

EVICTION CYCLES IN BELÉM (PA): THE TUCUNDUBA RIVER BASIN AND THE REPRODUCTION OF PRECARIOUSNESS

Ana Carolina de Miranda Tavares*
Ana Cláudia Duarte Cardoso*

*Universidade Federal do Pará, Programa de Pós-Graduação em Arquitetura e Urbanismo, Belém, PA, Brazil.

Abstract

This article presents evidences that there is an ongoing cycle of evictions in the Tucunduba River basin, in the Brazilian city of Belém (PA), where urbanization work has been taken place over several years, which has caused an increasing number of displaced families. It is understood that the housing provision shortage has led to an increase in cases of judicialization, which thereby contributes to further irregular occupations and, thus, a continuation of precariousness and informality. The reasons that contribute to the situation have been classified into four groups: operational/planning; political/administrative; ideological; and extra-legal. Empirical and documentary sources, interviews with technicians from public bodies and with the population threatened by eviction, and an analysis of the judicial processes demonstrate that while evictions intensify the condition of vulnerability of the families, they also serve to maintain structures that support peripheral capitalism.

Keywords

Evictions; Informal Settlements, Urbanization, Tucunduba River Basin; Belém.

CICLOS DE REMOÇÕES EM BELÉM (PA): A BACIA DO TUCUNDUBA E A REPRODUÇÃO DA PRECARIIDADE

Ana Carolina de Miranda Tavares*

Ana Cláudia Duarte Cardoso*

*Universidade Federal do Pará, Programa de Pós-Graduação em Arquitetura e Urbanismo, Belém, PA, Brasil.

Resumo

Este artigo apresenta evidências de que existe um ciclo de remoções em curso na Bacia do Tucunduba, em Belém (PA), onde obras de urbanização se prolongam há anos, implicando um número crescente de famílias deslocadas. Compreende-se que a falta de provisão habitacional para as famílias removidas a partir de casos judicializados colabora para que novas ocupações irregulares ocorram e para que a precariedade e a informalidade se perpetuem. Os fatores que contribuem para a construção desse quadro foram organizados em quatro grupos: operacionais/de planejamento; político/administrativos; ideológicos; e extralegais. Fontes empíricas e documentais, entrevistas com técnicos de órgãos públicos e com a população ameaçada de remoção e análises de processos judiciais mostram que as remoções, ao mesmo tempo que aprofundam a condição de vulnerabilidade das famílias, servem para manter estruturas funcionais para a periferia do capitalismo.

Palavras-chave

Remoções; Ocupações Informais; Urbanização; Bacia do Tucunduba; Belém.

EVICTON CYCLES IN BELÉM (PA): THE TUCUNDUBA RIVER BASIN AND THE REPRODUCTION OF PRECARIOUSNESS

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Introduction

This article has arisen from a research project on evictions in the Tucunduba River Basin, in the city of Belém, situated in the North Brazilian state of Pará, and aims to reveal the factors that have assisted in identifying a broader, cyclical phenomenon that occurs there, referred to as eviction cycles. The area is located on the periphery of the city,¹ and has historically been characterized by its precarious conditions of infrastructure and housing, with the occurrence of frequent flooding. In 2008, the Integrated Sanitation Project for the Tucunduba River Basin was initiated, contracted by the State Government of Pará, with funds from the PAC (the Growth Acceleration Program), in order to resume² actions to improve the local sanitation networks. This intervention involved the displacement of hundreds of families, who were offered housing units in the residential complexes that had been planned to receive them, located near the previous residential area. However, a series of operational and administrative problems resulted in stoppages and delays of both the macro-drainage works and the construction of housing projects. As a result, the lands for the residential complex were left idle and the appearance of abandonment led to the occurrence of irregular occupations in the semi-finished housing units.

1. This is a floodplain area located on the edge of the metropolitan center, and therefore called the nearby periphery, as opposed to the metropolitan periphery, located in other municipalities.

2. The area in question received funds from the Habitar Brasil BID Program in the 2000s, for actions that remained uncompleted by the municipality after a change in municipal management, and also for this reason it was a priority area of the PAC. This subject will be taken up again in Section 2 of this text.

The context described above was repeated in all three residential complexes that were planned in the Tucunduba Basin, which led the State Government of Pará to file actions for repossession, with the aim of clearing these areas. The judicialization of cases brought about the insertion of a new agent to operationalize public policy: the judiciary, represented here by public prosecutors and the courts. However, these agents tend to present a strictly civilist interpretation of the cases, often basing their arguments on the absolute defense of private land ownership and on the stigmatization of the occupying families, commonly referred to as threats to the public interest.

The case of the Liberdade Residential Complex presented some specificities that aggravated the operationalization of the intervention. This was a large residential project, which provided for the construction of 2,336 housing units and represented the largest PAC funding for housing in the state of Pará (PEREIRA, 2013). From the very beginning, in 2009, the works presented several difficulties, which were mainly related to the conditions of the swampy terrain, but also to political factors, which caused an interruption in the work at a time the management of the State Government was changing. On several occasions during this period, the Liberdade complex was informally occupied, which in 2012, resulted in the judicialization of the repossession process, triggering the displacement of 450 families. In 2019, this process was resumed, aiming to remove a new occupation, thus representing a continuity of the judicial imbroglio. In the eviction processes of the area no measures were offered to the population evicted from the complex so as to guarantee access to housing with security of tenure. Empirical data demonstrate that this form of “resolving” land conflicts only exacerbates the housing problem, because it places those from an already impoverished population in an even more vulnerable situation, since access to housing needs to be provided at their own expense, thus causing new informal occupations and a further situation of fragile land tenure.

Through what has been portrayed, the conjuncture followed a route that included the following phases: promoting evictions (initially to make the macro-drainage works feasible), a stoppage of the works, thereby causing the land to stand idle and the informal occupation of idle land by a population that was socio-economically vulnerable. After this, further evictions took place and the situation was repeated over and over, which we call herein the “eviction cycle” (Figure 1). The factors involved in creating the eviction cycle (explored throughout the article) are associated with different agents in both the public and private sphere, ranging from public agencies to organized crime.



Figure 1. Eviction cycle

Source: Tavares (2021, p. 95).

The research was structured into two stages. The first took place in 2019, before the pandemic, when it was possible to follow the technical work developed by the Public Defender's Office for the State of Pará, highlighting two big meetings held in loco with the entire population threatened with being evicted from the complex, and four other meetings with community leaders held at the Public Defender's Office, to address the possibilities of providing a defense for the judicial process. A semi-structured interview was also conducted with community leaders, at the complex, with the help of a scientific initiation fellow who lived in the neighborhood.

The second stage was carried out during the pandemic (2020-2021), when the health crisis experienced in Belém made direct work with the community unattainable. As of 2020, it was possible to search through the documentation that had accumulated over the 10 years that the process had existed (Figure 2), alongside a review of the literature about evictions and the actions of the legal system in land conflicts, covering authors in the field of architecture and urbanism, law and sociology. An analysis was undertaken of documents covering the judicial proceedings for repossession and expropriation; descriptive memorials and technical drawings of the Integrated Sanitation Project for the Tucunduba Basin and the Liberdade Housing Complex project; contracts signed between COHAB-PA³ and the CAIXA⁴ for the transfer of funds related to the Liberdade Complex; Investment Composition Tables (ICTs) for each stage of the housing complex; and a contract signed between

3. Companhia de Habitação do Pará (COHAB-PA). A state-owned company for low-income housing.

4. The Caixa Econômica Federal, also referred to as Caixa, is a state-owned Brazilian financial services company.

COHAB-PA and one of the contractors hired to carry out the housing complex works. In addition, six semi-structured interviews were held with people who had been involved in contracting and/or executing the works which had been delayed: three technicians from the federal agency responsible for the works, a technician from the state company that executed the work, a technician from the office that developed the project and a company technician who participated in the execution of the work. Before the interviews began, the research obtained permission from the Research Ethics Committee of *Plataforma Brasil*.⁵

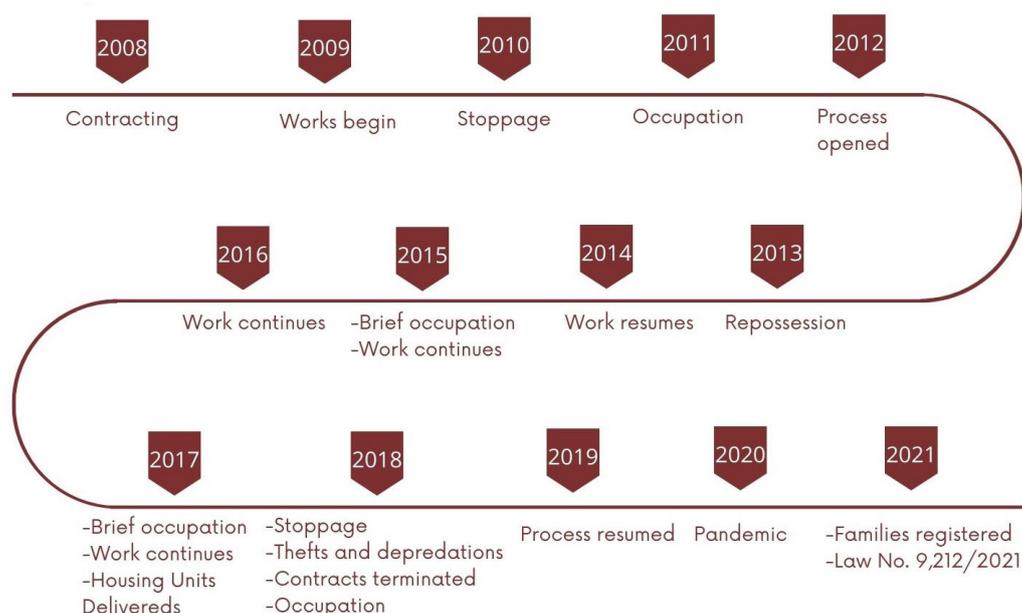


Figure 2. Timeline for executing the works on the Liberdade Housing Complex

Source: Own elaboration, 2021.

From the evidence generated along the way, the article explains how the continuous practice of evictions is charged with ideological aspects, which are expressed both in urban projects with eviction characteristics and in legal documents. Consequently, they demonstrate the extent to which the effect of the eviction cycle is to strengthen a stigmatized view of the occupants and to aggravate their condition of vulnerability even further, while at the same time enabling the transfer of public funds to local engineering companies to continue. A comparison between theory and empirical data makes it possible to identify the four groups of factors active in the phenomenon of the eviction cycle: operational/planning;

5. A national and unified database of research records involving human beings for the entire Ethics in Research Committee/National Commission for Research Ethics (CEP/CONEP) system.

political/administrative; ideological; and extralegal. This result has been adopted as a guide for structuring this article, which, after this introduction, presents: the theoretical framework, the area of study and the history of the process, the empirical evidence organized within these four abovementioned groups, and the conclusions.

1. Evictions as a practice of ideology

Law and urban planning are interrelated areas of knowledge, not only because it is through laws that urban plans and norms begin to operate institutionally, but also because both areas have historically functioned as devices for imposing power relations headed by the privileged classes. Justice was disseminated as a supposedly neutral, reputable force and it was through these characteristics that it would be the appropriate sphere for resolving conflicts. However, since it was created it has been linked to disseminating the interests and to strengthening the power of the wealthiest (FOUCAULT, 2014), and has maintained these roots until the present day. As urban planning has a close relationship with the legal apparatus, it may also be understood as an instrument for the transmission of power, configuring itself as a political game through which certain class fractions seek to effectuate their interests (ABELÉM, 2018).

Thus, evictions are practices that have been revised throughout time and justified based on new discourses, although as a consequence, have generally continued to aggravate the poverty and vulnerability of the displaced population. Within a global scenario, evictions often result from large urban projects associated with economic exploitation, the creation of favorable spaces for investments and to enable mega-events (ROLNIK, 2016; SASSEN, 2016; DAVIS, 2011; SØRBØE; BRAATHEN, 2022). In some cases, the condition of environmental fragility is also used to justify the eradication of slums, although eviction policies never reach the wealthiest population, which also inhabits environmentally sensitive spaces (DOSHI, 2019).

In the Brazilian context, over a long period of time, urban planning was used as a way to build the model of an ideal city, which would be achieved through norms and standards often disconnected from the reality of the existing city. According to this technicist perspective, “the plan and the planning fulfill the role of organizers and rationalizers of public action on the city⁶” (RIBEIRO; CARDOSO, 1994, p. 85) and thus, sought to eliminate supposed foci of urban “distortion”. This way of intervening in Brazilian cities prevailed for much of the twentieth century, when intervention strategies in informal settlements focused on the eradication

6. This and all non-English citations hereafter have been translated by the authors.

of favelas (REGINO, 2017). Hygienism was used by federal administrations such as those of Getúlio Vargas and of Eurico Gaspar Dutra, whose plans for compulsory evictions served as an inspiration for municipal policies. During the military dictatorship, eviction policies became more structured, as voluminous resources were made available for the construction of peripheral housing projects.

According to studies, favela eradication policies are charged with a series of prejudices in relation to the residents of these spaces. For example, in the interventions carried out during the military dictatorship in Rio de Janeiro, it was believed that, by resettling families in houses far from the central areas of the city, living conditions would be offered that would lead to “human recovery” and the integration of the population into formal society (PERLMAN, 1977). Eradicating favelas was also a way of freeing up central lands for the real estate market to operate, while at the same time promoting the civil construction sector by encouraging the construction of housing projects, especially after the emergence of the BNH (National Housing Bank). Thus, eviction policies were justified by the deterministic argument that communities would gain a more “civilized” way of life when leaving the favelas, although this premise also served to cover up how the public sector was committed to serving the interests of the business classes.

Over the decades, the way of intervening in informal settlements has changed and this has resulted in repercussions on the treatment given to evictions. Municipalities began to understand that it was more viable, from a socio-economic viewpoint, to urbanize favelas instead of completely removing them, since this would take advantage of the investments already made by families in constructing their homes and they would be able to maintain the previously established neighborhood relations (MARICATO, 2003). Thus, according to Regino (2017, p. 17), between the 1980s and 1990s, the strategy of “urbanization and non-eviction” predominated (when evictions were avoided as much as possible), while from the 1990s to the present day, the strategy of “integrated urbanization with evictions and replacement solutions” has predominated. From this last moment, it became understood that, in some cases, evictions may be important for avoiding situations of risk and precariousness, but that this must be accompanied by participatory management and compensation for housing that favor relocation within the settlement itself.

This form of intervention was adopted in the PAC-UAP (Growth Acceleration Program – Urbanization of Precarious Settlements) projects, which included within their scope a more comprehensive approach to the settlements, seeking to restore them and create more appropriate living conditions and housing (MARICATO, 2011). One of the main objectives of the PAC was to make huge resources available

for infrastructure works and, thus, generate a cycle of economic growth across the country (CARDOSO; DENALDI, 2018). In practice, this situation enabled large-scale urban interventions and investments in extensive favela complexes. These interventions, in several cases, produced a vast number of displaced families, an option that was not always based on “technical” criteria, but rather on aiming to meet the interests of the real estate market (CARVALHO, 2019; FERREIRA, 2017).

The option of favoring larger interventions was also intended to make the contracts more attractive to the civil construction companies, who would begin work on the constructions. One of the strategies used to achieve this purpose was to combine the urbanization of more than one settlement into one single Commitment Term, thus creating more advantageous bids (PETRAROLLI, 2015). The preference for such large major works is the result of a situation in which bidding for contracts becomes a priority criterion, in which it may be stated that the project predominates over planning (FERREIRA, 2017; PEQUENO; HOLANDA, 2018).

There is a variety of repercussions with regard to this framework. On the one hand, many municipalities began to experience difficulties in managing contracts and inspecting the works, since they did not have the technical staff to do so. On the other, the contracted companies often lacked the experience to carry out such complex works, such as the urbanization of favelas, which requires the execution of an assortment of different infrastructures. In some cases, this situation was aggravated by the fact that the PAC-UAP contracts had been signed based on incomplete, outdated projects, as a way of speeding up the transfer of federal funds (PETRAROLLI, 2015; CARDOSO, 2011). This conjuncture generated the need to update the projects while the works were already under way and also contributed to the occurrence of major unforeseen events during the interventions, resulting in contractual rescheduling, work stoppages and prolonging the time needed to complete the work (CARDOSO; DENALDI, 2018).

As the literature has demonstrated, prolonging the time for urbanization and housing production directly contributes to an increase in the number of evictions. This occurs because the settlements are extremely dynamic since they are able to receive new occupations and undergo densification processes within a short period of time. Even when interventions are being introduced into the area and there are already empty spaces, it may be very difficult to control this territory in order to avoid new occupations, especially when there are insufficient municipal technical abilities available for this work. Therefore, the social register conducted even in the design phase of the project has often become outdated by the time the works are carried out, which is further aggravated when the intervention is paralyzed for long periods. In these cases, it is common for the new occupying families to be

displaced without receiving compensatory measures for housing, since they were occupying the area after the social registration had been conducted, thus resulting in new conflicts (REGINO, 2017).

In the case of housing works, stoppages may lead to occupations taking place in semi-finished housing units. This occurred in Belém, where at least four of the residential buildings produced with PAC resources were occupied informally after their works had come to a halt. These housing complexes were the Ivo Portela housing complex, which integrates the macro-drainage in the Paracuri River Basin; the Vila da Barca housing complex, which integrates the urbanization of the homonymous settlement; the Riacho Doce and Liberdade housing complexes, both integrating the macro-drainage of the Tucunduba River Basin (Figure 3). All these interventions are located in the “lowlands” of Belém, which may be defined as areas with an altitude of up to 4m, which are intersected by rivers located within the current metropolitan center, and which were occupied by a low-income population (SUDAM; DNOS; PARÁ, 1976).



Figure 3. Housing complexes with informal occupations in Belém
Source: Own elaboration, with images from Google Street View, 2019.

After the residential buildings had been informally occupied, the Belém City Council and the State Government of Pará (depending on which of these two entities had contracted the works) filed repossession orders through their attorneys. The

judicialization of the cases inaugurated a new stage for the operationalization of the interventions, since being able to resume the works depended on the argumentation of the prosecutors and the decisions of the judges. However, as studies have demonstrated (MILANO, 2016; AMADEO; ANSARI, 2021), the way in which the judiciary acts to resolve land conflicts is often based on the absolute defense of the right to private property and on stigmatizing the occupants.

As Foucault (2014) has demonstrated, the legal apparatus used by institutions (in this case, the three levels of government) may be characterized as a “device”, i.e., a mechanism that presents strategic functions for the reproduction of relations of power and domination, through the use of practices and discourses. Thus, the author explains that the purpose of penalties is not to curb illegalities, but rather to prioritize deviations from the norms and outline limits of tolerance. Therefore, the performance of justice would be a way of differentiating and hierarchizing individuals themselves, excluding those who do not act according to the moral rule adopted by the laws (FOUCAULT, 1987). Based on this understanding for the situation in Brazil, Milano (2016) explained that, over time, the image of the “invader” has been created as a subject outside the law, a social enemy, not only because he/she threatens private property, but also because the “invasion” is considered a violent action that endangers the whole of society. This occurs because once private ownership of land had been instituted in Brazil (from the Land Law of 1850), any form of access to land other than purchase was considered precarious and clandestine and, similarly, the proprietor became its undisputed owner. Therefore, in land conflicts, once the person or family is identified as the “invader”, the “jurisdictional intervention for the extinction of the conflict through forced collective evictions” is thereby authorized (MILANO, 2016, p. 18). Thus, eviction serves not only to repair an act considered illegal (the “invasion”), but also to punish the “invader”, who dares to threaten the legal norm (AMADEO; ANSARI, 2021).

Contributing to this analytical description is what Franzoni (2019, p. 2926) calls the “tendency to despatialize law”, which refers to the way in which legal agents have a very strict view of what is dictated by law and jurisprudence, to the detriment of factual aspects of lived reality. In terms of land disputes, which involve possessory actions, the discussions that take place during court proceedings tend to follow the literal meaning of the civil code and proof of ownership by the plaintiff, and to disregard aspects such as implementing social function, for example. Milano (2016, p. 153) indicates that the prevalent understanding among magistrates is that “the best possession is that which is derived from the right of ownership, unrelated to any measurements focused on the use or functionality that the owner has or has not given to the property”.

Studies that have analyzed possessory actions monitored by State Public Defenders (FRANZONI et al, 2020) have observed that, in most cases, there was no mention of spatial aspects of occupations, such as those that refer to the degree to which the occupation has been consolidated, the incidence of special zoning of social interest or even proof that possession had been exercised by the authors of the processes. In other words, what predominates is “the watertight view of procedural narratives for fragments of the city taken as being informal, rarely with any description of the housing conditions masked by the allegation of precariousness” (FRANZONI et al, 2020, p. 96), which serves as an argument to provide support to justify the evictions.

Therefore, it is possible to perceive that promoting evictions is guided by a series of ideological aspects. In urban interventions undertaken by the Executive, evicting populations often functions as a way to create areas (locations) that are favorable for the real estate market. In terms of land conflicts, the evictions promoted by the judiciary are largely based on an unrestricted defense of the right to property and have the effect of aggravating the stigmatization that befalls the occupying families. In the following section, we analyze how this context is reproduced in the Tucunduba River Basin.

2. The Tucunduba River Basin and the judicialization of eviction cases

The physical site of Belém was one of the elements that guided the occupation of the city: the lower lands, with floodplain characteristics and locally, in Portuguese, called “baixadas”, over time were occupied by an impoverished population. The water basin of the Tucunduba River, located to the southeast of Belém, is an area formed largely by lowlands and is intersected by 13 channels, the main one being the Tucunduba River. The basin is marked by precarious housing and infrastructure conditions and by frequent flooding, consequently, in the 1990s, the public authorities began to undertake interventions in the area, aiming to solve such problems. A milestone in the magnitude of these interventions was the Tucunduba Project, which was financed by the Inter-American Development Bank (IDB) Habitar Brasil Program and was aimed at macro-drainage on the Tucunduba River. The planned works of the Tucunduba Project were carried out until 2005, when there was a change in municipal management and the intervention was paralyzed. In 2008, a new intervention called the Integrated Sanitation Project for the Tucunduba Basin was formulated, which was contracted by the State Government of Pará through SEIDURB (Secretariat for Regional Integration, Urban and Metropolitan Development),⁷ with resources from the PAC (sanitation modality).

7. The current State Department for Urban Development and Public Works (SEDOP).

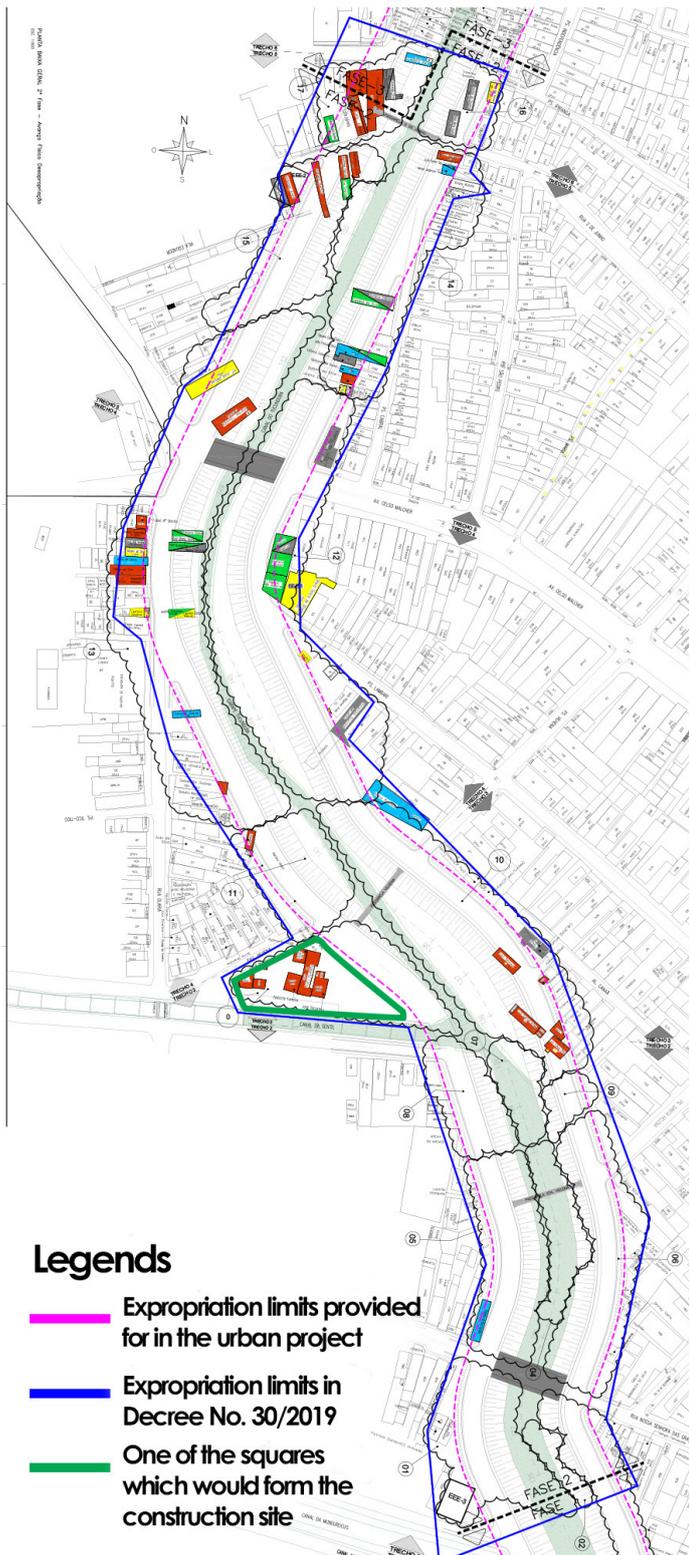


Figure 4. Differences in the expropriation ranges provided for in the urban project for the Tucunduba Basin and in Decree No. 30/2019

Source: Expropriation Action No. 0837332-10.2019.8.14.0301 (PARÁ, Initial Petition, 2019, p. 9), with adaptations by the authors.

The Integrated Sanitation Project for the Tucunduba Basin included interventions that extended over 2,200 meters, along which, hundreds of families had to be displaced. In 2013, there was a plan to remove around 930 families (SILVA, 2016). They all received a housing benefit of 300 BRL while the housing units planned for relocation were being completed. However, by 2019, the number of displaced families had reached 1511. This considerable increase was due, in part, to Decree No. 30/2019, enacted by the State Government of Pará, by which the areas of public utility for expropriation purposes in the Tucunduba Basin were defined. However, the expropriation range included in Decree No 30/2019 was larger than the range previously foreseen in the urban project, now encompassing the expropriation of two entire blocks (Figure 4), which, from the outset, would serve as a construction site and later be transformed into squares. In other words, families would be removed from these spaces for purely functional reasons, which had no connection with improving the environmental conditions of the Tucunduba basin.

The process of evicting the residents involved the judicialization of some of the cases, since there was a lack of an agreement between the families and SEDOP, which as recompense offered either a housing unit in one of the complexes or indemnity, paid as a benefit to the amount that had been spent on their home, assessed by the secretariat. Some families considered the indemnities unfair, since they only included the value of the construction, without considering the value of the land. The fact that these were informal occupations considerably reduces the value offered by expropriation.

In the abovementioned cases, the PGE-PA (Attorney General of the State of Pará) filed lawsuits⁸ against the residents to expropriate the indemnities. One of these lawsuits was filed against four families living in one of the blocks that would be transformed into a construction site. The indemnities were appraised by SEDOP at values between BRL⁹ 17,000.00 and BRL 54,900.00, which the PGE-PA claimed to be fair as it consisted “of an amount equivalent to the price that the object would obtain if it had been the subject of a normal contract or non-compulsory purchase and sale” (PARÁ, Initial Petition, 2019, p. 8). However, during the judicial process, the families attached evaluations made by realtors, which demonstrated that the values practiced in this area of the city were much higher than those evaluated by SEDOP. During the course of the judicial process, there was no mention of the fact that the houses were beyond the range of expropriation provided for in the urban project, mentioning only the range included in Decree No. 30/2019. Finally, the

8. Expropriation Action No. 0837332-10.2019.8.14.0301 in the TJE-PA.

9. At the time of writing the value of the 1 USD was 5.33 BRL.

judge decided to evict the families with the compensation payment in accordance with the evaluations of SEDOP.

The way in which the judicial process was conducted, with no discussion on spatial aspects, reveals the “despatialized” character of the law, as conceptualized by Franzoni (2019). Thus, ignoring the value of the land when evaluating compensation signifies ignoring the fact that it was the permanence of the families in that location that, over decades, contributed to the valorization of that space and to the generation of land income. Concurrently, it is a place that will increase in value when it is transformed into a square, however this increase will only occur at the cost of denying the right to housing for the evicted families. Thus, it appears that the judicial process reinforces, albeit indirectly, the ideology surrounding private ownership of land, since it is the land irregularity itself and the absence of ownership that makes it possible to pay compensation at reduced amounts.

The Master Plan of Belém (Law No 8.655/2008), in turn, confirms this *modus operandi* in Art. 107, which defines those occupations located in public areas “intended for carrying out works or implementing urban plans of collective interest” (BELÉM, 2008, p. 68) are not subject to land regularization. Thus, maintaining land irregularities in the lowlands of Belém proves to be functional, since it simplifies the entire eviction process, even at the cost of impoverishing the displaced families. With the value of indemnity paid, people are unable to access housing on the formal market with an area equivalent to the house built in such an incremental manner over decades, thereby perpetuating a cycle of informality.

In addition to paying indemnity, the other compensatory measure offered to the displaced population was a housing unit in one of the three planned complexes: Riacho Doce Housing Complex, Vitória Régia Housing Complex and Liberdade Housing Complex. All three developments eventually faced stoppages, and in the case of the Liberdade Complex, these stoppages were recurrent, thereby causing several irregular occupations over time. The works on all three of the developments eventually faced stoppages, and in the case of Residencial Liberdade these were recurrent, causing several irregular occupations over time.

The stoppages at the Liberdade Housing Complex were motivated by several factors that reveal problems in the elaboration of the projects and in the operationalization of the interventions. One of the main problems that occurred right at the beginning of the works was that the interventions of ground grading and soil compaction required much higher values than those foreseen in the project’s ICT. This was due to two factors: the terrain was far swampier than expected and the construction typology adopted (structural bricks) was poorly adapted to this type of terrain. Hence, it is important to highlight that the Liberdade project was “ready-made” when it was contracted, having been adapted from a project that had

been undertaken in Belém, which was the Vila da Barca Housing Complex. This adaptation aimed to reduce the time needed to prepare the project and contract the works with remnants of federal resources, which was a recurring practice in PAC projects, as revealed by Petrarolli, (2015) and Cardoso (2011). However, as the budget needed to be readjusted the complement paid by the State of Pará increased considerably, reaching almost the same amount paid by the then Ministry of Cities. This readjustment had repercussions in 2010, when there was a change in the management of the State Government and the new managers decided to stop the works at the Liberdade Complex alleging that it would be necessary to audit the contract values.

After this stoppage, in 2012, the first informal occupation of the housing complex began, when around 450 families moved into the housing units that were still under construction (PARÁ, 2012). This event resulted in a repossession lawsuit¹⁰ filed by the PGE-PA, during which the Public Prosecutor's Office used a series of arguments based on the defense of private property and the stigmatization of the occupants. Still in the initial petition of the process, the PGE-PA stated that "property always presumes possession of the asset, even if there is no effective physical apprehension of the thing" (PARÁ, Initial Petition, 2012, p. 8), i.e., it reinforces the notion that possession derives from ownership. Furthermore, the prosecution also referred to the occupants using sobriquets such as "invaders", arguing that

The detainers/scavengers are guilty of bad faith, since they illegally occupied the property even knowing that the State of Pará is conducting public works in the area, which will benefit hundreds of families. However, completion of the works has been rendered impossible due to the invaders refusal to withdraw from the property, thus challenging the principle of supremacy of the public interest. (PARÁ, Initial Petition, 2012, p. 8)

Based on this argument, the notion is therefore created that the reason for the stoppage was the occupation itself, whereas, in reality, it was the stoppage and the abandonment of the construction site that actually led to the occupation, and not the other way round. By narrating the events in this manner, the PGE-PA concealed the fact that the State Government was no longer complying with the obligation to follow the scheduled plan for the works and had also acted to try and criminalize the occupants, insofar as they were being represented as the main obstacles to concluding the intervention. This reinforced the image of the "invader" as a highly dangerous individual, as shown by Milano (2016) and Amadeo and Ansari (2021). The argument proffered by the PGE-PA supported the decision in favor of repossessing

10. Expropriation Action No. 0006357-82.2012.814.0301 in the TJE-PA.

the Liberdade Housing Complex, which took place in December 2013. Of the total number of families evicted, 73 had some land and were able to receive the Housing Check,¹¹ while the others, around 380 families, were only registered by COHAB-PA on the waiting list for the Programa Minha Casa Minha Vida (My Home, My Life Program), and received no immediate housing alternative, thus contributing to the reproduction of informality in another location.

After the area was vacated, the works were resumed, although again they met with several other problems over time, such as difficulties involving the issuance of the environmental license (which led to a stoppage of the works), and in 2017 there were some events of thefts and depredations on the construction site. At the end of that year, the first 288 units of Liberdade Housing Complex were completed and handed over (out of a total of 2,336 units), which were the only ones completed by 2022 (Figure 5).



Figure 5. Aerial photograph of the Liberdade Housing Complex*

Source: COHAB-PA (2020).

Note: *In the center, the residential blocks may be observed that were completed and handed over, and around them, the unfinished blocks.

11. The COHAB-PA program that consisted of offering monetary values for the purchase of construction material and payment of labor for residential works for low-income families. In 2019, it was replaced by the Sua Casa Program (Your Home Program).

After this delivery, there was a long period of stoppage throughout 2018, which was due to the non-payment, by COHAB-PA, of several works measurement bulletins, a situation that generated a financial imbalance for the contractor that worked on the construction of the complex. COHAB-PA stated, in a technical note, that the non-payment of measurements demonstrated “the difficulties encountered by the COHAB/PA administration of the time regarding compliance with payment deadlines for the corresponding invoices of the Measurement Bulletins” (COHAB-PA, 2020).

With the stoppage of the works, in the second half of 2018, a new informal occupation began at the Liberdade Housing Complex, with a large number of people, and which became even denser throughout 2019, finally reaching around 1,500 families. The new occupation motivated the PGE-PA to resume, in 2019, the old judicial process (initiated in 2012), requesting the reintroduction of the repossession injunction. However, the judge decided that COHAB-PA should register the occupying families before proceeding with the repossession, in order to place the residents into eventual housing programs.

The two-month period given to comply with this determination was not met by COHAB-PA, since, according to the company, in the process, its agents had been prevented from entering the Liberdade Complex by the occupants. Evidence collected for this research has demonstrated that, in fact, occupation in the area was co-opted by different agents from organized crime, who had begun to control different portions of space in the complex, using community leaders as a communication channel. This process reveals the effort made by organized crime to territorialize its power relations, taking advantage of the situation of extreme insufficiency and vulnerability of the occupying families, which was facilitated by the relative absence of the State on the periphery of Belém.

In mid-2022, the Liberdade Complex remained occupied and repossession was postponed due to the conditions imposed by the COVID-19 pandemic. The palliative alternatives offered by COHAB-PA for families after eviction were: to receive benefits either from the Sua Casa Program (for those who had some land, i.e., a very tiny portion of the families) or a benefit paid for three months by SEASTER (Secretary of Social Assistance, Work, Employment and Income). Currently, there is not even the possibility of placing families onto the waiting list of any housing program, since the Minha Casa, Minha Vida Program is now extinct and there is also a lack of housing production for low-income families. The activity of organized crime in the occupation of the Liberdade Complex aggravated the vulnerability of the occupants and drew attention to the need to provide this population with access to housing, since, when vacating the area, families could once again encounter in organized crime a way to make new housing viable. Once again it is clear that

when the government carries out evictions without offering housing alternatives to the evicted families, it contributes to perpetuating a cycle of precariousness and informality regarding access to land, a process that is aggravated by the insertion of agents such as organized crime.

3. Factor for maintaining the cycle of evictions

As thus far explained, there are a number of factors that have contributed to new evictions recurrently operating in the Tucunduba River Basin, making it possible to systematize them into four groups, which are: operational/planning factors; political/administrative factors; ideological factors; and extralegal factors. Below, each of these factors and how they relate to promoting evictions will be explained.

3.1 Operational/planning factors

The operational/planning factors have resulted from existing problems in the planning of interventions and in their operationalization, mainly while the works are being executed. Planning proved to be problematic from the very beginning, when the time available for preparing the project proves to be insufficient, causing ready-made design solutions to be resorted to. This was the case of the Liberdade Housing Complex, where the construction system adopted proved to be poorly adapted to the terrain conditions, which required new logistics in order to carry out the work. In addition, changing the range of expropriations, through Decree No. 30/2019, was another aspect that demonstrated how problematic the planning of interventions and evictions can be. The expansion of the expropriation area was a disjointed decision in relation to the urban project, encompassing blocks that had been vacated for purely functionalist reasons, resulting in a considerable increase in the number of evicted families, and affecting good quality housing units.

3.2 Political/administrative factors

Political/administrative factors refer to problems resulting from the management changes that took place. This situation is quite common in Brazil, since the continuity of projects and interventions depends directly on the “political will” of each moment. When there is a change in management, the works of previous mayors and governors are interrupted, which may be motivated by a change in priorities and also by the intention to “boycott” the initiatives of different political parties.

In the case of the Tucunduba River Basin, both the macro-drainage works and the Liberdade Housing Complex suffered stoppages at times when there was a change in the municipal and state management. Political changes also result in administrative problems, such as delays in paying measurement bulletins by

COHAB-PA, which contributed to the stoppage at the Liberdade Complex and, consequently, to the occurrence of irregular occupations and the subsequent evictions.

3.3 Ideological factors

The ideological factors refer to the actions of justice in order to resolve land tenure conflicts, which usually occur based on a purely civilist view of the cases, disregarding social and spatial aspects and being based on the defense of private property and the stigmatization of the occupants. As has been investigated, there were several judicial situations in the Tucunduba River Basin and the ideological aspects mentioned herein are expressed in different ways in each of these cases. In the actions for indemnified expropriations, the fact that the residents did not own the land resulted in the payment of lower indemnity values, since the indemnity included only the value of the constructions, thereby disregarding the value of the land. By compensating only the materiality of the construction, the loss of several socio-spatial relationships that are broken with the eviction is ignored, and the social work carried out by families in improving that space over the years of occupation is also disregarded.

In the case of the action for repossession of the Liberdade Complex, the argument of the PGE-PA was largely based on the stigmatization of the occupants, who were characterized as being largely responsible for the stoppages of the works, when in reality they had already come to a standstill before the occupation. This narrative strengthens the ideology that the occupants are social enemies who threaten public order and, therefore, eviction ultimately functions as a punishment, since residents are evicted without receiving any compensatory measure that guarantees access to housing in the long term. Thus, the legal apparatus is operated as a device for the reproduction of domination, as specified by Foucault (2014).

3.4 Extralegal factors

Lastly, the extralegal factors refer to the action of organized crime for the occurrence of new informal occupations in the Tucunduba Basin, as transpired in the Liberdade Housing Complex. The manner in which drug trafficking has operated in the area represents an attempt to territorialize power relations, taking advantage of the relative absence of the State on the periphery and the vulnerable condition of families. It is important to emphasize that simplistic relations cannot be applied to criminality and poverty, but it must be recognized that, in fact, “material conditions, under certain cultural and institutional circumstances, may act as a stimulus factor for illegal survival strategies” (SOUZA, 1998, p. 4).

In the repossession process of the Liberdade Housing Complex, PGE-PA and COHAB-PA argued that evacuating the area would be a way to combat drug trafficking. However, carrying out evictions without adopting measures to compensate for housing has only contributed to aggravating the hypo-sufficiency of families and, consequently, to perpetuating the power exercised by organized crime, since it is precisely the vulnerability of communities that enables criminal groups to become consolidated in providing services that the State itself does not provide (NOVELLINO; OLIVEIRA, 2019).

4. Final considerations

Despite all the best intentions on the occasion of resuming the works through the PAC, the existing context in the Tucunduba River Basin reveals a series of problems and mismatches in the execution of public policy, which have had the effect of increasing the number of evicted families, and the constitution of a cycle of evictions. As investigated, there have been a number of factors that contributed to the creation of this cycle, which does not depend only on the actions of the Executive Branch, but also on the Judiciary, contractors and even criminal groups. It is known, however, that it is the State's obligation (represented by the three branches of government) to guarantee access to housing for low-income families and, to the extent that the public authorities ignore this obligation (mainly in actions for repossession), it acts to aggravate the problem of access to housing and contributes to the reproduction of informality in other parts of the city.

The cycle of evictions depends on and, at the same time, strengthens, the stigmatization of the occupying families and the defense of private ownership of land, as is clear in the course of the judicial proceedings. The way the "invaders" are portrayed in court documents goes to strengthen the notion that such individuals are social enemies, who not only challenge the sacred right to property, but also prevent the continuity of public works. Thus, the fact that measures are not offered to compensate housing for families evicted through repossession must also be understood as a form of punishment for these subjects, which, inserted into a broader context, reinforces the ideology surrounding the private ownership of land.

If on the one hand the eviction cycle has the effect of aggravating the conditions of vulnerability of families, on the other, it also enables the constant transfer of public funds to local civil construction companies. This is because, as housing works last for years, new tenders are held periodically so that new contractors start working on these constructions. Thus, promoting the eviction of the occupants of the Liberdade Housing Complex from time to time, apart from being necessary in order to resume the works, is also a procedure that enables access to public

funds by different companies through new bids. Over the years, the contribution paid by the State Government has increased, enabling the constant transfer of public funds to private entities. Throughout the research, it could also be noted that some of the companies involved in the construction of the Liberdade Housing Complex, when they left this work, began to operate in real estate markets aimed at the upper middle class. Thus, public works ultimately function as a “springboard”, since it is through them that companies accumulate a certain amount of capital and know-how that may be used in the future in other more profitable market niches, following the results described by Pescatori, 2016.

Lastly, it is possible to state that the existing context in the Tucunduba Basin reinforces the idea that the peripheral capitalist city survives on non-capitalist relations and these, in turn, sustain clearly capitalist sectors, thereby confirming Oliveira, 2003. The cycle of evictions expresses these relationships because it reveals that it is from the impoverishment and vulnerability of the evicted families that it is possible to strengthen such important structures for capitalism.

References

- ABELÉM, A. G. *Urbanização e Remoção: Por que e para quem?* 2 ed. Belém: NAEA, 2018.
- AMADEO, C.; ANSARI, M. R. O direito e as margens da cidade. In: UNGARETTI, D. et al. *Propriedades em transformação: expandindo a agenda de pesquisa*. São Paulo: Blucher, 2021, p. 29-53.
- BELÉM. Lei nº 8.655, de 30 de julho de 2008. Dispõe sobre o Plano Diretor do Município de Belém, e dá outras providências. Câmara Municipal de Belém. Disponível em: http://www.belem.pa.gov.br/planodiretor/Plano_diretor_atual/Lei_N8655-08_plano_diretor.pdf. Acesso em: 6 ago. 2021.
- CARDOSO, A.; DENALDI, R. Urbanização de favelas no Brasil: um balanço preliminar do Programa de Aceleração do Crescimento (PAC). In: CARDOSO, A.; DENALDI, R. (Orgs.). *Urbanização de favelas no Brasil: um balanço preliminar do PAC*. 1 ed. Rio de Janeiro: Letra Capital, 2018, p. 17-48.
- CARDOSO, A. C. Desarticulações entre políticas urbanas e investimentos em cidades: contratação do PAC paraense. *Mercator – Revista de Geografia da UFC*, v. 10, n. 22, p. 71-86, 2011.
- CARVALHO, P. H. *Olhar favela, ver cidade: intervenções do PAC-UAP em Fortaleza*. 2019. Dissertação (mestrado) – Centro de Tecnologia, Programa de Pós-Graduação em Arquitetura e Urbanismo e Design, Universidade Federal do Ceará, Fortaleza, 2019.
- COHAB-PA. *Plano de ação – visando reintegração de posse e retomada de obra. Nota técnica conjunto Residencial Liberdade*, 2020.
- DAVIS, L. K. International events and mass evictions: A longer view. *International Journal of Urban and Regional Research*, v. 35, n. 3, p. 582-599, 2011.

- DOSHI, S. Greening displacements, displacing green: Environmental subjectivity, slum clearance, and the embodied political ecologies of dispossession in Mumbai. *International Journal of Urban and Regional Research*, v. 43, n. 1, p. 112-132, 2019.
- FERREIRA, P. E. *O filé e a sobra: as favelas no caminho do capital imobiliário*. 2017. Tese (Doutorado) – Faculdade de Arquitetura e Urbanismo, Universidade de São Paulo, São Paulo, 2017.
- FOUCAULT, M. *Microfísica do poder*. 28 ed. Rio de Janeiro: Paz & Terra, 2014.
- _____. *Vigiar e punir: nascimento da prisão*. Petrópolis: Vozes, 1987.
- FRANZONI, J. Geografia jurídica tropicalista: a crítica do materialismo jurídico-espacial. *Revista Direito e Práxis*, Rio de Janeiro, v. 10, n. 4, p. 2923-2967, 2019.
- FRANZONI, J.; XIMENES, L.; RIBEIRO, B.; SOUZA, L. Cartografias jurídicas: debatendo o mapeamento jurídico-espacial de conflitos fundiários urbanos no Rio de Janeiro. In: MOREIRA, F.; ROLNIK, R.; SANTORO, P. (Orgs.). *Cartografias da produção, transitoriedade e despossessão dos territórios populares. Observatório de remoções: relatório bianual 2019-2020*. São Paulo: FAU USP, 2020, p. 83-113.
- MARICATO, E. Conhecer para resolver a cidade ilegal. In: CASTRIOTA, L. B. (Org.). *Urbanização Brasileira: redescobertas*. Belo Horizonte: Ed. C/Arte, 2003, p. 78-96.
- _____. *O impasse da política urbana no Brasil*. Petrópolis, RJ: Editora Vozes, 2011.
- MILANO, G. *Conflitos fundiários urbanos e poder judiciário: decisões jurisdicionais na produção da segregação socioespacial*. 2016. Tese (doutorado) – Curso de Direito, Universidade Federal do Paraná, Curitiba, 2016.
- NOVELLINO, M. S.; OLIVEIRA, L. A. Territórios-rede do crime organizado no Rio de Janeiro. In.: Encontro Nacional da Associação Nacional de Pós-Graduação e Pesquisa em Planejamento Urbano e Regional (ENANPUR), 18, 2019, Natal. *Anais [...]*. Natal: ENANPUR, 2019. Disponível em: <http://xviiienganpur.anpur.org.br/anaisadmin/capapdf.php?reqid=460>. Acesso em: 26 dez. 2022.
- OLIVEIRA, F. *Crítica à razão dualista: o ornitorrinco*. São Paulo: Boitempo, 2003.
- PARÁ. Ação de reintegração de posse nº 006357-82.2012.814.0301. *Tribunal de Justiça do Estado do Pará*. 3ª Vara de Fazenda de Belém, 2012.
- _____. Ação de desapropriação nº 0837332-10.2019.8.14.0301. *Tribunal de Justiça do Estado do Pará*. 4ª Vara de Fazenda de Belém, 2019.
- PEQUENO, R.; HOLANDA, B. Trajetória de remoções em Fortaleza: análise de registros perversos da desigualdade. In: LINS, R. D.; ROLNIK, R. (Org.) *Observatório de Remoções 2017-2018: relatório bianual*. São Paulo: FAU USP, 2018. p. 63-82.
- PEREIRA, G. *Tem gente! Uma análise de projetos habitacionais do PAC em assentamentos informais no Pará*. 2013. Dissertação (Mestrado) – Programa de Pós-graduação em Arquitetura e Urbanismo, Universidade Federal do Pará, Belém, 2013.
- PERLMAN, J. *O mito da marginalidade: favelas e política no Rio de Janeiro*. Rio de Janeiro: Paz e Terra, 1977.

- PESCATORI, C. *Alphaville e a (des)construção da cidade no Brasil*. 2016. Tese (Doutorado) – Programa de Pós Graduação em Arquitetura e Urbanismo, Universidade de Brasília, Brasília, 2016.
- PETRAROLLI, J. *O tempo nas urbanizações de favelas: contratação e execução de obras do PAC no Grande ABC*. 2015. Dissertação (Mestrado) – Programa de Pós-Graduação em Planejamento e Gestão do Território, Universidade Federal do ABC, Santo André, 2015.
- REGINO, T. *Direito à moradia, intervenção em favelas e deslocamento involuntário de famílias: conflitos e desafios para as políticas públicas*. 2017. Dissertação (Mestrado em Planejamento e Gestão do Território) – Universidade Federal do ABC, Santo André, 2017.
- ROLNIK, R. *Guerra dos lugares: a colonização da terra e da moradia na era das finanças*. São Paulo: Boitempo (Edição Kindle), 2016.
- RIBEIRO, L. C. Q.; CARDOSO, A. L. Planejamento urbano no Brasil: paradigmas e experiências. *Revista Espaço & Debates*, n. 37, p. 77-89, 1994.
- SASSEN, S. *Expulsões: brutalidade e complexidade na economia global*. Rio de Janeiro; São Paulo: Paz e Terra, 2016.
- SILVA, A. L. *Uso da Água na bacia urbana do Igarapé do Tucunduba-Belém-PA*. 2016. Dissertação (Mestrado) – Instituto de Filosofia e Ciências Humanas, Programa de Pós-Graduação em Geografia, Universidade Federal do Pará, Belém, 2016.
- SØRBØE, C. M.; BRAATHEN, E. Contentious politics of slums: Understanding different outcomes of community resistance against evictions in Rio de Janeiro. *International Journal of Urban and Regional Research*, v. 46, p. 405-423, 2022.
- SOUZA, M. L. Tráfico de Drogas e Fragmentação do Tecido Sociopolítico-Espacial no Rio de Janeiro. In: Encontro Anual da ANPOCS, 22, 1998, Caxambu. *Anais do 22º Encontro Anual da ANPOCS*. Caxambu: ANPOCS, 1998.
- SUDAM; DNOS; PARÁ, Governo do Estado. *Monografia das baixadas de Belém: subsídios para um projeto de recuperação*. 2 ed. Belém: SUDAM, 1976. 2 v.
- TAVARES, A. C. M. *Remoções na Bacia do Tucunduba em Belém (PA): ciclos em curso*. Dissertação (Mestrado) – Programa de Pós-Graduação em Arquitetura e Urbanismo, Universidade Federal do Pará, Belém, 2021.

Ana Carolina de Miranda Tavares

Graduated as an architect and urbanist from the Universidade de Pará (2019). She holds a master's degree in Architecture and Urbanism from PPGAU-UFPA (2021) and is a Resident in Land Regularization on the Programa *Rede Amazônia: Morar, Conviver e Preservar* (Network Amazon: Live, Coexist and Preserve).

Email: anacmiranda2@gmail.com

ORCID: 0000-0002-8813-2870

Authorship contribution: conception; data curation; formal analysis; investigation; methodology; project administration; resources; writing – first draft.

Ana Cláudia Duarte Cardoso

A full professor at the Universidade Federal de Pará (UFPA). Permanent professor on the PPGAU/UFPA; PPGE/UFPA and PPGPAM/Unifesspa programs. She is also a CNPQ level 2 researcher.

Email: aclaudiacardoso@gmail.com

ORCID: 0000-0002-1866-453X

Authorship contribution: conception; formal analysis; methodology; supervision; validation; writing – review and editing.

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