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After Temporary

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TABLE OF CONTENTS

After Temporary

a cura di / dossier coordonné par / edited by
Alessia de Biase & Cristina Mattiucci

Guest artist / artiste présentée / artista ospite

Gwen Rouvillois

Editorial

Luca Gulli and Ambra Migliorisi

Promises and Uncertainties of Temporary Uses in Emilia-Romagna

Bárbara Brena Rocha dos Santos and Rafaela Lino Izeli

Disputes and conflicts about tactical urban planning: the implantation of Paulista Aberta and parklets in São Paulo

Quentin Stevens

Pop-ups in Perth: the potentials and problems of temporary urbanism

Valentina Bonello e Claudia Faraone

Una temporaneità stabile: l'inclusione degli usi temporanei nei progetti di trasformazione urbana a Bruxelles

Juliette Charron

Que construit l'urbanisme temporaire dans le réaménagement d'une place?

Mara Ferreri

The entanglements of Temporary Urbanism: for a critical, longitudinal approach

Disputes and conflicts about tactical urban planning

The implantation of Paulista Aberta and parklets in São Paulo

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Rafaela Lino Izeli

Proposals for the “activation of the degraded spaces”, the promotion of “attractive places to stay” and the “reappropriation of public spaces” through the participation of the civil society are often contained in the discourse that defends the so-called “tactical urbanism” (Brenner, 2016; Harvey, 2015; Lydon, Garcia, 2011). Spread as a powerful alternative to the modern urban planning by those who believe in a context of crisis in the States the tactical urbanism would gather small urban interventions done collectively “from the bottom-up” by individuals interested in transforming the city’s public spaces through ephemeral and short term actions which, depending on its impact, would move the public sector in the direction to make them permanent. Open Streets, urban equipments composed by parklets, beach chairs, umbrellas on the asphalt, game tables, parklets, food trucks and artistic interventions are some of the examples of the countless elements which constitute these small actions.

Alongside the State’s devaluation discourses, bankruptcy of the public management and inefficiency of the urban planning strategic models, in addition to a possible need for renovation of the civil society participation in the decision-making processes the tactical urbanism aims to spread and consolidate a do-it-yourself logic as a way to engage population in order to act directly on the city space. Moreover, would be doing a direct reference to the Certeau’s tactic (2014) as the weak, opportune, occasional and cunning place, in opposing the large scale planners’ institutional and disciplinary strategy.

In the city of São Paulo, Brazil, two recent initiatives came from this discourse and exemplify actions related to the tactical urbanism. We will approach the implantation of Paulista Aberta (Open Paulista), in the Paulista Avenue, and the insertion of parklets in some city spaces. The former is part of a program which was put on place in 2015 during Fernando Haddad’s administration (Partido dos Trabalhadores-Labours Party) through a joint action between activist collectives¹ and the State, known as Open Streets, and had as main goal: “open up the main streets and avenues to pedestrians and bikers (...) on Sundays and holidays, from 10 a.m to 5 p.m., as a meaning to promote a better occupation of the public space”². Moreover, it aimed pretty optimistically “the cultural insertion, income rise and urban recovery of the wasted spaces” from the incentive on the use of public spaces through sportive, food and cultural activities.

It matters to highlight that such collective activists were present on the program since its idealization, putting pressure on the mayor to implant Open Streets, up to its follow-up characterizing a possible

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¹ We could define activist collectives as nets “which involves students, artists, architects, associations and various other agents” who have been mobilizing and fighting for the broadening of their rights (Frùgoli, 2018). Among the creators of the Paulista Aberta are the collectives *SampaPé*, *Minha Sampa*, *Bike Anjo* e *Cidade Ativa*.

² At <http://www.capital.sp.gov.br/noticia/moradores-decidem-quais-ruas-poderao-ser-abertas> (01/19/2019).

exemption from the responsibilities of the State on the initiative. This participation was indeed made official through the piece of legislation nº 226, from 2016, which officially institutes the Open Streets Program “aiming to support the City Hall improving it, keeping in mind the constructive role of the civil society participation in the city’s government action follow-up”.

Filled with “good intentions” after a little more than four years of its implantation is possible to analyze its developments and conflicts regarding the Paulista Avenue’s space when occupied by the Program on Sundays and holidays. Even though its creators say that the Paulista Aberta is an example that there is love in São Paulo, as much as a peaceful coexistence, understanding among the differences”,³ a short walk through the Avenue could direct us to a different Reading of the space, not as much peaceful as desired. Cultural, sportive, playful activities, music and circus performances divide the three kilometers of the Avenue alongside a violent and widespread persecution of the hawkers by the city’s inspectors.

The initial discourse by the Program’s creators about the free occupation of the public space by anyone who wants to “take back” the city soon would meet a dozen of prohibitive rules and actions. Such actions are supported and backed by the City’s Council of the Paulista Avenue, sworn in april 2018 by members from the civil society and City Hall representatives. Elected to “support, empower, imple-

ment present proposals regarding the Open Streets Program, as well as receive and analyze suggestions and complains by the people”,⁴ the Council has been dedicated to seek the best use of the avenue. The conflicts inherent to the street life and from the large number

The Paulista Aberta, idealized by activist collectives and regulated by the City Hall as a possible place for occupation by all and a gathering of differences, establishes exclusionary and segregating ordinances.

of Paulista Aberta users are due to the fact there is a lack of order and normativity which draws rules and allows a larger control and inspection. The presence of hawkers is the biggest source of complain among those who live nearby or use the space, even though they’re perceived as necessary, as a response to the matter there are specific spaces previously determinated to their location.

Despite the Council claims the ineffectiveness of the hawker’s inspection, the persecution it’s explicit by the “Removal Back up” vehicles that apprehend the goods. The “rapa”, as it’s commonly known – a colloquial way to call the public servers who inspect and remove the illegal products – becomes a regular threat to the hawkers that keep always moving on the Paulista Avenue, in order to assure their own survivor.

It’s important to highlight that the intensification on the hawkers’ persecution coincided, not by chance, with a national political context on which the country witnessed a lot of protests demanding the former president’s, Dilma Rousseff, impeachment, what actually happened on august 2016, marking the downfall of PT – the party that ruled Brazil for fourteen straight years and has left the administration involved in several cases of corruption. This landscape created a disbelief in the party and everything it stood for, reaching its peak with the rising of the alt right conservatives to the power, through Jair Bolsonaro’s Partido Social Liberal (Social Liberal Party)⁵ victory, in the 2018 presidential election.

3 Guilherme Coelho, collective *Minha Sampa*, to the “Paulista aberta para as pessoas”. At <https://www.youtube.com/watch?v=Z108obS-3yg> (05/08/2019).

4 At <http://www.prefeitura.sp.gov.br/cidade/secretarias/regionais/se/noticias/?p=83128> (07/20/2018)

5 Nowadays, Jair Bolsonaro is part of “Aliança do Brasil” party, founded by the president himself after he have left PSL due to internal dissents.

Another example of tactical urban action in the city of São Paulo, the parklet, works as an extension of the sidewalk, forming small squares taking the place of a few parking spots, has been widespread as an ephemeral alternative of social coexistence. However, after five years of its regulation in the city it's possible to notice a landscape of privatization of the public space.

Idealized in the early 2000's in San Francisco, USA, by the artists' collective Rebar, the parklets, came to São Paulo through the Instituto da Mobilidade Verde (Green Mobility Institute), a NGO which claims having brought the idea to Brazil in 2013. Built in partnership with the private sector, the first prototypes developed by the organization were installed exclusively in upper middle class areas and bound to noble commercial spaces in the capital of São Paulo. In a short time, they were regulated by the City Hall, which made operational manuals available in order to establish guidelines for the project, for the construction, for the signalling of the equipment and for making it feasible.

The "Manual operacional para implantar um parklet em São Paulo" ("Operational manual for implementing a parklet in São Paulo"), held by the capital's city hall, indicates that the proponent's obligation is to guarantee the public aspect of the parklet, being "prohibited, in any event, the exclusive use by its maintainer". In addition, the importance of a dialogue with the neighboring community is emphasized before any intervention, aiming to encourage participatory processes and supporting the coexistence on the street. Conversely, the same Manual indicates that the private sector is the target audience, placing the proponent itself as the sole responsible for the installation and maintenance of the parklets, and it even brings statistics on how the installation of this type of equipment in a commercial establishment could significantly increase sales and flow of people.

Lincoln Paiva, president of the Instituto Mobilidade Verde, states in an interview⁶ that the average cost of a parklet can reach 80 thousand reais⁷. For this reason, it is noticeable that the implementation of parklets is narrowed to the central areas of the city, of greater visibility and purchasing power of the municipality, being almost always linked to commercial establishments, mainly restaurants, and starting to serve as an extension of the private space. It is possible to notice that many merchants have extended their customer service to the parklets, monopolizing the equipments that should be of public use and restricting access to them.

As an example, in October 2017, black students from a state school in Santa Cecília, a neighborhood located in the central region of São Paulo, were prevented by a waiter from occupying a parklet "owned" by a restaurant. The youngsters alleged to the police that the equipment was closed during the students' departure time, and that when they removed the strip that prevented the passage, they were attacked by an employee of the facility. An occurrence form was registered with the police and corpus delicti exam was carried out after the occurrence. This parklet was installed in 2016 as a celebration of the restaurant's 50th anniversary, which on its online page mentions the equipment as "a gift for Santa Cecília and São Paulo

Also, in January 2019, the Public Ministry determined the removal of a parklet located in Cambuí, an upscale neighborhood in the central area of Campinas, a municipality in the inland of the state of São Paulo, under penalty of a daily fine of 5,000 reais. According to the Housing and Urbanism Prosecutor, Valcir Kobori, the parklet did not meet the parameters defined in the municipal decree, as it had been used exclusively by the restaurant customers across the street, as an extension of its useable area, causing inconvenience to the residents of the neighborhood by privatizing and restricting access to the equipment only during the operation of the commercial facility. Such examples, in addition to tensioning notions of privatization and occupation of public space, make us question to whom

6 At <https://sao-paulo.estadao.com.br/noticias/geral,alunos-acusam-garcom-de-agressao-apos-uso-de-parklet,70002062279> (01/20/2020)

7 It is important to emphasize that nowadays 1 euro worths 4,63 reais approximately.

these political actions, aimed to the street, headed by activist collectives, regulated by decrees and sanctioned by the public authorities, would be directed to. Through the institutional regulation of a discourse of valuing the public space and interaction spaces, as opposed to the logic of the car and the private space (by taking a parking space and making it a place for socialization or temporarily opening a street exclusively to be used by pedestrians), tactical urbanism contributes to the strategic logic of the State and the market, to continue operating wholly, but disguised as novelty and betterment. The argument in favor of parklets and Open Streets makes use of a context of effervescence in the discussion regarding the valorization of the street, the resumption of cities and mainly the use of urban spaces to capitalize resources through the privatization of public space and the extension of strategic and disciplinary rationality about life.

Regarding the parklet, a space that was supposedly intended for public use, it is implemented, maintained and managed by the private sector through permission granted by the State through municipal decrees, its use being conditioned by the interests of its proponent; the Paulista Aberta, idealized and accompanied by activist collectives and regulated by the City Hall as a possible place for occupation by all and a gathering of differences, establishes exclusionary and segregating ordinances. And that is the reason, despite the occupation of the city being part of the action modes and the discourse disseminated by tactical urbanism – mainly, with the incessant calls to occupy the streets –, as a form of “giving back” public space to the enjoyment of all people without discrimination, these examples might show us that some measures reaffirm the exclusion of differences and the privatization of spaces, endowing the city with homogenizing practices.

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In the next issue:
Urban Recipes

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