

Try it again! The public consultation for the Brazil National Sanitation Plan

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Keywords: public consultation, participation method, sanitation planning

Brazil The concern with public participation in the theoretical debate and practice of policies and planning has experienced a downward trend in the last fifteen years. In the thirty years between '60 and '90 participative processes gained an increasing interest in the most varied fields of policies (Reed, 2008), from agriculture (Pretty, 1995) to development studies (Chambers, 2014). Nonetheless, more recently other authors started to questioning the way participatory process have been implemented (Cooke & Kothari, 2001), and even their indispensability in policy-making (Hurlbert & Gupta, 2015). We acknowledge that several participative experiences failed to achieve the goal to enhance social democratic basis and that, in some cases, the notion of 'participation' has been used as a mere label of democracy. Though, we argue that 'participation' is a *conditio sine qua non* to promote the public dimension of policies (Dewey, 1927). Ergo, public engagement experiments are worthy since they compel public government to open the policy process and to improve their skills in citizen involvement. They stimulate citizen civicism, offering a unique opportunity to share decisions and discuss collectively about commons. Then, even if a critical ex-post assessment of the process is always necessary (Petts, 2003), it is crucial not to give up and try it again, because "participation is the pollen of democracy"¹. On the other hand, effective engagement deserves expertise to blend and integrate different

¹ The statement of a participant in a public meeting about a participatory process in Tuscany, in January 2006

languages and knowledge (Maiello, Viegas, Frey, & D. Ribeiro, 2013). This is especially true for those participatory processes that concern complex technical such as environment and sanitation. For all the arguments presented hitherto, we agree that the discussion on methodological aspects of participatory process is worth of attention. With the aim to contribute to this discussion, the following research presents results from the Brazilian public consultation for National Sanitation Plan (PLANSAB).

In Brazil, the 1988 Constitution adopts a participatory approach as a necessary instrument of public administration, following an international trend. The basic sanitation sector is regulated by Law nº11445/2007. The law considers basic sanitation as a set of services, infrastructures and installations of: potable water supply; sewage; solid waste management; drainage and urban storm water management. In consistence with the principles defined by the Constitution, the articles 2 and 3 of the Sanitation Law establish 'social control' as a fundamental principle for public policies. 'Social control' is defined as "a set of mechanisms and procedures that guarantee to civil society information, as well as representation and participation in policy-making, planning and evaluation of public sanitation services" (Brasil, 2007). The Decree 7217 of 2010, which regulates the Law of 2010, details in Chapter IV the forms of social control. The article 34 indicates that social control of public basic sanitation services may be instituted by adopting, among others, the following mechanisms: public hearings, public consultation, city conferences, or participation of collective advisory bodies (e.g. local sectorial councils). The Law nº11.445/2007 introduces the PLANSAB, i.e. the National Sanitation Plan, in accordance to the principle of participatory planning. The PLANSAB was prepared by the Federal Government and coordinated by the Ministry of Cities throughout an Inter-institutional Working Group (GTI), established by the Brazilian Presidency. The Plan identifies short, medium and long-term basic sanitation goals, starting by a situational analysis of the national sanitation deficit and the definition of futures scenarios. The first version of PLANSAB was open to a public consultation by the Ministry of Cities in July 2012, through a web platform. During 40 days the public could suggest three possible types of amendments to change the 153 pages of the preliminary document of the Plan: 'additive',

‘substitutive’ or ‘suppressive’. 535 amendments to the draft document were collected on the web platform.

This research represents a first effort to study these data. We adopted a descriptive approach to data analysis, which was based on two main steps. First, we defined a taxonomy of the involved social groups, identifying nine categories of actors: private sector; syndicates, third sector/CSO (civil society organizations); universities, regulatory agencies; governmental bodies and public administrations; sanitation companies. Second we organized the total amendments in a grid that identifies the total number of participant for each category and the related type of amendment (Table 1), to make descriptive statistic. Research findings show that 51% of participants are individual citizens, while ‘Professional Association’ is the sector that contributed with the largest number of amendments (26%).

These preliminaries findings, even if still exploratory, allow bringing forward some considerations to the debate on participatory methods. Despite the digital divide, which typically limits the online methods of participation, the PLANSAB public consultation permitted to involve almost 100 individual citizens. Taking into account the territorial dimension of Brazil, and the shortness of consultation period, the participation achieved can be considered satisfactory both in absolute and relative numerical terms. Actually, the participants represented a plurality of societal sectors, even if the contribution of considered categories are very scattered, as the standard deviation of total amendments equal to 41.7 indicated. Data show that ‘Private sector’ and ‘Professionals associations’ (the two categories representing strongest interests) provided the highest number of major amendments (i.e. the substitutive and the suppressive ones). This result confirmed that both interests at stake and technical knowledge affect the engagement process. It leads to a twofold consideration related to the fairness of the participatory process. First, different involved categories need to be provided with same level of information. Second, when participation is for deliberative scopes as in the PLANSAB case, the rules underpinning the decision-making process, ought to rest the unbalance representation of interests. Future researches, analysing the textual data of amendments, can show category coalitions and hypothesize hidden power structures.

Sector	Participants	Total Amendments	Substitutive Amendments	Additive Amendments	Suppressive Amendments
Private sector	7	83	44	14	25
Syndicates	3	35	0	35	0
Third sector / CSO	5	63	14	41	8
Universities	3	21	8	13	0
Regulatory Agencies	3	24	7	17	0
Individual citizens	49	102	18	82	2
Professional associations	8	139	59	75	5
Governmental bodies and (other) Public Administrations	14	51	19	29	3
Sanitation companies	4	17	5	5	7
TOTAL	96	535	174	311	50

Table 1 - Participant taxonomy grid and type of amendments for each sector

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