

Urban regulations and the capitalist production of housing in the 2000's:
The master plan, the construction regulations and the social housing "Minha Casa
Minha Vida" programme case in the town of Araraquara, Brazil.

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With the economic crisis triggered by the bursting of the American housing bubble (the 2008 subprime crisis), the Brazilian government implemented anti-cyclical plans to prevent economic depression. Among a few others, the construction industry was targeted, as to provide new infrastructure and housing. Then, in 2009, an ambitious housing programme was created. The "My Home My Life" (PMCMV), as it was called, was developed at the Ministry of Finance, with solid involvement of the real estate and construction industry, without proper link with the Ministry of Cities and its housing policy (FIX , 2009), disregarding the fundamental propositions of the original Housing Plan (PLANHAB).

With massive resources, the program has allowed the production of 4 million units between 2009 and 2015, 90% of what the former housing policy had built during 22 years (1964-1986). This production has also aimed the low-income segments, historically neglected in previous policies, yet not in the same proportion to their weight in the Brazilian housing deficit, particularly in relation to metropolitan areas.

Quantitatively, the PMCMV is unprecedented. However, qualitatively, there were criticisms that the program works disconnected from urban politics and the housing deficit, becoming, in fact, an economic stimulation programme (Krause, 2013) that delivers in market hands the management of housing policy, leaving it free to act within its logic of speculative profits (Fix 2011, Rolnik, 2015).

In this perspective, the model of mass production of low-cost housing in large horizontal projects, on the fringes of the cities, often outside the urban perimeter, became the favourite of construction companies in all regions of Brazil. Without taking into account the local social and cultural characteristics, the model has been multiplied under the announced risk to deepen the urban problems of infrastructure and urban mobility, whose solutions are costly to the government and therefore unfeasible in the short and medium term.

A comparative study between PLANHAB and PMCMV reveals that the houses are built where companies identify the existence of solvable demand, not necessarily, where there is a deficit. It is also observed that "the hegemony of the private sector, the pressure for results, the strong call for legitimacy, combined with the lack of skills of local governments to effectively control its own processes of territory development, reduced these administrations to mere supporting actors of the process (Krause, 2013).

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Araraquara, a 200 years old town, located in the state of São Paulo, where the research has been conducted, shows a high HDI (0.815 in 2010 according to the UNDP) and a population of 200,000 inhabitants. To fulfil the purpose for the production of an affordable, egalitarian and sustainable town, it has a master plan regulated by urban legislation, in accordance with the City Statute (Federal Law nº.10257/2001), several departments and municipal councils.

However, this was not enough to contain the peripheral production model of housing units for low-income populations. It, in fact, may deepen known urban problems such as segregation and social exclusion, mobility and higher infrastructure costs, besides causing significant environmental impacts to the municipality and the quality of life of the inhabitants that now live in the studied areas. The new housing developments, built between 2009 and 2015, totalling 3,553 units, has been delivered without basic urban facilities, isolated on the border of the plantation fields.

Through research on documents and legislation, as well as in facts of the recent history of the city, this article investigates how the Master Plan, the land use law, among others, have been modified, and others were created in order to allow these enterprise.

The municipality, the authority in charge of the production and use of space, although armed with powerful legal instruments granted by federal law, remains fragile before the interests of real estate capital.

As a result, a population of 12,000 people has occupied a vast area in the north end of the city, initially classified as an environmental protected area, because of its water sources. The fact fully met the interests of the real estate market and construction companies. On the other hand, the issue arises that the conflicts of interest within the city hung to the denial of the right to the city for most of its inhabitants.

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