

GUIDE OF GOOD PRACTICES FOR URBAN DEVELOPMENT
RECIFE RESEARCH



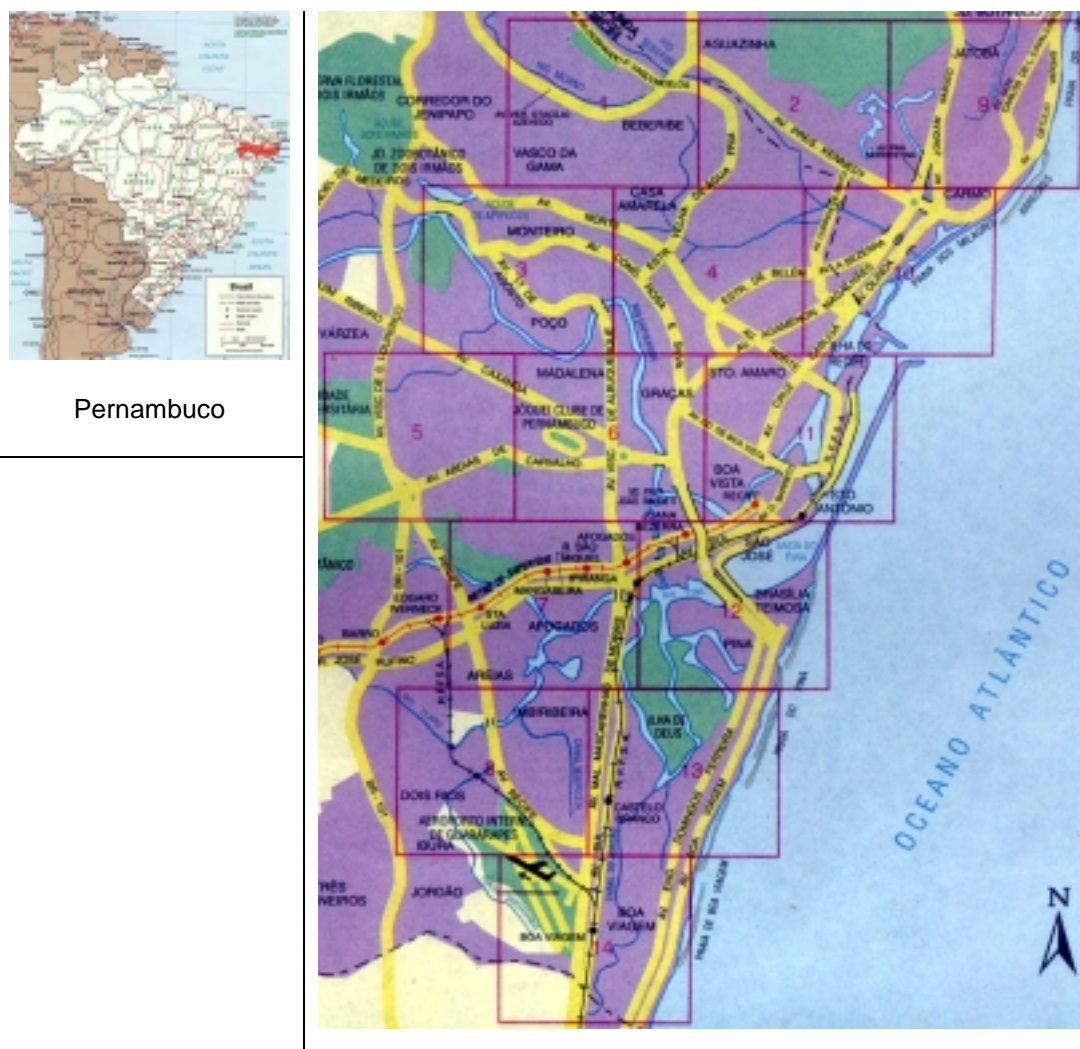
ABSTRACT

This report presents the main Brazilian findings of the joint research on Good Practices In Urban Development being developed in four different cities in the world (Deli, Jakarta, Cairo and Recife. It presents the major issues founded in Recife (University of Westminster/MDU-UFPE) during the period between October 1988 and February 1999.

Potential for large scale commercial developments like shopping centres, office buildings, etc., have been placing the lot of pressure over low income settlements in the core areas of major cities in developing countries. The clearing of this poor populations most of the time increase drastically the demands and costs of services and infrastructure.

The research explores ways to generate partnership among developers, low income communities and the state. The objective is to find alternatives to sustainable urban development. The key issue is the creation of mechanisms to transfer the right to use the land.

INTRODUCTION - GETTING TO KNOW RECIFE



Map 01 – Recife

Recife is the centre of a sprawling metropolitan area, the skyline dominated by areas of high rise apartments, with large areas of informal development and more traditional low rise around the central area. In terms of informal settlements, the city has proportionately the largest amount of its population living in favelas of all Brazil's largest cities. No shortage of core area sites. Estimates vary between 35 and 50%:



View of the Port Area



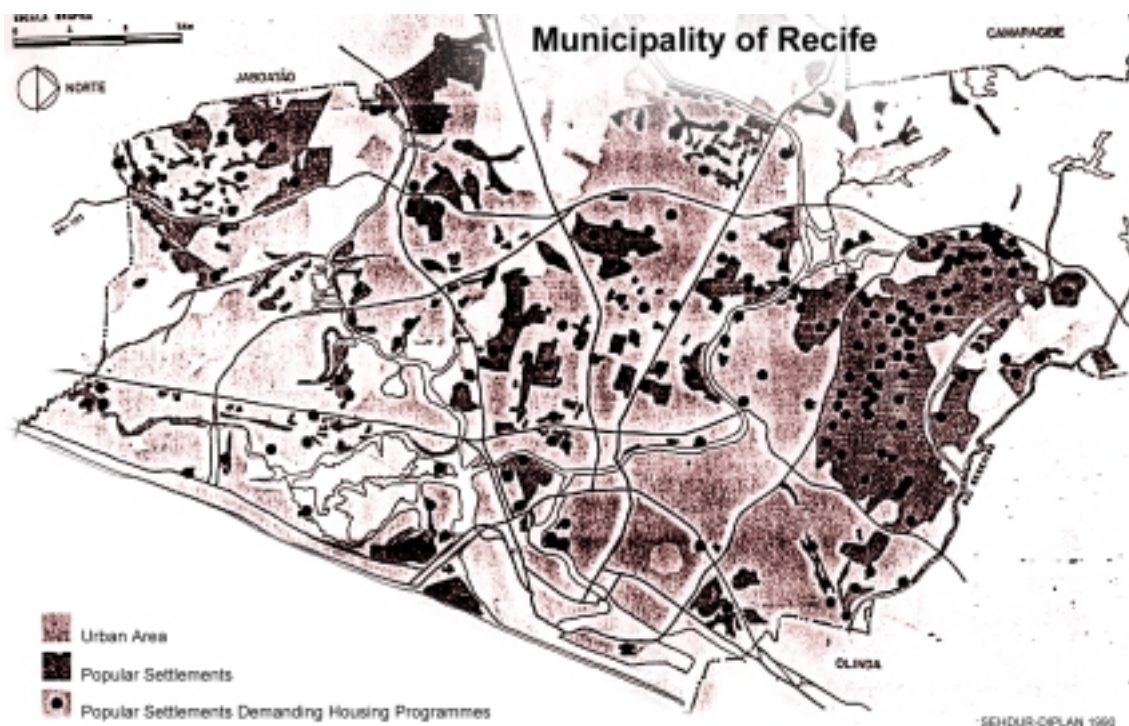
View of the Central Area



Views of Boa Viagem – Large Middle class Neighbourhood to the South

Nowhere is there a better example of the significance of participatory policy in a highly polarized and dynamic urban environment than Recife. Recife is a city with a history of profound social and economic challenges. With 3 million residents in the metropolitan region of this North-eastern capital, Recife has the highest relative and third-highest absolute number of favela residents in Brazil. The abundance of favelas in Recife is further complicated by the fact that many squatters have settled in or next to one of the city's several bodies of water (ocean, canals, and rivers), producing a variety of health and environmental challenges along with the problem of decent housing. In addition, only 31

percent of Recife's households have access to basic sewage treatment. While a great deal of dispute exists over the number of favelas in Recife because of methodological variation, most studies agree that at least half of the city's population resides in informal settlements.” (Cohen:1989).



map 02 – popular settlements in recife

The actual proportion depends on how the term favela is defined. Many of the areas have been around for some time. Casa Amarela, a large hilly area in the north east of the city with several hundred thousand inhabitants dates from the thirties when there was a large scale expulsion of squatters. Areas such as this and the fishing village, Brasília Teimosa are well consolidated, with substantial investment in bricks and mortar, small and growing businesses and number of two or more storey buildings. Locally, they are called *areas populares*, popular neighbourhoods.



View of Brasilia Teimosa

However, even rich areas can be precarious in terms of location, with soil erosion in hilly locations. Most of the settlements around the central areas are constructed on reclaimed mangrove swamp with poor drainage, flooding water pollution and related health risks. Also security of tenure has always been a problem.

Most important, however, in the process of local government reform that has been going on since the end of the military dictatorship. From having no control at all over local affairs, considerable power has passed to the municipalities (although the states remain in control most of the funds). Cities are seen as leading the movement to democratise society through the involvement of civil society.

In Recife, this has been expressed in a strong movement for squatters' rights in the late seventies and early eighties. The upshot of this was the planning law of 1983 by a progressive right wing mayor Gustavo Krause. This set out the land use zoning areas for the city (the city's planning ethos was, and largely remains, very modernist and single-use orientated).



View of a Self help Programme of the 1980s (FASE-PE)

Among the zones were the ZEIS (Zones of Special Social Interest), 27 favelas today which were given rights of occupation. However, it took another five years and blocking by the interim conservative administration before the actual mechanisms for turning this law into proper rights of tenure were incorporated in another local law. Now there are 65 such ZEIS in various states of formation. Some of them have been upgraded by the municipality, but others have plans in advanced stages.

This is a very interesting moment in the city's history. Most of the major settlements have won their struggle for recognition and radicalism that drove their struggle is wearing thin. Whether the communities are ready for the partnership approach with the private sector is an open question. Also, once rights of tenure are granted, it is likely to be difficult to get the community to act as one in negotiations with the private sector. Tenure is leasehold of varying length (up to 50 years) so, theoretically, the freehold resides with the municipality and would be its bargaining counter with the developers.



PART 1: THE PROCESS OF SPACE PRODUCTION IN RECIFE AND THE LAND USE LAWS

1.1.1. The authoritarian tradition

Conventionally, the construction of Recife as a progressive and industrial city from the mid-nineteenth century onwards does not differ significantly from other experiences and practices taking place in other more advanced capitalist societies. As in other places, the process shared a belief in the institution of industrial labour relations carried out by an urban model responsible for making the city work in functional harmony like the parts of a human body. What makes the process different in Brazil in general, and in Recife in particular, is the historical experience and influence of the agriculturally based mode of production of the colonial period. As O'Donnell (1988, 1986) has demonstrated, the permanence of slavery in the dominant processes of production until 1889 created a State and a public space permeated by the paternalistic and authoritarian control of an agrarian elite¹.

From the establishment of the republican constitution of 1891 onwards, this notion of citizenship excluded institutionally all the disqualified workers in the rural areas and the majority of the sub-employed urban populations from citizenship rights (De Decca, 1987). In Recife, this association between citizenship and occupation was re-examined through a political discourse which defined 'non-citizens' as those individuals belonging or coming from the rural world. For the dominant groups, the creation of this non-citizen constituted a mechanism which supported the construction of a new geography of urban social classes, and enhanced the control of the dominant groups over the poor population of Recife.

Three main consequences can be drawn from this association: in a city pictured as progressing towards the consolidation of urban and industrial social values, the existence of non-citizens could be presented as a deviation or even a threat to the development of a healthy honest and civilised society. The use of the coercive powers of the State to promote their eviction from the city could, in this way, be justified.

Second, the definition of the poor as non-citizens alienated this social group from the possibility of creation of public spaces for self-representation and development of identity. Under such circumstances, as Paoli (1989) points out, it was not difficult for the

dominant groups to portray the popular sectors, and even recognised urban industrial workers, as dispossessed of everything and, in particular, of knowledge, decision-making powers and capacity for action. The necessity of a strong State to guide and protect them was thus justified and legitimised.

Finally, this institutionalised exclusion of the majority of the population released important resources which could then be used to plan projects and large scale urban reforms. These reforms defined a meaning for the land in the city whose parameters corresponded to the social aspirations of the *bourgeoisie*, and protected their way of life against struggles and conflicts arising from the contradictions in the process of industrialisation and capital accumulation.

The illustrations of three zonings defined by the land use laws 1916, 1936 and 1961 show how the urban and suburban area (blue and yellow) remained protected as a reserve of speculation for middle class segments during almost the whole 20th century.

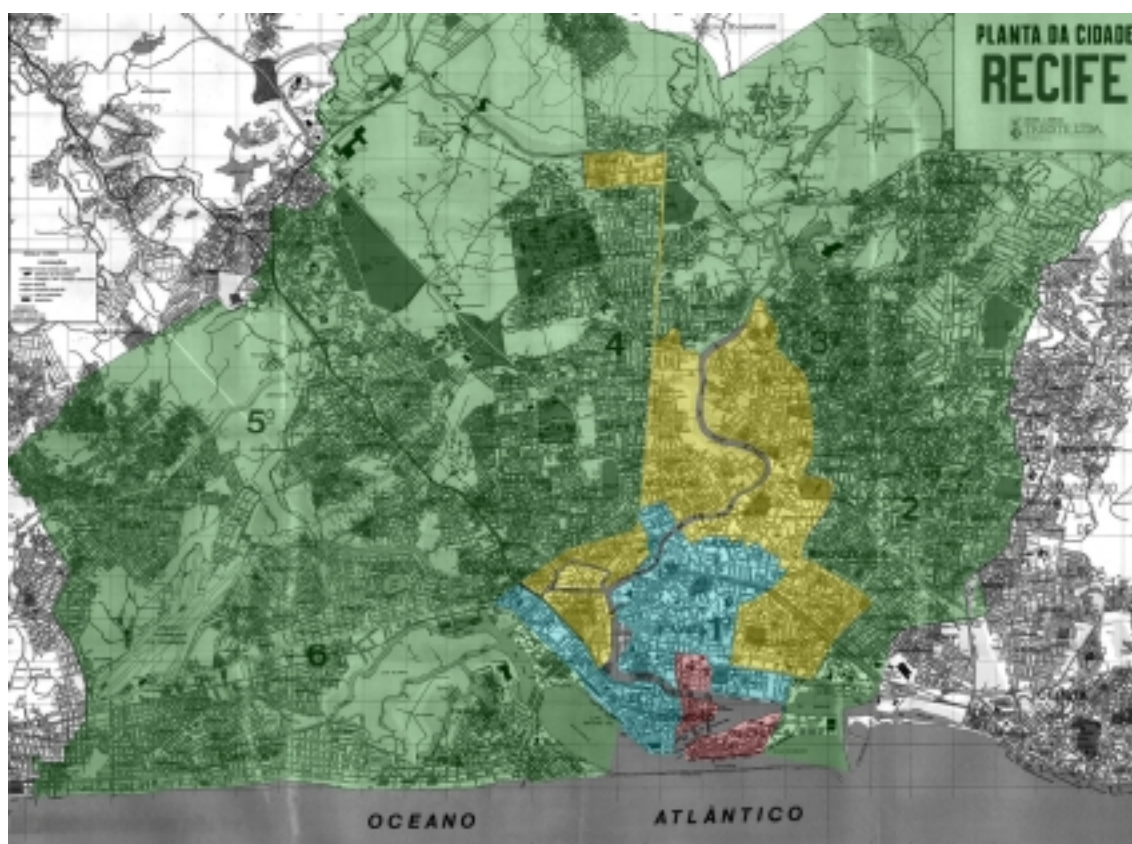


Plate 01 zoning of the land use Law 865 of 1916

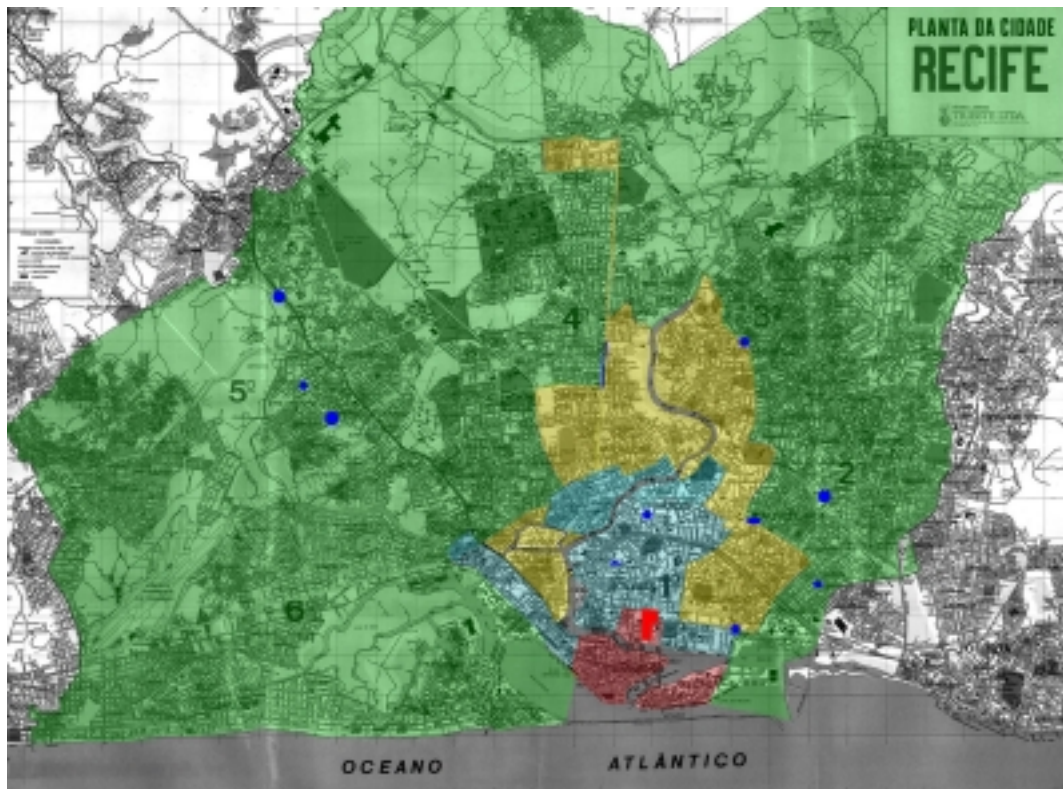


Plate 02 zoning of the land use Law 374 of 1936

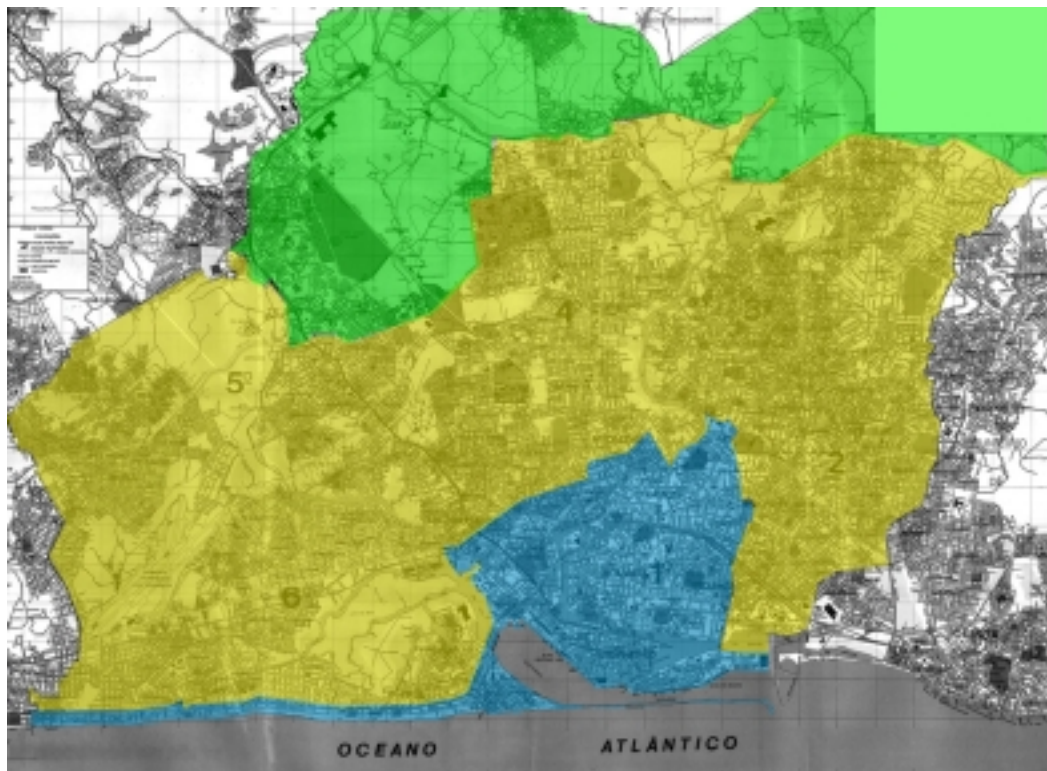


Plate 03 zoning of the land use Law 7427 of 1961

1.1.2 the participatory period

The transformation of this process of production of the space in Recife demanded the construction of social and political relationships among the groups dominated to struggle for the expansion of their social space in the city. This construction developed through the different political actors' identification and powers and of the establishment of presence practices in the urban space of Recife. 'presence' is understood here as being the primary and necessary condition to allow the participation in the daily life of the city.

Through a relationship historical associations of residents and dissident segments of the middle class helped to mold a new and positive social image for the population in Recife. The image participativa.

For those neighbourhood associations which operate in an environment of scarce resources and institutional adversity, the construction of the image of participation is a way of achieving legality outside the formal juridical system. It also gives them the possibility of being recognised as fully-fledged citizens and of having resources generated from the process of urbanisation in Recife being redistributed to them.

For dissenting segments of the middle class, participation means the expansion of their powers beyond the limits of representative democracy, that is the powers implicit in the political and institutional framework realised by the act of voting, in other words, the possibility of intervening directly in the mechanisms which organise the social order. This is expressed clearly in the speech of the ex-mayor of Sao Paulo, Luiza Erundina, on the occasion of the opening of a Forum for Popular Participation in Recife in November 1995:

"Participation at municipal level means the sharing of power, it is the sharing of power between the executive, the legislature and the judiciary with the organised segments of civil society. Participation means to transfer power from elected representatives to the people. It also means contributing to transform this people into active political actors able to participate in the exercise of power through direct democracy"².

In Recife, the development of the idea of participation politics is part of a long and slow historical process that still begins in the century XIX with the fights for the independence. three distinctive stages are directly linked to three democratic periods in Brazilian history: Drawing from the work of Diniz (1987) and Gondim, (1989) We shall call

them the 'emergence period', 'the insertion period' and the 'autonomy period'. The *emergence* period is located around the turn of the century up to 1930. This is the time when the first popular mobilisations begin in Brazil. The participation of a *petit bourgeoisie* in the fight for the republic and the participation of the poor in strikes and collective mobilisations influenced by socialist and communist ideas led to the appearance of the first registered neighbourhood association in Recife (Zaidan, 1985; Rezende, 1982, 1981).

The *insertion* period, ranging from 1947 to 1964 was marked by intense mobilisation and the relationship between the neighbourhood associations and left wing political parties. With the help of the Communist Party the municipal government supported the creation of neighbourhood associations and developed informal mechanisms for popular participation in the administration of the city. However, as collective agents, they were still not socially recognised as autonomous institutions but, rather, as important constituents of left wing political projects.

The third stage is centred between 1975 and 1985 and is marked by the progress towards autonomy achieved through the previous influence of political parties, government agencies and society as a whole; and the development and institutionalisation of participatory mechanisms. The organisation of their social image is marked by the influence of two important middle class segments: at macro-structural level the work of Brazilian academics gave a national dimension to their struggle and developed a theoretical framework around which the participatory identity could be built. At local level the work of NGOs helped in the disputes against eviction and built a system of representation which developed an image of the poor as participant citizens in the social consciousness (Dantas 1998).

The social movements expected the creation of a new way of thinking the citizen and the city, new manners of thinking the municipality, and the processes of decision making. In terms of space development, this would mean to bring planning closer to social reality assuring the better use of scarce resources. The materialization of these expectations, was believed in the period, would take place through the planning instruments ZEIS and PREZEIS, the last one created with popular participation.

1.2.1. Zeis and Prezeis

Among the events and expectations marking the end of the military government in the late 1970's and the transition to a regime of democratic institutions in the mid 1980's, the redirection of social policies assumes special significance. The redefinition of the technocratic-authoritarian approach to the social question of the military period from "*security with development*" to "*development with participation*" (Maciel,1988) reintroduced mechanisms of popular participation in governmental programmes. By 1975 several initiatives supported this directive.³

In this same period, the models of centralisation achieved through the organisation of the metropolitan regions had supported the process of transformation and modernisation of the productive structures. They consolidated the country into an urban and industrialised nation and the eighth world economy. However, the criteria of efficiency, rationalisation and profitability which determined this pattern of development, did not change the social indicators placing the majority of the population at levels of poverty comparable to the poorest countries in Africa and Asia. Hence, while the economy developed at high rates during the period of dictatorship, the concentration of income in the hands of the industrial *bourgeoisie* worsened the conditions of transport, health, housing and urban infrastructure for the poor, so that standards fell below the levels of the 1960's⁴.

The need for a more equitable distribution of collective consumption resources had already forced the state to modernise its structure and to develop more interactive practices with the social movement. Following the growing popular pressure carried out through social movements and NGO's, the municipal decree 11.670 of 1980, had already delimited 26 areas intended for the development of legalisation of land and urbanisation programmes⁵. As part of the urban interventions carried out by the municipal government, those programmes could not exist without a legal framework, planners had to articulate the institutionalisation of the Zones of Social Interest (ZEIS).

Hence, article 14 of the land use law 14.511 / 1983, in tune with the political process redefined the previously selected squatter areas as special zones-ZE, that is:

*"urban areas requiring specific treatment in the definition of land use and occupation...residential settlements born, existing and consolidated spontaneously where special urban norms had to be established in the social interest in order to promote their juridical regularisation and integration in the urban structure."*⁶

These practices, however, embodied more a conception of provision of services and consolidation of the presence of the local government among the communities than the actual development of mechanisms of popular participation⁷.

As the Popular movement became more organised and federations of associations emerged during the 1980's, the struggle for land expanded the initial and localised experiences of certain groups and their non-governmental organisation supporters and matured into a struggle for a more democratic use of the city. Along with the demands for the right to be in the city was began a questioning of the mechanisms of city management and the pledges to participate in a democratic process of decision- making.

During this period no other process is more representative of this quest for democracy than the elaboration and institutionalisation of the Plan of Regularisation of the Zones of Social Interest, known as PREZEIS. Over a period of two years, the discussions between the lawyers of the *Comissao de Justica e Paz-CJP* (a church supported organisation) and representatives of neighbourhood associations, and the political support of the first elected local government administration after the military period⁸, led to the institutionalisation of the first urban regulation ever written in the city with popular participation.

As we stated before from 1983 onwards the Land Use and Occupation Law of Recife instituted the Special Zones of Social Interest - ZEIS. The ZEIS are constituted by spontaneous popular settlements, formed by the occupations of public or private areas, lacking basic infrastructure, urbanization and legalisation. The Municipal Law of PREZEIS, approved in 1987, defines the process of legalisation of land of those settlements as a form of guaranteeing the urbanization and improvement of the housing conditions. The PREZEIS search the inclusion of popular areas in the process of city planning. One of the major principles of the Law is the PREZEIS for the existing characteristics of the community, giving priority for the consolidation of the occupations instead of relocation or eviction.

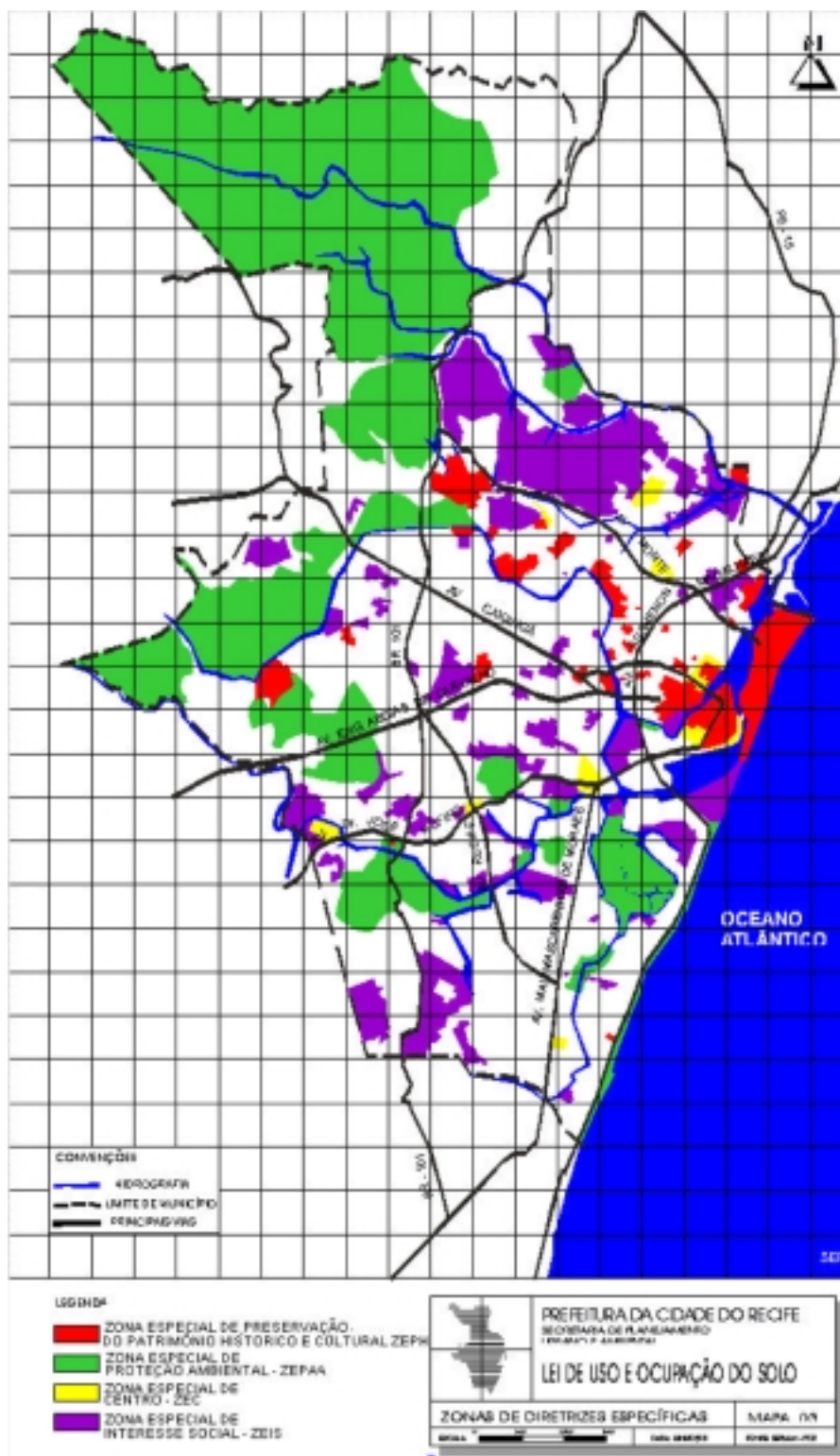


Plate 04 - Especial zones of social interest, land use law of 1991- ZEIS (SEPLAN 1997)

The Law of PREZEIS has both urban and juridical instruments to make possible the urbanization and land regularisation of the ZEIS. Mechanisms were introduced to prevent real estate speculation. The law restricts the possibilities for merging the plots, in the attempt of impeding the construction of buildings of great load in those areas.

PREZEIS is an example of how a legal mechanism can be used to promote, support and continue governmental policies and actions of social and spatial integration of poor settlements in the city. Now, in its fourth administrative period, the power PREZEIS has to transform the zoning of the city has established the procedures for the definitions of new Zones of Social Interest-ZEIS and institutionalised a process of participation for the urbanisation of these areas. PREZEIS is composed of two institutional instances: The Urbanisation and Legalisation Commissions - COMUL's and the FORUM of PREZEIS.

The principles guiding PREZEIS intend to adapt the right of private ownership over land so that illegal settlements can be integrated and participate in the urban structure. The law establishes, for instance, the priority of the right of dwelling over property rights. This means that consolidated settlements considered as ZEIS have to receive special attention in the analysis of legal disputes involving the eviction of the population. It also states that the implementation of basic infrastructure, services, community equipment and housing, as well as urban standards have to be negotiated with the population. The objective, the text asserts, is to motivate community participation and avoid real estate market speculation. In this sense, the PREZEIS for existing dwelling typologies and characteristics of the area is recommended (art. 4)

Any legally registered neighbourhood association has the right to request the transformation of the area it represents into a ZEIS. To begin the process the communities have to form a Commission for Legalisation and Urbanisation - COMUL (art. 6) and elect two representatives who will be given responsibility for negotiating with municipal government officials and making decisions in the best interests of the community⁹.

The COMUL's have the power to define the priorities for the areas, negotiate the resolution of conflictual cases and co-ordinate the elaboration and execution of urbanisation and regularisation plans. Apart from the discussion of the projects for legalisation and urbanisation, COMUL's also have the task of informing and involving the

local community in the process. To force this process, article 31 determines that once the commission is instituted, a support group constituted by other two members of the community should be appointed to establish a channel of direct communication.

In addition to the two representatives of the community, each COMUL is composed of three other members. They include one representative from URB¹⁰, one representative from the municipal or state government agency in charge of the implementation of land development and legalisation projects, and one representative of the non-governmental agency working with the neighbourhood association. The commission has weekly meetings and a maximum time span of two years to conclude the elaboration of plans for urbanisation and regularisation (art. 32).

The interactions taking place in COMUL's create the challenge of accommodating around a negotiating table the technical knowledge produced by the state and the knowledge produced by the social movement. As the mechanism suggests a certain equality of powers, it changes the relationship between the leaders and their communities and between the communities and the government (Cohen, 1997). As a non-governmental organisation representative supporting the popular movement has suggested, by proposing an initial equality of powers the COMUL's demystify both the authority of the state and the over-emphasis on the revolutionary character of the popular movement. ¹¹

For the popular movement, the participation in the COMUL's implies the building up of a new conception of autonomy for the movement which does not presuppose an exclusive existence apart from the state and its institutions but, instead, the realisation of the possibility of a plurality of identities and different interests struggling in a specific space. In this context the threat of co-optation has to be taken seriously but not to the extent of jeopardising the entire process. In this sense, the exercise of active citizenship risks as much as sharing in the rewards.

The second institutional instance, the FORUM of PREZEIS, is a forum for the articulation of and deliberation by the several segments integrating the Plan for the Regularisation of the Zones of Social Interest- ZEIS. The FORUM was institutionalised in December of 1988 by municipal decree no.14.539 which was proposed after discussions between assessors and leaders of the community. After one year of negotiations in the

COMUL's, the popular movement realised the necessity for a forum where common problems and solutions arising in the commissions could be discussed by all the participants of the process.

As the FORUM initiated activities, its brief was expanded to develop a broader articulation between PREZEIS and other municipal instances of power (legislature, executive and judiciary). The objective was to monitor the bureaucratic and legislative processes concerned with the ZEIS and the creation of a legitimate group to represent and negotiate the interests of PREZEIS in other institutional arenas. This forum has already proven to be an important instrument in maintaining cohesion and has resisted attempts at co-optation and de-legitimation of PREZEIS during conservative municipal governments.¹²

The PREZEIS FORUM is composed of two representatives of each COMUL, one representative of each COMUL which is in process of formation, four representatives of the popular movement (federations), two representatives of research institutes (Federal University of Pernambuco, Fundacao Joaquim Nabuco), two representatives of professional organisations (Brazilian Institute of Architects, Brazilian Bar Association-OAB), one representative of the municipal council, six representatives of URB, one representative of the department of Social policies, one representative of the Urban and Environment Planning Department, one representative of the Municipal Department of Finances, one representative of the Department of Juridical and Administrative Issues, one representative of the Municipal Housing company-COHAB, and one representative of each non-governmental organisation (art. 36). To support the forum, the law of PREZEIS also established the creation of the Working groups of urbanisation, legalisation, budget and finance, consultative bodies producing technical reports on the main areas of interest for the accomplishment of PREZEIS' activities (art. 40 to 44).

With the expansion of its initial brief and composition the Forum of PREZEIS gained both in organisation and power. With the exercise of articulation and unification of the COMUL's a clear division between fields of action was established. While at primary level COMUL's centre around more specific community issues, the FORUM of PREZEIS deals, at secondary level, with institutional matters such as the funding allocation for urbanisation projects, and with speeding up bureaucratic procedures to institutionalise new

COMUL's . In doing so, it renewed and broadened the space of articulation between PREZEIS and the local government structure.

Being a forum for participation and negotiation, the power of PREZEIS is susceptible to increases and decreases depending on changes in the municipal political structure. Table 0.1 shows the necessity of the popular commitment of the local government to the implementation of the process of participation and to the constitution of new ZEIS.

Year	1987	1988	1989	1990	1991	1992	1993	1994	1995
n°		7			1		2	11	14
						total (1983 to1995)			61
						total (1987 to 1995)			35
Obs. Shaded areas relate to periods of administrations committed to popular participation.									

Table 0.1 - Institutionalisation of ZEIS. Source URB Recife 1995

Conclusion part 1—the resulting city model

There is no doubt that the new institutional mechanisms of ZEIS and PREZEIS have contributed substantially to facilitate the processes of consolidation of squatter settlements and for the transformation of planning practices. After thirteenth years of implementation (1987- 2000), however, some constrains still remain and new ones were created for the development of initiatives and enterprises defining processes of land use and occupation which are able to distribute more evenly the benefits of the urban life. By merging plates 04 (1991 zoning), and plate 01(1916 zoning) (plate 05 - below), for instance, it is possible to verify that in spite of more then eighty years of urbanization the urban legislation has deeply contributed to deny access of the poor to land and housing compatible with contemporary levels of scientific and technological development.

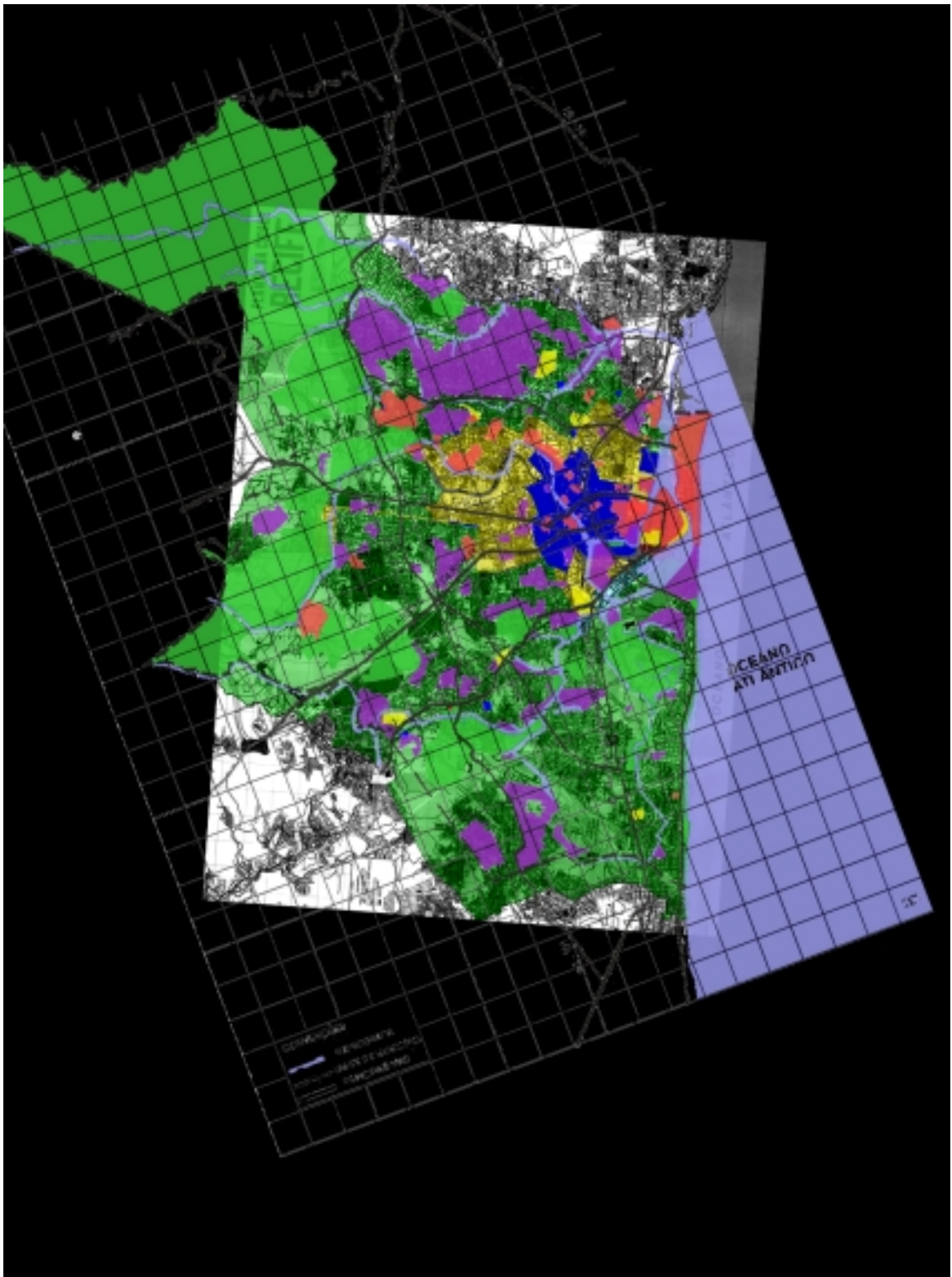
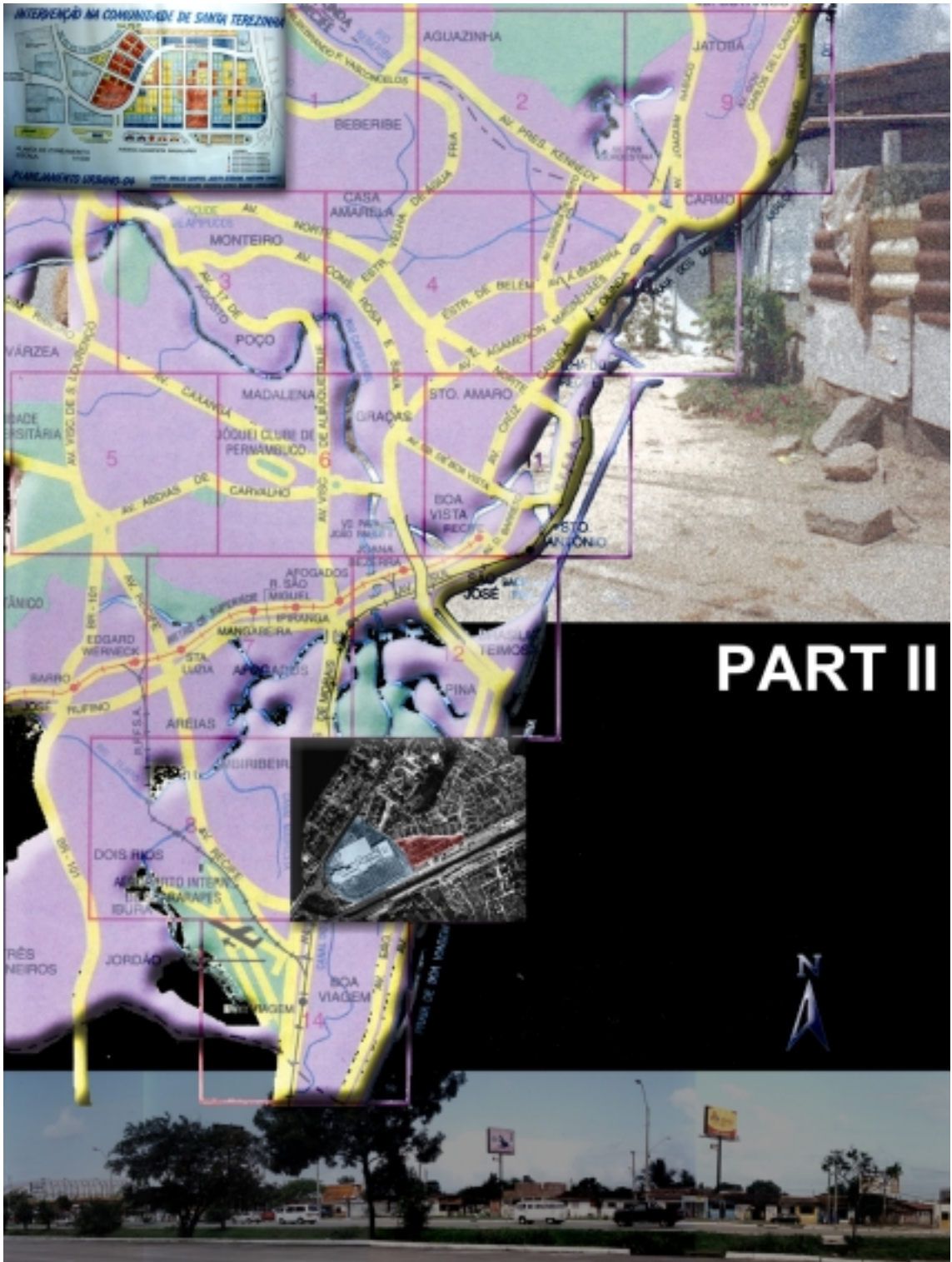


Plate 05 – Merging of plate 04 (top) and plate 01(bottom)
Purple=ZEIS; Green=landscape preservation areas; orange=historic preservation areas;
Blue=urban area in 1916; yellow=suburban area in 1916

While the land use laws have been preserving the blue and yellow areas for the use of the middle classes and exploitation from the real estate market PREZEIS participatory law renders unfeasible any large scale enterprise in the ZEIS areas (purple) denying its inhabitants from the profits of urban and land development. Hence, plate 05 actually shows how agents, groups and classes delimited their territories and built their own invisible walls. Walls that guarantee investments without risk for the speculators, and a job market for technicians of NGOs and state officials, to mention just a few ones. It is the historical preservation of a logic of power supporting a geography of wealth and poverty that maintains a medium level of 50% of the city living in degraded areas since the beginning of the century (Dantas, 1998).

- ¹ On the influence of paternalism in Brazilian culture see also “*Raizes do Brasil*” a book written in 1936 by Sergio Buarque de Holanda, a classic of Brazilian historiography.
- ² Luiza Erundina Ex-mayor of Sao Paulo and member of the Worker’s Party-PT, Communication recorded at Forum National of Popular Participation, Opening section, Recife 08/11/1995.
- ³ National Programme for Aliment and Nutrition (PRONAM), 1976; National Programme for the Development of Rural Communities (PRODECOR),1976; National programme for Urban Social Centres (PNCSU),1975; etc. (Ilza, 1993:37).
- ⁴ On the consequences of the Brazilian model of development see, Ribeiro (1986), Abranches (1985) and Jaguaribe (1985).
- ⁵ From these 26 areas only three had their specific projects approved. From the three only Brasilia Teimosa had its project implemented immediately. Also, according to Assies (1992) municipal planning agencies had already acknowledge the existence of seventy two “sub-normal” areas with a potential for consolidation whose removal would involve high social and/or financial costs.
- ⁶ Article 14 paragraph two. Law 14.511/1979 municipality of Recife.
- ⁷ Interview with Salvador Soler Lostao, Secretary of Social Programs, City of Recife 17th January 1996. As a lawyer, Mr. Lostao participated actively in the Comissao de Justica e Paz in processes of legalisation of squatter settlements from 1977 onwards.
- ⁸ Maia (1996) has stressed the importance of the administration commitment and support for the development and success of the ZEIS programme. She writes: “it trained staff to deal with ZEIS issues, explaining the advantages of ZEIS to neighbourhood associations and distributing explanatory leaflets in areas where the creation of ZEIS was under consideration. Moreover, it also created the necessary infrastructure for the functioning of PREZEIS. Under the 1986-988 administration, 9 other squatter settlements were recognised as ZEIS, making a total of 36 instead of the initial 27 ZEIS approved in the 1983 Land Use Plan”.
- ⁹ The representatives have to be living in the ZEIS and their election has to be monitored by the co-ordination of the FORUM of PREZEIS
- ¹⁰ The Empresa de Urbanisacao do Recife - URB is the local government agency responsible to house and support the process.
- ¹¹ Interview with technicians of ARRUAR (NGO supporting the popular movement in land related questions), Recife 18th November, 1996
- ¹² The work of Lubambo (1996) and Cohen (1997) have emphasised importance of the forum during conservative administrations between 1988 and 1992. They argue that in times of little material progress leaders and assessors used the forum to further the individual goals of their communities and to gain additional strength as a unified body.



PART 2 - GUIDES OF GOOD PRACTICES FOR URBAN DEVELOPMENT: THE RESEARCH

2.1. The Research

The research Guides of Good Practices for Urban Development: Case study Recife carried out between the University of Westminster and the graduate programme on urban development - MDU-UFPE, was accomplished during the period between October 1988 and February 1999. It started based upon the following three principles:

1. Economic pressures are giving rise to large-scale commercial developments that displace low income families. Such households gain their livelihood largely from work in central service employment that is an essential element of the urban economy. The exodus of residents to the outlying areas of the city leads to an increase in commuting to the centre. Travel times and costs increase for the urban poor and increased travel impacts on the environment through increasing energy use and air pollution.

2. The research should look at the ways in which sustainable low-income housing and small business provision can be integrated with new commercial developments in a developing world context. Planning guidelines for design, management and finance were believed to facilitate this type of integrated and balanced development in commercial core areas of rapidly growing cities in the developing world.

3. The research was to be based on a concept of a partnership approach to urban development - land sharing, cross subsidisation, balanced and diverse land tenure and management - which is becoming a key element of current urban policy thinking. The guidelines were aimed, in the first instance, at reducing conflicting and enhancing the common interests of the prime stakeholders in the urban development process.

As part of a knowledge transfer strategy 4th year undergraduate students of architecture participated in the research. Using the principles above their aim was to develop an urban design proposal for the neighbourhood of Santa Terezinha, an old ZEIS located in the core area of the city. From the beginning, however, they were faced with a

cultural problem: if considering the neighbourhood as a squatter settlement, it was very much improved, and as they said: it was all done. But considering its privileged location in the city, the area is stigmatised and the dwellers did not profit as they should. A central question arose: If it is all done expresses the idea that the future of places like that are defined, and guaranteed by law. In order to survive do they have to remain as they are?

The initial perception that it was all done, thus, lead to the discussion of cultural, social and spatial values experienced in the city and how they are embedded in the built environment. In order to do that the students were guided to collect basic data: The students were guided to recognised different actors and agencies and their interests in the area. They developed a questionnaire applied to the favela residents, identified and interviewed agents or players in the negotiation study.

An workshop with international consultants were held, groups were formed to "assume roles" in order to clarify social, economic and ideological logic of each agent and their real possibility to negotiate. The students team representing the interests of different agents, presented their aims and goals in the area, as well as, their terms and limits for collaboration. After several rounds of discussion, they elaborated jointly a proposal, where each detail were negotiated exhaustively. This report details below the data collected, the results as well as the main difficulties in understanding space production as a negotiating process involving social, cultural, spatial and economic issues. To recognised different actors and agencies and their interests in the area. Groups were formed to "assume roles" in order to clarify social, economic and ideological logic of each agent and their real possibility to negotiate.

2. 2 The Context

Before 1980 the intervention of the State in areas of low income was characterized by authoritarianism and centralisation in the process of decision making leading to the provision of basic infrastructure and urban services. The local population did not participate in the definition and decision of the actions affecting their way of living. The actions also were more concerned with eviction and relocation of the settlements to the periphery of the cities. This model of segregation disappeared gradually with the end of the

military regime and the re-organisation of the popular movements during the period of redemocratisation in the 1980s.



Image of protests - late 1980s

The reestablishment of democracy, forced the redefinition of the policies of centralisation and supported the development of new practices of urbanisation. New models and experiences of urban management based on popular participation were used as main reference for municipal planning.

As we have seen before, in Recife, in the period of the administrations of mayor Jarbas Vasconcelos' (86/88 and 93/96) several innovations were introduced in the

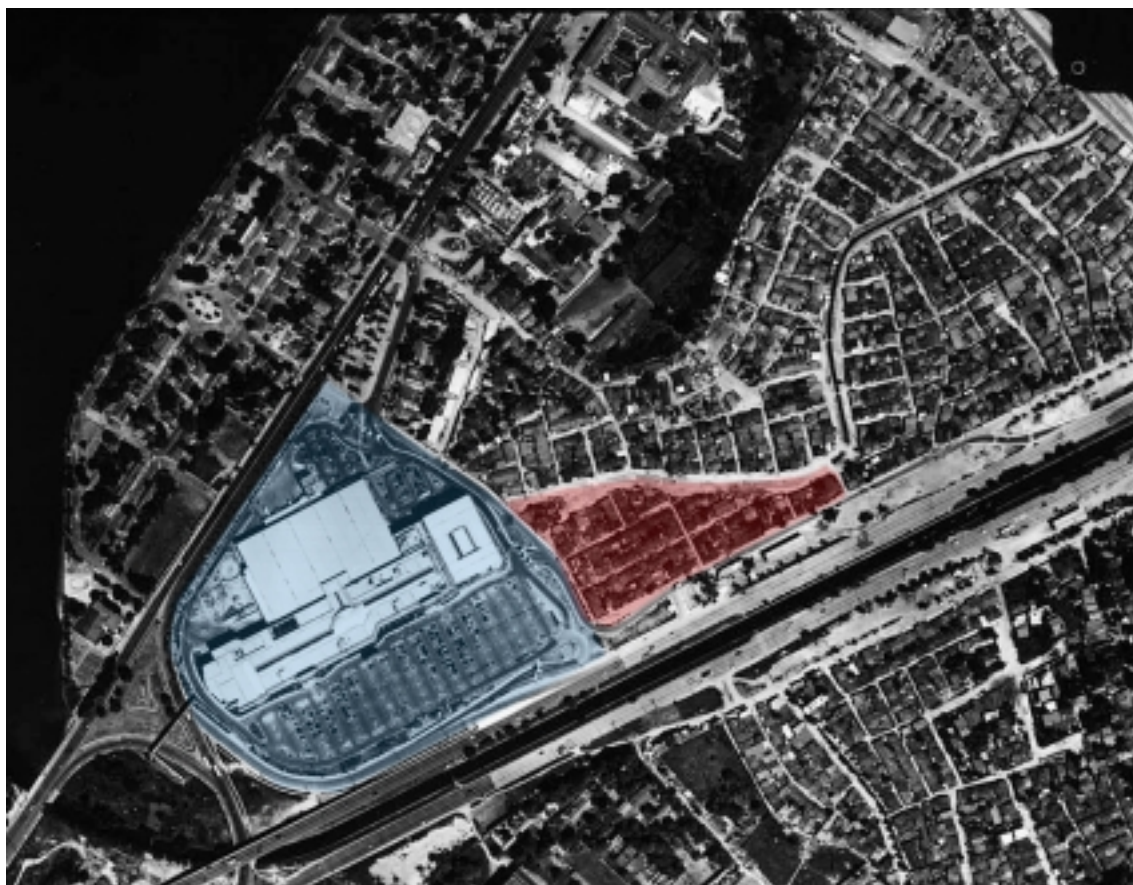
procedures of intervention in popular areas. Among them can be mentioned the Programme Prefeitura in the Neighborhoods / Participatory Budget, the Project of Partnerships in the Hills, the SOS Sanitation and PREZEIS (plan of regularisation and urbanisation of areas of social interest). Institutionalised through the Law of PREZEIS in 1987. PREZEIS became the main instrument to consolidate and urbanise popular settlements in the city.

In the course of the 90s the issue of establishment of partnerships among the private sector, the state and the social movements to solve urbanisation problems entered the planning debate. A few experiences took place in the areas surrounding the main Shopping Centres : Recife and Guararapes to the south and Plaza shopping to the west. Despite the intervention of NGO's and government very little was done to change the life conditions of the settlers. Make up interventions occurred in the access roads to the commercial areas and low profile community activities were supported. These practices were repeated to the north, in the area called *Ponte do Maduro*, with the implementation of Tacaruna Shopping. A large commercial centre influencing neighbouring cities up to 90 km away from Recife.

2.3 The Case study Community of Santa Terezinha in the area of Ponte do Maduro

The communities of Chié, Island of Joaneiro, Santa Terezinha and Santo Amaro appeared in different times each with their own struggle. In the late 1930s they invaded a large swamp area to the north of Recife and close to the municipality of Olinda. The settlers filled up the low wet areas with dirt and, using sticks of the mangrove trees and mud built their houses .

2.3.1. The Community of Santa Teresinha



Aerial view of community of Santa Teresinha (red) and Shopping Tacaruna (blue)

The community of Santa Teresinha is located in a plain and presents heights a little above the maximum level of the tides. It is possible, in a generic way, to distinguish the continental plain from the levelled areas. The first, is relatively safe from flooding and is constituted by ancient routes leading to the port of Recife. There it can be found the oldest constructions of the city. In the second plain, after the levelling, workers, migrants and other poor contingents of population settled.

Due to a long history of struggles with local and state government against eviction the area was considered Special Zone of Social Interest (ZEIS) and went through an urbanization process carried out by COHAB/PE (the former housing agency of the state government). Today the settlement is consolidated and the implementation of Shopping Centre Tacaruna in the neighbourhood, in 1997, increased the potential for spatial

development in the area. In spite of its strategic location and potential for economic development there are no specific actions, programmes or planning guidelines proposed for the area which may guarantee the local population the profit from having built in this now privileged area of the city.

2.3.2. Current situation

2.3.2.1. Housing



Housing typology in Santa teresinha

The current plots have an area of 45m^2 (5 X 9 m) on average. They are organised in non orthogonal blocks following the first spontaneous occupation. The pattern of narrow streets establishes a radical contrast with the regular urban pattern of the surrounding middle class settlements. Such differentiation beyond the initial problem of making it difficult for cars to access the area reinforces an image of fragmentation and detachment associated with disease and crime. This image contributes to make communication difficult between the slum and the city.

The houses follow the pattern of COHAB, they are mostly made out of bricks (today there are just 47 in precarious material condition either with mud or cardboard walls). All of them have internal sanitary cabinet and basic urban services: they have water supply, electricity and they are linked to a condominium sewer system.

The predominant use is still the residential, followed by mixed (residential / commercial or residential / services), mainly in those house facing Agamenon Magalhães avenue. In the access to the Shopping there is the larger concentration are small markets, restaurants, bars, snack bars electronic amusements. Scattered around the community it is also possible to find small services such as, manicurists, hairdresser, ironmongers, etc.



Agamenon Magalhães avenue - Mix use housing

Some few houses stand out in relation to the group, due to their size, employed materials or conservation state. Some houses where refurbished to support the extension of the original family, in some cases the area of a single house was transformed to accommodate up to three families.

2.3.2.2. infrastructure



Infrastructure - unpaved streets and a badly built sanitation system

According to studies of COHAB/PE, the main demands for the area, are still related to the construction of houses and basic sanitation. The most urgent services are: paving, drainage, urban cleaning and lightning.

Only some roads are paved and a few alleys were detected, in special the one in the border separating the community from the Shopping. Because of a high concrete wall the area is always shadowed and occupied by drug dealers.

The system of water supply has been operating with restrictions like in many other areas of the city: water is made available in alternate days. For this reason it is common the use of different recipients for storage in all the homes. In some of the brick houses, roof reservoirs are used. There are, however, many inhabitants which accumulate water in barrels placed in the external part of the residence and with precarious ways of closure. This practice is one of the major causes of outbreaks of breakbone and other epidemic diseases. It can also be said regarding the water treatment, that 1/3 of the families use the liquid without any form of additional treatment, and that the others filter or boil the water.

The condominium type sewer system implanted works relatively well. When the system was implemented, starting from an experience accomplished in other low income areas, the process of production of sanitary basins in cement by the community was added. The maintenance, inside the blocks, is done with efficiency by the residents with the continuous supervision of members of the association. However, the population, through the neighbourhood association, affirms that COMPESA (the state water and sewage company) is not providing a proper general maintenance of the system. When problems occur out of the blocks and the company is called there is a delay to answer. Sometimes, according to the urgency of the community, directors of the association, extrapolate their competence to try to solve the detected problem.

2.3.2.3. Socio-Economic Situation

According to a research accomplished by COHAB in September of 1995 the community of Santa Terezinha has a higher percentage of adults ageing between 19 and 40 years, characterizing an economically active population.

It is expressive the percentage of illiterates 19%. Most of the people have not completed basic education. Among the interviewees, none possessed university degree.

The indexes demonstrate a pitiful situation of poverty, where the great majority is paid less than one minimum wage per month. Among the great number of unemployed the time to return to work averages 2 years.

2.3.2.4. Cultural Perspectives

The idea that of the dwellers inadequacy to the city life because of their rural origins, proved to be false. Most of them have been living more than three decades in the area, and the new generation is well acquainted to the urban life and services. In fact, they aspire the urban qualities of the surrounding neighbourhoods, and try to reproduce aesthetic and symbolic values of the nearby environment.

2.3.2.5. Community organisation

Despite the existence of an institutionalised neighbourhood association the community of Santa Terezinha do not have today a strong popular organisation and popular participation, which makes more difficult the struggle for material improvements.

70% of the interviewees do not participate in any form of community association. The Neighbourhood Association, however, is still the main centre for participation.

2.3.2.6. Drug Traffic

There is a high index of violence, mostly related to the drug traffic. The students where 'allowed' to work safely in the area only after negotiations between COHAB social workers and the *boss*. Visits where not allowed on Fridays when large amounts of drugs are delivered.

2.4. Potential For Economic Partnerships

2.4.1. Shopping Centre Tacaruna



Images of shopping Tacaruna

Located in the boundary between Recife and Olinda, the mall attracts consumers from several middle-class neighbourhoods and neighbouring municipalities. According to data supplied by the marketing department of the shopping, its influence reaches as far as Goiana a city 90km away to the north. In just three years It has rapidly become a trading and services pole generating direct and indirect employments.

There are several possibilities for developing partnership with the shopping as long as they are already searching for alternatives of expansion. They need for instance, to increase parking space what, as it will be shown in the feasibility study below, could be achieved through a negotiation to build a multi store garage in community land.

2.4.2. Real Estate Agents And Developers

The fast development of the shopping, the consolidation of Agamenon Magalhães Avenue as the main axial route crossing the metropolitan area from north to south has increased substantially the land values for development of housing hotels and office buildings.

2.5. Potential for Political Partnerships

2.5.1. The State Government

Government agencies have being involved with the construction of popular houses and housing programmes since the 1950s, when it assumed the responsibility of providing housing for the caring communities.

The main objectives of the governmental agencies are:

1. Implementing housing policies for the population excluded from the formal market.
2. Giving priority for the improvement of the quality of life and the promotion of citizenship among poor families through integrated actions encompassing:

The plot: implementation of urbanized plots.

The house: financing of building materials.

The basic services: providing basic Infrastructures and social equipments.

The condition of being formal: legalization of the ownership of the land.

3. Looking for mechanisms of reducing building costs.

2.5.2. The City Hall

The City Hall is responsible for the provision of infrastructure, education and health. It is also responsible for the elaboration of urban policies promoting the

development and the improvement of the quality of life of the population. Hence, the city government may enter as a partner of the private sector, contributing to legitimise the process and guaranteeing the effectiveness of the actions to make sure the city as a whole profits from and controls development proposals.

2.5.3. Social Agents

The research identified some support groups working in the community. Their main objective is to provide basic services to ameliorate the life of the people. They are:

Group of Italians seeking to rescue adolescents from delinquency.

Several Religious entities.

Neighbourhood Association.

Health agents which provide basic health care and promote educational and preventive campaigns.

Teachers hired by the City hall to work in the existing municipal school.

2.5.4. The Planners

During the workshop a team of students were asked to play the role of planners, advising technically the proposals. They were encouraged to use their expertise and knowledge to intervene aiming to produce better solutions and to register the experienced design negotiation and planning process.

2.6. Land Use and Occupation: Legal Background

Dwellers may have the ownership of the houses¹ but not of the land which belongs to state government. Such dichotomy in ownership creates a sense of not belonging to the area. When residents are questioned if they pay rent they answer NO but at the same time say that “the houses are owned by COHAB.” According to the questionnaires applied in the area, the average time of occupation of the house built by COHAB is 10 years. This signals for some kind of internal housing market as long as they can not be sold without the permission of the government.

2.7) guidelines for proposals

After understanding the context and the agents involved the students had to identify areas with potential for expansion and development, precarious areas and external areas for reallocation. The proposal aimed at maintaining the predominant residential use, however emphasizing the need of mixing with commercial and services activities. Such mixing is further economical stability and the consequent improvement of the common spaces.

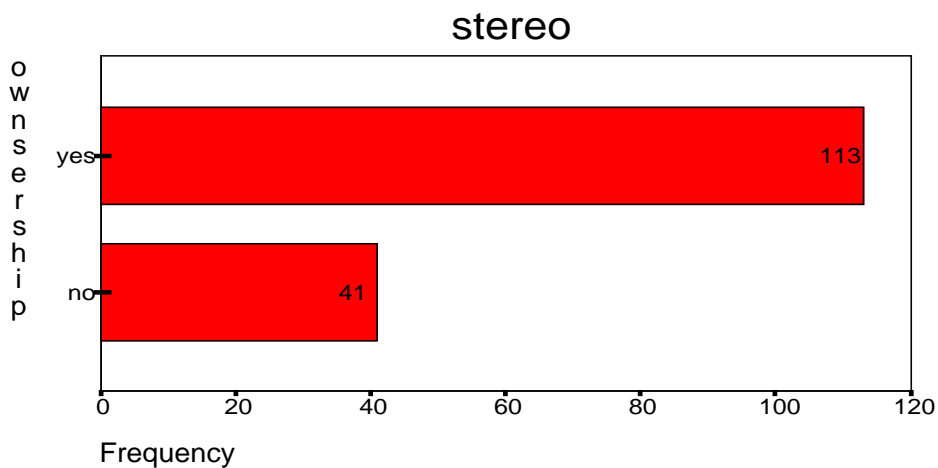
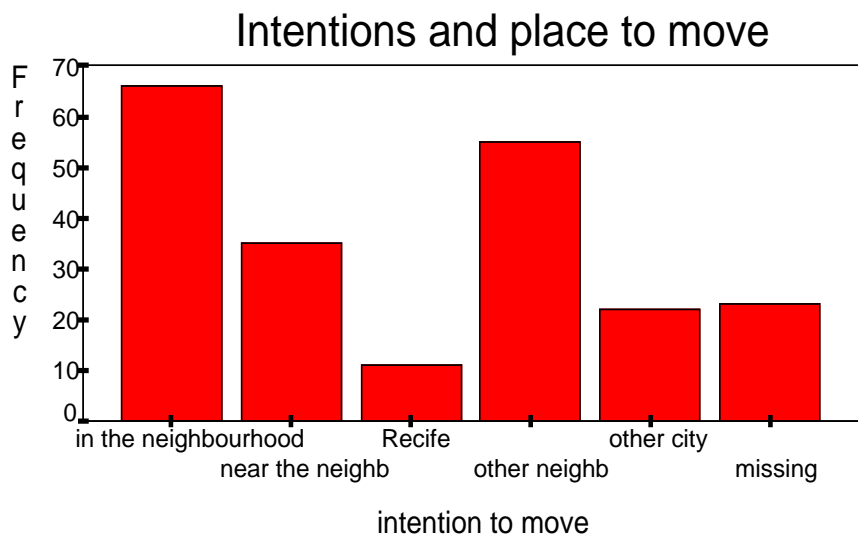
The main objectives were:

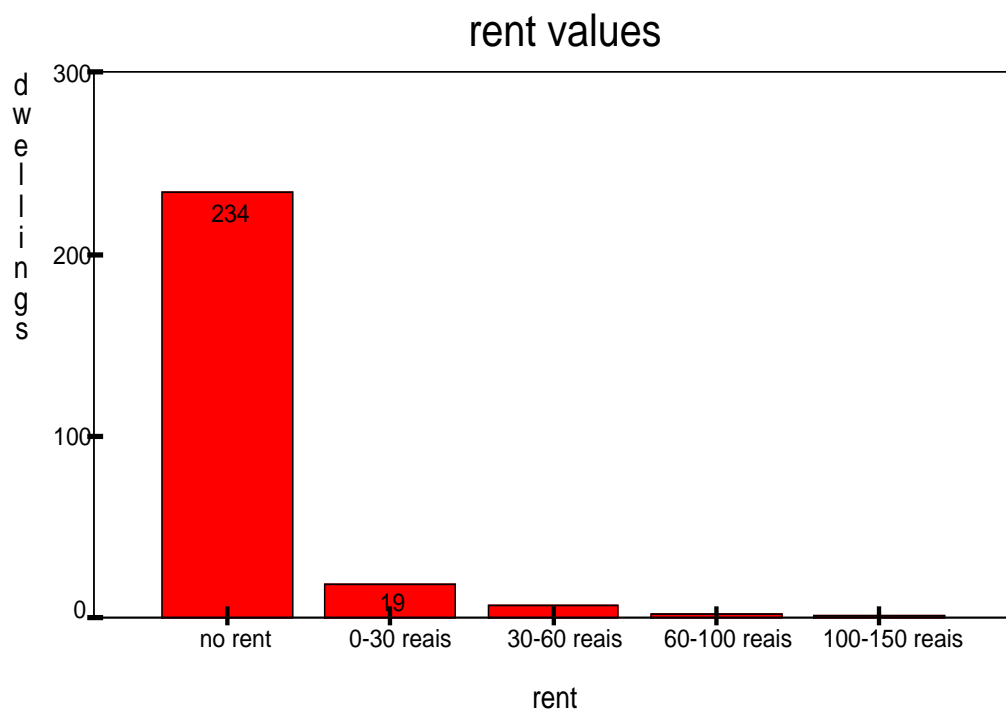
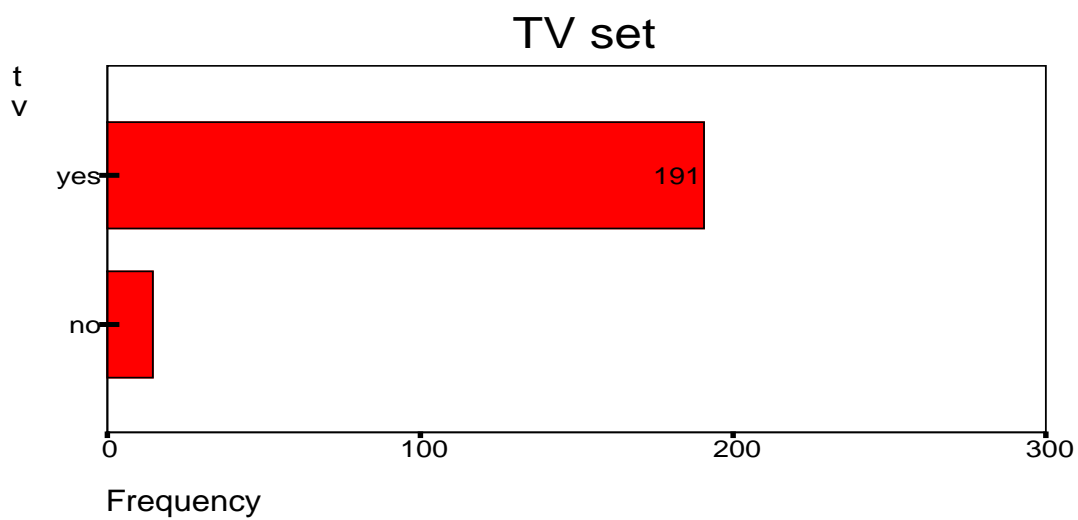
- 1) Improving relationship between the community and the city.
- 2) Developing equipments and services to be used by the locals and at the same time attracting neighbours and passers by from Agamenon Magalhães avenue.
- 3) Supplying infrastructure (I drain, drainage, water, lighting, paving), maintaining as much as possible the existing spatial distribution of the slum (blocks) to preserve space identity.
- 4) Developing flexible housing proposals (dwellings with possibilities of expansion).
- 6) Development of partnerships to generate resources for the financing of the programs. Main commitment: creation of a sustainable system (social, economic and cultural) not only the improvement of the housing conditions.
- 7) Development of the road system as a way to support social and cultural integration. Re-structuring of the accessibility conditions to the place with the reformulação of the system viário. Roads that cut the old slum turning the permeable and increasing the changes with the city.
- 8) Driving real estate market demands to work for community profit.
- 9) Supporting community building activities and places.
- 10) Developing mixed uses proposals: residential / commercial / service.
- 11) use of Agamenon Magalhães' stonemasons with trade / services and leisure.

2.8. Questionnaire research and Feasibility studies

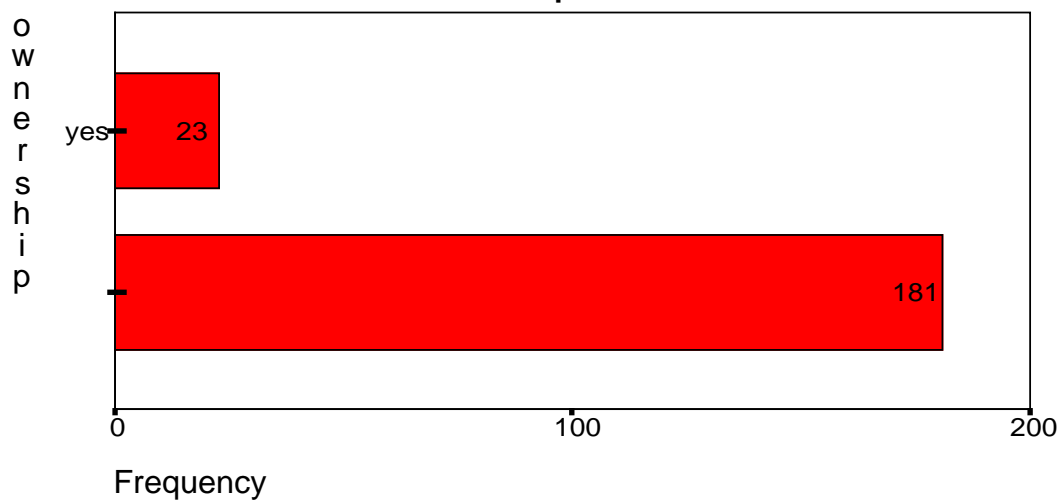
2.8.1. Questionnaire research and Charts

To collect basic data a questionnaire research was organized 150 of them where applied building a portrait of the life conditions of the inhabitants of the settlement. Using SPSS the following charts where organised to support design proposals:

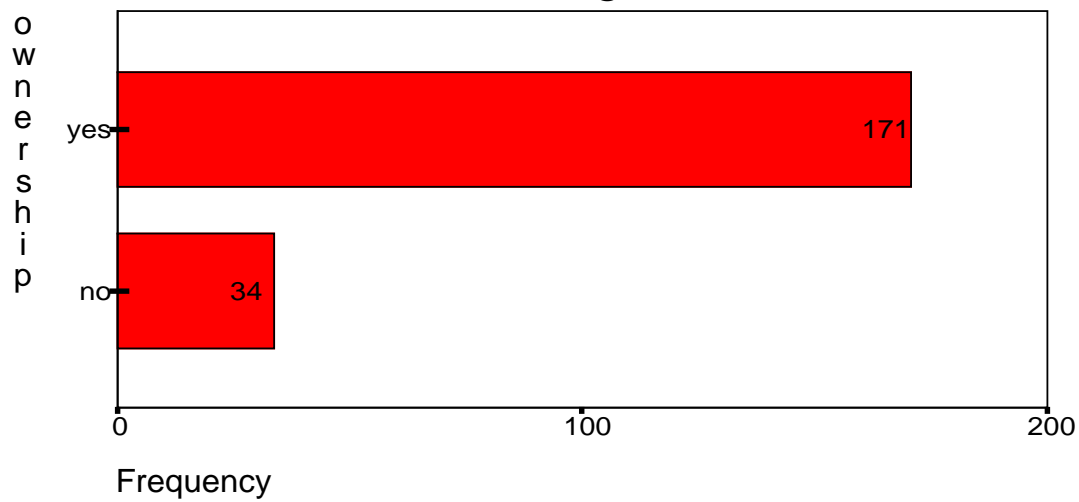




telephone

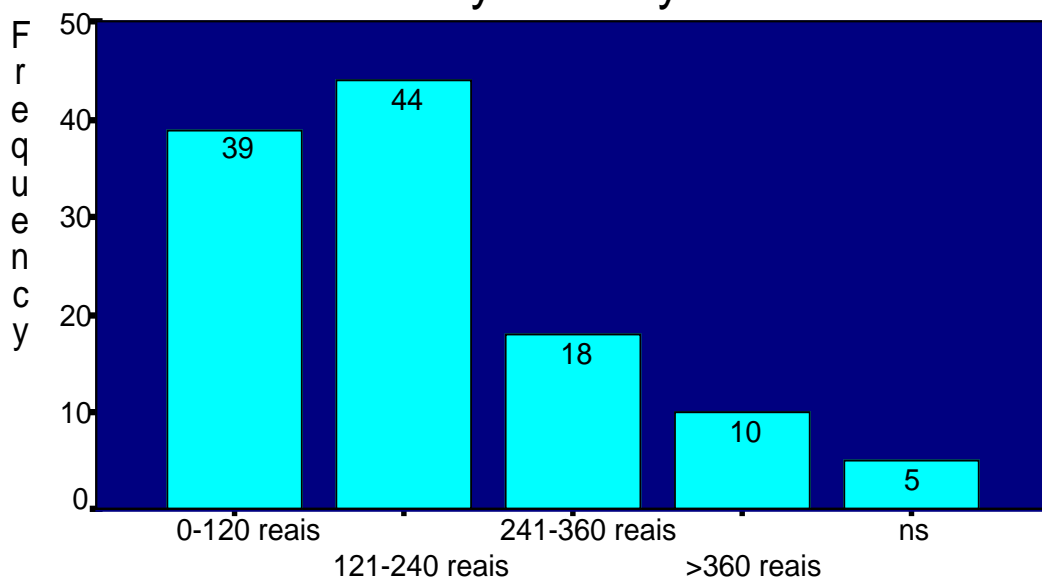


fridge

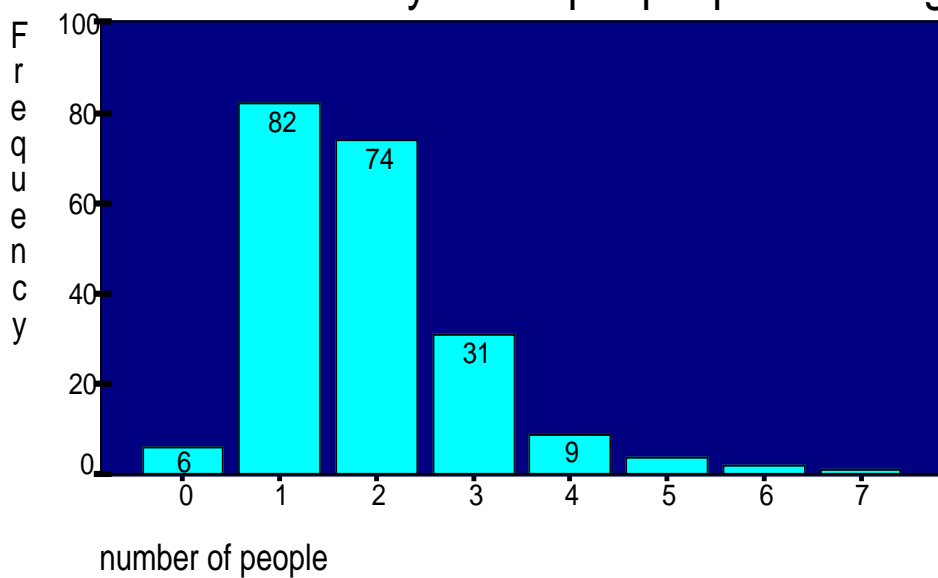




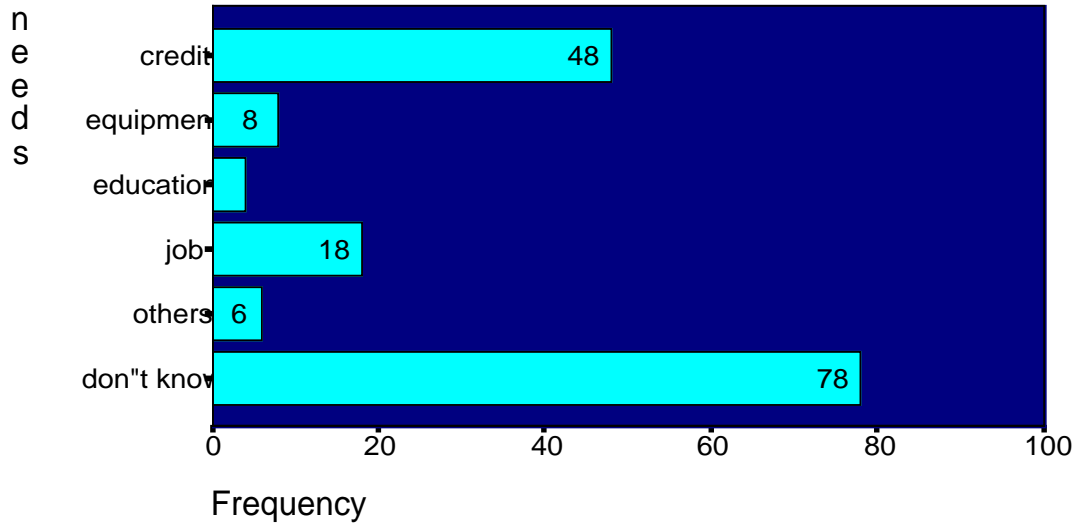
Family monthly income



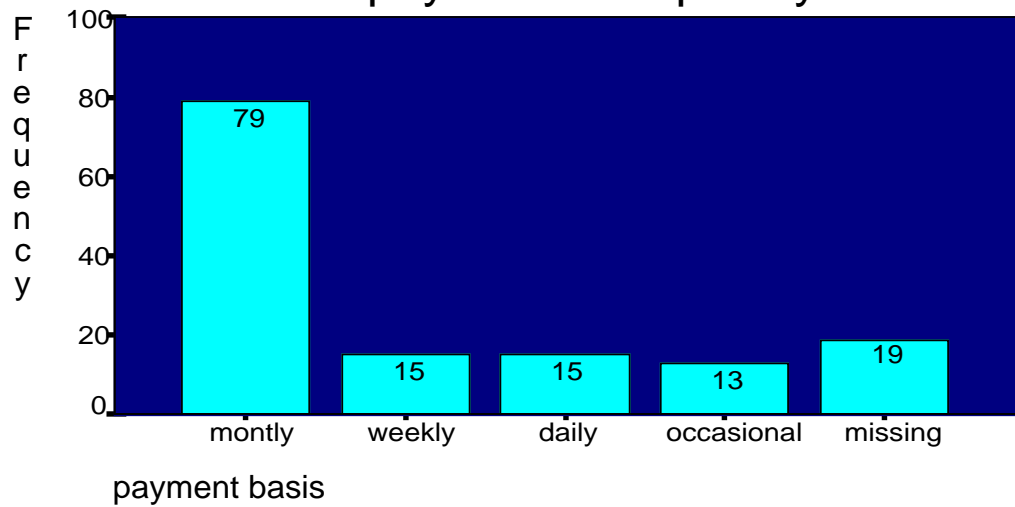
economically active people per dwelling



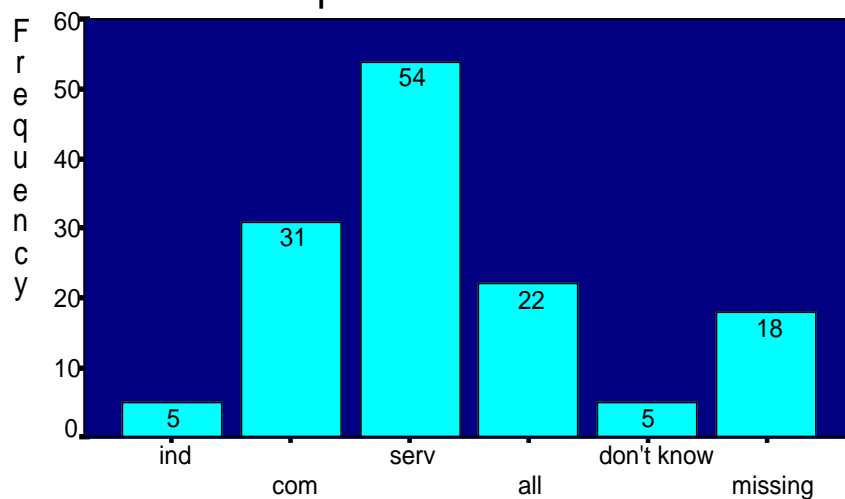
What you need in order to earn more?



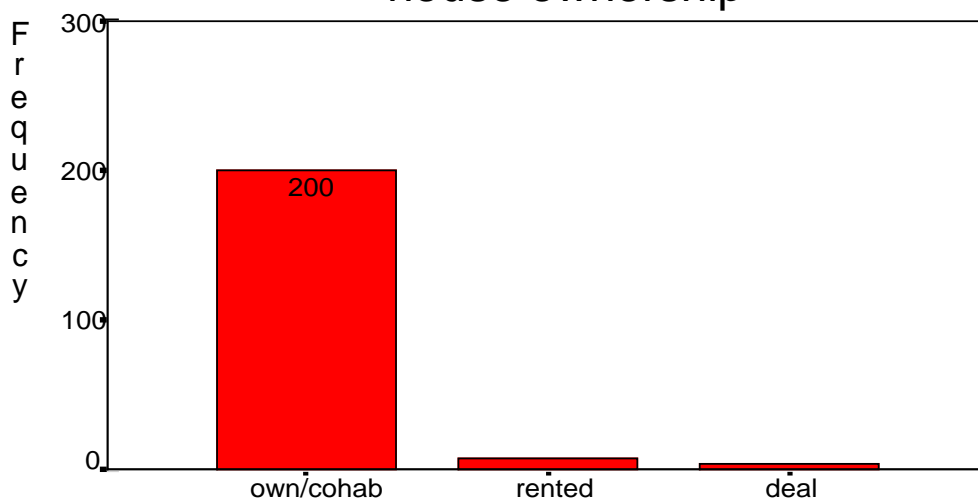
payment - frequency



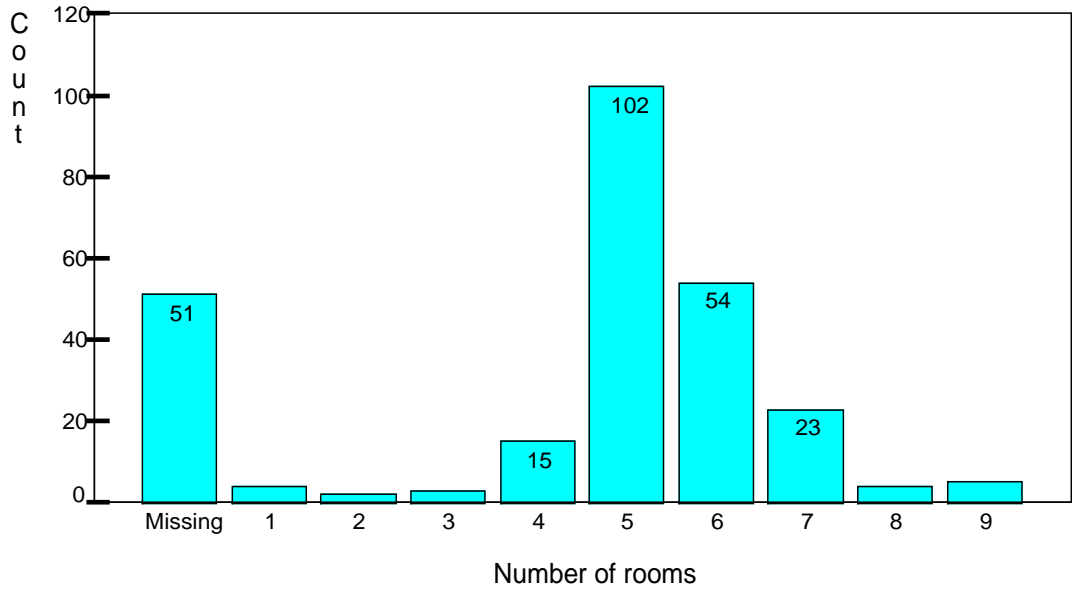
Occupation - Economic Sector



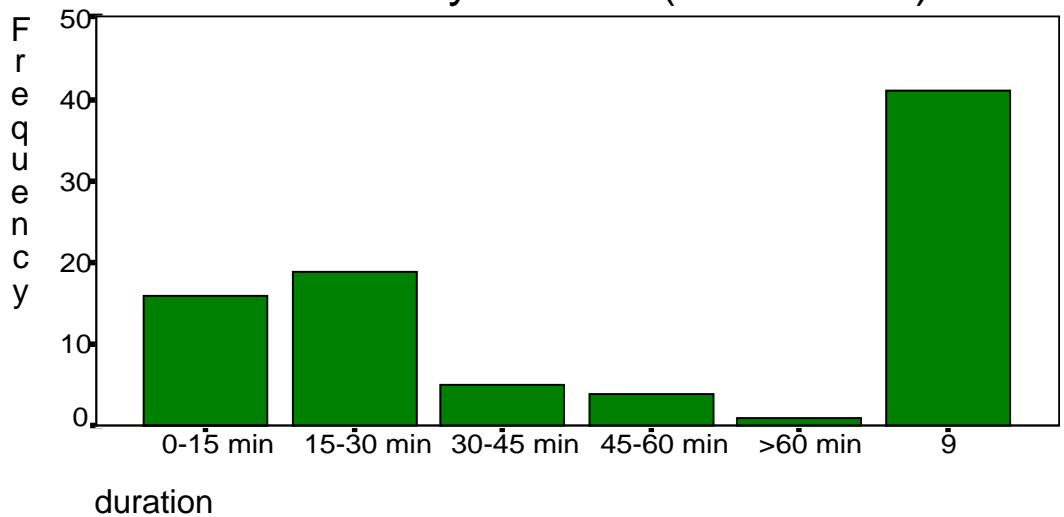
house ownership



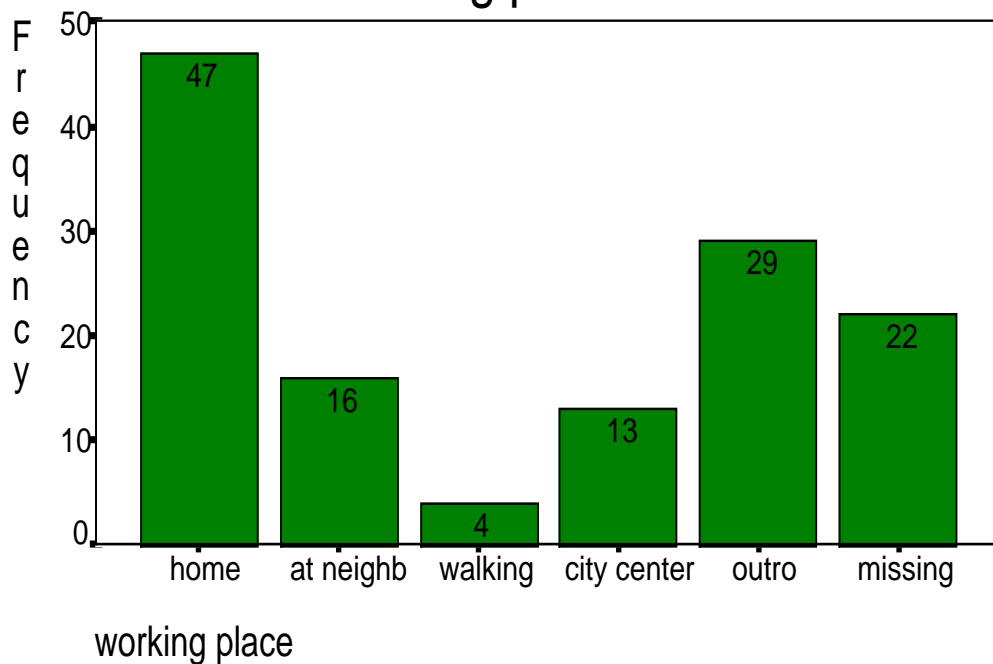
Number of rooms per dwelling



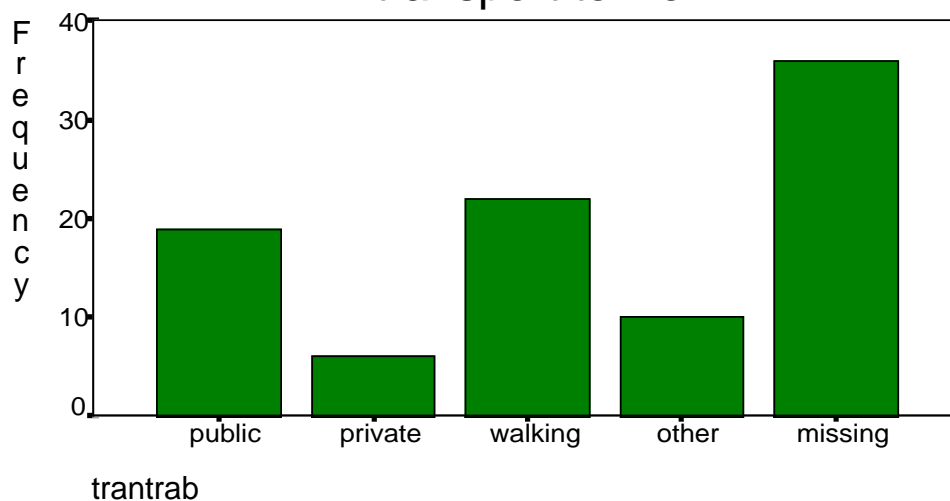
Journey to work (time in min)

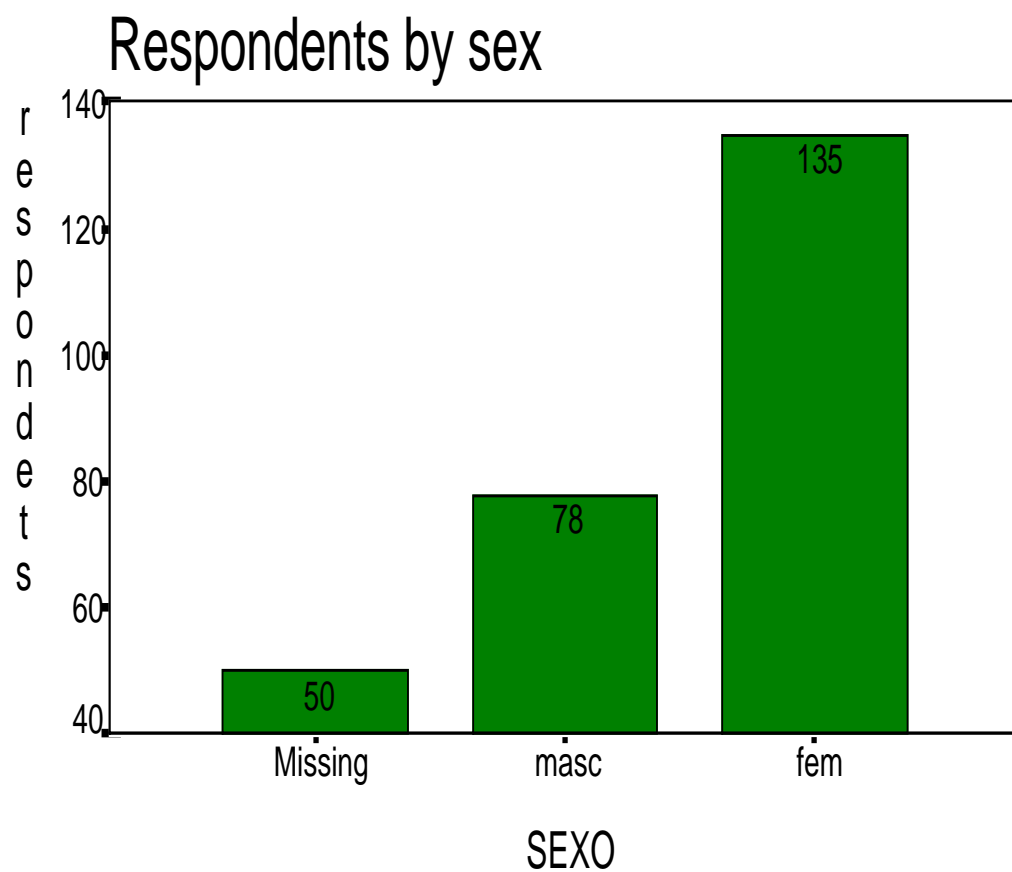


working place distance



transport to work





2.8.2.feasibility studies

To do the feasibility studies data was collected from state agents, building magazines, professional association and governmental agencies responsible for implementing state and municipal housing programmes

2.8.2.1.Indexes of building construction

Housing Projects	Year	Total Area	Built Area	Unity	Cost(m ²)R\$
• Mutirão 50 - Fortaleza CE	1989		1,3 ha	30 m ²	33,00
• Gameleira - BH -MG	1993	8.549 m ²	9.871 m ²	42 m ²	275,00
• Porto do sol - Cabedelo - PB	1995	5.700 m ²	12.600 m ²	135 m ²	450,00
• <i>Residencial</i> (housing project) Santa Paula - Vitória - ES	1995	11800 m ²	19.646 m ²	54 m ² /67m ²	295,00
• COPROMO - Osasco - SP	1992	53.540 m ²	67.000 m ²	67 m ²	213,00
• Cingapura- SP	1993	-	-	41 m ²	360,00
• Vila de Ofícios - Curitiba - PR	-			43m ² /66 m ²	250,00

Source: Arquitetura e Urbanismo - Magazine, year 12. April/May 97 page 38-56. PINI

2.8.2-Development proposal

	Amount	Area unit/m ²	Total Area	Market value/m ²	Unit value	Total
1. Budget - community redevelopment						
purchase of the area of COMPESA	1	10.800m ²	10.800m ²	200,00R\$/m ²	R\$ 2.160.000,00	R\$ 2.160.000,00
building of new typologies	821	60m ²	49.260m ²	325,43 R\$/m ²	R\$ 19.526,00	R\$ 16.030.681,00
up-grade of existing typologies	268	variable	13.400m ²	30% new typo	R\$ 5.858,00	R\$ 1.569.897,00
relocation/compensation	154	154	60m ²	325,43 R\$/m ²	R\$ 19.526,00	R\$ 3.007.004,00
total						R\$ 22.767.532,00
2. Budget - Commercial Development (retail prices)						
shopping center development	1	10.646m ²	10.646 m ²	400,00 R\$/m ²	R\$ 4.258.400,00	R\$ 4.258.400,00
office space development	12	1.500 m ²	18.000m ²	200,00 R\$/m ²	R\$ 300.000,00	R\$ 3.600.000,00
small business development	12	6.750 m ²	81.000m ²	1.200,00 R\$/m ²	R\$ 8.100.000,00	R\$ 97.200.000,00
total						R\$ 105.058.400,00
3. Budget – Commercial Development (basic costs)						
Land purchase	12	1.500 m ²	18.000 m ²	200,00	300.000,00	3.600.000,00
Building costs	12	7.500 m ²	90.000 m ²	430,98	3.232.350,00	38.788.820,00
Plans and Taxes				10%buildingcost	808.087,00	3.878.82,00
interests				25%buildingcost	489.852,50	9.697.050,00
Builder profit				15%buildingcost	489.852,50	5.818.230,00
total						61.782.300,00

Exchange rate 3R\$=£1,00

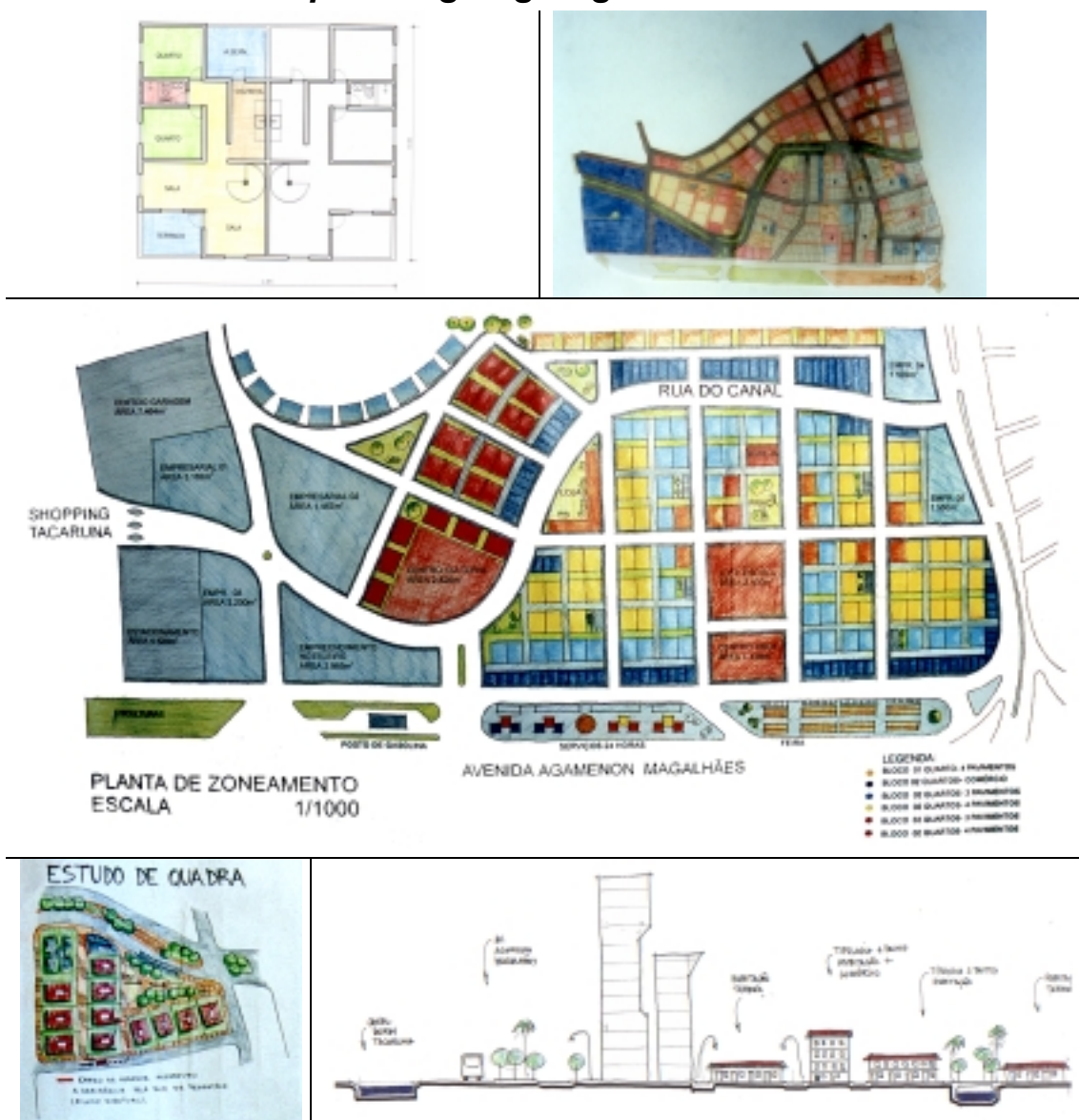
Obs.1 - Profit of the developer – 15% = 14.580.000,00
 costs of infrastructure and equipments = 5.928.568,00

testing of the feasibility of the project:

Sales from commercial development > community redevelopment + basic costs + 15% developers profit + costs of infrastructure.

105.058.400,00 > 22.767.532,00 + 61.782.300,00 + 14.580.000,00 + 5.928.568,00

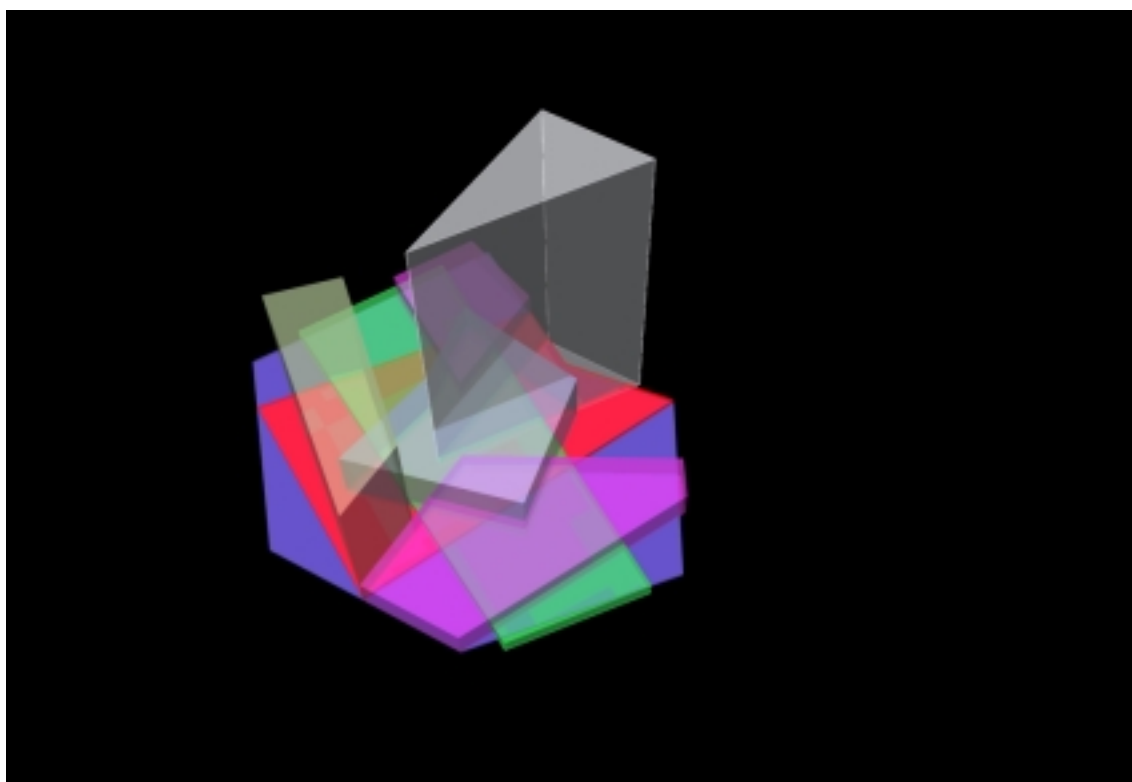
2.8. The Workshop - Designing Negotiation



Students initial proposals

Students initial proposals tended to simplify the complexity of the situation and to replicate normative planning representing "abstract interests". The focus on the favela led to solutions which segregate it more from its surroundings and diminish the potential of their location. The syndrome of "its all done", led to timid proposals.

It was necessary to clarify the complexity of designing new futures and new images, but at the same time grounded to the potential of present situation. In this way a conceptual representation of the negotiation was devised.



City Negotiation – Conceptual framework

The above figure, represents the conceptual framework of urban negotiation. It represents a negotiation framework where interests have different contours and change their meanings in presence of other interests (leading to conflict or solutions). At the base of structure, there are common interests regarding the city as a whole, broad concepts like: sustainability, spatial integration, social and economic development.

This dimensional model represents a process where any solution requires a combined action, all the interests should be regarded, including the weak ones. The dominance of any player should be challenged, and the dialogue, should be based on the idea of partnership.

The most creative part of the experience, was the conflict negotiation during the workshop. The different players presented their ideas over a map, stating their goals and proposing different kinds of collaboration.

It was interesting to see how fiercely the groups defended their proposals. There were critical moments of fights and accusations against "spurious arguments". The most

fruitful stage however, was the during the joint proposal, when the students put aside their roles to identify better solution. The students associated to shopping centre pinpoint to the ones associated to the community:

" they think small, they don't have idea of our profit, we were able to pay far more to land than the asked price, we could go much further in employment generation projects. The social equipment that you are asking are poor, you could devise better and more comprehensive services."

The community demonstrated also that they could trade even more land than required, since part of the dwellers would be quite comfortable located in three store buildings. The also stated that their survival depended on better integration with "middle class" neighbours as clients.

The planners were accused of selling their services either to the real state agents, as to the shopping managers. They had a good role mediating interests with the state and local government.

Estate agents and developers presented a low profile during the negotiation but at the end managed to guarantee the best located plots. They proposed the insertion of high rise buildings such as a hotel and commercial centres.

Feasibility studies of these proposals showed that they could match the average levels of profitability for urban development taking place in other areas of the city even though they offered middle class standard homes for the local poor residents. A major difference from previous housing interventions, however, appeared in the proposals of creating sustainable economic structures creating jobs and supporting the development of small business associated with the major commercial enterprises.

3. SUSTAINABLE URBANISATION, NEGOTIATION, POOR NEIGHBOURHOODS

3.1. What has the experiment shown us?

This experiment has revealed interesting facets of the process of production and management of spaces in a Latin American context:

At the level of city consciousness it has shown that beside old structures of segregation produced by institutionalised planning standards and official urban policies the

question of the production and of meaning for the land has achieved paramount importance. In this sense, the maintenance of stereotyped images of marginality, disease and crime still play a significant role in the process of segregating and preserving unacceptable levels of poverty and housing conditions.

At management level it has shown that planners, governmental agencies and officials seem not to be aware of the full possibilities a system of partnership may offer for urban development and poverty alleviation.

At educational level it has shown that students of architecture and urbanism under the present school curriculum do not perceive the complexity of the urban environment and are most likely to reproduce bureaucratic planning formulas and reproduce models of segregation.

At the level of the social movements it has shown that there is a profound fear of change among NGO activist and community leaders. Overcautious they prefer to hold to outdated institutional frameworks which have already been neutralised by developers and contribute mostly to deny the possibility of poor settlements from profiting from the increasing of the value of the land they occupy.

It is urgent the creation of new channels of communication between the city and the settlements to improve permeability. It seems that the main objective must be facilitating the process of creation of new meanings instead of searching for solutions. The idea is that these channels can produce new meanings, supporting the appearance of new spaces of negotiation, leading to institutional arrangements enabling models of urban development in which profit is no longer an exclusive prerogative of wealthy developers.

3.2. What is still unclear

In the course of the 90's, the issue of partnerships among the private sector, the state and the social movements to solve urbanisation problems entered the planning debate. A few experiences took place in the areas surrounding the main Shopping Centres in the city: Recife and Guararapes to the south and Plaza shopping to the west. Despite the intervention of NGO's and government, very little was done to change the life conditions of the settlers. Make up interventions occurred in the access roads to the commercial areas,

and low profile community activities were supported. These practices were repeated to the north, in the area called *Ponte do Madura*, with the implementation of Tacaruna Shopping.

This is a very interesting moment in the city's history. Most of the major settlements have won their struggle for recognition and radicalism that drove their struggle is wearing thin. Whether the communities are ready for the partnership approach with the private sector is an open question. Also, once rights of tenure are granted, it is likely to be difficult to get the community to act as one in negotiations with the private sector. Tenure is leasehold of varying length (up to 50 years) so, theoretically, the freehold resides with the municipality and would be its bargaining counter with the developers. Finally there is the question of how the city as a whole can participate in the profit generated by these partnerships organised to develop specific areas as long as most of these areas belong to the municipal government.

¹ Dwellers have to pay a monthly instalment which will grant them the ownership.

- ¹ On the influence of paternalism in Brazilian culture see also “*Raizes do Brasil*” a book written in 1936 by Sergio Buarque de Holanda, a classic of Brazilian historiography.
- ² Luiza Erundina Ex-mayor of Sao Paulo and member of the Worker’s Party-PT, Communication recorded at Forum National of Popular Participation, Opening section, Recife 08/11/1995.
- ³ National Programme for Aliment and Nutrition (PRONAM), 1976; National Programme for the Development of Rural Communities (PRODECOR),1976; National programme for Urban Social Centres (PNCSU),1975; etc. (Ilza, 1993:37).
- ⁴ On the consequences of the Brazilian model of development see, Ribeiro (1986), Abranches (1985) and Jaguaribe (1985).
- ⁵ From these 26 areas only three had their specific projects approved. From the three only Brasilia Teimosa had its project implemented immediately. Also, according to Assies (1992) municipal planning agencies had already acknowledge the existence of seventy two “sub-normal” areas with a potential for consolidation whose removal would involve high social and/or financial costs.
- ⁶ Article 14 paragraph two. Law 14.511/1979 municipality of Recife.
- ⁷ Interview with Salvador Soler Lostao, Secretary of Social Programs, City of Recife 17th January 1996. As a lawyer, Mr. Lostao participated actively in the Comissao de Justica e Paz in processes of legalisation of squatter settlements from 1977 onwards.
- ⁸ Maia (1996) has stressed the importance of the administration commitment and support for the development and success of the ZEIS programme. She writes: “it trained staff to deal with ZEIS issues, explaining the advantages of ZEIS to neighbourhood associations and distributing explanatory leaflets in areas where the creation of ZEIS was under consideration. Moreover, it also created the necessary infrastructure for the functioning of PREZEIS. Under the 1986-988 administration, 9 other squatter settlements were recognised as ZEIS, making a total of 36 instead of the initial 27 ZEIS approved in the 1983 Land Use Plan”.
- ⁹ The representatives have to be living in the ZEIS and their election has to be monitored by the co-ordination of the FORUM of PREZEIS
- ¹⁰ The Empresa de Urbanisacao do Recife - URB is the local government agency responsible to house and support the process.
- ¹¹ Interview with technicians of ARRUAR (NGO supporting the popular movement in land related questions), Recife 18th November, 1996
- ¹² The work of Lubambo (1996) and Cohen (1997) have emphasised importance of the forum during conservative administrations between 1988 and 1992. They argue that in times of little material progress leaders and assessors used the forum to further the individual goals of their communities and to gain additional strength as a unified body.