



# Implementing Progressive Planning in Niterói, Brazil: Where Rhetoric Meets Practice

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**IMFG**  
Institute on Municipal  
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at the

**MUNK**  
SCHOOL  
OF  
GLOBAL  
AFFAIRS



**UNIVERSITY OF  
TORONTO**

# I. Context

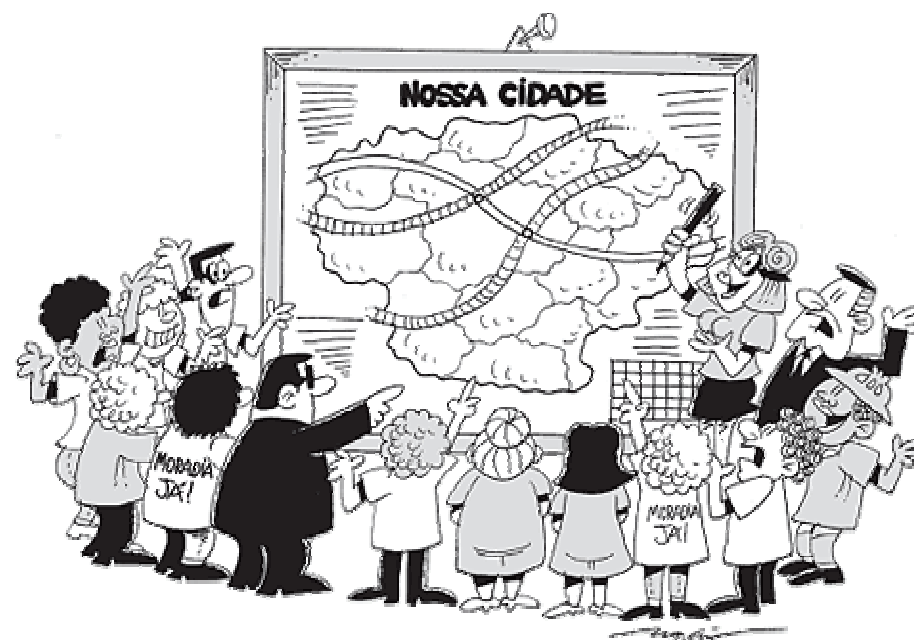
- I. Context
- II. Case study
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- V. Final thoughts

- Research context
- Historical background
- Research themes and conceptual framework



# Lei que não pega

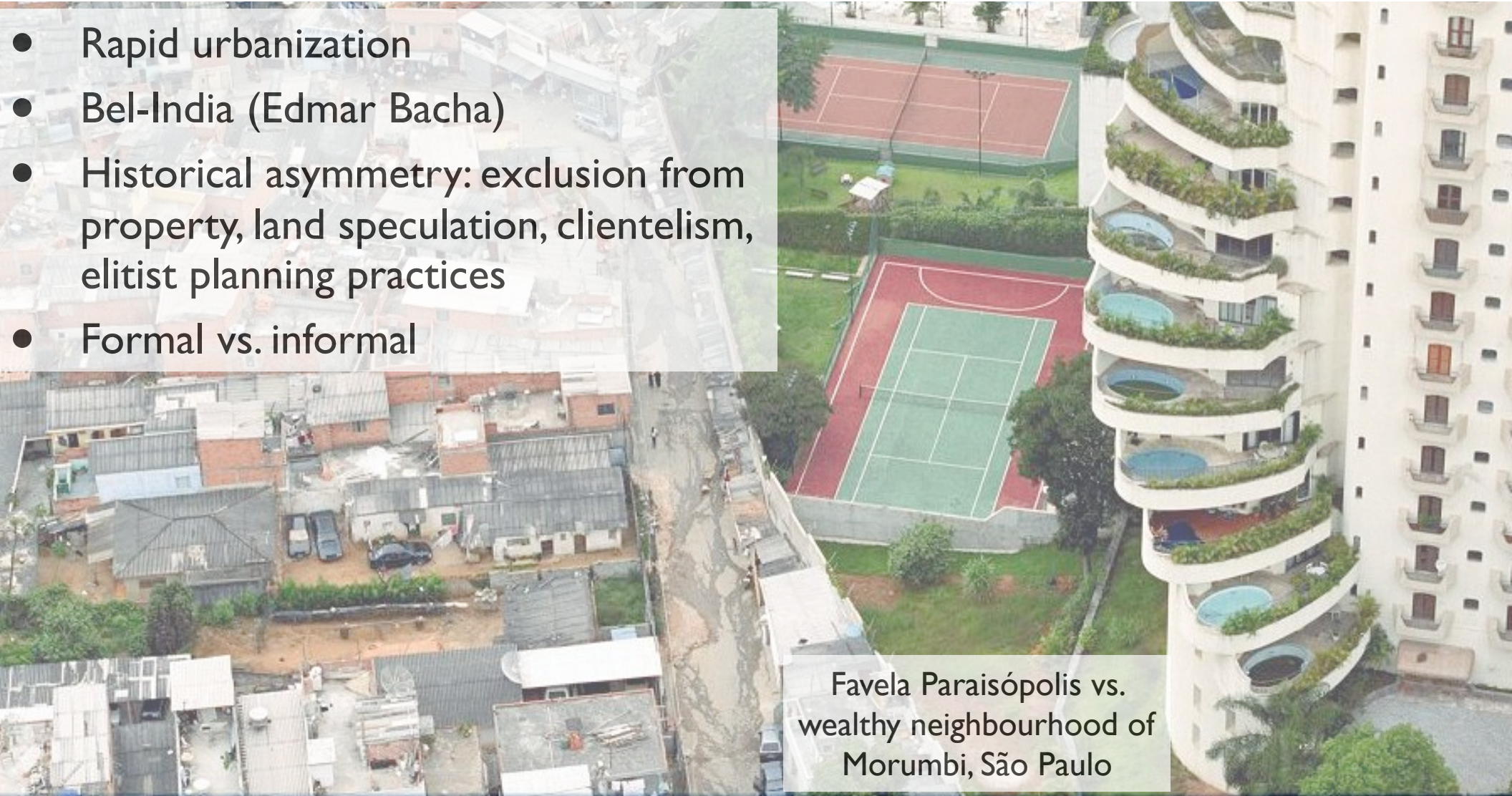
- Juxtaposition: Statute of the city vs. local implementation
- Sentiments of many informants: disillusionment; *lei que não pega*
- Many challenges tied to Brazilian context
- Statute creates possibilities, but can these be used?



“Our City”

# The research context

- Rapid urbanization
- Bel-India (Edmar Bacha)
- Historical asymmetry: exclusion from property, land speculation, clientelism, elitist planning practices
- Formal vs. informal



Favela Paraisópolis vs. wealthy neighbourhood of Morumbi, São Paulo

# Brazil in the 1980s and 1990s

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The urban reform movement:  
“A city for everyone is possible”

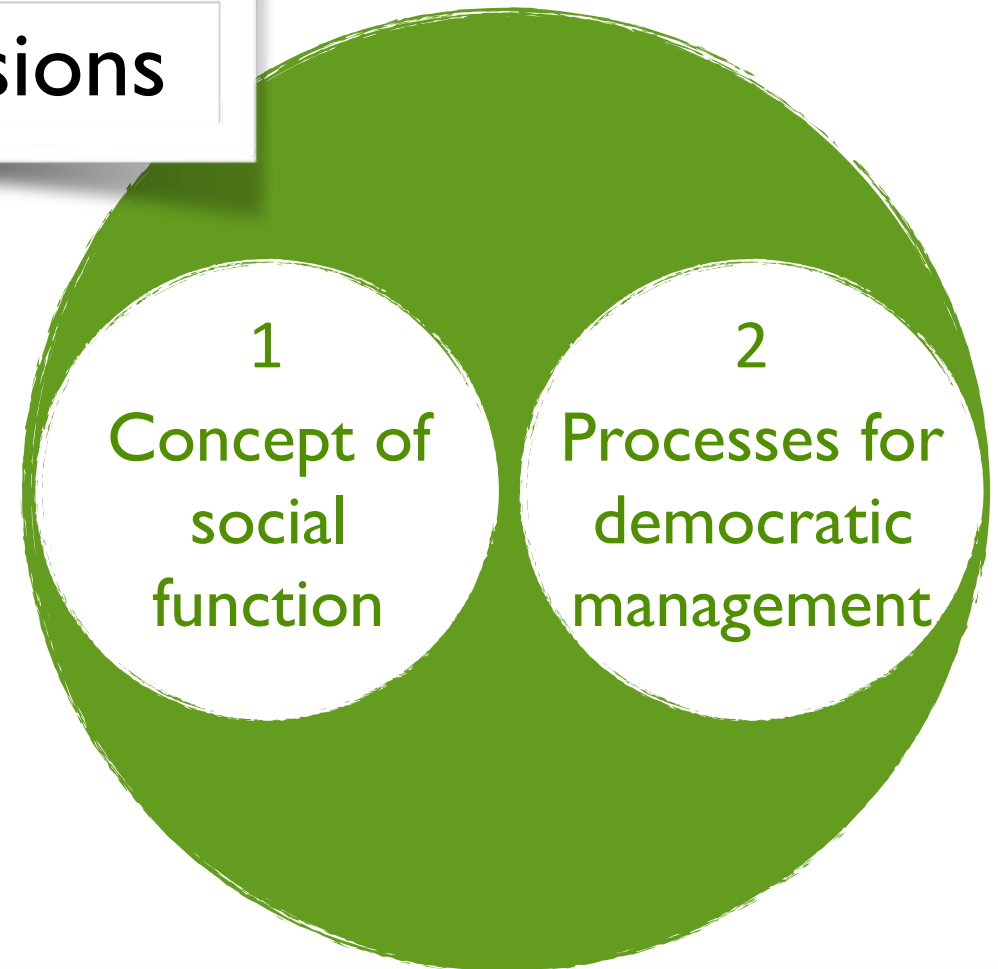


A new ‘citizens’ Constitution: 1988

# The Statute of the City: 2001

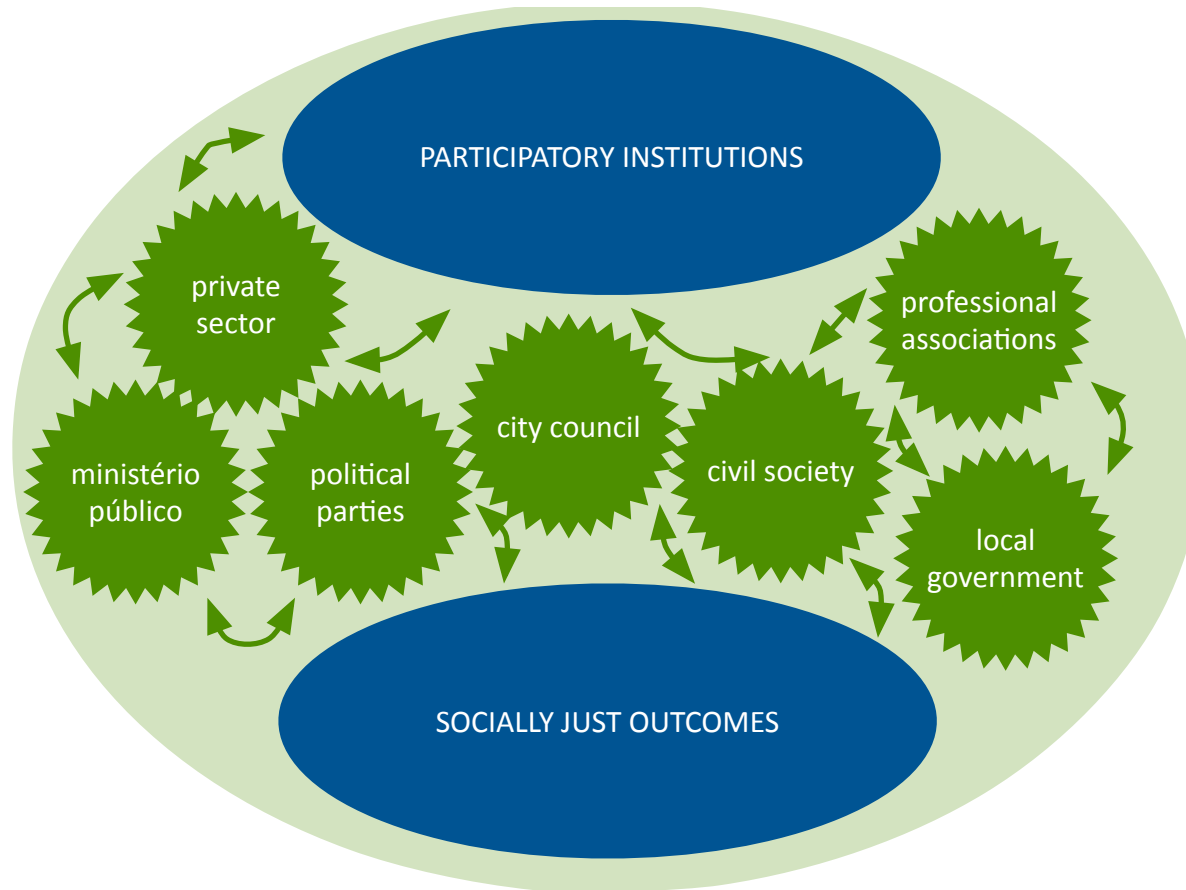
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## The Statute's 2 dimensions



# A relational framework

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Participation + Civil society + Power + Social justice

# II. The case study: Niterói, RJ

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“If no man is an island, the same applies to cities. Niterói, of course, offers its residents the highest level of quality of life of the State of Rio de Janeiro (and one of the best in Brazil, certainly) but it is not exempt from the ills that affect other Brazilian municipalities... despite recent improvements, it still faces serious urban problems.”

– Jorge Roberto Silveira, Former Mayor



Niterói in relation to Rio State



# Niterói's planning system: the 1990s

“Without sanitation, with a choked road system, precarious transport and lagoons plagued by squatting and land speculation”...The area is lauded as “having enormous potential for tourism and as the ‘new Niterói’ which should house the city’s expansion”

– Niterói in the XXI century, 1991

ORDEN	TEMAS	% (1)
1º	Saneamento (inclui precariedade da rede de água e esgoto, escoamento de águas pluviais)	17,02
2º	Transporte (ônibus, barcas)	12,76
3º	Trânsito e sistema viário	11,70
4º	Habitação (inclui questões de regularização, furtiva e questões relativas ao mercado imobiliário)	9,57
4º	Planejamento e administração da cidade	9,57
5º	Trabalho (condições de trabalho, e problemas específicos de cada categoria)	8,51
5º	Saúde (condições gerais da rede)	8,51
6º	Educação (condições gerais da rede)	6,38
7º	Segurança (violência, menor abandonado, sinistros)	5,31
8º	Lazer (eventos públicos, espaço para os eventos)	4,25
9º	Energia Elétrica	3,19

Niterói in the XXI century (1991)

# The 1992 master plan

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The social function of property:  
“means the right of every citizen to  
have access to housing, public  
transport, basic sanitation ... health,  
education, security”

– Niterói’s Master Plan



# An overview of Niterói

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Niterói's 5 planning regions: Praias da Baía, Ocêânica, Norte, Pendotiba, Leste

# III. Participatory planning

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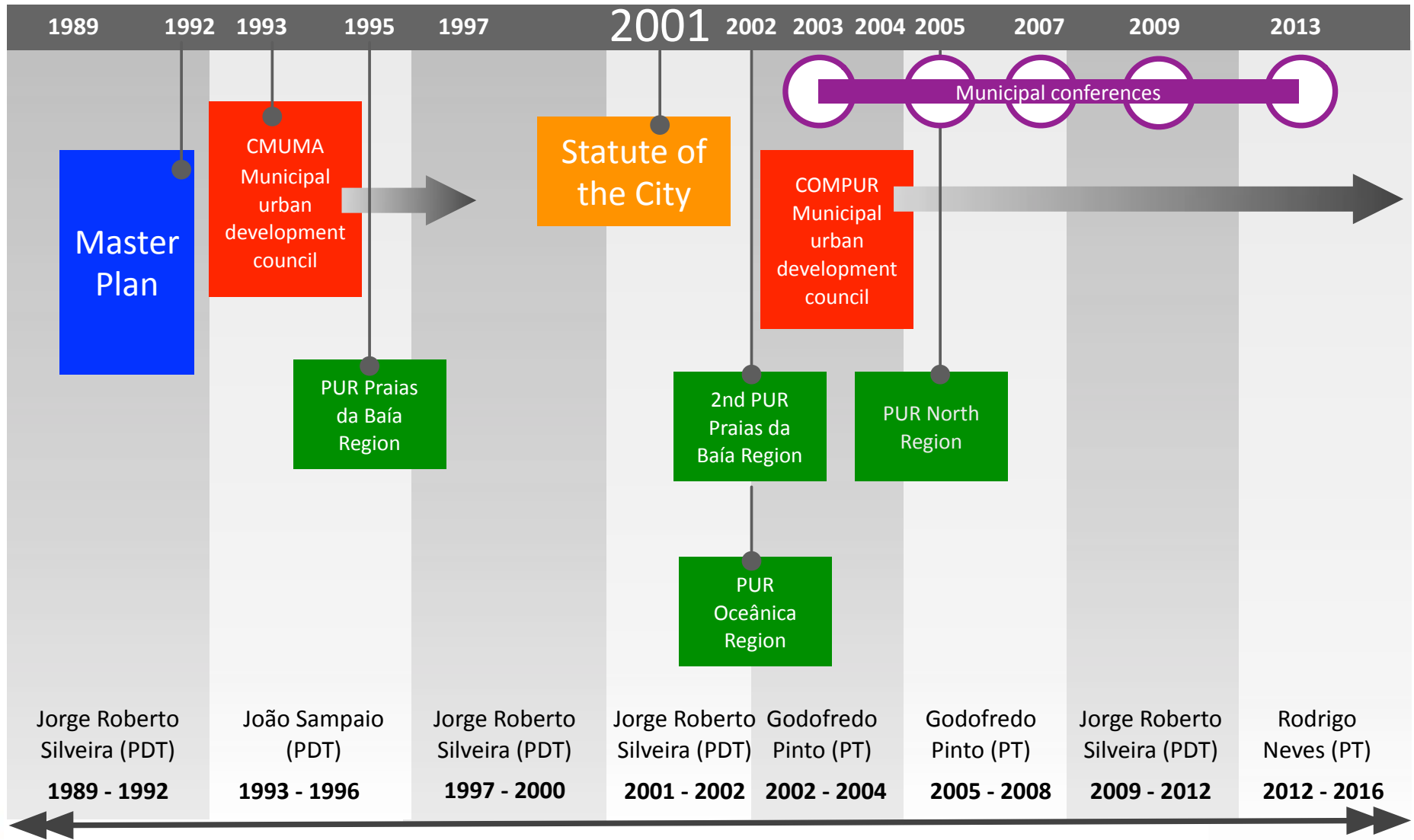
# Participatory planning in practice

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# Participatory planning in Niterói

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# Participation in master plans

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Advertisement for a community meeting for the participatory master plan, 1991

**PARTICIPAÇÃO POPULAR NO**  
**PLANO DIRETOR**

**ENCONTRO REGIONAL COM A POPULAÇÃO PARA DEBATER QUESTÕES LOCAIS**

**10 DE SETEMBRO (3ª FEIRA) ÀS 20 HORAS**

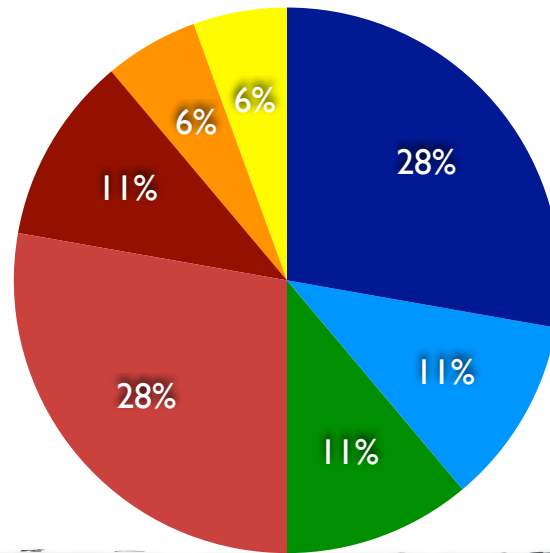
**LOCAL: CÂMARA MUNICIPAL DE NITERÓI**

**BAIRROS DO 5º ENCONTRO:**  
ILHA DA CONCEIÇÃO · PONTA DA AREIA · CENTRO · SÃO LOURENÇO · GRAGOATA · SÃO DOMINGOS · M. DO ESTADO · B. DE FÁTIMA

**PREFEITURA DE NITERÓI**      **SÉCRETARIA MUNICIPAL DE URBANISMO E MEIO AMBIENTE**

# Urban development councils

## Composition of COMPUR



- Municipal government
- City council
- Business sector
- Social & popular movements
- Unions
- Professional / academic entities
- NGO

1993 - 1998

CMUMA (*conselho municipal de urbanismo e meio ambiente*)

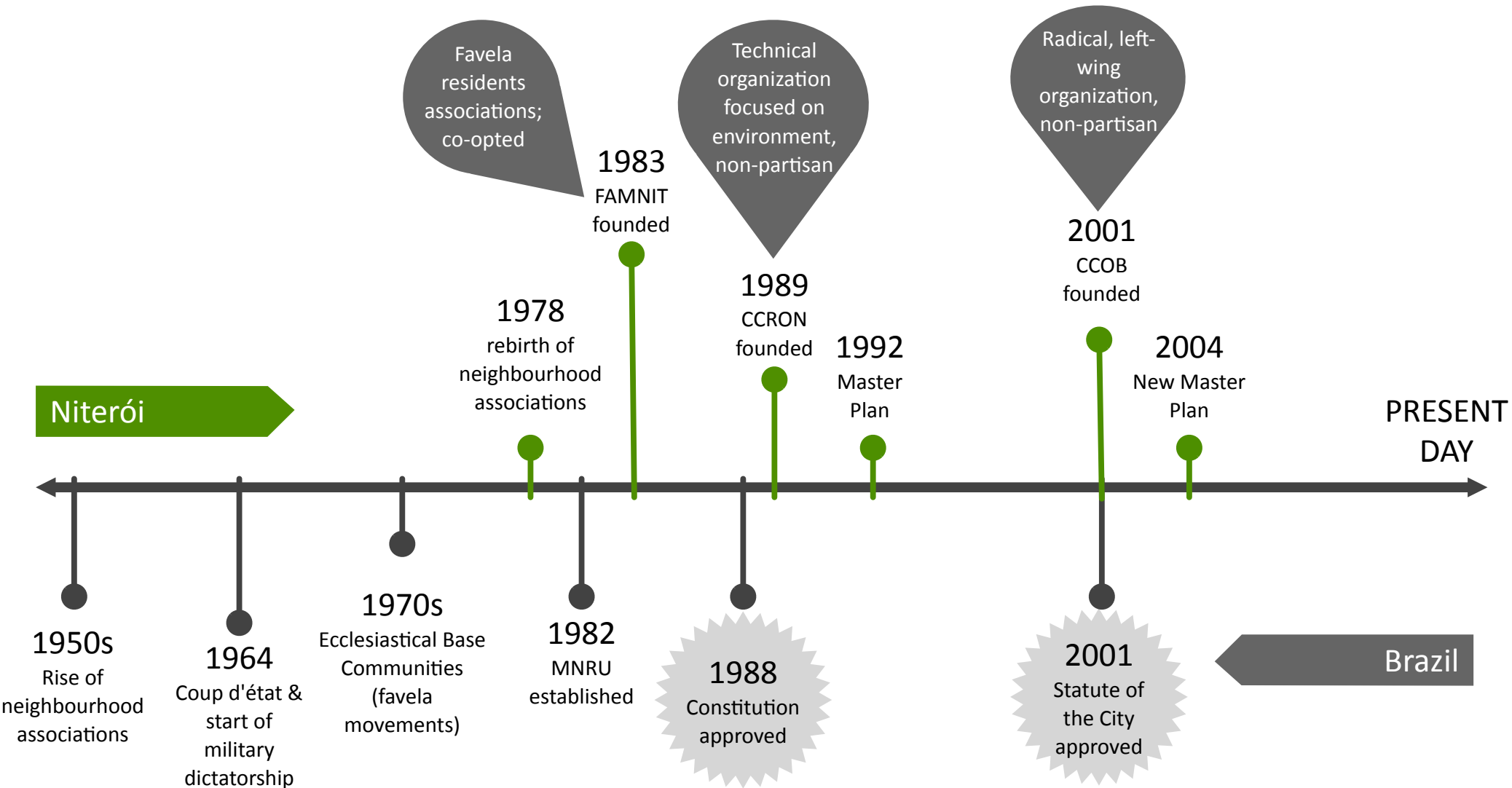
2003 -

COMPUR (*conselho municipal de política urbana*)



# Civil society in Niterói

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# IV. Social justice

Planning ideas	Good	Bad	Ambiguous
① Public space	Heterogeneity	Lack of access; homogeneity	
② Planning	Citizen participation	Rule of experts	
③ Distribution of benefits	Redistributes to the worst-off	Favours the already well-to-do	Assists the middle class
④ Community	Recognition of the other; diversity	Homogeneity	

Urban values of social justice

# The meaning of social justice

## The urban reform movement

To create change “in the sense of universalization. This would mean redistributing income, redistributing resources to ensure that everyone has the right to housing, to ensure that everyone has the right to sanitation, to ensure that everyone has the right to mobility... Urban policies have a structural component in the conditions of social reproduction. So the redistribution of income via urban policies is a key component for social reproduction itself.”

**Redistribution to all, to democratize outcomes**

## The Statute

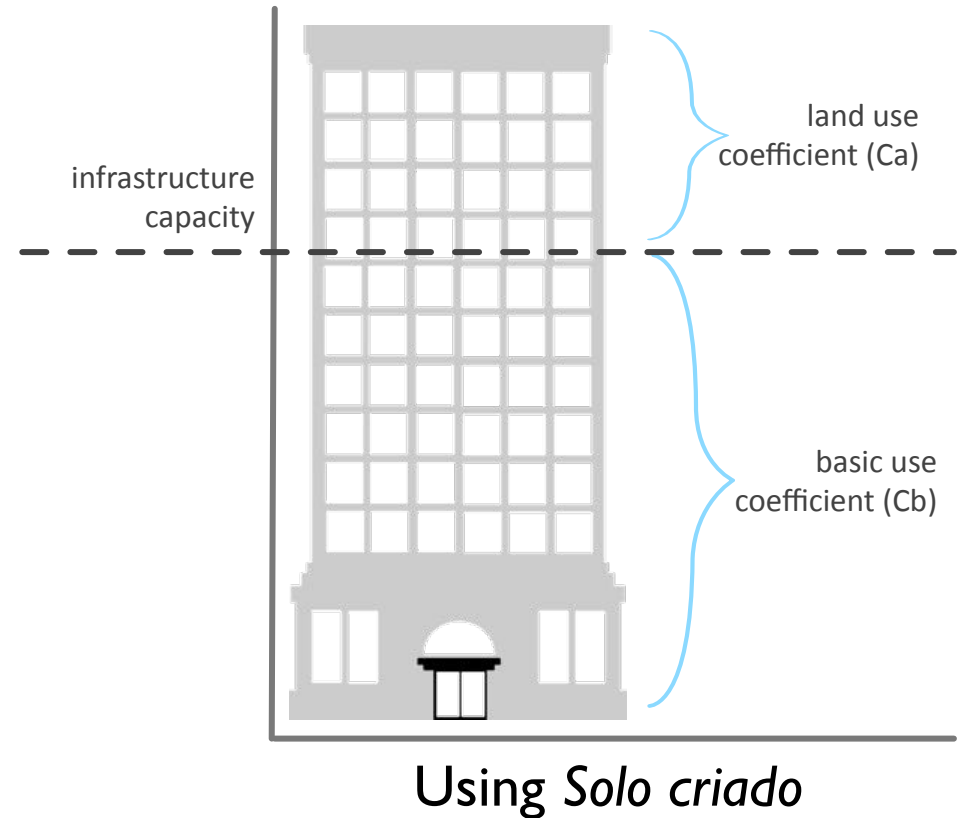
“Urban property fulfills its social function when it meets the basic requirements for ordering the city set forth in the Master Plan, assuring that the needs of the citizens are satisfied with regards to quality of life, social justice and the development of economic activities.”

**Fair distribution of the costs & benefits of urbanization; one outcome of social function**

# *Solo criado*

(*outorga onerosa do direito de construir*)

- Development rights generated in exchange for social interest works, apply concept of social function of property
- Premised on a separation between property & development rights



# Operações Interligadas

- Included in Niterói's 1992 master plan
- Originated in mid-1980s in São Paulo
- No venue to discuss with civil society



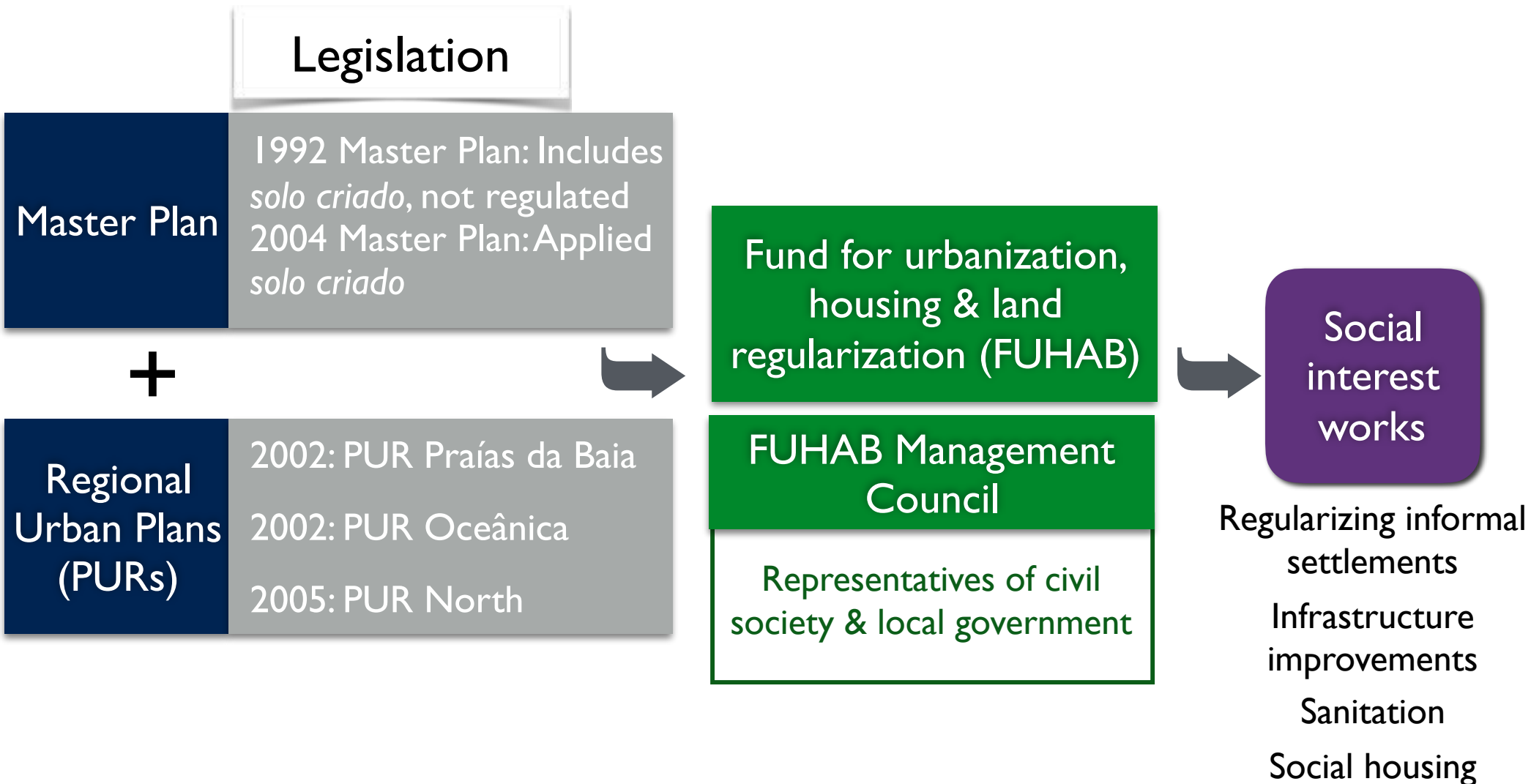
# The application of *solo criado*

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- *Solo criado* applied since 2002
- Changes to Niterói, verticalization pressures

# The governance of *solo criado*



# Challenges of *solo criado*

- Annual collection is low
- Only applied in some parts of the city
- Spending used towards slope retention

Year	Total value (US\$)
2004 / 2005	859,018
2006	633,037
2007	1,306,791
2008	2,093,532
2009	2,516,164
2010	3,784,370
2011 (until 09/2010)	2,600,332
Total collected	13,793,244

Annual collection from *solo criado*  
in Niterói



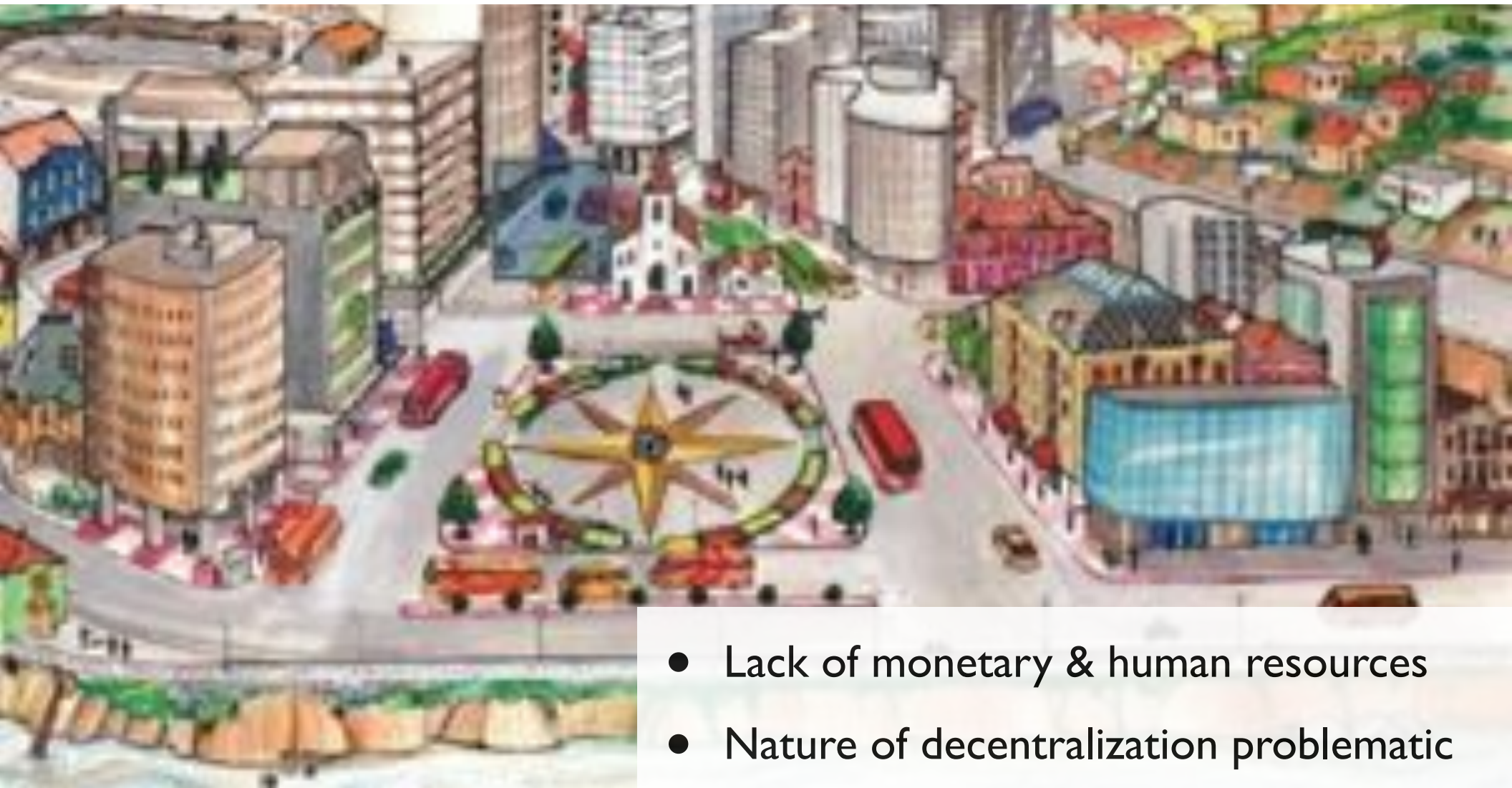
# V. Final thoughts

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# Challenges of applying the Statute

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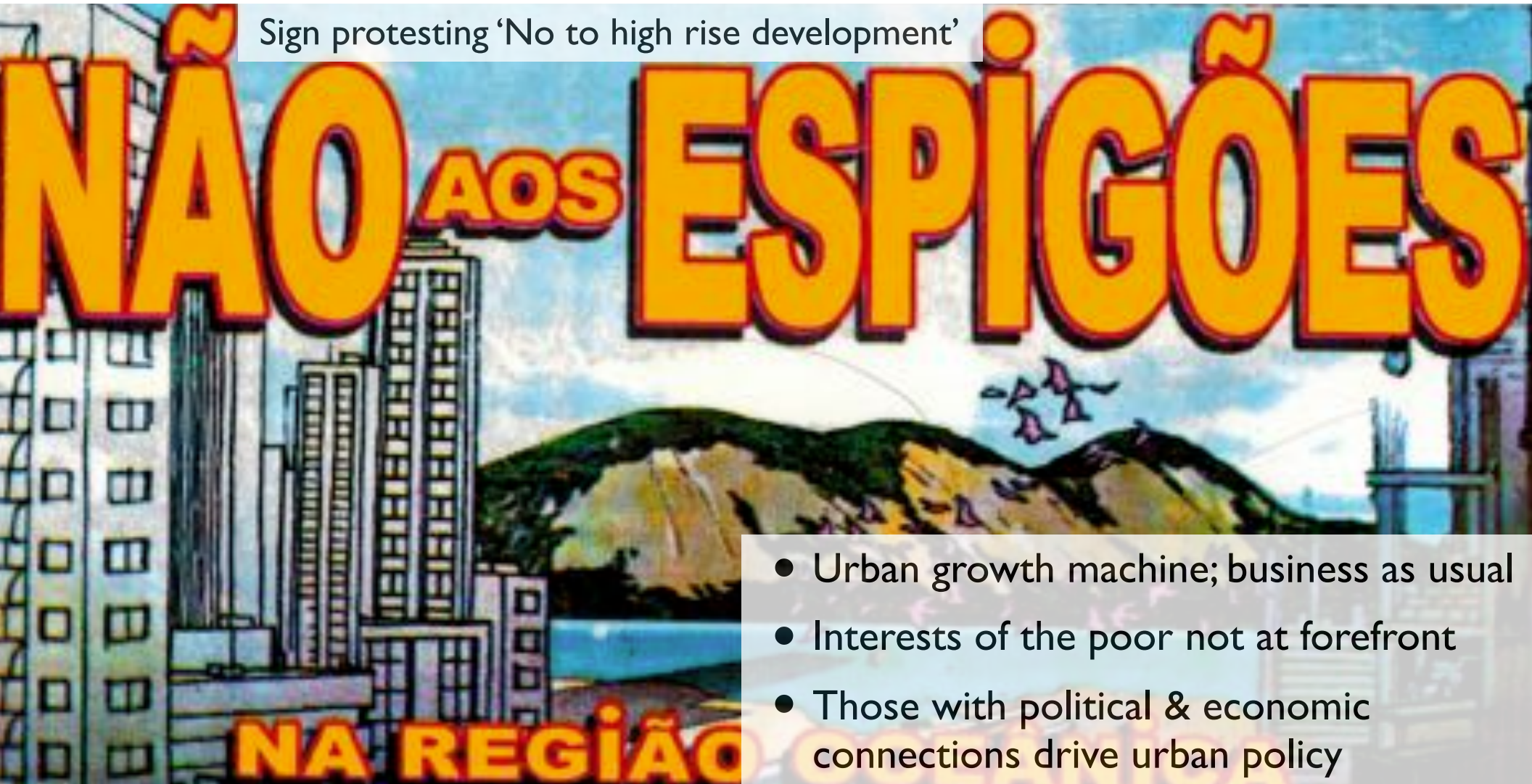


- Lack of monetary & human resources
- Nature of decentralization problematic

# The role of power

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Sign protesting 'No to high rise development'



- Urban growth machine; business as usual
- Interests of the poor not at forefront
- Those with political & economic connections drive urban policy

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“ This is clearly what I call ‘action between friends’ ... It is when you want to favour your friends...This is the root of the current municipal government. This is terrifying but true.”

– Architect, Niterói, December 3, 2010



Tragedy in Niterói,  
April 2010



“Niterói doesn't have a mayor”

# Epilogue

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“Like a ghost that haunts cities leaving marks on the living space and memory, the popular uprisings around transportation assail the history of Brazilian metropolises since its formation ... [The protests] are a worthy expression of rage against a system completely delivered to the logic of the commodity.”

– *Movimento Passe Livre* (MPL)



Photo by Leona Kaya Deckelbaum

# Next steps

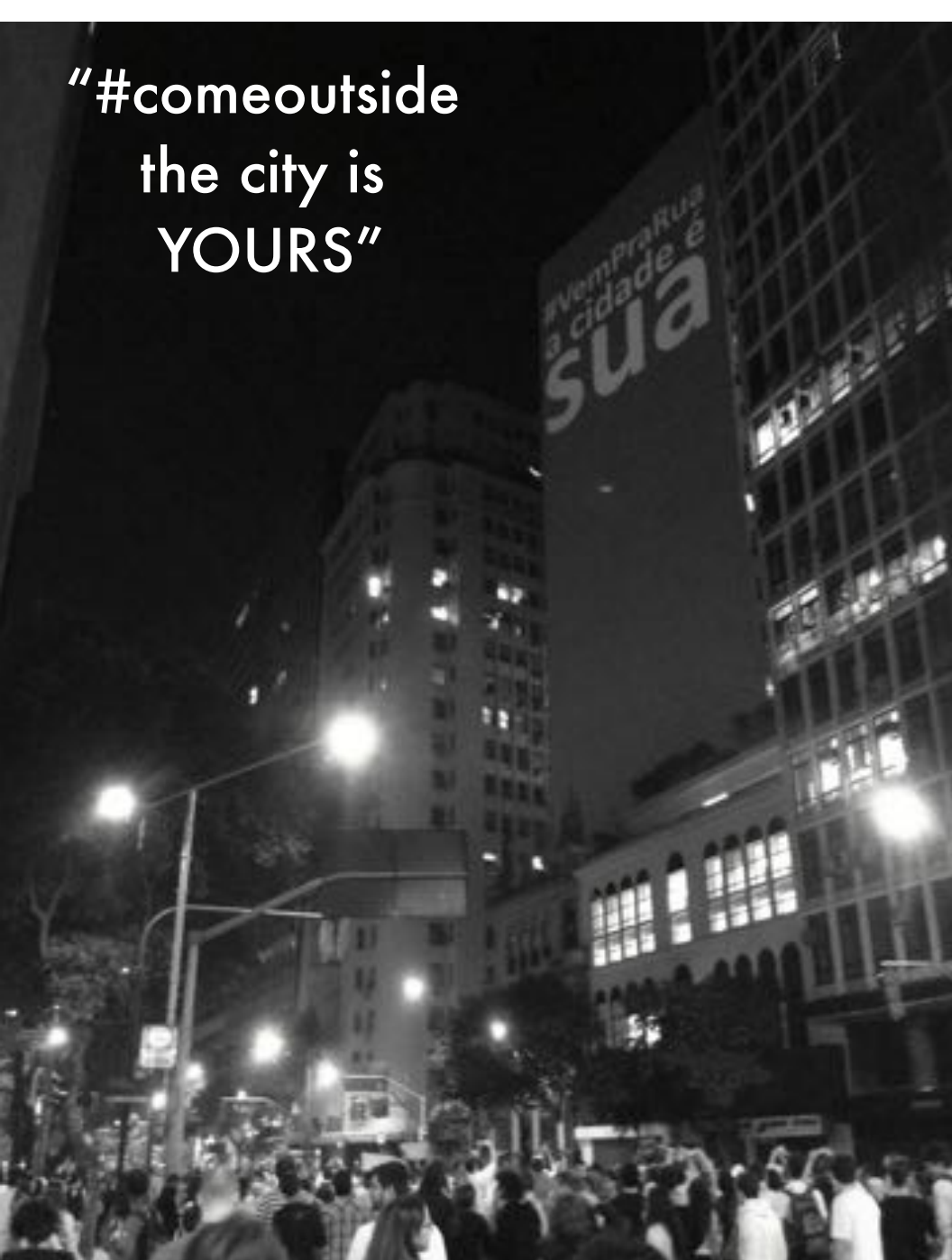


Section 37: Toronto



*Solo criado: São Paulo*

“#comeoutside  
the city is  
YOURS”



Thank you