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Absence of Metropolitan Planning Institutes and Territorial Disorganization

Miguel Etinger de Araujo Junior,
Eliane Tomiasi Paulino and Tânia Maria Fresca

Additional information is available at the end of the chapter

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Abstract

With the world population becoming predominantly urban at the beginning of the twenty-first century, various interests and needs of society demand the planning and execution of public policies that go beyond the established political-administrative limits, imposing the need for institutional channels that can make the proper reading from the physical-territorial reality. The metropolitan planning institutes are essential agents in this process for an adequate analysis of the territory, which will establish the parameters for the discussions and deliberations of the society involved. In Brazil, many institutions still need to be consolidated, and the absence of metropolitan planning institutes in various parts of the country contributes to the absence of proposals and referral of projects to meet the diverse needs of the population on the scale of metropolitan regions. In this sense, the study intends to identify several aspects in which the metropolitan planning becomes essential for the adequate ordering of the territory.

Keywords: planning, metropolitan regions, public policies, land-use planning, statute of the metropolis, Brazil

1. Introduction

The political-territorial divisions currently existing in Brazil reflect a federative model, which, in theory, would seek to privilege local interests and powers, and the Brazilian Federal Constitution of 1988 expressly endowed municipalities with institutional, administrative, and financial autonomy.

However, the demand for public services of common interest to more than one municipality depends on a joint action between them, as well as the Member States whereof they are part. An urban planning that can be done in a cooperative way, insofar as it will affect different populations, becomes imperative for satisfactory results to be achieved, especially with regard to land-use planning.

Said cooperation had not been done in Brazil since the creation of the first metropolitan planning agencies in the 1970s, due to several aspects to be analyzed in this work. One also includes some situations in which the absence of regional territorial management contributes to the maintenance or worsening in the quality of life in these regions, reproducing and reinforcing class conflicts that emerge from different understandings as to the use of land in the metropolitan aspect, as focused herein.

The methodology consists of the articulation between primary information bases, derived from fieldwork in the Região Metropolitana de Londrina with secondary data, such as the legislation concerning land-use planning in metropolitan bases, journalistic and scientific publications, and official data that express the socioeconomic dynamics in this Brazilian territory portion.

2. Metropolitan planning as a route to territorial planning

Metropolitan planning is not a recent concept in Brazil. In the 1970s, a process was started toward its implementation after the institutional creation of Brazil's first metropolitan areas. The very law that created already included an article establishing the necessity of an integrated planning for economic and social development; basic sanitation (water, sewage, and public cleaning); use of the metropolitan land; transport and road system; production and distribution of piped fuel gas; use of water resources; and control of environmental pollution [1].

It was the first moment such practice was implemented, and by considering the nation's moment from an economic and social-development point of view, that planning did not achieve important success in terms of planning the territory. Still, that planning was able to create infrastructure to ensure general conditions for the production and reproduction in the capital, centered above all on Brazil's ongoing industrial expansion. It created more than just the basic infrastructure provided by law, since it included housing for the labor force and a subway system, among other improvements. In other words, that was a moment when planning was intended to meet the demands of the physical and territorial expansion of metropolitan regions for production itself, under the terms of Brazilian National Development Plans I and II.

From planning practice point of view, the so-called technocratic plans, strongly centralized and hierarchical, emerged. They were implemented in accordance with the interests of state governments, especially to meet capital demands, without the effective participation of the municipalities and the civil society that were part of the metropolitan regions. Planning was under the direction and design of a branch, agency, or public company in the scope of state governments, which in turn were subject to federal governments. The many studies and proposals elaborated by these metropolitan entities eventually became sector plans with no articulation and integration between them.

The 1980s and 1990s were years of resurgence from the standpoint of metropolitan planning. To begin with, the financial resources allocated to the performance of such plans were insufficient. That is, most of the metropolitan budget came from the federal government. As Brazil in that time underwent a severe economic development crisis, articulated with both the international crisis of the capitalist system and the neo-liberal economic macropolicies adopted since 1990, financial resources became scarce. In addition, Brazil's 1988 Federal Constitution transferred to state governments the responsibility for the creation and management of metropolitan regions. In this course, none of the federation's entities had sufficient budget for effective actions in the metropolitan regions. As a result, though one witnessed a period of studies made by metropolitan companies and agencies, those plans and studies did not effectively become actions.

On the other hand, particularly in the 1990s, there was an increase of debates on planning at a local level, for the creation of the municipal director plans made mandatory under the Brazilian 1988 Constitution. This was an important aspect, as it derived advances in the design and practice of planning and territorial organization at a municipal scale. It was a good moment for debates and deepening of conceptions, which finally broke apart from authoritarian positions. This period gave birth to the conception of planning as a route to the creation of plans and projects with effective popular participation, based on the integration of the different sectors involved working toward social justice. For the first time in Brazil, planning became a practice for the making of investments that could meet different demands and serve different segments of society with an interdisciplinary and integrated stand, yet not without contradictions, since a business posture toward ratifying the power of economic groups in the city's production and management prevailed in some cases. Positive course had a strong expansion as of 2003, with a federal government of a nationalist and developmental stance, which acted toward greater municipal autonomy, creating a specific ministry—Ministry of Cities—with the objective of promoting the development of municipalities through technical and fiscal incentives. With the support of the State of Paraná, another federative body, there has been a considerable increase in the main legislation on urban development, which is the Law of the Master Plan.

In addition to the support of federal and state governments, one must register the creation of the Statute of the City, Federal Law No. 10.257/2001 for municipalities with more than 20,000 inhabitants to prepare their Master Plan (**Figure 1**).

Nevertheless, metropolitan planning remained relatively disrupted. On the one hand, Brazil has witnessed the institutionalization of numerous metropolitan areas—more than 70—after 1988, especially after 2003, when public policies for several sectors concentrated on more resources for these regions. However, those newly created regions had very different criteria for industrialization, so much so that a considerable part of them does not have a so-called metropolis for their main city, even when considering the criteria established by the Brazilian “Statute of the Metropolis” Federal Law [3].

If Brazil's general urbanization advances toward concentration of population in metropolitan areas, in the face of a tendency to greater supply of employment, public services, housing, and infrastructure, among other, metropolitan planning is not yet performed as an effective instrument for solutions of more diverse issues. Reasons for that are centered on some of

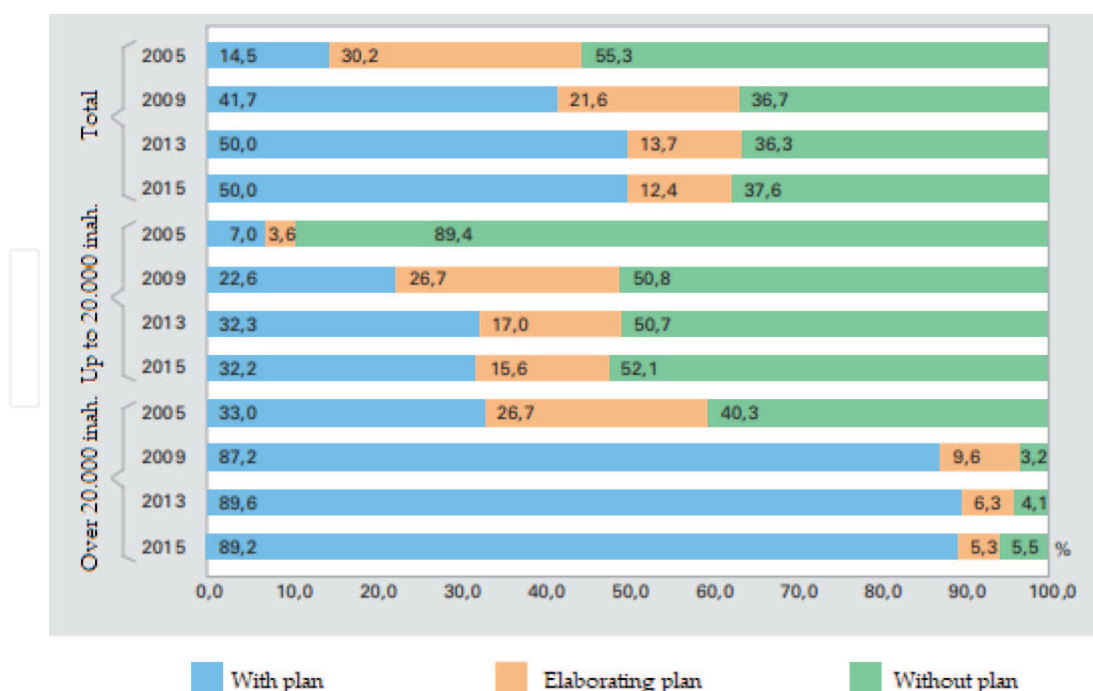


Figure 1. Percentage of municipalities, total, with up to 20,000 and over 20,000 inhabitants, by status of the Master Plan, Brazil—2005/2015. Source: Perfil dos municípios brasileiros: 2015/IBGE, Coordenação de População e Indicadores Sociais. Rio de Janeiro: IBGE, 2016 [2].

the following factors: (a) while entities of the federation, municipalities have come to have more representation and legal instruments since the Constitution of 1988, enabling numerous actions for their territory. It implied that, to a certain extent, municipalities began to disregard actions for proposals and solutions of numerous questions that could and should be performed together with other municipalities. The exception in this context has been the intermunicipal health consortia; (b) a second factor concerns budget, since the branches, public companies, and others that act in the scope of metropolitan planning do not have financial resources; and (c) state governments have not acted effectively in implementing policies toward the existence and effective operation of these planning entities. In other words, state governments create metropolitan regions; however, councils, companies, and agencies are not effectively implemented or invigorated, not for cost reasons, but perhaps not to interrupt the “over-the-counter policies” practiced by state representatives. Said over-the-counter policies refer to representatives’ assistance by means of bills drafted under the request of city administrators for infrastructure, health, housing, and other parliamentary aid, such a beaten track of electoral practices. At the same time, the rules that establish the role of those governments in the management of metropolitan areas are still unclear.

In spite of these elements, metropolitan planning is something of a fundamental importance. If the local scale has been privileged in the last three decades; in the metropolitan scope, the regional scale is the basis for the analysis. One employs the concept of scale herein as a strategy for the apprehension of reality, which seeks to “analyze the phenomenon based on the extent of its significance; that is, the extent that gives it meaning” [4]. In such journey, the regional scale assumes the sense of apprehension of reality, yet it is linked to its functional coherence

of a whole [5]. Functional coherence is directly linked to the role it plays in the international division of labor; linked in part to the numerous flows emanating from the most distinct locations, issuing orders, decisions, values, and so on; and then linked to certain purposes, social relations of production, and reproduction, in addition to the political and rule-making data.

In this sense, the metropolitan region can be understood as a set of municipalities that are economically and socially integrated into a metropolis and other cities that can be incorporated into the process of metropolization, whether or not these are areas of continuous urban occupation. Therefore, it is not only about a territorial cut established by law, because metropolitan areas are dynamic from the point of view of their economic, social, and territorial transformation.

Prospects for the making of this metropolitan planning are stored in the future, but they have enormous potential, not only from a theoretical and conceptual point of view, but also from effective actions. Such instrument, linked to public policies at different scales, makes it possible to achieve a more qualitative territorial organization by means of interfederative governance. In order to be so, it will be necessary to overcome the barriers posed by municipalism with regard to a variety of themes, such as urban transport in its several modalities, environmental problems, land use, basic sanitation and energy, among others. It is also necessary to legitimize the branches, agencies, and companies that perform research and design metropolitan projects. Moreover, it will be necessary to establish fund sources for investments and define how the decision-making power will be shared and distributed among the various entities involved [6].

3. Brazilian federative system and the distribution of competences

Article 1 of the current Constitution provides that the Federative Republic of Brazil is formed by the unbreakable union of states, municipalities, and the country's capital and Federal District of Brasília, constituting itself as a democratic state ruled by law [7].

The part governing the country's political-administrative organization established the Article 18 whereby the Federative Republic of Brazil comprises the federal government, the states, the federal district, and the municipalities, all of them being autonomous entities.

One of the issues requiring further analysis, with proposals for a concrete action of the powers involved, concerns the adoption of public policies aimed at populations of different municipalities that are common among them. As their name suggests, public policies are incumbent of the public power; however, the aforementioned autonomy of the federated entities provided for in Article 18 of the Federal Constitution prevents the interference of a state or municipality in the public policies affecting another municipality, which also constitutes a guarantee of the federative system adopted.

In another aspect, this cooperative federalism is acknowledged and encouraged with the establishment of competent jurisdictions that are common to the federal government, states, the federal district, and municipalities, as expressed in Article 23 of the Brazilian Federal

Constitution of 1988. One must highlight the criticism by part of the legal doctrine concerned with this article that diluting and not clearly defining the role of each federative entity in the promotion of public policies would be an obstacle to the implementation of federalism [8–10].

Some definitions of autonomy are presented by Iris Araujo Silva [11]: according to that author, Mosskély conceives autonomy “as the capacity of a legal system to regulate its own affairs, issuing legal rules”; for Paul Laband, it is “the power of public law, not sovereign, capable of establishing, in its own right and not by simple delegation, mandatory rules of law. It is law itself” ; for Santi Romano, the characteristic feature of autonomy is “self-legislation, the competent jurisdiction to create a legal system.”

In order for the various autonomies to operate in tune and without conflict between them, that same Constitution structured a system of competent jurisdictions for certain activities to be developed [12]. As to the metropolitan issue, noteworthy is the observation of Sérgio de Azevedo and Virgínia Rennó dos Mares Guia [13], which is as follows:

Despite formally recognizing the importance of the metropolitan institutional issue, state governments and metropolitan municipalities tend to see this matter as a zero-sum game whereby the greater governance would imply in decreasing the power of states and/or municipalities.

Additionally, the effective implementation of a Brazilian federal covenant faces two historical obstacles: (1) the issue of regional inequalities and (2) the diversity of local-elite trainings [14].

Upon analysis of the moments of Brazilian federalism, and consequently the application of the main elements of classic federalism, such as democracy, noncentralization, freedom, pluralism, and subsidiarity [15], it is observed that one cannot say that there is an ideal or pure model of federalism, but arrangements made on a common basis of the ideals of US federalism instead, duly adapted to local realities [16, 17].

The rigidity in the interpretation of these constitutional provisions leads to a plastering of the public policies that necessarily exceed the territorial limits of each municipality since, as already stated, there are situations for which interventions must cover more than one municipality, as with the case of public transportation and treatment of solid waste.

Attenuating this situation to a certain degree in Article 25, paragraph 3, the Brazilian constituent legislator of 1988 provided the possibility of creating metropolitan regions by means of a complementary law passed by the states, with the objective to “establish metropolitan regions, urban agglomerations and microregions, constituted by groups of neighboring municipalities, to integrate the organization, planning and execution of public functions of common interest.”

In such case, the state will not be protecting state interests, because “[the element] that defines the metropolitan interest that specialises the services common to the Municipalities of the Region is a regional interest; a qualified regional interest, whose ownership is not of the State only, but of the State and Municipalities” [18]. Thus, once there are metropolitan regions effectively implemented from an operational rather than merely legal point of view, demands will be presented and priorities will be established.

Note that responses to these demands traditionally seek to serve the better-organized sectors, as a way of keeping political support to maintain power, or even worse, the privileges of these

segments then disguised as “remedies to public needs.” Product of a regional planning that seeks to know the particularities of each municipality, the integrated action is a still rare experience in Brazil. Theoretically, planning and the places where it was placed in practice eventually benefit all the involved as it explores the potential of each site, without the competition for privileges that can be configured as negative factors in the long run, as it is the case of tax breaks, donations of public lands, among others. That is what one intends to demonstrate in a proper chapter in this study.

When defining which core activities would justify the creation of a metropolitan region, one still has doubts about the definition of public functions of common interest under the Brazilian constitutional system.

When required to rule on the matter, even the highest Brazilian judicial instance, the Brazilian Federal Supreme Court (STF), did not present a satisfactory solution. After 15 years of proceedings, the Direct Action of Unconstitutionality (ADI) no. 1842 [19] was tried only on 6 March, 2013. The action was a request for declaration of unconstitutionality of a Rio de Janeiro State Law that established what would be the public functions of common interest, under the understanding that there would have been an invasion of the competent jurisdiction of the municipalities to legislate on matters of local interest.

In the decision, the STF failed to define which of the federation’s entities could determine these functions of common interest by merely stating that there should be collegiate body with no concentration of powers for a federation entity, as it can be seen from some excerpts from the decision:

Recognition of granting power and title of the service to the collegiate body formed by the municipalities and the federal state [...] run by a collegiate body with participation of the relevant municipalities and of the State itself, Rio de Janeiro, without any concentration of decision-making power in the hands of any entity.

Following this judgment and albeit timidly, some metropolitan institutional arrangements began to develop. Also, the legislation also sought to meet the demands of these territorial spaces, as it will be seen with the example of the Brazilian Statute of the Metropolis below.

3.1. Statute of the Metropolis and the integrated Urban Development Plan (PDUI)

In order to solve the issue on the need for metropolitan planning, a result of the asymmetries of the federative system, Brazilian Federal Law No. 13089 entitled “Statute of the Metropolis,” was enacted on 12 January 2015.

In addition, one should highlight that the speed at which the law is being processed at the Brazilian National Congress indicates a lack of debate by various segments of society. Rather than indicating a positive aspect in the designing of public policies, such speed reinforces the tradition of Brazil as a country with fast legislative procedures that not only serve purely economic interests, but are also in disagreement with the population’s social and environmental interests.

Therefore, the Statute of the Metropolis was intended to fill a gap in the federative system in case of conflicts between political entities (federal government, states, the federal district,

and municipalities) by adopting public policies backed by territorial planning studies, whose actions would not have been effected in isolation by one of these entities, as it is the case with public transport or solid waste treatment.

Some of these functions are worth mentioning, since they are related to the possibility of efficient metropolitan territorial management. If the existence of a legal framework supporting the implementation of metropolitan programs and projects does not in itself guarantee the success of this management, the absence of this framework will certainly make this mission more difficult (as previously reported).

In this sense, two points deserve attention. One is related to the composition of the advisory bodies and executive bodies, and the other regards a legal-urbanistic instrument aimed at providing a normative technical instrument: that is the *inter-federative governance* and the *Integrated Urban Development Plan (PDUI)* [20].

The first is designed to overcome the setbacks created by the management models hitherto, based on the design of the metropolitan regions, whose governing bodies invariably consisted of government representatives from one of the federative entities—the state. The Statute of the Metropolis establishes minimum criteria for the effective participation of municipalities in both deliberative and executive instances. In addition, it seeks to overcome the democratic deficit existing in previous models by determining the mandatory presence of representatives of civil society in deliberative instances.

Once again, it should be stressed that the mere legal provision does not guarantee effectiveness or efficiency, but guarantees the opening of spaces for collective deliberations [21].

The second concerns the judicialization of technical-planning instruments, with a view to granting territorial organization plans a coercive force. This has been the trend in Brazil in recent years, as demonstrated by the Brazilian Act of Administrative Corruption [22], the Brazilian Fiscal Responsibility Law [23], and in the urban planning, by the Statute of the City, Law No. 10257 of July 10, 2001 [24].

Such fact is relevant insofar as there are several experiences with so-called drawer plans; that is, never implemented hidden plans. Those endowed with a great perspective of effectiveness and enforcement, but which fail against the legal possibility of being implemented.

As to the Brazilian Statute of the Metropolis, yet another question is worthy of attention: as previously mentioned, there was concern with regard to the speed at which it was processed and approved, especially because of the lack of debate within the Brazilian society. However, the fact that congress discussion and debate were rapid does not prevent certain sectors of society from seeking, through legislators, to change its meaning or even to prevent its improvements.

At another historical moment in the debate and passing of the one that would become the most important law for urban development in Brazil, the Statute of the City (Federal Law 10,257, dated July 10, 2001) faced strong resistance from lobbies representing land-owning rentiers [25]. Since its conception as one of the objectives of the so-called base reform, which included the urban reformation in 1963, until its effective signing into law in 2001, there were 38 years of attempts to advance in the promotion of the right to the city and effectiveness of the social function of the city and the social function of urban real estate property.

Several attempts were made to change its meaning within the Brazilian National Congress.

The Provisional Decree [26] (MP) No. 818 was recently enacted on January 11, 2018, in order to change the Statute of the Metropolis. There are few changes in the original text, but they may initiate a process of weakening of said law, especially when it provides for the release from the obligation of public hearing in all municipalities that are part of the territorial unit (Art. 1, MP 818/2018, which amends Art. 12, § 2, I of said Statute), being at the discretion of the collegiate entities to decide which municipalities will hold these hearings.

In addition, in order to allow the PDUIs that may still be drafted to contribute with the work of creating metropolitan planning institutes to assist in the proper construction of these venues, as this work suggests, one must observe the constitutional commands of sharing competent jurisdictions, so as to avoid the invasion of municipalities' competent jurisdictions (e.g., to define zoning), as well as not to distort (from the legal point of view) the autonomy of these in order to make the regional planning unfeasible.

4. Limits of the Londrina Metropolitan Region

Taking into account the general conditions that made possible the proposal of the creation of metropolitan regions in Brazil, one must analyze a particular case: the Metropolitan Region of Londrina, the fourth largest city in the South of Brazil and the largest one in the countryside of the state of Paraná, shown in **Figure 2**.

As a starting point, some notes are necessary from the methodological point of view, in order to avoid misunderstandings, as one hereby proposed the thesis that metropolitan management would be a solution for the deep problems that characterize them.



Figure 2. Position of the metropolitan region of Londrina in the context of Paraná's municipalities.

On the other hand, it also means that management and planning are not extraneous to class disputes, so there are effective possibilities for change in relations that explain the asymmetries, including the strength of the metropolitan region as a political statement and fragility as a legal instrument, legitimate and effective territorial approach according to the principles of development for the common good.

As the basis of political-administrative management whether at local, regional, or even global level, the scale itself is a construction, because “scales are not given, but are themselves the object of confrontation, as the definition of the priority scales where the central clashes will occur is also an object of confrontation” [27].

In Brazil, federalism has been an instrument for perpetuating inequalities, and that is why Milton Santos [28] affirms that citizenship is above all a possibility outlined on a national scale. However, such federalism is based on strongly oligarchic local bases and this is evident not only in what is now the metropolitan region of Londrina, but also in its origin, which derives from a capitalist construction on indigenous territories that has not yet completed a century.

In the name of a regionalist ideology that embeds the dream of development as a natural becoming, and thanks to attributes so differentiated that one can easily believe in alternatives from an effective private management, the destruction of the forest, and the extermination of three indigenous nations residing here, mainly Kaingang, Guarani, and Xetá, of which only seven individuals remain [29], a situation that will not be analyzed for the purposes of this text.

The fact is that the same ideology of progress that has made them perish is the one that, as a rule, mayors, politicians, and businessmen evoke as a strategy for metropolitan development, translated into the discourse of the need to invest politically in attracting industries and facilitating the implementation of large companies. The reciprocal of this rule is the discourse of the need to flexibilize the already fragile urban, labor, and environmental legislation.

Such a simple solution is the greatest evidence that intrabusiness competition does not hurt the necessary alignment to disturb the asymmetries indispensable to the extraction of *plusvalia*. “In class societies, management of territory implies the creation and maintenance of spatial differences through which economic and social differences are implemented, legitimized and reproduced” [30].

Coherence of sociospatial formation is therefore well supported by the sense of class struggle on a local scale, where territorial management is oriented toward the strengthening of differences, because that alone provides the right to privatizing interdiction for the selective possession of socially produced material goods. These are the concrete obstacles to the idealized model of the metropolitan region as a possibility of managing for equality, not only among the citizens but also among the municipalities that compose it.

This is why it is opportune to study the history of the region as a way to identify how and what forces act in political, economic, and social terms, since its agents may be only local or global in scope, depending on the nature of the insertion. As to the capital, no regulation is convenient given the possibility of interfering in the transfer of a fraction of the wealth to

the poorer social segments and to the less prominent regions, and the state acts, as a rule, by stimulating policies generating regional competitiveness to the detriment of policies generating regional cohesion [31].

The difficulty between conjugating the common interest and the capitalist criterion of the greatest return, determined largely by areas better endowed with infrastructure and accessibility to the consumer market, is evident. This helps explain why there is a huge gap between what appears to be and what actually is the metropolitan region of Londrina, and it prompts the exercise of correlation between the essence and the appearance of the phenomenon.

The first aspirations to establish metropolitan region of Londrina appeared in the early 1970s, a moment in which regional leaders began to proclaim the speech that the progress of northern Paraná had invested with metropolitan characteristics, such as large urban agglomerations of few Brazilian cities.

The link between planned development and the institutionalization of metropolization was favored by regional history, originally forged by the Paraná Plantations Company, the English capital company to which the Brazilian government donated no less than 13,600 km² to install the largest private colonization project in the 1930s. In order to have an idea, this company designed and started the occupation of an area equivalent to a third of the Danish territory, defining hierarchies between cities and the urban and rural land structure; since that was their own property, it was up to them to decide how to divide and sell the lands to Brazilians, following their own criteria of pertinence, opportunity, and profitability.

Although this real estate operation practically repeated the same principle of colonization, which was the fundamental dismissal of the natives' right and, secondarily, the country's right of Brazilians to land, there were positive developments, since part of the area was divided into small lots for which there was a possible demand among settlers whose work in the areas of older occupation had allowed sufficient savings to buy obviously cheaper lands in the forested and still populated by Indians.

Given the prevalence of an agrarian export context based on the hegemony of large properties, the combination of unequal aptitude-the soils of northern Paraná are among the most fertile in the world- and the flourishing of a family agriculture in a moment favorable to coffee plantations allowed the constitution of a dynamic regional economy, in contrast to the rest of the state.

That was the context in which the Metronor Project began, whose initial protocol dates back to 1973 and included a linear metropolis involving 11 cities located along a 100-km road axis, delimited by Londrina and Maringá, the largest and most important cities of Paraná except for the capital city of Curitiba.

Subsequent proposition and articulations were favored by the national context, since at that time the law that created the first metropolitan regions in Brazil was passed. Nevertheless, despite having consumed an unsorted sum of public resources and more than 12 years of work of a team composed of engineers, architects, and technical planners of the government of Paraná, the proposal never left the paper and was definitely abandoned in 1989. According to Cunha [32], the fact that the project was poorly received by political forces whose prominence rested

on the centralization of resources and political-administrative control in the capital, coupled with the indifference of the regional leaderships, was decisive for the failure of the proposal.

From the institutional point of view, the second proposal for the constitution of the Londrina metropolitan region was successful in 1998. Much less ambitious than the previous one, it was originally made up of only six municipalities. The state law that implemented it [33] provided for the appointment of a council responsible for defining actions of interests that were common to the municipalities and integrated planning for the use of metropolitan land, expressly mentioning the use of water resources, control of environmental pollution, basic sanitation, and the road system.

Since then, in only one aspect one can affirm that there have been advances in its coverage area, since its territorial limits have undergone successive inclusions reaching the current 25 municipalities, with 5432.85 km² and an estimated population of 1,082,685 people [34]. Londrina is the most prominent municipality, whose GDP in 2010 corresponded to 4.68% of the state's, the highest participation among the municipalities in the state's heartland [35]. On the other hand, it took 10 years for a first and simple step toward its existence, the creation of the Metropolitan Coordination of Londrina (COMEL), whose mission would be "to promote regional integration by politically articulating the public policies of common interest between the municipalities and the state" [36]. With no assigned budget and no career public servants, it works with few commissioned staff appointed by the governor, whose last administration worked to reduce even more its meager autonomy [32]. **Figure 3** shows in detail the urban area of the cities of this region and the urban agglomeration along the highway BR 369.

As territorial management on a metropolitan scale requires much more than a law and the will of a governor, it can be said that, once again, one has a metropolis "still on paper," an expression used by Cunha when referring to the Metronor, which in concrete term had only terms of reference, projects and intentions that never went beyond the protocols set forth on papers. According to the author, "everyone wants to be part of a metropolitan region, but there is resistance when it comes to giving up local prerogatives or creating a metropolitan development fund" [32]. In fact, the very entities that integrate and disseminate the idea of metropolitan regions claim the dividends of such condition, but do not want to bear its costs, which is partly understandable because the budget assigned to municipalities is generally low. As a result, there are modest expenditures on housing, basic sanitation and other policies under the responsibility of the local government, as shown in **Figure 4**.

The financial conditions of the municipalities are revealed in determining aspects, but also determined by the environmental and socioeconomic issues. From the environmental point of view, the metropolitan management is imperative in view of the effective possibilities of generating environmental liabilities at the regional scale involving both the countryside and the city.

In this sense, everything is yet to be done, starting with the enforcement of existing legislation that provides the expropriation of properties that do not fulfill the social function, the environmental legislation being an aggravating factor.

In the metropolitan region, the agricultural model is incompatible with the constitutional right to a balanced environment, due to the absolute predominance of two types of monoculture:

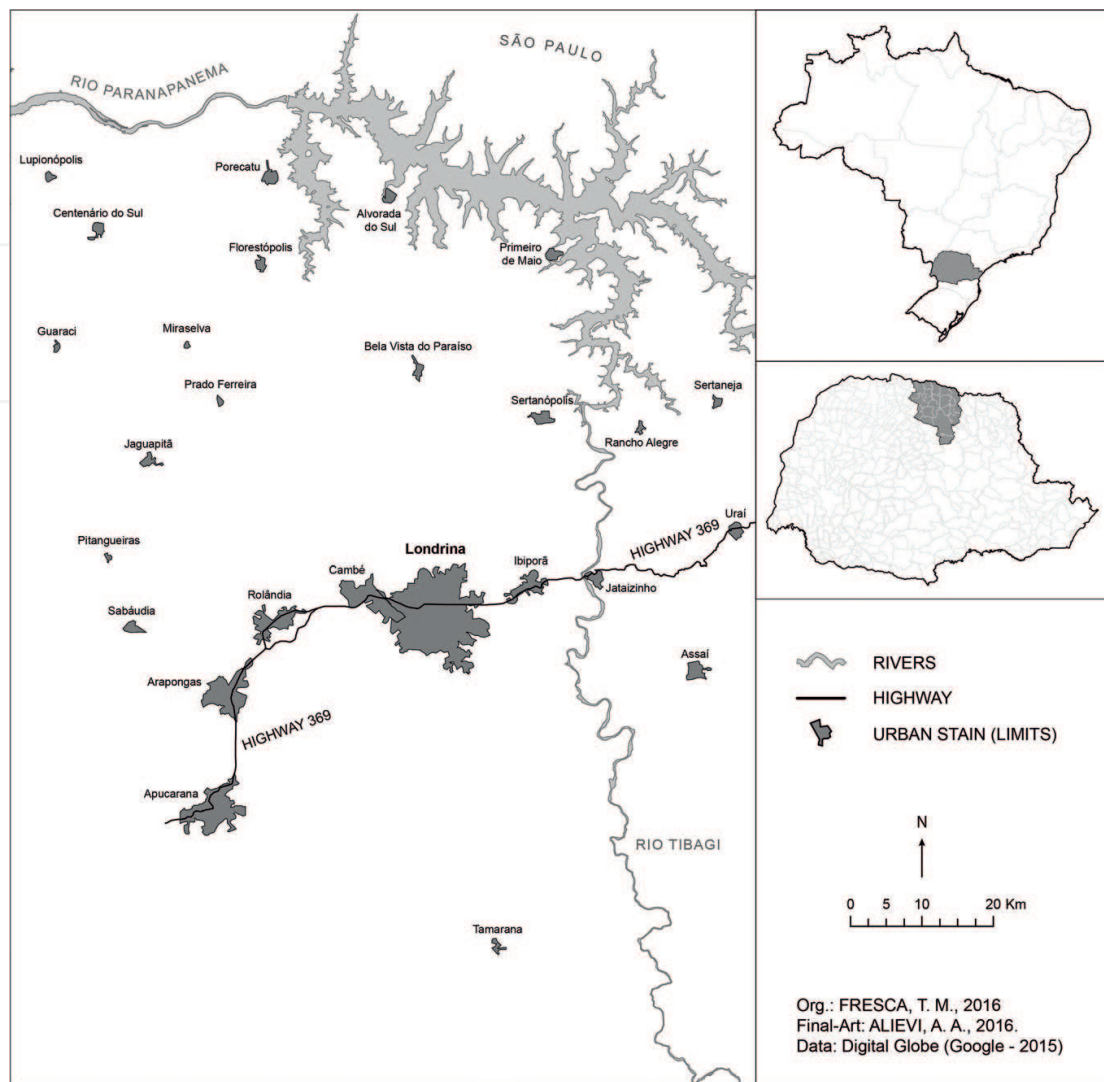


Figure 3. Urban areas of the cities of metropolitan region of Londrina-PR, Brazil.

sugar cane and temporary crops. Brazil's flagship agribusiness culture, soybean, leverages the second model and is also the one culture in which most pesticide is consumed. This crop was responsible for the dumping of 21 kg of pesticide per hectare grown in the city of Londrina in 2015 [38]. It is an agricultural model that, additionally to the contamination of food and rural workers, irreparably compromises soil biota and aquatic life. Effects are already seen in the critically decreased levels of the fish, not to mention the typical fauna of the Atlantic forest, which was extinguished together with the forest [39].

The association of poisoning with mechanization has brought irreversible consequences to soils and water resources in view of laminar erosion. The problem has been aggravated by the new patterns of planters and harvesters, which are incompatible with the soil conservation systems by microbasins implanted in Paraná in the 1980s. Although it consumed billions of Brazilian Reais, this project was the most comprehensive and successful experience in terms of the compatibility between agriculture and environmental conservation in the twentieth century in Brazil.

Figure 4. Municipal expenditures with local management	US\$	% RML
Alvorada do Sul	5,146,788	1.6
Arapongas	25,996,333	8.1
Assaí	6,365,958	2.0
Bela Vista do Paraíso	4,066,078	1.3
Cambé	29,557,080	9.2
Centenário do Sul	4,054,142	1.3
Florestópolis	3,346,018	1.0
Guaraci	1,798,308	0.6
Ibiporã	25,140,776	7.8
Jaguapitã	4,945,343	1.5
Londrina	158,973,685	49.3
Lupionópolis	1,705,323	0.5
Miraselva	1,322,496	0.4
Pitangueiras	1,681,606	0.5
Porecatu	4,284,373	1.3
Prado Ferreira	1,510,926	0.5
Primeiro de Maio	3,892,710	1.2
Rolândia	19,091,140	5.9
Sabáudia	3,265,230	1.0
Sertaneja	3,042,157	0.9
Sertanópolis	6,762,805	2.1
Tamarana	3,532,974	1.1
Uraí	3,230,226	1.0
Total	322,712,476	100.0

Figure 4. Municipal expenditures with local management. Source: Ipardes, 2016 [37]. No data from Jataizinho and Rancho Alegre.

Nevertheless, farmers are gradually destroying terraces because they disrupt the operations of machines currently available in the market, which are increasingly larger and designed for topographic and pluviometric conditions distinct from those of the tropical climate. As a result, the amount of water infiltrated in the soil is decreasing, the perverse consequence being a reduction in the flow of springs associated to the silting of rivers. The impacts thereof are visible in the enhancement of the processes of abstraction and treatment of water for urban consumption.

Although such situation involves determinations in the local to the global scales, confrontation demands a metropolitan action, because in this case the only boundaries that nature recognizes are the watersheds, by excellence a scope of the management of water resources, environmental pollution, and basic sanitation. Any action toward the prevention or containment will always be inefficient, if not innocuous, within the political-administrative borders of the municipalities alone, which is precisely what occurs in the aforesaid region.

Another problem is the generation of solid waste, though legislation has evolved both to mitigate growth curves and to find more effective disposal solutions. In spite of being widely

enforced, there is sufficient legislation in the state of Paraná, starting with the proposal of consortia in cases of isolated municipalities and metropolitan solutions for already-established metropolitan regions. The territorial dimension for the second case comprises a minimum population of 200 thousand inhabitants per region and maximum radius of 200 km within the scope of the operation, applicable to the metropolitan region of Londrina.

This parameterization is part of the State Policy of Water Resources, which regulates the management by hydrographical basins according to the characteristics of users of water resources users and the similarity of physical and socioeconomic aspects. As to parameters for generation and type of final disposal of waste, it was verified that the lower Tibagi hydrographical unit to which the metropolitan region of Londrina belongs is one of the three with the largest generation of residues of the state [35], which provides an additional reason for metropolitan management.

In addition to environmental compatibility, another element could be enhanced on this scale: efficiency, which applies both to collection and transshipment procedures and waste treatment. It is not enough to consider the estimation that 26% of the waste is recyclable, 56.5% is organic, and 17.5% is disposable waste, for once again the territory is presented itself in its concreteness. The smaller the cities, the lower the generation of waste and the greater the participation of the organic waste, for obvious reasons: the average pattern of income and consumption. Considering the data established for the state, 27.5% of the inhabitants of the metropolitan region of Londrina live in the 20 municipalities whose per capita daily average is 0.65 kg. In contrast, the estimated average for 52.1% of the population is 1.15 kg/inhabitant/day [35]. What might seem auspicious to the first group is really a problem.

Among the recurrent problems observed, one highlights the difficulty of selling materials sorted in small municipalities or away from industrialized centers. Small volumes of recyclables require the accumulation of material sorted for sale, requiring more space, and often favoring the performance of middlemen who are willing to pay lower prices. As a result, most waste that is suitable for reuse is either disposed inappropriately or destined for landfills, which reduces its useful life and thus the cost of management.

In the metropolitan region of Londrina, there is a recycling industry of fluorescent lamps, one of aluminum, one of glass, two of paper, two of metal, two of edible oil, and twelve of plastics, most of them in Londrina [35], which is absolutely insignificant in view of the quantity of reusable waste generated daily.

In the metropolitan region, there are already some initiatives of intermunicipal consortia for the management of solid waste [40], but without the participation of Londrina, whose administrations have not made any effort for the metropolitan management to actually occur, although such municipality is the one with the better conditions to trigger it, including the central geographical position in the metropolitan region, not to mention the density of all networks and flows that converge to it.

One must undoubtedly consider transcendent aspects of local administrators' moods, since two competing objectives can be identified in regional policies: reducing inequalities, which would require actions to generate sociospatial cohesion, or increasing attractiveness; hence, competitiveness favors the most prominent municipalities, economically speaking, leading the smaller ones to strategies and agreements that are disproportionately detrimental to collective interests [31].

For the sake of job creation and development, this has been a common routine in the metropolitan region of Londrina, and for the time being, its legacy has been the public financing of large private enterprises, the largest beneficiaries of the booty of the war of places. From the perspective of regional-cohesion management, the said metropolitan region is a fiction, judging by some indicators that are currently configuring its metropolitan dynamics as shown in **Figure 5**: only 5 of the 25 municipalities account for the generation of 87.2% of formal jobs, although 82.2% of the population lives there. The cities of Arapongas, Rolândia, Cambé, Londrina, and Ibiporã have their head offices located along the main access road to the state of São Paulo, with which the densest economic ties are established.

The asymmetry of flows is also expressed by other indicators not detailed in **Figure 4**: it is exactly in the abovementioned municipalities that the share of agriculture in the generation of GDP is the lowest, with Londrina being the extreme case with 1.3%. Of the 25 municipalities, only 2 others, Florestópolis and Porecatu, fall within the ranks of these 5, but it is precisely because of the hypertrophy of the primary sector, basically constituted by the monopoly of the sugarcane culture for the production of sugar and ethanol, that explains it, since a single sugarcane plant practically processes all the raw material produced in both cities.

That is the best example of the vicious dynamics of monoculture in the face of the challenge of boosting the local economy. As an illustration of it, Florestópolis is the municipality of the metropolitan region with the largest proportional share of industry in the generation of GDP reaching 65.6%, and Porecatu is the fourth with 44.9%. Notwithstanding, these municipalities present similar poverty indicators to those of municipalities in which the industrial sector is irrelevant, if not absent. While the five most prominent municipalities have the lowest poverty rates, ranging from 5.9% for Arapongas to 11.0% for Ibiporã, in Florestópolis, the rate is 18.2%, and in Porecatu, it is 14.8% [41].

Those indicators require the problem of the metropolitan region of Londrina to be considered beyond rhetoric, since territorial policies have confrontations within class contradictions as their denominator. These are the ones that express the different intentions, often antagonistic. Because of that, it seems appropriate to take the territory as a delimitation established by relations of power: "what defines a territory is firstly power, and in that sense, the political dimension is that which, first of all, defines its profile" [42].

Likewise, the centrality of power, understood as a plural concept that generates reactions, counterpowers, requires an even more precise definition: "knowing and operating over a material reality presupposes—and even postulates—a system of relations within which power circulates, since it is consubstantial with the whole relation. Power is neither a spatial nor a temporal category, but it is present in every production that relies on space and time" [43].

Figure 5. Municipalities	Area km ²	Population	Formal employments	GDP (US\$ 1,000)
Alvorada do Sul	424.2	11,237	1,546	56,858
Arapongas	382.2	118,477	33,835	984,867
Assaí	440.3	15,999	2,663	104,540
Bela Vista do Paraíso	242.7	15,656	2,261	109,311
Cambe	495.4	105,347	21,758	896,751
Centenário do Sul	371.8	11,246	1,582	44,871
Florestópolis	246.3	11,087	3,074	53,145
Guaraci	211.7	5,492	815	25,880
Ibiporã	297.7	53,356	11,205	658,667
Jaguapitã	475.0	13,398	6,006	160,524
Jataizinho	159.2	12,615	1,603	47,247
Londrina	1,652.6	558,439	167,727	4,497,601
Lupionópolis	121.1	4,911	795	21,640
Miraselva	90.3	1,875	244	9,020
Pitangueiras	123.2	3,140	411	18,023
Porecatu	291.7	13,754	2,704	137,968
Prado Ferreira	153.4	3,718	658	25,647
Primeiro de Maio	414.4	11,286	1,320	64,423
Rancho Alegre	167.6	3,963	465	23,056
Rolândia	459.0	64,726	19,523	581,213
Sabáudia	190.3	6,702	3,068	93,335
Sertaneja	444.5	5,633	1,053	64,708
Sertanópolis	505.5	16,485	3,972	147,550
Tamarana	472.2	14,143	1,568	70,366
Uraí	237.8	11,662	1,414	54,014
Total	7,417.7	1,094,347	291,270	8,951,225

Figure 5. Municipalities. Source: Ipardes, 2016 [37]; IBGE, 2017 [34].

These postulates allow one to establish the necessary counterpoint to deal with territorial policies without misunderstanding that the classical approaches to state and territory could induce, by waiver, the exercise of the dialectic in favor of the duality in such matters as complex as this one. One cannot ignore the monopoly of the state in its proposition and spatial control, but equally, one cannot disdain the reason, place, manner, and addressee to whom policies and the respective reactions unleashed are dimensioned.

Thinking the territory as the foundation of the state, and this state as the fundamental element of politics, Castro [44] identifies it as an arena in which power and control are at the heart of disputes, usually oriented to the dynamics that define the organization of the material basis of society.

Taking territorial policies as actions emanating from the central, regional, and local powers over the various territories, which are constituted as special types of public policies, the author reaffirms that their unequal distribution among such scales and in terms of densities within the interior of each of them affects the exercise of citizenship, because he understands that it is the network of institutional resources that favors it.

We take civil, political and social rights as an analytical resource [...] civil rights as those fundamental to life, liberty, property, equality before the law, guaranteeing life in society; the political rights that define the rules, the limits of collective and individual action and guarantee participation in the government of society and social rights as a guarantee of access to collective wealth through the right to education, health, retirement, work and fair pay. If in the case of the first two rights law is the institution that guarantees equality, less institutional resources are required for it to be formally applied to all residents throughout the territory, in the case of the latter, it is the organizational basis of the institutions that confers conditions of access to social rights. That is, while the exercise of civil and political rights fundamentally requires an adequate judiciary apparatus, the exercise of social rights requires an infrastructural basis, supported by the public institutions that guarantee the offer and access to services where the citizen is [45].

In this way, it is understood that associating territorial policies to the infrastructural base of state responsibility is to politicize the debate on the right to the city, paraphrasing Lefebvre [44], to whom it is added, the right to the field, designated by the necessary protagonism of those who by their hands institute the forms that give vent to the social contents, and this has a unique name: work. Therefore, the dialog with the political and administrative spheres is imperative to understand both the setbacks and the possibilities of a metropolitan region like Londrina.

5. Final considerations

Until 1988, the creation of the metropolitan regions was incumbent of the federal government, and in spite of the low priority in the investment agenda, as it has been the conduct of this repulsive state to the planning as a criterion of socioeconomic development, they were assured a budget allocation compatible with the implementation of a minimum operating structure.

The decentralized management paradigm established by the Federal Constitution promulgated that year implied the transfer of the incumbency of metropolitan regions to the states. Although auspicious, the impact of such measure was very negative, since the federal government did not transfer the corresponding resources, and it was up to the respective states to maintain existing structures and all those yet to be created.

The fact that the metropolitan region of Curitiba was created in 1973 explains, therefore, some of the conflicts mentioned in terms of the viability of the metropolitan regions in the north of Paraná. One verifies that for both, the federal and the state governments, the immediate burdens, namely inherent costs of such structures, determine their negligence, and it is not considered the bonuses of coordinated planning and management in the areas where the urban densities threaten all kinds of virtuous dynamics.

Found in the vast majority of metropolitan regions in Brazil, such situation then prevents the planning and implementing of public policies of common interest at a regional level, which would reduce costs and increase efficiency. Notwithstanding the situation, recent legislative production in the year 2015 (Statute of the Metropolis) emerges as a considerable reinforcement of the legal framework, inasmuch as it imposes the making of a plan and an integrated

planning in these regions, in spite of the old vices pointed out in the neglect of metropolitan management that are still present (and strong) in Brazilian society.

Author details

Miguel Etinger de Araujo Junior*, Eliane Tomiasi Paulino and Tânia Maria Fresca

*Address all correspondence to: miguel.eting@gmail.com

State University of Londrina, Londrina, State of Paraná, Brazil

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