



INTERMUNICIPAL CONSORTIUM FOR SUSTAINABLE DEVELOPMENT AND INNOVATION OF THE STATE OF PARAÍBA FROM THE PERSPECTIVE OF ENVIRONMENTAL DEMOCRACY: an analysis of the organizational discourse

CONSÓRCIO INTERMUNICIPAL DE DESENVOLVIMENTO SUSTENTÁVEL E INOVAÇÃO DO ESTADO DA PARAÍBA NA PERSPECTIVA DA DEMOCRACIA AMBIENTAL: uma análise do discurso organizacional

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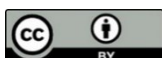
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ABSTRACT

The objective of the present article is to identify the presence of elements of environmental democracy, access to information, and public participation, from the organizational discourse of an inter-municipal public consortium. To this end, it is preceded by the qualitative approach, descriptive and documental research, on the reality of the organizational discourses of the Intermunicipal Consortium for Sustainable Development and Innovation of the State of Paraíba (CONDESPB). It was observed that the Intermunicipal Consortium, from the perspective of the guidelines of environmental democracy, presented incipient access to information, made by limited channels such as the website, and the access to public participation is non-existent, indirectly giving itself by electoral representation, being contrary to what the parameters of environmental democracy advocates in these two pillars, requiring the expansion of systems and information channels and the direct inclusion of the public and interest groups in environmental deliberations so that the practices of environmental democracy in CONDESPB are minimally instrumental only in the pillar of access to information.

Keywords: Environmental democracy. Access to information. Access to participation. Intermunicipal Consortium.

RESUMO

O objetivo do presente artigo é identificar a presença de elementos da democracia ambiental, acesso à informação e participação do público, a partir do discurso organizacional de um consórcio público intermunicipal. Para tanto, procede-se pela abordagem qualitativa, pesquisa descritiva e documental, sobre a realidade dos discursos organizacionais do Consórcio Intermunicipal de Desenvolvimento Sustentável e Inovação do Estado da Paraíba (CONDESPB). Observou-se que o Consórcio Intermunicipal sob a perspectiva das diretrizes da democracia ambiental, apresentou um acesso à informação incipiente, feito por canais limitados como o site, e o acesso à participação do público é inexistente, se dando de forma indireta por representação eleitoral, sendo contrário ao que preconiza os parâmetros da democracia ambiental nestes dois pilares, exigindo ampliação de sistemas e canais de informações e o inclusão direta do público e dos grupos de interesse nas deliberações ambientais, de modo que as práticas de democracia ambiental no CONDESPB são minimamente instrumental apenas no pilar do acesso à informação.

Palavras-chave: Democracia ambiental. Acesso à informação. Acesso à participação. Consórcio intermunicipal.



1. Introduction

The current global environmental scenario is marked by ecological changes that manifest losses in the functions of ecosystem balance, such as climate change, biodiversity erosion, problems in food production, solid waste disposal, and water crises (MARENGO, 2008), which have been faced by people in several countries. This scenario has become a challenge for decision-making in environmental management worldwide, but especially in local contexts involving municipalities and communities.

In this sense, the relationship between democracy and the environment presupposes the participatory and socio-political process focused on environmental issues in management. Democracy, as a theoretical ideology, presupposes the existence of sovereignty and participation of citizens in the decision-making process, and its concept is closely linked to the constitution of citizenship, empowerment, and social transformation (DAHL, 2001; JACOBI, BARBI, 2007), by configuring its existence to the practice of claiming and appropriation of public spaces.

The constitutionalization of the environment in Brazil (Article 225 of the Federal Constitution) established the joint participation between public (governments), private (corporations and companies), and social (social movements, other similar entities) actors in the protection of environmental resources (MOURA, 2016), therefore, search for the ecologically balanced environment and this should be a central objective of nation-states to transform the world aimed at improving the quality of life (2030 Agenda for Sustainable Development).

The Federal Constitution (1988) also encouraged a greater role of municipalities in local environmental management, by assigning concurrent legislative competence and common administrative, among the federative entities, to dispose of environmental protection policies. Thus the National Environmental System (SISNAMA), by structuring the shared environmental management in Brazil, involves the institution of a Municipal Environmental System (SISMUMA) composed of environmental norms, policies and bodies with a local political decision level that provides the articulation between actors, democratic instruments of participation and environmental issues (AVILA, MALHEIROS, 2012; SILVA, ROMEIRO, 2015).

The theoretical perspective of the relationship between democracy and environment has been addressed in scientific discourses by the denominations of green, ecological, sustainable democracy and environmental democracy (MORAIS, FREITAS, 2020). In the present study, the construct of Environmental Democracy will be taken as an analysis, due to its procedural character and the importance it has received with international bodies, as it has become in recent years one of the main



agendas in the regional agenda of Latin America and the Caribbean, with the adoption of actions and instruments that enable the strengthening of democracy and environmental citizenship (GIUPPONI, 2019), such as: the Inter-American Strategy for the Promotion of Public Participation in the Decision-making Process for Sustainable Development (2000) of the Organization of American States (OAS), the Regional Declaration for the Application of Principle 10 (2012) at RIO+20 and the creation "*Observatorio del Principio 10 en América Latina y el Caribe*" (2016) [1] of the Economic Commission for Latin America and the Caribbean (ECLAC).

About the urgency and the short term, to avoid the current environmental crises, Fischer (2017) argues that the prospects of environmental and ecological democracy are greater at local levels, as well as studies on this thematic axis is limited to the scope of local politics (ECKERSLEY, 2019), or else argues for changing the focus of studies to local practices in the face of the problems of global and national responses to environmental problems (PICKERING, BÄCKSTRAND, SCHLOSBERG, 2020).

Understanding networked political action as a process of democratic strengthening to take care of environmental problems, Fagan (2004) argues that every local action is a global action, that is, the modifications and gains in the development of local environmental management contribute to the whole, being at the local level that democratic transformation can be achieved more easily (FISCHER, 2017), portrayed as a mosaic, in which the union may generate a much more efficient result in its entirety, a transformation that starts from the local (bottom, low, specific) to the global (top, above, general).

In this context, local movements and municipalities, especially those of medium and small size, encounter great difficulties in ensuring lasting environmental actions or policies in the face of "broader systemic forces that lead to ecological degradation" (ECKERSLEY, 2019, p. 15).

The levels of participation in environmental managements (STEVENSON, DRYZEK, 2014; MORAIS, 2020), the financial resource limitations of municipal public managements (AVILA; MALHEIROS, 2012), and the access to information (MORAIS, 2020; MARCELINO, OLIVEIRA, 2017, 2018) that permeate local environmental participations and decision-making, constitute obstacles to the ability to create political arenas and participation of democratic and sustainable local flows (SCHLOSBERG, CRAVEN, 2019).

Understanding the Intermunicipal Consortia as spaces that can potentially promote the exercise of environmental democracy at the local level, because they are spaces of political powers in which there are conflicting interests and asymmetrical power relations (COSTA, NASCIMENTO, TINÔCO, 2011), there are doubts about the effectiveness of these entities in the construction of



environmental policies by the dynamics of access to information and capacity of participation of actors in environmental decision-making.

Given this context, the question is what elements of environmental democracy, such as access to information and public participation, are present in organizational discourses of an intermunicipal consortium?

Therefore, this study aims to: Identify the presence of elements of environmental democracy, namely access to information and public participation, from the organizational discourse of an inter-municipal public consortium.

2. Environmental Democracy

The central idea of democracy is the inclusion of citizen participation in the decision-making processes and political system of a nation. The term democracy also embraces concepts or themes such as electoral processes, social movements, equality, civil rights and obligations, freedom, and participatory or deliberative governance.

For democratic theory the very realization or existence of democracy is a contested process, there is no consensus on its conceptual conception. Therefore, it is understood that democracy is plural and multifaceted, as there is no single type, Held (2006) states that there can be several models or degrees of democracy, such as the models established by Parker (1996) in liberal democracy, participatory democracy, associative democracy, and multicultural democracy.

In addition to these models, there is the Habermasian deliberative democracy that incorporates reasoned and discursive civil society participation in decision-making, starting from a communicative rationality, as a great potential to provide fairer and more rational political decisions than representative means (DRYZEK, 1995; ESCRHUELA, 2014; LEPORI, 2019; NIEMEYER, 2019).

Thus, the elements of democracy are related to the current strategies of political actions based on sustainability, when considering the 2030 Agenda for Sustainable Development (MORAIS, 2020; ESTENSSORO, 2017), has influenced the world scenario by encouraging new directions to seek solutions to economic problems and environmental degradation.

The idea of environmental democracy (LEFF, 2009; LENZI, 2014) is precisely to seek to "green" democracy. It is necessary to insert and take seriously the socio-environmental problems and issues in decision-making processes and in the public agendas of local and global administrations in order to achieve sustainable development.



Environmental democracy not only implies the need to incorporate, settle and peacefully resolve conflicts of interest of different groups around the distribution of ecological costs and environmental impacts, but also opens the way for community-based management of productive resources and the socialization of nature within a diversity of ecological and cultural alternatives. This leads to defining democracy in terms of the social rules of access, ownership and effective appropriation of environmental resources and the social link between the goals of ecological sustainability, social equality and cultural diversity (LEFF, 2009, p. 335).

The construct environmental democracy arises in the conflict of procedural and substantive conceptions of democracy, being understood by the procedural approach. Essentially, when referring to the existence of this model of environmental democracy, the insertion of elements of participatory and deliberative democracies and to procedural environmental rights as instruments and procedural mechanisms that guarantee environmental protection and the participation of non-state actors.

Therefore, environmental democracy seeks the insertion of the public and of people or groups in vulnerable situations to exercise access rights in decision-making processes on environmental issues, requiring the competent authorities to make available mechanisms, instruments and information on the risks that may affect the environment and health, in addition to those related to environmental protection and management.

The legal basis for environmental democracy is Principle 10 of the United Nations (UN) Declaration of the Conference on Environment and Development (1992) on access to information, public participation in decision-making, and access to justice in environmental matters.

The incorporation of this principle into a regional norm was first in 2001 in the Aarhus Convention of the United Nations Economic Commission for Europe (UNECE), and then in 2018 in the Caribbean Escazú Agreement of the Economic Commission for Latin America and the Caribbean (ECLAC) (RODENHOFF, 2002; GIUPPONI, 2019).

The model of environmental democracy is guided by the procedural aspect inherent in the elements of democratic models and procedural environmental rights, that is, it is guided by command and control instruments by setting norms, rules, procedures and standards for the implementation of environmental access rights, where non-compliance entails sanctions.

These documents constitute frameworks for the operationalization of environmental democracy by offering tools to improve policy-making and decision-making, through the three fundamental pillars of procedural environmental law of access to information, public participation in decision-making, and access to justice, which can be exemplified in Table 1.



Table 1. Identification of the pillars of environmental law in the Escazú Agreement

	Exercise	Assurance and Facilitation Measures
Access to Information Article 5 and 6 of the Escazú Agreement.	Each Party shall ensure, within available resources, that competent authorities systematically, proactively, timely, regular, accessible and comprehensible generate, collect, make available to the public and disseminate environmental information relevant to their functions, periodically update this information and encourage the disaggregation and decentralization of environmental information at the subnational and local levels. Each Party shall strengthen coordination among the different authorities of the State.	1) to request and receive information from the competent authorities without having to mention any special interest or justify the reasons for the request; 2) to be informed in an expeditious manner whether or not the information requested is held by the competent authority receiving the request 3) to be informed of the right to challenge and appeal if information is not provided and of the requirements for exercising that right; 4) updated environmental information system;
Access to Public Participation Article 7 of the Escazú Agreement.	Each Party shall ensure mechanisms for public participation in decision-making processes, reviews, re-examinations or updates relating to projects and activities, as well as in other environmental permitting processes that have or may have a significant impact on the environment, including those that may affect health.	1) Promote public participation in decision-making processes that involve land use planning and environmental public policies; 2) Adopt public information measures, by written, electronic, oral or traditional methods, necessary and accessible to the public, to make effective the right of participation in decision-making processes; 3) Ensure that the decision and its background are public and accessible, with the public being informed of the reasons and grounds for the decision and how public comments were taken into account in that process; 4) Ensure means to facilitate their understanding (language) and participation; 5) Promote public participation in environmental forums, negotiations and events 6) Identify and support persons or groups in situations of vulnerability in order to involve them in an active, timely and effective manner in participation mechanisms;
Access to Justice	Each Party shall ensure, within the framework of its national legislation, access to judicial and administrative bodies for the purpose of challenging and appealing, on the merits and in procedure	1) establish measures to reduce or eliminate barriers to the exercise of the right of access to justice; 2) Establish means of disseminating the right of access to justice and the procedures to make it effective;

Article 8 of the Escazú Agreement.	(a) any decision, action or omission related to access to environmental information; b) any decision, action or omission related to public participation in environmental decision-making processes; and c) any other decision, action or omission that adversely affects or may adversely affect the environment or violate legal norms related to the environment.	3) Establish mechanisms to systematize and disseminate the corresponding judicial and administrative decisions; 4) Establish the use of interpretation or translation from languages other than the official languages when necessary for the exercise of this right; 5) establish support mechanisms, including free technical and legal assistance, for persons and groups in vulnerable situations; 6) promote alternative mechanisms for the prevention and solution of controversies in environmental issues, when applicable;
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Source: Prepared by the authors based on the Escazú Agreement (ECLAC, 2018)

This research focuses on two of the pillars of the conception of environmental democracy, which are the right to access to information and participation in environmental decision making. The interest in investigating these pillars stems from Brazil's own assessment in the Environmental Democracy Index (EDI) [2], which ranked it 17th, with a total of 1.80 points, in which the score per pillar was 2.35 for access to information, 2.03 for access to justice and 1.04 for access to participation.

The discussion about access to information gained strength in the twentieth century with the changes in the technical-economic paradigms by replacing the old concept of post-industrial society for information society (CASTELLS, 2010). In this new society, information is an input (raw material) to enable the planning, development, organization, implementation, evaluation and control of public policies and the exercise of participatory citizenship (CARLI; FACHIN, 2017).

Thus, access to information on environmental issues constitutes a democratic mechanism for achieving governance, transparency and control of public and private management actions. Environmental information is constituted as "any written, visual, audio, electronic, or recorded information in any other format concerning the environment and its elements and natural resources" (Article 2, paragraph c, Escazú Agreement, ECLAC, 2018).

This is not an exhaustive list, since it also includes information necessary for environmental protection and management and information that has or could be related to environmental risks and associated adverse impacts that affect or could affect the environment and health.

In Brazil, the right to information is guaranteed in the objectives (Article 4º, V) and instruments (Article 9º, XI) of Law n. 6.938/81, which institutes the National Environmental Policy (PNMA), by means of the disclosure of data and the provision of information related to the environment.



Two other specific norms guarantee access to information: Law n. 10.650/2003 that allows public access to information and data that exist in organs and entities that are part of SISNAMA (FIORILLO, 2020) and Law n. 12.527/2011 (Access to Information Law - LAI), that imposes on the organs of the Public Administration the disclosure and instruments of access to information of public interest, without the need for provocation.

Therefore, the disclosure of information allows people to oversee private activity and stimulates private self-regulation (LYNN, KARTEZ, 1994), since it may lead private and public actors to choose options less harmful to the environment (RODENHOFF, 2002), in this sense it contributes to environmental reform processes, self-reflexivity and internal benchmarking (VAN DEN BURG, 2004), improves the process of public participation in decision-making and favors the educational process, the formation of public opinion and environmental awareness (SARLET, FENSTERSEIFER, 2017; MORAIS, 2020; FIORILLO, 2020).

Effective popular participation has constituted a necessary condition for the existence of a democracy (DAHL, 2001), especially when it comes to decisions about public goods (environmental goods), because it is configured as a problem of collective action, requiring commitment to other people (ethical and moral responsibility), thus not being conceivable decision making individually, given the legal nature of the environment.

Access to public participation in environmental decision making occurs in the domains of decisions of specific environmental activities (e.g. Environmental Impact Assessments and environmental licensing), in the adoption of plans, programs and policies, and in ensuring participation of legal normative instruments (GIUPPONI, 2019).

The international recognition of popular participation in decision making, as a pillar of environmental democracy, provides means for addressing the ecological crisis by encouraging social actors to (re)appropriate deliberative spaces and play a leading role in the formulation of environmental policies for an "inclusive, sustainable, sustained development" (Sachs, 2008, p. 12).

In Brazil, public participation is regulated in the PNMA as a principle of environmental policy, specifically in environmental education as a training tool for active participation of society in defense of the environment (Article 2, X, PNMA), also being assured the popular participation by representatives of workers' entities and civil society (Article 5, VI, VII and VIII, Decree n. 99.247/90) in the composition of the National Council on Environment (CONAMA), a consultative body of the National Environmental System (SISNAMA) (FIORILLO, 2020).



Therefore, it is necessary to establish Participatory or Deliberative Institutions (IPs)[3] as one of the instruments, channels, and spaces that ensure popular public participation in environmental decision-making processes, such as Environmental Councils (MORAIS, 2020), public hearings, participatory budgets, and other participatory arrangements, which can theoretically be configured as spaces that can provide dialogues and public debates aimed at the realization of the exercise of citizenship, advocating the constitutional guarantee of popular sovereignty, through the power exercised by society over the State by influencing, observing, controlling and participating in the formulation and execution of public policies.

Public participation has been advocated as a means to implement sustainable development, therefore including the public, non-human interests, vulnerable, subaltern, traditionally marginalized groups, and all those potentially affected by a given environmental hazard. These publics imbued with symmetrical information within decision-making processes will provide well-informed participation (MORAIS, 2020), improve the quality and acceptance of environmental decisions (RODENHOFF, 2002). It also introduces the contextual or subjective element in decision making (BRIZOLLA, *et al.*, 2020), gains from the knowledge, expertise and innovation of the public and public interest groups.

The relationship between access to information and public participation is inseparable for a possible efficient effect of decisions or activities for/on/about the environment. This is because having access to information with citizen language (MACELINO, OLIVEIRA, 2017), accessible and clear, are sine qua non conditions for the exercise of effective and quality participation, reducing the barriers of asymmetric relations that occur in deliberative democratic processes.

3. Intermunicipal public consortiums

In this context, considering the different environmental initiatives in the public sphere, the inter-municipal consortiums have shown themselves to be an alternative for the management of the attributions of public administrations in local or regional environmental problems.

Intermunicipal consortia, established by the Federal Constitution (1988) and by Law no. 11.107/05 (Law of Public Consortia), are based on the logic of cooperative federalism when presented in the forms of public consortia [4] or administrative consortia [5] as a management strategy based on federative cooperation, in which the municipalities, faced with problems of implementation of public policies cannot solve them alone and associate (create arrangements or cooperation networks) with other municipalities to obtain a better performance to solve problems that occur in multimunicipal



territorialities, in areas such as health, environment and infrastructure (SPINK, TEIXEIRA, CLEMENTE, 2009; OLIVEIRA, 2018; CARVALHO FILHO, 2020).

This model of public management, presented by public consortia, tends a greater possibility of transfer of financial resources (MACHADO, DANTAS, 2008), economy and greater efficiency in the use of public resources (COSTA, NASCIMENTO, TINÔCO, 2011; PEREIRA, MOREIRA, 2016; ALVES *et al.*, 2020), greater reliability and transparency in contracts (ABRUCIO, FILIPPIM, DIEGUEZ, 2013) and in the public decisions of the consortium (COSTA, NASCIMENTO, TINÔCO, 2011), increased capacity to carry out actions, services and public policies (LEAL *et al.*, 2019; FERNANDES *et al.*, 2020), increased power of dialogue, pressure and negotiation of the municipalities (PRATES, 2010; MATOS, DIAS, 2012) and a lower propensity to political-electoral instability (MACHADO, ANDRADE, 2014; FLEXA, BARBASTEFANO, 2019). The cooperative arrangement provided by Intermunicipal Consortia has been pointed out as an alternative for managing local problems, sharing and producing values, and enabling common public services, especially in the environmental area (MATOS, DIAS, 2012).

4. Methodological Procedures

The investigation was configured as an empirical research, having as methodological procedure the qualitative approach (Vergara, 2015), when seeking to describe, explain and criticize the context of the problem and phenomena of environmental democracy (participation and information) manifested in the reality of the organizational discourses of the Intermunicipal Consortium.

The methodological classification of the research was based on the taxonomy used by Vergara (2015), in the aspects: as to the ends, it consisted of a descriptive research, which aims to describe the characteristics of a population, a phenomenon or an experience. And, as to the means, it was characterized as documentary. It will be documental because it will make use of CONDESPB's own documents, such as the minutes (MARCONI, LAKATOS, 2020; VERGARA, 2015).

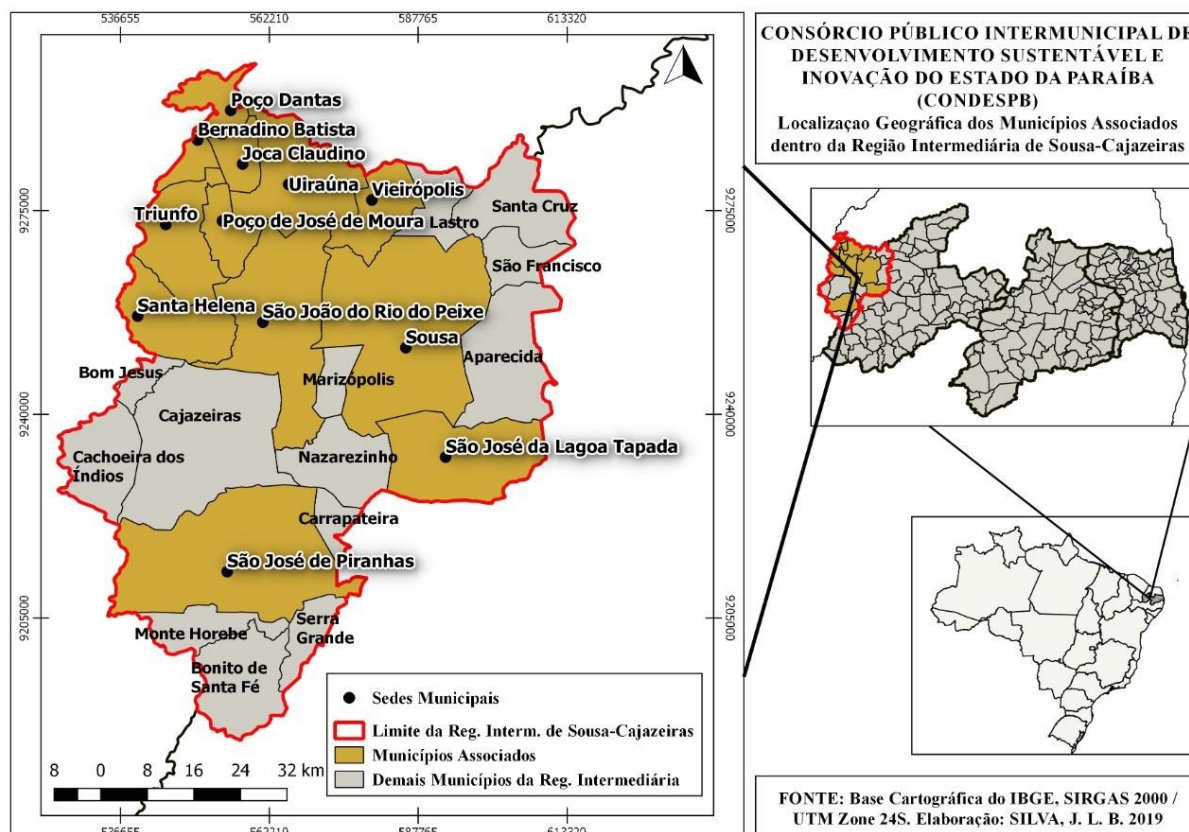
4.1 Research location

The research was conducted in the Intermunicipal Consortium for Sustainable Development and Innovation of the State of Paraíba (CONDESPB), located in the high Sertão [backland] of Paraíba, Northeast Region of Brazil. The CONDESPB region has a total area of 3,351.718 km², composed of 12 municipalities (Bernardino Batista, Joca Claudino, Poço Dantas and Poço de José de Moura, Santa Helena, São José da Lagoa Tapada, São José de Piranhas, São João do Rio do Peixe, Sousa, Triunfo,



Uiraúna, and Vieirópolis), counting with a total population of 161,047 inhabitants (MARQUES, LIMA JUNIOR, 2019).

Figure 1. CONDESPB's geographic location and coverage area



Source: IBGE Cartographic Base, SIRGAS 2000/UTM Zone 24S. Elaboration: SILVA, J. I. B. (2019).

This Intermunicipal Consortium was founded on June 13, 2011, under the form of public association, non-profit, with legal personality of public law, initially consisting of the municipalities of Bernardino Batista, Joca Claudino, Poço Dantas and Poço José de Moura, and in 2016, the municipality of Uiraúna became a member of the association that was called Intermunicipal Consortium for Regional Development of the Rio do Peixe River Spring (CIDRNP, 2011).

In 2019, the consortium went through a restructuring changing its denomination to Intermunicipal Consortium for Sustainable Development and Innovation of the State of Paraíba - CONDESPB. The expansion of the activities developed by the Consortium (changing the National Classification of Economic Activities - CNAE) received the adhesion of the administrations of the municipalities of Sousa, São José da Lagoa Tapada, Triunfo, Santa Helena and Vieirópolis (MARQUES,



LIMA JUNIOR, 2019), and in 2020, the adhesion of São José de Piranhas and São João do Rio do Peixe, totaling 11 consorted municipalities.

The CONDESPB has the purpose of implanting and implementing public policies committed to several areas that promote the development and innovation process, of common interests of the consorted municipalities. This research will be limited to the purposes related to the consortium's environmental actions, highlighting: execution of water infrastructure works (item III), basic sanitation works: Solid waste, sanitary sewage, water supply and storm drainage (item IV), management of programs and projects in the area of urban afforestation (item VII), integrated management of solid waste (item IX), management of public slaughterhouses (item XII) and those related to partnerships with the federal and state governments in the area of conservation and preservation of the environment (item XIV) (Artics 7, CONDESPB, 2019).

4.2 Time frame, documents, organizational discourse and treatment of research data

The investigation occurred in the time frame between 2011 and April 2021, the date of creation of the Intermunicipal Consortium and the reference date for completion of the research data collection.

The documentary research was conducted on primary sources and data related to CONDESPB, specifically the Statutes and minutes of meetings, complemented by a non-structured interview with the executive director of the Consortium (acting since 2017), with the objective of understanding the said and the unsaid (implicit) in the documentary discourses, thus allowing the contextualization of the information about the research theme.

The documents produced by CONDESPB (and its composing bodies) are constituted as communicative processes, starting from the notion of discursive genre (BAKHTIN, 2016). Silva (2018, p. 178) calls organizational discourse, "the set of artifacts and practices, translated into verbal and non-verbal languages, through the articulation of subjects and devices in a given state of organization." Therefore, this discourse encompasses organizational praxis such as the Bylaws and the minutes of meetings.

The treatment and analysis of the organizational discourses obtained from the documents occurred by textual, thematic, and interpretive analysis (SEVERINO, 2018). In the first stage (textual analysis) a global reading of the documents was carried out with the intention of clarifications about the producers of the discourses, referential used and terminologies used. In the second stage (thematic analysis) it was established by the understanding of the messages of the speeches read, emphasizing



the theme-problem and central and secondary ideas, so that it was evidenced and schematized as the logical structure and ideas of the text. The last step (interpretive analysis), from the cultural, social and historical contexts of discourse production, the organizational speeches were interpreted considering the theoretical, philosophical and ideological assumptions of the producers (MORAIS, *et al.*, 2021).

Table 2. Schematic summary of methodological aspects

RESEARCH CHARACTERIZATION		RESEARCH ORGANIZATION	
Methodology	Qualitative	Empirical object	Intermunicipal Consortium for Sustainable Development and Innovation of the State of Paraíba (CONDESPB)
Research Type	Descriptive	Number of consortium members	11 municipalities
Method	Documental	Legal Nature	Public Association
Collection Instrument	Examination of documentation (Bylaws and meeting minutes); Unstructured interview with the executive secretary.	Observation unit	Organizational/Institutional
Data Analysis	Textual, thematic and interpretive analysis.	Observation Approach	Verification of the existence of mechanisms for access to participation and information of environmental democracy
Time Frame	From the founding of CONDESPB in 2011 until the end of data collection in April 2021	Object selection criterion	Accessibility of information; Location.

Source: Prepared by the authors (2021)

5. Results and discussions

5.1 Environmental actions of the Intermunicipal Consortium

The Consortium's actions are owed in two moments, the first, between 2011 and 2018, corresponding to its structuring as the Intermunicipal Consortium for Regional Development of the River Peixe Spring (CIDR-NRP), and the second, as of 2019, with the restructuring as the Intermunicipal Public Consortium for Sustainable Development and Innovation of the State of Paraíba (CONDESPB). In this sense, through the organizational discourse contained in the Meeting Minutes one can synthesize in bold letters, in Table 3, the environmental issues addressed in the deliberations of the Intermunicipal Consortium.



Table 3. Subjects of the meetings

MEETING MINUTES		
Meeting	Date	Subjects
1st Regular Meeting	June 13, 2011	1) Foundation of the Intermunicipal Consortium for Regional Development of the Rio do Peixe River Rising (CIDR-NRP); 2) Approval of the Statutes 3) Election and inauguration of the board
1st Extraordinary Meeting	August 09, 2012	1) Approval of the Municipal Plan for Integrated Solid Waste Management of the consorted municipalities;
2nd Regular Meeting	January 04, 2013	1) Election of members and inauguration of board of directors;
2nd Extraordinary Meeting	January 04, 2013	1) Approval of the Recycling Plant implementation project; 2) Adhesion to the Food Acquisition Program (PAA) - Family farming;
3rd Extraordinary Meeting	May 11, 2013	1) Definition of the elaboration of a project in the areas of pisciculture, pulp processing and sugar cane revitalization. 2) Choice of Members to compose the evaluation commission of an area for the installation of a sorting shed and the implementation of a sanitary landfill;
4th Extraordinary Meeting	September 20, 2014	1) Discussion about the Agreement with FUNASA to build a sanitary landfill and purchase equipment and vehicles.
5th Extraordinary Meeting	November 25, 2014	1) Discussion about responsibilities and obligations related to the Environment and the Solid Waste and Landfill Policy (Resolution No. 6/2014); 2) Presentation of PNRS, socio-environmental diagnosis, action plan, educational actions, monitoring plan, administrative and social control structure.
3rd Regular Meeting	January 21, 2015	1) Election and inauguration of the new board of directors;
6th Extraordinary Meeting	November 02, 2016	1) Change of the inter-municipal consortium headquarters;
7th Extraordinary Meeting	January 14, 2017	1) Election and inauguration of the new board of directors; 2) Reinforced the consortium's plea for the reactivation of the landfill project; 3) Creation of the Fiscal Council, Regulation; 4) Formation of the fiscal council by members of the municipal councils of the consorted municipalities.
4th Regular Meeting	March 25, 2019	1) Amendment of the Bylaws; 2) Election and inauguration of the board of directors and fiscal council;

		3) Change in the name, objectives and purposes of the Consortium; 4) New denomination: Intermunicipal Public Consortium for Sustainable Development and Innovation of the State of Paraíba - CONDESPB.
8th Extraordinary Meeting	March 30, 2019	1) Presentation of the experience of the Intermunicipal Public Consortium for Innovation and Development of the State of Paraná - CINDEPAR; 2) Admission of new municipalities;
9th Extraordinary Meeting	July 24, 2019	1) Adhesion of new municipalities 2) Approval of a parliamentary amendment project with the Ministry of Agriculture; 3) Approval of a parliamentary amendment project with the Ministry of Social Development;
10th Extraordinary Meeting	October 15, 2019	1) Adhesion of new municipalities to the Consortium; 2) Registration of the project with the Ministry of the Environment - Edital 2019 - Management of Urban Solid Waste. 3) Deliberation on asphalt paving strategies;
5th Regular Meeting	March 03, 2020	1) Election and inauguration of the president of the entity; 2) Discussion and approval of the Consortium's 2020 budget; 3) Deliberations about ongoing projects (paving and machine acquisition);
6th Regular Meeting	January 22, 2021	1) Election and inauguration of the board of directors and fiscal council; 2) Approval of the 2021 annual budget;
7th Regular Meeting	February 12, 2021	1) Situation of the waste from the consortium municipalities; 2) Presence of the representatives of the Waste Treatment Unit; 3) Status of the project for the acquisition of machines for well drilling; 4) Commitment term signed between the consortium and the state government for the operationalization of Uiraúna's slaughterhouse.

Source: Prepared by the authors based on the Meeting Minutes (2011-2021)

CONDESPB is composed of small and medium-sized municipalities, with agricultural economy, tertiary activities (commerce) and with few industries, so its emergence comes from environmental demands, arising from the financial and technical challenges that the National Policy on Solid Waste brought to local governments. Therefore, the activities of the consortium are in line with the understanding of Fernandes *et al.* (2020) about the need for municipalities to form consortia to reduce costs and effectively meet the demands of the new policy.

Therefore, at first the actions of the Intermunicipal Consortium focused primarily on the planning and proposition of projects for the integrated management of Solid Waste (CIDRNP, 2011), because, at the time, the emergence of Law n. 12.305/2010 required the end of dumps and the disposal of solid household waste, commercial and public in controlled place, imposing on municipalities the deployment, operation and use of landfill and the socioeconomic inclusion of the collectors. In these actions, the approval of a project for the implantation of a Recycling Plant was carried out.

In the second moment the objectives of the Intermunicipal Consortium were extended beyond the solid waste issue, incorporating activities involving sustainable development and innovation, with activities such as the acquisition of asphalt plant and machinery, performing the asphaltting and resurfacing of public roads, and the acquisition of agricultural machinery (tractors, forage harvesters, trucks, drills).

5.2 Access to information in CONDESPB

The access to information in CONDESPB actions occurs through the channels, types of information and specific access mechanisms of institutional communication (KUNSCH, 2003). The strategy of transparency and disclosure of information on the aspects of image, instruments, publicity and activities of CONDESPB to the public and interested people occurs in the service channels: in person, telephone and e-mail, in disclosure channels such as the radio system of regional reach and the organization's site [6] in which the institutional aspects, accountability, publications, information of the consortium members and contacts are made available.

The document analysis shows that the organizational discourse is focused on communication directed to managers and representatives of the consortium member municipalities and internal collaborators, with no record of information disclosure to the interested public, such as the association of collectors, in the case of solid waste. However, it is noteworthy the contribution of institutional communication in meeting the requirements of the normative-legal mechanism (LAI).

The normative-legal mechanism that imposes on public agencies the need for disclosure and access to information stems from the principle of publicity (Article 37 of the 1988 Federal Constitution), governance, internal control, and transparency. The regulation of these principles comes from the validity of the Law of Access to Information (LAI) - Law n. 12.527/2011 - the regulatory framework applicable to all organs and entities that are part of the direct and indirect administration and other directly or indirectly controlled by the Union, States, Federal District and Municipalities (BRASIL, 2011).



The Consortium as a public association, whose actions are of public interest, is subject to the legal implications of LAI, therefore, in theory, the practices of its actions should be focused on compliance with transparency and information accessible to the public. In the organizational speeches of CONDESPB meeting minutes there are no passages or mentions alluding to the availability of information in an adequate format for the interested public. Another possibility to access information can also be made by requesting it in person or via e-mail.

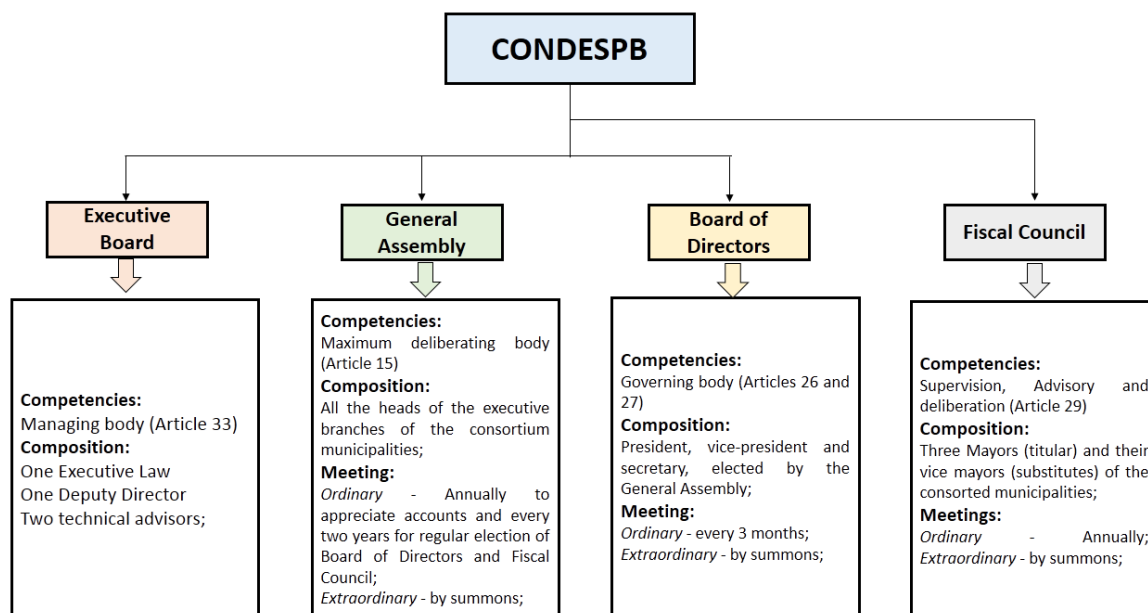
The access and disclosure of information, through the LAI, is perceived in multilevel governance, specifically in the federal and state sphere with actions agreed with CONDESPB, and at the municipal governance level, with the adequacy of the consortium members to the requirements of compliance with the LAI as to the existence of the Citizen Information Service (SIC), transparency channel and also the sending of information to the System for Monitoring the Management of Society Resources (SAGRES) [7] of the Court of Accounts of the State of Paraíba.

Therefore, from the document analysis, it can be inferred that there are indications of the existence of mechanisms and channels of access and disclosure of information, on the sites, about the actions and activities of the consortium member municipalities and CONDESPB, but the institutionalization of the discourse of transparency and the adoption of ceremonial practices of the legal instrument, promoted by LAI, corroborating the findings of Marcelino & Oliveira (2017, 2018) when identifying problems such as links without information (as is the case of the Consortium), availability in inadequate format, distancing from the citizen language, structural issues of the municipalities and change of management, which makes transparency and access to information "look" and undermines the effectiveness of environmental democracy at the local level.

5.3 Access to Participation in CONDESPB

CONDESPB's organizational structure (Figure 2) allows for deliberative decision-making in three different instances: General Assembly, Board of Directors and Fiscal Council. The maximum deliberative instance of the Consortium is the General Assembly, composed of all the heads of the executive power of the consortium member municipalities. The Board of Directors is the governing body, composed of three members of the General Assembly and the Fiscal Council is the advisory and supervisory body that composes the Consortium structure, composed of three mayors (or vice mayors) of the consorted municipalities (CONDESPB, 2019).



Figure 2. CONDESPB's organizational structure

Source: Prepared by the authors based on CONDESPB Bylaws (2019)

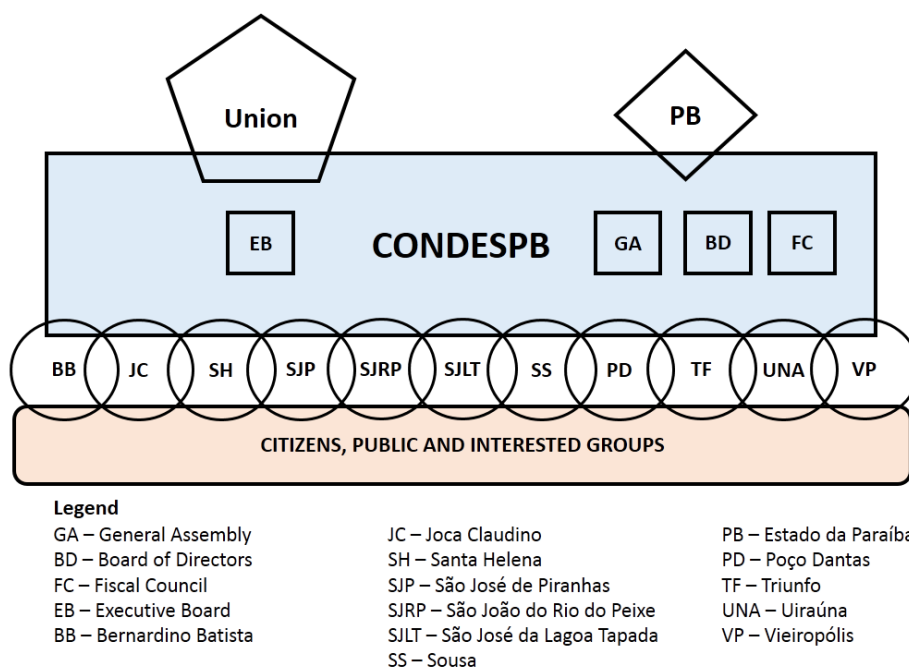
Evaluating the organizational structure contained in the CONDESPB by-laws one can see that the deliberative instances are formed exclusively by the managers of the consorted municipalities. In the organizational discourse contained in the CONDESPB meeting minutes, it can be identified that all decision-making on environmental issues was planned, prepared and deliberated upon by these managers and/or representatives, with no mention in the attendance list of the participation of the public or interested groups, such as associations, cooperatives, educational institutions, unions and Non-Governmental Organizations (NGOs).

Highlighted in Table 3 are the main discussions and deliberations held in the 1st, 3rd, 4th, 5th and 10th Extraordinary Meetings and in the 7th Regular Meeting, which deal with Solid Waste, and in the 2nd Extraordinary Meeting on the acquisition/construction of the Solid Waste Recycling Plant there are no mentions of positions, attendance and participation of interested groups, especially cooperatives or other forms of associations of collectors of reusable and recyclable materials, in these CONDESPB deliberations.

The structural configuration and the organizational discourse of CONDESPB prove the precariousness in the pillar of access to participation, when the two Statutes are analyzed (CIDR-NRP and CONDESPB), it is possible to affirm that the Consortium met irregularly, there were 17 meetings (ordinary and extraordinary) in 10 years, and in these two moments of the constitution of the

Intermunicipal Consortium, the public participation was not present in the decision-making process. This representation of the participative relations between the Intermunicipal Consortium and the agencies, entities, government entities, the public and interested groups can be observed in figure 3.

Figure 3. Representation of multilevel participatory relationships



Source: Prepared by the authors (2021)

It is possible then to affirm that the access to public participation promoted in the actions and relations of CONDESPB occurs by means of the representative democratic model, by election, the population elects, with a mandate to act on its behalf and by its authority, the municipal managers who compose, participate and deliberate on the public themes brought to the Consortium. Thus, this scenario is not in line with the demands of environmental democracy in defense of the incorporation of deliberative and participatory democracy models in the decision-making processes.

Besides the adoption of a participatory democratic model, it is emphasized that the legal provision of public participation and the existence of participatory institutions and/or mechanisms, by themselves, do not guarantee the existence of the element of access to participation in an organization, it is necessary to analyze how the decision-making processes occur, that is, how the deliberations are produced, because it is necessary a plurality of opinions and discourses that result in actions that interfere in the real sphere and generate positive impacts in the policies and/or environmental management.

Given this conjuncture, it is inferred that the strategic actions in the environmental decision making process existing in CONDESPB were restricted to technical, bureaucratic and administrative attributions with planning actions, sending proposals, elections and regimental alterations, being insufficient the performance in the realization of actions, services and public policies with public participation, which is expected from these in environmental democracy.

6. Conclusion

Environmental democracy conditions its realization on the existence of procedural environmental rights, so it requires public authorities to promote public participation in environmental decision-making processes, for this to happen it is necessary to identify and support people, public or groups affected to participate actively in decisions, providing measures of access to information, ensuring the existence of instruments and participatory spaces and access to justice in environmental matters.

Understanding that the nature of environmental democracy is instrumental, it is essential to emphasize that this characteristic is not restricted only to formal aspects. The objective of this democratic model is not only to meet instrumental demands, because they are primary, which will give direction to the functioning and creation of entities to resolve environmental issues. It is a legal apparatus that will enable the realization of environmental gains.

Thus, the practicability of environmental democracy can be visualized, from the point of view of organizational praxis, mainly in the pillars of access to information and public participation, so the very existence of the Consortium and its actions becomes an object of research to identify this instrumental apparatus, which is not an end in itself, but a means to achieve the model of environmental democracy.

The actions developed by CONDESPB, during the period from 2011 to April 2021, mostly attended to the instrumental issue of constitution, formation and administration of the Consortium, than the environmental issue itself, restricting to few themes such as solid waste, sanitary landfill, basic sanitation, agriculture and cattle raising and urban management (asphalt issues), that is, the organizational discourses present in the meeting minutes discussed much more structure, functioning and legal apparatus, than effectively environmental actions.



It is believed that the motivations for a discourse focused on structuring and organizational functioning is not due to its time of action (ten years), but to the administrative instability itself, as for instance the removal of two heads of the executive, one of whom was assuming the post of president of the Consortium, and the discontinuity of the meetings.

From its foundation to the end of this research, CONDESPB registered 17 meetings, seven of them ordinary and ten extraordinary, noting the non-compliance with the regularity of meetings foreseen in the consortium statute. Some motivations that can elucidate the issue of the (ir)regularity of meetings come from the problems and/or lack of records of meetings, the political instability and the (unnatural) administrative discontinuity, which can disperse the interests and alignments of the discussions, interfering in the numbers of environmental actions.

In the study of CONDESPB's organizational discourse, the pillar of access to information proved to be incipient, as the information provided has a greater emphasis on administrative, legal, instrumental and subsistence issues of the Consortium itself, reaching the public through institutional communication in attendance and dissemination channels such as face-to-face attendance, telephones and electronic mail, radio and the institutional website, the latter with updating problems and links without information.

The existence of LAI, although in normative terms it has the function of making this access to information effective, encounters problems of effective compliance, often becoming ceremonial practices of public agencies to be in conformity with the basic service required by this normative (Compliance), without a real effect on transparency and access to information.

In CONDESPB the participation mechanisms occur by means of representative democracy, no instance (General Assembly, Board of Directors and Fiscal Council) within the organization makes room for direct participation of the interested public, and neither the organizational speeches analyzed registered the presence or speech coming from the public or interested groups, neither as listener, guest or voter, concluding that the pillar of access to public participation ends up being non-existent.

This entire conjuncture is reflected in the access to information and the participation of the public in CONDESPB, since these two pillars have not been and are not being discussed in the organization's demands, since greater emphasis has been given to the organizational and functional structuring, rather than exactly to divulging this information and opening up participative spaces for the public.

For all exposed, the Intermunicipal Consortium under the perspective of the guidelines of environmental democracy, presented an incipient access to information, made by limited channels as the site, and the access to the participation of the public is inexistent, being given in an indirect way



by electoral representation, being contrary to what the parameters of environmental democracy recommend these two pillars, demanding the enlargement of systems and channels of information and the direct inclusion of the public and the groups of interest in the environmental deliberations, so that the practices of environmental democracy in CONDESPB are minimally instrumental only in the pillar of access to information.

Finally, the limitations of this research depart from the methodological criteria of documentary research, as an example the dependence on the written records of the speeches of the participants of the meetings, however these limitations do not compromise the contributions of the work, so that it is suggested as future studies that contemplate the perspectives of the associated managers (former and current) and the public and interest groups in environmental issues to deepen the understanding of the barriers to public participation and improvement of access to information.

Notes

[1] <https://observatoriop10.cepal.org/es>

[2] Initiative of The Access Initiative (TAI) Network and the NGO World Resources Institute (WRI) - Available at: <http://www.environmentaldemocracyindex.org>. Accessed on: 25 May 2021.

[3] Participatory institutions in this paper stems from the thinking of Tatagiba (2002), Avritzer (2009) and Lenzi (2014), who understand as IP those that ensure the participation of civil society in the decisions and formulation of public policies.

[4] "legal entity formed exclusively by federative entities, in the form of Law No. 11,107, to establish federative cooperation relations, including the achievement of objectives of common interest, constituted as a public association, with legal personality (MACHADO; ANDRADE, 2014, p. 707).

[5] "constituted before Law n. 11.107", so it configures "pact of mere collaboration (without legal personality) or civil association, governed by private law, which may be converted to public consortium" (MACHADO; ANDRADE, 2014, p. 707).

[6] <http://www.condespb.com.br/consorciado.html>

[7] <https://tce.pb.gov.br/sagres-online>

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