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Social Participation and Environmental Management: an Analysis of the Managing Council at Serra do Brigadeiro State Park, Minas Gerais - Brazil

Lucas Magno¹ 

Abstract

The Brazilian redemocratization process has generated several participatory management experiences in different sectors. In the environmental sphere, for example, the creation of management councils of Conservation Units (UC - Unidades de Conservação) was one of those experiences that brought political and social progress in what concerns the sustainability and democratic management of these territories. In this context, the article analyzes the constitution and functioning of a managing council of a UC in the state of Minas Gerais, considered one of the most participative, namely: the Advisory Council of the Serra do Brigadeiro State Park (PESB - Parque Estadual da Serra do Brigadeiro). We work methodologically with participant observation and with document reviews. As results, we argue that one of the elements that make the Council of the PESB participatory is the process of implementation of this UC itself, the first of Minas Gerais created in a participatory manner; and that the prior existence of mobilization processes in the region led to the involvement of civil society in the construction and implementation of its Advisory Council, structuring it in terms of representativeness and political parity. Obviously this did not happen without conflicts, but, in general, we argue that this council has guaranteed social plurality with regard to the representation of civil society and ensuring democratic processes in environmental management.

Keywords: Environmental Stewardship. Social Engagement. Preservational Units.

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Introduction

Social struggles for civil society participation in public management in various sectors marked the 1980s in Brazil. These struggles have been associated with the capacity of social movements to make demands for distribution of goods and public policies in the period of re-democratization (AVRITZER, 2002; DAGNINO, 2002). Regarding environmental management, the Federal Constitution of 1988 institutionalized that social participation would contribute to sustainability and to the equitable sharing of the benefits of the use of natural resources. This thesis was reaffirmed in the 1990s, starting with the United Nations Conference on Environment and Development, in which governments committed to promote social inclusion in the environmental issue (JACOBI, 2000; MACHADO et al., 2012).

Years later, the enactment of the Law 9,985/2000 (BRASIL, 2000), which created the National System of Conservation Units (SNUC – Sistema Nacional de Unidades de Conservação), ensured the effective participation of the population in the creation, implementation and management of Conservation Units (UC – Unidades de Conservação) in Brazil. In this context, the creation of management councils in UC was one of the innovations in environmental management in the last decades, at the federal level and in the state and municipal protected areas (LOUREIRO; CUNHA, 2008; MACHADO et al., 2012).

With the interinstitutional character and inclusion of the civil society in decision-making, the management councils of UC in Brazil play a mediating role between society and the state. According to Lüchmann (2011), different from other forms of political representation, representation in management councils takes place through social organizations, together with state actors, that represent the citizens in the formulation of public policies or in the resource management. Thus, the participation of civil society in environmental management introduces a significant political (re)organization, since it encompasses other levels of power in the territorial order beyond the state and of merely technical aspects (JACOBI, 2003; 2006; JACOBI; BARBI, 2007).

This study analyzed the constitution and functioning of the Advisory Council of the Serra do Brigadeiro State Park (PESB – Parque Estadual da Serra do Brigadeiro), located in the region of Zona da Mata, Minas Gerais, Brazil. The State Forestry Institute (IEF – Instituto Estadual de Florestas), responsible for the management of protected areas in Minas Gerais, often represented at the meetings of this council, has already placed the council in action at PESB as the most participative of the state. Thus, I questioned: what reasons led the PESB Council to be considered one of the most participatory UC management councils in Minas Gerais?

The work involved the participant observation, documentary analysis of the election notice, the internal regulations and the council designation ordinance (MINAS GERAIS, 2015; 2016a; 2016b), and review and survey of specialized literature on the PESB creation process and of its Advisory Council.

The Creation of the Serra do Brigadeiro State Park: Environmental Conflicts, Social Mobilization and Resistance

The creation of UC has been one of the main territorial conservation strategies of nature in Brazil. According to Diegues (2001), Brazilian legislation, which created parks and environmental reserves, followed the North American preservationist model that resulted in the displacement or expulsion of the inhabitants of these areas, causing a series of ethical, social, economic, political and cultural issues. The initial proposal for the creation of the PESB followed the perspective of "nature without people".

Bonfim (2006) pointed out that, since the 1960s, teachers and technicians of the Forest School of Viçosa, now the Forest Engineering Department of the Federal University of Viçosa (DEF/UFV – Departamento de Engenharia Florestal da Universidade Federal de Viçosa), have made a series of scientific visits to the Serra do Brigadeiro. During this period, the concern to preserve what would become one of the last remnants of Mata Atlântica of the state of Minas Gerais

culminated with negotiations for the creation of an on-site UC. In 1962, State Decree No. 1493 was signed, declaring the native forests in that region to be of environmental interest, especially those located on rural properties (BONFIM, 2006).

In the 1970s, researchers from the DEF/UFV concluded that the most rational solution to preserve this important forest fragment was the creation of an UC (COUTO; DIETZ, 1980). It was in this context that an initial proposal for limits for the creation of the PESB was made, considering it necessary to preserve 32,500 hectares from the quota of 1,000 meters of altitude.

Following the preservationist precepts, this would be an advance, since an extensive area of Atlantic forest in the region of the Zona da Mata would be destined for preservation, environmental tourism and scientific research exclusively. However, this would put thousands of family farmers living in nine municipalities (Araponga, Ervália, Rosario de Limeira, Muriaé, Miradouro, Fervedouro, Divino, Sericita and Pedra Bonita) in a situation of social vulnerability, since they would have to be removed from the site to make way for an UC.

According to Bonfim (2006), environmental studies for the creation of the park did not predict this land problem, since the surveys carried out with the Rural Mineira Foundation (RURALMINAS – Fundação Rural Mineira) indicated that 60% of the area was composed of vacant lands. However, farmers contested these data, arguing that

RURALMINAS considered vacant land all areas whose owners did not have the regular title of the land, which is a common situation in the region of the Zona da Mata.

Disregarding this inconsistency in environmental research, in 1988 the Minas Gerais government published the Law 9,655, authorizing the creation of the PESB and the expropriation of numerous families of farmers in the area. In this context, in 1993 the IEF hired professionals from the State University of Minas Gerais, UFV and an environmental consulting firm to carry out studies on the physical environment for the implementation of the PESB (BONFIM, 2006).

At the same time, the NGO Center for Alternative Technologies of Zona da Mata (CTA – Centro de Tecnologias Alternativas), and the Union of Rural Workers (STR – Sindicato de Trabalhadores Rurais) of Araponga, had a noticeable action in the region regarding agroecological transition processes. Together, these associations carried out a Participatory Rural Appraisal (DRP – Diagnóstico Rural Participativo) to outline the needed profile of initiatives in the region. Among the demands diagnosed by the CTA, the concern with the creation of the park and the displacement of farmers was recurrent. According to Praça (2010), the DRP promoted a territorial dispute in the Serra do Brigadeiro, because it was when civil society actors expressed dissatisfaction and appropriated formal instruments to enter a political-environmental debate in decision-making that would directly affect their lives.

Thus, two social processes in the region related to the creation of the UC began: i) the identification of an environmental conflict (ACSELRAD, 2004) involving family farmers and environmental management agencies of the state of Minas Gerais; and ii) the beginning of a social mobilization that wanted to change the demarcation criteria of the PESB area. To these two processes, beyond of Araponga CTA and STR, associations of other municipalities also joined the discussions and meetings, as the Pastoral Land Commission, the Federation of Agricultural Workers of the State of Minas Gerais STR, teachers and students of UFV and religious organizations, especially those linked to the Ecclesial Base Communities (CEBS – Comunidades Eclesiais de Base) of the Catholic Church (BONFIM, 2006; PRAÇA, 2010; OLIVEIRA, 2015).

From then on the social actors involved in the environmental conflict participated in a series of meetings. Working groups with representatives of government agencies and civil society organizations were created and public seminars were held in the CTA and UFV. The information previously restricted to IEF technicians became public domain, researches with alternative proposals to create the PESB were presented and debates involving the Legislative Assembly of the State of Minas Gerais were held; and thus the initial proposal to create the park was rethought.

In this context, in 1996 the Minas Gerais government, based on reports from the IEF meetings, working groups, seminars and

hearings held to discuss the arrangement of the park, reviewed the PESB creation act, through the State Decree No. 38,319 (MINAS GERAIS, 1996). In this decree the initial area of 32,500 hectares was reduced to 13,210 hectares, considering environmental, social, economic and political participation as important elements for the redefinition of the park boundaries (BONFIM, 2006). Thus, the displacement of farmers placed with the initial proposal, had been discarded, configuring a popular victory regarding the delimitation of this UC.

However, after the (re)definition of the park with its new limits by the environmental agencies of Minas Gerais, a new challenge began in 2002, this time involving the elaboration of the PESB management plan. Similarly to the methodological guidelines regarding the creation of the park, the elaboration of the management plan involved the establishment of a working group, known as the PESB Collegiate, involving government actors and the civil society (BONFIM, 2006).

In 2003 the PESB Collegiate held a meeting with the IEF and the Secretariat of Environment and Sustainable Development of Minas Gerais (SEMAD – Secretaria de Estado de Meio Ambiente e Desenvolvimento Sustentável) to present the historical process of the park creation to reaffirm the importance of the participatory elaboration of the management plan. As a result, SEMAD and IEF signed a public commitment to build a PESB Advisory Council with representation from government agencies and civil society,

marking a new popular victory. On February 17, 2004, through the IEF Ordinance 021, the PESB Advisory Council was established (MINAS GERAIS, 2004).

The process of creation of the PESB was a reflection of environmental conflicts, social mobilizations and resistance to merely technical and exogenous proposals. Therefore, much less influenced by legal demands or regulated by decrees, the creation of the PESB in a participatory way was a process that reflected the historical commitment of the social organizations working in the Serra do Brigadeiro with sustainable development and social inclusion. In this sense, although during the 1990s there were environmental debates about social participation in the creation and management of UC in Brazil, in the creation of PESB the popular mobilization was more important than these debates. This may explain the intense participation of government actors and civil society in its Advisory Council nowadays.

However, legal acts, such as the Law 9,985/2000 (BRASIL, 2000) and the Decree No. 4,340/2002 (BRASIL, 2002), also influenced the creation of the PESB and, subsequently, its Advisory Council. These legal instruments, to a greater or lesser extent, were the fruit of debates that involved civil society in the macro-political arena. They are, undoubtedly, relevant instruments for social inclusion in the environmental management of UC (JACOBI, 2000; 2006; JACOBI; BARBI, 2007; LOUREIRO; CUNHA, 2008). But there were already social, environmental and cultural

processes in the Zona da Mata, such as those related to the agroecological transition covered by the CTA and STR since the 1980s and those related to the CEBS of the Catholic Church, which were important in the implementation of the PESB. These process had more relevance in the implementation of this UC than the legal instruments.

Therefore, according to Becker (2009) and Guerra and Coelho (2009), in order to create a UC or to carry out a management aligned with the objectives of environmental preservation, it is necessary to take into account its location and forms of spatial uses and appropriations, in which social relations are inserted, since, like any other territory, UC constitute complex forms of relations between society and territory.

The PESB Advisory Council: Organization, Operation and Composition

The PESB Advisory Council was formally established in 2004 and was initially composed of representatives of the social organizations and public entities involved in the debates related to the creation of this UC, among them CTA, STR, UFV, municipal governments, environmental police, among other social organizations and representatives of the residents of the park. However, some undue policies regarding the initial operationalization of this board, gave rise to dissatisfaction. It was then that, between the years 2004 and 2005, several actions were

conducted by the councilors in order to (re)organize the management of this UC, such as the elaboration of its internal regiment (BONFIM, 2006).

In writing the regiment, the counselors aimed to protect the socio-environmental processes of the Serra do Brigadeiro, especially those related to the representativeness of the social organizations involved in the creation of the PESB. Therefore, legal regulations were taken as guidance, such as State Decree No. 45,834/2011, which regulates IEF actions, Law 9,985/2000 and Federal Decree No. 4,340/2002. The purpose and the powers of the PESB Advisory Council were then defined, understanding that it ought

Art. 3 - (...) to assist the Conservation Unit's Managing Entity in the noble task of implementing it, and it is responsible for proposing guidelines, policies, regulatory and technical standards, standards and other operational measures for the preservation and conservation the environment and the environmental resources characteristic of the Conservation Unit and its Buffer Zone (MINAS GERAIS, 2015, p.1).

The regiment established that the council structure should have a presidency, a plenary, an executive secretariat and working groups. The manager of the UC, appointed by the IEF (BRASIL, 2002), exercises the board chairmanship. It is responsible for submitting matters to be analyzed by the board, to comply with and enforce its decisions, and to promote the articulation of the council with bodies and entities that are part of the State System of Environment. The Plenary, the highest body of

the Council of the PESB, is responsible for: a) monitoring the preparation, implementation and review of the management plan of the UC, guaranteeing its participative character; b) seek the integration of the UC with the other protected territories and their surrounding area; c) to reconcile the interests of the various social segments related to the PESB; d) evaluate the budget of the unit and its financial report; e) manifesting about work or activity that may impact the UC, its buffer zone, mosaics or ecological corridors; f) propose guidelines and actions that make compatible, integrate and optimize the relationship with the surrounding population; g) establish guidelines on policies and actions to protect, conserve and improve the environment of the UC and its buffer zone; and h) request the presidency to advise public institutions (MINAS GERAIS, 2015). The executive secretariat should support the administrative operation of the council. Finally, the working groups, are responsible for: a) developing, implementing, monitoring and reviewing the management plan; b) discuss the public uses of the territory of the UC; c) to propose guidelines for the buffer zone of the PESB; d) propose actions of environmental education with the surrounding community; e) take knowledge and conduct research; and f) prepare a work plan for environmental compensation actions (MINAS GERAIS, 2015).

It is worthy notice that due to the regiment constitution the decisions made by the plenum outweigh the positions from individual members of the board. This shows

the plenary concern with the deliberations regarding the management of the UC and with the political parity. Although the council is advisory, it is a consensus among councilors and chairman that plenary decisions should be respected. Therefore, the proposals, be they of a surroundings resident without technical knowledge, or those of a professional expert, have the same political representation.

This point, to a certain extent, contradicts some of the indications made in the literature on participatory management in management councils in Brazil (TATAGIBA, 2002; JACOBI, 2000; 2006). However, this cannot be considered as a rule, since it is important to safeguard the specificities of the processes of constitution of the PESB that had great influence in the structuring of this council and in its internal rules.

Regarding the functioning of the Council of the PESB, it happens in ordinary public meetings every three months (according to a previously established calendar) and from extraordinary meetings called by the president or an absolute majority of its members whenever there are matters of relevant interest. In all meetings, which take place on an itinerant basis (sometimes at the PESB headquarters, sometimes in neighboring municipalities), a quorum (absolute majority) is necessary for it to begin.

The composition of the board is made through publication of election notice by the IEF, and the elected directors have a two-year term, extendable for an equal period. To ensure the fair participation of various public

bodies (federal, state and municipal), social organizations (NGO, STR, Churches, etc.) in different areas (education, science, public safety, culture, tourism, architecture, traditional peoples, among others), the notice provides for the election of 36 members (18 members and 18 alternates) distributed in eight representatives from public environmental agencies at the federal, state and municipal levels; four representatives from secrets of public security and social defense of Minas Gerais; four from the federal, state and municipal public education agencies operating in the area covered by the UC; two from scientific communities active in the area of the PESB; four socio-environmental NGO operating in the surrounding area of the UC; two from the private sector; two representatives from public companies and/or concessionaires of public services or even of mixed-capital companies; two STRs or community associations in the region; four river basin committees and/or tourist circuit associations; and six representatives from the local population (MINAS GERAIS, 2016a).

The activity of a counselor is voluntary and of public interest and does not generate employment bond of any nature. However, as there are different institutions and organizations that may have conflicting interests in relation to their areas of activity in the region, the board member is prevented from acting when: a) they have a direct or indirect interest in the subject under discussion; b) has legal, employment or contractual relationship with individual or

legal entity involved in the matter; c) has participated as expert, witness or representative, or whose spouse, partner or relative is in one of these situations; and d) is in legal or administrative litigation with the interested party (MINAS GERAIS, 2016a).

In this context, the PESB Advisory Council is currently composed of the following public agencies and civil society entities (MINAS GERAIS, 2016b):

- a) City Hall of Fervedouro;
- b) City Hall of Pedra Bonita;
- c) State Forestry Institute (IEF);
- d) City Hall of Araponga;
- e) Military Fire Brigade of Minas Gerais;
- f) Federal Institute of Education, Science and Technology of the Southeast of Minas Gerais;
- g) City Hall of Rosário da Limeira;
- h) City Hall of Muriaé;
- i) City Hall of Miradouro;
- j) NGO Friends Association of Iracambi;
- l) Alternative Technology Center of Zona da Mata (CTA);
- m) Association Family School Agricultural of Ervália;
- n) Union of Rural Workers of Muriaé, Barão de Monte Alto and Rosário da Limeira (STR);
- o) Association of the Serras de Minas Tourist Circuit;
- p) Brazilian Aluminum Company (CBA – Companhia Brasileira de Alumínio); and
- q) Franciscan Association of Santa Maria dos Anjos.

It should be noted that the vacancies allocated to the local population were not met in the biennium 2016-2018.

The composition of the plenary session of the Council of the PESB is broad because it comprises diverse representations of public organs in different spheres of government and of different sectors, of social organizations related to the labor sphere, religious segments, mining company and also representatives of environmental movements. Thus, on the one hand, it contemplates aspects related to representative democracy, and, on the other, it deals with issues related to deliberative democracy, giving a plural and collegial character to decisions. However, in addition to these aspects, participation in the management of the PESB is also related to the degree of knowledge of this UC by its counselors who, for the most part, have been aware or experienced the conflicting process of their constitution.

Such a plurality of representation and the historical knowledge about the process of creating the PESB certainly facilitate the deliberations of certain matters. Nonetheless, as Tatagiba (2002) and Lüchmann (2011) cautioned this does not exclude the possibility of cleavages or relations of patronage, paternalism, and economic and political exchanges in the field of social and state organizations that strain parity and representativeness, since civil society is a sphere full of differences, contradictions, conflicts and social inequalities; and that

numerical parity does not necessarily correspond to political parity.

This alert is timely, since in the surroundings of the PESB there are dozens of areas of bauxite occurrence granted to Brazilian Aluminum Company (SILVA, 2012; MAGNO et al., 2017) and this company is part of the park council as one of the representatives of the private sector. As Jacobi (2006), Jacobi and Barbi (2007) and Loureiro and Cunha (2008) pointed out, in the councils actors' intentionalities guide their management practices. In addition, economic and political discrepancies between directors may overestimate the power of some actors over others in certain decisions (BIDERMAN FURRIELA, 2002). That is why the qualified participation, mainly of social movements, assumes relevant role in denouncing contradictions between private and public interests in the management councils of UC.

Finally, the construction of the PESB Advisory Council, whether in terms of its internal rules or in terms of its social representativeness, is an innovative process. It broke with practices rooted in the country and in Minas Gerais, particularly those related to paternalism and clientelism, which delegated to the people and their representative organizations the power to institutionalize certain political sectors and environmental aspects in the region of the Zona da Mata. This power contributes to the PESB council being considered one of the most participative of the state by the environmental agencies.

Final Considerations

The forms of participation of civil society in channels and mechanisms of relation with the state have been enlarged in the last decades. With or without the support of traditional forms of political representation, they have been characterized by literature as democratic and participatory and open the public sphere to debate.

Specifically in relation to environmental management, the Brazilian institutional process has evolved in recent years, engendering the creation of management councils in UC and other forms of natural resource management through legal normative acts. The social participation in these instances is part of processes of political redefinition between the public and the private, between the private and the collective, and especially between the state and society. Such participatory forms of environmental management, though still complex and unequal, reveal conditions for a multiplicity of democratic experiences in the country, and this is very well represented by the case of the creation of the PESB and its advisory council. They reinforce the significance and importance of participation in territorial (re)planning and establishment of public decision-making processes, as well as highlighting the complexity involved in the management of a protected area in Zone da Mata. The accomplishment of these broad debates, of course, did not happen without conflicts, but it also happened only because

technicians and specialists managed to overcome the asymmetries of power, knowledge and information existing between different social actors and the recognition of other spaces of debates, researches public hearings conducted, in particular, by civil society.

This contradicts some researches that show that the management councils, which should favor interaction and meetings between society and the state, have been negatively affected by a refusal by the state to share its power in decision-making or by the existence of asymmetries of economic and political power (TATAGIBA, 2002; LÜCHMANN, 2011). Undoubtedly, this cannot be disregarded in later analyzes, even serving as an alert to the PESB Council itself in the conduct of its decisions.

The case analyzed also showed possibilities, advances and political and social achievements in the environmental management of UC. However, it does not mean that it would be ideal or a model to be followed. Each UC in the country has its specific characteristics and challenges that must be considered by public agencies and social organizations in their peculiarities. Even on the PESB board, there are still issues that deserve further research, such as the conflictive dimension inherent in a council in which a miner with mineral interests in the vicinity of the UC has a seat in the plenary. Another issue that deserves attention and may be challenging the functioning of the Council of the PESB and other councils of Brazilian

UC concerns its financing. There is currently no specific policy regarding financing within the scope of the IEF or SEMAD. However, keeping the council active, to a greater or lesser degree, requires maintenance of equipment and resources to conduct courses, seminars, and events. So, in order to value this debate space, it is important to understand the needs for its feasibility. In this sense, it is fundamental that managers and the directors themselves do not accept private financing from companies that may be interested in carrying out potentially polluting activities, to avoid privatizing the environmental policy in Minas Gerais (MILANEZ et al., 2018; MILANEZ, et. al. 2019; MILANEZ; MAGNO; PINTO, 2019).

Nonetheless, the PESB Council implements precepts of deliberative democracy, ensuring the plurality of social representation in its plenary and publicizing and engaging civil society in its management. For further research, I also highlight the need to investigate the strategies of this council in incorporating debates to strengthen it before society, to withstand future changes in the environmental agenda. The development of strategies for mobilizing public opinion represents an essential element for the success and continuity of participatory management.

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