2), 23-104.  
<https://doi.org/10.22431/25005227.vol51n2.3>

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### Abstract

Phenomenology is understood as the reflexive description of realities and facts experienced without assuming established concepts and explanatory theories, and in this article, the distinctive properties, problems, and principles of public governance are described in relation to this concept. Governance is described as an intentional, causal, social, contextual, strategic, managerial action, complex in its composition, structured by the norms of the state and by the knowledge of the social system, which support its legitimacy and effectiveness. The principles of public governance are the values of the normative order of the State and the concepts and causal statements of the knowledge system of society. Its main problems are regulatory irregularities, errors of analysis and calculation, the low credibility of the ruler's discourse and social

distrust in his directive and managerial capacity. The new public governance, which is collaborative, intergovernmental and governmental-social, offers better conditions to control institutional failures and governmental managerial errors and produces societies with common and inclusive welfare.

**Key words:** public governance, legitimacy, effectiveness, public administration, public policy, citizenship.

### Resumen

La fenomenología es entendida como la descripción reflexiva de realidades y hechos experimentados sin asumir los conceptos y las teorías explicativas establecidas, y en este artículo, se describen las propiedades distintivas, los problemas y los principios de la gobernanza pública en relación con este concepto. La gobernanza es descrita como una acción intencional, causal, social, contextual, estratégica, gerencial, compleja en su composición, estructurada por las normas del Estado y por los conocimientos del sistema social, que sustentan su legitimidad y efectividad. Los principios de la gobernanza pública son los valores del ordenamiento normativo del Estado y los conceptos y enunciados causales del sistema de conocimiento de la sociedad. Sus problemas principales son las irregularidades normativas, los errores de análisis y cálculo, la baja credibilidad del discurso del gobernante y la

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desconfianza social en su capacidad directiva y gerencial. La nueva gobernanza pública, es colaborativa, en modo intergubernamental y gubernamental-social y ofrece mejores condiciones para controlar las fallas institucionales y los errores directivos gubernamentales y produce sociedades con bienestar común e incluyente.

**Palabras clave:** gobernanza pública, legitimidad, efectividad, administración pública, política pública, ciudadanía.

## INTRODUCTION

The way of governing by the State is at the center of contemporary discussion, in the formation of the Rule of Law and the sovereign territorial Nation State. In the last forty years, the discussion has moved from the State to the Government and from the Government to Governance (Aguilar, 2020).

The first displacement of intellectual and citizen attention is due to the fact that the territorial States in formation during the 19th century, particularly those of the new independent nations, required government, stewardship, as well as coercion, to achieve their affirmation, defense and integration. The problems of the territorial State in conformation and constitution gave rise to authoritarian governments that ensured territorial integrity with ups and downs, produced a culture of identity and national dignity, although they did not achieve the solid construction of a normative order for a

society and a culture focused on legality. The arbitrariness and managerial errors of authoritarian governments throughout the 20th century caused numerous social sectors to decide to replace them with governments that were legally constituted, acting legally and representing social aspirations. It was the democratic transition of the Latin American countries that aroused optimistic expectations of change and social progress.

The second displacement, the current one, is the effect of institutional failures and managerial errors of democratic governments, recent ones from the transition and also established ones, which have caused damage and costs to their societies, so it was logical to consider the question about the managerial capacity and effectiveness of legitimate democratic governments. What matters today is the effectiveness of the governance of the legitimate ruler, which is why a democracy of results and not only of values is demanded.

There are two problematic fields of democratic government that are the target of criticism. The first field is endogenous, which has to do with their institutional transgressions and with the errors of their managerial decisions, which provoke mistrust and anti-political attitudes. The second field is exogenous and is related to the technological, economic, social, and cultural changes that are currently taking place in society, and that go beyond the territorial demarcation of States and governments and go beyond the powers, powers, and resources of individual

territorial governments. The aggregate effect of institutional failures, managerial errors and the effects of technological, economic and cultural change raises the question of whether governments are capable of governing and what are the conditions that make their social effectiveness possible.

Things have not changed with the crippling pandemic and the economic disaster it has caused. In these couple of years we have rediscovered the necessity and importance of the government for the coexistence and survival of society. It is the only agent that has the capacity to organize society to face a lethal public problem and it can do so because it has the authority to regulate the behavior of the population through information, recommendations and prohibitions and because it has a coercive apparatus to make them effective. and of an administrative system that attends to affected citizens in their health, employment, income and life projects. However, the rediscovery of the government's social importance has been accompanied by disagreements and questions about its performance. With evidence or because of the anguish of the situation, the lack of foresight and the miscalculation of the magnitude of the health risk and/or the ineffectiveness of the measures to control the health and economic emergency have been questioned, even if in general it has been revalued the role of government, its meaning and social value.

The article succinctly exposes some ideas on public governance, which I consider to be original in formulation and development, although

the impetus for the study of governance came from appreciated authors, especially from the concepts and analysis of Kooiman (1993). The article begins with a comment on the double meaning of ruler and governance that the term "government" has in the Spanish language, continues with the phenomenological description of public governance and concludes with the affirmation of legitimacy and effectiveness as the two fundamental properties required of governance. In its three final sections, the article exposes and correlates the problems and principles of governance and, after very briefly exposing its modalities or types, points out that the current governance by co-government, co-governance, has best practices to limit managerial failures and move towards social situations of value, in accordance with the changes underway that modify our ways of knowing, preferring, deciding and acting.

### **The concept of government: the ruler and governance**

The government is specifically the directing agency of the state, the ruler of the existing society in the form of the state. In the modern State, the government is not the sole governing agent, its action is limited by the laws and budgets approved by the legislative power and by the rulings of the vigilant judiciary. It is a governing power, which devises and executes plans, policies, investments and administrative acts so that the laws frame and regulate the action of social subjects and so that the public resources at its disposal produce quality goods and services (Aguilar, 2008).

Two are the usual basic denotations of the Spanish term of government. Government is understood as the ruler, the subject that governs society, directs it, which can be individual or collegiate, and which has a set of administrative, police and military organizations to carry out its managerial functions. Government is also understood as governance, the action of governing society, of directing, leading and/or coordinating it (UNDP, 1997).

There is a real and conceptual distinction between the ruler and governance, even if in the past the ruler, by leading the decision and execution of the directive actions of the State (laws, plans, policies, programs, services, expenses, investments, coercion), caused governing to be understood as the action of the ruler. Now, for various reasons, the ruler and governance have been distinguished from each other and separated conceptually and in practice. Not all government action is governance action. There are government actions that do not have a sense of direction, are not backed by information and knowledge of the problems and their solutions, do not motivate citizen action and do not produce the expected and required results. Despite its good intentions, the decision and action of the government is no more than governance, as a directive action of society.

The conceptual reminder opens the door to the phenomenology of governance, which is described as *an intentional, causal, social, contextual,*

*strategic, managerial, complex and multidimensional action*, structured by the normative order of the State and by the data and causal knowledge of sciences and technologies<sup>1</sup>.

## Phenomenological description of public governance

The reflexive phenomenological description of governance will be succinct and focuses on pointing out its dimensions or distinctive properties.

As a directive activity of society, governing is considered an intentional action, that defines the goals and futures of value for life in common, in accordance with the values and future goals of the State, and is directed to carry them out. Likewise, it is considered a causal action, which has the capacity to carry out the intended objectives and futures by being based on the knowledge of the cause-effect relationships of nature and society, which makes it possible to calculate the effects of the action options and choose the one that has the probability of achieving the intended ends with the least cost. The causality of governing is a property to highlight, because governing is not exclusively a discursive action of promises, projects and social daydreams, but executive, performative action, of carrying out results and achieving the objectives that are constitutionally required and declared in the speeches (Cerillo, 2005).

<sup>1</sup> Basically and generically defined, *Governance* is the management action of society, which includes 1) The dialogue activity through which the government and social subjects define the founding values of society and its future objectives, course and sense of direction. 2) The activity through which the government and social subjects define the basic organization of society, the rules that regulate the relationship between people and groups and the sanctions in case of infraction, as well as the attributions, faculties and resources of the agent responsible for the governance of society. 3) The activity through which the government and social subjects define the resources that are necessary to ensure the direction of society, the validity of values, the observance of norms and the achievement of objectives of social value. 4) The directive activity of conduction and coordination of the variety of actions and relationships of people and organizations in accordance with 1 and 2 (Aguilar, 2008).

Governing is a social action, directed at the individuals of society, who are its recipients, and it is social in a double sense<sup>2</sup>. It is the action that is decided and carried out to protect the freedoms and rights of social subjects, their well-being and security and is aimed at getting the associated individuals to accept the value of the norms of the state order and the social objectives decided. To do this, by means of information, arguments, prescriptions, incentives and sanctions, it tries to induce or motivate them to observe the norms, not to transgress them, and to support the achievement of the objectives or, at least, not to block their realization.

Because it is something that has been forgotten or is not emphasized, governance refers to people. It is management of people, management of people through people and specifically management through dialogue and interaction of authorities and officials with citizens. Obviously in modern society we are dealing with free, plural and different people in their preferences and activities, also informed and knowledgeable, so that the development and conclusion of the dialogue between government and citizens is not standardized, controllable or predictable.

Governing seeks to channel the desired social route and demanding the conduct of associated individuals, who are distributed along a spectrum that concentrates at one pole the ac-

tions of citizens who have decided to respect the ethical and legal rules of coexistence, and in the other are the individuals who have decided on transgression and crime as a way of life. Through information, motivation, prescriptions, prohibitions, agreements, incentives, services, deterrents and punishments, the government seeks to influence the actions of people, companies, civil organizations, political associations, knowledge centers, communities local, so that their actions unfold along the path that leads to situations of common and personal benefit. Therefore, *governance is what the government does, what it makes society do, and what society itself does.*

The social action of governance is a political action, in its double sense, axiological and factual, referring to values and powers. On the one hand, it is the collective action in which the ruler, officials, politicians and citizens dialogue and discuss with the intention that society, in accordance with the experiences it is going through, express and act in accordance with the values and principles of the normative system of the State that makes its existence and functioning possible; on the other hand, it is the collective action in which the power relations between the participants, be they institutional powers or de facto powers, determine the course of dialogue and the content of governance, its objectives and actions (Rhodes, 1997).

<sup>2</sup> By social action is understood the concept of Max Weber (2014), who defines it as "the action in which the meaning intended by its subject or subjects refers to the behavior of others, being guided by it in its development" (p. 5). "Social action...is guided by the actions of others, which may be past, present, or expected as future. The others may be known individuals or a plurality of indeterminate and completely unknown individuals" (p. 18).



Governing is always a *contextualized action* that is designed, decided and executed in response to the changes, problems, needs, demands, conflicts and circumstances that arise in the social environment. It is a “situated”, adaptive and resilient action, in correspondence with social contingencies.

It is also a *strategic action*, where its plan of action consists of discursively and empirically demonstrating that the conditions of social life that it projects and undertakes to achieve are of a higher quality than those currently experienced or have been experienced in the past and are comparatively superior to the alternative or opposite proposals of other social subjects. Due to the evaluative superiority of its objective, which motivates and demands its realization despite the oppositions, the governance decision identifies the subjects that facilitate or hinder its realization, its allies and its opponents, and develops an offensive and defensive action plan without run over the rights of citizens, but without giving up legal coercive devices in the face of possible transgressions by dissidents.

Governance is also a *managerial action*, in which objectives are carried out to define the behavioral norms and operating standards of its executors and to monitor and support their activities so that they are observed properly, use resources efficiently and focus on achieving goals that have an intended value.

Governing is obviously a *complex action*. The social realities that are considered problems to be solved or the objectives that are desired to be achieved for their worth are not considered natural realities, in which citizens overlap and link according to their interests. These realities are composed of various elements, which are the result of multiple agents and causal chains. The complexity of the multidimensional composition, multifactorial causality and variety of interrelationships of public affairs make the development of governance a laborious activity, which works and reworks data, models and analysis to identify the constitutive components of realities and social facts, the network of its causes, and to choose the best actions to solve problems and channel issues and demands<sup>3</sup>.

Directive complexity increases as population size increases, because of this, the degree of social complexity increases in proportion to the degree of social conflict. The conflict prevents governance from being effective in managing conflicts and influencing the behavior of citizens that provoke confrontation and even cause harm and damage. In order to persuade or motivate a large number of people to act in the desired direction, the government must inform, explain and justify its decisions in dialogue with them, but there are also situations when individuals and groups violate the norms, harming people, families and organizations or brutally

<sup>3</sup> For example, inequality, poverty, unemployment, gender violence, urban territorial disorder, the destruction of terrestrial and marine ecosystems, the climate crisis, among others, are all relational realities, articulated with other realities and other social activities. which are its causes, its components, its operating conditions or its effects. Therefore, solving the problems and understanding the social circumstances that are considered satisfactory, free from harm and deprivation, implies previously or simultaneously addressing other problematic social realities, such as the lack of education, health, infrastructure, discrimination, abusive industrialization, incompetent or corrupt public administration, among others.

destroying them, forcing the government to rein them in. The coercive component of governance will be necessary, justified and socially useful whenever the arbitrary conduct of individuals or organizations causes harm to individuals, families, groups and society as a whole.

Another property of governing is its multidimensional character, which summarizes and integrates in its decisions and actions the institutional dimension of the values, principles and legal norms that regulate society; the technical cognitive dimension that governing requires to produce the social results of value; the economic-financial dimension that, on the one hand, is aimed at obtaining the resources that the government needs to operate and, on the other, calculates and manages the costs that the operation entails in order to obtain the greatest social benefits; the political dimension that through dialogue and agreement with claimants and opponents establishes the social significance of policies and services and argues that they are a reasonably satisfactory response or the best possible response to the requirements and expectations of citizens in the circumstances they live; the intergovernmental dimension in that the government has to address public affairs whose origin, development and effects, positive or negative, go beyond the territorial demarcation of a particular community and the powers of a particular government, so cooperation and coordination between governments and between them and the particular organizations and communities of society.

Governance is not a process that the ruler decides and executes in a discretionary, unconditional way, without restrictions and obligations. It is a process structured by institutions and by knowledge, by the evaluative norms of the State that give governance its meaning, validity, and social acceptability, and by the logical, cognitive, and technological norms that give it its efficacy and social utility: social objectives. that governance defines, the causal actions that it selects, the strategies that it decides on, the managerial procedures that it executes to respond to the variations and complexity of the context are framed in the evaluative and normative system of the State and in the cognitive and technological system of the society. Without the normative and cognitive framework, governing will be questioned or hindered due to illegitimacy or ineffectiveness (World Bank, 2008).

To have meaning, utility and social acceptance, governing must be considered socially legitimate and effective. Legitimacy is the concept that denotes that the position and actions of the ruler have social acceptance because they conform to the value system on which society is founded and in which its members have been socialized and because their actions consist of carrying out the value system of the social system according to its circumstances and various contingencies. Effectiveness is the concept that denotes that governing is an executive, performative activity that carries out intended social projects and objectives, because it bases its decisions and operations on the data, knowledge and technologies existing in society.



The effectiveness of governing implies legitimacy, but legitimacy does not imply effectiveness. Without political legitimacy due to illegal occupation of office and legal transgressions, the government cannot be effective, since it naturally faces the rejection of society, which does not accept its right to govern it or its obligation to obey it. But a government does not have the capacity to direct its society solely on the merits of its legitimacy, for having been the result of a majority election, since the direction requires data and information on the conditions, problems and future of society, scientific knowledge and causality technicians, financial management skills, administrative competence, capacity for dialogue and coordination with citizen sectors and political opponents.

It is essential to affirm that effectiveness refers to causality and causality refers to human knowledge, which conjectures, validates and operationally applies the cause-effect relationships that it has identified in nature and society. Without causal knowledge of the natural and social reality, the government cannot calculate the effects of its actions and its misinformation and ignorance direct its directive action to unproductiveness and inconclusiveness.

## 1. THE PROBLEMS THAT OCCUR WHEN GOVERNING.

If in the past the normalized idea of government was to be the problem-solving agent, today it is also conceived as a problem, part of the problem and cause of problems. This is due to five faults,

which are: “*the Five I’s : illegitimacy, impotence, incompetence, inefficiency and insufficiency*” (Aguilar, 2016, p. 11).

Without going into an analytically detailed exposition, Illegitimacy occurs when society, for various reasons related to anomalies and faults in the occupation of the position and in its performance, does not recognize the ruler as a social authority, does not grant him the right to direct it and does not recognize your duty to obey it. Impotence occurs when the ruler lacks the legal, financial, administrative and coercive powers, capacities and resources to be in a position to lead society. Incompetence occurs when, despite having the necessary and sufficient managerial skills, powers and resources, the government does not use them correctly, underutilizes them and wastes their potential due to errors in analysis, miscalculations in the allocation of resources and interpretations. wrong legal. The inefficiency is due to the fact that the government realizes the social objectives but the costs of its realization are disproportionate to the benefits that it actually produces. Insufficiency is the common condition of current governments and means that their attributions, powers, knowledge, and resources are not sufficient to govern contemporary problems that are characterized by their complexity, scale, interrelationship, and transterritoriality. It needs the resources that are in the possession of other States and governments or in the possession of the economic, civil, intellectual, artistic and religious agents of society, for which it requires collaborating and associating with them. In short, even if its

powers, faculties, resources and capacities are enormous, the government is still a human agent with limitations in power and knowledge, especially in contemporary society.

The limitation or insufficiency of government directives is an appreciation that moves in the opposite direction to the political culture in which we have been socialized and in which it is natural for us to believe that the government is an all-powerful, omniscient and providential agent. It is not dramatic or tragic to recognize that the government is a "mortal god" (Hobbes), a human agent with limitations, even if it has more powers and resources than all other social subjects to be able to fulfill its governing role. What matters is to recognize realistically what the government can do in the various fields of associated and personal life and, as a corollary, to recognize what it can never achieve on its own and will have to draw on the ideas, resources, capacities and commitments of the citizens, who in addition to recipients are the co-authors of public governance.

Let us now address the particular problems that arise in governing as an intentional, causal, social, contextual, managerial action.

In the field of intentionality, the problem of the government appears and is aggravated every time that the social sectors consider unacceptable the priority and urgent objectives of the government's plans and policies. They judge that they contradict the constitutional values and principles on which social life rests or interpret them

erroneously or opportunistically or rework them at their convenience and do not incorporate the justified demands of citizens. Social discontent grows and takes on impatient and aggressive tones when the government's legal infraction is not counteracted, corrected or discarded by the other powers of the State, by the judiciary and by the legislative power, which are subject to the executive government without opposition.

In decision theory, the disagreement about the objectives is called ambiguity and it is the situation that occurs when the members of an organization, economic or political, do not agree on the objectives. Some prefer some objectives to which they attribute superior importance, while others do not grant such a degree of importance and propose other objectives. Ambiguity is natural in the democratic public sphere, since the government and society often do not agree on the objectives that should be priorities and the secondary ones, on the ultimate and intermediate goals, as a result of the diversity of their interpretations on the importance of certain values and principles in the context of specific situations and social needs.

Social history, particularly that of modern society, shows that the circumstance in which there is unanimity about the sense of direction of society, of the priority objectives, and about the actions that the government plan considers necessary to fulfill them is exceptional. In a beneficial way. The utopia of a friendly government in a communitarian and harmonious society, although conceptualizable and desirable, is unfeasible

in a society of free beings, self-referred and focused on their preferences. There will always be groups inside and outside the government with different opinions and positions, contrary and inflexible in their opposition. The effectiveness of the government will always be limited, its directive decisions will never have the total acceptance of the social totality.

In the field of the causality of governing there are also disagreements. Even if there is agreement on the objectives and their order of priorities, government and social actors do not agree on the actions to be undertaken because they have differing opinions about their causal suitability and cost-effectiveness. The problem of cognitive discrepancy is called uncertainty. The uncertainty is due to the fact that the government and society itself do not have the data, the proven causal knowledge and the actionable technologies to be able to establish with reasonable certainty the effects that certain actions can cause and their costs. The informational, theoretical and technical insecurity about the effects of the actions makes the decision-making process uncertain and hesitant and causes debates that can lead the government to paralysis, to postpone the decision or to re-elaborate the objectives and re-elaborate the actions.

This situation has also been called "limited rationality" (H. Simon). In many public affairs, particularly in complex transterritorial and interconnected scales, the government and society do not have up-to-date and sufficient databases and/or do not have proven causal knowledge

to be certain about the actions that are undertaken to manage the problems with efficacy and cost-effectiveness. The informational and cognitive limitation of the government and of the citizens causes the directive limitation in the face of specific public affairs.

In the field of sociality, the problem of governance is located at two critical points, in the discourse and action of the government and the leaders of the administrative entities. Governing is practically impossible if the statements of the ruler are not taken seriously, they are considered misleading, half-truths, ideologically biased personal opinions, demagogic, or if citizen sectors due to prejudice or evidence do not grant the ruler leadership capacity. The problem is exacerbated when the ruler and his staff have a negative social reputation as a result of their known political and professional careers, lack of integrity, arbitrariness and opportunism. This problem is the same and more serious due to the political nature of governance, which will be questioned and rejected if the public judges that the ruler's discourse is not credible due to the false or erroneous interpretations it makes of the conditions of society, nor is it reliable its compliance with the agreements and commitments signed by its history of simulations, inconsistencies and defections.

In the field of governance management, the problem is that the actions to face the desired social situations are carried out incorrectly due to institutional and/or executive failures of the units and personnel of public entities. The pro-

blem arises whenever the governing government lacks staff and operational personnel with the required professional competence or that they do not carry out their activities in accordance with the behavioral norms and operational standards established by regulations and guidelines. Furthermore, the poor performance of the units and administrative personnel is often the result of the wrong decisions of their leaders, their senior management, regarding the vision of the future, organization, management, objectives, processes, financing, relations with other governments, entities and citizens. More in depth, the problems may be caused by defects in the regulatory quality of the laws of public administrative law, which tend to focus on indicating the powers and powers of the entities and on regulating their particular operations, unintentionally generating fragmentation. and lack of coordination within and between public entities, and do not promote norms and guidelines for communication, cooperation and coordination.

The determining element of management is the management of public finances. Governance costs. Public policies and the provision of goods and services are all activities that involve large costs in their acquisition, production, maintenance, transportation, distribution, particularly in the field of social policy (health, education, infrastructure). The financial problem manifests itself when the rulers have lax behavior in the income-expenditure and cost-benefit balance, which is aggravated by precarious tax systems, inefficient and politicized tax administrations, budget estimates without cost-benefit /

cost-effectiveness criteria, deficient performance control and auditing of the use and performance of public resources.

In summary, governance has problems that arise in all the dimensions and facets of its actions, but the ultimate cause of its problems is the fact that the government is governed by people, by free men and women, whose preferences and behaviors are not predictable, programmable and much less entirely controllable by the government, unless it becomes an irrational guardian and repressor. Human reality is not entirely governable by government. Despite rational arguments, rules, incentives, dissuasions, coercion, the government cannot determine the preferences and conduct of citizens outside the laws. There will always be a government deficit, so there will always be criticism and alternation. However, ungovernability is not attributable exclusively to the performance of the government but to the offending behaviors and decisions of social subjects.

## **The principles of governing**

The problems that arise in the dimensions of governing have an answer. As a regulated and rational action, governance has two universal principles that frame its process of formation, configuration, decision and execution: the normative order of the State with its body of laws and regulations, which is constitutive of its legitimacy, and the logical norms, methodological and practical application of knowledge and technologies, which are constitutive of its effectiveness (Aguilar, 2006).

In the dimension of intentionality, the principle is the concordance or compatibility of the objectives decided with the values, principles and laws of the normative system of the Rule of Law. In the dimension of causality, the principle is full respect for the methods and results of science and technology, which include databases, causal conjectures, technological applications, process engineering, digitization of administrative and service processes. with the incorporation of the automated processes of artificial intelligence on the rise. These are the principles and activities on which “intelligent government” rests, which responds in real time and personalized to requests for services and demands for intervention and which supposes an intelligent society, in which the use of systems and technological devices, the existence of “intelligent objects”, “internet of things”, the provision of a large volume of open data and a variety of sources with uniform information and communication procedures, instant connectivity and without unjustified blockages (Aguilar, 2010).

In the dimension of *sociality* The principle is the credibility of the ruler’s speech and the reliability of his directive capacity. These are two principles that, if respected, motivate citizens to appreciate the government’s plans and policies, to act in accordance with its objectives, to collaborate and, at least, not to organize to hinder them. Credibility is rooted in the public trajectory of the ruler and his staff and places emphasis on the veracity of his speech, on his opposition to hiding information, on the consistency of his trajectory despite adverse

circumstances and failures. Reliability complements credibility and is based on the social appreciation that the government is informed, sufficiently knowledgeable about public affairs and has a team of experts in financial, technical and managerial matters and that, in cases of misinformation, it is willing to resort to the social intelligence and exchange with companies, universities, civil organizations information, knowledge and technical proposals or in creating associated initiatives. They are very much the principles of “open government”, which include the openness of the decision-making process, citizen participation, and accountability.

In the dimension of the *complexity* of public affairs and problems, the principle to be observed is the recognition of the multidimensional composition, the multifactorial causality and the multiple, frequently transterritorial interrelation of the social facts that are considered problems, for which there is no public agent. or deprived with the knowledge and power required to control, manage or channel them. Therefore, as a corollary, complexity is manageable provided that public and private agents are willing to exchange information and knowledge, jointly carry out research and experiments, pool their resources and capabilities. In the management dimension, the obligatory principle is the economic rationality of the government decision maker who makes decisions to achieve the greatest possible social benefits with the lowest costs and, for this, acts with the support of a staff of expert

professionals in the various matters of the govern and in the comprehensive management of resources, knowledge management and financial management.

## The modalities of governing

The problems and principles have been present in the various ways of governing that have appeared in different social times. Governance modalities are the result of the relationships that rulers and social subjects have established among themselves, with the intention that their societies produce and maintain valuable and beneficial living conditions. In some times and places, the ideas, powers and resources of the government agent have been superior to those of the social actors, which is why they have been the protagonists of the conduct of society. In other times and places, society has been able to self-regulate and reproduce itself without the dominant intervention of an external higher authority, and in other cases, government and society need each other and their conversations, exchanges and agreements determine the objectives, actions, governance resources and time. Terminologically and conceptually, the types of governance, with reference to Kooiman (1993; 2003), are: *"governance by the government"*, *"governance by self-government of society"*, *"governance by co-government or "co-governance " "* and *"governance by subsidiarity"* (Aguilar, 2010, p. 20).

I will not develop the types of governance mentioned and I will rather focus, succinctly, on pointing out the conditions and properties of contempo-

rary governance that is conformed and affirmed in numerous public affairs and countries. The strictly governmental modality, "governance by the government", which has been and still is the predominant one in the countries of the region, is carried out under the assumption that the realization of the objectives of value of society is the exclusive work of the government. and that the social subjects are subordinate to the orders of the governmental agent due to the limitation of their capacities and resources, their internal divisions, their ignorance of matters of real importance for social and personal life, their political, institutional, economic underdevelopment and intellectual. The assumption of government protagonism and social subordination may be correct in various societies and in various localities and sectors of society, but it ceases to be applicable or begins to be applicable in the modern society of legal and democratic governments and individuals. free, endowed with information, knowledge, financial, organizational and productive capacity for growth and universal welfare. The democratic political condition and the social condition of autonomy and capacity of large sectors of the current population force a way of governing open to the intelligence, resources and participation of citizens in defining the social agenda and its process of realization.

The informational, cognitive, technological, financial, and social capital of contemporary political, economic, and civil society, combined with the legal, financial, informational, cognitive, material, and human resources in possession of the government, trigger associated, associated, sha-



red modes of governing. , more productive and favorable to welfare and social progress. Cooperation is fundamentally due to the complexity of the issues and problems that are of interest and concern to public and private agents and to the recognition of the government and society that they do not have the necessary resources or do not have them at the level required to be in a position to carry out their public purposes or their private purposes, respectively. They then discover the need to exchange, coordinate, collaborate or associate. The interrelation between the complexity of matters of public interest, the insufficiency of the resources of the social agents, including the government, and the interdependence of the governmental agent and the citizen agents, essential to be able to control, manage and lead them towards the decided social objectives , is the triad of factors that are the origin of the idea, practice and institutions of “co-governance governance”, intergovernmental , governmental-social, public-private and increasingly international, regional or global “co-governance” (Innerarity , 2006).

The collegial mode of governance is presented and consolidated in the relations between the governments of the States, be they federal or unitary republics. There have always been circumstances and social problems whose causes and effects go beyond the territorial borders of political associations and exceed the powers and resources of their particular governments. To deal with the problematic circumstances, it has been logical and responsible that individual governments have institutionalized intergovernmental

“concurrence”, the coordination and cooperation of their actions and resources. In recent decades, the co-governance of individual governments has been strengthened by the fact that the most important opportunities for individual and social development and the most destabilizing problems are transterritorial and go beyond the powers and capacities of individual territorial governments. We have seen the formation of modes of intergovernmental governance, such as metropolitan governance, intermunicipal and interstate or interregional governance, cross-border governance, among others. And beyond national borders we observe the appearance of various “international regimes” (fiscal, financial, commercial, health, environmental, labor, migration, security), the formation of common markets and customs unions, the formation of multinational political associations.

One of the most important benefits of the co-governance mode is that the traditional national or subnational ruler, endowed with broad decision-making and executive autonomy, is subject to controls by other governments and by citizens, so that in principle the risk of decisions is reduced. arbitrary or mistaken directives and, positively, because the data, ideas, proposals, resources, successes of other governments and citizens contribute, in principle, to the governmental decision having greater clarity of purpose and greater security in the effectiveness of actions . The inter- and supra -governmental mode of governance is called to develop in the future within the States and between the States. Regional, global governance is extended and demanded

as indicated and required by the 17 Sustainable Development Goals of the 2030 Agenda in the face of poverty, inequality, health, climate change, destruction of terrestrial and marine ecosystems, migration, among others.

For some heterodox and perhaps visionary critics, the territorially sovereign states and governments of the five centuries of the modern age are destined to lose social significance due to their inability to lead their societies in the new conditions of human life and in the face of threats to the survival of the human species. In response to the new circumstances, albeit with foreseeable cultural and political tensions, governments will develop post-governmental modes of governing and national states will move towards more aggregated, multi-state, multinational forms and groupings, which have their prelude and vanguard in the European Union.

## CONCLUSIONS

We require government, an agent that directs, leads, controls society, which has not yet reached or will never reach the highest level of self-government and self-regulation, but not any kind of ruler or any way of governing. After errors and horrors we have learned that the government must be a social authority committed to the value system of the modern State of Law, which has its structuring axis in the freedom and reflexivity of human beings. After errors and horrors, we have also learned the importance of legitimate democratic governments

basing their decisions on the knowledge of science and technology and pooling public resources with private and social ones.

We have also learned, and it is an inalienable ethical and political requirement, that the empirical effectiveness of the government must be intertwined with its evaluative legitimacy. The reason appreciated by the government and modern society does not have to be reduced to technical, technological reason, and must move towards answers to questions related to the value, meaning and dignity of personal and associated human life, without gaps of inequality and disrespect.

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