



Application of the "ladder of citizen participation" to the analysis of the São Paulo Master Plan revision process

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ABSTRACT: Urban planning promoted in Brazil by the “Estatuto da Cidade” (City Statute) establishes the Participatory Master Plan as the primary tool for urban policy, citing citizen participation as a way of guiding urban development and planned occupation. There is an assumption that participatory processes must include the preparation of studies and the conducting of analyses, as well as the receipt and sharing of knowledge by society. These processes must enable all stakeholders to participate closely in defining the list of priorities, and must allow the contributions to in turn become planning inputs. The aim of this study is to characterize the participatory process applied to the development of the São Paulo Strategic Master Plan (SMP) in 2013-2014. The scope of the analysis covers only the first phase of the process (6 workshops, which involved 1804 participants and received 1846 contributions). The analysis used the "ladder of citizen participation" method, which classifies the participatory processes into degrees of openness available to different stakeholders, in addition to the characteristics of participatory spaces and decision-making bodies. The analysis showed that development of the SMP involved government efforts to improve communication with the public. Reports and documents made available by the institution increased transparency and access to information regarding the process. However, although policy bases and participatory urban management have been installed in São Paulo, this has not guaranteed classification of the process as "Participatory" according to the adopted method of analysis.

Keywords *Citizen Participation, Urban Planning, Public Policy, Master Plan*

1 INTRODUCTION: CITIZEN PARTICIPATION AND URBAN PLANNING IN BRAZIL

Citizen participation is a condition of rendering state accounts to the public and making managers politically accountable, by means of social control, in a way that ensures the efficiency of public policy. Such control occurs principally at the municipal level, since the provision of public services occurs, in practice, in the place where the citizens live their lives, in the city¹.

Therefore, the municipality is classified as a form of political organization closer to the public, performing an essential role in enabling the process of ongoing participation in the regulation, supervision and control of public services and goods. Transparency and access to public information are necessary in order to enable participatory practice (Habermas, 1991; Avritzer, 2003).

Multiplication of participatory experiences, aiming to increase social control of public and political policies, guided implicitly or explicitly by the notions of *accountability*², has become an important phenomenon in Brazil and worldwide (Vera and Lavalle, 2012).

From a regulatory point of view, the following tools applied to urban planning stand out, hierarchically: i) 1988 Federal Constitution - Urban Policy (Articles 182/183); ii) Federal Law No. 10,257/2001 - City Statute; iii) Federal Law No. 13,089/2015 - Metropolis Statute; iv) Urban Development Participatory Master Plan; v) Federal and municipal laws on the parceling, use and occupation of land; vi) Municipal laws on Urban Intervention Projects and Urban Consortium Operations; vii) Sectoral Policies, and viii) City and Building Codes.

The 1988 Constitution introduced decentralized and participatory management and autonomy of federal entities. In the context of urban planning, the Charter of the Republic and the City Statute (CS) aim to improve the distribution of social functions in the city (housing, movement, work and leisure), aspects inherent to functionality, comfort, peace, safety and quality of life (Federal Constitution, 1988, Article 182). The City Statute assures citizen participation in the choice of priorities (Silva, 2003), providing various tools, such as: a) creation of collegiate urban policy bodies at the national, state and municipal levels; b) public debates, hearings and consultations; c) conferences on issues of urban interest at the national, state and municipal levels and d) popular initiatives on bills and plans, programs and urban development projects (Article 43, I, II, III and IV of the City Statute).

The Master Plan (MP), in turn, aims to direct/redirect the structuring of the municipal territory based on a reinterpretation of its current capacity, ensuring that the needs of the citizens are met with regard to quality of life, social justice and development of economic activities. Accordingly, the MP is the main tool for long-term planning and policy in the urban context, and must be developed with the participation of different social sectors. Since 2006, this instrument has been mandatory for Brazilian municipalities with more than 20,000 inhabitants or those located in metropolitan areas and/or urban clusters.

The aim of this study is to characterize the participatory process applied to the revision of the São Paulo Master Plan, established in 2013-2014. This process, in its first phase, involved 1804 participants, from which 1846 contributions were recorded. The participatory process was characterized based on the "ladder of participation" method,

¹ A city is the urban area of a municipality bordered by an urban perimeter.

² Political accountability, rendering of accounts.

considering a range of levels, depending on the degree of openness and transparency available to the various participants. It also assesses the level of participation as a result of the characteristics of the participatory spaces and their influence on decision-making bodies.

2 FORMAL TOOLS OF CITIZEN PARTICIPATION AND THE "LADDER OF CITIZEN PARTICIPATION"

In most Brazilian municipalities, representative democracy is the only democratic practice recognized by the population as a way to exercise their civil rights, primarily through elections (Pizzirani, 2006). However, citizen participation enables social control of sectoral policies. For example, it is a mean of allowing democratization of the space for discussion in areas regarded as complex or restricted to technical activities (Feenberg, 1992).

Thus, the exercise of democracy is not simply limited to the action and freedom of voting and being voted for (conception of liberal democracy). It presupposes a freedom of association and expression, and, frequently, an opposition to state positions (Hernández and Bermann, 2006). Nevertheless, for most of the Brazilian population, there is no day-to-day democratic practice. On the other hand, participatory processes are taking shape and gaining more supporters. However, in Brazilian experience, these processes are mostly controlled by the government, formally exercising power.

Regarding the forms and/or mechanisms of participatory processes, we highlight the following approaches found in the literature, classified as "direct consultations" with the public: i) plebiscite; ii) referendum; iii) popular initiative; iv) *recal*, and v) popular veto (Tanganelli et al., 2014). An example of an indirect approach is universal suffrage. The Brazilian Federal Constitution provides only three of the four forms of "direct consultation" mentioned above: the plebiscite, the referendum and the popular initiative. Thus, democratic management is presented as a tool that serves to coordinate citizen participation and other segments of civil society in the formulation, implementation and evaluation of plans, programs and policies. One of the forms of democratic management is the participatory planning.

To analyze the participatory process that occurred during the development of the São Paulo Strategic Master Plan in 2013 and 2014, the "Ladder of Citizen Participation" method was used, as proposed by Sherry R. Arnstein (1969). The "Ladder of Citizen Participation" describes a process of power delegation and *accountability* between the government and the citizen, who must determine goals and policies together. It assumes that citizen participation is found in the redistribution of power, regardless of political, economic or social inclusion. The method enables an identification of the citizens' degree of power to participate in a particular process (Arnstein, 1969), grading the citizens' levels of involvement in decision-making processes.

According to Arnstein (1969) and Souza (2001), and as adopted in this study, the categories "Manipulation", "Coercion" and "Information" involve no participation of civil society in public activities. In these categories, outlined in Figure 1, society's opinion is manipulated by the government and the participants do not exercise any influence on the decision-making processes.

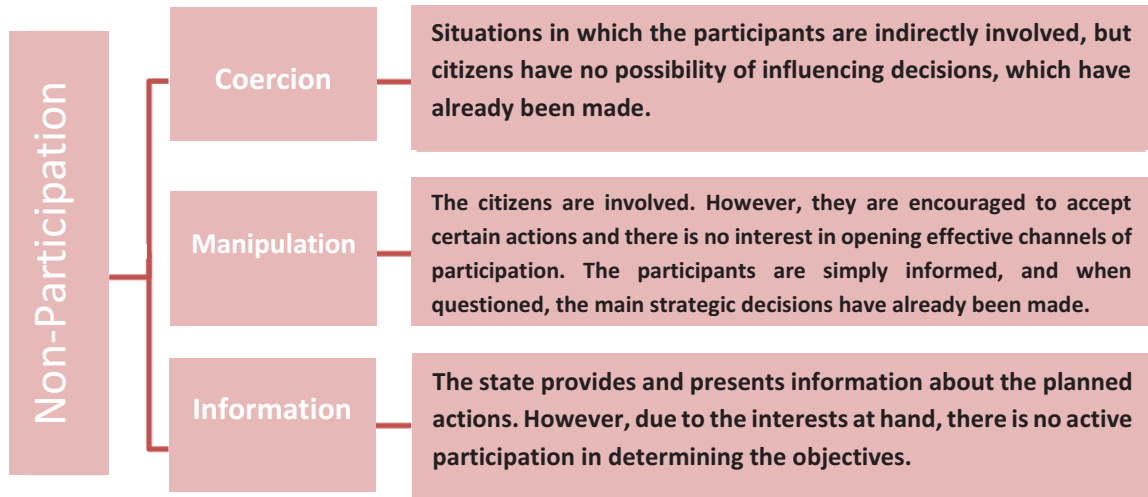


Figure 1 - "Ladder of participation": "Non-Participation" level. Source: Adapted from Arnstein (1969), Rudd et. al. (2006) and Souza (2000), 2016.

At the second level of citizen participation, the categories are described as "Pseudo-Participation", as shown in Figure 2. They are classified as such because, despite the government providing information and opening a dialogue, there are no tools to ensure adoption of the contributions made by participants in the decision-making process.

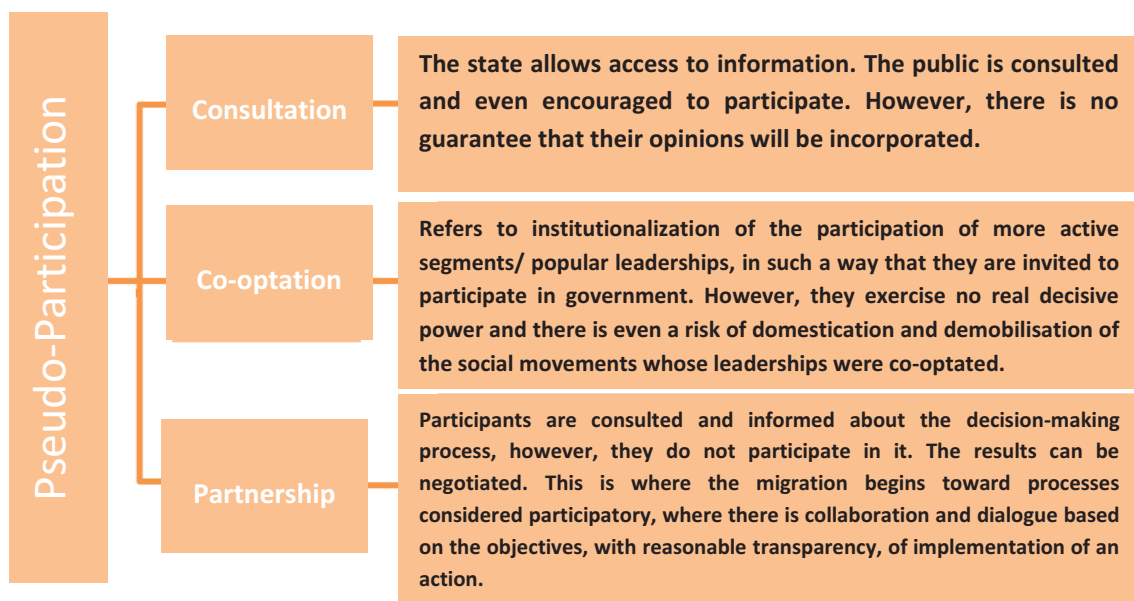


Figure 2 - "Ladder of participation": "Pseudo-Participation" level. Source: Adapted from Arnstein (1969), Rudd et. al. (2006) and Souza (2000), 2016.

Contrary to the aforementioned categories, in "Self-Management" and "Delegated Power", part of the third level of the "Ladder of Participation" (Figure 3), the government shares the decision-making spaces with civil society, thereby enabling effective participation in the decision-making process.

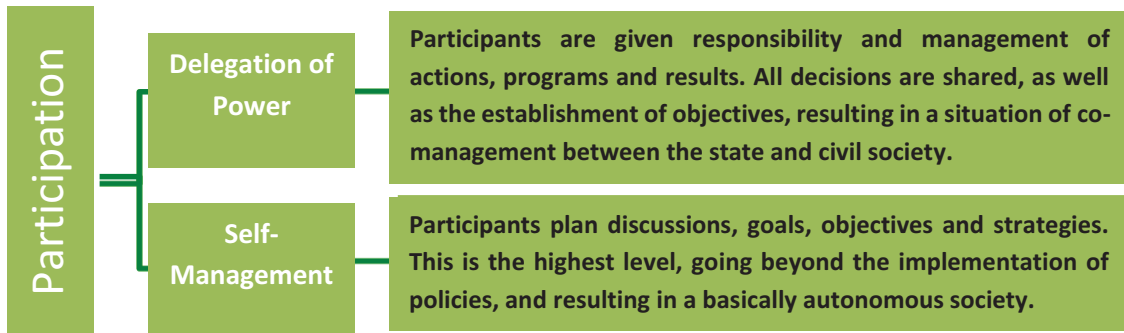


Figure 3 - "Ladder of participation": "Participation" level. Source: Adapted from Arnstein (1969), Rudd et. al. (2006) and Souza (2000), 2016.

Figures 1 to 3 summarize the "Ladder of Citizen Participation" according to the "Participation Type", "Involvement Type" and "Level of Engagement". The method was applied in order to characterize the process of citizen participation developed during preparation of the São Paulo Strategic Master Plan (SMP) in 2013 and 2014, as "Non-Participatory", "Pseudo-Participatory" or "Participatory".

3 SÃO PAULO SMP 2014 PREPARATION PROCESS

São Paulo urban planning and management tools revision process began in January 2013 and is expected to continue until the end of 2016. It can be organized into three main stages: the first, focusing on Law No. 13,430 / Strategic Master Plan Law, took place from February to September 2014; the second involves revision of the Land Parceling, Use and Occupation Law and Strategic Regional Plans, from August 2014 to March 2016, as well as Neighborhood Plans, which are in the preparation phase and the third stage, covering revision of the Building Code, also in the preparation phase, and complementary laws.

The SMP revision process (Stage 1) followed four development phases: 1a. Participatory Evaluation of the 2002 SMP and its application; 2a. Receipt of Proposals; 3a. Internal Systematization of contributions and 4a. Feedback to society and composition of the Draft Bill for the new Master Plan. This study will analyze participatory activities inherent to the first stage, with regard to phase 1 of the Plan's development, which focused on sharing evaluations of society and technical assessments performed by the city government. This phase included informative and reflective activities held collectively (communally, by issue or involving a particular social segment), in relation to aspects of urban policy regulated by the SMP. Its purpose was to "align" information to identify and discuss the main problems encountered in the technical studies and in the experience of the participants.

The preparation of the São Paulo SMP, within the scope of analysis of this study, was based on two key strategies, related and complementary, regarding citizen involvement: i) the development of in-person participatory activities and ii) construction of the Digital Participatory Platform. The activities began with the presentation of studies conducted by the Municipal Urban Development Department (SMDU), complemented by a process that sought to encourage participants to ask questions and express their way of seeing things. The first tool used Forms that enabled participants to prepare their own individual contribution. In Group activities, thematic issues were led by a technician from the City Government. Participants presented their contributions to other members of the group,

then collectively decided and voted on the best contributions. The results of this process were presented in plenary sessions, during which certain previously registered participants also had the chance to speak.

There were Seminars, Thematic Evaluation Workshops, Open Dialogues with Social Segments and the 6th Municipal Conference of the City of São Paulo. Two tools were adopted to aid the discussion of specific issues and to provide a summary of the discussions from the plenary sessions: i) seminars for presenting the studies, followed by debates in plenary sessions and ii) workshops including the presentation of the studies, followed by division of the plenary session into subgroups. The "Workshop" format, chosen by the City Government for public debates and raising proposals, distinguishes itself from traditional activities that are governed by lists of registered speakers, where very few participants are able to take the floor and present their opinions and proposals.

In the Seminars, each participant's time to speak at the debate was defined on about 3 minutes each. During the presentations by technicians, a support team registered those interested in taking the floor. In addition to speaking, interested ones were also able to submit evaluations in a specific form. The activity was attended by two (2) rapporteurs. The placements were later transcribed for the purpose of systematization, where the contributions were organized according to participatory activity in an electronic file called "quantitative assessment of the contributions"³.

In the Workshops, participants received the first Volume of the Participatory Revision and "Basic information for participants", with a description of the activities to take place that day. After initial submission of the technical evaluation conducted on the theme of the day, the participants were divided into rooms with up to 50 people in each. A moderator and an assistant coordinated the discussion; a rapporteur noted all the placements in a standard form. Two or three issues were proposed for each room in order to guide the discussion and the rooms were divided into subgroups of 8 to 10 people. Each subgroup chose a spokesperson. Colored forms were provided - each color corresponding to a specific issue - and the subgroups were allowed to compose as many responses to the proposed issue as they considered appropriate. Then, they had to group the recorded issues in order to facilitate the presentation of the ones considered most relevant, which were posted on a panel. Each room had a technician responsible for the reporting. Some of the participants (1/3) gave feedback on the activity's evaluation form, classifying it, in most cases, as "good" or "excellent", with regard to both the dynamics and the structuring of the activity.

The Seminars and Thematic Workshops were directed to community leaders, leaders of social movements, university representatives, professional groups, workers represented by their unions, NGOs, businesses and citizens in general. According to the City Government's schedule, the following themes would be addressed: 1. Objectives of the revision and the City that we want; 2. Land Use and Occupation; 3. Urban Policy Tools; 4. Housing; 5. Environment; 6. Urban Mobility and 7. Priority Investments, Regional Plans and Neighborhood Plans.

³Contribution Systematization Files are available online at <http://gestaourbana.prefeitura.sp.gov.br/arquivos-pde-biblio/>
Accessed on 01/05/2016

4 APPLICATION OF THE "LADDER OF CITIZEN PARTICIPATION" TO PHASE 1 OF PREPARATION OF THE SÃO PAULO SMP 2014

Initially, data from the first phase of preparation of the São Paulo SMP was quantified: the number of participants in the process, in the first phase (form of participation and representation of interest groups), the types of participation dynamics, the number of contributions, and the number of contributions by dynamic, theme and participant. The materials used are all public documents provided on the São Paulo City Government website,⁴ mostly making use of the Microsoft Excel spreadsheet entitled "*Banco de Contribuições da 1 fase do PDE*" (SMP Phase 1 Contributions) and "*Caderno Versão 1*" (Notebook Version 1), a publication that describes the entire participatory process of development of the São Paulo SMP.

In the first phase (evaluative) of preparation of the São Paulo SMP, six participatory activities were conducted (thematic evaluations and dialogues with social segments), involving 1,804 participants and 1,846 contributions. Six activities took place over five days, distributed across presentations in plenary sessions and group workshops, addressing themes such as i. Housing; ii. Urban Tools; iii. Priority Investments; iv. Environment; v. Mobility and vi. Land Use and Occupation. According to a report by the Center for Metropolitan Studies (CEM, 2014a, 2014b).

Implementation of the described participation strategies showed the city government's concern in providing different forms of public consultation that would allow wider social participation, as well as creating spaces for debate in which citizens could learn about and recognize the positions, interests and proposals advocated by the various social segments and/or groups interested in influencing composition of the new law.

Thus, it is clear that the state allowed access to information, held public consultations and even encouraged and urged participation. However, there were no guarantees that the opinions would be considered or incorporated into the law. The process basically consulted those members of the public who were interested in the issues at hand. They categorized the process used in the development of the SMP as Pseudo-Participatory, according to the "Ladder of Citizen Participation". It is a process in which the participants, however small their contributions, really impact the objectives of the Plan.

Taking the "Housing" thematic workshop as a reference, 608 contributions were received, about 33% of the total contributions from the first phase, as shown in Figure 4. This indicates its predominance over the other themes. The second highest number of contributions was related to the "Environment", which received 345 contributions, placing it ahead of themes such as "Priority Investments", "Land Use and Occupancy" and "Mobility", reflecting the current prioritization of elements linked to the environment.

⁴Information provided, since April 2013, by the Municipal Urban Development Department (SMDU) on the *Gestão Urbana SP (SP Urban Management)* website at <http://gestaourbana.prefeitura.sp.gov.br/arquivos-pde-biblio/>. Accessed on 05/01/2016.

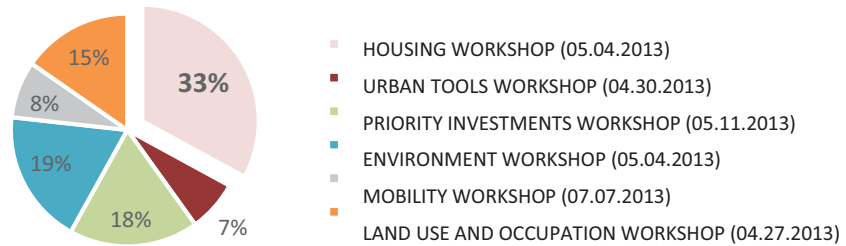


Figure 4 - Contributions to the São Paulo SMP by Workshop. Source: authors, 2016, based on "QUANTITATIVE ASSESSMENT OF THE CONTRIBUTIONS" - São Paulo (2014).

When analyzing the contributions by theme (Figure 5), the importance of the "Housing" theme is evident. However, although the "Environment" workshop received the second most contributions, it was third in the plan, because the total number of contributions specific to the environmental theme, at 14% of the total, was surpassed by contributions related to "Priority Investments", with 16% of the total. Furthermore, it should be noted that the theme relating to "Social Equipment" received the least contributions, with around 1%.

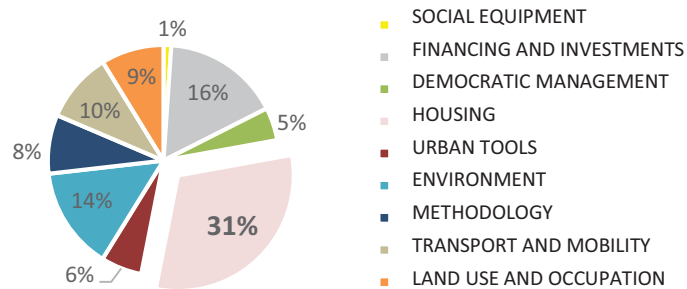


Figure 5 - Contributions to the São Paulo SMP by Theme. Source: authors, 2016, based on "QUANTITATIVE ASSESSMENT OF THE CONTRIBUTIONS" - São Paulo (2014).

Regarding participation by class, this study categorized the participants into 8 classes: 1. Private Institutions; 2. Associations and Unions; 3. Councils; 4. Individuals; 5. Foundations, Institutes and Non-Governmental Organizations; 6. Groups; 7. Government and 8. Plenary Sessions. The "Groups" category unites the contributions made in the abovementioned Thematic Groups, guided by the city government. The "Plenary Sessions" category unites the contributions made by participants who registered to present and speak publicly. Although the contributions have been analyzed individually, each one was also quantified for each of the proposed classes. Analysis of the results given in Figure 6 shows that the category that made the most contributions was the "Groups", with almost 60% of the total. It is worth noting the minimal participation of the "Councils" category, with less than 1% of the total contributions, which in absolute numbers represents only 3 contributions.

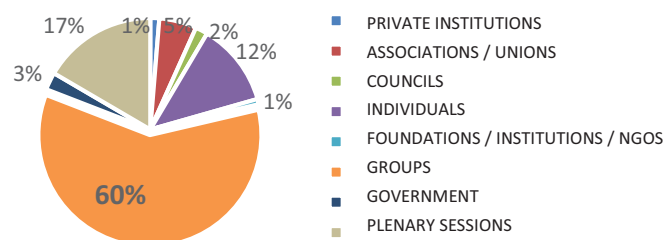


Figure 6 - Contributions to the São Paulo SMP by Class. Source: authors, 2016, based on "QUANTITATIVE ASSESSMENT OF THE CONTRIBUTIONS" - São Paulo (2014).

It should be noted that because the Thematic Groups were led by technicians, it was not possible to evaluate whether there was any symptomatic disagreement between representatives and the represented, a fundamental characteristic of a governance model that is anchored in democratic management. It is also important to note that the "Groups" category served as the largest participatory activity. In the case of the "Housing" Workshop, for example, the "Groups" category surpasses the individual contributions by nearly 20 times, as shown in Figure 7.

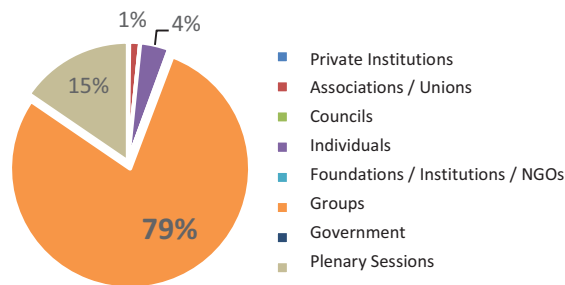


Figure 7 - Contributions to the São Paulo SMP by Class - Housing Workshop. Source: authors, 2016, based on "QUANTITATIVE ASSESSMENT OF THE CONTRIBUTIONS" - São Paulo (2014).

It is also important to highlight that according to the IBGE (Brazilian Institute of Geography and Statistics) (2015), the city of São Paulo has a population of almost 12 million inhabitants, and saw a participation rate of less than 0.02%, both in number of participants and in number of contributions, showing that the even though process was participatory from a formal point of view, there were deficiencies regarding its representativeness.

5 CONCLUSION

It is clear that urban public policies seek to promote human well-being in cities and their relationships with territorial dynamics. These urban development tools include a set of actions and measures that can - or must, even - foster the democratic participation of society. Social contributions are considered capable of providing inputs or indicators that can improve urban engineering and planning solutions.

The government's efforts to improve communication with the public were noticeable. However, from a quantitative point of view, such efforts were still ineffective in the first phase of the SMP revision. Although policy bases and participatory urban management have been installed in São Paulo, this has not guaranteed classification of the process as "Participatory" according to the adopted method of analysis. For the specific case of the SMP, it is possible that this classification results in the proposal of policies that do not consider the real interests of the citizens in a more general context.

The constitutional and regulatory imposition for designing Participatory Master Plans, in theory, applies the influence of the population to the construction of cities. The classification of the SMP construction process as "Information and Consultation" therefore shows that although we have advanced, we fall short of the ideal for the process, which should be implemented according to plural determinant participation for decision-making in communities.

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