Post-Constitutional Urban Policy:
the experience of the Municipality of Rio de Janeiro

Política Urbana Pós-Constitucional:
a experiência do Município do Rio de Janeiro

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A b s t r a c t : The aim of this article is to reflect on the ill-fated expectations of Brazilian urban policy, much identified with the regulation of urban land use. The present work is based on the premise that urban policy is the dimension of social policy that provides effectiveness to urban planning. Thus, it is fitting that it should be evaluated within a context in which it began to interact with a set of social rights included in the 1988 Constitution. These were the underlying reflections resulting from research, which was conducted through interviews with urban planners who had worked with urban policy in the Municipality of Rio de Janeiro during the 1980s, 1990s and into the 2000s. The main transformations in urban policy and the challenges faced in managing this policy were used as a reference to reflect on the directions taken by Brazilian urban policy.

K e y w o r d s : urban policy; social policy; urban planning; public managers; Rio de Janeiro.

R e s u m o : O objetivo deste artigo é refletir sobre as expectativas malogradas da política urbana brasileira, muito identificada com a regulação do uso do solo urbano. Parte-se da premissa de que a política urbana é a dimensão da política social que dá efetividade ao planejamento urbano. Assim, ela deve ser avaliada num contexto em que passou a interagir com um conjunto de direitos sociais incluídos na Constituição de 1988. Tais reflexões estavam subjacentes à pesquisa realizada por meio de entrevistas com urbanistas que atuaram na política urbana no Município do Rio de Janeiro nas décadas de 1980, 1990 e 2000. As principais transformações na política urbana e os desafios enfrentados na gestão desta política foram utilizados como referência para refletir sobre os rumos da política urbana brasileira.

P a l a v r a s - c h a v e : política urbana; política social; planejamento urbano; gestores públicos; Rio de Janeiro

INTRODUCTION

Almost three decades have passed since the celebrated 1988 Constitution came into force, with all its innovations in terms of urban planning instruments, and yet urban policies have not proved effective in coping with the crisis in Brazilian cities. This diagnosis would seem to synthesize the assessments made by several researchers regarding the normative advance in urban policy (SANTOS, 2016a; MARICATO, 2011; SANTOS JUNIOR; MONTANDON, 2011).

The premise taken by this article is that urban policy is the dimension of social policy that gives effectiveness to urban planning. It is believed that urban planning should not be confused with urbanistic instruments in a context where the population is heavily urbanized and concentrated in large urban agglomerations. It is necessary to dialogue with other dimensions of social policies to induce urban expansion towards socially fairer cities, since economic dynamics operate as a manner of stimulating the uses of urban space, which are the most profitable, and therefore excluded to the poor.

In Brazil, urban policy has evolved as a manner of predicting the inclusion of various scales of government action, expressed through municipal master plans; integrated urban master plans, in the case of urban agglomerations; and through the national policy for sectors that impact cities, as defined by the Ministry of Cities, cases from the National Housing Policy, the National Policy on Sanitation and Solid Waste and the National Policy on Urban Mobility. This trajectory started from an interpretation in which the municipality had the leading role in urban politics, but has advanced over almost three decades towards a more integrated approach among the federative entities, in which state and federal governments are also more responsible. The search for greater interfederal cooperation seems to express an attempt to overcome the difficulties that territorial governance has brought about in relation to the legal forms of territorial organization, as recognized by the 1988 Constitution.

This article seeks to reflect on the ill-fated expectations of Brazilian urban policies, through two forms of questioning. The first deals with urban policy as one of the dimensions of social policy, which signifies that the issues involved go beyond land use. Thus, an assessment of the normative advances that only considers the incorporation of the legal and urbanistic instruments into urban policies is not sufficient, although it is an important indicator of its success or failure. The second provides a voice to the managers of this policy in the post-constitutional period, based on interviews with officials from the Mayor's Office in Rio de Janeiro, a city taken as a reference for the challenges faced by big cities in implementing the urban agenda in Brazil. While it is a well-known fact that there are relevant distinctions between the manners in which urban policy is conducted throughout the more than 5 thousand Brazilian municipalities, the Rio experience may nonetheless provide a contribution to reflect on the impasses faced by the municipal managers, who have fueled much expectation that the new legal, urban instruments were able to render a significant influence over urban management across the country.

EXPLORING URBAN POLICY AS PART OF SOCIAL POLICIES

In Brazil, the 1980s marked the end of the authoritarian regime, bringing great expectations of an advancement in citizens' rights, which had in fact been agreed within the Constitution of the Republic in 1988. Redemocratization transformed the federal structure, and included municipalities as a new entity that could enjoy political, legislative, administrative and financial autonomy. In addition to being responsible for decentralized social policies, the municipalities were also confirmed as the federal entity responsible for urban policy.

The advance of traditional urban policy was in part due to the demands of social movements that had originated during the 1970s because of the accelerating levels of urbanization, which included the formation of several metropolitan areas. As a result, urban management was faced with new social challenges, which among other reasons, were induced by such territorial phenomena.

As from this time there was a new approach to urban policy, whereby favelas were legally recognized, and it was possible to grant land and urban sanctions for self-built communities and even for the illegal subdivision of land lots. However, the main advance was located in the definition of property legitimacy, which became conditional to fulfilling its social function, which implied giving differentiated treatment to both built-up and unbuilt urban land, thereby stimulating the use of urban land so as to combat speculative land retention.

This unprecedented approach led to the federal regulation of new instruments created for city planning, but only 13 years after the Constitution: Law no. 10,257/2001, and is known as the City Statute. The legitimacy of moderate urban tenure was facilitated by reducing the need for a 5-year term of occupation immediately after the Constitution, but other instruments such as urban consortium operations and progressive tax on defunctionalized property could only be used after the City Statute. Moreover, they could only be used after being regulated at a municipal level, since they needed to be provided for in the municipal master plans, which are considered mandatory for municipalities with a population of more than 20 thousand inhabitants[1].

Being obliged to approve a municipal law with the master plan, in addition to the making it a more complex process, has brought about a new approach to urban policy. Traditionally, it was trying to organize the use of the land, but now it has begun to include all the municipal territory, which has advanced towards actions in favor of municipal development. In such a scenario, urban policy has become part of a local development policy, a territorial expression of the development approach on a larger scale than being merely local.

Therefore, what has been the dominant approach to development since the 1980s? On an international level, it is understood that GDP growth should be qualified by the quality of life indicators, for which the HDI is the most accepted instrument for conducting a comparative evaluation of countries[2]. Outstanding within this context, was the creation of the United Nations agencies to monitor the various dimensions of living standards in a population. With regard to urban policy, this was the case with the creation of the UN Habitat Program in 1976, which produced a substantial agenda for urban development at its Habitat II conference in 1996 in Istanbul.

1 As well as those located in metropolitan areas or locations of special interest to tourism.

2 Such as the annual reports drawn up by the World Bank on human development.

According to the Habitat Agenda, it is the responsibility of states to promote programs and policies that contribute to overcoming social, economic and environmental imbalances that, together, reflect deteriorating living standards of the population. In Istanbul,

> [...] commitments were made regarding adequate housing, the sustainable development of human settlements in a world undergoing urbanization, gender equality, financing for housing and human settlements, as well as the operational aspects of institutional training and development, coordination and international cooperation (ANTONUCCI *et al*, 2010, p. 54, author's translation).

The central role of housing as a part of adequate living conditions is evident through associating the location of the dwelling - far beyond its intrinsic qualities - to accessing urban infrastructure.

> Adequate housing is understood as shelter that allows user privacy, the use of adequate spaces for carrying out activities, rest and leisure, and accessibility for the disabled and the elderly; that which has adequate lighting, heating and ventilation, which has structural stability, adequate safety, environmental quality and adequate basic infrastructure - water supply, sanitation services and waste collection services. It also means easy access for work, school and health services, an adequate, affordable price, and the facility of owning land and/or property are very important variables in the provision of housing (ANTONUCCI et al, 2010, pp. 55-56, author's translation).

Such a definition of adequate housing refers to the need for synchronization between land use policy and other social policies, but from a territorial perspective.

This synchronization between urban policy and the various social policies moves towards understanding the first, urban policy, as being one of the dimensions of social policy. That is to say, the effectiveness of social policy to mitigate the effects of poverty includes planning cities. And these, as is generally known, have been the destination for the world's displaced population, as reported by annual population reports, also drawn up by the UN, demonstrating that the urban population of the world has already surpassed the rural population. In Brazil, according to the 2010 Census, the urbanization rate of the country's population had already reached a rate of 84%. Cities, and particularly large cities, have become much more than a place where the population lives, but rather the place where production is concentrated, thus generating the dominant culture and the innovations that transform sociability, economy and politics.

The thesis, according to which urban policy has become one of the dimensions of social policies stimulates a new viewpoint on its effectiveness. After all, it can only respond adequately to its purposes if it conforms to the commitments assumed by the national state in relation to social policies. It would be useful, therefore, to analyze it from the following perspective: what have been the objectives of social policy in Brazil?

Since the current Constitution came into force, advances have been made in the state's commitments to social welfare. If in 1988 Article 6 designated education as a social right, then in 2000, Constitutional Amendment No. 26 included the right to housing and, in 2013, the right to food was also included[3]. In Brazil, the concept of

3 "Article 6. Social rights include education, health, food, work, housing, leisure, safety, social security, protection during maternity and infancy, benefits for the homeless, in the form of this Constitution"

social well-being has been updated, and has moved beyond labor and social security rights, in line with the human rights agenda that the UN helped to disseminate, taking as its reference the improvement of living conditions, which the Brazilian Constitution designated as the "dignity of the human person"[4].

If a consensus has been reached on the normative advance, the effectiveness of implementing social rights has yet to be demonstrated. There are many indicators that demonstrate a growth in the coverage of rights such as education, but there is still much to achieve regarding the quality of providing this service. While universal access to health services has also been an important achievement, it has only been achieved in basic services, and there has been a failure to develop real access for those of medium and high complexity and, fundamentally, to reduce the waiting time for services. With regard to urban infrastructures, access to water and energy services has become virtually universal, while sanitation is still far from adequate. Intra and interurban transport infrastructure has become a much more difficult challenge to face, along with the lack of safety. In other words, other dimensions of urban living conditions have become important objectives and challenges need to be faced regarding their financing, especially considering that the size of the state has already exceeded one third of the national GDP, which is higher than other countries with a similar income (REZENDE; CUNHA, 2013).

At the heart of the debate regarding the effectiveness of social policies, social housing plays a unique role since its location may positively or negatively affect access to education, health, sanitation, transportation and public safety services, among the most relevant. Housing and mobility policies have a great impact on city planning, and may stimulate new courses of expansion and/or intensification of land use in urban areas with a greater supply of services. It should be considered, however, that they are policies that demand sustainable sources of funding over time, which introduces the challenge of discovering manners with which to include them in the public budget over a number of years while they are in force.

There is a dispute between urban infrastructure and other sectors of social policy in terms of budget allocation, since there is an existing link between expenditure on education (pre-school, primary and secondary education) and health. The largest social expenditure, however, is on social security, a sector which is equally protected under Brazilian norms (REZENDE, CUNHA, 2013). These spending links reflect the democratic election of how the country fulfils its social commitments inscribed in the Constitution. They are also related to the disinvestment in urban infrastructure, thereby negatively affecting the living conditions within cities (SANTOS, 2012).

The dispute over public funding has therefore guided the state towards associating itself with private capital for implementing investments, which refers to legislation that has regulated public-private partnerships. Although the legal process was initiated during the Cardoso Government, it was only in the Lula Government that Law no. 11.079 / 2004 came into force. Within this new legal framework, investment in urban infrastructure is only feasible with an interested private partner, which greatly increases a marketing bias in defining which works are carried out. It is within this context that it is possible to situate the expressive collection of public works included in both the 2007/2011 and 2011/15 multiannual investment plans (Growth Acceleration Plan, known in Brazil as PAC). In the urban context, those that have actually been carried out however, corresponded more to the commitments

taken on for the mega-sport events hosted by Brazil (the FIFA World Cup, 2014, and the 2016 Summer Olympics in Rio de Janeiro,). Therefore, the impact on the living conditions of the population, loses the potentiality that urban policy could possess since investments in housing and mobility are guided towards business profitability, thereby reducing any positive impact on public interest, which should overlap with private interests in order to conform with the constitutional principles that guide urban policy.

It is not the objective of this article to analyze the evolution of urban policy in Brazil in any depth[5], but rather to put the criticism of analyzes on the effectiveness of this policy into a perspective according to which it becomes part of social policies. This should be the most appropriate scenario with which to assess the transformations of urban policy management. But this has not always been the dominant perspective, as may be observed from the interviews with the urban planners from the Mayor's Office in Rio de Janeiro.

TRANSFORMATIONS IN THE MANAGEMENT OF URBAN POLICY: THE CASE OF RIO DE JANEIRO

After the military regime (1964-85) had institutionalized a territorial development policy[6], its authoritarian bias was only to be overcome after the country's redemocratization. The democratic management of cities became one of the principles of urban policy in an institutional context of strengthening the municipality, and from 2015 onwards, new juridical forms of space organization were also recognized[7], as in the case of urban agglomerations (SANTOS, 2016b; VASQUES, 2015). Such changes have not been assimilated by normative force, and may be disseminated over time by public managers. Investigating the perception of these managers regarding their performances was the objective of a survey with technicians from the Mayor's Office in Rio de Janeiro, obtained through interviews.

These interviews were conducted with employees who had worked at the Mayor's Office in Rio de Janeiro during the 1980s or beginning of the 1990s, and included employees from the secretariats of urbanism, planning, housing and finance[8]. The limits of this article only allow us to specify the main questions that emerged from the interviews, the speeches from which are always indicated by quotation marks, and have been used to express the author's reflections.

In planning this study, it was understood that the view of the technicians from the Mayor's Office should not be confused with the guidelines effectively given by the municipal executive, who are responsible for making policy decisions. These, in turn, should be considered within their context, and involve taking as a reference the main macroeconomic determinants and social movements that influence the possible scope of urban policies. This is the reason why experienced technicians, trained in urbanism, including architects, sociologists and economists were interviewed. It is not an unknown fact, however, that new generations of technicians may develop another view of urban policies, especially because the context in which it takes place is always undergoing modifications.

During the period under consideration, the Municipality of Rio de Janeiro was

5 For further information please see: Maricato (2011); Santos Junior ande Montandon (2011); Rolnik (2015); Santos (2016b).

6 By creating a number of bodies, such as SERFHAU (a housing and urbanism service) and BNH (a national housing bank), and also for instituting metropolitan regions and including a chapter devoted to urban policy in the Second National Development Plan.

7 As in the case of metropolitan regions and urban agglomerations through the Metropolitan Statute, Law No. 13.089/2015.

8 Urban planners interviewed were: Alice Reis, Regina Palha, Vera Rezende, Isabel Tostes, Márcia Bezerra, Rose Compans, Claudia Muricy and José Agostinho Leal.

governed by the following mayors: Saturnino Braga (1986/88); Marcelo Alencar (1989/92); Cesar Maia (1993/96); Luiz Paulo Conde (1996/2000); Cesar Maia (2000/08); Eduardo Paes (2009/16). From 1998, a law came into force that allowed executive chiefs to be re-elected, thus allowing the re-election of Cesar Maia in 2004 and Eduardo Paes in 2012.

During the interviews, the urban planners were asked about their professional experience at the Mayor's Office, highlighting institutional changes and the process involved in drawing up the two master plans during the period under consideration (PDCRJ/1992 and PDCRJ/2011). Moreover, they were also encouraged to consider the timeframes involved that defined the experience of Rio's urban policy. It was expected that the Constitution would be considered a fundamental landmark, and that the insolvency of the municipality in 1988 could have impacted the municipal government's spending decisions, which would therefore be reflected in its urban policy. These expectations however were only partially confirmed, as may be observed below, with an analysis of the most referred to themes.

"Urbanism is of little interest to the city council"

This was the view of an experienced urbanist architect who joined the Secretariat of Planning in the 1970s. At that time, urbanism involved the city's macroplanning, "considering the city as a whole." This was a time when the public authorities were the driving force for urban politics in the context of an authoritarian regime. Urban policy was treated as a technical issue, almost always a monopoly of architects. A new approach from the perspective of economic policy would only emerge with the struggle for the country's redemocratization, during which the struggle for housing was particularly outstanding. Nevertheless, according to the interviewee, urbanism did not receive the treatment it deserved from the city council.

"Constructing the right to the city"

Redemocratization and a new agenda for urban policy emerged alongside the "bankruptcy" of Rio de Janeiro's public finances in 1988[9]. If the interviewees hardly remembered the insolvency faced by the municipality it was because this period marked the moment when the Constitution came into force, involving increased intergovernmental transfers in favor of the municipalities. More importantly however, it marked the beginning of a period that was considered "the best for urban planners", since the obligation to introduce a master plan provided great incentive for the City of Rio de Janeiro Master Plan (known in Brazil as PDCRJ) to be drawn up in line with all the normative innovations set out in the Constitution.

The PDCRJ/92 introduced the maximum construction index enforced throughout the whole city, where the difference between this and the IAT[10] index could be sold as virtual space, by granting onerous building rights. It was a necessary measure to give factual sense to the new legal instruments, creating the figure of "created soil" to be marketed in favor of a global urban policy for the city. A progressive IPTU (the local building tax) was even envisaged, except that it was withdrawn by the Mayor's Office on the grounds that it lacked a federal law to regulate the instrument, which came to pass with Law 10.257 / 2001, the City Statute.

9 The first elected mayor in Rio de Janeiro, Saturnino Braga, faced a serious crisis in municipal finances, and the municipality proved unable to afford its expenses, including the payment of civil servants' salaries. The causes of this bankruptcy range from the linear increases granted to civil servants through to political wrangling with both the state and federal governments. As a result of this fighting, the city council did not obtain federal aid to mitigate the effects of the floods in the summer of 1988, nor to introduce a financial adjustment of its dues, which had been voted against by the City Council.

10 IAT corresponds to the rate of land use. When it is equal to 1, this means that on a plot of land measuring 100 square meters the same area may be built on. With a rate of 2, the built up area could be equivalent to 200 meters.

The creation of the PDCRJ/92 was a peak mobilization moment among urban planners to give viability to the promises of democratically managing the city for the benefit of collective interest. The urban planners considered that "it was a very rich period, when the rulers listened to the technicians, who at that time were more concerned with the fundamentals of urban planning".

In addition to the created soil, other important measures approved in the PDCRJ/92 include the Cultural Corridor[11] and the SAGAS Project[12], which froze construction in the central area in the port districts. Such a measure represented the preservation of a large area, thereby decommodifying it in favor of the right to the city. These were measures that were in accordance with the concept of the right to the city in which the role of the public authorities should be to control the price of the land, as stated by the interviewees.

"Everything changed between PD/92 and PD/2011"

There is nothing in common between the two master plans. If, in the first, the mobilization of technicians and an agenda for the right to the city prevailed, the second was marked by pragmatism on the part of the Mayor's Office, and despondency on the part of the technicians.

Such pragmatism, however, was not restricted to the Eduardo Paes Administration, but had begun shortly after PDCRJ/92 came into force. Although the Mayor's Office had regulated almost all the new instruments planned for the purposes of urban policy, the Cesar Maia Government made no use of them. Instead, it developed an alternative plan for the PDCRJ / 92, which had already become law, which was the Strategic Plan for the City of Rio de Janeiro (PERJ). Unlike the PDCRJ/92, which included macro planning for the city, PERJ prioritized "project planning", or, that which its Urban Planning Secretary Luís Paulo Conde (and after the Mayor who succeeded him) referred to as "urban acupuncture."

"The paradigm shift in urban management was shocking," argued one of the urban planners. Others stated that the Mayors who succeeded Marcelo Alencar (whose administration drew up and approved the PDCRJ/92) did not desire "plans that would straitjacket the city," hence Conde decreed an end to urban macroplanning. The interviewees' perception was that for Conde, the PCRJD had been understood as a legal obligation that, once fulfilled, would give way to the urban structuring plans, the PEUs[13], the scale of which was the neighborhood, and no longer the city.

"The environment became the center for urban policies"

The decision to hold the Earth Summit - Eco-92, in Rio de Janeiro, certainly raised the level of relevance of the environment as a public policy. Indeed it even overlapped with urban policy. According to one of the interviews, the reason was political: after all, "environmental policy deals with trees, while urban policy deals with people, especially poor people, and therefore there is conflict. In environmental policy there is no conflict." However, an environmentalist may argue that it is not that the environmental issue "deals with trees" but that its discourse may be used for different interests of environmental defense.

11 A project prepared by technicians from the Secretariat of Planning and Civil Society, led by Augusto Ivan Pinheiro and the writer Rachel Jardim, through which the central area of the city would be preserved, covering areas of Lapa, Cinelândia, Largo da Carioca, Largo de São Francisco and SAARA.

12 A preservation project in the districts of Saúde, Gamboa and Santo Cristo.

13 Urban Structuring Plans (referred to as PEU)

"The defense of other dimensions of the right to the city: the right to housing and to cultural heritage"

These two dimensions of the right to the city have advanced in a different manner in Rio's urban policies, although both are part of the same political ideology.

The defense of cultural heritage was disseminated during the 1970s "after the creation of PUB-Rio[14], and was influenced by the viewpoint of the architect Carlos Nelson Ferreira dos Santos, whose most significant landmark was the aforementioned "Cultural Corridor Project" (Law no. 506/1984). From this project to preserve the central area of the city, a new logic of intervention in existing cities was introduced to urban policies that adopted preservation and the participation of sectors of civil society in the processes of both conception and implementation. This advance should be credited to the PDCRJ / 92. This same logic continued into the "SAGAS Project, allowing an old occupation to remain in the area adjacent to the Port". It is worth adding that with the continuity of this policy, in 2012 UNESCO declared the city a protected landscape.

The creation of cultural preservation areas was celebrated for preventing the historical center of the city from becoming decharacterized, but failed to expand the residential use of the center. Currently, a mix of uses has been advocated to keep the area alive. Since the PDCRJ/92, the municipality has attempted to stimulate residential use, albeit with little success, given the competition for land use with commercial activities.

With regard to housing policy, we should emphasize the impact caused by the extinction of the BNH, which practically forced the state and municipal governments to seek their own solutions, but which were necessarily limited in scope, for example:

> Housing was considered part of social welfare policies and, therefore, was linked to the Secretariat of Social Development. The Mayor's Office bought land with its own resources for resettlements that were considered urgent due to the impact of frequent floods, causing many victims, or for resettlements due to expropriations for the construction of the Red Line.

In the meantime, spontaneous occupation progressed, whether in favelas or through illegal subdivisions, both of which were not recognized as parts of the city and, thus, prevented any possible effectiveness of the social housing policies. This dimension of urban policy was most positively affected when the Constitution and the agenda for the right to the city came into force, since they allowed special treatment to be given to those areas that would then be eligible for becoming regulated.

"There is no interfederal participation in urban policies in Rio de Janeiro"

There was an impressive consensus by the interviewees regarding the lack of participation between Rio de Janeiro and other municipalities. Four decades after Guanabara merged into the former State of Rio, the Metropolitan Region of Rio de Janeiro formed a "city" resulting from the conurbation of 21 municipalities, of which the populations corresponded to 74% of the total state. The only partnership

14 Basic Urban Plans (referred to as PUB).

mounted between Rio de Janeiro and some of its neighbors was that of receiving garbage from the capital. Some interviewees mentioned the difference of scale and the technical staff of Rio in relation to the other municipalities, but this asymmetry is present in other metropolitan regions that did not stop developing policies for inter-municipal partnerships, such as the metropolitan areas of São Paulo and Belo Horizonte.

Not even did the creation of the Ministry of the City prove sufficiently relevant to advance into interfederal participation. On the contrary, it was considered responsible for the municipality to lose its position as a protagonist in urban policies. One of the urban planners stated that:

> [...] the creation of the Ministry of the City was a tragedy for urban policies because PT (Worker's Party) hindered urban reform and the democratic management of cities. Management through the Caixa Econômica Federal (CEF) bank is extremely bad, because it makes land regulation difficult, the process for which is complex, people need to want it, even when it's a donation from the public authorities, the parties must agree. The poor are unable to put together all the papers needed to regulate the land. Managers in the federal government do not understand the complexity and diversity of situations involved in the process of regulating land, as was evident in the stillborn project from the Ministry of Justice to promote land regulation at the beginning of the first Lula government. [...] The CEF eventually demolished urban management by financing centralized projects. The My House My Life Program (PMCMV) was a complete disaster and the creation of the Ministry of the City was a total regression.

This was a criticism that does not recognize the coordinating role of this ministry in relation to the urban polices implemented in the great majority of Brazilian municipalities, which are small and have no obligation to draw up a master plan (SANTOS, 2016b). In large municipalities, among which Rio de Janeiro stands out as the second largest in the country, there was already an engagement between the public authorities and a new approach to urban policy, which may have receded in the face of the guidelines issued by the Ministry of the City. Recognizing the particularities of large municipalities and urban agglomerations only occurred after the Metropolis Statute came into force in 2015. Until then, a symmetrical federalism prevailed, which treated all federative entities as being legally equal, albeit economically and politically very different (SANTOS; VASQUES, 2015).

How important are social movements for urban politics?

The social movements that favored the recognition of favelas were very important in formulating urban policies during the 1980s, the most outstanding of which is the Federation for the Residents Associations of Rio de Janeiro (FAMERJ), whose leader, Jó Rezende, became Deputy Mayor during the Government of Saturnino Braga. There was also mention of the National Movement for Housing Struggle (MNLM) and the *Pastoral das Favelas*. And also during the 1980s, there was an important movement to defend cultural heritage.

One of the urban planners stated that social movements "had a positive effect during the 1980s, until the PDCRJ/92 was drawn up, but after that they

were co-opted by the federal government. Social movements were important when planning was identified with the housing policy, but they ended up being hindered by the PMCMV."

After the 1990s, there was a cooling down of the urban social movements, except for certain cases in some of the elite neighborhoods and in relation to the creation of cultural preservation areas, the APACs. The only additional case that was mentioned is the non-realization of a project by the Mayor's Office (during the time of Cesar Maia) to create a Rio de Janeiro subsidiary of the Guggenheim Museum because of opposition pressure from the population.

However, 2013 saw the revival of urban social movements, closely associated with the effects of the works related to the 2014 FIFA Soccer Cup and the 2016 Olympic Games. This was not a local Rio movement, but rather a national movement, that aimed to take advantage of the Confederations Cup to become widely visible. These movements came alongside the outbreak of a new wave of social movements that included the so-called "Arab Spring," the Occupy movements across several US cities, as well as the "Indignados de 15/5" in Spain (CASTELLS, 2013). What united social movements from such different origins was the use of public spaces for demonstrations in favor of "another world" that does not reduce the rights of citizenship to marketable goods, such as commodities. That is to say, a social agenda seemed to be resurfacing, which calls into question the sustainability of urban policies of an entrepreneurial nature.

What were the main timeframes that marked changes in urban policy?

Although there were nuances among the answers of the interviewed technicians, the majority mentioned the existence of three distinct temporal milestones: i) the post-Constitution period, which went through until 1992; ii) the period between 1993-2008, which includes Cesar Maia's three periods of office and that of Luiz Paulo Conde, and iii) the period beginning in 2009, with the two governments of Eduardo Paes.

THE POST-CONSTITUTIONAL PERIOD UNTIL 1992

The interviewed technicians agreed to treat the Constitution as a relevant landmark, less for its effectiveness in urban and legal instruments for providing urban policy but more for strengthening municipalities, giving them financial autonomy so as to overcome the crisis of municipal bankruptcy (in 1988).

The environment of redemocratization and the institutional strengthening of municipalities brought with it the hope of building more inclusive cities, which was reflected in the intense movement by the city's technicians to draw up the PDCRJ/92. Another important impact was to bring housing policy into the municipal sphere through the policy for land regulation. As one of the interviewed urbanists recalled, it was only after the creation of the Housing Secretariat in 1992 that work on housing began, since before this favelas and illegal subdivisions had not even been recognized as part of the City. Before this, "housing was understood as a social problem to be dealt with under the Municipal Department of Social Development." It was only from 1994 that the Mayor's Office recognized favelas as part of the City, a necessary

premise for access to IDB/World Bank financing, because these agencies only financed settlements/resettlements in areas of regulated land.

THE PERIOD 1993-2008

This period represented a new milestone in urban policy in Rio de Janeiro, coinciding with the prevalence of a certain pragmatism from the Mayor's Office in the way it treated its relations with the business community. One of the urban planners interviewed, with experience in the Treasury Department, was very vocal in characterizing the change of priorities by the administration that took office in 1993: increasing municipal revenues without raising taxes. "The idea was to seek other sources of resources, without touching the IPTU."

Because it had been the capital, the Federal District, Rio de Janeiro retains a significant real estate patrimony, the management of which should have advanced so as to provide revenue for the City's coffers. To this end, Cesar Maia sought technicians from BNDES (the national development bank) to manage the Treasury Department, including its Department of Real Estate Patrimony. The success of this initiative led to the commercialization of the municipal real estate patrimony, rather than using it for other purposes more in line with the urban policy agenda. Thus, instead of giving the patrimony a social function by using it within the social housing policy, it was used for the purpose of increasing municipal revenues. The choice made by the Mayor's Office reflected the context of the time, only five years after the insolvency of municipal finances, in 1988.

Although hardly remembered by the urban planners, "Rio's bankruptcy" was a negative mark for the administration of Saturnino Braga. He had been the first elected mayor of the city and represented a new paradigm of public policy, in line with the ideology of the right to the city, however it led to financial chaos. Although this image does not adequately reflect the complex circumstances of that period[15], it contributed to a rupture in the paradigm of municipal management.

The image of municipal failure was faced by the Cesar Maia administration as a challenge not only to reverse the financial chaos, but also to use the peak of the crisis involving the losses[16] that the City had suffered to find an alternative manner of inserting the Rio de Janeiro economy in a globalized world. Thus, the Mayor agreed that it was no use complaining about the loss of capital or trying to compete with Sao Paulo for economic primacy, but rather to identify strategies that would strengthen Rio de Janeiro.

This pragmatism, however, was viewed by the urban planners interviewed as a way of totally draining the commitments with the urban policy agenda. It should be noted that this departure is more identified with Mayor Conde, who had been the Secretary of Urban Planning during Cesar Maia's government.

Both mayors were seen as "leaders who were good to work for, as they gave prestige to their employees." This good working environment only ended when the two began to fight[17]. Nevertheess, they considered that "with Count as mayor, city planning came to an end through vanity, because he thought it was a waste of time to think about urban planning, since he considered the city to be very dynamic, which should not be restricted to rules from another temporality. He favored specific projects ("urban acupuncture") that would play the role of stimulating the renovation of surrounding areas. Thus, urban

15 The hyperinflationary context of the country should never be forgotten.

16 These losses refer to the condition of federal capital and to the draining of the economy.

17 Due to the dispute in the mayoral elections of 2000

beautification projects advanced and the priority became a local perspective, with no commitment to the macroplanning of the City.

FROM 2009 ONWARDS

A third timeframe of urban policies in Rio de Janeiro began with the election of Eduardo Paes, and the decision to host the 2016 Olympic Games in Rio de Janeiro.

It should be remembered that the year 2008 brought with it political and economic uncertainties that would lead to another change of course in urban policies. On the economic front, the outbreak of the world economic crisis in September brought with it uncertainties that could have frustrated large urban projects. On a political level, the mayoral election was won by a difference of only 55,000 votes, which corresponded to a mere 1.6% of the votes (GASPAR, 2016). The factor that weighed in favor of Eduardo Paes was the partnership with both the state (Governador Sérgio Cabral) and federal (President Lula) governments, which gave the slogan to his campaign: "Joining Forces".

The highlight of this third timeframe of urban policy was "the strengthening of project planning, where the important PEU in Vargens[18] (of interest to the City Council) was approved together with the *Porto Maravilha* project (of interest to the Mayor's Office), in negotiations between the City Council and the Municipal Executive". Controlling the PEU in Vargens implied promoting small and medium-sized real estate gains, while the big businesses associated themselves with the Mayor's Office to transform the old port area into a new urbanity dominated by a business and tourism complex.

The relationship between the City Council and the Executive was highlighted by one of the interviewees, for whom "councilors pass a bill that they themselves have created, the Mayor vetoes it and the Council overturns the veto, hence the Mayor's Office comes out well. While the constitutionality of the law is discussed at length, it is in force and allowing projects to move forward, even if contrary to the instituted planning."

There is, however, much to report regarding the decisive partnership between the spheres of government in this third phase of Rio's urban policy. At this stage, the Inter-American Development Bank (IDB) ceased to be the partner that it had been in the previous phase. This was because "its funding was more expensive in relation to the resources coming from the Union Budget due to the PAC-Favelas, and also the Olympic Project".

It is in this context that the Master Plan was drawn up in 2011. Of the many urban policy instruments envisaged by the City Statute and even included in its Master Plan, the Municipality of Rio only regulated urban operations to enable projects in which it was an associate of business consortiums. No instruments of great relevance for urban policy were regularized, as was the case of the progressive IPTU. Within these conditions, the vision of strategic planning that advanced in the second timeframe, now acquired a completely entrepreneurial approach.

18 The Vargens are located on the most distant fringes of the Wester Zone, an is an area that hase been subdivided and urbanized since the last decade, one of the last areas of the city "reserved" for lnd speculation.

CONCLUSIONS

Analysis of the interviews with the urban planners from the Mayor's Office in Rio de Janeiro suggests great frustration on the part of technical staff regarding the results of the normative advances in the urban policies that were initiated during the post-constitutional period. After an initial phase, the social movements receded, thereby reducing social participation, which also had not been stimulated by the public authorities. The regulation of almost all the new instruments of urban control in the 1992 Master Plan was not used by the municipal government, which preferred to support its actions in a strategic plan, abandoning the vision of macroplanning in favor of the "urban acupuncture". However, once Rio de Janeiro had been selected as the host city for the 2016 Olympics, entrepreneurial urban-planning reached its peak, steering the Mayor's Office towards intensifying its option of planning the city through projects, the so-called "mega-sport events", and moving away from the agenda of the right to the city. This option is explicitly stated when considering that the 2011 Master Plan, currently in force, not only failed to regulate urban planning instruments, such as the progressive IPTU, but also removed the single IAT for the city.

Such distancing from the post-constitutional agenda of urban policy occurred within a context marked by the greater commitments taken on by the tate in relation to social rights. These were only limited to social security expenditures, but have been translated into increased expenditure with health, education and social security. Kerstenetzki's (2012) study on the transformations of the welfare state indicates evidence that this has evolved to defend the social reproduction of families, and not only the income of workers. And it is within this context that urban policy actions should be assessed, far beyond the planning of urban land use. However, these actions involve positive benefits from the state, disputing allocation in the public budget that has been increasingly compromised with expenses related to the expansion of social rights, especially health and education. This is a challenge that municipal governments have been facing with the adoption of urban entrepreneurship, but which has raised questions regarding the legitimacy of public choices and has been feeding new social movements in favor of actions that promote greater access to urban land, mobility, sanitation and safety in cities.

Although the interviewees emphasized the urbanistic actions, some of them mentioned the importance of the housing policy and land regularization as a relevant part of the urban policy. Defending "macroplanning" as opposed to reducing planning for "urban acupuncture" also implies the notion that urban planning is part of social policies. Finally, recognizing that the social movements of June 2013 were associated with the demand for territorialized social rights (access to "FIFA-standard" housing, mobility and sanitation) suggests that urban policy should be treated as one of the dimensions of social policies.

Finally, it should be highlighted that the issue of municipal financial autonomy has not been faced from the perspective of improving the management of tax collection. Access to resources seems to come from only three sources: federal government, private initiative and asset disposal. The municipality has sought partnerships with the private sector, but without seeking to develop its

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administrative structure. When seeking resources from "other sources, without touching the IPTU", the municipal government no longer uses a tax collection instrument that also has extra-fiscal use for urban planning purposes. Within the scenario of economic crisis, it may be possible to imagine an advance in managing its revenue through improving the administration of real estate taxation. As has been identified in other studies (SANTOS, 2014; CARVALHO JÚNIOR, 2011), this would be possible by updating the generic value plan, the basis for calculating the venal values, or by imposing greater selectivity in IPTU exemptions, which are not related to the social housing policy. In this case, it would be possible to imagine social policies that are more inclusive and more associated with the constitutional agenda of urban politics.

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