

**“New discourses and old practices in the housing market:  
creating the ‘ideal’ port area through forced evictions in Rio de  
Janeiro.”**

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## **Abstract**

Seeking to ensure global expansion of capital, municipalities, supported by higher government bodies, systematically and repeatedly adopt a number of strategies to add value to their territories and make them available to the private sector. This paper explores the project Porto Maravilha, which has been restructuring the Rio de Janeiro's port area, to show how the mega-project – the main strategy adopted in Brazilian cities in the 21st century - negatively impacts the area. It discusses the neoliberal model adopted in Rio since 1992, with its discourse and imaginaries, demonstrating the perverse use of the City Statute instruments, the establishment of acts of exception and its relation to forced evictions. It also aims at disclosing how residents and area users feel, think and act when facing the pervasive government discourse.

Key words: Mega-projects, social housing, forced evictions, neoliberal discourse, Rio de Janeiro.

## **Introduction<sup>1</sup>**

My Rio, my lovely Rio, [...]

I envy the breezy ocean that embraces you all day.

[...] City where nature decided to play

Coloring moments and sights

City where beauty invites you to stay<sup>2</sup>

Rio de Janeiro was the imaginary dream of many during the 20<sup>th</sup> century and tourism has been one of its most important industries. Since 1992, however, the neoliberal official discourse in Rio de Janeiro emphasizes an urban 'crisis', which has to be addressed through efficient management, order enforcement and the attraction of economic activities and investments, after the Barcelona's ideal representation. From then, City Hall has systematically ran after the Olympic dream, while managing land uses, investments and housing according to strategic planning cannons.

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<sup>1</sup> All translations from Portuguese to English are the author's free translations.

<sup>2</sup> Wonder City, music by André Filho and English lyrics by Aloysio de Oliveira.

A couple of master plans have been since designed aiming at the attraction of mega-events and the development of megaprojects to change the image of the city – from the crisis scenario into an international destination for tourists and global capital. The designed strategies to restructure the city included neglecting some areas for years so that real estate values went down to the bottom, to later ‘revitalize’ them with cleansing operations and sell them in the markets. Where militias, abandoned favelas, insecurity and drug trafficking can still be seen – conforming the *tabula rasa* scenario -, there is also a number of positive externalities, such as central location, proximity to transportation networks, commerce and services and beautiful views to the sea.

As the city was able to leverage the necessary funds, it launched its most ambitious project: The Porto Maravilha (Wonder Port), aiming at total revitalization of the central area, at an approximate three-billion dollar cost, and evicting a population unwanted in the future ideal image of the city.

While the government discourse emphasizes the need to redeem that region from its critical situation, local residents resource to different images of the city, in which they could also be included. While governments argue that evictions aim at more mobility and access to facilities and public equipment, safer houses and better quality of living, the population engage in conflicts and demonstrations in general in order to secure their housing rights.

This paper proposal is three-folded: first, it looks at how Rio de Janeiro governments have created and maintained a crisis discourse enabling the imposition of exception acts and of a strict and pervasive understanding of the ‘public good’. Second, it discusses the forced evictions and how the affected population (local residents and users of the area) sees both the port areas’ current conditions and their past and future displacements. Finally, it looks at how the affected population has been reacting to the project and how the consequent conflicts have been dealt with.

In order to discuss these issues, the paper bases itself in an analysis of published news and enacted laws, in the data provided by the Rio de Janeiro Conflict Observatory (which collects major newspapers notes on urban conflicts since 1993 summing approximately 3000 events)<sup>3</sup> and in two population surveys (the first one, with a non-probabilistic design, interviewed 104 local users in April 2014 and focused on the general conditions of public spaces in the central

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<sup>3</sup> For more information see [www.observaconflictosrio.ippur.ufrj.br](http://www.observaconflictosrio.ippur.ufrj.br)

area. Its variables presented a normal distribution therefore enabling the universe inference; a second one interviewed 51 local users in November 2014, focusing on forced evictions<sup>4</sup>).

### **Strategic Planning: underpinnings and espoused discourse**

Strategic planning, widely adopted since the 1940s in developed countries, entails city plans designed by experts and authorities in order to meet overall market objectives; they might adopt any means, as far as they prove efficient and effective, regardless of value and/or normative issues. Plans are financed by the private sector, which becomes, to the same extent that it finances them, the decision maker. Decision making processes fly from governments' hands into the private sector's hands, shrinking the public sector with its own approval. Strategic planning can thus be seen as the preferred neoliberal mode of administering, as it trusts the markets and the private sector, leaving to public officials the task of meeting the markets' needs.

The 1980s and 1990s process of globalization transformed the world and intensified the competition dynamic between locations (Borja and Forn, 1996), which ended up embracing strategic planning: minimum states and plans drawn by the second sector according to their interests left our cities hopelessly subjected to capital. Torres Ribeiro (*apud* Câmara, 2006) concludes that the economy imposed itself onto politics and the markets onto the states, increasing inequality levels and income concentration. The States reinforced repressive policies and cities are now managed as companies.

In post-industrial production times, pressed by the need to grow 3% a year for minimum system's maintenance (which currently means to grow minimally 2.25 trillion dollars a year), capital claims reconfiguring more and more built spaces for its expansion (Harvey, 1982) be it through creating real estate added value and/or through structural and image changes related to the tourism industry. To the urban economics equation, one must add tourism economics and the reproduction of social relations through intangible consumption. With astonishing and always renewed efficiency capital expansion takes place through cultural endeavors, through the 'acquisition' of intangible lifestyles and cultural standards. It may also take place through the de-territorialization of production, consumption and their means. Karl Marx already announced the annihilation of space by time: capital must overcome lengths in order to reach

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<sup>4</sup> The survey was undertaken by students Antonio Pimentel Sequeira Junior, Lorena Henriques Lessa, Luana Carolina Correia Rosa and Tadeu Braga Vidal under the author's supervision at Universidade Federal Fluminense.

its mission, in order to entail production, reproduction and consumption into smaller units of space-time.

In the third industrial revolution, communication, information technology and rapid transport eliminated commercial distances in and around the world, and reduced the production, distribution and consumption space-time. The consumer society's abstract space outweighs the territorialized and everyday spaces of social relations. Mega-events - ultimate symbol of virtual capital expansion in urban areas and most acclaimed product of the tourism economy - when momentarily materialized and reterritorialized somewhere, claims for the implementation of mega-projects, creating temples of intangible consumption, locus for 'acquiring' a global way of being. And so capital sings its siren's song (Elster, 1984); the positive trail left by mega-events is short-lived, as has been seen.

The understanding, management and use of the city as a company is not only the assumption of a strategic, business-like, way to govern it; it is also the establishment of public-private partnerships to increase its competitiveness in niche marketing and transfer portions of the territory to private enterprises according to their speculative possibilities. These possibilities and the business they entail are ephemeral; they seek for investment niches that can easily be detached from the territory, creating a fast game of real estate bubbles: "if each point can be achieved and abandoned almost instantly, the permanent possession of a territory with its duties and long-term commitments becomes a burden"<sup>5</sup> (Bauman, 2003: 100). In Harvey, what has been stimulated is the development of the capacity to locate capital valorization<sup>6</sup> (Harvey, 2005), as tourism, showbiz and mega-events do. That is why liberal governments see the business, cultural, and events tourism attracting power as a form of "economic development", regardless of its ephemeral nature.

Towards full capital development, city administrations design megaprojects which include architectural icons insertion, urban structure and infrastructure redevelopment, intervention in heritage sites, the use of city marketing and strategic partnerships, and the formulation of legal or paralegal instruments - exception acts - among other policies (Bessa and Capanema-Alvares, 2014). In Brazil, as the state and its partners recreate structure and urban image in order to sell cities, they subvert social housing priorities and remove innumerable families:

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<sup>5</sup> Author's free translation from the Portuguese edition.

<sup>6</sup> Spotted territory investments that yield greater capital influxes in the short run.

megaprojects, a propos the mega-events World Cup 2014 and the Olympics in 2016 alone, imposed the forced removal of 150,000 to 170,000 people<sup>7</sup>.

### **Housing Policies in Brazil**

Housing issues in Brazil date back to the nineteenth century when the ‘newborns-free’ and the ‘land property’ laws were enacted in 1850<sup>8</sup>; together they caused on the one hand a great migration of blacks to cities and towns, and on the other hand, urban structures that would not absorb the migrants. Migrant and urban blacks could not afford to own dwelling units within the regular system. The result was a disorderly occupation of land in less than adequate environments (Maiolino, 2008). Since the late nineteenth century, Brazilian government responses were of a hygienist, Haussmannian, tone, as can be seen in all Brazilian big cities. Beautification, social cleaning and space remodeling which expelled the old nuclei of artisans and small settlements without any housing policy was the rule, both in the construction of new cities and in the refurbishment of old centers.

The first Brazilian housing policies date back to the 1940s, when President Vargas gave official Pension Institutes the attribution of providing housing for their members; self-employed and service workers were not contemplated, becoming segregated in slums close to their sources of income, while the blue collard working class was sent to large cities outskirts – both situations representing major nuisances to urbanization. The 1960s witnessed the creation of the National Housing System, which managed housing provision through its Housing Agencies with funds generated by governmental returnable taxes imposed on the workers’ payroll. These taxes worked two-folded: first, they amassed the necessary amounts to fund housing programs; their return would only happen upon retirement as if they were a forced thrift savings plan; second, unions were forcefully coopted into the housing financing system.

The decade also witnessed a greater stigmatization of slums, with large removals and the rising of urbanization movements (Maiolino 2008). Popular sectors organized a resistance movement called "yes to urbanization, no to removals" which managed to preserve several hills in Rio de Janeiro (Monteiro, 2004). The keynote however was communities’ violent evictions, as was the case with Praia do Pinto and Morro da Catacumba. In the 1980s there was a great proliferation

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<sup>7</sup> According to ANCOP, 2012.

<sup>8</sup> The “Newborns free” law determined that all pregnant slaves would give birth to freed babies and the “Land property” law determined that all real estate had to be bought and sold in the market, putting an end to the empire’s practice of land donation.

of illegal settlements in environmentally fragile areas due to lack of housing alternatives. The adoption of slum redevelopment finally became the official policy in most Brazilian cities.

The Federal Constitution of 1988 (FC 1988) established the social function of property but only in 2000, through a constitutional amendment, housing became a social right. The City Statute, which approval occurred in 2001, made master plans mandatory to cities of over 20,000 people; plans had to include housing provision. The law no. 11.124 of 2005, which provides for the National System of Social Housing brought, among its guidelines: priority for plans, programs and housing projects directed towards low income population; priority use of governmental subsidies to encourage use of areas with infrastructure, which are unused or underused within urban fabrics; and priority use of government-owned land for implementation of social housing projects.

Most Brazilian laws are disrespected by the government itself, which has intensified cleansing of irregular settlements violating the right to adequate housing (which should incorporate the right to infrastructure and urban services according to FC 1988 article VI), has confronted social housing priority on public lands and the City Statute instruments designed to the provision of social housing. In this sense, according to the Statute, in addition to land tenure instruments, other instruments must be adopted,

such as the ones that favor the use or occupancy of areas served by infrastructure, combined for example with instruments that designate Special Zones of Social Interest (ZEIS), in order to stimulate not only the occupation or use, but also the construction of social housing. [ ... ] Areas where there is an interest in building social housing can also be released from Onerous Grants fees<sup>9</sup> [or, alternatively] proceeds from Onerous Grants fees can be allocated for the construction of social housing. (Rolnik, 2004: 76-77)

The federal program “My House My Life” (Minha Casa Minha Vida - MCMV) adopted in 2009 intends to build one million houses for families with income up to 10 minimum wages through financing the private sector - 97% of public subsidies are directly addressed to private developers so that they can build and offer housing units in the market and only 3% are addressed to unions and social movements (Fix and Arantes, 2009) - featuring a model based

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<sup>9</sup> Fees paid to City Hall in order to “buy” building potential to a plot.

on market forces which favor the middle classes and leading developers while deepening the mismatch between housing policies and their social purposes.

The twentieth century housing policies resulted in the following data: among more than 57 million Brazilian permanent households, only 30 millions (52.6 %) were considered adequate by the Brazilian Census Bureau (Instituto Brasileiro de Geografia e Estatística – IBGE) in 2010 (FJP, 2013). According to the Applied Economics Research Institute (Instituto de Pesquisa Econômica Aplicada – IPEA) and to IBGE surveys for 2012, the fragility of Brazilian housing policies resulted in a deficit<sup>10</sup> of 5.24 million units for that year, of which 73.6 % concerned families with incomes up to three minimum wages.

### **Rio de Janeiro's Housing policies**

Housing has always been a national matter in Brazil, but a number of municipalities adopt their own policies in order to complement federal programs. Housing as a public issue in Rio dates back to 1945, when a more democratic discourse (after the Vargas' dictatorship) encouraged and legitimated neighborhood committees in slums that had some degree of internal organization, due to the Communist Party support. Those committees' actions, together with students' and intellectuals' movements, weakened the removal-ruling model. In 1950, the Catholic Church became governments' ally due to the "communist threat" and assumed responsibility for social assistance in the city. The Foundation Leo XIII started works to provide basic infrastructure in underserved areas while the Crusade San Sebastian, starting in 1955, was more focused on the political control of those areas; the Crusade was responsible for the first slum removal with resettlement nearby, at the now elitist neighborhood Leblon. Removals promoted by the Church indeed gained more approval from the population than the ones promoted by the state. (Correa w/d)

As well put in Correa's review (Correa w/d) the 1950s saw a growing number of neighborhood associations within the political scene demonstrating some degree of organization, in many cases backed by the Communist Party. The Catholic Church discourse wasn't able to control these associations and their leaders anymore and in 1957 the Coalition of Slum Workers was founded in order to organize communities and struggle for their demands.

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<sup>10</sup> According to IBGE, the housing deficit counts both deficit for restocking (concerning dwellings units that are uninhabitable) and deficit by increasing demand (need for new units to meet personal and family demands).

Already under a military dictatorship, in 1968, federal government created the Social Housing Coordination of the Metropolitan Rio de Janeiro. Its mission was clearly stated: to restore slum removals with the Housing Company and the governor's partnerships. One hundred fourteen slums were impacted. Notwithstanding, 79 neighborhood associations got together at the III State Slum Congress in 1972, advocating for the refurbishment of Rio's slums. Despite the popular urge, supported by slum dwellers, students and academics in general, federal government grew in hardship towards slums.

In the awakening of Brazilian democracy, the first mention to urban public policies in a municipal document was made in the Basic Urban Plan, approved in 1976, which formulated basic guidelines for action. Housing was only an issue again when the leftist Leonel Brizola took office in 1982 and the state government adopted three main goals: promoting land tenure, self-construction, and providing infrastructure. One of the main achievements was the Program "Each family, one plot" , with which state government intended to regularize 400,000 informal tenements and provide services and facilities to the impacted areas.

Housing was only made an official public policy in the city of Rio in the Decennial Master Plan of 1992 and through the establishment of the Municipal Secretary of Housing in 1994, which immediately adopted the "Favela-Bairro Program", in an attempt to integrate a slum marginalized population (Correa w/d). In 1995, the "Program for Upgrading Popular Settlements", as a part of the "Favela-Bairro" invested U\$ 300 million aiming at land regularization, sanitary and environmental education, and slum upgrading. The tone of such policies was slums integration as opposed to removal but, as Correa (w/d) argues, these policies, based on physical space reorganization alone, did not result in social integration or in the reversal of a long-standing situation of segregation.

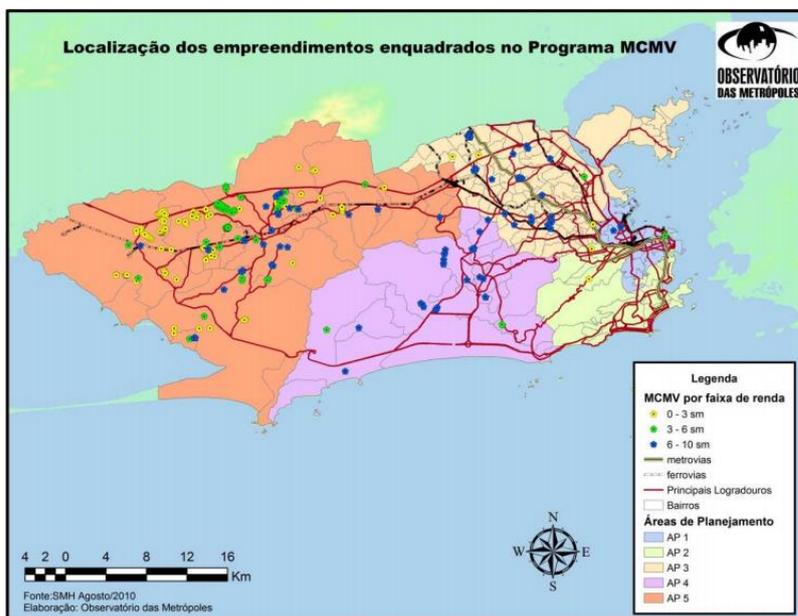
The Federal program 'My House, My Life' (MCMV) in Rio meant easing various architectural parameters to encourage construction at a low cost, but there is no control of the advantages offered to developers who contract credit for housing production via MCMV; a unit financed by the system and originally built for families with incomes ranging from zero to three minimum wages may reach a market price that can only be absorbed by families with higher incomes (Cardoso, Aragão and Araujo 2011). Thus, the constructive pattern of such units ends up being aligned to the bottom while the property value may be aligned to the top, offering real estate for income brackets above those that the project proposed to meet.

Another important setback is the location of MCMV projects. As Figure 01 shows central and higher income regions in town (pale green, AP1 and AP2) received almost no units up to 2010,

when working class neighborhoods up north (pale orange, AP3) and the newly developed areas at Barra da Tijuca (pale purple, AP4) received a number of developments geared towards families with incomes ranging from six to 10 minimum wages (blue dots).

Going west, developments for families with incomes up to six minimum wages are concentrated in AP5 poor neighborhoods (Orange with yellow and green dots). According to City Hall, as of 2010 about 93.3 % of the total MCMV units are located there (Veríssimo 2010 *apud* Cardoso, Aragão and Araujo, 2011). Considering the designated Planning Areas (AP) in the city, AP5 is the one with the worst infrastructure indicators (water and sewage coverage, education, health and leisure facilities, etc.), as well as poor mobility. It also presents the highest formal employment deficits compared to the economically active population (EAP): only 17% of job offerings to the EAP, compared to 645% in the downtown area and 86% in more affluent areas. Its increasing housing market compromises the levels of habitability, already presenting insufficient infrastructure, mobility and jobs to meet the local population demands (Cardoso, Aragão and Araujo, 2011).

Figure 01 – PMCMV-RJ: location of MCMV projects according to income brackets



Source: Cardoso, Aragão e Araujo 2011

A City Hall program of interest to this essay is the “Housing Rio” (Morar Carioca). According to City Hall the program

focuses on social inclusion, promotes urban and social integration, implementing infrastructure, public facilities and services, besides investing in urban and land tenure regularization in poor communities. [...] The program is a social revolution in Rio. Its goal is to integrate physically and socially all the city's communities by the year 2020. [...] It counts on U\$2.83 billion in investments that currently covers 55 communities, providing comfort and dignity to over 295,000 people. (Prefeitura da Cidade do Rio de Janeiro, 2011)

Still according to City Hall the program involves an extensive urban planning process, which designates communities to be targeted at. Communities not eligible include those diagnosed by government technicians as environmentally fragile, offering geological risks and/or “inadequate for residential use”. In these “non-building communities”, families are registered and resettled in housing units produced by the MCMV program (Prefeitura da Cidade do Rio de Janeiro, 2011).

### **How a crisis discourse enabled the imposition of exception acts concerning housing in central Rio de Janeiro**

Between 1983 and 2001, there were seven different plans focusing on the transformation of the port area as a whole. The SAGAS Project, encompassing all neighborhoods and slums in Rio's port area, was instituted in 1988 aiming at "the maintenance of the important landscape and cultural characteristics of the area [...] and the preservation of typical cultural sites and their morphologies" (Prefeitura 1988). Instead of the stated objectives what actually happened was the enforcement of a cultural identity discourse that privileged the Portuguese heritage in detriment of a significant African influence. Mostly African descendants, residents found themselves threatened with mass removal and, once mobilized, lobbied City Hall in order to incorporate their heritage into the Project (Giannella, 2013).

According to Guimarães (2013), Pereira Passos Institute's (IPP) planners at City Hall became obsessive with ordering the 'Portuguese heritage' site of Morro da Conceição. Technicians seemed to honor the Institute's name, after the mayor who led the largest redevelopment works in town, tearing down a couple of hills, and thousands of tenement houses and small businesses in the 1910s, influenced by the Haussman's example.

Blindly seeking their progress and order ideals, IPP planners ended up provoking a number of disturbances, as Morro da Conceição was not homogeneous; rather, it was highly

heterogeneous, pregnant with centuries of African Brazilian influence, “bringing together a variety of groups and individuals whose positions reflected and designated each other, moving specific spatial and temporal systems often overlaid” (Guimarães, 2013: 48). The author describes the process of creating an imaginary historical site, which goes

through collection and exhibition phases, when goods, streets and lifestyles are displaced of their polysemic contexts and idealized as authentic representations [of a chosen past]. Because they are representations of an imaginary discourse they may impact residents’ consciousness, creating not only different memories and identities but also new political, social and aesthetic processes. (Guimarães, 2013: 49)

The establishment of such processes in the port area elected both ‘new’ historic landmarks and preservation areas, and their opposite, areas (and residents) to be removed and forgotten. The first consequences were the gentrification of the first ones and the abandonment of the latter.

Since 1992 the official discourse in Rio de Janeiro emphasizes the worsening of an urban "crisis" (Vainer, 2009), proclaiming the need for administrative efficiency, restoration of "urban order" and incentives to economic activities as a priority, all inspired by Barcelona’s "successful" experience of restructuring its urban structure and economics.

The port area has long occupied a central spot in this discourse, as Guimarães pointed out *a propos* the SAGAS project:

within this logic, [some] port neighborhoods had their spaces classified as "degraded" and "abandoned" and their sociabilities were not associated to housing and leisure of the popular classes anymore, but with "prostitution", "drug trafficking" and "slums". After being placed off the adopted models of urbanity and civility, they soon found themselves the targets of speeches arguing for replacement of their uses and functions (Guimarães, 2014: 3)

During Mayor Maia’s administration (1993-1997) urban revitalization projects were segmented according to the areas’ economic and spatial potentials. Guimarães (2013) recalls that in the port area three intervention models were adopted: the Conceição, Saúde, Livramento and

Pinto hills were viewed as highly significant concerning landscape, culture and heritage and had a number of properties designated as preservation sites. Government policies, through the SAGAS project promoted tourism and middle-class in-migration to these neighborhoods, rebuilt landmarks and squares, and restricted a number of public spaces uses and activities such as sleeping under viaducts and street vending.

The SAGAS project's nature becomes clearer, however, when the focus is twisted to the areas not elected to figure within the heritage discourse, which are the subject of the second and third intervention models: while Morro da Providência did not have a single area chosen to be preserved (rather, it was the target of another municipal project for slum refurbishment), the 3.5 square km. composing the seaside area (where hangars and all administrative maritime-related activity went on) were abandoned at first, worsening the social and economic decay, thus creating the "crisis" scenario. In a few years, the area and its big land plots would be redeveloped and remarketed, disclosing the real SAGAS' goal (Guimarães, 2013).

In Guimarães' analysis (2013), the planners' discourse idealizing a Portuguese heritage, filled with "historic" and "cultural" references and detached from the region's social and cultural dynamics, was central to the area's imaginary. However, these visions were often in conflict with the residents' understandings: a number of spaces viewed by planners as 'torn down', 'useless', 'invaded' or 'unhealthy' were considered positive housing experiences for families related to the port area or to local and informal retail (Guimarães, 2013). Notwithstanding, according to City Hall plans residents of the "non-building" community of Morro da Providência, the oldest 'favela' in Brazil, housing almost 5,000 people at the port area, could be evicted and sent to live in the AP5 region, some 64 kilometers away from their social networks, jobs, schools, health clinics, leisure, etc.

The 1993 Strategic Plan (PEC-RJ) designed official policies aimed at developing a number of mega-projects with impacts on the internal and external image of the city in order to make it an international destination. Hosting the Olympic Games 2004 was one of the key strategies contained in the second plan, PEC-RJ 2002; it was then regarded as the event able to leverage the development of the city as a whole. In 2002 Rio was chosen host of the Pan American Games 2007, ushering the race for the 2012 Olympic Games. In all bids to host mega-events, strategic plans offered the main guidelines for the candidacy dossiers, determining the location for competitions and of equipment to be built. Bids were in accordance with the PECs strategies and the alleged established urban model.

Hauled by the mega-events FIFA World Cup 2014 and Olympic Games Rio 2016, a number of changes in the urban structure has been planned and executed throughout the city. Off scale architectural icons signed by internationally famous professionals are also being designed, strategic partnerships were developed and new urban marketing strategies were adopted (Capanema-Alvares, Bessa and Benedicto, 2010).

When implementing mega-projects, local governments restructure the city in truly hygienists operations carried out in areas that have been left at the mercy of the real estate market without urban public investment or services as important as security. That is why strategic plans forge 'crisis' scenarios, where abandonment is a trademark and the need for urban regeneration cries out. In Rio de Janeiro strategic planning, the hegemonic concept of entrepreneur cities and mega-projects are closely related.

Where, at first glance, one can see decaying neighborhoods, communities left to drug trafficking and militias due to the state absence, there may be numerous positive externalities (Tavares, Moreira and Pereira, 2010) as bay overlooking belvederes, proximity to environmentally rich areas or city landmarks, availability of urban facilities, commerce, services and transportation; they are 'devastated' land held as real estate stock, where the state plans to remove entire communities, locate huge investments and pass the added value on to the private sector. This strategy includes driving communities to the urban fringes, away from their economic, social, and cultural networks, where there are only negative externalities, such as landfills and lack of public facilities, equipment and services like health clinics and schools.

Government actions are controlled by the municipal government with the support of state and federal levels, and aim at the eviction of dwellers using their units in "calm and peaceful manner, with no owner's action to oppose possession for a period exceeding five years without interruption" (legal premises for lawful land tenure under CF 1988). Strategies begin with a systematic production of misinformation to which false advertising and rumors may be added. The second step concerns the threats. If any form of resistance comes up, even disorganized, there comes the enhancement of political and psychological pressure.

Final act: withdrawal of public services and violent evictions. All stages of the process contemplate a varied combination of human rights violations: the right to housing and the right to information in these situations go hand in hand. There is a huge gap between the government policies and the legislative progress represented by the approval of Law 12.527 in 2011, which regulated the right to information and helped strengthening a transparency culture within the state.

**The Porto Maravilha Project: new actors using new instruments to repeat the past.**

The port area revitalization project is rooted in the Municipal Organic Law (LOM, 1990), which envisioned "Urban Areas of Special Interest" (AEIU) as one of the basis for urban development projects, and has been framed since 1992, when the Ten-Year Master Plan established that AEIUs' locations should be defined in Urban Structuring Projects.

The Plan proposes "restrictions on existing buildings or activities that no longer meet the conditions of the AEIU where they are located", opening the door to the expulsion of negative externalities - the Lulus (Local Undesirable Land Uses) – of the area (art. 73); it also allows the adoption of "Land Utilization Ratios greater than those permitted at Spatial Planning Units [given] that the collective interest is justified in the Neighborhood Impact Report's terms, as established by the Municipal Organic Law [and according to which] these indices changes have to be expressly provided for and approved by law." (art. 76)

It turns out that the LOM does not mention the collective interest in determinations concerning the Neighborhood Impact Report; hence, entrepreneurs and City Hall are free to practice greater land utilization rates as much as they can justify a certain 'collective interest'.

The Decree No. 26852/2006 created and defined the Rio de Janeiro's Port Area AEIU, "considering the need to adapt urban legislation to the desired reality for the city of Rio de Janeiro's Port Area, setting parameters compatible with its uses profile, including housing, and land use for the area." Here, the imagined and 'desired reality' by municipal authorities gained the status of "collective interest" as stated in the Master Plan, justifying the setting of new parameters such as the increase in land utilization rates in properties that would be offered to private initiative, regardless of any impact reports; using an ingenious twist of expressions, what would not find a legal form gained legality, constituting what Agamben (2004) calls exceptionalism.

Continuing the exceptionality saga, Complementary Law 101/2009 (CL 101) modified the Master Plan and authorized the executive branch to institute the Urban Operation Plan for the Port of Rio Region, which enabled both the Onerous Building Grant<sup>11</sup> and land use changes aimed at allowing the construction of buildings of up to 50 floors at Avenida Francisco Bicalho and along the docks line at seaside, which will erase the local landscape with its views from the bay to the hills and vice versa from Rio's imaged memory.

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<sup>11</sup> An Urbanistic instrument that allows the executive branch to sell building exceptional quotas to interested developers so that they may build an increased amount of floor area in a plot.

Through another loophole (there is no procedural provision to question the constitutionality of the Master Plan and its obedience to the LOM in the judicial system) the CL 101, when authorizing such constructions, affronted the LOM in its Article 445, which states the obligation of the Master Plan to ensure "the preservation of the skyline in streets, sites and public areas of particular importance to the city's traditional urban landscape by maintaining the heights predominant in October 5th, 1989". One more act of exception is so configured.

CL 101 foresaw social interest housing provision through residents resettlement, opening the way to another act of exception: forced removal of residents in order to give different uses to the land they occupied, violating the LOM in its sixth precept, which orders "urbanization and land tenure regularization in low-income areas without residents removal, unless the area's physical conditions impose risk of life for its inhabitants"; it also violated the FC 1988 (Art. 6), Federal Law 11.124/2005 and international human rights treaties the country has signed.

The same legislation piece brought new actors to the Port revitalization scenario through the creation of public-private partnerships able to bid for public services and works concessions, and able to provide services to the public administration, even if those services involved public works.

Complementary Law 102/2009 introduced another set of actors with broad powers and functions when it instituted the Port of Rio Urban Development Company (CDURP), a "legally endowed corporation based on stocks shared by government institutions and private partners" responsible for implementing public concessions, managing corporate assets and for the "management of services of local interest and of public services of municipal competence, such as landscaping, urban cleaning, solid waste destination, rainwater drainage, street lighting, restoration and conversion of buildings, and the conservation of public spaces, facilities and community equipment, among others " (Art. 1).

Acts of exception together with the inclusion of new private actors in public management have enabled the municipality to operate the region's 'cleansing' through forced removals and to implement a number of projects associated with the mega-project Porto Maravilha. As of 2013, 665 families had already been removed from that region and 821 families were under threat, as shown in Table 1.

Table 1 – Evicted and threatened families in the Porto Maravilha area as of 2013.

Impacted Communities	Evicted Families	Threatened Families
Ocupação Machado de Assis	150	
Morro da Providência	140	671
Ocupação Zumbi dos Palmares	133	
Rua do Livramento		100*
Ocupação Casarão Azul	70	
Favela do Sambódromo	60	
Ocupação Quilombo das Guerreiras		50
Ocupação Carlos Marighela	47	
Ocupação Boa Vista	35	
Ocupação Flor do Asfalto	30	
Total	615	821

\* According to the Porto Community Forum (Fórum Comunitário do Porto), some 400 people (approximately 100 families) were being threatened with removal in 2013.

Source: Dossiê Megaeventos e violações de direitos humanos no Rio de Janeiro 2013.

The Sagas Project’s impacts on planning and on economic, social, cultural, ethical and ideological matters found a perfect match in the 2000s. Following the neoliberal hegemonic model, City Hall adopted the “livable cities” discourse: market-wise, these cities may be defined in terms of their ability to attract ‘fairs and conferences, proximity to nature, [with] a bustling city center and stylish [people]’, delivering places ‘perfect for both business and leisure’ (Monocle 2013) or in terms of having a ‘widespread availability of goods and services, low personal risk, and an effective infrastructure’ (The EIU’s 2015). Notwithstanding the market-oriented, glamorous or business character of the cited sources, they seem to orient a number of hegemonic city plans nowadays. More academic or otherwise professional organizations, like the Cities Alliance, consider the ability to compete with other cities at the heart of the matter and advise: ‘a city cannot compete [...] if it cannot offer investors security, infrastructure and efficiency’ (The Cities Alliance 2007). As good market pupils, successive city governments have been marketing the Porto Maravilha megaproject as a project that aims to ‘produce sustainable urban spaces that boost quality of life’ (Rio 2015). Besides its own infrastructure and public services environmental standards, the project will require new real estate ventures to adopt from solar heating, and green and/or reflective roofs to the use of

materials with environmental certification (among other features). It also discursively abides to a number of economic, social and cultural sustainable principles, like keeping local people in the area and preserving their identity and heritage. A closer look at the ongoing activities, however, reveals a not at all surprising carelessness with the newly built infrastructure and with local residents.

The most important community in the region, Morro da Providência, with approximately 6000 inhabitants and isolated within the limits of Porto Maravilha, denounced at the Porto Community Forum that technicians sent by City Hall approach residents without any identification or with hidden badges speaking of the need to register their dwelling units; City Hall says that most of the hill's soil is at risk, but no evidence has been presented to residents. After a few conflicts, city administration took the Morro da Providência case off of the Municipal Conflict Prevention and Mediation Committee for Social Housing, extinguishing negotiations.

What is striking in the Morro da Providência's case is the range of strategies adopted to threaten its residents, given its real estate importance in the government discourse and plans. The Porto Maravilha project sliced the hill into several pieces in order to implement different pressure strategies. There are portions submitted to the geological risk discourse (see figure 2), there are portions where the houses are marked (as they were in Jewish ghettos) without any justification, there are portions more or less harassed and criminalized and there are showcase portions, where the only remnants are debris and rubbish. The "Housing Rio" at Morro da Providência program foresees the eviction of 832 residences, partly due to questionable geotechnical risk allegations, partly aimed at preventing "high densities" within the community.

In other cases a simple maneuver of public land expropriation or repossession is adopted, allegedly for environmental preservation and/or public areas domain. That goes against the principles for urban land tenure stated in CF 1988, and affronts the National Council for the Environment (CONAMA) Resolution 369/2006 (which allows the occupation of permanent preservation areas in urbanized areas where communities at social risk live), Law 11.124/2005 (which provides for preferential social housing in public land), and the City's Housing Purposes Special Use Concession.

Figure 2 – Areas at geologic risk in Morro da Providência, according to City Hall.



Source: Prefeitura da Cidade do Rio de Janeiro 2011.

The SAGAS project discourse and imaginary finds resonance in Porto Maravilha, and low income residents at Morro da Providência – despite its historical importance as first favela in Brazil and its rich cultural heritage mixing African and Northeastern Brazilian influences - may finally be removed to AP5 MCMV projects where they will leave in lower standard buildings located at some 64 km. from the port area, as argued above.

### **Popular Manifestations and the public opinion: is there any news?**

As pointed out in another essay (Capanema-Alvares et al, 2014), among the protesters of the June 2013 manifestations in Rio, 70.4 % stated that dissatisfaction with politicians and governments was either the first or the second most important reason to go to the streets, what was also true to 70.9 % of the protesters dissatisfied with public services and with 21.5% dissatisfied with public spending. It can therefore be concluded that over 80% of the protesters took the streets by assault in Rio de Janeiro having 'dissatisfaction with public policies' as their first or second motives, as shown in the last column of Table 2. As discussed above, public policies in Rio have, since the 1990s, being determined by the neoliberal model of entrepreneur cities. The people largely disapprove them.

Table 2 – Dissatisfaction with public policies as a motive for participating in the 2013 protests in Rio (in % of choices).

	Dissatisfaction with politicians and governants	Dissatisfaction with public services	Dissatisfaction with public spending	'Dissatisfaction with public policies' Sum
Most important	29,9	46,5	4,9	81,4
2nd most important	40,5	24,4	16,6	81,5
Sum per item	70,4	70,9	21,5	

Source: Capanema-Alvares et al 2014.

In addition to the data shown herein, the housing issue relevance in the demonstrations and its relation to mega-projects is supported by government responses to the protests: in the heat of the moment and astonished by the questionings that bursted out in the streets, one of the first actions taken by Mayor Paes was to propose a meeting with representatives of Vila Autódromo – which had become a symbol of the struggle against mega-projects evictions - to renegotiate the community permanence<sup>12</sup>.

### **What Rio de Janeiro downtown users say**

Moreira (2004) and in her wake Giannella (2013) both see a tabula rasa wish (or 'destroyed land' policy, as evidenced by the fabricated 'crisis) across the flat lands at the port area. It can be seen at the deliberated neglect of services, equipment and public open spaces, bringing to city users a feeling of uneasiness with places. The next step is to offer a solution path through privatizing public spaces, outsourcing services and gentrifying the area.

Among the various uses Open Public Spaces (OPS) may have the highest in quality and intensity are those related to leisure, resting and meeting activities, usually performed in locations that also have better urban and environmental qualities. At the other end of the spectrum are low-urban and environmental quality places that serve only as passing places or are avoided.

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<sup>12</sup> According to Prof. Carlos Vainer at IPPUR/UFRJ, one of the academic voices for Vila Autódromo.

The survey conducted in Rio de Janeiro's AP1, which includes the port area, brings the 'destroyed land' stigma: fifty-seven percent of the users were only passing through, 12,5% were there to rest, 8,7% were to meet friends and only 6,7 % to practice some sport. When asked about their well being in the region's OPS, 37,5 % of the users classified it as below reasonable (less than or equal to 5, on a scale of 1 to 10), and when asked about the sense of security in the OPS, 53,8% of the visitors classified it below reasonable (less than or equal to 5 on a scale of 1 to 10) and only 7,7 % said they were completely satisfied (scoring 10).

Considering satisfaction with the region's OPS in general, 53.8 % of the users ranked it as below reasonable (less than or equal to 5, on a scale 1-10). Similarly, 69.9 % of OPS users at AP1 classified their satisfaction with public lighting, transportation, water supply and sewage in the city of Rio de Janeiro as below the reasonable (less than or equal to 5, on a scale 1-10). Only 3.8 % were fully satisfied with these services.

Low levels of satisfaction with OPS at the AP1 areas are directly correlated (with 99% certainty), to low levels of satisfaction with public lighting, transportation, water supply and sewage in the city of Rio de Janeiro.

We can thus conclude that users of Rio de Janeiro central areas feel the insecurity and uneasiness caused by 'destroyed land' policies in tune with neoliberal governments and keep themselves away from there or use the OPS mainly as passage way in their daily errands. Another point to be made is that the population of Rio de Janeiro strongly rejects the poor quality of public services and public policies perpetrated by the entrepreneur city model.

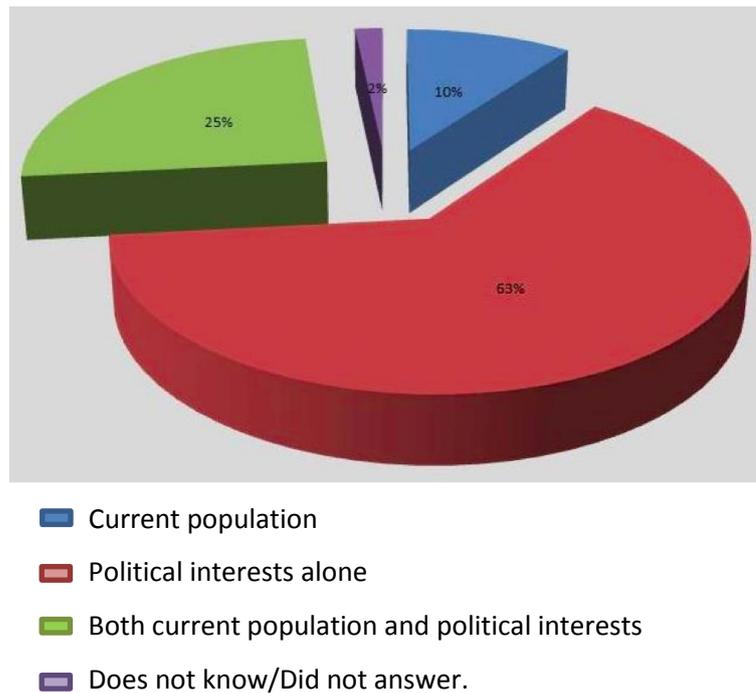
From 2009 (institution of the Porto Maravilha Project) to 2015, seven conflicts were manifested concerning the projects' housing problems, land use, the use of public spaces and its policies in general (Observatório, 2015).

What's new in this neoliberal, globalized scenario, in addition to public-private partnerships with major national and international corporations and acts of exception that enable new paralegal forms to undertake major urban reforms in Rio de Janeiro, are the possibilities of networking support and demonstrations, in order to occupy public spaces and bring about the social housing issue, in particular those aspects regarding lower income settlements and forced evictions due to mega-projects and their imaginaries of livable cities.

The survey specifically targeted at port area users revealed that 55% declared great knowledge of the Porto Maravilha Project, while 45% declared having partial knowledge; no interviewees declared to have no knowledge. Seventy percent of the interviewees believe the project will have important social, cultural and economic impacts in the region, while 15% think there will

be only economic impacts, 8% believe there will be social and cultural impacts, and 4% believe there will be no impacts. Interviewees clearly state who is to benefit with the project: 10% believe it intends to benefit the current population, 63% believe it intends to benefit political interests alone, 25% understand it intends to benefit both locals and politicians, and 2% did not answer.

Figure 3 – Who the Porto Maravilha Project intends to benefit, according to interviewees.



Source: Sequeira Junior, A. P. et al 2014.

If 100% users declare to have at least some knowledge of the project, and 93% consider there will be important impacts in the area, the large majority (88%) seems to understand it intends to benefit politicians (may be including the local population). That adds evidence to the fact that government discourses and imaginaries do not fool the people, they only work as marketing tools for those who do not live or use the area.

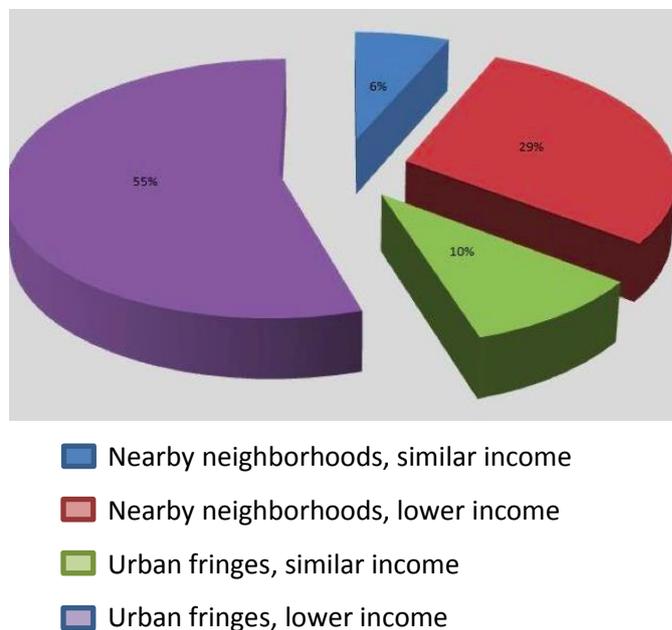
Nevertheless, when asked about the impacts on the local population, interviewees were more optimistic, with 48% declaring the Project will positively affect their lives, 12% thinking locals will not be impacted, 35% believing they will be negatively affected and 7% not having an opinion on the matter. When the data for impact on local population is crossed with age, results show that the higher the age group, the greater the opinion that the project will

negatively affect the port area and its inhabitants. Old folks knowledge and/or a greater attachment to their place might explain their answers.

Eighty-five percent of the interviewees believed the project will attract new residents, 10% thought the other way around, and 5% did not know. Of those 85%, 88 out of 100 believed that newcomers will be from a higher income bracket, 12% thought newcomers will come from the same income bracket and nobody believed newcomers might be poorer than the current residents. Thus, 75% of interviewees see gentrification coming in.

In face of these answers and when asked if they believed current residents would be able to remain in the area, 52% declared no, and 48% believed residents will remain. Of those interviewees foreseeing current residents not remaining in the area, 55% believed they will either be evicted or moved due do gentrification to the urban fringes, where income is lower than in the port area; 29% believed they will go to nearby neighborhoods, where income is lower than in the port area. Another part of the interviewees believed they would have to move to neighborhoods of similar income patterns, 10% of those thinking residents will be resettled in the urban fringes and 6% thinking residents will be resettled nearby.

Figure 4 – Where Porto Maravilha local residents will be resettled according to interviewees.



Source: Sequeira Junior, A P. et al 2014.

Of the total interviewees, 43,6% believe residents will have to move to areas with lower income patterns, 28,6% understanding they will also have to move far away - the worst

possible scenario -, and 15% understanding that residents will stay nearby. Adding those who believe residents will have to move far away but to similar pattern neighborhoods, almost 54% of interviewees believe residents will be worse off, somewhat contradicting the earlier answer, when 48% declared the Project will positively affect residents' lives.

### **A few words on citizens reactions to the homogenous discourse and its imaginaries**

Looking back at the SAGAS project, as Guimarães (2013) made clear, port area residents, particularly those elected to be in 'preservation areas', had to struggle for the inclusion of their identities in the plan. While IPP city planners defined historical sites according to a Portuguese heritage, re'sidents came up with a rather different heritage image, within which the African influence was determinant: Little Africa, through 'Pedra do Sal' and the 'Valongo Gardens' became the areas' most important sites.

Regarding the "non-building" communities, as of 2014, roughly half local users seem to think residents' living conditions will improve, while the other half thinks current residents' living conditions will worsen. The Porto Maravilha project only enhanced the marketable images and the livable, successful city discourse, despite the residents rather different choices: the refurbishment of informal settlements without evictions and the preservation of their historical landmarks, as opposed to standardizing them to be sold out in the cultural markets. Projects presented by City Hall in order to refurbish Morro da Providência were cleared directed at disorganizing its social fabric and creating new 'historical' sites, as have been demonstrated by Gimenez et al (2014). The cable car project does not serve the community mobility needs; rather, it serves as a safe means for tourists to reach the top of the hill from downtown and from there to the Porto Maravilha project area, while cutting the slum fabric in two. The preservation project proposed for the Cruzeiro Square intended to redesign both the church and the surrounding buildings, making it look like a typical Portuguese churchyard, what found severe resistance within the community (Gimenez at al, 2014).

### **(Might be) Conclusions**

Seeking to ensure global expansion of capital, municipalities, supported by higher government bodies, systematically and repeatedly adopt a number of strategies to add value to their territories and make them available to the private sector, which earns profits. This study sought to show how the main strategy adopted in Brazil today - the implementation of mega-projects - is negatively impacting the housing problems using new instruments to repeat old

practices. It focused on the neoliberal model adopted in Rio since 1992 – with its discourse and imaginaries - and presents a case study of the megaproject Porto Maravilha, demonstrating the perverse use of the City Statute instruments, the establishment of acts of exception and its relation to forced evictions. It also tried to picture how residents and area users feel, think and act when facing the pervasive government discourse.

In addition to a short historical and bibliographical review about the themes, it discussed the area's informal settlements as they are targeted for fairly different policies, the forced evictions and threats, and disclosed some residents' reports. It finally presented three empirical studies carried out at the Graduate Program in Architecture and Urbanism at the Federal Fluminense University and one carried out by undergraduate students of the same institution under the author's supervision.

What can be understood from the collected data is that the forced displacement of hundreds of families added up to an overall sense of popular revolt contributing to the 2013 protests and to a general dissatisfaction regarding public policies adopted by the neoliberal governments. The tabula rasa policy perpetrated by these governments to devalue the port region has generated a sense of 'crisis', clearly felt by users interviewed in the region. Moreover, interviewees seem to understand that the project intends to benefit politicians and that the majority of residents will be worse off with the project's implementation.

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