



The Brazilian Approach to Urban Policy and Legislation in a Historical Review: In Search of Urban Transformation through Urban Land Control and Regulation

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Manuel Castells in *City, Class and Power* (1978) stated that the urban question and the ecological question were becoming fundamental axes of social organization and social change in advanced capitalism. Despite the author's claim that it is not spatial organization that characterizes these two themes, in the late 1960s France, a state technocracy, adopted a functionalist approach that emphasized spatial organization in urban planning. This was also observed in Brazil during the sixties and seventies. This meant that the urban problems becoming apparent in capitalism were seen as the product of existing forms of organization of space and nature, which were themselves determined by the necessary evolution of productive technologies. Indeed, this causal relationship suggested there was a kind of "environmental determinism"; that is, it implied that a re-organized urban space - achieved through planning and/or other state policies - was able to introduce significant changes in society. According to Castells this approach to the urban question had important practical effects: social contradictions were encapsulated and the solution to conflicts and contradictions became technical, not political. This led to a major shift among urban analysts towards a Marxist-based approach. Obstacles to a socialized urban space, for both accumulation and social reproduction, were identified and most of them were related to the way urban private property hindered the above-mentioned socialization of urban space use and occupation. Another major influence in the development of urban policy and legislation in Brazil came from Latin American and Brazilian urban sociology, which identified the same urban problematic, but, used a different theoretical approach, also of Marxist inspiration. The way urban space had been produced and appropriated in the major Brazilian urban agglomerations was regarded as resulting in the absence or precariousness of a collective means of consumption that was socially necessary in subsistence terms. Similarities between these two approaches can be seen, especially in their emphasis on the obstacles to a socialized process of access to collective means of consumption and a socially just appropriation of urban land. These were the main ingredients of the new urban policy that was put into practice in Brazil after the 1988 Constitution, which is now contributing to urban transformation. This paper first presents a brief historical review of the theoretical approaches that have oriented the formation of urban policies and legislation in Brazil. Second, it analyses the main characteristics of current Brazilian urban policy and legislation, identifying the above-mentioned emphasis on the adoption of certain instruments that would efficiently promote the social function of urban land, especially as far as housing for the poor is concerned. Finally, the paper presents evidence of recent attempts to (re)introduce the environmental issue in urban policy and legislation in Brazil, not in a deterministic way as mentioned above, but as a means of bringing together social, political and environmental issues in the search for sustainable cities.

KEY WORDS: Urban analysis approaches, urban planning, urban legislation, Brazil.