



## Bridging Social and Institutional Justice Action of the Participatory Citizens' Forum with the Public Prosecutor's Office in an Urban Park in São Carlos (Bicão Park)

*Ozelito Possidônio de Amarante Junior, Mathheus Guarnieri Spadaro, Celso Maran de Oliveira, and Margherita Paola Poto*

**Abstract** This chapter analyses the participatory process developed around Bicão park, in São Carlos (SP), conducted by the Public Prosecutor's Office of the State of São Paulo (MPSP) in partnership with the Participatory Citizens' Forum (FCP). Justice in this case is understood as the interaction between institutional enforcement and social participation,

---

O. P. de Amarante Junior, Postdoctoral researcher for the “Public Prosecutor Office and Promotion of Participatory Mechanisms” project, FAPESP 2022/14235-9. Full Professor at IFMA/FURG. Contributed to data collection, processing, and chapter writing.

M. Guarnieri Spadaro, Junior Researcher for the “Public Prosecutor Office and Promotion of Participatory Mechanisms” project, FAPESP 2022/14235-9. Student at UFSCar. Contributed to data collection, processing, and the co-writing and translation of the chapter.

C. M. de Oliveira, Public Prosecutor Office and Promotion of Participatory Mechanisms Project Coordinator, FAPESP 2022/14235-9. Professor at UFSCar. Contributed to data collection, processing, and chapter co-writing.

M. P. Poto, ECOCARE and BLYSS Project Coordinator. Research Professor at the Faculty of Law, UiT The Arctic University of Norway. MPP has contributed to the conceptualization of the chapter within the scope of the book and final revisions.

reflecting a transition from legalistic approaches to co-produced environmental governance. The case is presented as an innovative experience of urban environmental democracy, articulating digital consultation, a public listening hearing, a deliberative meeting using the fishbowl technique, the drafting of a synthesis document, and a follow-up hearing with responses from the public authorities. Quantitative data (368 respondents in the online consultation, voting in six categories of solutions) and qualitative data (new demands emerging in face-to-face meetings) were mobilised. The study sought to answer whether the joint action between the public prosecutor and the citizens' forum can configure a replicable model of collaborative governance with mechanisms involving the three pillars of environmental democracy: access to information, participation, and justice. The results indicate that the combination of structured citizen participation and the requirement for a substantiated response from public authorities (based on constitutional and legal grounds) strengthens both the legitimacy of deliberations and administrative transparency. The MPSP's action culminated in a public listening hearing, a deliberative meeting conducted with the participatory fishbowl technique, and a follow-up hearing, where the City Hall and SAAE presented formal responses to the population, indicating that 37% of demands had been met, 42% were in execution, and 21% depended on future budgeting. It is concluded that the process of evaluating problems and proposing solutions in the Bicão park case contributed to international literature by bringing deliberative democracy and legal enforcement closer together, pointing to paths for the expansion of similar practices in other Latin American urban contexts.

**Abstract (Português)** Este capítulo analisou desenvolvimento do processo participativo relativo ao Parque do Bicão, em São Carlos (SP), conduzido pelo Ministério Público do Estado de São Paulo (MPSP) em parceria com o Fórum de Cidadãos Participantes (FCP). Justiça neste caso é entendido como a interação entre a atuação institucional e a participação social, refletindo uma transição de uma abordagem legalista para uma governança ambiental coparticipativa. O caso é apresentado como uma experiência inovadora de democracia ambiental urbana, articulando consulta digital, uma audiência pública, uma reunião deliberativa utilizando a técnica do aquário, a elaboração de um documento de síntese e uma audiência de acompanhamento com respostas das autoridades públicas. Foram mobilizados dados quantitativos (368 respondentes na consulta online, votando em seis categorias de soluções) e dados qualitativos (novas demandas surgidas em reuniões presenciais). O estudo buscou responder em que

medida a ação conjunta entre o Ministério Público e o Fórum de Cidadão Participantes pode configurar um modelo replicável de governança colaborativa com mecanismos que envolvam os três pilares da democracia ambiental: acesso à informação, participação e justiça. Os resultados indicam que a combinação da participação cidadã estruturada e a exigência de uma resposta fundamentada das autoridades públicas (com base em fundamentos constitucionais e legais) fortalece tanto a legitimidade das deliberações quanto a transparência administrativa. A atuação do MPSP culminou em uma audiência pública, uma reunião deliberativa conduzida com a técnica participativa de debate aberto e uma audiência de acompanhamento, na qual a Prefeitura e a SAAE apresentaram respostas formais à população, indicando que 37% das demandas foram atendidas, 42% estavam em execução e 21% dependiam de orçamento futuro. Conclui-se que o processo de avaliação de problemas e proposição de soluções no caso do Parque Bicão contribuiu para a literatura internacional ao aproximar a democracia deliberativa e a aplicação da lei, apontando caminhos para a expansão de práticas semelhantes em outros contextos urbanos da América Latina.

**Keywords** Participatory governance • Urban parks • Citizen participation

## 1 ON JUSTICE

Urban socio-environmental conflicts offer a privileged lens through which the dynamic interplay between social and institutional justice can be observed in practice. Urban green areas, such as parks, riverside corridors, and permeable landscapes, condense, in a single territorial space, ecological functions, collective rights, everyday uses, and political disputes. In the context of climate change, these spaces acquire an additional and strategic relevance, as they operate as key instruments of urban climate adaptation, contributing to flood regulation, mitigation of heat islands, water infiltration, air quality improvement, and the protection of vulnerable populations. They are therefore not merely recreational amenities, but critical infrastructures for climate resilience and environmental security.

For this reason, urban green areas reveal, with particular clarity, how justice is not merely applied *ex post* through legal correction, but progressively constructed through processes of participation, negotiation, and public accountability. It is within this analytical and normative horizon that the Bicão Park case is situated. More than an isolated conflict over

environmental degradation, it unfolds as a living laboratory of environmental democracy, where legal instruments, citizen deliberation, climate adaptation, and urban governance intersect. The following section develops this perspective by articulating how justice is conceived, practiced, and transformed through the interaction between institutional enforcement and collective participation.

In the Bicão Park case, justice is understood as a multidimensional process that integrates *institutional enforcement* and *social participation* within a shared framework of environmental democracy. Rather than being confined to the formal sphere of law, justice emerges through the interaction between the Public Prosecutor's Office (MPSP), as a guarantor of constitutional rights and accountability, and the Participatory Citizens' Forum (FCP), as a collective actor expressing community voice and local knowledge. This dual articulation reflects both the *institutional dimension* of justice (grounded in legality, transparency, and enforceability) and the *social dimension* (anchored in civic engagement, deliberation, and co-responsibility). In this sense, justice in Bicão Park is not merely the restoration of environmental order but the construction of legitimate and inclusive decision-making processes that embody the principles of access to information, participation, and accountability, as established in the Aarhus Convention and the Escazú Agreement. This integrated understanding represents a transition from the traditional notion of environmental justice as a corrective mechanism toward a *co-produced urban justice*, where legal institutions and citizens collaboratively define and implement solutions for the commons.

Urban green areas are essential spaces for the quality of life in contemporary cities. They offer opportunities for leisure, sports practices, and environmental education, in addition to contributing to the mitigation of heat islands, urban drainage, and biodiversity preservation. These green spaces can be defined as elements that improve ecosystem health and resilience, contribute to biodiversity conservation, and bring benefits to the human population.<sup>1</sup>

However, these spaces are also configured as sites of persistent socio-environmental conflicts. In different contexts of the Global South, the precariousness of maintenance, insecurity, vandalism, irregular waste disposal, disputes over use, and limited municipal management

<sup>1</sup> United Nations. (2015). *Habitat III issue papers: 16 – Urban ecosystems and resource management*.

capacity fuel tensions among users, public managers, and institutional actors. What is at stake is not only the physical conservation of urban parks but the very possibility of recognising these spaces as commons goods, whose management demands inclusive and transparent governance arrangements.

Environmental democracy has consolidated itself, in the last three decades, as an interdisciplinary field aimed at analysing how citizens can influence decisions that affect their territories and commons. Dryzek<sup>2</sup> and Eckersley<sup>3</sup> argue that the democratisation of environmental policies is not limited to the expansion of the right to vote or representation but implies the creation of deliberative arenas capable of giving voice to multiple actors, including those historically marginalised. In this sense, environmental democracy articulates both the substantive dimension of the right to a balanced environment and the procedural dimension, which guarantees access to information, participation, and justice in environmental matters.<sup>4</sup> In the literature on environmental democracy,<sup>5</sup> there is a consensus regarding the need to expand citizen participation in decisions affecting everyday territories. However, formal mechanisms provided for in national and international legislation, such as public hearings, popular consultations, and conferences, do not always guarantee high levels of deliberation. In many cases, these are formal instruments emptied of effectiveness, whether due to the absence of prior information, low citizen adherence, or lack of feedback from authorities.<sup>6,7</sup>

Thus, the contemporary challenge is to rethink methodologies capable of articulating social listening, structured deliberation, and institutionalised accountability, in line with commitments assumed in international

<sup>2</sup> Dryzek, J. (1997). *The politics of the earth: Environmental discourses*. Oxford University Press.

<sup>3</sup> Eckersley, R. (2004). *The green state: Rethinking democracy and sovereignty*. MIT Press.

<sup>4</sup> Parola, G. (2013). *Environmental democracy at the global level: Rights and duties for a new citizenship*. Giuffrè Editore.

<sup>5</sup> Oliveira, C. M. (2025). *Environmental democracy: Environment of all, environment for all – Environmental activism as part of the solution*. CEDA-UFSCar.

<sup>6</sup> Arnstein, S. R. (1969). A ladder of citizen participation. *Journal of the American Institute of Planners*, 35(4), 216–224.

<sup>7</sup> Pateman, C. (1992). *Participatory democracy revisited*. Polity Press.

treaties such as the Aarhus Convention<sup>8</sup> and the Escazú Agreement,<sup>9</sup> and the Federal Constitution of Brazil.<sup>10</sup>

It is in this context that the experience presented in this article is situated: the participatory process around of named *Bicão* park (its official name is Veraldo Sbampato park), in São Carlos (São Paulo, Brazil). Unlike traditional cases of participation, this process was conducted by the Public Prosecutor's Office of the State of São Paulo (MPSP), the responsible body for defending transindividual interests, with the collaboration of the Participatory Citizens' Forum (FCP—from the Portuguese: Fórum de Cidadãos Participantes), a social mobilisation method structured by the Center for Environmental Democracy Studies at the Federal University of São Carlos. This articulation between a state actor with legal enforcement power and a citizen network constitutes, in our view, a relevant democratic innovation in the Latin American scenario.

The Civil Inquiry opened by the Public Prosecutor's Office of São Paulo (MPSP) in 2023 to investigate the situation of Bicão Park in São Carlos constitutes a paradigmatic example of how the MP's power of action, grounded in its constitutional autonomy and internal resolutions (Resolution No. 1.342/2021-CPJ), can be exercised in dialogue with society.

The initial complaint presented by a resident highlighted the damage caused by the floods of 2020 and 2022 and the public authority's omission in implementing revitalisation measures. This manifestation was quickly accepted by the 7th Public Prosecutor of São Carlos, who opened a Preliminary Fact Report and ordered diligence with the City Hall and its secretariats. The procedure evolved with new confidential complaints about clandestine sewage and structural drainage failures, evidencing the environmental and social gravity of the situation.

The MPSP's action reveals two relevant aspects: (i) its capacity to articulate legal and administrative bases, mobilising civil investigation

<sup>8</sup> European Union, Commission of the European Communities. (1998). *Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (Aarhus Convention)*. <https://unece.org/DAM/env/pp/EU%20texts/conventioninportogese.pdf>.

<sup>9</sup> United Nations. (2018). *Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement)*. <https://treaties.un.org/doc/Treaties/2018/03/20180312%2003-04%20PM/CTC-XXVII-18.pdf>.

<sup>10</sup> Brazil. (1988). *Constitution of the Federative Republic of Brazil*. Federal Senate, Brasília. (articles 1 and 225).

instruments, information requisition, and public policy monitoring; and (ii) its proactive stance in promoting citizen participation, by formally including both the complainant and the Participatory Citizens' Forum in the process, in addition to convening a face-to-face meeting with public agencies, reinforcing transparency and co-responsibility.

Bicão park case illustrates not only the MP's legal role in ensuring the effectiveness of the right to a balanced urban environment but also its dimension as a democratic mediator, capable of transforming individual demands into participatory decision-making processes, aligned with the principles of information, participation, and environmental justice.

The argument is that this process' innovation lies not only in the diversity of instruments employed but in the way they were integrated into a continuous cycle of listening, deliberation, and feedback. By conducting the process, the MPSP acted not only as a fiscal of the law but as a guarantor of democratic legitimacy and civic responsibility. By collaborating, the FCP ensured social mobilisation, diversity of voices, and methodological organisation of deliberations. This combination reinforced the legitimacy of decisions and generated formal response obligations on the part of public authorities.

Bicão Park experience embodies the convergence between environmental and urban justice by demonstrating how access to a healthy environment and the right to the city can be simultaneously claimed and operationalised through participatory governance. Environmental justice is expressed in the recognition of the park as a common good whose degradation affects collective well-being and ecological balance, while urban justice is manifested in the struggle for equitable access, safety, infrastructure, and inclusion in public decision-making. The Public Prosecutor's Office, by enforcing constitutional and legal guarantees, acts as an institutional mediator that translates social demands into enforceable urban policies, whereas the Participatory Citizens' Forum operates as a catalyst of grassroots mobilisation and democratic legitimacy. This articulation blurs the boundaries between ecological protection and social equity, revealing that justice in urban territories is inseparable from environmental governance. The Bicão case thus reinforces the idea that the democratisation of urban green areas constitutes not only a policy of environmental preservation but also a transformative practice of citizenship and spatial justice.

Bicão Park case resonates with the historical trajectory of justice outlined in Chapter 1, which traces its expansion from social and distributive conceptions toward new paradigms such as Indigenous, environmental, climate, and Ocean justice. This evolution reveals gradual displacement

from purely redistributive claims to those emphasising recognition, participation, and ecological interdependence. Within this continuum, Bicão experience situates itself at the intersection between environmental and urban justice, embodying a contemporary stage in which the right to the environment and the right to the city become mutually reinforcing. By integrating institutional instruments of legal enforcement with bottom-up deliberative practices, the case exemplifies a shift from corrective or compensatory forms of justice to transformative and procedural ones, where legitimacy arises from inclusive dialogue and shared responsibility. In this sense, the process around Bicão Park reflects the broader evolution of justice as a dynamic and relational concept, one that transcends sectoral boundaries to encompass ecological, social, and urban dimensions within a single framework of democratic governance.

The present work aims to: evidence how the combination of deliberative methodologies and legal enforcement instruments can expand the effectiveness and transparency of citizen participation in urban socio-environmental conflicts; and contribute to international literature by offering a Latin American example of democratic innovation that dialogues with global debates on environmental justice, citizen participation, and urban governance. By doing so, it is expected to open paths for similar practices to be evaluated, adapted, and disseminated in other urban contexts of the Global South. This definition of justice builds directly on the conceptual foundations presented in Chapter 1 of this volume, which frames justice as an evolving and plural notion linking social, environmental, and institutional dimensions.

## 2 DEVELOPMENTS OF JUSTICE

In the analysis of the case under study, the concept of coproduction, developed by Ostrom,<sup>11</sup> was employed. Coproduction breaks with a conception of passivity in participation by recognising citizens as essential collaborators in the process of generating public services themselves. This author distinguishes the inputs of producer-professionals, in this case, state agents, the local Executive Power, and the Public Prosecutor's Office, and producer-laypeople, citizens in general (specially, FCP participants)—arguing that cooperation between both is fundamental for the success of local policies.

<sup>11</sup> Ostrom, E. (2010). Beyond markets and states: Polycentric governance of complex economic systems. *American Economic Review*, 100(3), 641–672.

In Bicão park, while the local executive power and the MPSP provide the structure of legality and formal resources, the citizens, here through the FCP, contribute and bring local needs to the surface, conferring social legitimacy. Both types of resources are essential for effective space management. Thus, the maintenance and improvement of the park are not limited to a government's response to a popular demand; they reflect the result of a coproduction process, where public value is generated jointly.

The collaboration between the MPSP and the FCP can be understood, based on Ostrom's analysis,<sup>12</sup> as a polycentric governance system for the urban common good. In contrast to monocentric models, where the management of spaces like Bicão park would be the exclusive responsibility of the local executive power, the form characterised as a polycentric structure is the existence of multiple semi-autonomous decision centres interacting with each other to resolve collective problems.

In this case, even though the FCP, the MPSP, and the local executive power act as independent centres, they all collaborated jointly, cooperating to solve conflicts related to the park. Furthermore, it is seen that although the final decision-making lies directly with the Public Power, the democratic participation of the FCP had a great influence on the final decision of Public Agencies, demonstrating how this structure can increase response efficacy, since the different actors monitor each other.

Bicão park experience ceases to be merely an exercise in participation and is configured as an empirical example of how the governance of commons in urban contexts can be more resilient and legitimate when structured in a, even if not completely, polycentric manner.

One can further deepen the analysis by anchoring it also in the Brazilian legal environment, which offers a solid basis for collaborative governance. What allows us to make this link is Article 225 of the Federal Constitution of Brazil.<sup>13</sup> Within this constitutional provision, one identifies, first, the definition of the environment as a "good of common use by the people," which dialogues directly with Ostrom's concept of "commons."<sup>14</sup> Second, the imposition of shared responsibility on the "Public Power and the community" to defend and preserve the environment legitimises and encourages coproduction models like the one analysed between the MPSP and the FCP.

<sup>12</sup>Ostrom, E. Beyond markets and states: polycentric governance of complex economic systems. *American Economic Review*, v. 100, n. 3, p. 641–672, 2010.

<sup>13</sup>Brazil. (1988). *Constitution of the Federative Republic of Brazil*. Federal Senate, Brasília.

<sup>14</sup>Ostrom, E. (2010). Beyond markets and states: Polycentric governance of complex economic systems. *American Economic Review*, 100(3), 641–672.

Added to this framework are international normative instruments, especially the Aarhus Convention, in 1998, and the Escazú Agreement, in 2018, the latter of which Brazil is a signatory. Both establish the so-called “tripod of access rights”: information, participation, and justice. In the Latin American case, Escazú has been celebrated as a legal framework seeking to reduce historical deficits of transparency and inclusion.<sup>15</sup>

However, the challenge remains: how to transform these principles into effective practices, preventing consultations and hearings from becoming rituals emptied of decision-making power? To advance this discussion, we turn to literature on citizen participation and deliberative democracy. Arnstein,<sup>16</sup> in her classic “ladder of participation,” already indicated that not all participatory formats guarantee real redistribution of power. Pateman<sup>17</sup> reinforces that participation must be understood as an educational and transformative practice that alters the relationship between citizens and the State.

Habermas,<sup>18</sup> Dryzek,<sup>19</sup> and Avritzer<sup>20</sup> introduce the idea of deliberative arenas in which the legitimacy of decisions derives from the quality of argumentation and the inclusion of different perspectives. More recently, Fung and Wright<sup>21</sup> proposed the concept of “empowered participatory governance,” in which civil society is incorporated into institutional structures with the capacity to influence concrete decisions.

These debates gain density when the limits and potentialities of participatory instruments in Brazil are observed. The Public Prosecutor’s Office, as an institution defending diffuse and collective interests, has played a relevant role in mediating environmental conflicts, but it does not always

<sup>15</sup> Morais, L. A., & Freitas, L. S. (2020). Democracy and environment: A bibliometric study of scientific production. *Research, Society and Development*, 9(7), 1–32.

<sup>16</sup> Arnstein, S. R. (1969). A ladder of citizen participation. *Journal of the American Institute of Planners*, 35(4), 216–224.

<sup>17</sup> Pateman, C. (1992). *Participatory democracy revisited*. Polity Press.

<sup>18</sup> Habermas, J. (1996). *Between facts and norms: Contributions to a discourse theory of law and democracy*. Polity Press.

<sup>19</sup> Dryzek, J. S. (2000). *Deliberative democracy and beyond: Liberals, critics, contestations*. Oxford University Press.

<sup>20</sup> Avritzer, L. (2009). *Participatory institutions in democratic Brazil*. Johns Hopkins University Press.

<sup>21</sup> Fung, A., & Wright, E. O. (2003). *Deepening democracy: Institutional innovations in empowered participatory governance*. Verso.

incorporate structured participation methodologies. Farias et al.<sup>22</sup> identify that, although there are legal provisions for hearings and consultations, the use of these instruments is often formalistic and lacks innovation. On the other hand, Oliveira et al.<sup>23</sup> show that the Participatory Citizens' Forum in São Carlos contributed to changing the traditional model of public hearings, bringing them closer to deliberative and participatory experiences.

By bringing these two dimensions together—on one side, the Public Prosecutor's Office as a state actor with legal enforcement capacity, and on the other, citizen forums as instances of social mobilisation and deliberation—a fertile field of democratic innovation is identified. The case of Bicão park allows for an empirical exploration of how these articulations can give concreteness to the ideal of participatory governance in urban green areas. Thus, the literature on environmental democracy and citizen participation offers the necessary framework to understand not only the formal results of the process but, above all, its legitimacy, its limits, and its possibilities for replication in other Latin American contexts.

## 2.1 *Participation Mechanisms*

The question guiding this article is: to what extent can the joint action between MPSP and FCP configure a replicable model of participatory governance in urban green areas, capable of articulating public deliberation and institutional responsibility? To answer this question, the Bicão park case was analysed as an exploratory case study, based on quantitative data (responses to questionnaires and voting) and qualitative data (new face-to-face demands, official documents, and participant observation).

The qualitative case study strategy is adopted because the experience of the Participatory Citizens' Forum in São Carlos (SP, Brazil) constitutes a singular example of participatory innovation deserving in-depth analysis. According to Yin (2014), case studies are particularly suitable

<sup>22</sup>Farias, C. A., Moraes, T. V., Sousa, M. C. C., Saleme, E. R., Amaral, R. M., & Oliveira, C. M. (2022). Participatory instruments: Analysis of their use in environmental procedures of the Public Prosecutor's Office. *Revista Jurídica do Ministério Público de São Paulo*, 22, 187–205.

<sup>23</sup>Oliveira, C. M., Moraes, T. V., Britto, M., Albuquerque, C., Sousa, M. C. C., & Ribeiro, E. P. Q. (2024). Environmental democratic participation: The contribution of the Participatory Citizens' Forum to a new model of public hearings. *Revista do Ministério Público do Rio Grande do Sul*, 96, 339–360.

when seeking to understand complex phenomena in their real contexts, especially when multiple sources of evidence can be mobilised. The work combines quantitative and qualitative data constructed from different instruments throughout the process conducted by the MPSP in collaboration with the FCP. The methodological cycle was composed of five stages:

1. Digital consultation (April–May 2025). Through an online questionnaire made available on Google Forms by the MPSP and widely disseminated with the participation of FCP members on social networks. This data was used to map the most recurrent demands.
2. Public listening hearing (May 28, 2025). The consultation results were presented in an open meeting held at a state public school (Escola Estadual Elydia Benetti), led by the MPSP and organised by the school community. In this hearing, the population was able to ratify the digitally collected data and add new demands. This stage ensures complementarity between online collected perceptions and face-to-face manifestations.
3. FCP deliberative meeting (June 23, 2025). In this stage, the fish-bowl technique was employed, a deliberative methodology organising the interaction between speakers and listeners in an inner circle and an outer circle. The inner circle had four chairs, of which only three could be occupied. When a person from the outer circle wished to participate in the debate, they would move to the inner circle. If three chairs were already occupied, one person from the inner circle had to leave for the outer circle, leaving a chair empty again. This dynamic enabled active listening and the rotation of speeches, preventing discursive monopolies. At the end, participants voted on priorities organised into six categories of solutions (maintenance, caretaking, infrastructure, security, participation, and education). Each person could choose up to three categories.
4. Synthesis Document (June 24, 2025). Based on data from the consultation, the hearing, and the deliberative meeting, a consolidated document was drafted and forwarded to the MPSP. The text presented the collectively defined priorities and demanded a substantiated response from public authorities, supported by the Federal Constitution of Brazil<sup>24</sup> and the City Statute.<sup>25</sup> This stage

<sup>24</sup> Brazil. (1988). *Constitution of the Federative Republic of Brazil*. Federal Senate, Brasília.

<sup>25</sup> Brazil. (2001). *Law No. 10.257 of July 10, 2001 – City Statute*. *Official Gazette of the Union*, Brasília, July 11, 2001.

materialised the deliberations into a formal forwarding instrument. This information was forwarded by the MPSP to Municipal Public Agencies, establishing a date for the follow-up hearing, when the population should receive official responses from the Public Power.

5. Public follow-up hearing (August 20, 2025). At the same location as the listening hearing, representatives from the City Hall and the Autonomous Water and Sewage Service (SAAE) presented responses to the demands of the population. This moment of feedback was crucial to reinforce the dimension of accountability, often neglected in traditional participatory processes. At this moment, solutions that had already been effective, those in the process of implementation, and those requiring budget allocations not foreseen for 2025 (remaining for later moments) were presented.

Thus, the process developed in five interconnected stages. First, a digital consultation via Google Forms was held, in which 368 respondents pointed out the main problems and solutions related to the park, highlighting demands for security, sidewalk maintenance, lake cleaning, and lighting. Then, the results were presented at a public listening hearing, where the population ratified the data and added new demands, such as tree pruning, accessibility, and stream cleaning. In the third stage, the FCP held a deliberative meeting, using the fishbowl technique to organise speaking and listening, resulting in a vote on priorities in six categories: security, maintenance, infrastructure, caretaking, education, and participation. The fourth stage consisted of drafting a Synthesis Document, forwarded to the MPSP with constitutional and legal grounding, demanding a mandatory response from public authorities. Finally, a follow-up hearing occurred, where representatives from the City Hall and the Autonomous Water and Sewage Service (SAAE) presented responses to the forwarded demands.

In addition, participant observation was used, recording face-to-face meetings, along with document analysis of official invitations, methodological presentations (such as the fishbowl technique), meeting minutes, and dissemination materials (WhatsApp, social networks, FCP releases). Crossing these different sources made it possible to build a consistent narrative about the process, strengthening the research's validity.<sup>26</sup>

<sup>26</sup> Denzin, N. K. (1989). *The research act*. 3. ed. Englewood Cliffs: Prentice Hall.

### 3 TARGET AUDIENCE AS DRIVERS OF JUSTICE

Bicão park, officially named Parque Veraldo Sbampato, is one of the main green spaces in the city of São Carlos (state of São Paulo, Brazil). Located in a densely inhabited area, the park fulfills multiple functions: leisure, sports practice, community coexistence, and environmental preservation. At the same time, it concentrates problems typical of Brazilian urban green areas, such as lack of periodic maintenance, insufficient lighting, insecurity, degradation of leisure equipment, and drainage deficiencies.

These problems motivated population mobilisations and the MPSP's action, which, in collaboration with the FCP, structured a participatory process to identify solutions and establish priorities. The participatory process was formalised within the scope of Civil Inquiry No. 12504938 (MPSP, 2024),<sup>27</sup> opened by the São Carlos Public Prosecutor's Office. The ordinance determined, within 30 days, the forwarding of information by the Municipal Secretariat of Public Works regarding price registration and the start of interventions; by the Secretariat of Sports and Culture regarding revitalisation planning and surveillance possibilities; and by the Municipal Secretariat of Environment regarding the suppression of over 50 exotic trees. The Participatory Citizens' Forum was formally included in the procedure, receiving a copy of the ordinance and notification of the opening. The history of facts related to the civil investigation is presented in Table 1.

The timeline shows that the Civil Inquiry on Bicão park evolved from an individual complaint into a collective and institutionalised process of environmental governance. The MPSP's action was progressively expanded: first, with formal requests for information from the public authorities; then, incorporating structural dimensions such as drainage, security, and infrastructure; and, finally, linking the execution of measures to compliance with Joint Resolution No. 10/2024, which establishes rules for transparency and accountability. This path demonstrates that the procedure was not restricted to a bureaucratic rite but functioned as a mechanism for the participatory construction of solutions, articulating community, university, public agencies, and the Public Prosecutor's Office around a revitalisation plan with a defined legal and budgetary basis.

<sup>27</sup> MPSP – Public Prosecutor's Office of the State of São Paulo. (2023–2025). *Civil Inquiry No. 0714.0002385/2023-HU: Administrative records on Veraldo Sbampato Municipal Park (Bicão Park), São Carlos/SP*. São Carlos.

### 3.1 Digital Consultation

Between April and May 2025, a digital consultation was held, receiving 368 responses, with high adherence in the first few days. The process was supported by the Participatory Citizens' Forum (FCP), which assisted in disseminating the survey on its social networks, expanding the initiative's reach and legitimacy. The survey revealed consistent community perceptions regarding infrastructure, security, and environmental preservation, highlighting the demand for integrated solutions combining physical improvements (sidewalks, lighting, and lake), protection measures (presence of Municipal Guard and cameras), and educational initiatives. The detailed results are presented in Table 2 and Fig. 1.

**Table 1** Timeline of the Civil Inquiry (IC) and Participatory Process—Bicão park (São Carlos, SP, Brazil)

| <i>Date</i> | <i>Stage</i>            | <i>Document/Action</i>                                                                                       | <i>Observations</i>                                                                               |
|-------------|-------------------------|--------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|
| 2016–2018   | Previous Civil Inquiry  | IC No. 14.0714.0001242/2016-5-MA (square abandonment)                                                        | Permanently archived in July/2018. Shows historical recurrence of problems in the park.           |
| 09/22/2023  | Initial Complaint       | Preliminary Fact Report No. 11726756 – Service Form                                                          | Citizen denounces park degradation (floods, drainage, infrastructure, security, accessibility).   |
| 09/27/2023  | Conclusion and dispatch | Conclusion Term + Dispatch                                                                                   | Files remitted to the 7th Public Prosecutor (Dr. Flávio Okamoto). Determined docketing in SEI.    |
| 10/11/2023  | Prosecutor's Dispatch   | Ex officio determination to the PGM requesting information from Public Services and Environment Secretariats | 30-day deadline to inform park status and maintenance/revitalisation measures.                    |
| 10/11/2023  | Official Letter issued  | Letter No. 314/23/7°MP forwarded to São Carlos PGM                                                           | Formalises request to Public Services and Environment Secretariats, 30-day deadline for response. |
| 10/19/2023  | Receipt confirmation    | PGM Email confirming opening of Letter No. 314/23/7°MP                                                       | Registers official municipal acknowledgment of the ministerial request.                           |

Continued

**Table 1** Continued

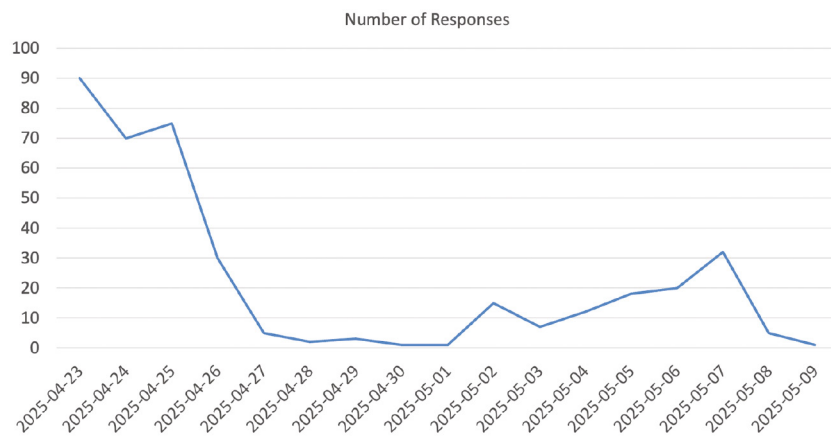
| <i>Date</i> | <i>Stage</i>               | <i>Document/Action</i>                                                                | <i>Observations</i>                                                                                                                                                                   |
|-------------|----------------------------|---------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 10/11/2023  | Registration Certificate   | Certificate of Docketing (Official Gabriela Locachevic)                               | Preliminary Fact Report registered in SIS MP, confirmed absence of procedure duplication.                                                                                             |
| 10/13/2023  | Parallel Complaint         | Ombudsman Service Sheet No. 37.0739.0025432/2023-2                                    | Confidential manifestation reports clandestine sewage, erosion, siltation, and fish mortality in Bicão park. Reinforces the need for drainage works in the Córrego do Medeiros basin. |
| 02/01/2024  | Formal Opening             | Ordinance of Civil Inquiry No. 12504938                                               | Object: to investigate the situation of Bicão park and determine maintenance/caretaking measures.                                                                                     |
| 02/2024     | Determinations             | Ordinance: official letters to Secretariats of Works, Sports and Culture, Environment | 30-day deadlines for information on investments, revitalisation, surveillance, and suppression of trees at risk.                                                                      |
| 04-05/2025  | Digital Consultation       | Online Questionnaire (368 responses)                                                  | Survey of problems (maintenance, lighting, lake, security).                                                                                                                           |
| 05/28/2025  | Public listening hearing   | Escola Estadual Elydia Benetti                                                        | Population ratifies data and adds new demands (accessibility, stream cleaning, pruning).                                                                                              |
| 06/23/2025  | Deliberative Meeting (FCP) | Fishbowl technique                                                                    | Voting on six categories of solutions (security, maintenance, infrastructure, caretaking, education, participation).                                                                  |
| 06/24/2025  | Synthesis Document         | Letter No. 08/2025 to MPSP                                                            | Claim for substantiated response from public authorities, based on CF/88 and City Statute.                                                                                            |
| 08/20/2025  | Follow-up hearing          | Escola Estadual Elydia Benetti                                                        | City Hall and SAAE present feedback: 37% of demands met, 42% in execution, 21% dependent on future budget.                                                                            |

Source: Public Prosecutor's Office of the State of São Paulo—MPSP, Civil Inquiry No. 0714.0002385/2023, files consulted in 2025.

**Table 2** Main problems raised by residents. Source: Public Prosecutor's Office of São Paulo, 2025

| <i>Problem</i>                                                       | <i>Mentions</i> |
|----------------------------------------------------------------------|-----------------|
| Maintenance of sidewalks and walking paths                           | 317             |
| Maintenance of green areas/Gardening                                 | 299             |
| Maintenance/cleaning of the lake                                     | 293             |
| Maintenance of leisure areas (courts, playground, outdoor gym, etc.) | 281             |
| Cleaning of common areas (sweeping, bathrooms, etc.)                 | 277             |
| Lack of lighting                                                     | 271             |
| Lack of security/Frequency of suspicious persons                     | 268             |
| Vandalism                                                            | 237             |
| Garbage disposal by users                                            | 231             |
| Lack of snack bar                                                    | 183             |

Source: Prepared by the authors (2025).

**Fig. 1** Number of responses per day from digital consultation for Bicão park. Source: Public Prosecutor's Office of São Paulo, 2025.

The results showed that the community perceives Bicão park as a space demanding basic infrastructure, security, and educational and cultural uses simultaneously. Among the most cited problems (Table 2), deficiencies in sidewalks, green areas, and the lake stood out. In the proposed solutions (Table 3), measures of urban caretaking (lighting and periodic

maintenance) prevailed, combined with security actions (Municipal Guard, monitoring cameras) and sociocultural activity (events and environmental education programs). This convergence reveals that the population does not limit itself to claiming physical improvements but seeks to transform the park into a safer and more socially active co-existing space.

### 3.2 *Public Listening Hearing*

In May 2025, the Prosecutor's Office issued official letters requesting information from the Executive and convening a public hearing, with formal records of receipt and reading by secretariats, the sanitation authority, the City Council, and the university. On May 19, 2025, CEDA/UFSCar presented a preliminary analysis of the digital consultation, statistically systematising the data and reinforcing the scientific credibility of the process.

On May 28, 2025, the MPSP held a public listening hearing at "Escola Estadual Elydia Benetti," a public school located near the park. The meeting gathered residents, community leaders, FCP representatives, and MPSP members. In this hearing, the results of the digital consultation were presented, and the population was able to ratify the data, but also add new demands that would hardly be obtained in an online form. This stage guaranteed the complementarity between quantitative data and individual perceptions, valuing the daily use of the park.

The duration of the public hearing, 1 hour and 5 minutes, is worth highlighting. Holding an event of this nature objectively and quickly favours the permanence of all who were present, since long speeches and time-consuming events tend to discourage participation and become tiring. All proposals are grouped in Table 4.

### 3.3 *FCP Deliberative Meeting*

On June 23, 2025, at the MPSP building, the FCP organised a deliberative meeting to define priorities among the solutions. For this meeting, the fishbowl technique was used, a participatory methodology organising speeches into an inner circle (who speaks) and an outer circle (who listens), with rotation, so as to favour inclusion and diversity of voices (Fig. 2).

The participants represented a diverse urban population, including residents, students, and community leaders, illustrating inclusiveness in urban justice. At the beginning, CEDA members presented the framework of categorised solution proposals. FCP members debated the importance of each category. At the end of the dynamic, the 30 participants voted on

**Table 3** Main solutions pointed out by residents. Source: Public Prosecutor's Office of São Paulo, 2025

| <i>Solution</i>                                                                           | <i>Mentions</i> |
|-------------------------------------------------------------------------------------------|-----------------|
| Increase lighting points                                                                  | 305             |
| Perform periodic maintenance on sidewalks and walking paths                               | 301             |
| Hiring security or presence of Municipal Guard                                            | 297             |
| Perform periodic maintenance on leisure equipment (courts, playground, outdoor gym, etc.) | 289             |
| Hiring personnel for general services                                                     | 285             |
| Install monitoring cameras                                                                | 277             |
| Increase the number of trash cans                                                         | 241             |
| Hiring a gardener                                                                         | 239             |
| Promote more cultural events (fairs, music, etc.)                                         | 223             |
| Carry out environmental education actions with the population                             | 216             |

Source: Prepared by the authors, 2025.

**Fig. 2** FCP meeting using the fishbowl method. Photo credit: Photo by the authors (2025).

**Table 4** Solutions grouped by categories

| <i>Category</i> | <i>Solution</i>                                                                | <i>Frequency</i> |
|-----------------|--------------------------------------------------------------------------------|------------------|
| Maintenance     | Perform periodic maintenance on sidewalks and walking paths                    | 301              |
|                 | Perform periodic maintenance on leisure equipment (courts, park, gym, etc.)    | 289              |
|                 | Adequate tree pruning                                                          | *Face-to-face    |
|                 | Program to substitute exotic species with natives in the medium term           | Face-to-face     |
|                 | Training of technical personnel for tree pruning                               | Face-to-face     |
|                 | Stream cleaning                                                                | Face-to-face     |
| Caretaking      | Hiring personnel for general services                                          | 285              |
|                 | Hiring a gardener                                                              | 239              |
|                 | Adequate waste collection                                                      | Face-to-face     |
|                 | Feeding the ducks                                                              | Face-to-face     |
| Infrastructure  | Increase lighting points                                                       | 305              |
|                 | Implant bike lane inside the park                                              | 160              |
|                 | Increase leisure areas                                                         | 157              |
|                 | Increase the number of trash cans                                              | 241              |
|                 | Install a snack bar                                                            | 190              |
|                 | Keep bathrooms open                                                            | Face-to-face     |
|                 | Keep courts open                                                               | Face-to-face     |
|                 | Keep the gym in good working order                                             | Face-to-face     |
|                 | Accessibility (ramps, walking paths, sidewalks, etc.)                          | Face-to-face     |
|                 | Create a plan for creating and connecting parks, with more financial resources | Face-to-face     |
|                 | Release the health gate (remove seal)                                          | Face-to-face     |
| Security        | Hiring security or presence of Municipal Guard                                 | 297              |
|                 | Install monitoring cameras                                                     | 277              |
|                 | Keep the park closed at night                                                  | 187              |
| Participation   | Promote more cultural events (fairs, music, etc.)                              | 223              |
|                 | Enable population participation in park administration                         | 164              |
| Education       | Carry out environmental education actions with the population                  | 216              |
|                 | Carry out environmental education activities with recyclable collectors        | Face-to-face     |
|                 | Carry out environmental education activities with park visitors                | Face-to-face     |

Source: Prepared by the authors, 2025.

up to three of the six categories of solutions. The results were: Security (21 votes, 70%), Maintenance (20 votes, 66.7%), Infrastructure (18 votes, 60%), Caretaking (15 votes, 50%), Education (15 votes, 50%), and Participation (1 vote, 3.3%). All participants approved the use of the fish-bowl technique, reinforcing the legitimacy of the deliberative process.

### 3.4 *Synthesis Document*

In June 2025, the process reached a decisive milestone with the drafting of the Synthesis Document by the Participatory Citizens' Forum (FCP), organised by CEDA/UFSCar.<sup>28</sup> The report consolidated the results of the digital consultation, the listening hearing, and the deliberative meeting, establishing security, maintenance, and infrastructure of Bicão park as community priorities, in addition to demands in caretaking, education, and participation.

Grounded in the constitutional principles of popular sovereignty, the right to information, and the democratic management of the city, the document assumed a mandatory character by requesting that public agencies present substantiated responses to the proposals. Received by the MPSP, the Document was immediately incorporated into the inquiry. The following day, the Prosecutor issued a dispatch determining that the Municipal Secretariat of Conservation and Urban Quality manifest itself, within 15 days, on appropriate measures, and that the SAAE present, within 30 days, an action plan for the Córrego do Medeiros basin.

To reinforce institutional accountability, the Public Prosecutor's Office sent an official letter attaching not only the popular consultation but also the university's technical analysis and the FCP Synthesis Document, resulting in a partial response from the City Hall in July 2025. Still, gaps persisted regarding previous requests, revealing both advances in inter-institutional cooperation and challenges in administrative effectiveness.

### 3.5 *Public Follow-Up Hearing*

In August 2025, the process reached its most decisive stage with the public follow-up hearing, held at Escola Elydia Benetti. In this meeting,

<sup>28</sup> CEDA/UFSCar – Centro de Estudos de Democracia Ambiental da Universidade Federal de São Carlos. (2025). *Preliminary report of the digital public consultation on Bicão Park and the Kart Track of São Carlos*. Document submitted to MPSP.

representatives from the City Hall and SAAE presented responses to the priorities defined by the community: security, maintenance, and infrastructure.

Some demands were accepted directly by public agencies, such as the expansion of caretaking, periodic cleaning of the lake, and restructuring of drainage galleries. Others, however, were justified as unfeasible due to “lack of resources,” such as the installation of monitoring cameras and the hiring of fixed security in the park.

To overcome these limitations, the Public Prosecutor’s Office allocated R\$ 327,000.00 originating from environmental fines to the execution of interventions, linking the application of funds to Joint Resolution No. 10/2024 (CNJ/CNMP). This standard establishes that collective guardianship resources must be applied with transparency, a formal work plan, an exclusive bank account, and public online accountability, with priority for the specific repair of environmental damage. The dispatch of August 25 consolidated this linkage, determining that the SMCQU presents a Bicão Work Plan within 15 days, which was filed in September and began to guide the execution of measures.

Thus, the MPSP’s action not only guaranteed social feedback but also transformed popular participation into binding budgetary commitments, reinforcing environmental democracy as legal and administrative practice. At the same time, the process revealed a critical fact: part of the community’s claims were not contemplated, such as the installation of surveillance cameras, the permanent presence of the Municipal Guard, and the promotion of cultural events, evidencing the limits of institutional cooperation and the need for continuous monitoring by the Participatory Citizens’ Forum itself.

#### 4 BROADER IMPLICATIONS

The analysis of Civil Inquiry No. 0714.0002385/2023 reveals the Public Prosecutor’s Office as a central actor in the articulation of urban environmental democracy. In the case of Bicão park, the MPSP did not limit itself to its classic attribution of inspection, backed by Arts. 8 and 10 of Law 7.347/85, but acted as an institutional mediator, bringing together the Executive, Legislative, university, and civil society in a public and transparent process.

This arrangement enabled the practical materialisation of the three pillars of environmental democracy: (i) information, assured by digital

consultations, technical reports, and academic analyses; (ii) participation, guaranteed by hearings, deliberative meetings, and citizen manifestations; and (iii) justice, effected by the demand for deadlines, requisition of measures, and budgetary linkage. Table 5 (below, framed as Chart 1) synthesises how these pillars were operationalised in the Bicão park case, evidencing the MP's capacity to translate social demands into administrative enforceability.

This movement connects to international sustainability agendas, especially SDGs 11 (Sustainable Cities and Communities) and 16 (Peace, Justice, and Strong Institutions), and dialogues with literature on the expansion of participatory democracy instruments mediated by the justice system.

Bicão park case shows that, although traditional forms of participation, such as consultations or hearings, are frequently situated in intermediate

**Table 5** Pillars of environmental democracy and their operationalisation in the Bicão park case (IC No. 0714.0002385/2023)

| <i>Pillar of environmental democracy</i> | <i>Instruments and practices identified</i>                                                                                             | <i>Examples from the Bicão park case</i>                                                                                                                                                                             |
|------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Information                              | Formal data requisition; technical reports; digital consultation; academic analysis                                                     | MPSP letters to City Hall and SAAE; drainage and maintenance reports; digital consultation with 368 responses; statistical analysis by CEDA/UFSCar                                                                   |
| Participation                            | Online consultation; public hearings; deliberative meetings with fishbowl technique; individual manifestations                          | Digital consultation (Apr–May/2025); public listening hearing (05/28/2025); deliberative meeting with citizens and public authorities (06/23/2025); manifestation by resident Rosana Segnini (10/29/2024)            |
| Justice                                  | MPSP action with power of requisition; opening of Civil Inquiry; deadline enforcement and budget provision; legal basis of Law 7.347/85 | Formal opening of IC on 02/01/2024; letters reiterating requests to CETESB and City Hall; dispatch requiring proof of inclusion of expenses in the 2025 budget; use of arts. 8 and 10 of the Public Civil Action Law |

Source: Prepared by the authors, 2025.

stages of Arnstein's "ladder of participation,"<sup>29</sup> without guaranteeing effective power redistribution, the analysed experience managed to advance by articulating different instruments in a complete participation cycle. The population not only expressed demands but also deliberated on priorities and received substantiated institutional responses.

These dynamic approaches Fung and Wright's model<sup>30</sup> of empowered participatory governance, as it linked participatory practices to an institutional actor with legal coercion power, the MPSP. While many experiences fail due to the absence of feedback, undermining credibility,<sup>31</sup> here the follow-up hearing obliged public authorities to justify their actions before the community, strengthening the accountability dimension, one of the critical points frequently highlighted by international literature.<sup>32</sup>

Furthermore, the hybrid methodology adopted constitutes a relevant differential: the digital consultation expanded reach and stimulated rapid engagement; the listening hearing captured situated demands that would not emerge in an online form; the fishbowl technique ensured balance in the debate; and the Synthesis Document legally consolidated the process. This combination reinforces that participation effectiveness does not depend on isolated instruments but on the articulation of multiple stages ensuring inclusion, deliberation, and institutionalisation.<sup>33,34</sup>

From a normative point of view, both the Escazú Agreement of 2018 and the Aarhus Convention of 1998 establish access to information, participation, and justice as pillars of environmental democracy. The Bicão process managed to materialise these three elements: the digital consultation and listening hearing guaranteed information and participation; the Public Prosecutor's Office ensured procedural justice through requisitions and deadlines; and the follow-up hearing closed the cycle by promoting official feedback from authorities to the community.

<sup>29</sup> Arnstein, S. R. (1969). A ladder of citizen participation. *Journal of the American Institute of Planners*, 35(4), 216–224.

<sup>30</sup> Fung, A., & Wright, E. O. (2003). *Deepening democracy: Institutional innovations in empowered participatory governance*. Verso.

<sup>31</sup> Pateman, C. (1992). *Participatory democracy revisited*. Polity Press.

<sup>32</sup> Dryzek, J. S. (2000). *Deliberative democracy and beyond: Liberals, critics, contestations*. Oxford University Press.

<sup>33</sup> Habermas, J. (1996). *Between facts and norms: Contributions to a discourse theory of law and democracy*. Polity Press.

<sup>34</sup> Parola, G. (2013). *Environmental democracy at the global level: Rights and duties for a new citizenship*. Giuffrè Editore.

Despite these advances, important tensions arose. Municipal agencies claimed there were no records of police occurrences in Bicão park, while the population reiterated the sensation of insecurity, demanding more lighting, presence of the Municipal Guard, and monitoring cameras. This contrast illustrates the discrepancy between formal public management indicators and the daily perception of citizens, especially in urban green areas, where the absence of monitoring or maintenance can intensify the fear of violence. In this sense, the participatory process revealed not only demands for infrastructure but also the need to recognise subjective dimensions of security as part of the right to the city.

Synthesis Document drafted from the FCP deliberative meeting reinforced the normative density of proposals by anchoring them in the Federal Constitution of Brazil<sup>35</sup> and the City Statute,<sup>36</sup> transforming claims into enforceable urban rights.<sup>37</sup> The subsequent MPSP dispatch, by simultaneously forwarding popular research, academic analysis, and citizen synthesis to the Municipal Secretariat, exemplifies a process of “democratic translation,” in which societal information is processed technically and converted into legal enforceability.

This chaining reinforces the dialogic and conflictive nature of the process: on one side, acts like Letter No. 244/25/7<sup>o</sup>MP consolidate the integration between citizen voice, scientific validation (CEDA/UFSCar), and collective synthesis (FCP), strengthening the dimension of environmental justice; on the other, partial responses from the City Hall and the absence of manifestation in previous letters reveal institutional barriers and the difficulty of aligning technical diagnoses with social expectations. This tension between participatory innovation and bureaucratic resistance helps understand the challenges of environmental democracy in Global South urban contexts.

Between June and August 2025, the inquiry advanced with decisive interactions between the Public Prosecutor’s Office and the City Hall. Letter No. 244/25/7<sup>o</sup>MP, issued on 06/26, attached the popular survey, CEDA/UFSCar analysis, and the FCP Synthesis Document, requesting a response in 15 days. Although the City Hall presented information on park maintenance and revitalisation on 07/16, the Prosecutor’s Office

<sup>35</sup> Brazil. (1988). *Constitution of the Federative Republic of Brazil*. Federal Senate, Brasília.

<sup>36</sup> Brazil. (2001). *Law No. 10.257 of July 10, 2001 – City Statute*. *Official Gazette of the Union*, Brasília, July 11, 2001.

<sup>37</sup> Oliveira, C. M. (2016). *Participatory democracy in urban law*. EdUFSCar.

certified pending issues in previous letters and, on 07/18, determined the submission of intervention budgets, linking them to the follow-up hearing and the allocation of environmental fines. In late July, Letter No. 282/25/7<sup>o</sup>MP reinforced this linkage by requiring the presentation of budget values.

The City Hall's response, received on July 23rd, acknowledged the community's sensation of insecurity but alleged a lack of specific endowment to expand the monitoring system. This divergence between the absence of formal occurrence records and citizen perception reinforced the relevance of ministerial action as a translator of social demands into administrative commitments. The conclusion of the files on January 8th and the dispatch of April 8th, convening the public follow-up hearing consolidated the process. These Acts connected popular participation, technical analysis, and budgetary responsibility, demonstrating how the MPSP managed to articulate information, participation, and justice to pressure the materialisation of demands into concrete public policies.

As highlighted throughout this book, the various case studies collectively illustrate how diverse contexts operationalise the transition from normative environmental justice to practical, community-based governance. The Bicão park case evidences a potentially replicable model of urban environmental democracy, especially in Latin American contexts marked by transparency and participation deficits. Its main contribution was to articulate citizen deliberation and institutional accountability, bringing local practices closer to constitutional principles and international commitments. This articulation shows that democratic innovations can emerge not only from government reforms but also from cooperation between justice bodies and citizen forums.

The requirement for a detailed work plan, specific accounting record, and formal receipt term linked interventions to national governance standards, creating accountability mechanisms and strengthening the process's credibility. In this sense, openness to external monitoring, such as the access granted to UFSCar researchers, reinforced the principle of publicity, and expanded the social legitimacy of the initiative. The conclusion of the inquiry on September 29, 2025 marked the continuity of ministerial control, ensuring that the presented measures remained not just as bureaucratic records but were evaluated regarding their feasibility and sufficiency.

However, the analysis also reveals significant gaps. Although 216 participants in the digital consultation identified environmental education as a priority, no concrete action was indicated by public agencies in this

direction. This absence reveals the misalignment between societal expectations and institutional responses, still strongly centred on infrastructure, drainage, and maintenance. Such a discrepancy reinforces that environmental democracy must be understood not only as physical or budgetary management of urban spaces but as a field integrating pedagogical, cultural, and participatory dimensions. By ensuring listening, deliberation, and public feedback, the Public Prosecutor's Office consolidated itself as an actor capable of pressuring for the inclusion of these dimensions, preventing transformative solutions from being marginalised in the decision-making process.

This study examined the participatory process conducted by the Public Prosecutor's Office of the State of São Paulo (MPSP), in collaboration with the Participatory Citizens' Forum (FCP), in the context of Bicão park, in São Carlos (SP). The experience represents a democratic innovation by articulating different participation instruments—digital consultation, listening hearing, deliberative meeting with fishbowl technique, synthesis document drafting, and follow-up hearing—in a cycle that integrated listening, deliberation, and transparency.

The community prioritised concrete demands linked to security, maintenance, and infrastructure, but also signalled the relevance of caretaking and environmental education actions. On this point, the feedback stage was decisive: it forced public authorities to be accountable, reducing the historical feedback deficit that marks many participatory experiences. However, it was observed that measures related to environmental education, despite being widely demanded, were not incorporated by institutional responses, evidencing tensions between social expectations and government priorities.

From a theoretical point of view, the case brings environmental democracy closer to international normative frameworks, such as the Aarhus Convention and the Escazú Agreement, concretising the pillars of information, participation, and justice on a local scale. Furthermore, it demonstrates that the action of a justice body with legal power can transform popular consultations into commitments linked to deadlines, budgets, and governance standards.

Despite advances, challenges remain. The sustainability of the model depends on the institutional willingness of the MPSP and the vitality of the FCP, subject to political and administrative variations. The implementation of solutions also requires financial resources and intersectoral coordination, which can generate frustrations. Still, the central value of Bicão

lies in showing that collaborative arrangements between justice bodies, universities, and citizen forums can strengthen the democratic management of urban green areas in the Global South. The case contributes to international literature by demonstrating that environmental democracy is not just a normative ideal but can materialise in concrete practices of citizen deliberation with legal force. More than a case study, it is a precedent that opens paths for new institutional arrangements capable of bringing citizens, prosecutors, and public managers closer together in favour of urban sustainability and socio-environmental justice.

## REFERENCES

- Arnstein, S. R. (1969). A ladder of citizen participation. *Journal of the American Institute of Planners*, 35(4), 216–224.
- Avritzer, L. (2009). *Participatory institutions in democratic Brazil*. Johns Hopkins University Press.
- Brazil. (1988). *Constitution of the Federative Republic of Brazil*. Federal Senate.
- Brazil. (2001). *Law No. 10.257 of July 10, 2001 – City Statute*. *Official Gazette of the Union*.
- CEDA/UFSCar – Centro de Estudos de Democracia Ambiental da Universidade Federal de São Carlos. (2025). *Preliminary report of the digital public consultation on Bicão Park and the Kart Track of São Carlos* [Report submitted to MPSP].
- Denzin, N. K. (1989). *The research act* (3rd ed.). Prentice Hall.
- Dryzek, J. (1997). *The politics of the earth: Environmental discourses*. Oxford University Press.
- Dryzek, J. S. (2000). *Deliberative democracy and beyond: Liberals, critics, contestations*. Oxford University Press.
- Eckersley, R. (2004). *The green state: Rethinking democracy and sovereignty*. MIT Press.
- European Union, Commission of the European Communities. (1998). *Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (Aarhus Convention)*. <https://unece.org/DAM/env/pp/EU%20texts/conventioninportogese.pdf>
- Farias, C. A., Moraes, T. V., Sousa, M. C. C., Saleme, E. R., Amaral, R. M., & Oliveira, C. M. (2022). Participatory instruments: Analysis of their use in environmental procedural procedures of the Public Prosecutor's Office. *Revista Jurídica do Ministério Público de São Paulo*, 22, 187–205.
- Fung, A., & Wright, E. O. (2003). *Deepening democracy: Institutional innovations in empowered participatory governance*. Verso.

- Habermas, J. (1996). *Between facts and norms: Contributions to a discourse theory of law and democracy*. Polity Press.
- MPSP – Public Prosecutor’s Office of the State of São Paulo. (2023–2025). *Civil Inquiry No. 0714.0002385/2023-HU: Administrative records on Veraldo Sham-pato Municipal Park (Bicão Park), São Carlos/SP*.
- Morais, L. A., & Freitas, L. S. (2020). Democracy and environment: A bibliometric study of scientific production. *Research, Society and Development*, 9(7), 1–32.
- Oliveira, C. M. (2016). *Participatory democracy in urban law*. EdUFSCar.
- Oliveira, C. M. (2025). *Environmental democracy: Environment of all, environment for all – Environmental activism as part of the solution*. CEDA-UFSCar.
- Oliveira, C. M., Moraes, T. V., Britto, M., Albuquerque, C., Sousa, M. C. C., & Ribeiro, E. P. Q. (2024). Environmental democratic participation: The contribution of the Participatory Citizens’ Forum to a new model of public hearings. *Revista do Ministério Público do Rio Grande do Sul*, 96, 339–360.
- Ostrom, E. (2010). Beyond markets and states: Polycentric governance of complex economic systems. *American Economic Review*, 100(3), 641–672.
- Parola, G. (2013). *Environmental democracy at the global level: Rights and duties for a new citizenship*. Versita.
- Pateman, C. (1992). *Participatory democracy revisited*. Polity Press.
- United Nations. (2015). *Habitat III issue papers: 16 – Urban ecosystems and resource management*.
- United Nations. (2018). *Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement)*. <https://treaties.un.org/doc/Treaties/2018/03/20180312%2003-04%20PM/CTC-XXVII-18.pdf>

**Open Access** This chapter is licensed under the terms of the Creative Commons Attribution-NonCommercial-NoDerivatives 4.0 International License (<http://creativecommons.org/licenses/by-nc-nd/4.0/>), which permits any noncommercial use, sharing, distribution and reproduction in any medium or format, as long as you give appropriate credit to the original author(s) and the source, provide a link to the Creative Commons license and indicate if you modified the licensed material. You do not have permission under this license to share adapted material derived from this chapter or parts of it.

The images or other third party material in this chapter are included in the chapter's Creative Commons license, unless indicated otherwise in a credit line to the material. If material is not included in the chapter's Creative Commons license and your intended use is not permitted by statutory regulation or exceeds the permitted use, you will need to obtain permission directly from the copyright holder.

