Legal scholars and urban researchers are increasingly acknowledging that the dominant pattern of combined sociospatial segregation and informality that marks urban development globally has resulted from the exclusionary nature of the urban legal systems prevailing in most developing and transitional countries. Indeed, the legal order has been one of the main factors determining urban informality.¹

In this context, policy makers, urban managers, and social movements committed to the urban reform agenda have been asking a fundamental question: What does it take to turn national and local urban legal systems into effective factors of sociospatial inclusion? A growing international sociopolitical movement has vigorously argued that the promotion of legal reform is necessary to support any significant attempts at urban reform. As a result, new urban laws governing land rights and management, territorial organization, planning, and housing have been enacted in several countries and cities in recent years, and a serious investment has been made by several nongovernmental and governmental institutions in formulating inclusive legal systems in rapidly urbanizing countries.²

But what, exactly, can be expected of these new urban laws? What is required for them to be fully enforced and socially effective? What are the nature, possibilities, and constraints of progressive urban laws vis-à-vis the broader sociopolitical process?

This chapter discusses such general questions through a critical assessment of Brazil’s national urban policy law—the 2001 City Statute—which is regarded as a groundbreaking effort to conceive a regulatory framework conducive to providing adequate legal support to governmental and social

¹ See, among other sources, the general analyses and national case studies collected in Edesio Fernandes & Ann Varley eds., Illegal Cities: Law and Urban Change in Developing Countries (Zed Books 1998) (hereinafter, Illegal Cities).

² Several of the national laws recently enacted in Latin American countries have been discussed in three special issues of Revista Fórum de Direito Urbano e Ambiental, coedited by Edesio Fernandes & Betânia Alfonsin. See Revista Fórum de Direito Urbano e Ambiental, 9(54) (2011); 10(57) (2011); and 11(61) (2012) (hereinafter, Revista Fórum).
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attempts to promote urban reform. The City Statute was approved following 12 years of intense discussion and fierce disputes within and outside the National Congress. Since its adoption, it has been acclaimed internationally, and in 2006, Brazil won UN-HABITAT’s Scroll of Honour for having approved it. Envied by policy makers and public administrators in several countries, the ambitious City Statute has been proposed by the Cities Alliance as a paradigm to be considered internationally.

However, more than 10 years since its approval, there are significant debates about its efficacy. This chapter provides a critical assessment of the conditions of its enforcement as the basis for a more general discussion on the growing expectations around newly approved urban laws in other countries.

A New Urban Land Governance Framework

The 2001 federal law was largely the result of a nationwide process of social mobilization. The City Statute regulated the urban policy introduced by the 1988 federal constitution, which had itself been preceded by an unparalleled process of sociopolitical mobilization, especially through the formulation of the Popular Amendment on Urban Reform, the document produced as a result of a national popular movement that defined the main elements of the debate on urban reform to be considered by the Constituent Assembly.3

Both the constitutional chapter and the City Statute are discussed in detail elsewhere;4 for the purposes of this paper, the main dimensions of the City Statute are as follow:

• It firmly replaced the traditional legal definition of unqualified individual property rights with the notion of the social function of property so as to support the democratization of access to urban land and housing.

• It defined the main articulated principles of land, urban, and housing policy to be observed in Brazil.

• It created several processes, mechanisms, instruments, and resources aimed at rendering urban management viable, with emphasis placed on capturing for the community some of the surplus value generated by state actions that had been traditionally fully appropriated by land and property owners.

• It proposed a largely decentralized and democratized urban governance system in which intergovernmental institutions as well as state partner-


4 See especially Edesio Fernandes, Law and Urban Change in Brazil (Avebury 1995); Edesio Fernandes, Constructing the “Right to the City” in Brazil, 16 Soc. & Leg. Stud. (2007); Edesio Fernandes, Implementing the Urban Reform Agenda in Brazil: Possibilities, Challenges, and Lessons, 22 Urb. Forum (2011); Revista Fórum, supra note 2; and Edesio Fernandes & Raquel Rolnik, Law and Urban Change in Brazil, in Illegal Cities, supra note 1.
ships with the private, community, and voluntary sectors are articulated with several forms of popular participation in the decision- and law-making process.

• It recognized the collective rights of residents in consolidated, informal settlements to legal security of land tenure as well as to the sustainable regularization of their settlements.

These intertwined dimensions of the City Statute constituted a new urban land governance framework in Brazil.

Given the highly decentralized nature of the Brazilian federative system, the materialization of this legal framework was placed in the hands of the municipal administrations through the formulation of Municipal Master Plans (MMPs). Prior to the enactment of the new law, the vast majority of municipalities did not have an adequate regulatory framework in place to govern the processes of land use, development, preservation, construction, and regularization. Most towns and cities also lacked basic information such as maps, photos, and other relevant materials. Of 1,700 municipalities that had a legal obligation to approve such MMPs to apply the City Statute, a remarkable 1,450 had done so by 2013.

However, since the enactment of the City Statute, Brazilian cities have undergone significant changes. Rates of urban growth have decreased, but they are still relatively high, especially in midsize and small cities, which has led to the formation of new metropolitan regions—30 such regions have been officially recognized. Economic development and the emergence of a so-called new middle class, or precarious working class, have aggravated the longstanding urban problems of transportation, mobility, environmental impact, and violence. Infrastructure and energy-provision problems have increased, and the public administration fiscal crisis is widespread, especially at the municipal level.\(^5\)

Above all, the long-existing land and housing crisis has escalated. The housing deficit is still enormous (between six and seven million units), and, despite the impressive number of units already built or contracted, the My House, My Life national housing program has not fully reached the poorest families and has been criticized for reinforcing long-standing processes of sociospatial segregation. Although the levels of land, property, rental appreciation, and, especially, speculation have broken historical records, there is an enormous stock of vacant serviced land, abandoned or underutilized properties (calculated as 5.5 million units), and public land and property without a social function.\(^6\)

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6 For official information on the housing program, see http://www.cidades.gov.br/index.php/minha-casa-minha-vida.
Informal development rates are still high, with the densification and verticalization of old settlements and the formation of new settlements, usually in peripheral areas; development also has taken new shapes, in the form of backyards and informal rental transactions, for example. The proliferation of gated communities in peripheral areas and other metropolitan municipalities means that for the first time rich and poor are competing for the same space. Urban development in new economic frontiers—especially in the Amazon—has largely taken place through informal processes, which have been accompanied by a growing number of land disputes and socioenvironmental conflicts throughout the country.

Over the past two decades, an enormous amount of public resources—land, fiscal incentives, all types of credit, tax exemptions, building, and development rights—has been given to land developers, urban promoters, and builders, usually within the context of urban renewal or revitalization programs; rehabilitation of downtown areas or historic centers; large-scale projects; modernization of harbors, ports, and infrastructure; and global events such as the World Cup and the Olympic Games. The number of resulting forced evictions is staggering, not only in Rio de Janeiro and São Paulo but in municipalities such as Belo Horizonte and Porto Alegre, which had long been committed to the urban reform process. This urban reform process, which was highly visible in the 1980s and 1990s, and was instrumental in the enactment of the 2001 City Statute, seems to have lost momentum; stakeholders have been asking, “Which cities, and for whom?” and have demanded to know who has actually benefited from the enormous transfer of public resources.

What has happened to the City Statute, then? Has it failed, as a growing number of skeptical groups seem to believe? Rather than contributing to the promotion of sociospatial inclusion, has it perversely contributed to the escalating commodification of Brazilian cities—and to the further peripheralization of the urban poor—as some have argued?

More than 10 years since the City Statute was enacted, a comprehensive and critical assessment of the urban land governance framework that it proposed, and especially of the municipal initiatives aimed at implementing it—is urgently needed. This is a moment for reflection, which requires reassessing the main ideas, debates, and experiences around the enactment of the federal law, as well as reaffirming the law’s historical principles and objectives. Promoting a critique of the role of all involved stakeholders is fundamental to correcting mistakes, changing courses, and advancing the urban reform agenda.

Some important surveys and comparative studies have already been published. There are also several published case studies, and a “Bank of
Experiences” has been created by the Ministry of Cities.8

Still, more critical assessment is necessary: to determine if and how the generation of MMPs has effectively translated the general principles of the City Statute into rules and actions, and to identify the main legal and social obstacles to the full implementation of the national law. In addressing these issues, this chapter discusses if and how Brazilian society has made effective use of the many legal possibilities available for recognizing the range of social rights created by the new legal-urban order.

Growing Gaps between the Progressive New Legal Order and the Exclusionary Urban and Institutional Realities

The City Statute—Federal Law 10.257/2001—belongs within the context of a broader legal-urban reform process that has been taking place in Brazil for three decades. Its main direct antecedents were Federal Law 6.766/1979 (urban land subdivision); Federal Law 7.347/1985 (civil public action); the 1988 Federal Constitution (especially Articles 182 and 183, on urban policy); Federal Law 9.790/1999 (civil society organizations of public interest); and Constitutional Amendment 26 (recognizing the social right to housing).


All of these federal laws are currently in force, as well as several international conventions and treaties signed and ratified by the National Congress (notably on housing rights) and federal laws on the environment, national heritage, expropriation, and registration. Bills being discussed include one on land subdivision and one known as the “Metropolitan Statute”; white paper topics include the resolution of land conflicts. Also under consideration are countless decrees and resolutions of the National Council of Cities and the National

Luiz Alberto Souza eds., Experiencias em planejamento e gestão urbana: Planos diretores participativos e regularização fundiaria (Edifurb 2010).


9 For the texts of the federal laws, see http://www2.camara.leg.br/atividade-legislativa/legislacao.
Environmental Council, as well as numerous directives of the public bank Caixa Econômica Federal.

A new legal-urban order—sophisticated, articulated, and comprehensive—has thus been established, bolstered by constitutional recognition of urban law as a field of Brazilian public law, replete with its own paradigmatic principles: the socioenvironmental functions of property and of the city, and the democratic management of the city. The collective right to sustainable cities has been explicitly recognized, reflecting the legal system’s clear commitment to the urban reform agenda.

These significant and structural legal changes have been expanded at all government levels—in the federated states and, especially, in the municipalities, particularly through the approval of more than 1,400 MMPs.

This comprehensive new legal-urban order has been supported by the creation of a new institutional order at the federal level. The Ministry of Cities was created in 2003; national conferences have been held every two years since then. The National Council of Cities meets regularly; Caixa Econômica Federal—the world’s largest public bank—has promoted several federal plans and projects, especially the Plan to Accelerate Growth (PAC) and the My House, My Life national housing program (the PMCMV), which, combined, amount to the largest social programs in the history of Latin America.10

These changes in the legal and institutional orders are fundamentally social conquests, having largely resulted from a historical process of sociopolitical mobilization involving thousands of stakeholders—associations, nongovernmental organizations (NGOs), churches, unions, political parties, and sectors of land and property capital—which, since the late 1970s, have worked for the constitutional recognition of land, urban, and housing issues, as well as for the decentralization and democratization of, and popular participation in, law- and decision-making processes.11

At the same time, however, over the past decade, several stakeholders have increasingly denounced the growth of property speculation in Brazil; the elitist utilization of the enormous amount of financial resources generated, especially through the sale of building and development rights in public auctions; the manner in which the so-called unlocking of land values by large projects and events has reinforced sociospatial segregation; the recurrent abuse of legal arguments based on public interest and urgency; and the huge socioenvironmental impact of federal and other programs.12

10 For detailed official information on PAC, see its website, http://www.pac.gov.br/.
11 For an analysis of the sociopolitical process, see Evaniza Rodrigues & Benedito Roberto Barbosa, Popular Movements and the City Statute, in The City Statute of Brazil: A Commentary (Celso Santos Carvalho & Anaclaudia Rossbach eds., Cities Alliance 2010).
12 For a critical assessment of the broader context in which the City Statute was enacted, see Erminia Maricato, The Statute of the Peripheral City, in The City Statute of Brazil: A Commentary (Celso Santos Carvalho & Anaclaudia Rossbach eds., Cities Alliance 2010).
Growing land conflicts, rental prices, urban informality, evictions and removals; the worsening of transportation, mobility, and sanitation problems; and especially the increasing commodification of Brazilian cities as they have become at once both the venues and the objects of postindustrial capitalist production, now at the global level given the aggressive penetration of international land and property capital. Such is the new stage of urban development in Brazil, a stage that has required the strengthening of the individualist and patrimonial legal culture that had long prevailed prior to the enactment of the City Statute: property viewed merely as a commodity; consideration of exchange values but not of use values; the right to use, enjoy, and dispose of property, which often means the right not to use, enjoy, or dispose of—in other words, to freely speculate.

What has happened to the urban reform process? How can the enormous legal and institutional gaps existing in Brazil be explained?

Indeed, there is an enormous gap between the legal-urban order and urban and social realities. The legal-urban order is still largely unknown by jurists and society when not the object of legal and/or sociopolitical disputes. Implementing this order, and thereby giving it legal and social efficacy, amounts to a massive challenge.

There is also a huge gap between the institutional order and urban and social realities. The Ministry of Cities has often been emptied of money and power or bypassed by the federal budget or by other ministries; the National Council of Cities has often been emptied or bypassed by the Ministry of Cities or other ministries, having had difficulties renewing levels of social mobilization. When there is not a lack of projects, duplicity, inefficiency, waste, lack of continuity, and especially bottomless corruption have marked Brazil’s fragmented urban management at all government levels.

It is in this context that skepticism regarding the City Statute has grown among planners, managers, academics, and, most of all, society.13 The 2001 federal law has been demonized by those who have blamed it for the recent occurrence of sociospatial segregation. In fact, new urban management tools have been appropriated by conservative sectors, and new forms of old processes of socialization of costs and privatization of benefits have emerged with the reconcentration of public services and equipment.

Is the Critique Legitimate?

Any fair assessment of the City Statute requires rescuing the historical principles and objectives of the legal-urban order that it consolidated.

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13 For a discussion on the disputes regarding the City Statute, see Raquel Rolnik, Ten Years of the City Statute in Brazil: From the Struggle for Urban Reform to the World Cup Cities, 5(1) Intl. J. of Sustainable Dev. (2013).
First, the City Statute fully embraced a new paradigm on the matter of property rights; the fulfillment of a social function was to be a primary condition for the recognition of private property rights. Social functions were to be determined by master plans and other urban and environmental laws—especially those formulated at the local level—with clear definitions not only of individual but also of collective and social rights, as well as of social responsibilities and obligations that result from land and property ownership. While the City Statute affirmed the separation between property and building rights, the legal-urban order it symbolized held that the principle of social functions entailed not only administrative restrictions to property rights but also the legal power of public administrations to oblige individual and collective behaviors, especially through compulsory orders. More than discussing property rights, then, the City Statute addresses the right to property, as property has no predetermined content and comprises both exchange and use values.

Second, the City Statute clearly expressed the notion that land and property matters are fundamentally matters of contemporary public law, with the “public order” being larger than the “state order.” The legal order has incorporated a set of collective rights to territorial organization, environmental preservation, participation in decentralized processes, and the regularization of informal settlements. It has also recognized the social right to adequate housing. Access to the judicial system, to defend collective rights and diffuse interests, has been opened to individuals, groups, NGOs, and the Ministerio Publico. To date, a solid discussion has not been promoted in Brazil on the legal meaning and implications of the constitutional expression “social functions of the city,” and only recently has the debate begun to discuss the need for a fourth dimension, territorial responsibility, to be added to the traditionally accepted forms of legal responsibility—political, administrative, and fiscal—of public administrations.

Third, the City Statute gave a profoundly different meaning to the legal nature of territorial and urban planning, which is no longer merely a discretionary policy but an obligation of public authorities, with the failure to act leading to legal liability. Consequently, some Brazilian mayors have already lost their jobs. Together with its traditional regulatory power, urban planning also involves powers to intervene directly in the dynamics of land and property markets, especially to enable vacant land and underutilized properties to serve a social function. It should also recognize all forms of legal tenure and possession, not just of individual property, as well as affirm the social function of public property.

Fourth, as a direct consequence of this socially oriented approach to property rights, the City Statute confronted a long neglected question: who pays the bill and how is it paid for the financing of urban development? Based on the principle of the fair distribution of costs and benefits of urbanization, the City Statute determined the onerous granting of use and building rights; recognized different categories of expropriation; allowed for the capture of
surplus value and the social management of land and property value appreciation; and proposed that there should be no acquired rights on urban matters.

Fifth, the nature of urban management was also significantly altered, with the requirement of popular participation as a criterion of legal validity of urban laws and policies, and not merely as a stamp of sociopolitical legitimization. Some MMPs, including São Paulo’s, have been annulled due to lack of adequate participation. It should be stressed that all the new tools, mechanisms, and processes should be used within the context of a clearly defined “sociopolitical project for the city,” with the city viewed as the sociospatial expression of a sociopolitical pact. For that reason, the Ministry of Cities has launched and promoted a Campaign for Participatory Master Plans.

All in all, law and planning, under the new legal-urban order consolidated by the City Statute, were placed where they had always been: in the heart of the sociopolitical process, especially at the local level. Consequently, it is the very quality of this sociopolitical process that will both determine the meaning of and give concrete meaning to the notion of the social function of property at both the national and municipal levels.

It is unquestionable that, for all its sophistication and successive developments, the legal-urban order still has significant limits: there are several bottlenecks in the judicial system, including the length and cost of judicial procedures; difficulties with the registration system remain challenging; MMPs have not been articulated with an adequate urban management system; municipalism in Brazil is exaggerated and often artificial, and there is not a properly defined metropolitan/regional dimension; the different realities of middle-size and small municipalities, and especially the different realities of north and northeast, have not yet been properly contemplated by the legal order.

Nonetheless, the progress of the legal-urban order is undeniable.

It is in this context that one should ask: Is the federal law the real problem shaping the current urban development processes? Or perhaps, instead, one should ask if there has been an adequate understanding of the new legal-urban order by lawyers, urban planners, public managers, and, of course, society. Have the newly created legal and politico-institutional spaces been occupied? Have the new legal principles been translated into urban policies? Have the new legal rights been claimed by the population? Have the new legal principles been defended by the judicial courts?

Before going any further, it is important to stress that there are many deeply ingrained cultural, sociopolitical, and historical factors influencing the growing skepticism surrounding the federal law that deserve proper attention and in-depth analyses, but for the purposes of this study will only be briefly mentioned:

- There is in Brazil a strong cultural perception of the law—and the legal system—that borders on the messianic, with the law viewed merely as a
technical instrument to resolve conflicts and the legal system as objective, neutral, and ahistorical, not as an open-ended sociopolitical process/arena where diverging claims can be disputed, compared, and discussed.

• Critics of the federal law are often moved by a sense of “short-termism,” which is understandable when one considers the volume and gravity of the accumulated urban problems in the country but which ignores the long history of neglect of the urban question and the need for more time—and continuity of public actions—to confront such accumulated urban problems.

• There is a traditional perception of the state throughout Brazilian society—resulting from the dominant culture of representative democracy, legal positivism, and excessive formalism—which among other effects has fueled a tradition of patronage, clientelistic sociopolitical dynamics, and excessive dependence on state action, and reduced the “public sphere” to the “state sphere.”

• There is a dominant technocratic perception of urban planning as the sole spatial narrative, expressing a technical, apolitical rationality, and as such unrelated to the dynamics of land and property markets.

An Assessment of the MMPs

What has actually happened, then, with the new generation of MMPs?

The existing studies, mentioned earlier in this chapter, have clearly shown that there has been progress on many fronts:

• The general discourse of urban reform has been adopted by most MMPs.
• Specific sectors—the environment and cultural heritage, for example—have been addressed.
• There has been a widespread creation of “special zones of social interest” corresponding to the areas occupied by existing informal settlements.
• Whatever the variations, which naturally express the different political realities in Brazilian municipalities, the participatory nature of the discussion of the MMPs has been remarkable.

Perhaps, though, the main achievement has been the unprecedented production of data and a wide variety of information about Brazilian cities.

Still, there are several problems of legal efficacy undermining the new MMPs:

• Excessive formalism and bureaucracy of municipal laws still exist.
• Further regulation, in the form of subsequent laws, is needed for full enforcement.
• Punctual changes have been promoted without participation.
• Obscure legal language and imprecise technical legal writing (urban laws are rarely written by legal professionals) have widened the scope for legal and sociopolitical disputes.

There are also several problems of social efficacy undermining the new MMPs:
• Most plans remain traditional plans—that is, they are merely technical and regulatory—and often fail to territorialize proposals and intentions, and to intervene in the land structure and land and property markets.
• The emphasis placed on the new tools created by the City Statute lacks a clearly defined project for the city.
• The vast majority of MMPs have failed to recapture any surplus value resulting from state and collective action, and when this has happened, there has been limited or no social redistribution of the newly generated financial resources.

Furthermore, most MMPs have placed limited or no emphasis on social housing in central areas, having failed to earmark central, serviced vacant land for social housing. Generally speaking, there are no specific criteria for the expansion of urban zones, public land and property have not been given a social function, and there has been no clearly articulated socioenvironmental approach. Large projects have often bypassed the MMPs, and presumed collective eviction. Most importantly, policies dealing with land, urban issues, housing, environmental conditions, and fiscal and budgetary matters have not been integrated, and the regularization of informal settlements is still largely viewed as an isolated policy, with most MMPs imposing enormous technical difficulties on the legalization of informal settlements. Bureaucratic management and technical complexity have also meant that there has been a widespread lack of administrative capacity to act at the municipal level. Many MMPs are mere copies of models promoted by an “industry” of consultants. Obscure planning language has been as problematic as obscure legal language.

At the other government levels, the precarious institutional systems have experienced several problems. At the federal level, sectoral policies have not been integrated, within or outside the Ministry of Cities; urban policy has not been articulated with environmental policy; and there is no national urban-metropolitan policy or system of cities, and no national territorial policy generally, but especially in regard to the Amazon. The institutional and legal actions of the federated states have been very limited.

Eminently, at all government levels, there is a profound lack of understanding that cities should be concerned about not only social policy and infrastructure for economic development but also the economy itself.
Conclusion

*Plus ça change, plus c’est la même chose?*

The analysis of the Brazilian case shows that the long-standing disputes leading to the sociopolitical mobilization calling for the approval of the new law have not been automatically abolished by the mere formal enactment of the law. If anything, the disputes have worsened and taken on new dimensions, resulting in a new phase for interested stakeholders, that of disputes over the enforcement of the law.

The rules of the game have been fundamentally altered, but the game is still being played according to the old, elitist, and exclusionary rules. There are many reasons for this development, but only through the promotion of significant changes in the country’s legal and planning culture will further progress be possible.

The reaffirmation of old sociospatial segregation processes by all levels of the Brazilian government has occurred despite the legal possibilities for significantly changing the course of things through the formulation of profoundly different and inclusive MMPs. Instead, the events that have unfolded seem to demonstrate that—with the support of lawyers—urban planners and public managers remain, seemingly to a greater extent, hostages to exclusionary land and property markets that they created and developed, and continue to provoke segregation through the public policies that they have implemented.

To break with this perverse logic, and put an end to the renewed legal and political disputes over urban land and property matters, a concentrated effort urgently needs to be promoted to provide more information to planners, legal professionals, and society as a whole on the nature and possibilities of the new legal-urban order symbolized best by the City Statute. The education and training of planners, as well as of legal professionals, judges, prosecutors, and registry officers, is of utmost importance. If judicial courts need to follow public law—urban law principles when interpreting property-related conflicts, rather than embracing obsolete unqualified private law ideas, Brazilian civil society needs to call for more recognition of social and collective rights.

Brazil’s legal-urban order has significantly changed, but have the jurists understood that? Has the nature of urban planning been changed accordingly? Have urban managers assimilated the new principles? Has civil society awakened to the new legal realities? To play the game according to the new rules is a fundamental step in the collective construction of sustainable and fairer cities for the present generation and for future ones.

In this context, all things considered, a very cautious optimism can be proposed. Even with due consideration given to its shortcomings and constraints, the law is not the problem. The City Statute has created the most appealing, enabling environment policy makers and managers could dream of in their attempts to promote urban reform.
That said, in the last analysis, to advance urban reform nationally, the future of the City Statute and the new urban-legal order it symbolizes urgently need a thorough renewal of sociopolitical mobilization centered on land, urban, housing, and environmental matters.

It is the task of all progressive stakeholders to defend the City Statute from the proposed (essentially negative) changes being discussed in the National Congress, to overcome the existing obstacles and improve the legal order, and, above all, to fight for the full implementation of the City Statute.

The Brazilian case makes it clear that “bad laws” can make it difficult to obtain collective and social rights and to formulate inclusive public policies. It follows, then, that “good laws” per se do not change urban and social realities, even when they express principles of sociospatial inclusion and socioenvironmental justice, or even, as is the rare case of the City Statute, when the legal recognition of progressive principles and rights is supported by the introduction of the processes, mechanisms, tools, and resources necessary for their materialization.

If decades of sociopolitical disputes were necessary for the reform of the legal-urban order, and for the enactment of the City Statute, a new historical phase has been open since, namely, that of sociopolitical disputes at all government levels, within and outside the state apparatus, for its full implementation.

The fact is that Brazil, and Brazilians, have not yet done justice to the City Statute.

There are many important lessons here for scholars, policy makers, managers, and activists.