Characterization of Spatial Planning in Brazil: The Right to the City in Theory and Practice

Rocco, Roberto ; Royer, Luciana; Mariz Gonçalves, Fabio

DOI
10.1080/02697459.2019.1636552

Publication date
2019

Document Version
Final published version

Published in
Planning Practice and Research

Routledge
Taylor & Francis Group

Planning Practice & Research

ISSN: 0269-7459 (Print) 1360-0583 (Online) Journal homepage: https://www.tandfonline.com/loi/cppr20

Characterization of Spatial Planning in Brazil: The Right to the City in Theory and Practice

Roberto Rocco, Luciana Royer & Fábio Mariz Gonçalves

To cite this article: Roberto Rocco, Luciana Royer & Fábio Mariz Gonçalves (2019) Characterization of Spatial Planning in Brazil: The Right to the City in Theory and Practice, Planning Practice & Research, 34:4, 419-437, DOI: 10.1080/02697459.2019.1636552

To link to this article: https://doi.org/10.1080/02697459.2019.1636552

Published online: 26 Jul 2019.

PLANNING PRACTICE & RESEARCH
2019, VOL. 34, NO. 4, 419–437
https://doi.org/10.1080/02697459.2019.1636552

Routledge
Taylor & Francis Group

PRACTICE FORUM

Characterization of Spatial Planning in Brazil: The Right to the City in Theory and Practice

Roberto Rocco [a], Luciana Royer [b] and Fábio Mariz Gonçalves [c]

[a]Spatial Planning and Strategy, Delft University of Technology, Delft, Netherlands; [b]Urban Planning, Faculty of Architecture and Urbanism, University of São Paulo, Paulo, Brazil; [c]Landscape Design, Faculty of Architecture and Urbanism, University of São Paulo, Paulo, Brazil

ABSTRACT

This article characterizes spatial planning in Brazil from a normative point of view. Because of Brazil's vast geography and uneven development, it is not possible to describe how spatial planning is carried out in all quarters of the country. We explore key aspects of spatial planning in the country using policy goals, the legal and administrative structures where planning operates and the attributes of governance in the Brazilian planning system. The interplay between formal and informal urban development is a crucial aspect in Brazilian planning. Despite huge steps towards citizen engagement and inclusion in planning processes, planning remains largely technocratic.

KEYWORDS

Brazilian planning system; progressive urban management tools; the right to the city; social function of property; social movements

1. Introduction

This article seeks to characterize spatial planning in Brazil from a normative point of view, having the country's planning laws as a framework. Because of Brazil's vast geography and extremely uneven development patterns, it is a true challenge to describe how spatial planning is carried out in all quarters of the country, at different territorial scales and in different geographic areas. Therefore, we choose to explore key aspects of spatial planning in the country using policy goals, the legal and administrative structures where planning operates and the attributes of governance in the Brazilian planning system. We do this in the hope of providing a framework in which Brazilian spatial planning can be understood in relation to other planning systems in the continent, as well as a framework against which the outcomes of planning practices can be assessed.

The characterization we carry out here is therefore typological and procedural. We do not attempt an evaluation of the effectiveness of policies and actions, but rather concentrate on explaining the normative and procedural dimensions of spatial planning in the country.

In the first section, we explain the issues arising from the description of the Brazilian planning system using this point of view, especially in regards to the prevalence of informal urbanization in the country. We briefly describe the typological characterization proposed

CONTACT Roberto Rocco r.c.rocco@tudelft.nl

by Nadin and Stead (2012), which we use to structure our analysis. In the second section, we describe how planning is conceived at the federal and regional levels in Brazil and try to describe different attributions and challenges of spatial planning in different scales. Next, we focus on how spatial planning is conceived at the local level, where it has been strongly influenced by the enactment of a progressive constitution in 1988, following the end of a 20-year military rule. In this section, we lay out the attributions of planning at the local level and explain the main policy goals expressed in a special set of urban planning laws entitled 'O Estatuto da Cidade' (The City Statute). We then proceed to a description of some of the planning tools in use, in order to understand how planning mechanisms are formally conceived and enacted. Finally, we carry out a critique of the formal planning arrangements in relation to perceived outcomes and to a strong presence of informal planning institutions and practices.

At the time of writing, Brazil faces a major challenge in terms of democratic rule, with the election of a far-right politician to the highest office in the country, with unpredictable consequences for how Brazilian cities are planned. This article does not attempt an analysis of the impacts of this new political reality on Brazilian planning, because of the newness of the situation.

2. Distinguishing the Normative and the Descriptive Dimensions of Spatial Planning in Brazil

This paper proposes a characterization of spatial planning in Brazil. Such characterization implies the description of categories that might eventually help us situate a specific planning culture in a broader context. Following the analysis elaborated by Nadin and Stead (2012) on international comparative planning tools, we would like to give less emphasis to the classification of the Brazilian planning system into one of the families or ideal types described by the authors. Instead, we will concentrate on describing the essential characteristics of the Brazilian planning system in terms of:

(i) Policy goals of spatial planning
(ii) The legal and administrative structures where planning operates
(iii) The attributes of governance in the Brazilian planning system
(iv) The main tools at the disposal of spatial planners and their challenges.

Nadin and Stead (2012) warn about the methodological challenges of cross-national comparative studies, in regards to 'fundamental questions about the validity of comparisons when systems and policies are deeply rooted in their socio-political context, language and models of society' (p.3). We believe that the description of policy goals, governance structures, attributions and tools may give us a clearer understanding of the fundamental questions being addressed by spatial planning and the model of society being pursued.

Indeed, we believe it is problematic to characterize a planning system without exploring the societal model being implicitly or explicitly pursued by policy-makers in contrast with the societal model that exists in reality. This is an important distinction in Brazil, because we must deal with two different and often-conflicting dimensions of spatial planning: the normative dimension (how spatial planning is expressed in rules and legal structures and

the objectives it claims to have) and a descriptive dimension (how spatial planning is performed, negotiated and agreed in practice, and the effects of this performance). In the Brazilian case, the issue of informality and of informal institutions, as described by Ostrom (2005), means that informal swaths of Brazilian cities had to be somehow 'brought into' planning frameworks in the last 20 years, as they had been completely ignored in the past. The issue of informality influences policy goals and tools, as well as the procedures and outcomes of 'planning in practice' in Brazil. Here we mean informality in its widest sense: not only the physical environment is informal, but informal practices and institutions (as Ostrom calls the cultural unspoken and unwritten rules that mediate social interactions) are also common. This is relevant because a great amount of actions and outcomes in spatial development in Brazil (as in other developing countries) are not connected to formal policies or institutions.

To be sure, the ensemble of relationships and interactions that define the spatial planning activity in Brazil can only exist in a legal (formal) framework. The rule of law defines forms of policy-making and policy performance; forms of association and cooperation between public, private and civic actors; forms of attribution of responsibility, accountability and control. However, there is another realm that must be considered next to the rule of law: informal institutions and practices. These informal institutions and practices are rather interwoven with formal practices, with which they establish relationships of collaboration and opposition, action and reaction, with expected and unexpected outcomes. The normative dimension is therefore important in terms of what relationships it encourages or discourages. It also helps understand the effects of formal frameworks and their interactions with informality. Formal rules also define the conditions and forums of discussion and negotiation between different actors, but they do not always define how actors act in producing spaces in Brazilian cities.

Therefore, the connections between goals and tools of spatial planning and the enactment and outcomes of spatial planning are fuzzy in Brazil, to say the least, and must be explored in further research.

Formal spatial planning systems are inscribed in legal systems. The Brazilian legal code is largely an heir to the French Civil Code of 1804, also known as the Napoleonic Code, which is 'at the heart of the Romanistic family' [of legal systems in Europe], according to Nadin and Stead (2012). This tradition 'seeks to provide an abstract and comprehensive statement of the legal principles upon which decisions should be based' (p. 6), based on the principles of enlightenment and humanism. This is very different to English law-making, which is about customs and 'about improvization' and gives a 'high degree of discretion to the professionals and politicians operating in the system in that they only have to make decisions once a project or proposal is made' (Nadin & Stead, 2012, p.5).

This might give us a clue about the heightened tensions between the normative dimension and the practical dimensions of planning in Brazil. While the Brazilian legal system provides a set of ideal guiding elements, procedures and goals, the application of planning regulations often seems to suffer from a reality check. Although ideals like justice and equality are in the letter of the law, their application and ensuing effects often conflict with those values, as we shall see.

This happens because formal institutions and practices must interact with informal institutions and practices, which may or may not be legal or even socially acceptable in some cases. Examples are crime, nepotism, patronage and corruption. However, issues

of legality or illegality are not fixed, but dynamic. There have been changes in the way informal institutions and practices are perceived and the limit of what is legal and acceptable in urban development has been reconsidered in recent Brazilian history. This process is firmly anchored in the tradition of struggles for civil rights and 'rights to rights' that has characterized politics in Brazil after 1985 (the year when the most recent military rule ended in the country).

As an illustration of this, informal urbanization in the form of slums has received considerable attention in the last few decades. From a marginal practice condemned as almost criminal in the 1950s until the 1970s (which has contributed to the stigmatization of large groups of urban dwellers), informal urbanization is now perceived as a legitimate albeit undesirable form of appropriation of urban space by the urban poor. As a result of the organized struggle of social movements and the communities involved, many rights have been secured by slum dwellers, including property rights through acquisitive prescription (usucapion[1]) and access to basic urban services.[2] This and many other examples resulted in a review of formal planning institutions, a review of their objectives and of their forms of interaction with society.

3. Attributions: Who Plans Space in Brazil?

Brazil is a federative state with three levels of federated units: the Union, the Federal States and the municipalities. All three have federal autonomy, retain representatives of the legislative and executive powers and hold concurrent attributions in the carrying out of public policy (housing provision, for instance).

Apart from the Union and the Federal District (where Brasilia, the capital city is located), there are 27 States, and 5.570 municipalities (IBGE, 2015).[3] The latter vary tremendously in size and population. São Paulo, the largest municipality in the country in terms of population, had 11.9 million inhabitants in 2014. The municipality of Borá, the smallest in the country, had 835 inhabitants in the same year. The municipality of Altamira, in the federal state of Pará, has almost 160.000 sq. km. (this is almost 4 times the area of the Netherlands). However, 55.8% of Brazilians lived in only 5.4% of all municipalities in 2014 (IBGE, 2015). There is also a large material discrepancy between municipalities in the country, and this discrepancy was not taken into account when devolution took place after 1988. In fact, most planning competency belongs to the local level, but different municipalities in Brazil have very different planning capacities.

While the competence for traditional spatial planning belongs to municipalities, this does not mean that the federal government and the federal states do not plan. Among the actions taken by the Federal Government in the realm of spatial planning are:

- Demarcation and management of indigenous reservations
- Demarcation and management of national parks, environmental reservations and other protected areas
- Construction and management of strategic large infrastructure with potential for regional impact (ports, highways, airports and large water dams for electricity generation). One example is the 'super port' of São João da Barra, the largest port

in Brazil, nicknamed 'Highway to China' which was an initiative of the Federal Government to facilitate exports of iron ore and other commodities

- Assignation of special status to cities or regions, accompanied by construction of infrastructure and specific spatial policies, like the Free Economic Zones of Manaus in the Amazon region, Sorriso (Mato Grosso) and São Borja (Rio Grande do Sul), and the Industrial Poles of Camaçari (Bahia), Resende (Rio de Janeiro) e Suape (Pernambuco). In the case of the Free Economic Zones, also known as Zones for Exports Processing (ZPE, in the Brazilian acronym), the goal is to accelerate regional development through tax exemptions for exporting industries and enterprises. These policies are approved by a Federal Senate Commission on Economic Issues (CAE) and coordinated by the Ministry of Planning, Budget and Management.

Policy goals at the federal level have changed dramatically over time, but they have traditionally been connected to an effort to encourage development in the vast undeveloped Brazilian hinterland and to promote 'national integration', the jargon used by the federal government to express territorial coherence and governability. This triggered the construction of 'new towns' as early as the nineteenth century. Brasilia (1960) and its several satellite towns are the best-known examples, but there are several others, spanning a period of more than one century. Teresina (1842), Petrópolis (1843), Belo Horizonte[4] (1897), Londrina (1934), Goiânia (1942), Boa Vista (1944), Maringá (1947) and finally Palmas (1990). An example of a contemporary new town, Palmas was planned and built as a result of administrative reform propelled by the enactment of the new constitution of 1988. The enormous and largely uninhabited State of Goiás was partitioned in two and Palmas was built to be the administrative centre of the newly created state of Tocantins, who initiated the project. The scheme was supported by federal funds.

This long-lasting policy of hinterland occupation sought to counter the legacy of economic and population concentration on coastal areas of the country. This legacy is the result of the mercantile logic of Portuguese colonization, when crops needed to be cultivated near the coast for export to Europe. An 'integration policy' was pursued by successive Federal governments after independence in 1822. This integration policy also prompted the creation of 'economic development agencies' by the military regime in order to bring development to the lagging north and northeastern regions of the country (SUDAM and SUDENE[5])

More recently, goals have shifted to promoting strategic decentralization of production and consumption, and facilitating activities connected to exporting industries (free economic zones, new ports and highways). Federal states play an important role in the planning of regional infrastructures, which they do through large infrastructural projects rather than policy. Moreover, some kind of integrated metropolitan spatial management around Brazilian metropolises is emerging thanks to the need to coordinate the building of large mobility infrastructure and manage water resources.

However, proper regional and metropolitan planning is still a challenge in the country. Until the enactment of the 1988 constitution, metropolitan regions could only be legally constituted by the Union. Between 1973 and 1974, 9 metropolitan regions were legally established (Belo Horizonte, Belém, Curitiba, Fortaleza, Porto Alegre, Recife, Salvador, São Paulo e Rio de Janeiro). After 1988, Federal States became responsible for granting the status of metropolitan area to cities or groups of cities. Currently, there are 51 metropolitan areas and 3 'integrated development regions' (or RIDEs, in the Portuguese acronym).

RIDEs aim to 'articulate and harmonize policy actions from the Union, Federal states and municipalities for the promotion of projects that foster economic growth and provision of infrastructure necessary for development at the regional scale' (MNI, 2011)

The 1988 federal constitution (art. 25, § 3), defines metropolitan areas as made of contiguous municipalities that ought to work in coordination in order to integrate public functions that demand cross-municipal cooperation, for the tackling of common challenges, such as sanitation and mobility. However, the technical and geographical criteria for the creation of metropolitan regions are not equivalent from State to State, with problems arising from the lack of shared benchmarks.

Some states have several metropolitan regions (Santa Catarina) while others have metropolitan regions made of one single municipality (Manaus, the capital city of the State of Amazonas). There are also metropolitan regions made up of a large number of municipalities (39 in the case of the Metropolitan Area of São Paulo). Metropolitan areas are a legal definition, rather than effective planning or territorial units (Moura & Cintra, 2011; Firkowski, 2013). Municipalities are not forced to align their policies with metropolitan policies and conflicts of interest between municipalities in the same metropolitan area are not uncommon. Disparity in population sizes and resources, political affiliation and other factors have commonly prevented the implementation of joint actions and investments. What little advances are made in metropolitan integration are made through the construction of infrastructure by the federal states. However, the financial crisis experienced by federal states in the 1980s and 90s has slowed down their actions in promoting coherent metropolitan governance (FNEM, 2013).

Issues connected to resources management at the regional level, especially water resources management, have received more attention in the last few years, with the introduction of River Basin Committees as integrative agencies for policy-making, following the 'Law of Waters' enacted by the federal government in 1997. River Basin Committees are multi-actor forums in charge of policy-making for river basins, which often cover multiple municipalities. They are modelled after the committees adopted in Europe with the same objective. But the integration of river basin committees with other agencies planning regional infrastructures is poor and planning attributions are not clear (Rocco & Schweitzer, 2013).

From 2004 and 2014, Brazilian cities received a large amount of Federal funds, mainly through Federal development programs. Among these programs are the PAC (Programa de Aceleração do Crescimento' or growth acceleration program) and the much debated Programa Minha Casa Minha Vida (My House, My Life housing programme). In 2007, the objectives of the PAC were 'to increase economic growth rates, increase employment and household revenue and decrease social and regional disparities', as well as keep the fundaments of Brazilian economy strong (low inflation, budgetary soundness and external accounts). PACs were supposed to finance massive electrification, sanitation, housing, metro systems and water resources infrastructure programs. The transfer of federal funds to municipalities has strengthened the planning capacity of local governments, but the power of the federal government to influence local development has also increased.

Urgency in the construction of infrastructure meant that the transfer of federal funds became attached to the existence of projects approved at the local level. In other words, funds would be transferred even if projects were not part of an integral strategic plan at the local level. This has understandably promoted fragmented, and often unsustainable urban development, in many cases with detrimental effects to local planning guidelines.

Notwithstanding, it is at the local level, in municipalities, where spatial planning takes place more robustly. This is largely the result of the progressive 1988 Federal Constitution, enacted shortly after the country emerged from a 21-year military dictatorship (1964–1985). The 1988 Constitution has ensured devolution and participation as central issues in urban development in Brazil, not only in theory, but in practice as well, albeit with mixed results. In the following section, we will describe the impact of the 1988 Constitution and its offshoot, the 'City Statute', enacted in 2001.

4. Policy Goals: The 1988 Constitution and the 'Right to the City'

In 1985, Brazil emerged from 21 years of military dictatorship. In 1964, the military promoted a coup against the democratically elected president João Goulart, a social democrat. The coup happened amidst a smearing campaign against Goulart, accused of being a Marxist about to promote collectivization of the economy in Brazil. This typically Latin American tale happened against the backdrop of the Cold War and heightened sensitivities against any discourse promoting social justice. The result was a break-up in democratic institutions and the abandonment of attempts at redistributive policies of any kind, including any policies related to spatial development that remotely resembled redistributive spatial planning, with the resulting increase in social inequity in the country. As Brazil urbanized at record rates from the 1950s until the 1980s, millions of dispossessed rural dwellers migrated to large Brazilian cities in search of the promises of modernity: access to better services, jobs and increased life chances.

The decades after World War II saw one of the largest exoduses in human history, one that is little known outside Brazil. Millions of impoverished peasants left rural Brazil behind and migrated towards the rapidly industrializing cities in the Southeast of the country. For Fischlowitz and Engel (1969), this can be attributed mainly to 'droughts and inundations, land grabs and limited opportunities in rural areas' (p.36). According to Brito and Carvalho (2006), between 1960 and 1990 about 8.1 million people left the northeast region and 3.8 million left the state of Minas Gerais towards cities in the Southeast. The total figures of urbanization (migration plus natural growth) are even more dramatic. From 1960 to 2000, the urban population in Brazil grew from 31 million to 137 million (Cymbalista, 2008) which means that more than 100 million new urban dwellers had to be housed, fed and employed in less than two generations.

Fleeing rural areas where many of them lived in conditions of extreme poverty, migrants were looking to be included in modernity. Stelzig (2008) describes:

> In the space of a few decades, the populations of all the big Brazilian cities exploded. This rural exodus – unique in Latin America in terms of size – was intensified by the great poverty of the peasant population. Strong population growth, agricultural modernisation and the ensuing reduction in job opportunities for farm workers reinforced this process. The situation was exacerbated in the 1980s by the lack of infrastructure and the hopelessness of acquiring a plot of land [in rural areas]. The establishment of capital-rich agricultural companies further widened the gulf between big landowners and subsistence-oriented peasant farmers.

Millions of impoverished peasants migrated to rapidly industrializing Brazilian cities precisely when public governance and accountability were all but broken and planning capacities were much reduced. This context of explosive growth, rural exodus and poor

governance, combined to a particular ideological and political background, meant that the capacity and the willingness of the public sector to plan effectively were minimal. More precisely, this extraordinary movement of rural-urban migration coupled with defective governance has created extraordinary urban typologies connected to self-help and informality. Among these typologies, there are 'favelas' (slums), 'cortiços' (crowded tenement houses) and 'loteamentos irregulares' (informal allotments). Those typologies have one thing in common: they are precarious forms of inhabitation in the city, created by small private investors who generate illegal alternatives to exploit the needs of the poorest.

'Favelas' are a special urban typology, not well translated by the English expressions slums or shantytowns, because they have emerged in a particular historical, economical and geographical setting. Favelas are spaces where inhabitants have built their own dwellings with cheap materials in a completely unplanned way, often on invaded public land, resulting in a cacophony of unfinished houses and interstitial spaces badly served or not served at all by infrastructure and urban services. In the city of São Paulo, for instance, favelas occupy an area of 24 sq km (1.6% of the total area of the municipality), according to SEHAB and used to house approximately 8.7% of the population of the municipality in 2000 (IBGE, 2000).

According to an IBGE report (IBGE, 2010), 88.6% of all 'subnormal housing' in Brazil is concentrated in 20 metropolitan areas across the country, especially São Paulo, Rio de Janeiro and Belém. Together these three metropolitan areas concentrate 43.7% of all precarious housing in the country.

This presents a stark contrast with the economic dynamism of these areas. In 2009, approximately 25% of all income generation in the country was concentrated in five municipalities: São Paulo (12.0%), Rio de Janeiro (5.4%), Brasília (4.1%), Curitiba (1.4%) e Belo Horizonte (1.4%) (IBGE, 2011, p. 21).

The unprecedented process of human migration in the middle of the twentieth century coupled with low planning capacity and an ideological resistance to redistributive plans resulted in cities where social inequity, illegal settlements, lack of proper housing, environmental hazards and traffic jams are part of daily life. Large parts of Brazilian cities are built outside planning and regulations. This is what is commonly called 'the clandestine city' in Brazil (Grostein, 1987). This clandestine city is built mainly through self-help construction.

By the end of the 1990s, the process of urbanization had almost reached exhaustion in Brazil. From a 31.24% urbanization rate in 1940, the country attained a staggering 87% urbanization rate in 2010 (IBGE, 2011).

Nowhere this urbanization was so accelerated as in the city of São Paulo, which grew from 1.3 million inhabitants just before World War II to 11.2 million in 2011 (with an additional 9 million in the metropolitan area, which had around 20,3 million inhabitants in 2011. IBGE, 2011). It was precisely in the city of São Paulo that grassroots social movements claiming for democratic change first emerged during military rule. They did so in the context of a strong dichotomy between a modern industrialized economy and the vast informal peripheries of the city. As Holston (2008) and others have described, the process of urbanization in São Paulo is intimately connected to the emergence of democratic social movements that helped shape institutions immediately after re-democratization in 1985. The enactment of the 1988 constitution owes largely to struggles connected to ideas of 'right to the city', which means not only the right to be in the city (first as illegal settlers and then as full citizens inhabiting the rule of law) but the right to shape the city to one's needs and desires (Lefebvre, 1968).

In the next section, we will explore the 1988 Constitution provisions and the City Statute, which offers the legal and philosophical basis for local spatial planning in Brazil, largely based on the concept of 'right to the city' and 'social function of property'.

5. The Legal Framework: The 1988 Constitution and the 2001 City Statute

The writing of a new democratic constitution between 1986 and 1988 was a crucial moment for Brazil. Popular social movements and civic organizations were able to influence the content of the constitutional text by directly lobbying MPs and by gathering signatures for the so-called Popular Amendments (amendments to the text, proposed by popular consultation).

As we pointed out, these social movements have paradoxically emerged during the military rule as a product of informal urbanization and the arduous inclusion of previously disenfranchised citizens into the city and the rule of law. We have explored this process elsewhere (Ballegooijen & Rocco, 2013), closely following Caldeira and Holston (2005) and Holston (2008).

The 1988 Constitution made it possible for urban social movements to find a voice and to participate in urban reform and municipal administration. Citizens would now be able to influence master plans and municipal codes and regulations through participatory mechanisms. This is relevant because the gap between policymaking and implementation could potentially become smaller, and the abyss between formal planning and informal urbanization could at last be dealt with. However, as we shall see, participatory tools would not be sufficient to change the culture of planning institutions, and spatial planning has preserved much of its old technocratic superciliousness and a historical commitment to tend to the interests of economically hegemonic groups. Yet, the new constitution brought a fundamental change in the role adopted by planners and in the practices of spatial planning in the country.

There is a whole chapter dedicated to urban development policy in the 1988 Federal Constitution (Title VII, Chapter 2: Urban Policy. See Box 1). A couple of articles in Title VII, Chapter 1 (Individual and Collective Rights and Duties) have made all the difference in urban development in Brazil, allowing for progressive legislation to be enacted and finally resulting in the passing of the City Statute in 2001.

Articles 22 and 23 stipulate that 'the right of property is guaranteed' (22) and that 'property shall observe its social function' (23). The definition of social function of property is not immediately given, but the expression appears eight times in the text of the constitution. In an article about municipal taxes (Title VI, Chapter 1, Art. 156, par. 1: Taxation and Budget), the text says:

'The [urban land] tax set forth in item I may be progressive, under the terms of a municipal law, in order to ensure achievement of the social function of the property'. Progressive taxation in the form of increasing taxes would later become one of the main tools for local administrations to ensure that urban property would fulfil its social function. This tool is detailed in paragraph 4 of the chapter dedicated to urban development: 'The municipal government may, by means of a specific law, for an area included in the master plan, demand, according to federal law, that the owner of non-built, underused or unused urban soil provide for adequate use thereof, subject, successively, to: 1. compulsory parcelling or construction; 2. rates of urban property and land tax that are progressive in time; 3. expropriation with payment in public debt bonds issued with the prior approval of the Federal Senate, redeemable within up to ten

years, in equal and successive annual instalments, ensuring the real value of the compensation and the legal interest.' (Title VII, Chapter II, art. 182, par. 4).[6]

Another article (Title VII: The economic and financial order, Chapter 1: The General Principles of the Economic Activity), establishes the social function of property as one of the basic principles to achieve a supposedly desired economic order, 'founded on the appreciation of the value of human work and on free enterprise, is intended to ensure everyone a life with dignity, in accordance with the dictates of social justice'.

In an article of the chapter dedicated to urban policy, it is asserted that the 'urban development policy carried out by the municipal government (...) is aimed at ordaining the full development of the social functions of the city and ensuring the well-being of its inhabitants'. This is particularly relevant because this article recognizes that the city as a whole has a social function as well. We can see here the implicit acknowledgement that the city is a collective undertaking, with all consequences this idea has for urban policy-making. Paragraph 2 of the same article defines that 'urban property performs its social function when it meets the fundamental requirements for the ordainment of the city as set forth in the master plan' (Title VII, Ch. 2, Art. 182, Par. 2)

It would take another decade for the constitutional text to be translated into specific legislation, with the passing of a bill known as the Estatuto da Cidade (the City Statute) in 2001. According to Maricato (2010), the City Statute deals with urban development in a holistic way, covering the following areas:

Box 1. ***The 1988 Federal Constitution Chapter on Urban Policy (Here we use a translation provided by the University of Georgetown in their website. (Walsh, 2008).***

CHAPTER II - URBAN POLICY

Article 182. The urban development policy carried out by the municipal government, according to general guidelines set forth in the law, is aimed at ordaining the full development of the social functions of the city and ensuring the well-being of its inhabitants.

Paragraph 1 - The master plan, approved by the City Council, which is compulsory for cities of over twenty thousand inhabitants, is the basic tool of the urban development and expansion policy.

Paragraph 2 - Urban property performs its social function when it meets the fundamental requirements for the ordainment of the city as set forth in the master plan.

Paragraph 3 - Expropriation of urban property shall be made against prior and fair compensation in cash.

Paragraph 4 - The municipal government may, by means of a specific law, for an area included in the master plan, demand, according to federal law, that the owner of unbuilt, underused or unused urban soil provide for adequate use thereof, subject, successively, to:

1. compulsory parcelling or construction;

2. rates of urban property and land tax that are progressive in time;

3. expropriation with payment in public debt bonds issued with the prior approval of the Federal Senate, redeemable within up to ten years, in equal and successive annual instalments, ensuring the real value of the compensation and the legal interest.

Article 183. An individual who possesses an urban area of up to two, hundred and fifty square meters, for five years, without interruption or opposition, using it as his or as his family's home, shall acquire domain of it, provided that he does not own any other urban or rural property.

Paragraph 1 - The deed of domain and concession of use shall be granted to the man or woman, or both, regardless of their marital status.

Paragraph 2 - This right shall not be recognized for the same holder more than once.

Paragraph 3 - Public real estate shall not be acquired by prescription.

- guidelines and precepts concerned with urban planning and plans;
- urban management;
- state, fiscal and legal regulation (particularly referring to landed property and real estate);
- tenure regularization of informal properties;
- social participation in the elaboration of plans, budgets, complementary laws and urban management,
- public–private partnerships, etc.

According to Maricato, the Statute introduced 'a genuinely national approach to dealing with the problems of cities'. The statute was implemented with the active participation and input of organizations historically rooted in the popular urban social movements.

Maricato gives a compelling introduction to the Statute:

> The City Statute (Federal Law Number 10.257), approved in 2001, is justifiably highly regarded in many countries throughout the world. The unique qualities of the Statute are not confined to the high quality of its legal and technical drafting. It is widely regarded as a crowning social achievement, which took shape gradually in Brazil over a number of decades. The history of the City Statute is basically an example of how a large number of stakeholders from different sectors of society – citizens' movements, professional bodies, academic institutions, trade unions, researchers, NGOs, parliamentary representatives and progressive town mayors – pursued a concept of this type for many years and saw it come to fruition in the face of adverse circumstances. The Statute seeks to bring together, in a single text, a series of key themes related to democratic government, urban justice and environmental equilibrium in cities. It also highlights the gravity of the urban question, ensuring that urban issues occupy a prominent position on the national political agenda of Brazil – now a predominantly urbanised country that was essentially rural until relatively recent times (Maricato, 2010, p. 5).

Caldeira and Holston (2005) mention four reasons why this law is so significant in the history of Brazilian legislation on urban policymaking. In the first place, it defines a set of general guidelines that demarcates the social function of the city and of urban property. This notion comes from the separation of property rights from use rights. In short, the Brazilian constitution recognized that urban property has or ought to have an eminently social function, as its value is the result of collective undertakings.

Collective undertakings in city building result in place-bound benefits, as the structures and infrastructures serving a particular plot of urban land are generally provided by the public sector, and paid for with public money. How to balance the fact that urban land gets its value from locational advantages made available mainly by collective undertakings and that these locational advantages are not equally distributed in the city? The separation between property rights and use rights seeks to redress the balance between public expenditure and private gains, and to preserve public interest in urban development.

Chapter 2 of the constitution meant that financial gain could be considered a secondary objective in urban development, and that land could be taxed, planned, zoned and used to promote public goods. This might look natural in Western planning systems, but it did represent a small revolution in the context we have described in section 4. Mentalities were shaped to consider private ownership of land as a fundamental value since early Portuguese colonization, with its eminently patrimonialist nature (Alvarenga, 2011). Moreover,

Brazilian elites have traditionally been quite anxious about the possibility of property expropriation since the emergence of a socialist strand in Brazilian politics. This anxiety was tremendously reinforced by the ideologies propagated left and right during the Cold War. It makes it all the more admirable that the 1988 Brazilian Constitution put forward the notion of social function of property in general, and of social function of urban land in particular.

We shall see how this has been implemented through a collection of planning tools. Unfortunately, however, urban development in Brazil remains very speculative, thanks (among other factors) to extreme spatial inequalities. Here it suffices to note that, despite rampant speculation, urban management tools, such as progressive taxation, were implemented, with different degrees of success in different cities. Progressive (gradually increasing in time) taxation could be applied to land that does not perform its 'social role', but it was left to local authorities to decide what this 'social role' was.

The second reason why the City Statute is so significant is that this piece of legislation is written from the perspective of the urban poor, who are arguably the majority of Brazilian city dwellers. Therefore, it 'creates mechanisms to revert some of the most evident patterns of irregularity, inequality, and degradation in the production of urban space' (Caldeira, 2008). This is remarkable in the history of Brazilian and Latin American urban policy-making.

The third aspect is that the City Statute promises to develop and implement urban policies only with the intermediation of popular participation. This means that the production of urban space is not solely a matter of the State or of specialists, but citizens are called to actively participate and influence policy-making. As we alluded to before, this is very intimately related to ideas concerning the 'right to the city' proposed by Lefebvre (1968) and later expanded by David Harvey (2008), who largely based himself on the Brazilian experience. Due to the democratization process, neighbourhood-based organizations now could have a say in the approval of the master plans made by local administrations. The City Statute admirably combined top-down planning and bottom-up input.

There is a fourth aspect worth mentioning. The City Statute is 'not framed as a total plan' but offers the possibility for local administrations 'to enforce the social function of property/of the city' in a myriad of different ways (Caldeira, 2008). For that reason, it is fundamentally different from earlier urban pieces of legislation, such as the planning of Brasília (1955–1960), which consisted of a total design where views about how society should function were implicit in the urban form. Moreover, the City Statute encouraged local administrations to implement small neighbourhood-based projects, instead of large-scale master planning.

From our point of view, the City Statute should be seen as an instrument towards more equal distribution of burdens and benefits of urbanization through access to urban land, housing and services. In the Statute, citizens' urban rights are ensured, and therefore the law can become an instrument to pressure local administrations to improve the quality of living environments on many different levels.

Article 2 of the Statute speaks of 'the right to sustainable cities, understood as the right to urban land, housing, environmental sanitation, urban infrastructure, to work and leisure for current and future generations' (Brazilian Federal Government, 2001). Again, and

admirably for the time, the Statute understands and applies the concept of sustainability as necessarily composed by social, economic and environmental dimensions.

According to the same article, urban policies should also supply 'urban and community facilities, transportation and public services adequate for the interests and needs of the population' (Brazilian Federal Government, 2001). This legislation is especially significant for people living in informal settlements, especially when we consider this article in relation to article 9. Article 9 guarantees that people who have inhabited a dwelling for more than five years uncontested shall get legal property rights of their possessions (in most cases a house, but also agricultural land).

In practice, the procedure to obtain legal status for an irregularly subsided plot of land is still very laborious and complicated, but municipalities do actively support slum dwellers and owners of illegal subdivisions in the juridical process. Article 9 is important because it protects people against forced evictions. It is also important because the legalization of favelas and illegal subdivisions also implies that local authorities are forced to provide the urban facilities defined in article 2 (Brazil Federal Government, 2001).

In summary, the main policy goals of spatial planning in Brazil concern devolution, redistribution and social sustainability through participatory tools, with the overarching aim of achieving social justice and fair distribution of societal gains. This is done through participatory mechanisms and innovative concepts embedded in law, such as the social function of property. These instruments, as we have said, do not guarantee that their principles are followed by local administrations. Examples abound of very disparate application and very disparate outcomes of the law. But they do serve as a basis for the organized social movements that agitate for citizens' rights. These concepts have prompted the enactment of local legislation that varies considerably from place to place.

6. Planning Tools

The main tool for local spatial planning in Brazil is the 'Participatory Master Plan', which has an eminently spatial character. According to the Statute of the City, Brazilian municipalities with more than 20.000 inhabitants must have a 'Master Plan'. For the Ministry of Cities of the Brazilian Federal Government, a 'Master Plan' is a 'tool to think urban development'. A participatory master plan potentially exceeds its traditional role as a piece of legislation delivered by technocrats, but should be a 'process in which citizens think and discuss the city where they live, work and dream, and make proposals to correct existing distortions on the development process of their municipality. The Master Plan defines, therefore, what is the best social function of each fragment of the city, considering specific economic, cultural, environmental and social needs. The Master Plan is truly a socio-territorial pact which ought to transform the reality of our cities' (Ministry of Cities, 2013). This colourful political language depicts nevertheless the core values of Participatory Masters Plans: a participatory process where citizens are called upon to participate in the shaping of their own living environments together with the public sector, correcting market distortions through deliberation, within the framework of social function of property. This is an enormous task, considering that until 2008, more than 1.700 municipalities had not yet been able to produce a master plan. According to the Ministry of Cities, many municipalities could not deliver one because of lacks in technical capacity.

In 2005, the Ministry of Cities launched a national campaign titled 'Participatory Master Plan: Cities for All', followed by the National Program of Capacity Building in Cities, assisted by the Council of Cities. The Capacity Building Program includes a myriad of actions, such as the publication of manuals, the promotion of courses, the training of professionals and direct fund transfers to municipalities preparing their plans. It also includes funding to academic research and consulting activities offered by research teams located at public universities.[7]

A Participatory Master Plan includes classic tools for urban management, such as a zoning plan and land use regulation. It also includes a number of progressive planning tools, which are described in the City Statute and may or may not be included in plans. It is useful to remind the reader that municipal councillors must approve local Masters Plans, and the ideological inclination of local councillors plays a major role. However, article 42 of the Statute also defines minimal contents for all Masters Plans. The Ministry of Cities has compiled a detailed list of planning tools effectively being adopted by municipalities (Ministry of Cities, 2006). According to the Ministry of Cities, zoning is still the most widely used tool, but there are several modalities of zoning being adopted, often simultaneously: Economic and Environmental Zoning, delimitation of Special Zones of Environmental Interest, Special Zones for Cultural Preservation, Special Zones for Traditional Communities (these might include native Brazilians, but also African Brazilian communities known as Quilombos), urban containment tools, etc. Among other available tools are Transfer of Development Rights, Joint Urban Operations, Onerous Grants of Building Rights, Onerous Grants for Land Use Change, and Betterment Grants, etc.

However, there are a number of progressive tools that help spatial planners and policymakers achieve some of the overarching planning objectives described earlier. The establishment of ZEIS (Special Zones of Social Interest), Compulsory Parcelling and Compulsory Building, Progressive Taxation, and surface rights are some tools being consistently used by some local authorities.

ZEIS are specially demarcated areas for dealing with low-income informal settlements. These are generally areas already occupied by slums or other forms of informal urbanization, but empty plots might also be included in a ZEIS. Once an area is included in a ZEIS, common urban regulations can be made flexible to deal with existing informal urbanization without fundamentally changing built typologies or the urban form. This is a tool used in slum upgrading strategies, for instance.

In compulsory parcelling, the floor ratio established in zoning regulations can help define plots or areas that are being 'underutilized'. Theoretically, underutilized plots do not fulfil their 'social function' (however, this is a matter of discretion and may be subject to a judicial ruling). The tool allows planners to demand that an underutilized plot be parcelled, built upon or that its use be changed. A similar logic underpins progressive taxation, where an underutilized plot can have its taxation progressively increased until it fulfils certain conditions that show the plot fulfils its social function, as defined by the local plan. There are strict rules about how progressive taxation can be applied. In short, landowners have a period of five years to make their land adequate to floor ratio or use criteria. After that period, their land can be expropriated, but in practice this will be decided judicially.

This collection of tools and instruments for urban and spatial management is being gradually implemented, not without resistance from the real estate market, land speculators, landowners and conservative politicians.

It is noteworthy that the constitutional precepts explained here must be made into local law in order to be applied at the local level. In other words, the ideas expressed in the federal constitution must be made into specific laws by each local council in order to be applied. This means that more conservative-led local councils may choose not to create such tools, and if the laws already exist, it is possible to circumvent them locally through legal challenges. According to the Ministry of Justice of Brazil, among 288 municipalities with more than 100.000 inhabitants, only 110 had specific laws for compulsory parcelling in 2012 (one of the main instruments created following the social function of land). In 2015, only eight municipalities applied the instrument. Progressive taxation due to long-lasting vacancies in real estate was applied in only two municipalities.

The outcomes of progressive planning tools are not always connected to social justice or redistribution. Tools like the Joint Urban Operations might have perverse outcomes, producing gentrification and evictions. One exemplary case was the Águas Espraiadas Urban Operation in São Paulo's new CBD, carried out in the second half of the 1990s, and described in detail by Fix (2001). The then municipal government of São Paulo used the tool to evict the inhabitants of a huge slum, clearing the space for international real estate developers to build state-of-the-art office towers and luxury residences, in what was to become the most globally connected stretch of land in South America.

There are serious challenges ahead, as implementation is difficult and can be obstructed by a series of structural factors. Hurdles include an inefficient juridical system, corruption, administrative inefficiency, lack of implementation capacity, as well as weak forms of accountability and control. These hurdles are very serious and have been partially responsible for the massive street demonstrations that swept Brazil in June 2013 and have led to the impeachment of the seating president in 2016. Since then, the country has lost many of its social gains, due to an unabatingly conservative federal government that has implemented sweeping reforms in the name of economic austerity, culminating with the election of a far-right politician to the presidency in 2018. This politician was elected on the promise of dismantling many of the tools and frameworks described here, including the elimination of the Ministry of Cities.

Meanwhile, most small cities do not have competent technical staff to develop plans that use the tools of the City Statute effectively, while large cities face the challenges of large populations and inherited problems. How to conduct participatory processes to discuss zoning regulations in a municipality with 19 million inhabitants, such as São Paulo?

The way forward was to reach agreements with leaders of the social movements and neighbourhoods. This style of participation was so successful that when the participative Master Plan was voted in the City Council of São Paulo, the city's housing movements literally surrounded the building demanding that city representatives approve the Plan as it was. One of their crucial gains was the recognition of large areas in the city where informal settlements are located as ZEIS, the Zones of Special Social Interest described above. This status allowed informal settlements to be considered strategic points of urban development in the city and allowed special measures for their improvement.

The new participatory spatial plan for Sao Paulo was approved in 2014, and was made into law. The plan is a binding legal document. By the end of a very progressive local government in the city of Sao Paulo (Fernando Haddad, 2013–2016), elections were won by a conservative candidate. The leading association of real estate companies (SECOVI) was able to appoint the new municipal planning secretary and announced a review of the recently approved plan, not without much resistance. If on the one hand this shows the vulnerability of institutions to the influence of the private sector, on the other hand they confirm the importance of the tools created by the Statute of the City. This example illustrates the state of affairs in many large Brazilian cities.

7. Final Remarks: The Challenges of Brazilian Planning

With all the progressiveness of their laws, and after more than 25 years after re-democratization, Brazilian cities and regions still face considerable challenges.

Maricato (2010) explains that:

> The essential legal provisions contained in the Statute's text are not sufficient to resolve the structural problems of a historically unequal society in which people's rights, such as their 'right to the city' or to legally sanctioned housing, are not yet assured for the majority of the population. In some of Brazil's largest cities, the majority of the population still lives in informal housing that is not subject to urban planning rules or laws, in neighbourhoods that have been built with no formal intervention by architects and engineers, and without access to housing finance (p.5).

Maricato explains a fundamental challenge to be faced by Brazilian planners (as much as by planners in other developing nations). While in the developed world the State has effective control over most aspects of urban development, in the developing world, a large portion of urban development has happened and still happens outside formal regulations. Informal urbanization is a large part of urbanization in Brazil. We have described our position in regards to the debate on the merits of informal urbanization elsewhere (Ballegooijen & Rocco, 2013). Suffice to say that whereas informal urbanization has allowed for dispossessed rural immigrants to inhabit the city and initiate their struggle for rights (Holston, 2008). This is not a desirable or comfortable state of affairs. Disenfranchised inhabitants of the city struggle if they do not have strong institutors and legal frameworks to back them. A large portion of inhabitants of Brazilian cities are not part of the 'realm of law' where citizenship can be fully exercised. Those 'excluded' are not able to claim their civil rights.

In this sense, although it may seem excessively optimistic to trust the Statute of the City to deliver the public goods and the participation it promises in a country plagued by weak institutions, the truth is that the Statute has enabled grassroots movements and provided them with a strong platform to claim for their rights.

Precisely because Brazil has this legal framework, local authorities were forced to answer the demands of social groups for basic services provision for most citizens, even those living in informal settlements. If we compare the coverage of basic public services in normal and subnormal households of the three largest Brazilian cities, it can be observed that Brazil is not far from full-service provision.

	Normal			Subnormal		
	Federal District	Rio de Janeiro	São Paulo	Federal District	Rio de Janeiro	São Paulo
Households linked to WATER NETWORK (percentage)	95.45%	98.30%	98.95%	94.51%	96.02%	97.60%
Households linked to SEWAGE NETWORK (percentage)	75.66%	87.42%	89.85%	15.04%	83.40%	65.11%
Households linked to ELECTRICAL NETWORK (percentage)	99.93%	99.95%	99.93%	99.75%	99.93%	99.85%
Households with GARBAGE COLLECTION (percentage)	99.36%	99.52%	99.81%	86.24%	97.12%	98.84%

Basic infrastructures – Situation by type of settlement – 2010 Census, IBGE. Table organized by S. V. de Carvalho.

It is our belief that the crucial question concerning spatial planning in Brazil concerns the access to positive rights, which are necessarily connected to the inclusion of citizens into the rule of law, providing them with full actual citizenship. We believe the planning system being implemented in Brazil, despite legalistic character, is a solid base to achieve those goals, even considering recent drawbacks. A just and democratic country must be able to provide healthy and sustainable urban environments through participation and redistribution, and its planning procedures and tools must be at the service of spatial justice.

Notes

1. The acquisition of a title or right to property by uninterrupted and undisputed possession for a prescribed term.
2. See transcription of Chapter 2 of the 1988 Brazilian Federal Constitution on urban development reproduced further on.
3. Federal States have the mandate to create new municipalities and to merge old ones (generally following popular demand), which makes the number of Brazilian municipalities constantly change. At the time of writing, the federal government intended to tackle this problem by establishing minimum population and built area thresholds, http://www.ibge.gov.br/home/presidencia/noticias/pdf/analise_estimativas_2014.pdf.
4. Planned to replace Ouro Preto as the capital of the State of Minas Gerais.
5. SUDAN – SUDENE.
6. All laws and regulations are originally written in Portuguese and translated into English by the author.
7. A complete description of the program can be found at http://www.cidades.gov.br/index.php/planejamento-urbano/350-campanha-plano-diretor.

Disclosure statement

No potential conflict of interest was reported by the authors.

ORCID

Roberto Rocco http://orcid.org/0000-0002-0331-7295
Luciana Royer http://orcid.org/0000-0002-0510-3346
Fábio Mariz Gonçalves http://orcid.org/0000-0002-8419-0686

References

Alvarenga, C. F. R. P. D. (2011) O patrimonialismo no Brasil da colônia ao fim do Segundo Reinado. *Jus Navigandi*, p. 16.

Ballegooijen, J., & Rocco, R. (2013) The ideologies of informality: Informal urbanization in the architectural and planning discourses, *Third World Quarterly*, 34(10), pp. 1794–1810. DOI: 10.1080/01436597.2013.851890

Brazil Federal Government. (2001) *Estatuto Da Cidade: Guia Para Implementação Pelos Municípios E Cidadãos*. (Brasilia: Federal Senate/ Ministério das Cidades/ Instituto Polis/ CEF).

Brito, F., & Carvalho, J. A. (2006) As migrações internas no Brasil: As novidades sugeridas pelos censos demográficos de 1991 e 2000 e pela PNADS recentes. Congresso da Associação Brasileira de Estudos Populacionais. *XV Encontro Nacional De Estudos Populacionais*, pp. 1–16 (Caxambu: ABEP). Available at http://www.abep.org.br/~abeporgb/publicacoes/index.php/anais/issue/view/35

Caldeira, T., & Holston, J. (2005) State and urban space in Brazil: From modernist planning to democratic interventions, in: A. Ong & S. J. Collier (Eds) *Global Assemblages: Technology, Politics, and Ethics as Anthropological Problems,*pp. 393–416. (London: Blackwell).

Caldeira, T. P. R. (2008) From modernism to neoliberalism in Sao Paulo: Reconfiguring the city and its cities, in: A. Huyssen (Ed) *Other Cities, Other Worlds: Urban Imaginaries in a Globalising Age,*pp. 51–78. (Durham NC: Duke University Press).

Cymbalista, R. (2008) Presentation, in: R. Cymbalista (Ed) *The Challenges of the Democratic Management in Brazil,*pp. 5–8. (Sao Paulo: Instituto Polis).

Firkowski, O. (2013) Metrópoles e regiões metropolitanas no Brasil: Conciliação ou divórcio?. *Território Metropolitano, Políticas Municipais: Por Soluções Conjuntas De Problemas Urbanos No Âmbito Metropolitano*. (Brasilia: IPEA).

Fischlowitz, E. & Engel, M. H. (1969) Internal migration in Brazil, *International Migration Review*, 3, pp. 36–46. doi: 10.2307/3002588

Fix, M. (2001) *Parceiros Da Exclusão: Duas Histórias Da Construção De Uma "nova Cidade" Em São Paulo: Faria Lima E Agua Espraiada*. (São Paulo, SP: Boitempo Editorial).

FNEM. (2013) *Legislacões Das Areas Metropolitanas Brasileiras* [online]. (São Paulo: FNEM). Available at http://www.emplasa.sp.gov.br/fnem/legislacao.asp (accessed 01 June 2013).

Grostein, M. D. (1987) A Cidade Clandestina: Os ritos e os mitos. O papel da 'irregularidade' na estruturação do espaço urbano no município de São Paulo. 1900–1987, PhD thesis, USP.

Harvey, D. (2008) The right to the city, *New Left Review*, 53, pp. 23–40.

Holston, J. (2008) *Insurgent Citizenship: Disjunctions of Democracy and Modernity in Brazil*. (Princeton: Princeton University Press).

IBGE. (2000) *Características Gerais Da População. Census 2000*. (Brasilia: Instituto Brasileiro de Geografia e Estatística).

IBGE. (2010) *Características Gerais Da População. Census 2010*. (Brasilia: Instituto Brasileiro de Geografia e Estatística).

IBGE. (2011) Em 2009, preços das commodities minerais influenciaram a participação de municípios no PIB Available at https://censo2010.ibge.gov.br/noticias-censo.html?busca=1&id=1&idnoticia=2049&t=2009-precos-commodities-minerais-influenciaram-participacao-municipios-pib&view=noticia (accessed 10 April 2014).

IBGE. (2015) *Características Gerais Da População*. (Brasilia: Instituto Brasileiro de Geografia e Estatística).

Lefebvre, H. (1968) *Le Droit a La Ville*. (Paris: Seuil).

Maricato, E. (2010) The statute of the peripheral city, in: C. S. Carvalho & A. Rossbach (Eds) *The City Statute of Brazil: A Commentary,*pp. 5–22. (São Paulo: Cities Alliances/ Ministry of Cities Brazil).

Ministry of Cities. (2006) *Pesquisa Plano Diretor [Master Plan National Survey]* [Online]. (Brasilia: Ministry of Cities). Available at http://www.cidades.gov.br/index.php/planejamento-urbano/368-pesquisa-plano-diretor (accessed 1 June 2013).

Ministry of Cities. (2013) *Campanha Plano Diretor* [Online]. (Brasilia: Ministério das Cidades). Available at http://www.cidades.gov.br/index.php/planejamento-urbano/350-campanha-plano-diretor (accessed 1 July 2013).

MNI, Ministry of National Integration (2011). Região Integrada de Desenvolvimento do Distrito Federal e Entorno - RIDE-DF. Available at http://www.mi.gov.br/regioes_integradas_df_rides (accessed 4 April 2014).

Moura, R., & Cintra, A. P. U. (2011) *Dinâmicas Territoriais Da População: Primeiros Resultados Do Censo 2010*. (Curitiba: Ipardes). Available at http://www.ipardes.gov.br/biblioteca/docs/NT_22_Primeiros_Resultados_Censo_2010.pdf (acessed 2 April 2014).

Nadin, V., & Stead, D. (2012) Opening up the compendium: An evaluation of the international comparative planning research methodologies, *European Planning Studies*, 1, pp. 1–20.

Ostrom, E. (2005) *Understanding Institutional Diversity*. (Princeton, NJ: Princeton University Press).

Rocco, R., & Schweitzer, R. (2013) Issues of governance in water resources management and spatial planning, in: AESOP (Ed) *AESOP-ACSP*, (Dublin: AESOP).

Stelzig, S. (2008) Focus migration: Country profile 15 Brazil, in: B. Bils (Ed) *Focus Migration*, pp. 1–11. (Hamburg: Hamburg Institute of International Economics). Available at http://focus-migration.hwwi.de/uploads/tx_wilpubdb/CP_15_brazil_01.pdf (accessed 13 May 2015).

Walsh, E. (2008) *Brazilian Federal Constitution of 1988* [online]. (Georgetown: Georgetown University). Available at http://pdba.georgetown.edu/constitutions/brazil/english96.html-mozTocId89810 (accessed 22 April 2013).