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PROGRESSIST ENTR'ACTE IN THE
OCCUPATION OF PUBLIC SPACE IN
THE CITY OF SÃO PAULO

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ABSTRACT

The city of São Paulo has experienced a progressist entr'acte that confronted its roadway matrix and its history of public space denial by introducing public policies that have faced this actual status quo. In the brief period between 2013 and 2016, structuring policies and specific actions were implemented to dialogue with the contemporary paradigm in the production and occupation of public areas, idealizing a more inclusive and democratic city, activating the urban space for leisure, sport and culture. Through this confrontation, a reorganization of the roadway system became possible by balancing its use more rationally and democratically to accommodate, in a less unequal equation, the collective transport and the non-motorized individual one. Another important pillar of this administration was characterized by the allocation of municipal public investments: facilities and major infrastructures were implemented in the neediest regions of the city, going against the historical countercurrent of investments in the expanded center. These actions proved to be greatly relevant due to the catalyzing effect while activating the city's public spaces, granting social dynamism associated to the shift of urban public policies from automobile to pedestrian. At the same time, the city has experienced an increasing and inflamed debate among social groups of various trends, often antagonistic, transforming the city into an arena of disputes, with each urban intervention being argued by a complex network of social and institutional actors with their respective interests, and the use (or non-use) of the public space considered a "prize" for these discussions, which took place in numerous rounds of democratic deliberation.

KEYWORDS

Urban mobility. Public place. Urban planning. Interest groups. Infrastructure.

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UM ENTREATO PROGRESSISTA NA OCUPAÇÃO DO ESPAÇO PÚBLICO NA CIDADE DE SÃO PAULO

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RESUMO

A cidade de São Paulo experimentou um *entreato* progressista que confrontou sua matriz rodoviarista e seu histórico de negação dos espaços públicos, introduzindo políticas públicas que enfrentaram esse *status quo* vigente. Nesse breve período entre 2013 e 2016, implementaram-se políticas estruturantes e ações específicas que dialogavam com um paradigma contemporâneo na produção e ocupação de áreas públicas, tendo como ideário uma cidade mais inclusiva e democrática, com a ativação do urbano para o lazer, esporte e cultura. Por meio desse enfrentamento, foi possível um reordenamento do viário, equilibrando de forma racional e mais democrática sua utilização, que passou a acomodar, numa equação menos desigual, o transporte coletivo e o individual não motorizado. Outro importante pilar dessa gestão caracterizou-se pela alocação dos investimentos públicos municipais: equipamentos e infraestruturas de vulto foram realizados majoritariamente nas regiões mais carentes da cidade, indo na contracorrente histórica de investimentos no centro expandido. Essas ações se mostraram de grande relevância pelo efeito catalisador na ativação dos espaços públicos da cidade, dando enorme dinamismo social associado à mudança do foco das políticas públicas urbanas do automóvel para o pedestre. Ao mesmo tempo, a cidade presenciou a propagação de inflamado debate entre grupos sociais de diversos matizes, muitas vezes antagônicos, transformando a cidade em uma arena de disputas, com cada intervenção urbana sendo disputada palmo a palmo, numa complexa rede de atores sociais e institucionais com seus respectivos interesses, tendo a utilização (ou não utilização) do espaço público como “prêmio” desses embates, que se deram em inúmeras rodadas de deliberação democrática.

PALAVRAS-CHAVE

Mobilidade urbana. Espaço público. Planejamento urbano. Grupos de interesse.

CONFRONTING THE *ROADWAY STATUS QUO*: URBAN POLICIES FOR THE PEDESTRIAN AND THE RIGHT TO THE CITY

The process of urban formation in the city of São Paulo was marked by a socio-spatial segregation and lack of infrastructure in the peripheries, with families limited to the informal city¹ and being neglected the Right to the City². This was due either to the gentrification processes and real estate speculation characteristic of the space produced by capitalism, pressuring the price of urbanized land, making its access a privilege of the richest, or through the deliberately functional inaction of the Patrimonialist State acting in permanent counterrevolution³, not supplying the housing and infrastructure needs through inclusive public policies to face the real problems, mainly by using urban tools that could in fact dialogue with urban precariousness effectively.

Associated with these capitalist processes, the conception of a city ideology based on individual motor transportation was the focus of the urban planning and main guideline of transit organs in the city of São Paulo as Companhia de Engenharia de Tráfego (CET)⁴ with the mission of improving automobile flow through urban policies and infrastructure to prioritize individual car and increase its speed⁵. Requena (2015, p. 68) presenting a history of the traffic policies and insulation of public bureaucracies in the transit and public transport sector in the city of São Paulo.

Since 2013, a process of inflection in this urban and roadway context has begun in the city of São Paulo⁶. A first approach used by the City Hall of São Paulo (PMSP) was to welcome the guidelines of the federal legal framework introduced in 2012 by the National Policy on Urban Mobility prioritizing “the integration among the different modes of transport and the improvement of the accessibility and mobility of people and cargo in the territory of the Municipality” (BRASIL, 2012, p. 01). The initial obstacle in the municipal sphere would be to implement a federal guideline, with the challenge of overcoming the stigma of plans, laws and other legal acts that do not materialize in practice (MARICATO, 2000, p.152) due to lack of regulation and implementation at the local level.

In this context, urban mobility was intensively discussed in São Paulo, being a priority issue in the Municipal Councils, and later consolidated in a plan of goals – Plano de Metas⁷ (PM) in March 2013, with a bold proposal, which has generated a lot of controversy by presenting audacious numbers for the city’s bus system of municipal competence. PM goal number 96 predicted the implementation of *150 kilometers of exclusive bus lanes*. The proposed challenge was received with skepticism by some social segments due to the reduced number of bus lanes in the city so far, totaling only 90 kilometers until 2012⁸. The conceptual change brought to the debate an unequal model while exposing a roadway order that had caused the buses to ride by sharing the lanes with the individual automobiles, even though they had a much larger loading capacity. This problem had increased the commuting time

significantly, especially for those coming from the periphery, in routes that lasted 1 to 2 hours. The unequal prioritization of space between these modes has also revealed a class dispute while exposing a social and political problem reflected in the design of a public traffic policy. The performance of this short-term public policy has been quite revealing. By the end of 2016, the city had increased more than *400 kilometers of exclusive bus lanes* (Fig. 1), an impressive number if compared to the initial 150 km goal and above all with the 90 km installed by 2013, exceeding the established target in 282.2%. What are the reasons for the low implementation index of this urban mobility policy, an exclusive competence of the Municipality, vis-à-vis what was implemented in this short time? A very plausible answer is twofold: one could be (lack of) political decision. Within the municipal urban and road planning nuclei, there were several already developed projects that facilitated the implementation of the exclusive lanes, only waiting to be enacted. However, the reduction in the space of individual cars would generate a heated debate in society and in the media, as indeed has occurred, making the administrations afraid to introduce an unpopular measure among the wealthy classes. A second angle of analysis has a technical nature: in addition to the easy-to-implement stretches, a part of them needed interventions in the roadway to accommodate an exclusive bus lane. Conversion points on the left, streets with only one lane, among other roadway “knots” needed small and medium works, quite difficult to intervene on due to the chaos to be generated by the works. It would also generate a political cost, as well as a need for dialogue with several public service concessionaires, whose management and orchestration of works was reasonably complex.

Fig. 1. New bus lane on 23 de Maio Ave. implemented in 2013. Credit: Renato S. Cerqueira | Futura Press



PM goal 97 intended to install *400 kilometers of bikeways and cycle lanes*. The numbers were again audacious, since the city had 96.9 km of segregated lanes for bicycles so far. The objective of this program was to have a medium and long term planning for this modality, allowing a better integration with other modes, to increase intra and inter neighborhood mobility and, finally, to increase the use of this transport within the population. Through this policy, the intention was to develop a holistic approach aiming at the improvement of health, environmental and safety indicators, and avoiding accidents and deaths, a constant plea among the collectives and the cycle activists. Again, the performance of the expansion of the intended cycling system was successfully completed, with heated repercussion in the media and disputes involving various social and institutional actors, as each cycling stretch was implemented by the City Hall of São Paulo (PMSP). We will analyze this confrontation in detail later.

The *night bus* system was another important pillar of mobility (goal 95) to allow a democratization of access for night workers and leisure, especially in a city like São Paulo with its intense flow and vocation for night activities. A system was implemented with 151 local and structural lines, running from midnight to 4 am, benefiting around 800 thousand users per month, meeting a flagrant demand that had been neglected so far.

In a non-exhaustive way, a number of other actions have been structured, improving urban mobility and its inclusive access. The *daily, weekly and monthly single ticket*, as well as several *gratuities* (free pass for students, and reduction of the gratuity from 65 to 60 years for the elderly) have improved the access to transport for specific population segments. Other technologies have been developed such as the electronic Zona Azul parking system, recharging the Single Ticket in mini-terminals inside the buses, and the regulation of individual transport applications⁹.

Some pre-agreed policies in the plan of goals have advanced considerably despite failing to achieve their aim. The accessibility on buses was accomplished in just over 70% of the fleet despite a target of 100% of the vehicles until 2016. Another non-reached goal was the 150 km of bus corridors¹⁰, making investments of around BRL \$ 2 billion, including the completed stretches or the ones under construction until 2016. Of the 150 km, only 42.3 km of concrete new corridors were completed by 2016¹¹.

As a critical examination of the performance of the central corridors, diverse obstacles have been identified. The East stretch had its bids prepared; however, some procedures had their rite contested by the control organs like the Federal Court of Accounts – Tribunal de Contas da União (TCM), as usual, for clarifications or eventual adjustments. In partnerships with the Union, federal funding sources such as the Growth Acceleration Program – Programa de Aceleração do Crescimento (PAC) diminished or were pending release in the face of fiscal adjustment and the fall in federal government revenue. Finally, the 5000 expropriations initially planned for the implementation of all corridors, terminals and their accesses, were characterized as an important obstacle in the performance of this policy, both in a bureaucratic scope and due to the high resources required to effect these expropriations in the Judiciary.

Thus, it is plausible to say that the foreseeable obstacles of expropriation and the exclusive bet on federal resources for certain projects were not, to a certain extent, properly sized, being strategically fragile in their conception.

It should be noted that the achievement of the PM goals was measured differently among institutions, each using a model according to their own analytical convenience. With this lack of methodological consensus, there was disagreement on whether or not some goals were met¹². As an example, several stretches had their bidding and licensing quite advanced¹³, however, these stages were not computed in the measurements of certain institutions or part of the media.

Another important chapter in breaking the roadway paradigm in São Paulo was the activation of public spaces from 2013 onwards. Placing *pedestrians, public transport and bicycles* as protagonists – at the expense of the automobile – was a fundamental turning point in the development of urban public policies. In practice, revisions to the urban planning regulations, envisaged by law and begun in 2013 with the strategic master plan – Plano Diretor Estratégico (PDE)¹⁴, contained these basic concepts, gradually disseminated among the technicians and placed on the agenda in numerous public deliberations. In addition, the orientation for strategic densification in areas with public transportation, the use of active facade in buildings, mixed and paid use and flexibilization in the minimum car garage level in the buildings gradually contributed to change the conception of urban production in São Paulo, providing the activation of the public areas for leisure, sports and culture.

As examples of this process, we have programs that modified the use of public space in São Paulo: open-street programs Ruas Abertas/Paulista Aberta and Carnaval de Rua embody this conceptual change in the occupation of the city. Program Ruas Abertas had the objective of being implemented in all 32 Submunicipalities with the concept of opening the roadway for pedestrian use on Sundays. The symbolism of closing Paulista, the main avenue of the country for the flow of automobiles has generated enormous public debate, from antagonistic groups. Whereas the street carnival – Carnaval de Rua, has had a remarkable growth since 2013, with the Secretariat of Culture stimulating and welcoming the adhesion of “street blocks in the neighborhoods” throughout the city. With the adjustment of problems, which had occurred during the operation due to the enormous growth of *revelers*, by means of the infrastructure improvement (increase of chemical toilets, improvement of the rules of coexistence and schedules, policing, among others), the Carnival of São Paulo has consolidated, increasing from approximately 100 blocks in 2013 to almost 500 in 2016, becoming the country’s second largest street carnival. All these actions have not been implemented without a hard social, technical and political confrontation involving several actors in numerous negotiation rounds throughout the period.

Several urban interventions accomplished in a “surgical” way, have modified the use of public space, activating places that used to generate the sensation of insecurity. Program Centro Aberto and the use of mini squares on passable spaces provided the activation of strategic locations like squares Largo São Francisco (Fig. 2) and Largo São Bento (Fig. 3) in the center of the city.



Fig. 2. Program Centro Aberto | Largo São Francisco, Sao Paulo: before and after, 2015 | Photo: Eduardo Pompeo



Fig. 3. Program Centro Aberto | Largo São Bento, Sao Paulo: before and after, 2014 | Photo: Eduardo Pompeo

The restoration of important cultural anchors was another catalyst base for the city to achieve enormous dynamism and cultural flow. The challenge, in this specific case, was to confront the bureaucratic obstacles to the complex renovation and respective biddings of these facilities, which had sophisticated machinery, requiring complex intersecretarial coordination in the City Hall (as an example we have the Ibirapuera and Carmo Planetariums that were inactive since 2009 and 2004, respectively). Other facilities such as Theatres Flávio Império and Paulo Eiró, Cultural Houses, Movie Theatres such as SP Cine and Clube do Choro were (re)inaugurated providing enormous cultural dynamism to the city.

Another important change in dealing with social interest was the *rescue of public assets*, which had been appropriated and privatized in previous City Hall administrations, by reopening them for the use of the population in a non-costly way. This was the case of Tietê Club: the municipal land had been ceded

for exclusive and private use. With the recovery of the area by the municipality, it was transformed into a public park, activating an important space for the population of the central and north regions of the city. The same happened to Parque do Jockey, owned by the Jockey Club of São Paulo: in exchange for the huge debt with the City Hall, which had been dragging on for decades, they rescued the private club and opened it to the community after an extensive space readjustment. This new inclusive view, of recovery and opening of private areas for public use, was the concept applied in several locations of the city in the period¹⁵.

As a historical perspective, it is important to emphasize that the municipal administrations prior to the analyzed four-year period have also made advances in the occupation of the public space and in the improvement of urban mobility. Several authors have analyzed the differences between governments in relation to their approaches in allocating public investments, and have evidenced greater roadway orientation or focus on mass public transport. We have observed in Rolnik and Klintowitz (2011, p. 103) the variation of these investments between the different administrations, noting that after a few years of significant investments in collective transportation in the first half of the 2000s, the second half of the decade saw “resumption of investment in the roadway system and in the reaffirmation of the historical model of perimeter rings and ‘urban highways’, with the implementation of projects such as Rodoanel, the expansion of Marginal Tietê, and a package of roadworks”. Marques (2003) examines the pattern of public investments of the City Hall through the roadway secretariat – Secretaria de Vias Públicas (SVP)¹⁶, also investigating its complex networks, the relation between public bureaucracy and private agents in the leftist and rightist governments in the municipal administrations in São Paulo. Thus, in the area of urban mobility, investments in bus corridors¹⁷, attributed (almost) exclusively to the Municipality, marked the beginning of a confrontation with the roadway matrix in the city of São Paulo. In addition, in a non-exhaustive way, several laws, public policies and investments in the urban fabric helped to improve, even if insufficiently, the relation between city and pedestrian: – Unified Education Centers (CEUs) in the peripheries, specific urban interventions – such as the renovation of Roosevelt Square in the central region –, the implementation of temporary cycle lanes on Sundays and public holidays and, above all, the revision of the Strategic Master Plan – PDE 2004¹⁸.

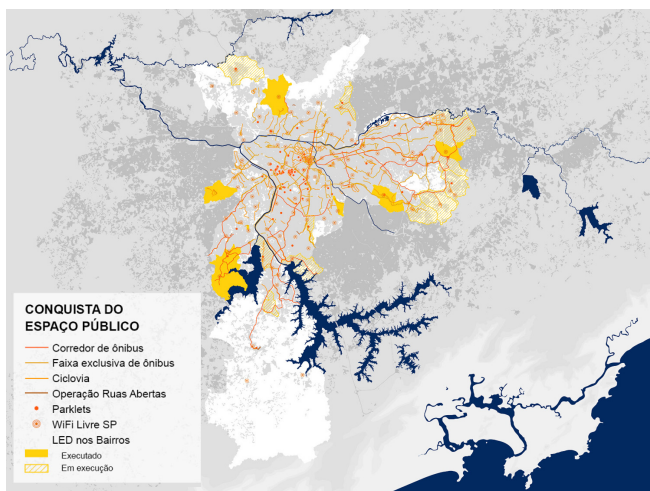
In the light of what was discussed earlier in this section, we believe that, between 2013 and 2016, the implemented urban public policies had a greater scale and speed as compared to other municipal administrations, producing a positive change in the relation between pedestrian and city, making it more inclusive and democratic. The growing process of activation of public spaces and, above all, of permanent confrontation with the city’s roadway matrix in a short period, embodied an urban ideology defended by the administration. The accomplishment of the actions that represented this city vision was not only due to the government guidelines and the implemented public policies, but also by an important political support for the City Hall to solidly confront several conservative social strata – defenders of the roadway and privatist model – which will be approached next.

ALLOCATION OF PUBLIC INVESTMENTS: EXPANDED CENTER VERSUS PERIPHERY

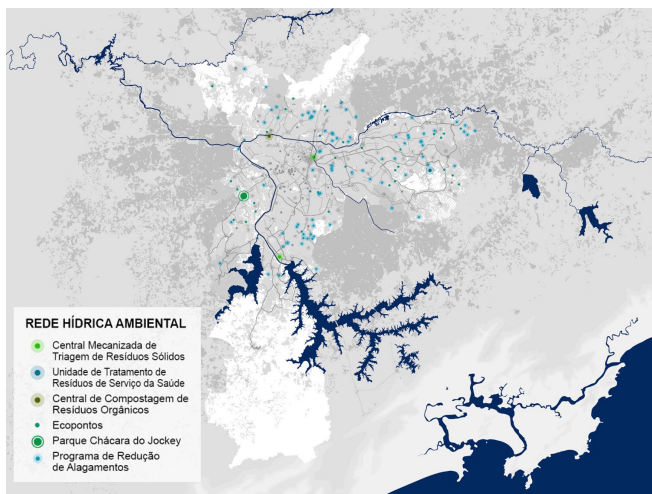
The conformation of cities in Brazil over time was molded by a perverse mechanism of *allocation of public resources of infrastructure*. The decision-making process for its destination occurred without a deliberative process or inclusive and transparent social participation, invariably involving a capture by private agents and the real estate market. As a result, these groups benefited from these public investments, either to further valorize their already installed assets, or to create new real estate fronts – such as the southwest sector in São Paulo –, therefore concentrated in the areas occupied by the high-income sectors, as analyzed by several authors¹⁹. Faced with this casuistic urban planning, the city of São Paulo has become disordered in terms of mobility, intensifying further the socio-spatial segregation, as the city's populous regions are increasingly lacking in infrastructure investments. In this context, thousands of people have to commute between 3 and 5 hours a day, due to the overloaded urban mobility in the peripheries, in addition to the deficit in other areas such as employment, housing, sanitation and health, exacerbating the condition of exclusion and low quality of life for these families who live in the *fringes* of Brazilian cities. In short, the allocation of State (patrimonialist) investments should have provided greater social justice, mitigating socio-spatial segregation and promoting access to urbanized land for families. In a perverse way, it acted to the contrary: from the beginning, state investments were implemented in the best-located areas of the city, which already had infrastructure and services, where the population of higher income lived. Thus, in contrast to combating social and spatial inequality, the State has contributed to the valorization of urban land, favoring the wealthy segments and the real estate market. Facing the socio-spatial exclusion and inequality framework in the city of São Paulo, heading greater investments *to the peripheral areas of the*

city should be the focus of the municipality. However, several studies point out that this happens inversely, due to a process of state capture by the elites and capital, in line with the urban Marxism of the 1970s in Brazil (MARICATO, 1996; BONDUKI, ROLNIK, 1982).

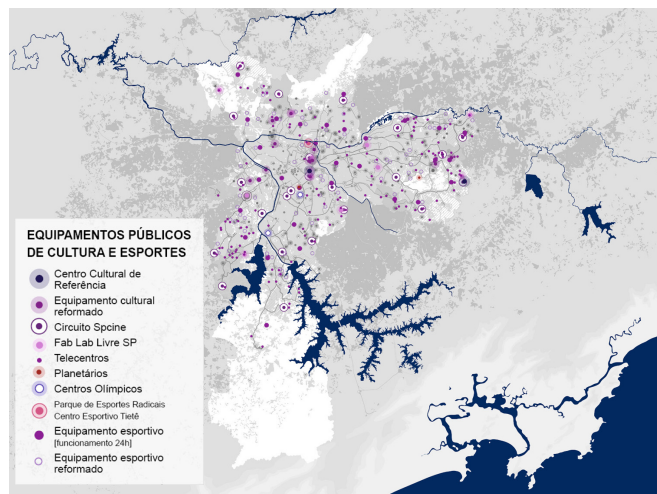
According to an empirical study of the public investments implemented in this analyzed period, we have carried out the georeferencing of the infrastructure and public facility works, portrayed in the maps below:



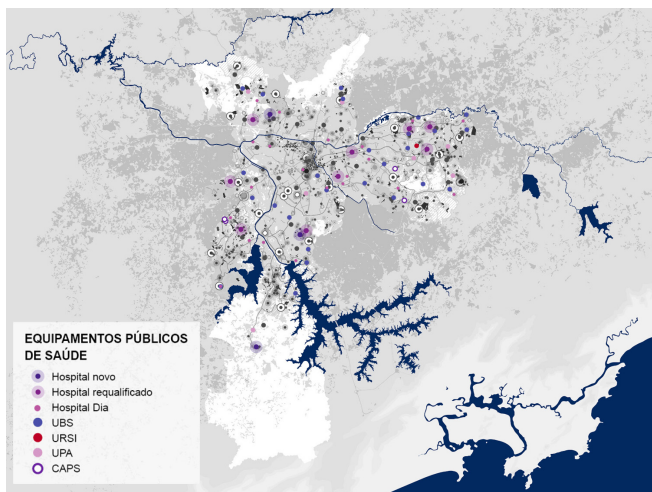
Map 01: Conquest of the Public Space
Source: PMSP, 2016



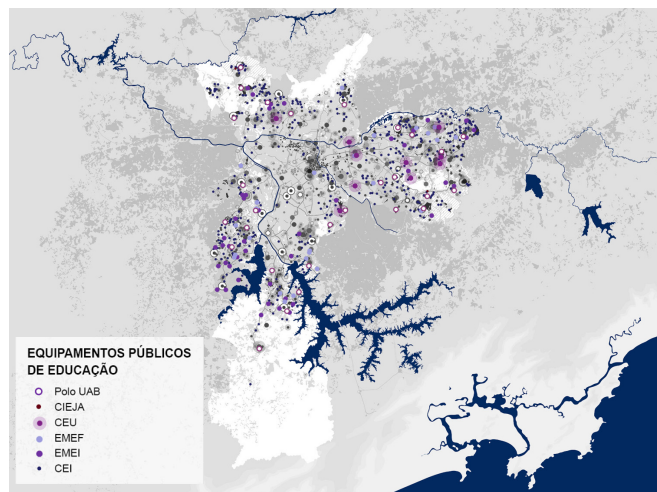
Map 02: Environmental water network
Source: PMSP, 2016



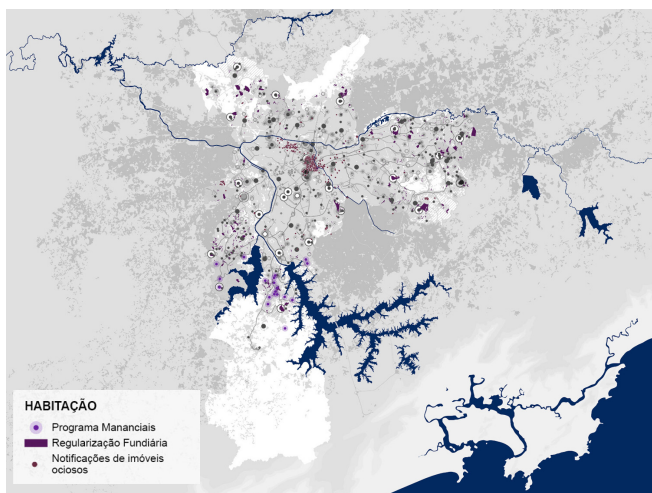
Map 03: Public sports and culture facilities
Source: PMSP, 2016



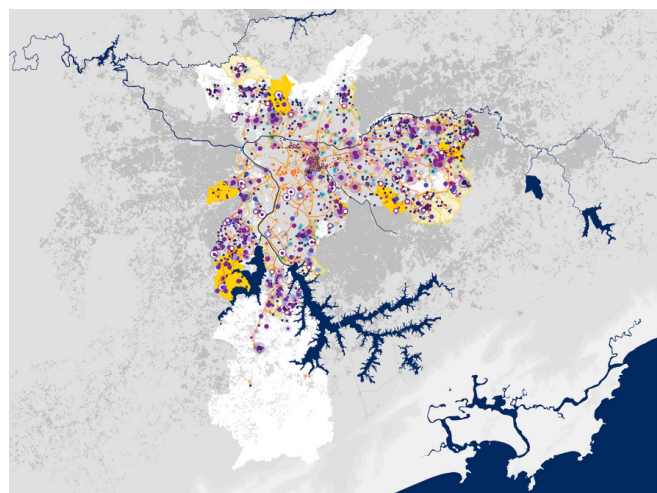
Map 04: Public health facilities
Source: PMSP, 2016



Map 05: Public education facilities
Source: PMSP, 2016



Map 06: Housing | Source: PMSP, 2016



Map 07: Total public investments (2013 - 2016)
Source: PMSP, 2016

Following the historical countercurrent of public investments in the city of São Paulo²⁰, the analysis of the quadrennial 2013 to 2016 shows a clear concentration of public investments *outside the expanded center*²¹ of the city of São Paulo, which is the region that concentrates the population of greater social vulnerability and with greater urban infrastructure demand, besides having almost all the areas that need land regularization, excluded from the formal city and market (MARICATO, 2000). This situation aggravates as we move towards the districts bordering other Municipalities of the Metropolitan Region of São Paulo (RMSP), especially in the areas of sources that present high environmental vulnerability.

In Map 01 were added several public investments that were conceptually part of the *conquest of the public space*. Based on a contemporary urbanistic ideology, these resources – mostly carried out in the peripheral areas – could activate the city by democratizing the use of public space. In the map, we present the geolocalization of the corridors and bus lanes, free wifi squares, minisquares (*parklets*) and bikeway system.

The installation of LED luminaires deserves a specific mention for its dynamic character in the fringes of the city. The improvement of LED lighting in the areas, either without lighting like alleys and staircases, or under insufficient lighting, has provided a substantial change in the dynamics of these neighborhoods. Areas such as Monte Azul, Guaianases, Cidade Tiradentes, Pedreira, Heliópolis, among others²² received, primarily, 86,926 LED lamps with a much greater illumination capacity than the conventional one, benefiting around 2 million people. It is worth highlighting the focus of investments in the peripheral neighborhoods, with a high rate of violence and social vulnerability vis-à-vis the central neighborhoods that already have good lighting capacity²³.

Investments in urban infrastructure to contain floods in some of the city's watersheds were carried out in strategic locations on the outskirts, such as by the Streams Aricanduva, do Cordeiro, Morro do S, Paciência, Ponte Baixa, Tremembé, Paraguai/Éguas, Zavuvus, Riacho do Ipiranga, and Ribeirão Perus. With the exception of the works carried out in the Stream Sumaré/Água Preta, in the central region of Lapa, all the other works were located in peripheral districts. In addition to these large works, the Flood Reduction Program (PRA) carried out more than 70 small and medium-sized interventions in the peripheral streams and flooding points along the roadway²⁴.

In map 04, we point out the main health facilities implemented in the interval analyzed by this essay – three General Hospitals – in Vila Santa Catarina, Brasília (under construction) and Parelheiros (under construction) – as well as Hospitals Dia/Rede Hora Certa²⁵ with 30 units (8 still under construction in 2016), which were also mostly invested in very vulnerable areas in the city. In map 05, the largest public investments in education – CEUs (Unified Education Centers) and daycares – followed the same rule of prioritization of investments: allocated substantially in peripheral areas of São Paulo. It is noteworthy to mention, therefore, that health and education, considered to be priority areas in any government, had considerable investments implemented in the period.

The case of housing, represented in Map 06, presents an inverse logic compared to other areas such as health, culture, education and infrastructure: ideally, housing investment would have more social impact when allocated within the expanded center and near the public transportation network. However, the speculative forces of the real estate market, with their gentrification vectors, promote the appreciation of the urbanized and infrastructured land of the central region, expelling lower income residents, making most families unable to access the formal real estate market. In this context, the adopted strategy was to act on two fronts: to join the housing Program Minha Casa, Minha Vida (PMCMV); second, to carry out a land regularization program. In general, the adhesion to PMCMV – Program My House, My Life did not make many units feasible in the central areas close to the jobs, avoiding large daily commuting movements. The high cost of land made it impossible to insert dwellings in these places, causing the undertakings to be developed in the peripheral areas, going against the urban *manual*.

Despite the consistent performance in the viability of an important portion of Goal 35 of 55 thousand dwellings, it was not achieved. Critically, the city's adherence to PMCMV as an (almost) exclusive "bet" on housing policy proved fragile. With the delay in federal transfers and recently, with the considerable cut in the program in 2017, several municipal undertakings have stood still or have had to reformulate the business model for their development. On the other hand, the City Hall's strategy of acquiring several tracts of land proved correct, as a recurrent plea of the housing movements. In general, the unrestricted bet on the housing program PMCMV was insufficient, since there was an abrupt decrease in federal resources due to fiscal adjustment in the face of the economic crisis.

Land regularization was another important front of action, promoting a huge impact in the informal city: irregular allotments and settlements were gradually registered and georeferenced to empower several communities with the title of property and certificate registered in the notaries²⁶.

An important criticism of the housing policy in the period is twofold: land regularization could have been combined with urbanization actions in precarious settlements, with more robust investments based on specific urbanization and infrastructure projects. A second criticism was the late focus on the development of the Municipal Housing Plan (PMH)²⁷, which was prepared in the last year of the administration in 2016. Thus, important programs such as social leasing – which could have structured social housing in the center of São Paulo²⁸ – was not made feasible in a timely manner.

In short, we do not intend to present in this essay an exhaustive picture of the public investments made in the analyzed cycle²⁹. Through the schematic maps presented and the empirical study that analyzed the total investments made by the City Hall in this administration, by using georeferencing tools, we were able to prove the initial hypothesis: that the public investments made in the quadrennial 2013 – 2016 were mostly carried out in regions other than the expanded center of the capital of São Paulo. Specifically, of the investments in the period that amounted to just over BRL \$ 15 billion,

around 70% of this amount was invested in areas of high vulnerability in the city of São Paulo³⁰.

THE PATRIMONIALIST SOCIETY AND THE COMPLEX SOCIAL AND INSTITUTIONAL NETWORK IN THE CITY OF SÃO PAULO

The implementation of public policies that confronted the roadway paradigm and the elitist social structure in São Paulo has conflated *the mobilization of a myriad of social and institutional actors*, either to preserve this (still) actual scenario of inequity and socio-spatial segregation, or in favor of changes in this ideology rooted in the city.

Thus, São Paulo has become an immense *battlefield*, with each urban intervention being disputed inch by inch. Despite being welcome by some segments of society, the urban changes carried out by the City Hall were questioned by several entities such as the media, the State Public Prosecutor's Office (MPE), the Municipal Court of Accounts (TCM), and the Municipal Chamber of São Paulo (CMSP), in addition to social strata of different ideologies, to name a few.

A hypothesis to portray the struggles of the studied period could be summarized as follows: the city of São Paulo has an elite that has no real interest in proposing, nor supporting, policies to promote structural changes to mitigate socio-spatial segregation, having forged this scenario over time through interference with a captured Patrimonialist State, in line with analysis conducted by Faoro (1976), supporting each other to perpetuate this condition of inequality. We do not aim to explore in detail this angle of analysis in this essay. However, we believe there is evidence, between 2013 and 2016, revealing the patrimonialist³¹ facet of society that acted in a prominent way to preserve this exclusionary social status.

We understand that several public policies of the analyzed period faced the *real problems* that promote the socio-spatial segregation of the city, although the accelerated form and pace of the implementation of some measures could be susceptible to criticism and adjustment³². In this way, a possible evidence – susceptible to further investigation – to prove the hypothesis of the *perverse performance of the patrimonialist State and society*, was symbolized by the performance of the social and institutional actors, fighting these policies in an incisive and articulated way from their trenches, since they threatened important pillars of this status quo. As an analytical approach, Paul Sabatier's Advocacy Coalition Framework³³ would be an adequate methodological tool to identify the performance of these coalitions, qualifying their respective social, political and economic alignment or their ad hoc motivations, framing these (antagonistic) groups in a subsystem to defend their respective interests and using their resources to block or unlock the implementation of a given government policy.

In this context, the City Hall was sometimes the central focus of contestation of specific groups opposed to its interventions. In other situations, it was the mediator of antagonistic groups. One of the cases that illustrate well this

confrontation was the performance of *the media* throughout the period. According to the version presented by Mayor Fernando Haddad later, the segment is an “*economic oligopoly that functions as an ideological political monopoly*” (HADDAD, 2017, p. 31). A detailed analysis, with an empirical survey of the editorials and articles published by the main newspapers and television channels, would be of great value not only to understand the eventual (im)partiality in the journalistic production and analysis of the public policies implemented in the period, but also to reveal effects of the economic and structural crisis that these conglomerates pass on influencing in their performance. Questions such as, who has financed each vehicle over the years and to what extent? Is there, in fact, an oligopoly and, if so, how does it operate? What is the independence of these groups to criticize potential sponsors? In short, the contribution of an empirical study would be fundamental, aiming to identify (or not) possible conflicts of interest and journalistic partiality in the analysis of merit over the policies implemented given the atypicality of that period.

The revision of the Generic Plan of Values (PGV) of the Urban Territorial Property Tax (IPTU) was another atypical chapter in the city, since all the previous administrations had no problems in updating the IPTU values. In this case, the confrontation was between the Federation of Industries of the State of São Paulo (FIESP), represented by its president Paulo Skaf, and the Brazilian Social Democracy Party (PSDB) against the City Hall³⁴ and mediated by the *Judiciary*. With an injunction, the Federation of Industries was able to stop the updating of the property tax being appraised by the Supreme Federal Court (STF), and the request of the City Hall for the cassation of the injunction was denied. Only a year later, another instance of the Judiciary, the São Paulo Court of Justice, reversed this impediment. The question to be asked is why has the Federal Court maintained the injunction? Which areas in São Paulo had an increase and which had exemptions vis-à-vis the valorization of these properties in the tax proposal presented by the City Hall? How could the collection loss of more than BRL \$ 700 million in 2014 due to this injunction be repaired to the city? A better analysis of these and other questions about the property tax and the land structure in São Paulo also deserves further investigation.

Important institutional actors of the political and institutional system – such as the State Public Prosecutor’s Office (MPE), the Municipal Court of Accounts (TCM), and the Municipal Chamber of São Paulo (CMSP) – have also acted intensely. Their actions, often in conjunction with the organized civil society, have generated daily disputes in the period in litigation with several rounds of negotiation. The former Mayor of São Paulo offered his interpretation again: “institutions that should only ‘guarantee the democratic play’ have an appetite for ‘playing the game’, which makes it less democratic” (HADDAD, 2017, p. 32). Among other information, he has accused Prosecutor Marcelo Milani of the State Public Prosecutor’s Office (MPE) on his performance in some specific cases by raising suspicion about his ethical conduct. Another outstanding case was the performance of the MPE in the process of implementing two public policies on Paulista Ave.: the Paulista Aberta and the works of the bicycle path in the area. In the first case, the MPE played a decisive role when the City Hall (PMSP) implemented the opening of the avenue for pedestrians on Sundays,

after a long process of public hearings and consultations and interaction with the organized civil society and hospitals of the region, by fining the Municipality in BRL \$ 50 thousand³⁵. The conflict between the MPE and the City Hall was due to a Conduct Adjustment Agreement (TAC) signed in 2007³⁶. In the case of the bicycle path, prosecutor Camila Mansour Magalhães filed the Judiciary with a lawsuit requiring that the constructions of cycle paths throughout the city be suspended within a period of 24 hours, stating that “*the political decision to develop the cycle system in this municipality, adopted by the current municipal administration, violates the constitutional principle of efficiency and “does not serve public interest”*” (MARTÍN, 2015, p. 02).

The Municipal Court of Accounts (TCM), the executive’s control organ, with institutional power to block its actions as biddings, besides having the competence to validate its accounts – unlike the State Public Prosecutor’s Office (MPE) that can only file lawsuits against the City Hall via the Judiciary – historically, is a center of political bargaining, with the main posts assumed by nominations from the Legislative and the City Hall (PMSP) (one of the five councilors is usually an indication of the municipality). That is to say, its performance, which should be purely technical, has a considerably political orientation, given the affiliation and nomination of political parties to the posts, including the Councilors, who dictate the dynamics and the guidelines for analysis of the organ. As an illustration, the Municipal Chamber of São Paulo (CMSP) established a Parliamentary Inquiry Commission (CPI) at the Municipal Court of Accounts (TCM) in 2001, presenting a report on the institutional conduct of this court, raising signs of nepotism, political action and bidding problems³⁷ (CMSP, 2001). Again, there was an institutional problem between the City Hall and a specific councilor among the five councilors as reported at the time (DIÓGENES, 2015). A specific analysis of the organ’s action by examining its institutional performance, as well as the deadlines and rites followed by each Councilor could bring greater clarity about its bureaucratic conduct and, above all, if political and ideological influences have acted in this organ of control, which should be eminently technical.

Ultimately, the *civil society* has shown intense mobilization in this quadrennial. With the rapid changes in several areas, public policies have entered the daily debate of the population. It has been a very relevant aspect, providing greater dynamism and social engagement of diverse social groups, increasing the level of democratic deliberation. From the numerous public consultations and hearings on revisions of the urban regulatory framework such as the Strategic Master Plan (PDE) and Zoning, to the implementation of the cycle paths and discussions on the Mobility Plan (PlanMob) (SÃO PAULO, 2016), through the heated debate on the open-street program Paulista Aberta, and the confrontation of the applications of individual mobility versus taxi drivers, the city has had an effervescent period of mobilization, either by supporting the measures, or by being radically opposed to them, in a context of quasi polarization and antagonism.

In short, the examined period was quite atypical for the progressive content of its public policies, and for the intense repercussion and social confrontation. Thus, this study period has been potentially valuable, leading to further investigation. The scope of this study has focused first on the effects generated

by the intense legal-normative review, associated to the public policies implemented, measuring its real impact on the attenuation of social inequality. On another level, it has led to an empirical survey on the performance – orchestrated or spontaneous – of the institutional and social actors mentioned above, investigating the coalitions that were active in the period, analyzing their motivations, beliefs and demands. We understand that these more in-depth analyzes are imperative and should be on the agenda.

NOTES

¹ See analysis of the informal city in Ferreira (2007, p.23).

² Concept in line with the Marxist critique on the problems of the urban issue developed by several authors like Lefebvre, Harvey, Castells, Lojkin, Topalov and Maricato, and others.

³ See in Fernandes (2007, p. 86) the term coined by the author, defined by political, economic and social strategies and maneuvers used by the elites (and their means of production and communication) to maintain the order and the actual status quo, especially at moments when the subversion of the dominated groups or the revolt of the dissident elites acquire enough force to structurally challenge their position of domination.

⁴ The history of the road and traffic policies is closely linked to engineer Roberto Scaringella, who had worked in several transit and transportation departments since 1968. He was founder and president of CET from 1976 to 1982 and from 2005 to 2008, being also president of the National Council of Traffic.

⁵ One of the international transit organs that exerted influence in the policies of Brazilian cities was the *Transportation Research Board (TRB)* through its publication *Highway Capacity Manual (HCM)*.

⁶ Gradually, there was an important change in the conceptual matrix of specific organs within the City Hall of São Paulo (PMSP). Bureaus such as CET, SPTrans and SP Urbanismo were encouraged to use urban and traffic directives focused on the pedestrian (and not on the increase of the car speed), besides promoting the activation of public spaces making them inviting for everyday use of the population, associated with the improvement of urban furniture and sidewalks, the introduction of speed reduction policies to decrease accidents and the development of cycling infrastructure, as recommended by the National Urban Mobility Policy in 2012.

⁷ Plano de Metas 2013-2016 presented a series of programs and public policies in various areas. We will focus on the actions of mobility and urban space in this essay (SÃO PAULO, 2013).

⁸ It is important to emphasize the difference between the exclusive bus lane, located on the right side of the roadway, and the bus corridor, located on the left side, with bus stops at the central reservation. By 2013, the bus corridors were 120 kilometres (on avenues Nove de Julho, Rebouças, Santo Amaro, and others).

⁹ The regulation of the individual transport applications was conducted by the PMSP, being one of the first cities in the world to authorize the action of these applications, introducing a regulation that charged these companies for the use of the public road per kilometers driven, allowing the inversion of resources to the municipal coffers and creating regulatory mechanisms to balance supply and demand between the fleet of these applications and common taxis.

¹⁰ Goal 93 determined that the Municipality should “*design, bid, license, secure the source of funding, and build 150 km of new bus corridors*” that is, structure the public policy but not necessarily finalize it and delivered it for use at the end of 2016.

¹¹ The 42.3 km of completed corridors as follows: Berrini-stretch 1 (3.3 km), Binary Santo Amaro (8.5 km), Líder Avenue (1.8 km), Luiz Gushiken/Ponte Baixa (3.1 km), requalification of corridor Inajar de Souza/Rio Branco (14.6 km), M’Boi Mirim (8 km), the extension of corridor Nove de Julho (2.3 km) and Cidade Jardim (0.7 km). In 2016, there were corridors near the beginning of the works: Leste Itaquera (12 km) and Chucuri Zaidan (2.8 km). Source: PMSP, 2016.

¹² It is worth emphasizing the binary character used by some organs as a methodology for measuring the achievement of goals. The criticism of this binary mode of measurement was justified by its simplification, since certain goals, at the final stage of completion, were measured with zero value because they were not 100% complete.

¹³ The corridors Aricanduva (14 km), Capão Redondo/Campo Limpo/Vila Sônia (12 km), Radial - stretch 2 (5 km) total 31 km and are bid and licensed. Corridors Carlos Caldeira (3.5 km), M'Boi Mirim/Cachoeirinha (6 km), Santo Amaro-OUFL (2.5 km) and Access to Terminal Jardim Ângela (1 km) were already hired. Corridor Perimetral Bandeirantes corridor (16 km) was in bidding process. Source: PMSP, 2016.

¹⁴ In addition to the PDE, other important revisions have been developed and promulgated as the Zoning Law (LPUOS) and the Construction Codebook Law (COE). Other legislation and plans have been developed such as Tietê Arc Road Alignment Law, the Tamanduateí Urban Operation Consortium (OUCBT) (in approval), the Municipal Urban Mobility Plan, among other small scale urban projects.

¹⁵ Various facilities were recovered to the public or restored such as Centro de Esportes Radicais, Parque dos Búfalos (under development), Parque Ribeirão Colônia (under development), Parque 7 Campos, Praça Ulysses Guimarães and the former Club of Public Employees of São Paulo on the banks of the Guarapiranga dam that was acquired and opened for the use of the population.

¹⁶ The Public Roadway Secretariat SVP was created in 1977 and operated until 2001, when it had its name altered to Secretaria de Infraestrutura Urbana – SIURB (Urban Infrastructure Secretariat) by Decree No. 40.335/2001. Today, it is called Secretaria de Serviços e Obras – SSO (Secretariat of Services and Works).

¹⁷ The city of São Paulo currently has 12 bus corridors administered by SPTrans (in addition to others managed by the Metropolitan Urban Transport Company (EMTU)) as the ABD metropolitan corridor (São Mateus – Jabaquara and extension Diadema – São Paulo/Morumbi). The first corridor inaugurated in the city was Paes de Barros, in 1980, by Mayor Reynaldo de Barros (project and part of the works began in the previous administration by Mayor Olavo Setúbal). Corridor Santo Amaro – 9 de Julho – Centro was delivered during the administrations of Mayors Covas and Jânio, using the trolleybus as running system. In Cruz (2010, p.113), the author presents the chronology of collective transportation actions by administration in São Paulo between 1999 and 2009, illustrating the inaugurations of the corridors in the period.

¹⁸ The administration of Mayor Marta Suplicy conducted important actions that confronted the roadway matrix, both in the issue of urban mobility, and in the activation and democratization of public spaces. The implementation of bus corridors on a larger scale – despite the problems in its implementation and infrastructure –, the single ticket, the Unified Education Centers (CEU) in the periphery, and the Strategic Master Plan (PDE) 2004, introducing innovations such as the Special Zones of Social Interest (ZEIS), have brought important improvements to the city.

¹⁹ We could see the patrimonialist archetype of allocation of public resources in Villaza (2001), Marques (2000; 2003) and in several studies on Urban Operations (OUs) and Consorciated ones (OUCs), which portray the concentration of CEPACs (Certificates of Additional Building Potential) investments in the perimeter – main or expanded – of operations in central regions of the city.

²⁰ In Marques (2003, p. 223), the author analyses the allocation of public investments of the Public Roadway Secretariat (SVP) in the city of São Paulo from 1975 to 2000. Using an approach influenced by pluralism and, above all, neoinstitutionalism, he verifies the existence of important differences in resource allocation depending on the coalition's ideological-partisan cleavage in the exercise of the mandate. Another important conclusion refers to the allocation of public investments in the territory: in the period, the author observed “the existence of precocious investments in the peripheries of São Paulo”. However, he argues, “the upper class areas received, during the period as a whole, a very significant volume of investments”.

²¹ The Expanded Center of the city of São Paulo is an area bounded by the so-called *minianel viário*, composed of Marginal Tietê and Pinheiros, plus avenues Salim Farah Maluf, Afonso d'Escagnolle Taunay, Bandeirantes, Juntas Provisórias, Presidente Tancredo Neves, Luís Inácio de Anhaia Melo and Complexo Viário Maria Maluf. Corresponds to the Regional Municipalities of Lapa and Pinheiros in the west zone, Sé in the center, Vila Mariana and Ipiranga (partial) in the south zone and Mooca and Vila Prudente (partial) in the east zone.

²² Districts with complete LED renewal: Brasilândia, Raposo Tavares, Pedreira, Sapopemba, Jardim Helena, Lajeado, M'Boi Mirim, Guaianases, Iguatemi, Cidade Tiradentes and Perus. Districts with partial renovation: Ipiranga (Heliópolis), São Luís (Monte Azul) and Jabaquara. Source: Municipal Secretariat of Services (SES), PMSP, 2016.

²³ In 2013, São Paulo had an illumination park of approximately 540 thousand points. In 2016, this number increased to 590 thousand due to the new investments in this period.

²⁴ Investments to contain floods were in the order of more than BRL \$ 3 billion. The Flood Reduction Program (PRA) was estimated at BRL \$ 133 million. Source: SIURB, PMSP, 2016.

²⁵ Hospital Dia/Rede Hora Certa is an intermediate hospital structure between the Basic Health Unit (UBS) as the entrance to the Single Health System SUS in the municipality, and the General Hospitals that deal with cases of hospitalization and great complexity. Thus, this health facility aims to reduce the demand for health exams and perform simpler surgeries.

²⁶ In completed cases, land ownership was formalized in the notary offices. Some of the regularization processes are still under way in order to complete all bureaucratic steps.

²⁷ The law of the municipal housing program PMH was sent to the Municipal Chamber of São Paulo (CMSP) in December 2016 and it is there for appreciation and voting (Proposed bill 01-00619/2016).

²⁸ The City Hall received by means of partnerships some federal public buildings that belonged to the pension system INSS. The option proposed by the Housing Secretariat SEHAB was to retrofit these buildings for later use in the social lease program.

²⁹ A more detailed study on the public investments made in the period will be presented in the future.

³⁰ The data also present a small variance, especially for works not yet completed of facilities and infrastructure until December 2016, which had not yet been executed (without commitment) or other items requiring budget allocation in 2017 to be finalized.

³¹ In Ferreira (2017, p. 13), the author approaches the theme by exploring a new angle of the issue, going beyond the Patrimonialist State: bringing to the debate the concept of patrimonialist society. In other words, the State is actually captured and manipulated by a small elite of society (in the State of São Paulo), which uses the public sector and its "political-administrative apparatus of power and governance" not only to preserve and perpetuate their wealth and historical privileges, but also to increase them over time, reproducing and widening social inequality in relative terms.

³² As an illustration, the decrease in the speed of part of the roads to 40 km/h ("Zones 40"), while being a correct measure and in line with international traffic safety policies – London and New York have implemented even more restrictive areas of 32 km/h –, could have been introduced longer and with greater communication, allowing the population to adapt to the measure for a longer period.

³³ Paul Sabatier developed the Advocacy Coalition Framework in several works, for example, in Sabatier (2006).

³⁴ In Haddad (2017, p. 33), the former mayor describes an audience in December 2013 with Minister Joaquim Barbosa, that had firstly received, in the same day, Paulo Skaf and his lawyer Ives Gandra Martins. According to Haddad, there was a clear difference of treatment, of posture, of tone, to his disfavour. Furthermore, during the hearing the Minister stated that IPTU value was abusive, in his opinion. The former Mayor concludes this case: *"the request for annulment of the injunction was denied to us, a fact reversed only in the scope of the Court of Justice of São Paulo, with a large margin of votes in our favor, a year later – spilt milk already. Unfortunately, in politics, justice delayed is justice that fails"*.

³⁵ The PMSP started the Paulista Aberta program on 10/18/2015. On 10/23/2015 the MPE sent a fine to the City Hall.

³⁶ The TAC signed between the MPE and PMSP said that the City Hall could not close the avenue more than three times a year. The PMSP, on the other hand, said that the public policy of Paulista Aberta/Ruas Abertas was not part of the TAC because it was a public policy to continuously expand leisure spaces in the city.

³⁷ The TCM report was forwarded to the MPE in 2001.

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