

ANALYSIS OF TRANSPARENCY AND DELIBERATIVE DEMOCRACY IN THE MANAGEMENT OF CFEM IN BRAZIL

ANÁLISE DE TRANSPARÊNCIA E DEMOCRACIA DELIBERATIVA NA GESTÃO DA CFEM NO BRASIL

MARIA BETÂNIA FIDALGO ARROYO

Reitora da Universidade da Amazônia, presidente do Conselho Estadual de Educação do Pará, membro da Academia Paraense de Letras, Diretora Regional do Grupo Ser Educacional. Doutora em Administração. Docente titular do programa de pós-graduação em Comunicação, Linguagem e Cultura da Universidade da Amazônia, E-mail: betania.fidalgo@hotmail.com

MAURO MARGALHO COUTINHO

Professor do Programa de Pós-Graduação em Administração de Empresas (PPAD) na UNAMA. Universidade da Amazônia - UNAMA, Belém - PA – Brasil. PhD em Engenharia de Telecomunicações. Mestrado em Ciência da Computação. Grupo de Pesquisa: (ESCARLATE). E-mail: mauro.margalho@gmail.com

POLIANA BENTES DE ALMEIDA GOMES

Doutoranda e Mestra pela Universidade da Amazônia. CEO da Poliana Bentes de Almeida Consultoria Empresarial Ltda. Pesquisadora do ESCARLATE. E-mail: polibentes@gmail.com

ABSTRACT: This paper examines the application and effectiveness of transparency and deliberative democracy theories in the management of the Financial Compensation for the Exploration of Mineral Resources (CFEM) in Brazil. Despite existing legislation promoting transparency and public participation, significant challenges hinder the full realization of these ideals in practice. The study adopts a qualitative approach, analyzing official documents and government reports to assess the degree of alignment of CFEM management practices with the principles of deliberative democracy. The results indicate a discrepancy between theory and practical implementation, with shortcomings in the effective inclusion of all stakeholders and the promotion of constructive dialogue. The article discusses the implications of these findings for public administration, emphasizing the need for more effective strategies to ensure greater transparency and democratic participation. The conclusions point to the need for a more integrated and participatory



approach, considering the voices of all stakeholders in the decision-making process. This study provides valuable insights for improving public policies and administrative practices in the mineral sector, highlighting the importance of more transparent and participatory public governance.

Keywords: Deliberative Democracy; Transparency in Management; CFEM

RESUMO: Este artigo examina a aplicação e a eficácia das teorias de transparência e democracia deliberativa na gestão da Compensação Financeira para a Exploração de Recursos Minerais (CFEM) no Brasil. Apesar da legislação existente que promova a transparência e a participação pública, desafios significativos dificultam a plena realização desses ideais na prática. O estudo adota uma abordagem qualitativa, analisando documentos oficiais e relatórios do governo para avaliar o grau de alinhamento das práticas de gestão do CFEM com os princípios da democracia deliberativa. Os resultados indicam uma discrepância entre a teoria e a implementação prática, com deficiências na inclusão efetiva de todas as partes interessadas e na promoção do diálogo construtivo. O artigo discute as implicações dessas descobertas para a administração pública, enfatizando a necessidade de estratégias mais eficazes para garantir maior transparência e participação democrática. As conclusões apontam para a necessidade de uma abordagem mais integrada e participativa, considerando as vozes de todas as partes interessadas no processo de tomada de decisão. Este estudo fornece insights valiosos para melhorar as políticas públicas e as práticas administrativas no setor mineral, destacando a importância de uma governança pública mais transparente e participativa.

Palavras-chave: Democracia Deliberativa; Transparência na Gestão; CFEM

1 INTRODUCTION

In the contemporary scenario of Brazilian public administration, the management of the Financial Compensation for the Exploration of Mineral Resources (CFEM) represents a complex challenge situated at the intersection of economy, politics, and social ethics. The importance of transparency and deliberative democracy in this context cannot be underestimated.

With the National Mining Agency's (ANM) estimate that the total collection of CFEM in 2023 reaches around R\$ 6.8 billion, the geographical and economic distribution of these resources becomes a focal point. The concentration of revenue in a few states and municipalities, mainly in Minas Gerais and Pará, responsible for 63.9% of the total amount collected in the year, reflects the need for equitable and transparent management of these resources (ANM, 2023).

Accounting for 4% of the National GDP, mining contributes to more than 200 thousand direct jobs and 800 thousand indirect jobs (FEDERAL SENATE, 2023).



According to authors Moffat & Zhang, Tiainen, Cruz, this industry also brings improvements to the social infrastructure of municipalities, facilitating the population's access to education and medical services through the construction of schools and hospitals, productive flow, and urban mobility with the paving of streets and roads. However, as pointed out by Phillips (2016) and BBC reports (2019), mining faces criticism due to the non-renewable nature of its raw materials and associated environmental and social impacts. This duality reflects the growing need to balance economic development with sustainability, emphasizing social and legal pressure to strengthen sustainable practices in the mining industry.

Transparency is essential to ensure that the resources generated by mineral exploration are distributed and used fairly and efficiently. Simultaneously, deliberative democracy, as conceptualized by Jürgen Habermas, emphasizes the need for inclusive decision-making processes, where different voices and interests are heard and considered.

This study addresses the central problem of how deliberative democracy theory and transparency principles are currently applied in CFEM management in Brazil. Although there is a legal framework that promotes these principles, there is a noticeable gap between theoretical guidelines and administrative practice. The relevance of this problem lies in the need for effective and ethical management of mineral resources, which are vital for both economic development and environmental and social sustainability.

The objectives of this study include: evaluating the current implementation of transparency and deliberative democracy principles in CFEM management; identifying existing challenges and barriers; and proposing recommendations to more effectively align administrative practice with these principles.

This article is structured as follows: after this introduction, the next section will present a literature review, exploring the concepts of deliberative democracy and transparency in public administration, as well as relevant legislation regarding CFEM. The methodology section will describe the methods used in data analysis. Next, the analysis and discussion section will interpret the results, relating them to existing theory and practice. Finally, the conclusions will summarize the main findings, discuss their practical implications, and suggest directions for future research.



2 DELIBERATIVE DEMOCRACY AND TRANSPARENCY IN PUBLIC ADMINISTRATION

The deliberative democracy theory, proposed by Jürgen Habermas, emphasizes the importance of rational dialogue and the inclusion of all stakeholders in the decision-making process (Habermas, 1991). This approach has been widely discussed in studies on public governance, especially concerning natural resource management. Authors like Dryzek (2000) and Young (2000) have expanded this theory, emphasizing the need for the inclusion of diverse and often marginalized perspectives in political debates.

What is the role of narratives in deliberative democracy? According to Jürgen Habermas (2018), narratives play a significant role in deliberative democracy as they:

Contribute to the deliberative process by providing a means for individuals to express their experiences, values, and perspectives.

Help humanize political discourse, connecting abstract concepts to real-life experiences and emotions. Narratives can promote empathy and understanding among participants, facilitating meaningful dialogue and deliberation.

Habermas argues that the legitimacy of political decisions derives from the quality of the deliberative process, characterized by equality, openness, and mutual respect. Rational dialogue is seen as the means through which participants can achieve a common understanding, overcoming differences through the strength of the best argument rather than negotiations based on power or influence.

By incorporating narratives into the deliberative process, deliberative democracy becomes more inclusive and representative of diverse voices and perspectives. Narratives allow marginalized groups and individuals to share their stories and have their experiences recognized and considered in decision-making processes.

However, it is essential to note that narratives should not replace rational argumentation and critical reasoning in deliberative democracy. They should complement and enrich the deliberative process, providing a broader context and deeper understanding of the issues at hand.

In studies on public governance, particularly in natural resource management, the application of deliberative democracy has gained significant attention. Authors like Dryzek (2000) and Young (2000) have expanded this theory, arguing that the inclusion of a wide range of perspectives, especially those that are often marginalized or ignored in traditional political debates, is essential for the effectiveness and fairness of the decision-



making process. The emphasis on including diverse voices is particularly relevant in natural resource management, where the interests and concerns of local communities, indigenous groups, and other stakeholders often conflict with those of more powerful actors, such as governments and corporations.

This deliberative approach is seen as a means to promote more responsive and transparent governance, which not only responds to the needs and concerns of all stakeholders but also promotes greater understanding and acceptance of decisions made. Ultimately, the theory of deliberative democracy provides a framework for creating more inclusive and effective public policies, especially in contexts where the allocation of natural resources and its socio-environmental impacts are critical issues.

Transparency is a key concept in modern public administration, essential for accountability and public trust (Heald, 2006). Bovens (2007) discusses how active and passive transparency can contribute to reducing corruption and improving government efficiency. However, studies also indicate that transparency alone does not guarantee effective participation or democratic decision-making (Fox, 2007).

Transparency in public administration is a fundamental pillar in building a responsible, efficient, and trustworthy government. Heald (2006) highlights the importance of transparency as a means of promoting accountability, emphasizing that the availability of information about government actions is crucial for citizens and other stakeholders to monitor and evaluate these actions.

Bovens (2007) deepens the discussion on transparency, differentiating between active and passive transparency. Active transparency occurs when governments voluntarily disclose information, while passive transparency refers to the availability of information in response to specific requests. Bovens argues that both types are essential to combat corruption and improve government efficiency because they allow citizens access to relevant information that can be used to hold rulers accountable.

However, Fox (2007) warns that transparency alone is not sufficient to ensure effective participation or democratic decision-making. The mere availability of information does not guarantee that it is accessible, understandable, or effectively used by citizens. Moreover, transparency without adequate mechanisms for participation and deliberation may fail to lead to truly responsive and inclusive governance.

Recent studies also address the importance of the quality and context of the information disclosed. Transparency is not just about the quantity of data made available but also about the relevance, accuracy, and comprehensibility of that data. The



effectiveness of transparency largely depends on citizens' ability to understand and use the available information to influence political and administrative decisions.

In this sense, transparency is a vital element of modern public administration but needs to be accompanied by efforts to ensure that information is not only made available but also accessible, understandable, and useful for citizens. This is crucial to promoting effective, responsible, and democratic governance.

3 MANAGEMENT OF CFEM

The management of the Financial Compensation for the Exploration of Mineral Resources (CFEM) in Brazil is a topic of great relevance in the context of public administration, especially due to the significant role that mining plays in the country's economy.

The Federal Constitution of Brazil in 1988 established, in its Article 20, §1, the participation of municipalities, states, the Federal District, and the Union in the profits from mineral exploitation. In 1989, Law No. 7990 instituted the CFEM, a tax paid by mining companies to the federative entities where the exploitation occurs. The following year, Law No. 8001/1990 defined the calculation basis, rates, and distribution of the CFEM. Initially, the calculation was based on net sales revenue, with variable rates according to the mineral class, as shown in Table 1.

Table 1 – Mineral substances and respective CFEM taxation rates

MINERAL SUBSTANCES	TAX RATE (%)
Precious stones, cuttable colored stones, carbonates, and metals	0.2
Gold	1
Iron, fertilizer, coal, and other minerals (except gold)	2
Aluminum, manganese, rock salt, and potassium	3

Source: Law No. 8001/1990 (Brazil, 1990).

Law No. 13540/2017 represented a significant reform in the CFEM, impacting both the revenue of federative entities and the costs for mining companies. This legislation modified the calculation basis of the CFEM to gross sales revenue, allowing



only the deduction of taxes actually paid. Additionally, the rates applicable to different types of mineral substances were adjusted, resulting in a new categorization scheme with five levels of rates, as shown in Table 2.

Table 2 – Mineral substances and respective CFEM taxation rates

MINERAL SUBSTANCES	TAX RATE (%)
Rocks, sands, gravels, ornamental rocks, mineral waters, and thermals	1
Gold	1.5
Diamonds and other mineral substances	2
Bauxite, manganese, niobium, and rock salt	3
Iron	3.5

Source: Law No. 13540/2017 (Brazil, 2017).

The reformulation of the CFEM distribution, according to the latest legislation, expanded the scope of benefiting municipalities to include those impacted by mining activity in various ways. Now, municipalities with tailings dams, beneficiation facilities, waste piles, or affected by mining-related transport infrastructures, such as railways, pipelines, and port operations, are also among the CFEM beneficiaries.

Table 3 – CFEM distribution among federative entities

FEDERATIVE ENTITIES	LAW 8001/1990	LAW 13540/2017
Union	12%	10%
States and Federal District	23%	15%
Municipalities (where production occurs)	65%	60%
Municipalities and Federal District (when affected by production)	-	15%

Source: Laws No. 8001/1990 and No. 13540/2017 (BRAZIL, 1990; 2017).

Law No. 13540/2017 establishes that at least 20% of the CFEM collected by federative entities must be allocated to economic diversification initiatives, sustainable advancement in mining, and development in science and technology. According to Enríquez (2018), this measure is an important step to reduce excessive economic dependence on mining.



In addition, the Access to Information Law (Law No. 12.527/2011) also plays a relevant role in disclosing information related to mineral resource management and the CFEM. According to this law, public agencies have the obligation to provide information of public interest transparently and accessible to citizens. This legislation contributes to strengthening transparency in CFEM management and ensuring access to information by society, as pointed out by Almeida and Silva (2019).

Another important legislation is Law No. 13.303/2016, known as the State-Owned Companies Law, which establishes rules for the transparency and governance of state-owned companies, including those in the mineral sector. This law also applies to CFEM management, as some state-owned companies are involved in mineral resource exploitation. According to Silva and Almeida (2020), this legislation reinforces the need for accountability and transparency in mineral resource management.

Authors like Silva and Souza (2018) analyze government policies related to CFEM, noting that despite existing regulations aiming to ensure transparent and participatory management, there are often failures in the practical application of these principles. These challenges include a lack of clarity in disclosed information, difficulties in the effective involvement of all stakeholders, and limitations in citizens' ability to influence decisions related to resource management.

Effective CFEM management is crucial not only to ensure fair compensation for the impacts of mining but also to promote sustainable development in affected regions. Transparent and participatory management is essential to ensure that CFEM resources are used in a way that benefits local communities and contributes to environmental preservation. Additionally, effective public participation in decisions related to CFEM can improve the accountability and legitimacy of public policies, promoting more inclusive.

4. METHODOLOGY

This study adopts a qualitative methodology focused on the analysis of documents related to the management of the Financial Compensation for the Exploration of Mineral Resources (CFEM) in Brazil. The choice of this approach is justified by the nature of the topic, which requires a detailed analysis of legal texts, government policies, and reports to understand the application of transparency and deliberative democracy in CFEM management.



Data were collected through a comprehensive review of official documents, including legislation, public policies, government reports, and official communications related to CFEM. These documents were accessed from government sources, public archives, and digital databases.

For data analysis, the content analysis technique was employed. This technique involves the identification, coding, and categorization of patterns and themes in documents, focusing on how transparency and democratic participation are addressed in CFEM management. The analysis sought to highlight current practices, identify challenges and gaps, and assess the conformity of policies and practices with the principles of deliberative democracy and transparency in public administration.

The categorization of communication initiatives related to the management of the Financial Compensation for the Exploration of Mineral Resources can be carried out using criteria such as scope, communication methods employed, and the degree of citizen involvement. This classification aims to evaluate the diversity and effectiveness of communicative approaches in CFEM administration, aiming to strengthen transparency and encourage democratic participation.

As noted by Souza (2018), a crucial criterion for this categorization is the scope of the initiatives. Some are directed at a specific municipality or region, while others have a national scope, aiming to reach a broader spectrum of the public. This differentiation is fundamental to understanding the impact and relevance of these practices in varied contexts.

Regarding the communication methods adopted, studies by Silva (2020) and Santos (2019) emphasize the importance of providing information through online portals and printed publications. Online portals offer easy and updated access to data and documents related to CFEM, while printed publications can be crucial to reaching segments of the population with limited access to technology. Additionally, practices such as public hearings and consultations, highlighted by Oliveira (2017), provide forums for the direct involvement of the community in discussions and decisions about CFEM.

Another significant aspect in the classification of these initiatives is the degree of citizen participation. Freitas (2019) emphasizes that some initiatives have a more informative focus, conveying data without providing space for the active interaction of citizens. In contrast, initiatives that promote consultations and deliberations, as observed by Silva (2021), stimulate dialogue, opinion collection, and suggestions, fostering effective and impactful participation in decisions related to CFEM.



Table 4 - Classification of existing communicative practices in CFEM management in Brazil.

Criteria	Initiatives	Objective
Scope	Local communication	Targeted at a specific municipality or delimited geographical region.
	National communication	Encompass the entire Brazilian territory, seeking to reach a broader audience.
Communication methods used	Online portals	Use of websites and digital platforms to provide information and documents related to CFEM.
	Printed reports	Publication of physical reports presenting data on revenue, resource allocation, and benefited projects.
	Public hearings	Conducting face-to-face or virtual meetings where citizens can express their opinions on CFEM.
	Public consultations	Collecting opinions and suggestions through forms, questionnaires, or other means, allowing citizens to contribute to decisions related to CFEM.
Level of citizen participation	Informative communication	Provide information about CFEM in a unilateral manner, without offering formal opportunities for citizen participation and interaction.
	Consultative communication	Involves collecting citizens' opinions and suggestions through public consultations, questionnaires, or other forms of participation.
	Deliberative communication	Provide spaces for dialogue and deliberation among citizens, allowing the exchange of arguments, the search for consensus, and influencing decisions related to CFEM.

Source: Adapted by the Author (2023).

It is essential to highlight that the classification of communication initiatives in



CFEM management is not definitive and can adapt to the specific circumstances of each municipality or region. Each communicative effort has unique attributes, and the careful application of these parameters can reveal important insights into the effectiveness of these practices in CFEM administration.

5. ANALYSIS AND DISCUSSION

The analysis of documents related to CFEM management revealed a series of communicative practices aimed at promoting transparency and democratic participation. These practices include the disclosure of information on revenue, resource allocation, distribution criteria, and benefited projects. However, there are significant challenges regarding the accessibility and comprehensibility of this information, as well as the effective participation of citizens in the decision-making process.

The mining industry, with well-known potential environmental and social impacts, is obligated to pay substantial taxes and royalties to the Union, the owner of mineral resources (Brazilian Constitution of 1988, Article 176). Among these taxes, CFEM is transferred to states, municipalities, and the Federal District, both producers and those affected by mineral exploration, to be invested in compensating the impacts of the industry.

Comparing these results with theories of active and passive transparency, as well as deliberative democracy, a discrepancy between theoretical principles and practical application is evident. The identified practices reflect an effort to align with theoretical principles, but there is still a gap in the effectiveness and scope of citizen participation and the quality of the information provided. The analysis of CFEM management practices reveals a complex relationship with deliberative democracy and transparency theories.

According to Habermas's theory, deliberative democracy presupposes an inclusive decision-making process based on rational discussions. Although public hearings and consultations in CFEM management align with this principle by providing platforms for dialogue, the practical implementation often fails to achieve meaningful and representative involvement of all stakeholders.

Regarding transparency, existing policies seem to reflect the theoretical principle of providing clear and accessible information. However, the effectiveness of this transparency is limited when information is not understood or used by the public. This



indicates a discrepancy between theory and practice, where transparency does not necessarily translate into more effective or informed public participation.

These observations suggest that while CFEM management practices in Brazil incorporate aspects of deliberative democracy and transparency theories, there are still significant challenges to overcome for these theoretical principles to be fully realized in practice.

The communicative practices identified in CFEM management have a significant impact on public communication. While public hearings and consultations are positive steps to engage the public, the effectiveness of these practices in providing meaningful participation is variable. Public involvement is often limited by the complexity of the information presented and the lack of mechanisms to ensure that public feedback is integrated into final decisions. This suggests that to improve public communication in the management of mineral resources, it is necessary not only to provide information but also to ensure that it is understandable and that there are effective channels for public participation to influence decisions.

The results of this study are crucial for understanding the challenges of public communication in the management of mineral resources in Brazil. They emphasize the need to improve communication and participation practices, not only to meet legal transparency requirements but also to ensure that decisions on CFEM are made in a more inclusive and democratic manner, considering the diverse voices and interests of society.

6 CONCLUSIONS

The conducted study provided an in-depth analysis of communicative practices in the management of the Compensation for the Exploration of Mineral Resources (CFEM) in Brazil, highlighting the importance of transparency and deliberative democracy. The identified practices, such as public hearings and consultations, although aligned with the principles of transparency and democratic participation, exhibit gaps in terms of effectiveness and inclusion.

The analysis of communicative practices in CFEM management revealed significant gaps between the adopted practices and public expectations. A critical area is the accessibility of information. While data is disclosed, it is often not presented in a comprehensible manner for the general public, limiting its utility. Additionally,



representativeness in public hearings is often questionable, with participation being dominated by certain groups, while other important voices, such as those of affected communities, are underrepresented. Lastly, the effectiveness of consultations in the decision-making process is another area of concern, where public contributions do not always seem to significantly influence final decisions. These gaps indicate the need to enhance public communication to ensure a more inclusive and transparent management of CFEM.

This study deepened the understanding of transparency and public participation practices in CFEM management in Brazil. The findings indicate that, despite legislative and administrative efforts, significant gaps still exist in terms of effective inclusion and accessible communication in current practices. The proposed recommendations aim not only to improve CFEM management but also to strengthen deliberative democracy, encouraging more active and meaningful citizen participation. The results of this study provide a crucial foundation for the development of more transparent and participatory public policies, essential for the responsible and fair management of Brazil's mineral resources.

To improve CFEM management, the following recommendations are suggested:

Increase Information Accessibility: Ensure that all CFEM-related information is presented clearly, concisely, and in language accessible to the general public.

Promote Greater Inclusion in Public Hearings: Adopt strategies to increase the participation of underrepresented groups, ensuring a broader range of perspectives and experiences.

Strengthen Integration of Public Feedback: Develop mechanisms for public contributions in consultations and hearings to be effectively considered in final decisions.

These recommendations serve as a starting point for the development and improvement of mineral resource management. It is crucial to emphasize that the successful implementation of these measures depends on active participation and collaboration among various stakeholders, including government entities, civil society organizations, and the general population. This joint effort is essential to establish mineral resource administration that is more transparent, inclusive, and responsible, meeting the interests and needs of the entire community.



REFERENCES

ANM - Agência Nacional de Mineração (2023). **Compensação Financeira pela Exploração de Recursos Minerais (CFEM)**. Disponível em: <https://www.gov.br/anm/pt-br/aceso-a-informacao/institucional/compensacao-financeira-pela-exploracao-de-recursos-minerais-cfem> Acesso em: 11 jan. 2024.

ALMEIDA, R.; SILVA, M. Lei de Acesso à Informação e Transparência na Gestão da Compensação Financeira pela Exploração de Recursos Minerais. **Revista do Direito Público**, 14(3), 127-141, 2019.

ANDONOVA, L. B.; BALLESTEROS, S; & MENDOZA, R. U. **Global environmental transparency: The power of information in environmental governance**. MIT Press, 2017.

BOEGE, A. Transparência ativa e passiva na gestão da Compensação Financeira pela Exploração de Recursos Minerais (CFEM). **Revista Brasileira de Administração Pública**, 52(2), 42-58, 2018.

BORRAS, S; DANDOY, A; HERVÉ-FOURNEREAU, N. **Corporate transparency in natural resource extraction: The role of communication in the mining sector**. Routledge, 2020.

BRASIL. **Lei nº 12.527, de 18 de novembro de 2011**. Regula o acesso a informações previsto no inciso XXXIII do art. 5º, no inciso II do § 3º do art. 37 e no § 2º do art. 216 da Constituição Federal; altera a Lei nº 8.112, de 11 de dezembro de 1990; revoga a Lei nº 11.111, de 5 de maio de 2005, e dispositivos da Lei nº 8.159, de 8 de janeiro de 1991; e dá outras providências. Diário Oficial da União, Brasília, DF, 18 nov. 2011. Disponível em: http://www.planalto.gov.br/ccivil_03/ato2011-2014/2011/lei/l12527.htm Acesso em: 11.jan.2024.

CARVALHO, A. P. (2013). A Lei de Acesso à Informação e a transparência pública no Brasil: avanços, desafios e perspectivas. **Revista do Serviço Público**, 64(4), 357-376.

DRYZEK, J. S. **Foundations and frontiers of deliberative governance**. Oxford University Press, 2010.

DRYZEK, J. S. **Deliberative democracy and environmental governance: Environmental politics**. Edward Elgar Publishing, 2020.

ESTEVÃO, A. M. Transparência e participação na gestão dos recursos minerais: O caso da Compensação Financeira pela Exploração de Recursos Minerais (CFEM) no Brasil. **Revista de Administração, Contabilidade e Economia**, 19(2), 344-364, 2020.

FUNG, A. *Putting the public back into governance: The challenges of citizen participation and its future*. **Public Administration Review**, 75(4), 513-522, 2015.

HABERMAS, J. **The Theory of Communicative Action: Reason and the Rationalization of Society**. 1984.

HABERMAS, J. **Between Facts and Norms: Contributions to a Discourse Theory of Law and Democracy**. MIT Press, 1996.



Lei nº 12.527, de 18 de novembro de 2011. Lei de Acesso à Informação (LAI). Disponível em: http://www.planalto.gov.br/ccivil_03/_Ato2011-2014/2011/Lei/L12527.htm
Acesso em: 11 de julho de 2023.

LIMA, G. R., & SILVA, P. A. A transparência pública e a participação popular: reflexões sobre o caso brasileiro. **Revista Direito e Práxis**, 9(2), 904-928, 2018.

MEIJER, A. J.; CURTIN, D. Transparency: Emerging Perspectives on Studying Open Government. **International Journal of Public Administration**, 35(7), 457-459, 2012.

MME - Ministério de Minas e Energia. **Compensação Financeira pela Exploração de Recursos Minerais (CFEM)**. Disponível em: <http://www.mme.gov.br/web/guest/compensacao-financeira> Acesso em: 12.maio. 2023.

OLIVEIRA, A. B. A participação da sociedade civil na gestão da CFEM: desafios e perspectivas. **Revista de Gestão Pública**, 2(1), 45-60, 2020.

OLIVEIRA, C. Audiências públicas e participação cidadã na gestão da CFEM: Um estudo comparativo de três municípios brasileiros. **Revista de Administração Pública**, 51(3), 380-398, 2017.

RODRIGUES, R. M. A Lei de Acesso à Informação: um instrumento de controle social e fortalecimento da democracia. **Revista de Administração Pública**, 48(2), 377-401, 2014.

SANTOS, B. S. **Reinventar a democracia**. Civilização Brasileira, 2014.

SANTOS, M. Relatórios de prestação de contas da CFEM: Um estudo sobre a transparência na gestão dos recursos minerais. **Revista Brasileira de Gestão Pública**, 23(2), 298-319, 2019.

SCHUDSON, M. *The Transparency of Politics*. **Journal of Communication**, 52(2), 75-91, 2002.

SILVA, C; ALMEIDA, L. **Governança e transparência nas empresas estatais do setor mineral no Brasil**. Cadernos EBAPE.BR, 18(4), 928-945, 2020.

SILVA, E. F. A atuação das organizações não oficiais na promoção da transparência na gestão da CFEM. **Revista de Desenvolvimento Sustentável**, 5(2), 78-92, 2019.

SILVA, J. **Portais online como instrumentos de transparência na gestão da CFEM: Um estudo de caso**. Anais do Congresso Brasileiro de Administração, XXV, 1234-1248, 2020.

SILVA, R. Consultas públicas como mecanismo de participação democrática na gestão da CFEM. **Revista Brasileira de Administração Pública**, 25(1), 102-118, 2021.

SOUZA, J. A compensação financeira pela exploração de recursos minerais (CFEM) e a necessidade de transparência na sua gestão. **Revista Brasileira de Direito**, 13(2), 191-212, 2017.



SOUZA, M. C. M., & FREITAS, J. S. Transparência e acesso à informação: uma análise sobre a Lei de Acesso à Informação no Brasil. **Revista de Administração Pública**, 53(4), 738-756, 2019.

STAKE, R. E. **The art of case study research**. Sage Publications. 1995.

TAVARES, G., & SILVEIRA, P. Comunicação pública e a promoção da transparência governamental: desafios e práticas comunicativas no Brasil. In: **Encontro Brasileiro de Administração Pública e de Empresas (EnBAP)**. Anais... São Paulo, SP, Brasil, 2017.

