

A Poverty of Rights

*Citizenship and Inequality in
Twentieth-Century Rio de Janeiro*

Brodwyn Fischer



STANFORD UNIVERSITY PRESS
STANFORD, CALIFORNIA

To My Family

This book was published with the assistance of Northwestern University

Stanford University Press,
Stanford California
©2008 by the Board of Trustees of the
Leland Stanford Junior University

No part of this book may be reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopying and recording, or in any information storage or retrieval system without the prior written permission of Stanford University Press.

Library of Congress Cataloging-in-Publication Data

Fischer, Brodwyn M.

A poverty of rights : citizenship and inequality in twentieth-century
Rio de Janeiro / Brodwyn Fischer.

p. cm.

Includes bibliographical references and index.

ISBN 978-0-8047-5290-9 (cloth : alk. paper) —

ISBN 978-0-8047-7660-8 (pbk. : alk. paper)

1. Poor—Civil rights—Brazil—Rio de Janeiro—History—20th century.
2. Equality—Brazil—Rio de Janeiro—History—20th century.
3. Rio de Janeiro (Brazil)—Politics and government—20th century.
4. Rio de Janeiro (Brazil)—Social conditions—20th century.
5. Brazil—Politics and government—20th century. I. Title.

HC189.R4F57 2008

323.3'2942098153—dc22

2007025421

Printed in the United States of America on
acid-free, archival-quality paper

Typeset at Stanford University Press in 10/12 Sabon

Informality in Law and Custom

There is a deeply rooted popular belief, in Brazil and throughout most of the world where shantytowns proliferate, that they are the inevitable and chaotic result of poverty, political marginality, and social disorganization. Shantytowns and other extralegal settlements, this commonsense storyline would hold, are created by desperately impoverished people, setting up house wherever and however they can. Disdained by most cities' "civilized" elites, and opposed by anyone in a position of economic or political authority, they persist as a living symbol of a society's unresolved inequalities. From the left, their residents are alternately understood as victims or heroes; from the right, they might be portrayed as parasites or repressed capitalists. But in either case, it is understood that shantytowns are formed on their residents' initiative, with physical structures separate from, and in opposition to, the cities that house them.

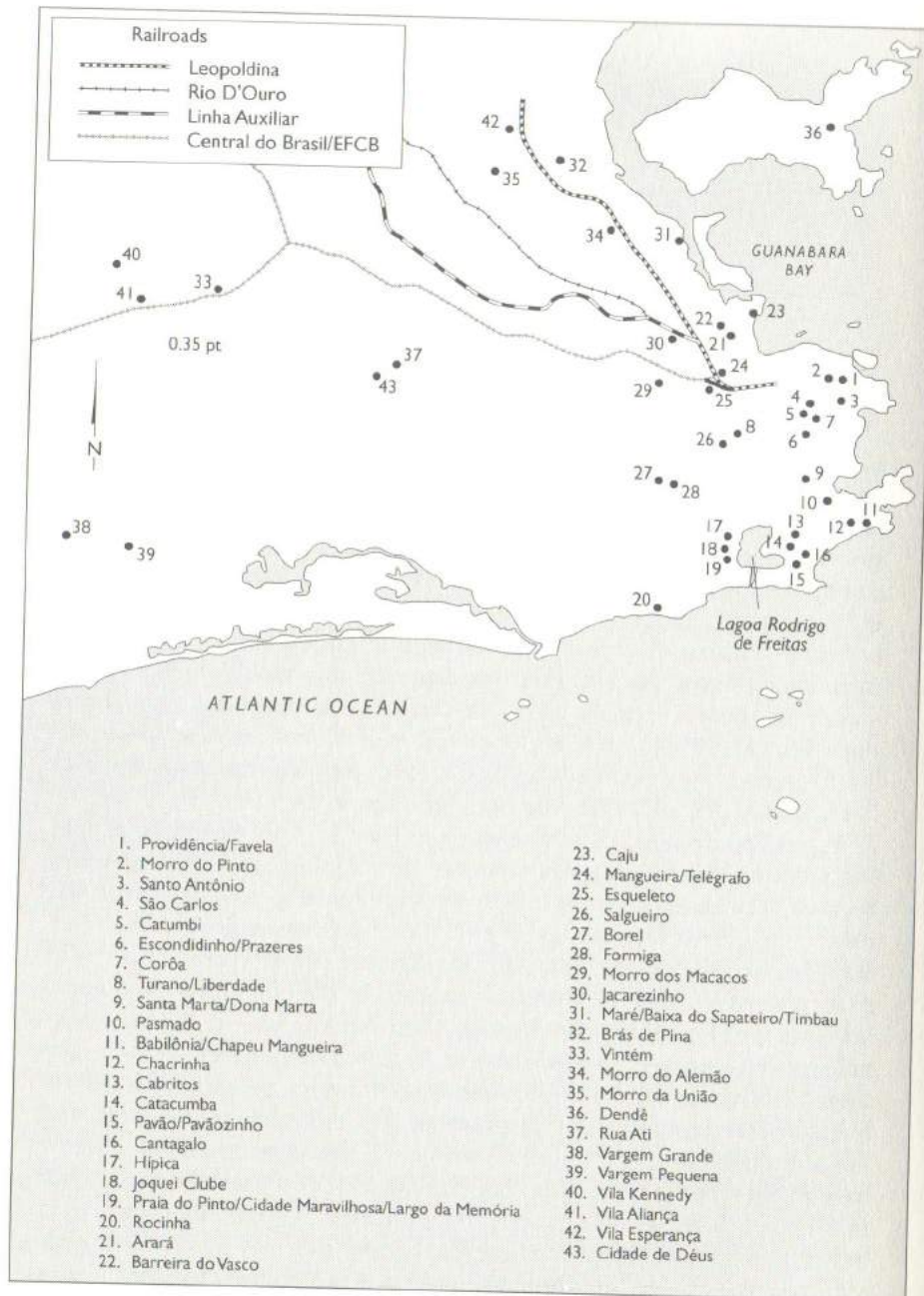
Yet in Rio de Janeiro, as elsewhere, the story is not nearly so simple. Rio's favelas have always been part of the city's urban fabric, not only because their residents have long been economically, politically, and culturally integrated into the larger city, but also because people from outside their borders have long built wealth and power from them.¹¹ The shantytowns' development was conditioned by the not entirely accidental ambiguity of Brazilian property law. Their persistence—despite very significant challenges—is explained only by the vested interest in their continued existence that developed among speculators, politicians, local political operators, and petty entrepreneurs. Extra-legality, in this form, was not a marginal offshoot of urbanization and modernization, but rather a fundamental component of both processes as they played themselves out in a sharply unequal society. For the wealthy, the poor, and everyone in between, the existence of urban areas that did not play by officially constituted rules offered an escape from the contradictions wrought by laws that conformed only patchily to the ambitions, material capacities, and social practices of Brazilian society. In tracing the favelas' early entrench-

ment, this chapter thus suggests that Rio's territorial history is largely unintelligible without serious attention to the deeply functional role of extra-legality within it.

PROPERTY IN LAW AND FACT

The tangle surrounding Rio's property relations was deeply rooted in both legal doctrine and political and social practice.¹² Historically, as elsewhere in Brazil, all land rights in Rio had originated with the Portuguese Crown, which distributed them to colonists in the form of *sesmarias*, or inheritable land-use grants, from the mid-sixteenth through the early nineteenth centuries.¹³ Under this regime, most of Rio's downtown lands had been awarded as corporate *sesmarias* to the church or to the municipality, which had divided them up among the city's prominent citizens in perpetual emphyteusis, or leasehold agreements. Much of what would become suburban land was given in *sesmaria* form to prominent colonizers, or to religious orders, most notably the Jesuits and the Benedictines. *Sesmarias* that remained unused, or those whose owners died without an heir, theoretically reverted to the Crown, as did the extensive holdings of the Jesuits when the order was expelled from Brazil in 1759.

The *sesmaria* system was, on the face of it, straightforward and even surprisingly egalitarian, given its periodically reiterated linkage of landholding and land use.¹⁴ Yet it also laid the groundwork for centuries of confusion and conflict. Among the most persistent problems was that of demarcation: the Portuguese state lacked the power to enforce the bounding of *sesmaria* grants, and landowners often saw it in their interest to leave such limits vague.¹⁵ Rio was no exception: even in the city center, the demarcation process took nearly 100 years after the lands were donated in 1567, and the boundaries thus set were still so vague that religious orders and private colonists would argue over them for generations to come.¹⁶ In addition, despite theoretical limits on *sesmaria* size, the grants tended to be much larger than their owners could effectively use, even within the municipal boundaries. "Surplus" *sesmaria* lands—distributed but empty—ought to have reverted to the Crown, but in fact they were often gradually occupied by informal settlers, some clandestine and others willing participants in a complex network of rural power in which informal land rights were traded for labor and loyalty.¹⁷ A similar patchwork of occupation spread out in lands whose *sesmaria* holders had died heirless, or had long since allowed their claims to lapse; though these were theoretically *terras devolutas* (literally, returned lands) ripe for redistribution, in practice many became the de facto property of squatters—poor, wealthy, and middling alike. When the *sesmaria* sys-



Favelas and other sites of land struggles cited in Part IV.

tem formally ended with Brazilian Independence in 1822, it left a legacy of unclear boundaries, contested claims, and extensive extralegal settlement.

Underlying the *sesmaria* regime was an important tension over the degree to which productive occupation of land ought to establish a legal basis for ownership.¹⁸ Though the *sesmaria* system had no formal place for rights grounded in *posse*, or simple possession, the fact that grants theoretically hinged on effective land use gave the notion some legitimacy, and rights earned through *posse* also had some grounding in the Philippine Code that governed civil law in colonial Brazil.¹⁹ *Posse* also found some legal backing in the so-called Lei da Boa Razão of 1769, which opened the possibility that long-held custom might acquire the force of law.²⁰ The reality of extensive informal occupation gave the notion of *posse* additional practical weight. In many areas, as historian Hebe Mattos has argued for Rio de Janeiro state in the nineteenth century, “even when legal titles existed, the consensual and customary recognition of someone’s possession rights depended ultimately on their effective power over those lands.”²¹

After 1822, these tensions were reflected in a bewildering succession of land measures that alternately favored possession and legal purchase as sources of land rights. From 1822 through 1850, old *sesmaria* grants retained their validity, but all new land claims were made on the basis of simple *posse*. In 1850, the system changed yet again: whereas all lands previously acquired through *sesmarias* and *posse* would be recognized so long as they were promptly registered, subsequent transfers of national lands would come only through public auctions.²² In the eyes of many historians, the 1850 law effectively shut the door on the sort of “home-steading rights” that might have rendered land ownership in Brazil more egalitarian.²³

This vanquishing of possession as a source of rights to public lands theoretically governed land distribution into the twentieth century. Yet the specter of *posse* survived. Article 8 of the 1850 act itself opened the door by declaring that *posseiros* who failed to register their holdings would lose their rights but maintain their possession, a provision that would give rise to any number of conflicting interpretations, especially because lack of registration was endemic in many parts of Brazil.²⁴ Possession as a source of rights also made its way into the 1916 Brazilian civil code in the form of *usucapião*, which granted ownership to any individual able to prove long-term peaceful land occupation.²⁵ In 1934, the new constitution sanctified the notion that the right of property could “not be exercised against the social or collective interest”; this further complicated the picture by giving legal articulation to social necessity

as yet another source of property rights, a precedent that all subsequent constitutions would follow.²⁶ In the end, commercial transaction, possession, and social need constituted a conflicting triad of principles from which Brazilian property rights could spring, setting the stage for extensive juridical and political battles over which notion would prevail.

Rio’s legal and geographical peculiarities added unique dimensions to these ambiguities. In downtown Rio, the emphyteusis leaseholds granted to early settlers by the municipality were as loosely regulated as the *sesmarias* themselves; in theory, lands held in emphyteusis were inheritable but not otherwise transferable, and would lapse without payment of a yearly *fôro* to the city. In reality, however, the leaseholds were frequently bought and sold as if they were private property, and in many cases leaseholders simply stopped paying *fôros* altogether. Over time, such extralegal situations gained the force of custom, complicating any attempt to reassert the legal norm. The confusion over emphyteusis, taken in combination with the tangle of conflicts that surrounded Rio’s imprecise *sesmaria* boundaries and disputed *terras devolutas*, helped to create a situation in which many properties were so tangled in claims and counterclaims that it was virtually impossible to determine legal ownership with any certainty.²⁷

Rio’s topography and the nature of its physical expansion complicated legal regulation still further. Enormous areas of the city rested on home-made landfill. Often the swamps and coastal areas where the landfill occurred had never been given in *sesmaria*, but the people who had rendered land from water claimed it, logically, as property. Other swamplands and hills had been part of *sesmarias*, but *sesmeiros* rarely occupied them, thus leaving the way clear for squatters. Rural lands within the municipality had the same fate if they were too distant from roads or commercial centers. Much of Rio’s territory was also held in reserve by the church, the military, or the local or national governments; many of these properties were scarcely policed, and over time they became the object of numerous and overlapping private land claims. Altogether, the Federal District was riddled with lands of questionable legal status, from its hilly heart to its most distant suburbs. This situation set the stage for conflicts as complex as any fought out in Brazil’s most distant rural regions.

LAYING CLAIMS

It was by no means inevitable that Rio’s legacy of patchy and uncertain property rights would translate into a series of mid-twentieth-century standoffs between poor squatters and wealthy titleholders. As in the rest of Brazil, squatting in Rio was never the exclusive realm of the

destitute: in the colony and the empire, rich and poor alike had sought to gain land from legal uncertainty, and in the twentieth century some of Rio's grandest land occupations were in fact engineered by wealthy and well-connected entrepreneurs. Poor people's informal claims grew up in the context of these elite appropriations, not separately from them; indeed, the only way to make sense of the fact that so much of Rio's land ended up under the feet of its poorest people is to delve into the complex network of cross-class interests that developed around poor people's extralegal settlements in the late nineteenth and early twentieth centuries. It was clearly in poor people's direct interest to squat on vacant lands in hopes of claiming them as their own, though they often did so in unexpected ways. But illegal settlement could take countless other forms and serve myriad interests; speculators, old landed families, local entrepreneurs, politicians, lawyers, and intermediaries all believed they had something to gain from claiming doubtful dominion and promoting extralegal settlement. It was the convergence of their interests with those of poor residents that made the problem of the land such an intractable one by the mid-twentieth century.

MYTHS AND ORIGINS

According to a version of history sanctified in countless court records, press interviews, and oral histories, poor squatters created Rio's modern favelas from virtual wilderness. A lyrical early recounting of this story appeared in a 1907 *Correio da Manhã* article about poor people's exodus to the city's newly visible favelas:

The exodus never ceases. Daily, carts pass by, carrying mismatched dishes, tin cans, earthenware vessels, cages, archaic trunks, and they take the suburban highways to the foothills of the mountains. The alpine [sic] woods and those of the plains open themselves in welcome, and among the trees the outcasts lodge themselves; they sit on the rocks or the thick roots, hang their bundles from the trees, and, while the men hurriedly go about building their huts, the women install their kitchen in the open air . . . the mountain becomes populated. It is the charity of the Earth. . . . Thus poverty goes receding to any elevated ground, taking shelter in the hills, repelled by Greatness, by the cheerful destruction of humble houses, by Progress, which will not allow a single dilapidated structure to remain in the city's heart. The mountain opens her green mantle and takes in the poor little folk like the saints in the gentle times of the hermits.²⁸

For this author, the genesis of favelas in the wilderness implied a naive primitivism, a deep and timeless connection between the poor and wild nature. But outsiders were not the only ones to invoke the favelas' sylvan

origins. In 1934, a shacktown resident named Antônia Maria da Conceição offered a similar articulation in initiating a *usucapião* suit in Rio's Third Civil Court.²⁹ As stipulated in the 1916 civil code, *usucapião* could be claimed after 30 years of uninterrupted possession.³⁰ Accordingly, da Conceição began to justify her claim to land in Salgueiro—one of Rio's oldest north-zone favelas—by portraying the place as having been empty and untamed at the time of her arrival:

It was in 1902 that the suppliant went to live in the Morro do Salgueiro, in a little area of land of which she took possession because its owner was not known, and it was said around there that the lands of that *morro* were abandoned, which showed itself to be true, seeing as how that land was a true jungle when the suppliant arrived.

Da Conceição went on to describe her painstaking struggle to pull the bases of a decent urban community from the jaws of the jungle. Similar heroic narratives would infuse subsequent accounts. In the early 1950s, a press rendering of mass evictions in the south-zone favela of Catacumba began by describing the community's early years in the 1920s:

In those times, the jungle covered the *morro*, dense, almost impenetrable. . . . Hortêncio Pinheiro was one of the first to tame the wilderness of Catacumba. He felled the first trees 30 years ago and staked out his shack of wood and zinc at the base of the hill, right in front of the Lagoa Rodrigo de Freitas. Afterward, more, and many more, would come.³¹

Thirty years later, Guida Nunes began a journalistic compilation of favela leaders' oral testimonies with an account of her protagonist's arrival in Borel, a north-zone favela that was the site of some of Rio's most intense land struggles in the 1950s. After describing a rural migrant's bewildering streetcar journey to the place where another settler had told him he might construct a shack, Nunes described the act of occupation in simple and romantic terms:

When he arrived at the place where they had told him he could live, Elias thought that he was back in the interior of Rio state, with its cities full of wilderness. . . . He got off the tram and walked a bit until he reached the foot of a hill full of trees, waterfalls, a river of clean water at the entrance, and a few wooden houses. He liked the place, left his suitcase under a tree, and tried to arrange for some wood. The construction didn't take more than a day. . . . In a little while everyone was friends with Elias, and the Chácara do Borel seemed like one family.³²

These characterizations of favela lands as abandoned or untamed, ripe for occupation, surface also in modern oral histories.³³ Describing in 2005 her long life as "one of the first residents" of the Mangueira favela, 104-year-old Lucíola de Jesus remembered that when she arrived there, "at the age of only 1 year," there were "just two other houses" aside

from hers, and “an immense jungle.”³⁴ In 2003, 80-year-old Salomão Pereira da Silva recalled that when he arrived among the first residents of the south-zone community of Pavão-Pavãozinho in 1945, the place was “virgin jungle” and “the houses were made of the planks of wooden crates and covered with pieces of tin that served as roof tiles.”³⁵ Nilo Gomes dos Santos recalled in 2003 that when he arrived fifty years before in what would become the north-zone Nova Brasília favela, “it was all jungle, all pasture. My two daughters were raised with milk from here; the cows belonged to a Portuguese who also lived right nearby.” In a 2005 interview, 70-year-old Marina da Silva described the neighboring Morro do Alemão in 1959 as “pretty much just jungle . . . there were mango trees, a pine, but only a few houses.”³⁶

There are many reasons why residents may have recounted their experiences in these ways. In part, they were simply telling history as they had seen it. Places like Mangueira and Salgueiro were relatively empty at the beginning of the century; literally carved out from rural *fazendas*, or summer estates, they were covered with jungle and devoid of pavement and urban services (see photo of the Babilônia Favela, p. 245). Residents in swampy north-zone favelas literally created the land under their homes from trash and bucketfuls of landfill (see photo of Esqueleto, p. 239). For rural migrants or refugees from Rio’s center-city urban reforms, the issue of whom such territories belonged to probably mattered less than the fact that they were empty and free enough of vigilance for newcomers to stake out their shacks; their initial claims were usually not to ownership but rather to shelter. Moreover, vestiges of rural life were abundant in Rio’s hills and suburbs; well into the twentieth century, residents of many informal communities raised chickens, pigs, or even cows and goats, and kept gardens and fruit trees to supplement their cash income.³⁷ Some mid-twentieth-century sociologists would point to such “rural” lifestyles as atavistic holdovers, indicative of migrants’ supposed maladjustment to urban life.³⁸ But for residents, rural elements probably reinforced the sense that these lands were exceptions to the urban landscape, ignored by developers and city officials and therefore open for the taking. In the moral logic underlying these stories, these places became communities because their residents made them so, literally creating city from wilderness; that history itself became the source of rights, regardless of who held paper title.

At the same time, there have always also been strong political and legal reasons for favela residents to reinforce a narrative in which shack-town lands were peacefully claimed from sea and jungle. Principal among these reasons was the definition of *usucapião*, the only legal mechanism in the Brazilian Civil Code that allowed ownership grounded in possession. Simply put, if favela lands had been anything but empty at the

time of settlement, no *usucapião* claim could be made. This was obviously most relevant when the city-from-wilderness narrative appeared in a court case; at the time of Antônia Maria da Conceição’s 1934 petition, for example, Salgueiro’s lands were already hotly disputed, and their ownership hinged directly on the notion of residents’ “occupation without interruption or opposition.”³⁹ A similar logic applied in virtually every other favela where *usucapião* was contemplated as a source of rights. Even when it was not, moreover, residents and their advocates sometimes appealed to constitutional provisions linking property to “collective or social need,” and that case, too, was stronger when made for a community that residents had created on land with no previous use or claim.⁴⁰ This may partially explain why the myth of primordial origins appears even in places, such as Borel and the Morro do Alemão, where settlement was already relatively dense during years for which witnesses describe only forest and wilderness.⁴¹ Whatever the particulars, much informal settlement in Rio seems to have originated from more complex and deeply rooted relationships than the primordial story would suggest.

RURAL CONVERGENCES

The question of why and how legally uncertain property relations became so dominant in Rio is most difficult to unravel for the *sertão carioca* and other distant suburbs, areas that were essentially rural well into the twentieth century, where modern landholding was shaped by the often violent collision of urban speculation with long-standing rural settlement patterns. In these places, even in the early 1900s, legal ownership patterns only thinly represented the complex networks of history, work, family, and dependence that really determined property use and possession. In some cases, these relationships had originated in slavery, and in the complex negotiations that surrounded emancipation. In 1931, for example, a rural laborer named José de Lima Soares wrote to Getúlio Vargas from Jacarepaguá, then a rural district of Rio that was caught up in the same wave of violent property usurpation that was devastating Guaratiba. Explaining the context for the Banco de Crédito Móvel’s violent evictions in his region, and making a desperate appeal for Vargas’s aid in stopping them, Lima Soares offered a rare explicit insight into the origins of his and his neighbors’ settlement there:

I am going to explain [sic] to Your Excellency why [sic] has motivated these questions, these lands in other times belong to the Monastery of São Bento, yet, the monastery populated the Soil with its slaves since 1864 in that time there were no documents, and later the monastery mortgage to the Banco Credito Movel [sic],

this bank went bankrupt in 1891 and never bothered anyone, no *situante* has a rental contract with the Banco Credito Movei.⁴²

Few other written records draw as direct a link between manumission and rural property relations, or reveal so clearly the ways in which these sorts of poor rural workers understood their claims to land. It was not literally accurate that in the mid-nineteenth century there were “no documents”; at least one modern account traces a paper trail from the Mosteiro de São Bento to the bank’s heirs, who would eventually gain recognized title to most of the disputed lands.⁴³ But Lima Soares’s perception that there were none indicates that papers had little practical function for poor people living in these regions during the late nineteenth and early twentieth centuries. His insistence that the bank never established rental contracts or “bothered anyone” is also significant because it indicates a popular understanding that property ownership was nullified by abandonment, an idea formalized in the civil code’s *usucapião* provision and repeatedly reaffirmed by Brazil’s highest courts. By Lima Soares’s logic, occupants of these lands had earned them through a long history of undisturbed occupation and cultivation; their emancipation as slaves had not been greeted by any official recompense but had left them room to build lives for themselves and their children on a bit of open land.

Lima Soares’s words were echoed in many other land conflicts, where claims to undisturbed occupation for various generations, or “from time immemorial,” frequently cropped up.⁴⁴ In some critical eviction cases, such arguments would prove the key to residents’ permanence, since failure to collect rents on occupied land was widely taken to imply abandonment.⁴⁵ But in many other cases, informal occupation in rural areas took a more complex form, and the rights that poor people understood to derive from it were considerably more ambiguous. Unlike the Mosteiro de São Bento or the BCM, many owners were quite careful to enforce full ownership rights of rural lands that were occupied by others, most often by charging yearly rents; in some cases, these arrangements also included the promise of agricultural labor from the tenants, usually called *arrendatários*.⁴⁶ This did not mean, however, that such occupations were entirely formal. Even when small-time rental agreements assumed written form—and they rarely did before the first decades of the twentieth century—the borders of lands were almost never demarcated with care, and the rentiers themselves sometimes lacked written proof of ownership. The establishment of rental arrangements was, in fact, quite a common strategy for land grabbing, because courts would sometimes accept even verbal rental contracts as confirmation of the rentier’s ownership.⁴⁷ In Brazilian property law, moreover, it was both legal and customary for ownership of improvements on land—houses, orchards, fences, fields—to

be separate from ownership of the land itself.⁴⁸ These improvements were frequently sold, formally and informally, as were the rights to long-term rental contracts.

The result was a landscape in which neither possession nor ownership rights were absolute or unambiguous, where many poor residents developed a strong sense of perpetual rights over lands they made no claim to owning. A 1936 land dispute among rural laborers in Guaratiba—this time quite separate from the actions of the BCM—illustrated these dynamics.⁴⁹ In June of that year, a barely literate rural worker named Alain Luiz de Souza went to court to reclaim a portion of “his” land that—he contended—had been violently usurped by his neighbors, recent arrivals in the region whom he knew only as Marcelino Martins and Dona Constanza. De Souza’s family had occupied the lands in question for more than 20 years; in 1931, his mother had signed a formal lease agreement with the property’s owner, an illiterate man by the name of Manoel Pinto de Faria, agreeing to pay an almost token yearly amount (100\$000 *reis*) in exchange for continued occupation rights.⁵⁰ Since then, however, both de Souza’s mother and the land’s owner had died, and several of the owner’s heirs had sold their inheritance rights, which had ultimately come to rest with Marcelo Martins and his wife, Constanza.⁵¹ According to de Souza and several witnesses, the couple had first offered to buy the lease rights to the lands from him at a price that was much too low; when he refused, they proceeded to “exercise acts of disturbance” and, “accompanied by bullying individuals,” to cut fences, topple trees, and generally take possession of a “large swath” of de Souza’s little *sítio*. This done, they proceeded to declare aloud that they would “stay there forever, for better or for worse” and would “use every possible means to confront anyone who had the audacity to oppose” them.⁵² De Souza appealed to the courts for “reintegração de posse,” not only to restore his possession of the contested lands, but also to force Martins and Dona Constanza to repay him for the damages done to the property.⁵³

De Souza’s suit led to nearly two years of judicial arguments. The Martins vigorously contested the authenticity of de Souza’s rental contract, his rights to possess land clearly owned by others, and the shape and size of the parcel he claimed; they backed their arguments with witnesses and with legal argumentation that was clearly more sophisticated than that employed by de Souza. The end result, however, favored the plaintiff. A lower court awarded de Souza full possession of the contested lands, pending final unraveling of the original owner’s will; the appellate court mostly upheld that decision, and the whole case finally ended in March 1938.

In reaching this outcome, the civil courts—like others before and af-

ter them—implicitly recognized the ways in which legality and informality were interwoven in Rio's countryside, as well as the strong informal rights local people accorded to longtime tenants. The case hinged on de Souza's ability to prove not only his family's rights as tenants, but also their ownership of their simple houses and of the extensive orange groves they had cultivated for 20 years. And yet the formal evidence for this was thin. The rental contract had been drawn up in 1931, at least fifteen years into the family's occupation. It was never notarized or registered, though it did boast the official stamp that generally formalized such agreements, and it had been signed not by the owner but by his son.⁵⁴ Witnesses all recognized that the de Souza family had long cultivated the lands, but neighbors' estimations of the time of that occupation and the exact dimensions of the property varied. When asked about the parcel's boundaries, one elderly neighbor simply said that "everyone knew" where the *sítio* of Alain and his brothers ended because there was a "stand of wood in front of the highway there, and in the back a coconut palm."⁵⁵ Several other witnesses described the borders in similar terms, though noting that the *coqueiro* in question had been destroyed as part of the Martins' incursion.⁵⁶ The case for the de Souza family's occupational rights, in short, hinged not so much on objective evidence as on local people's informal understandings of their neighbors' rights and histories.

And yet judges, like witnesses, seemed generally to accept these at face value. No judge asked why no written agreement had existed before 1931; no one wondered why the rent paid was so low; no authority demanded concrete evidence that the de Souza family had built the lands' houses and planted its orange groves; and no one ever required any proof of the original owner's rights to the property. This silence implies that the justices found none of this unusual, and that they recognized—like the witnesses themselves—that property relations in these areas had been built mostly on informal local agreements that invested long-term renters with significant implicit rights. In a revealing comment, one witness, immediately after affirming that the de Souzas were simple tenants, expressed outrage that they had been "usurped of their property" ("*esbulhados da sua propriedade*") by the Martins' incursions; the legally precise phrase implied that the de Souzas were legal possessors of the land and had a right to its restoration.⁵⁷

Unlike the conflicts surrounding the Banco de Crédito Móvel's Guaratiba land ventures, de Souza's case gained no publicity and probably had little lasting impact. Unless the family was eventually able to purchase the lands outright, this verdict probably did little more than delay the de Souzas' eventual dispossession as Guaratiba's lands gradually came into the orbit of metropolitan speculation and development. Yet, like

the BCM cases, de Souza's suit exposed the fabric of social and property relations that would be torn apart by these transformations. Over many decades, property owners and cultivators in Rio's rural outskirts found mutual advantage—if not exactly harmony—in property arrangements that granted possession without ownership and left borders and contract terms vague. For owners with papers, such arrangements could bring local prestige, a small income, and use to land that otherwise might sit vacant. For "owners" whose legal status itself was unsure, informal rental also established effective dominion that could become the basis of firmer ownership further down the road. And for occupants, informal occupancy brought access to land—which would for the most part have been considerably more expensive to buy outright—as well as income, community, and independence.

FAVELAS, POLITICS, AND PROFIT

Similarly diverse interests drove informal settlement in Rio's center and immediate suburbs in the late nineteenth and early twentieth centuries. In these areas, however, informal property claims tended to be more shallowly rooted than they were in the *sertão carioca*, and they were also complicated considerably earlier by politics and speculation. Well before the beginning of the Vargas era, Rio's various forms of urban informality had already begun to concentrate in the form of favelas, and those settlements' growth had already come to depend on a fragile convergence of interests. Shacktowns at once provided housing for poor Cariocas unable to afford legal land, turned over quick and easy profits to property owners and speculators whose claims still lay outside Rio's urban frontiers, and became cheap sources of political capital for politicians and their operators. It was this coincidence of need, profit, and power that allowed favelas to lay their early roots.

Informal settlement was nothing new to downtown Rio. Although tenement dwellings have long been portrayed as the nineteenth century city's dominant form of cheap housing, this impression may spring as much from the drama of the nineteenth-century anti-*cortiço* campaigns as from the reality of most poor people's living arrangements. In 1888, for example, when Rio's total population stood close to the 1890 figure of 522,651, only 46,680 people lived in dwellings classified as *cortiços*, or slums.⁵⁸ Many others surely lived in smaller rooming houses or tenements; as Sidney Chalhoub has shown, use of the derogatory label *cortiço* had much to do with politics and social prejudice.⁵⁹ But there is also much evidence of alternate arrangements. From very early on, some poor

people began to construct scattered homes on the flanks of Rio's central hillsides; runaway slave settlements appeared everywhere from Santa Teresa to Laranjeiras to the Corcovado to Tijuca, and settlements that could be called *quilombos* operated openly in areas such as Leblon in the years preceding abolition.⁶⁰ Scattered shacks were also a frequent early option for free Brazilians and immigrants in search of cheap shelter; some settled in hills or swamps, and many others seem to have rented shacks or tiny patches of land in backyards and vacant lots throughout the city, especially during the late nineteenth century, when waves of migrants streamed into Rio from Europe and the city's adjacent countryside. By 1933, shacks were present on nearly 42 percent of Rio's urban streets and over 81 percent of suburban ones, and only 23 percent of the city's 51,625 shacks were on streets with 50 or more such homes.⁶¹ While we do not possess equivalent figures for earlier years, there is much reason to suppose that this kind of dispersed informality had roots deep in the nineteenth century.

Informality could also appear in more ambiguous forms. Servants and slaves frequently lived in the homes of their masters or employers, often in small rooms constructed some distance from family living quarters; many of these rooms approximated early favela shacks.⁶² Tenements, too, were often the cradles of settlements resembling shantytowns; though many began with the subdivision of decadent mansions, they frequently grew through informal, even spontaneous, construction. In *O cortiço*, Aluísio de Azevedo's iconic fictional portrayal of tenement life, the avaricious Portuguese immigrant João Romão builds a housing empire from an alchemy of double dealing and relentless self-denial; over the space of just a few years, what began as "three tiny rooms with only a single door and window" became the giant *cortiço* of São Romão, a maze of rooms to rent that had been built from stolen and scavenged material on land gradually acquired from surrounding territories.⁶³ Though Azevedo does not enter into the details of Romão's land titles and building code compliance, it seems safe to assume that the real-life tenement entrepreneurs his character was based on rarely missed opportunities for profitably legal shortcuts.

The shacks and tenements that most of Rio's poor called home in the mid-nineteenth century thus shared key features with twentieth-century shantytowns. Yet it was only in the late nineteenth century that this spectrum of informal housing began to consolidate into the densely settled, more clearly bounded settlements that would come to be known as favelas. By most accounts, the main catalysts in this transition were military mobilizations and public health campaigns.⁶⁴ According to geographer Maurício de Almeida Abreu, the favela phenomenon officially began

with a military order; in 1893–94, in the wake of the failed *Revolta da Armada*, commanders gave homeless soldiers leave to inhabit the convent of Santo Antônio, on the eponymous hill in central Rio. When there was no longer enough room in the convent, soldiers began to spill out into makeshift shacks, thus forming the embryo of Rio's first shantytown. During the same period, Rio's nineteenth-century anti-*cortiço* campaign culminated in the destruction of the enormous Cabeça de Porco *cortiço* near the Morro da Providência. According to historian Lilian Fessler Vaz, one of the *cortiço*'s owners, whose property nuzzled the hill's edge, began to rent bits of land on its slopes to displaced residents.⁶⁵ Five years later, troops returning from the Canudos War were given leave to join the expanding settlement; according to legend, it was they who dubbed the hill "favela," after a plant commonly found in Brazil's northeastern backlands, thus granting the phenomenon its name.⁶⁶

After 1900, as chapter 1 recounts, public policies continued to favor the favelas' growth. Central-city *cortiços* were virtually eliminated with Pereira Passos's urban reforms, and former residents were left with a stark few choices. Some managed to hold on a bit longer to cheap lodgings in the remaining slums around the central periphery, in areas such as Gamboa, Santana, and the Cidade Nova, subsequently famous as the cradles of samba. More found shelter in the burgeoning railroad suburbs, where much cheap housing was both extralegal and rustic. And others made their way up the hills, the only centrally located patches where the 1903 building code still permitted the construction of the sorts of shacks and wooden houses they could afford to build or rent. By 1915, many of Rio's best-known favelas were already well established; besides Santo Antônio and Providência, these included Salguiero, Babilônia, Mangueira, Andaraí, São Carlos, Catumbi, Cabritos, Pasmado, and various settlements on the Lagoa Rodrigo de Freitas (see map, p. 220). By the time of the 1933 building census, clusters of shacks already existed on most of Rio's central hills, and a good many shacks were already located in groups of ten or more.

Given the coincidence of exclusive urban planning, quick population growth, capricious physical and legal geography, and widespread poverty, some form of shanty settlement may have been predetermined in early-twentieth-century Rio. But it was perhaps also inevitable that the favelas' growth rarely served the shacktown residents' interests alone. From the beginning, favelas were at the very center of larger political and economic strategies, involving a spectrum of outside actors that ranged from small-time shysters to self-made political operators to some of the city's wealthiest property owners and most powerful politicians. Bit by bit, Rio's shantytowns began to create not only crevices of affordable

urbanity, but also building blocks of real wealth and influence; previously moribund hills and swamps began to generate rent and loyal political clients, the importance of which often quietly silenced critics of the favelas' illegality, shabbiness, and filth. In this sense, far from being marginal to Rio's development, as many mid-century critics would argue, the city's shantytowns were fundamentally integrated into many levels of Rio's social and economic life.⁶⁷

POLITICS

Chapter 1 suggests many of the more obvious political dimensions of this early integration. Before the 1940s, Carioca politicians rarely devoted aboveboard legal or financial resources to ameliorating Rio's affordable housing shortage. But from the 1890s on, they willingly allowed favelas to dissipate the crisis. Prefect Barata Ribeiro probably authorized the first settlements on the Morro da Providência in the 1890s, and military commanders and police officials facilitated the settlement of Santo Antônio, Providência, São Carlos, Babilônia, and others. Scores of politicians averted their eyes in the 1900s as clearly illegal settlements mushroomed in such central areas as the Morro de Santo Antônio and Babilônia. When Santo Antônio was mysteriously burned down in 1916, municipal officials brokered its residents' resettlement in nearby Mangueira.⁶⁸ With the advent of more populist local politics in the 1920s, legions of political organizers swarmed up the slopes of the best-known *morros*.⁶⁹ By the 1930s, shantytown residents were regularly requesting eviction protection from prominent political figures such as Prefects Pedro Ernesto and Henrique Dodsworth, or even Getúlio Vargas himself.

In the case of big-time politicians, the payoff for favela tolerance was simple: without spending a cent on public housing, they could keep poor families off the street and cultivate their own images as charitable benefactors. Getúlio Vargas was repeatedly portrayed as a charitable protector of favela residents. In 1941, for example, a government publication entitled *Os morros cariocas no novo regime*—which at once celebrated a folkloric favela population and commemorated the planned elimination of the favela “plague”—encapsulated succinctly Vargas's projected image: “The man, woman, or child of the *morro* has a delicate esteem, a permanent and emotional remembrance, of Getúlio Vargas's name, founded in the certainty of the goodness, without artificiality, of ‘their’ president; it is only comparable to that of his gentle wife, who, for all of these people, is a tutelary figure.”⁷⁰

Petitioners to President Vargas showed awareness of this idealized re-

lationship, but few seemed willing to buy into it blindly; in their missives, political support was understood more as a *quid pro quo*, in which the president would stave off threats from the health service and the civil courts in exchange for subservience and loyalty. In 1934, for example, petitioners from the Morro of Santo Antônio asked the president to call off an eviction by the health service, pointedly offering political tranquility in exchange for his help: “In the difficult era we are going [sic] through in this century of social reinvinculations (sic), our voice [sic] is mute, or better mild because we always trust completely in the goodness of Your Excellency.”⁷¹ Other petitioners were less radical, but nearly all made at least vague reference to their qualities as “workers” or members of the “national communion,” thus implicitly claiming protection on the basis of their adherence to Vargas's national vision.⁷² In a typical letter, Eulália Moreira Santos pleaded with the president in 1942 to do something to avoid the threatened razing of a shantytown in Santa Tereza by the Hospital Alemão, which claimed the lands as its own. Noting that the residents had paid rent for years, and that theirs was a “tranquil [sic] *morro*” full of “well-behaved families,” Moreira Santos concluded that “beneath god we only count on your protection and as advocate [sic] of the poor class [sic] we already hope by God and your good heart that we will be taken care of to alleviate our afflictions.”⁷³

To such appeals, Vargas offered an oblique response. Officially, most were met with silence or noncommittal investigations. Though the Santa Tereza petitioners sent the president at least four separate letters, the only reply was a brief note to the effect that it was a judicial matter in which Vargas could not interfere.⁷⁴ In Santo Antônio, Vargas carried out an extensive investigation but sent no formal answer; ironically, the excuse given was the petitioners' lack of a formal address.⁷⁵

Yet informally, Vargas seems to have been considerably more active, often directing supplicants to request personal protection from his wife, Darcy Vargas. There is some indication that the first lady herself resolved the Santa Tereza case; late-twentieth-century oral histories of two Santa Tereza favelas—the Morro do Escondidinho and the Morro dos Prazeres—cite threats to the *morros* from a “Banco Alemão” or a “grupo Alemão” during the World War II years. They also note that a committee from one of the shantytowns appealed for Vargas's help, and recount that Darcy Vargas visited one of the favelas and gave residents “a document donating the land” (“um documento de doação da terra.”)⁷⁶ Darcy Vargas may also have come to the aid of Mangueira residents threatened with eviction in the early 1940s: in a 1947 article in *O Mundo*, reporter Rimus Prazeres claimed that Darcy Vargas had frequently visited the *morro*, and that a school there had been named in her honor.⁷⁷

In Jacarezinho, a north-zone favela that would briefly become Rio's largest, Darcy Vargas seems to have taken a still more forceful role. In an interview with researcher Jane de Souto Oliveira during the early 1980s, a 63-year-old retired worker remembered the mid-1940s as a period of intense community struggle. As the settlement mushroomed from a scant few houses in the 1930s to hundreds in the early 1940s, and as various private owners laid claim to Jacarezinho's lands, property conflicts became intense and violent; police would come mounted on horses and destroy the *morro's* adobe huts, which the residents would then rebuild by night. In the face of this situation, some 200 people crowded onto a streetcar and made their way to Catete Palace to appeal directly to the president, who happened to arrive just as the committee began to tell its story to one of his advisors. De Souto Oliveira's informant recounted:

So Getúlio asked which favela it was, that he wasn't familiar with it. So Manoel Padeiro said: "President, it's Jacarezinho. This favela, it was the madam that gave it to us. It was Dona Darcy who gave it to us." "And what's going on?" "The police are mistreating [*judiando com*] the people. They go there, they knock down the house, bring the horses in on top of it." So he goes like this, "OK, I am going to take care of it. You all go away, come back on Thursday, and you are going to look for Darcy."

According to de Souto's informant, Manoel Padeiro's reference to Darcy Vargas had been baseless and purely opportunistic. But it worked. They returned to the Catete Palace as bid, and through Darcy Vargas and the Legião Brasileira de Assistência they succeeded in warding off the immediate threat, and even gained provisional permission to occupy their lots.⁷⁸ In 1949, municipal councilman Anésio Frota Aguiar indicated how those events had made their way into the political mythology of the Trabalhista Party (PTB), declaring that when "a rich man, a very rich man, the owner of those lands" had tried to seize control of Jacarezinho during the Estado Novo, the "Primeira Dama" herself had interceded, and "with her social aid, with her humanitarian spirit, she obligated the magnate to recoil from his inhuman intentions."⁷⁹

While largely anecdotal, these accounts suggest that Vargas played a subtle hand with the favelas, one that mirrored in many ways his broader political strategy. Though the president rarely granted the poorest supplicants aboveboard rights to their properties, he did respond to them through the Legião Brasileira de Assistência and the feminine charity of his wife, thus preserving his image as protector of the poor while making no permanent commitment or investment.

Vargas also seemed to condone an activist approach on the part of his political subordinates. The first mayor he appointed for Rio, the famed

physician Pedro Ernesto, began to build a political infrastructure in the *morros* in the early 1930s.⁸⁰ He made personal visits to several communities, including São Carlos, Mangueira, and the Morro do Pinto, and probably constructed the first public elementary school built within a favela.⁸¹ He also accelerated the already established tradition of offering favela residents occasional water taps and paved roads, and was said to have mediated several disputes between shantytown residents and private landowners, most notably in Mangueira.⁸² Ernesto also channeled public resources to the samba schools of the *morros*, a practice that at once promoted a folkloric image of Brazilian cultural fusion and gave the favelas a privileged position in the nationalist imagination.⁸³ Though the number of registered voters who lived in favelas continued to be relatively small, Ernesto's decision to engage directly with them had considerable symbolic value, adding to his image as a protector of the poor and opening the door to the brazenly populist politics that would follow Vargas's fall from power in 1945.⁸⁴

Henrique Dodsworth, whom Vargas named to the prefecture between 1937 and 1945, seemed at first to veer sharply away from Ernesto's populist gestures. His public stance on the favelas was frankly and ambitiously negative. In a 1945 article, Dodsworth touted his administration's steps toward eliminating the favelas—which he associated with "malnutrition, promiscuity, lack of hygiene, and social disintegration"—and looked forward to their total elimination: "Of the absent favelas, only the romantic aspect of their songs will remain."⁸⁵ It was under Dodsworth's watch that the 1937 building code began to be enforced, and that many of Agache's more elitist ideas were integrated into a general plan for urban renewal. Dodsworth's most ambitious social project was the creation of a "favela commission" meant to study and eventually destroy all of the favelas in Rio's central areas.⁸⁶ Though the larger project sank in the ill-fated morass of the *Parque Proletário* experiment of the early 1940s, Dodsworth's most public action on the favela question was the literal setting alight of the Largo da Memória, an enormous settlement on the shores of the Lagoa Rodrigo de Freitas.⁸⁷

Behind the scenes, however, even Dodsworth's administration seemed to accept the necessity and political utility of some shack settlements. Vitor Tavares de Moura (whom Dodsworth named to head his favela eradication commission and, later, Rio's entire social assistance department) approached the favela question with a pragmatic appreciation of its complexity, along with a well-grounded awareness that most favela residents were workers with few viable housing alternatives.⁸⁸ Even as he spearheaded the *Parque Proletário* project and publicly advocated some

draconian favela eradication policies, Tavares de Moura also bargained realistically with favela residents, landowners, charities, and intermediaries, often quietly using municipal resources to create or expand shack-town settlements. It is perhaps symptomatic of this tolerance that the first Vargas era witnessed a singular expansion of shacks; while the 1933 building census had counted 51,625, in 1949 the Yellow Fever Service tallied some 89,635.⁸⁹

Dodsworth's archives offer considerable insight into the ways in which this expansion came about, and into the webs of political power and influence that favela protection was already generating. In some cases, the administration seems tacitly to have condoned favelas by simply ignoring reports of their illegal expansion. In 1940, for example, Dodsworth received a letter from Dr. Thibeu Junior, head of the 8th sanitary district, lamenting the filthy and unsanitary state of lands surrounding the abandoned skeleton of a São Cristóvão building once intended to be a new hospital.⁹⁰ What was worse, he complained, "in the middle of all of this sordidness, taking advantage of part of the abandoned concrete scaffolding and also of improvised wooden structures, a favela has formed, where innumerable families live in the greatest destitution [*miséria*]." Because the lands were federal, the municipal sanitary service could do nothing about the favela, and the official wanted Dodsworth to intervene. Dodsworth, however, did not: in 1947, a census revealed some 1,400 shacks at the site, now referred to as the Favela do Esqueleto (see photo of Esqueleto, p. 239). Many of its residents had access to electricity (pirated by a military police sergeant), and most reportedly paid rent to federal ministries.⁹¹ Residents interviewed for a 1947 article indicated that officials from the Ministry of Education and even Prefect Hildebrando de Goiás had given tacit permission for the land to be settled. The favela was not fully destroyed until 1964–65; though the precise negotiations that ensured its endurance remained undocumented, it is clear that Dodsworth, his successors, and their counterparts in the federal government chose to allow the Favela do Esqueleto's precipitous growth.⁹²

Dodsworth's administration also sometimes chose to promote favela settlements more directly. One indication of this appeared in a 1944 letter in which representatives of the Serviço de Obras Sociais (SOS), one of the era's largest publicly subsidized charities, asked the prefect himself to provide wood for the construction of favela shacks for homeless Cariocas.⁹³ Though the request was refused, its very existence shows that there was nothing especially unusual about public participation in favela construction. The same awareness can be seen in another 1944 letter, written by an official of the EFCB, Brazil's most important railway company,



The Esqueleto favela at water's edge, no date. Courtesy of the Arquivo Geral da Cidade do Rio de Janeiro.

who sought municipal assistance in removing a small favela from EFCB lands in the port neighborhood of Caju.⁹⁴ Apparently city authorities had convinced railroad officials to accept the favela's temporary location on EFCB land, with the understanding that its residents would soon be moved to the Praia do Pinto favela, on the Lagoa. This had not happened, and the official wrote to Dodsworth in hopes of a speedy solution. Vitor Tavares de Moura responded on Dodsworth's orders with a deal that would have simply moved favela shacks to municipal land in suburban Penha. Five years later, however, debates in the Municipal Council suggested that the prefecture did not or could not live up to its promise, and the favela still stood precariously on EFCB lands.⁹⁵ Like the SOS letter, this case reveals the degree to which municipal authorities were willing to actively coordinate favela construction in the absence of more permanent alternatives.

That willingness opened the door for any number of political opportunists. Typical in this regard was Atila dos Santos Couto, a mercurial figure who inserted himself into numerous negotiations between municipal authorities and favela residents throughout the 1940s. Couto first ap-

pears in the archival records in March 1945, when he wrote to Henrique Dodsworth in the name of a group of shantytown inhabitants from São Cristóvão, an industrial port neighborhood on Rio's near north side.⁹⁶ Sending his missive in the hands of a "committee" of residents, Couto wrote that the federal government had threatened to evict some 50 families in the Barreira do Vasco favela. Couto claimed to have personally intervened on their behalf, buying more time and placing several families in two nearby shantytowns. Some three dozen families remained under imminent threat, however, and Couto pointedly highlighted the municipal government's stake in resolving their problem:

Seeing as how these residents find themselves in a desperate situation, and foreseeing the possibility that public authorities merely fulfilling their obligations might be faced with opposition to any energetic measures they might take, and also considering that it is not the right political moment for confrontations between authorities and poor populations, I solicit that Your Excellency find a bit of land where certifiably poor people might construct small hygienic houses of the sort that their means allow; far from forming favelas, these houses would become proletarian and worker parks, following the example of what's been done in the Barreira do Vasco already, where since October 500 families have been sheltered, among them dozens belonging to soldiers from our glorious Expeditionary Forces.

Couto was bold to suggest the possibility of physical resistance to the eviction order, and clever to echo the municipal government's practically meaningless distinction between shacks and "hygienic houses." In inserting himself in the midst of the fight, as a selfless defender of poor residents' interests, he showed a keen awareness of the political capital that this sort of intermediary might accumulate, especially on the eve of Brazil's redemocratization.

More fascinating still, though, was the underbelly of Couto's operations, revealed by Dodsworth's and Moura's full investigation of the case.⁹⁷ Couto, as it turns out, was not solely an advocate for residents' best interests. Along with a retired military police sergeant by the name of Rubens de Carvalho, he was also a sort of favela entrepreneur, a wheeler and dealer who posed as an administrator of public lands and charged residents steep rents for the privilege of constructing their shacks there. He and Carvalho had in fact encouraged the settlement of the lands that were being cleared, charging about 250–350 *cruzeiros* for the right to "put up a shack." What's more, Couto's operations extended well beyond Barreira de Vasco: he appeared also to be one of the driving forces behind the rapid expansion of Jacarezinho, the same favela in Rio's northern industrial zone that was the object of Darcy Vargas's charity in the early 1940s. Moura's informant wrote:

I had a big shock, because the favela that Your Excellency and I visited a few months ago has been transformed into a veritable city, all of this thanks to the "philanthropy" of Senhores Atila dos Santos Couto, Avelino Alves David, Manoel de Andrade, and Manoel Félix de Oliveira.

The informant complained that "professional *favelados*" and "favela builders" such as Couto had appropriated the rights to divide public land, grant residents construction permits, and even license commercial establishments, many of which were in fact "chains" with franchises in various shacktowns. Couto and others advertised shack sales with public placards, bought out early settlers in order to establish their own property boundaries, and even provided receipts properly sealed with federal stamps. Providing several examples of such receipts, the official recommended that Moura and Dodsworth take steps to control this growth by destroying empty shacks, banishing intermediaries such as Couto, prohibiting the sale of shacks, and eliminating all of the *biroscas* (small shops) that proliferated in favelas throughout the city.

In the face of such a damning report, Dodsworth's administration took no official action on Couto's request. Neither, however, did the government sanction Couto or take any of the steps the investigators recommended. Indeed, both Jacarezinho and Barreira do Vasco grew apace, and a few short years later Couto resurfaced, first presenting a 1947 request that the Municipal Council create a "relief service in the *morros* and favelas"⁹⁸ and then emerging as Jacarezinho's self-styled champion in the face of a 1947 civil land claim that threatened to evict some 30,000 people. Couto was named principal defendant in that suit and was instrumental in the political mobilization that eventually blocked the eviction's enforcement.⁹⁹ At least some local residents named the community's single public plaza after him, and the Municipal Council went so far as to officially hail Couto as a "worker and leader of the workers of Jacarezinho," though he was subsequently also denounced on the Council floor as an "exploiter" who had profited from the *morro's* settlement.¹⁰⁰

Hero or exploiter, Couto's material claims were undeniably reinforced by his political agility. He may have made his fortune by extracting usurious rents from people eager for a bit of shelter, but neither their claims nor his own might have survived without his self-interested political mediation. People like Couto were, in a sense, simply the pettiest players in a symbiotic political game. By the end of the Estado Novo, the relationship of mutual dependency was already well established. Poor Cariocas depended on illegal favelas for affordable housing, and politicians—from the president down to the pettiest wheeler and dealer—depended on that very illegality to create networks of political gratitude, loyalty, and power.

SPECULATION

The most obvious political payoff for favela tolerance came from residents, whose support would become especially critical after the return to elections and relatively freewheeling street politics in 1945. But Atila dos Santos Couto's case also demonstrates the degree to which the favelas' survival suited the interests of shantytown entrepreneurs, men and women whose economic fortunes depended on the settlements' continued existence. Such people could sometimes be quite humble, simple residents who had managed to stake out a bit of extra land and rent it out at a small profit. Others were big-time land grabbers who built small fortunes on the practice, or scions of wealthy families who turned a considerable profit illegally renting out otherwise fallow land. So long as favela terrain remained marginal to Rio's urban expansion—too swampy or steep for legal construction, too distant from commercial centers or public transportation to fetch much value on the open market, and too undervalued for serious legal ownership claims to be made—this whole range of actors stood to benefit from its extralegal exploitation.

In any number of cases, favelas began as informal real estate investments on the part of some of Rio's most prominent families and businesses.¹⁰¹ An intermediary for the Associação do Hospital Alemão, for example, long provided rental receipts for shanty residents on its Santa Teresa properties. Textile factories such as Bangú, Confiança, and Aliança charged workers for the privilege of erecting shacks in "workers' villas," which were often just embryonic favelas.¹⁰² The Morro do Turano began as an extension of a small *cortiço* on the Rua Barão de Itapegipe, owned by the heirs of Manoel Ferreira da Costa e Souza, the Barão de Falmalição. Part of the Morro dos Prazeres, in central Santa Teresa, was said to be owned by "Senhor Moniz de Aragão, ambassador in the munificent court of His Majesty George VI, King of England."¹⁰³ A good part of the Mangueira favela began as the personal claim of Alberto Negreiros Saião Lobato, the Visconde of Niterói, who collected rents on the favela shacks by way of a Portuguese intermediary by the name of Tomás Martins; after his death, his widow continued the practice, as did the company to which she later sold her by then doubtful claim to the property.¹⁰⁴ None of these elite figures dirtied their hands with day-to-day management—all of that was left to intermediaries, many of whom became powerful figures in their own right—but they were clearly aware of the use to which their properties were being put.

Among all of these elite figures whose fortunes were tied to the early favelas, none left so transparent a paper trail as Eduardo Duvivier; his

story provides unique insight into the intersection of big-time real estate development, politics, and the settlements' early growth. Duvivier was a wealthy lawyer and politician who in the early decades of the twentieth century laid claim to a good part of the Morro da Babilônia, in the tony south-zone neighborhood of Leme. He was born in 1890 to a wealthy Rio de Janeiro family, which by that point had already begun investing heavily in urban development in what was then the remote south zone. His father, Theodoro Duvivier, and his uncle, Otto Simon, were important early promoters of the tramways that allowed the south zone to expand, and his grandfather, a German immigrant named Alexander Wagner, was a pioneering real estate developer who by the early 1870s had accumulated title to much of Copacabana and Leme.¹⁰⁵ Duvivier himself was many things; a *fazendeiro*, the president of a milk marketing cooperative, an active associate in banking and construction firms, a federal deputy both in the mid-1930s and in the late 1940s, and a signatory to Brazil's 1946 constitution.¹⁰⁶ A Copacabana street is named after his father, and Duvivier was a pioneering investor in the genre of elegant apartment buildings that would define the neighborhood's easy opulence in the mid-twentieth century.¹⁰⁷

Less well known, however, was the degree to which the Duvivier family's formal real estate enterprises melded seamlessly with the origins of Copacabana's favelas. As early as the 1910s, Eduardo Duvivier, by then a young lawyer, began to show up in civil court cases representing the Empresa de Construções Civas (ECC), an important real estate company that had been partially founded by Theodoro Duvivier and Otto Simon in order to divide and sell a good part of Copacabana and Leme.¹⁰⁸ In the late nineteenth century, the company worked closely with Jardim Botânico Railways, the tram company that facilitated Copacabana's development, and had a number of extraordinarily powerful board members, among them the future prefect Carlos Sampaio, the renowned physician Hilário de Gouveia, and the acclaimed engineer Antônio de Paula Freitas.¹⁰⁹

By the time Eduardo Duvivier began to play a role, the company had already sold off many of its best lands and was in a state of "amicable liquidation." Nonetheless, it still claimed most of the Babilônia and São João hills, which straddled the borders of Copacabana, Leme, and Botafogo and were already becoming the sites of several favelas, including Babilônia, Chacrinha, and Chapéu Mangueira.¹¹⁰ As early as 1916, Eduardo Duvivier began to represent the ECC in eviction cases that involved shacks and wattle-and-daub houses built on the hills.

Eduardo Duvivier did occasionally advocate the destruction of these shanties, especially when their occupants challenged the ECC's ownership claims. In 1916, he evicted four families who had erected shacks with-

out permission in the backyard of a garage at the foot of the Morro da Babilônia, and in 1917 he brought suit against 22 residents of *casinhas* or *barracões* on the same *morro*, alleging that the city health service had ordered their removal and that they had long since stopped paying rent.¹¹¹ But, for the most part, the company tolerated and profited from the hills' rustic structures. In 1926, for example, Duvivier represented the ECC in a heated judicial dispute over who had the right to collect rents from 22 tenants of shacks on the Ladeira do Leme, in the area that would become the Chacrinha favela.¹¹² In 1927–28, the company rented out several wattle-and-daub houses on the Morro de Babilônia, many of which had the same numbers as the houses that had been condemned by the sanitation department ten years before.¹¹³ While these structures were a step up from the most primitive of shacks, with some whitewash and rustic tile roofs, they still lacked plumbing and adherence to basic urban construction norms, and most seem to have been classified as shacks in the 1933 building census.¹¹⁴ When Duvivier himself bought much of Babilônia Hill, in 1928, the sale contract indicated that the land held any number of “casinhas and barracões,” from which he continued to collect rents into the early 1930s. Clearly, and over several generations, the growth of shacks on Cobacabana's hillsides was condoned and even promoted by the very same illustrious developers who engineered the neighborhood's evolution into a seaside paradise (see photo on p. 245).

The story of Duvivier's involvement in the formation of the Babilônia and Chapéu Mangueira favelas ended in the early 1930s with an oddly fitting twist. In 1934, when Duvivier was on the verge of becoming a federal deputy, a federal law was passed specifically to deny the validity of his family's claims to the *morros* of Babilônia and São João.¹¹⁵ According to the decree, the hills, which occupied a uniquely protective position at the opening of Guanabara Bay, were and always had been military lands, geographically critical to national security. In the law's careful historical rendering, the 1873 sale that had placed the lands in the hands of Duvivier's maternal grandfather, Alexander Wagner, had been based on false premises, and was clearly limited by an 1867 judicial embargo. According to the law's text, Wagner, aware of the lands' doubtful status, had apparently gone about his business nonetheless, holding on to the lands for nearly 20 years and then selling them in 1891 to Theodoro Duvivier and Otto Simon's ECC. The ECC demarcated and sold much of the land, but the judicial dispute over its hilly portions continued, and when Eduardo Duvivier bought the property from his father's company, in 1928, the federal courts were already in the process of reclaiming it for the army.

A 1931 Supreme Court decision sealed that fate. Duvivier may have



Hut and residents of Babilônia, 1912. Courtesy of the Arquivo Geral da Cidade do Rio de Janeiro.

managed to divest himself of the lands before the 1934 decree that finalized it—his long string of eviction lawsuits ended in 1931, and a 1942 law that granted compensation to a number of innocent third-party buyers included several chunks of land that Duvivier and the ECC had rented out in the 1910s and 1920s.¹¹⁶ Whatever Duvivier's precise exit strategy, however, the memory of his role as an early favela developer faded quickly. As a federal deputy in the turbulent 1940s, he played no part in the intense debates about the fate of Rio's shantytowns, though he did gain some notoriety for his strong belief in the unconstitutionality of rent control.¹¹⁷ Duvivier also seems to hold little place in local memory. In various oral histories of Babilônia and Chapéu Mangueira, there is no mention of him; even Odília dos Santos Gama, who was born in 1920 in the very area then claimed by the ECC, could not remember anything before the army's subsequent tight regulation of the hill.¹¹⁸

It is no mystery that a family of the Duviviers' stature might have become involved in the business of the *morros*. Hillside lands were a tricky prospect for traditional real estate development; their steep, rocky surfaces made sturdy construction almost impossible well into the twentieth

century, and also made it costly to open streets and install public services. When property rights also proved judicially doubtful—as in Babilônia and countless other *morros*, most notoriously Santo Antônio—above-board sales were made quite difficult. In those circumstances, informal development beckoned. Favelas also soon proved to be an enormously profitable business. In the early 1930s, Duvivier charged anywhere from 80–120 *mil-reis* per month for each of his small houses (the gardens of which tenants often then sublet to still poorer residents). That amount was small change for a wealthy person, though it was roughly equal to the monthly wages of the poorest day laborers.¹¹⁹ But when such rent was multiplied, as Duvivier's was, even by a modest 20, a landlord's annual income could rise to 19,200–28,800 *mil-reis*—enough to buy an elegant Copacabana apartment in cash.¹²⁰ Duvivier's rents represented the high end of the market, probably because many of his tenants sublet their small plots of land for further shack construction. Others charged less and rented only the right to construct rustic wood-and-zinc shacks, and some chose simply to sign their entire properties over to an intermediary for a relatively low flat fee.¹²¹ But even those smaller rates of return were remarkable for what otherwise might have been a moribund investment. Vitor Tavares de Moura, considering the puzzle of elite collusion with favela growth in the early 1940s, neatly summed up the well-heeled landowner's logic:

It is curious to note that favelas often emerge on private lands, without so much as a protest from the owners; on the contrary, they even help to construct the shacks and attract new residents. It is an easy way to pay no taxes and reap enormous income. In the meanwhile, the land values continue to appreciate, with no need for help from anything but time.¹²²

LOCAL PROFITEERING

Property owners' assent was fundamental to the favelas' early growth, not least because their clout probably brought with it immunity to health service persecution. But wealthy Cariocas were hardly the only ones to notice the settlements' lucrative potential, or to become heavily invested in their continued existence. Regardless of whether the lands they stood on were public or private, claimed or abandoned, favelas also became, from their earliest origins, the sites of intricate networks of appropriation and profiteering by middling and even humble Cariocas. These men and women, while less obviously influential than figures such as Duvivier, were critical catalysts in the favelas' early growth and survival. To an even greater degree than elite property holders, small-time favela entre-

preneurs occupied themselves with the details of creating sturdy physical and political infrastructures on the *morros*; they recruited residents, subdivided abandoned lands, built shacks, acquired materials for more, settled local disputes, negotiated service provision, haggled with property owners and politicians, and mobilized communities threatened with eviction. For these small players, favelas were their main chance; the settlements' very extra-legality transformed them into a bargain-basement investment, an otherwise impossibly expensive ticket to social mobility, be it from desperate to respectable poverty or from small-time commerce to the bigger leagues of wealth and influence. Thus driven, these small players were as critical as their wealthier counterparts in ensuring the favelas' continued extralegal survival.

Residents themselves often spurred the transformation of settlement into a business. Many began quite humbly, arriving in the hills and swamps with little or nothing, and using any extra bit of soil to generate a little extra income. Despite the inherent invisibility of such small-scale (and illegal) transactions, glimpses of them appear periodically. In the early 1900s, for example, the poor soldiers who first inhabited Santo Antônio and Providência had already begun to sell their shacks and lease their lots.¹²³ In many of the eviction suits brought by Duvivier and the ECC in the 1910s, there was evidence of petty entrepreneurs who were renting out a handful of shacks. And in the early 1930s, Maximina de Souza—the illiterate Portuguese immigrant involved in the insult case on the Morro da Formiga—supplemented her meager earnings as a cook by renting out a single small shack on her precarious lands.¹²⁴

In a 1947 article about the Esqueleto favela (the community that had grown up inside the enormous “skeleton” of an unfinished hospital), an unidentified resident explained the commonsense logic of this process. According to him, the settlement inside the structure had begun with the tacit consent of the minister of education, and its development as a business had proceeded chaotically and organically:

When that engineer gave his consent for people to go live in the big *barracão*, it was a crazy rush. Everyone tried to grab his little corner, and the subdivision of the big building began. Each person used whatever materials they could lay their hands on and did the work as they saw fit. . . . Everyone was already settled into their little corners when some, perhaps driven by necessity, began to make a business of it [*fazer negócio*]. . . . In order to get a little money, they “sold” a little of the space they controlled, and, in this way, the population of the *barracão* grew bit by bit.¹²⁵

A 1934 *usucapião* case from the Salgueiro favela, in the northern neighborhood of Tijuca, suggests that not all resident entrepreneurs kept their ambitions so humble. Salgueiro was one of Rio's first favelas,

named after a Portuguese real estate investor by the name of Domingos Alves Salgueiro, who already owned several Carioca properties by the 1880s and was renting out shacks on the *morro* as late as the 1910s.¹²⁶ It seems, though, that Salgueiro's hold on the *morro* was both fragile and partial. In the 1930s, a number of residents began to file *usucapião* suits, claiming that they had lived in the area undisturbed since the early 1900s and had now acquired legal rights to it.¹²⁷ One such suit came from Dona Antônia Maria da Conceição. As recounted above, da Conceição's is one of the earliest recorded arguments for the favelas' primordial origins; she claimed to have arrived in 1902, when the lands were "abandoned," with no known owner, "a real jungle." Widowed early on, she managed to construct a small shack, later finding ways to connect it to water lines and a primitive septic system. From those beginnings, she eventually laid claim to over 8,000 square meters, bounded on all sides with plots that also seem to have been informally claimed. On that land, Conceição began to build other small shacks, which she then sold to some 24 other families. In filing her *usucapião* suit, she hoped not only to gain legal title to her own home, but also to legitimize all of those sales, presumably at considerable personal profit.

There is no known record of the outcome of da Conceição's suit, though at least some Salgueiro claimants eventually received *usucapião* rights.¹²⁸ It is clear, though, that residents everywhere followed her example, accumulating, renting, and selling as many as several dozen shacks. Nearly all of Vitor Tavares de Moura's 1940s censuses mention the presence of people he termed "exploradores" (exploiters) and "grileiros" (land grabbers), most with only a handful of shacks. In the Hípica favela, on the Lagoa, census agents pointed to one rentier, a woman named Aurea Gonçalves who ran a small store from her shack and also "made shacks to rent and sell."¹²⁹ In the south-zone favela of Catacumba, the census pointed to three men controlling between five and eight shacks, each of whom presented documents meant to constitute proof of ownership—tax receipts, water receipts, maps, even a sale contract.¹³⁰ While such documents were often accumulated by land grabbers in order to establish "ownership" of favela lands, it is possible that these were at least partially valid: a 1945 law had decreed that the public lands that Catacumba sat on were to be sold off to the area's residents, though the sales seem never to have been finalized, and the government recognized none of them when it destroyed the favela entirely in 1970.¹³¹

By the 1940s, newspaper reports regularly highlighted the roles of resident "exploiters," whose profiteering was often used to negate the argument that favelas grew as a result of pure need. In Esqueleto, where settlement quickly spread outside of the initial unfinished building, one

report claimed that various *expertelhões* (shysters) quickly built shacks that sold at anywhere from 5,000 to 20,000 *cruzeiros* or rented from 50–200 *cruzeiros* per month.¹³² In a generally sympathetic 1947 interview published in the daily *O Globo*, Jacarezinho resident Wilson da Silva—who lived on a street named for Darcy Vargas—carefully maintained that most people on the hill owned their shacks. When pressed, though, he noted that there was "a lot of exploitation in that matter up there on the top of the hill. Certain individuals are taking advantage and building four or five shacks, and renting them for high prices or even requiring bribes." He went on to describe a certain José Vidal who already owned a *botequim* and several shacks on the *morro*, and who walked around with "two leather bags, full of wooden stakes and a roll of twine," in order to claim and demarcate any empty lots he came across.¹³³

José Vidal was nothing compared to Zé Vagalume, a resident of the Morro dos Macacos, near the old Zoo in Villa Isabel. When he was described in a 1948 *Globo* article, this "preto retinto, moço ainda" ("coal-black man, still young") had arrived on the *morro* only one month previously. Strategically situating his house at the *morro*'s entrance, he began to charge new residents for cleared lots; but eventually, "seeing that everyone was willing to obey him," he began to charge simply for granting new residents his personal brand of building permit. Thus, according to the article, Zé Vagalume "began to become the rainmaker of the *morro*" ("o manda-chuvas do morro"), making his fortune from a void of legal control.¹³⁴

Resident entrepreneurs often moved quickly beyond simply renting space. In every community, residents with the skill or resources to bring electric lines to their homes sold pirated electricity to other households in the favelas' interiors, often combining the practice with shack rentals.¹³⁵ In most favelas surveyed by Vitor Tavares de Moura's commission in the 1940s, there were also small stores, called *birosacas*, that operated out of favela shacks. Most of these were simple family businesses, operated by residents who supplied their neighbors with tiny quantities of food and basic household supplies. In the Botafogo favela of Santa Marta, for example, resident and local authority Antônio José Lopes pointedly told a *Globo* reporter in 1948 that the hill's *birosacas* sold only "basic necessities" at "prices lower than those on the outside." Items sold, he claimed, ranged "from matches to ham" but did not include "alcoholic beverages," which were prohibited by neighborhood authorities.¹³⁶

In other cases, though, *birosacas* were owned by outsiders or sold less wholesome wares. The worst among them were pilloried in the press and the Municipal Council, which used them as examples of the supposed moral rot of favela life. In a particularly incendiary 1947 article, for ex-

ample, the radical newspaper *Vanguarda* profiled “Pernambuco Come Gordo,” a resident of the Barreira do Vasco favela, whom the paper accused not only of renting out *barracões*, monopolizing the scrap wood business, and stocking his “store of perdition” with little but “bananas and *cachaça* [cane liquor],” but also of running a brothel where “young people of both sexes” were “being led to the road of perdition.” Avoiding crackdowns by cultivating “special” relationships with politicians and police officials, Pernambuco Come Gordo had become “the strong man with iron fists who commands everything, doing whatever he wishes, without being persecuted by anyone, for he is the king of the shacks.”¹³⁷

Small-time entrepreneurship didn’t usually generate real wealth. The novelist Lúcio Cardoso may have put it best in describing the semi-fictional Thomaz de Aquino, the fat and demanding owner of a “tendinha” (little informal store) and “the better portion of the shacks” on the Salgueiro *morro*, for which Cardoso’s 1935 novel was named. “It was already murmured,” Cardoso writes of Aquino, “that he had become rich on the sweat of the poor.” This, however, was not entirely true: “Thomaz de Aquino was not rich, because money from Salgueiro wasn’t going to make anyone rich.”¹³⁸ Favelas were poor places, and while men such as Aquino looked like millionaires in the midst of such destitution, there was only so much money to be made on wooden shacks, small bundles of matches, and tiny rations of beans, rice, sugar, or cooking oil.

In more than a few exceptional cases, however, favela entrepreneurship did result in real fortunes, and resident entrepreneurs entered another category, thoroughly despised in public discourse: that of the nonresident land grabber, or *grileiro*, said to be rolling in riches ill gained from “exploiting destitution.” For municipal Saúde e Assistência official Vitor Tavares de Moura, these figures deserved to be policed as “a separate social type” because they sucked “exorbitant profits” from the favelas.¹³⁹ In a 1957 speech recalling his tenure in the municipal government during the 1940s, Tavares de Moura recalled:

On the Cantagalo *morro*, the Modesto brothers are the ones—and I call them by name because they are *marginais*—they have a luxury apartment in Copacabana and yet live in the *morro*. They own 190 shacks rented at 400 a month, 52 *biroscas* and an electrical grid on which they charge 35 cruzeiros for every shack with fifteen light bulbs. Just think about all of the profit these Modestos took in. They were not one bit modest.¹⁴⁰

Though the word *grileiro* was used to describe everyone from the lowliest resident rentier to the most exalted baron, its special bile was reserved for those, many of foreign origin, who made their fortunes almost exclusively from the favela business. In both the press and the Municipal Council, these became constant whipping boys for politicians eager to

raise public hackles about the favela problem. Typical was the verbal beating given to the “ex-German and current Pole Leonardo Kacsmarklwig, owner of the Terezinha de Jesus *morro*, better known as the Morro do Alemão,” whom councilman Tito Lívio denounced for his “keen spirit of iniquity and greed.”¹⁴¹

The ascent of some of these figures could be truly spectacular. Emilio Turano, whose story will be explored in greater detail below, began as an immigrant shoe salesman, made a fortune from the management of a noble patrimony, and ended up using a few street addresses to claim the two enormous favelas that rose behind them, one of which came to be known as the Morro do Turano.¹⁴² In a similar operation, a Portuguese immigrant, Daniel Gonçalves, began his career as the manager of a tenement on Conde de Bomfim Street, which bordered what would become the Borel favela.¹⁴³ By 1931, most of Borel’s hill was already controlled by other *grileiros*, but Gonçalves seems to have begun to join the business, renting out bits of the land behind the tenements for shack construction, thus gradually extending their de facto property lines.¹⁴⁴ By the 1940s, he and a partner had bought out the *grileiros* and controlled the hill entirely.¹⁴⁵ Gonçalves, like Turano, seems to have successfully applied the *cortiço* business model to the favela, using an initial precarious foothold to build a fortune from abandoned lands, poor people, and legal uncertainty.

Turano, Gonçalves, and Leonardo Kacsmarklwig all became well known for their supposed exploits, their names public shorthand for everything that was rotten about the business of the favelas. But for pure tawdriness and drama, none of them could compare with Jorge Chediak, a Middle Eastern immigrant who came to be known as Jorge Turco. Chediak, who described himself in judicial documents only as “Arab,” began as a small-time slum manager in central Rio. In the late 1920s, he seems to have hit hard times: in default on the rent on at least one of “his” tenements, he sank low enough to allow the goods of his illiterate subletters to be seized for his debt.¹⁴⁶ A year later, one court opponent accused Chediak not only of falsifying signatures on debt receipts but also of being a well-known “lady-killer among cheap prostitutes or seducer of easy married women” and “a repeated, perverse, unrehabilitable criminal.”¹⁴⁷ None of this, however, impeded his quick rise in the favela business: by the early 1950s, when he was brutally murdered, Chediak was the acknowledged “owner” of the Morro da União in suburban Coelho Neto, nicknamed the Morro do Jorge Turco in his honor.

Men such as Chediak, Turano, and Gonçalves might easily be thought of as a distinct social type, just as Tavares de Moura had argued. So, for that matter, might each of the other loosely defined “favela constitu-

encies" described above—the wealthy landowners, the small-time land grabbers, the simple squatters, the poor renters, the local political operators, the big-time politicians. Though Chediac, Turano, and Gonçalves were rumored to be *riquíssimos*, they hardly belonged to high society, as Duvivier did. And though politicians undoubtedly struck frequent covert deals with both *grileiros* and moneyed landlords, in public they showered them with derision as *tubarões* (sharks) and exploiters, and did their best to keep a safe distance. Neither big-time *grileiros* nor moneyed society men nor prominent politicians had much to do with entrepreneurial squatters like Salgueiro's Antônia da Conceição, and their publicized relationships with the favela shacks' penniless occupants were stubbornly asymmetrical. The political intermediaries and corrupt judicial, sanitary, and police officials who made the whole extralegal process possible certainly sought as much public distance as possible from the favela morass. In press reports and political speeches, all of these groups were placed in constant opposition; supposedly rapacious favela entrepreneurs, corrupt officials, and vote-grabbing politicians were juxtaposed with their allegedly innocent, ignorant favela "victims."

Yet such distinctions disintegrated quickly as all of these groups' lives and fortunes intersected in the favelas. From the late nineteenth century to the early decades of the twentieth, all of them were locked in a sort of perverse dependence, each relying on intricate and fragile relationships with the others in order to achieve separate and mostly contradictory goals. Capitalists hoped to collect income for rents, or to hold on to lands long enough for them to attain real value; but to do this they needed tenants, managers, and political protectors. Land grabbers tried to use the recognition of favela "tenants" to establish ownership of questionable lands, but their initial foothold often depended on the indulgence or employment of wealthy landholders, their fortunes were built on rents and fees, and their authority often depended on their ability to extract protections and small favors from politicians. Politicians sought to build a political infrastructure in the favelas on the basis of unending "protection" from the law of the land, and yet that political infrastructure depended both on the personal loyalty of residents and the coercive and organizational capacity of local bosses. Residents usually just wanted a patch of soil, but to establish a stable foothold they usually depended not only on their families and neighbors but also on politicians, landlords, and local political operators. Rio's favelas came to exist because they were the places where all of these fragile interdependencies uneasily functioned. Neither marginal nor even covert, the settlements may in fact have been one of the main arenas in which Cariocas of such varying social positions united in common interest.

The Land Wars of Rio de Janeiro

Shared interests and grudging interdependency never made favelas peaceful places. Many of the relationships that sustained them were deeply exploitative or competitive, and stubborn disputes abounded over everything from rent, ownership, and borders to issues of public order and political loyalty. Longtime settlers sought *usucapião* rights that threatened the ownership and authority of *grileiros* and landlords; property owners or *grileiros* sold out to developers whose plans included neither favela residents nor the politicians who protected them; local political bosses sometimes worked arm in arm with the larger favela entrepreneurs, often to the detriment of small-time squatters; and politicians frequently wavered between protecting favelas and meeting the demands of wealthier constituents who found the settlements dangerous, unsanitary, and deeply embarrassing. The conflicts thus generated could turn nasty and violent. Fights broke out between neighbors; individuals and families were beaten and intimidated by both police and hired guns; and homes and even whole settlements were destroyed. There was, of course, much more to favela life than these constant tensions, but they were always in the background of day-to-day life during these communities' formative years.

At the same time, these early troubles differed in frequency, intensity, and scale from the sort of favela conflicts that would arise during the Vargas period and beyond. The reasons were twofold. On the one hand, open space was running out in Rio's center and immediate suburbs by the early 1930s, even as both industry and population began a quick rise.¹⁴⁸ The resulting wave of subdivision and development in the city's less traditional recesses—distant rural suburbs, previously ignored hill-sides, swamps newly crisscrossed by modern roads—drove soaring prices and intense speculation, and both encouraged landowners and *grileiros* to cash in on their favela claims, expelling longtime residents along the way. On the other hand, political currents ran in precisely the opposite

direction. The favelas matured both as communities and political organizations during the Vargas era, and they found an ever more receptive political audience for claims to real permanence, first among the deepening leftist parties in the 1920s and 1930s, then from Vargas's paternalistic bureaucracy, and then from virtually everywhere in the frantic political scramble of the post-1945 republic. As a result, residents and politicians quickly became as adamant about gaining defensible land rights as landlords were about demanding eviction.

By the end of the first Vargas regime, these two opposing trends had come to a head, and the circumstantial coalition that had sustained the favelas' early growth had splintered into bitter and constant conflict. With the survival of dozens of communities hanging in the balance, residents and land claimants squared off in a series of high-profile court cases; their conflicts quickly spilled out onto the streets and into the halls of government, providing ample fodder for the local press. The fact that so many of Rio's favelas survived was an almost incredible triumph for the communities' residents. But, as the following pages will recount, the manner of that victory rendered it bittersweet. Residents sought real permanence, justified by logics of history, need, and rights; what they mostly received was indefinite tolerance, forged from political convenience, logistical incapacity, and societal impasse. Here, as in so many other areas, poor people's salvation lay in protection from, rather than inclusion in, a society of laws.

RUMBLINGS IN THE URBAN SERTÃO

One of Rio's earliest widely publicized land disputes took place in the *sertão carioca*, near Rio's outermost boundaries. As chapter 7 partially recounted, in the 1920s a bankrupt mortgage company called the Banco de Crédito Móvel (BCM) began a series of large-scale and violent expulsions, in a largely successful attempt to subdivide and sell off enormous tracts of agricultural land in Guaratiba and Jacarepaguá. The bank's attempted displacement of rural *posseiros* was hardly unique. Speculators had been grabbing, buying up, and developing Rio's rural land on a massive scale since at least the 1870s; given the indefinite nature of property relations in so many rural districts, it would be surprising if these developments had not come at the cost of widespread and possibly violent eviction.¹⁴⁹ What was distinctive, and modern, about the BCM cases was that they were so bitterly and publicly contested; residents organized themselves and fought back, using every conceivable political, legal, and rhetorical strategy to avoid eviction. Though they did not always, or ul-

timately, succeed, these rural workers' struggle was a direct and early template for the urban land wars that would follow.¹⁵⁰

The Guaratiba and Jacarepaguá conflicts began in the early 1920s. In 1891, the BCM had acquired the *fazendas* of Vargem Grande, Vargem Pequena, and Camorim from Benedictine monks whose sugar plantations had hit hard times. The bank soon went into bankruptcy, and for 30 years its holders mostly ignored the already well-settled lands, many cultivated by slave descendants. In the early 1920s, the situation abruptly changed. According to some, heirs of the BCM's shareholders merely attempted to raise rents on their longtime rural tenants, who reacted with fierce protest. According to others, no tenancy agreement had ever existed, and the conflict stemmed from the heirs' illegitimate and violent attempts to reclaim lands their fathers had long since abandoned.¹⁵¹ Some of the rural workers organized themselves and, assisted by the early populist politician Maurício de Lacerda, sought to buy the contested territories.¹⁵² Others refused to pay for lands that they felt were theirs by right of possession. By the end of the decade, with no compromise in sight, things began to turn uglier. The bank sought widespread evictions on ever-expanding territories, and used violence and intimidation against residents who resisted them; occupants refused to give in and hired an ambitious young lawyer named Vicente Carino to fight for their cause. By the early 1930s, the conflict was already a morass of claims and counterclaims, fated to drag on for the next three decades.

The bank, for its part, marshaled a number of tactics that would become familiar in Rio's twentieth-century land wars. Initially, the BCM worked mostly through the courts, trying to evict residents by means of simple *despejo*, or eviction based on rent default. The legally tricky part of such a case was proving that a rental agreement had ever existed in the first place.¹⁵³ Here, the BCM's job was made easier by the fact that most small-scale rural rental agreements were oral during that period; because of this, the bank could establish the existence of tenancy simply by presenting a few witnesses (many with ties to the company) and certifying that they had paid the requisite land tax (a procedure that did not require a property title).

In the lower courts, this strategy often worked. In multiple appeals, however, residents pressed the issue, calling into question the existence of rental agreements and presenting their own multiple witnesses to document long-term occupancy. In the face of such arguments, the higher courts began to balk; in at least five cases in the early 1930s, appellate judges vacated *despejo* orders, citing both the BCM's lack of documentary ownership in Guaratiba and the occupants' multigenerational claims.¹⁵⁴ There was also, in many of these decisions, a note of commonsense logic

that deemphasized technical legal criteria. In one case, the judge summarized his decision as follows:

It is not possible to allow that the owner of certain supposedly leased-out lands can go dozens of years without charging, or at least without showing proof of having charged, any lease fee, and can then, after a long time has passed, without the slightest verbal or written proof of the lease, come and use a notification in hopes of creating the right to evict . . . the occupants of those same lands.¹⁵⁵

These court battles were accompanied, and surely shaped by, a number of extrajudicial strategies on both sides. The BCM seems often to have resorted to the dirtiest possible tactics, co-opting entire police delegations, buying off notaries, and sending its thugs to beat and assault intransigent occupants. Occupants, for their part, made it their business to give the widest possible publicity to these kinds of abuses. In 1930, barely months after Vargas's revolution, the Guaratiba committee described at the beginning of this section had already traveled to the news offices of the *Diário da Noite*—petition to the Ministério de Trabalho in hand—to tell the world about the bank's burnings, beatings, and lootings. By no accident, three of the five squatters who won appeals against the BCM were members of that committee. In 1931 and 1932, the press campaign continued: both the mainstream daily *O Globo* and the leftist *A Batalha* published multiple articles detailing alleged BCM abuses, and the majority of these profiled residents who either had been members of the 1930 Guaratiba committee or were represented in judicial land battles by Vicente Carino.

These articles often followed similar formulas, telling individual residents' stories in order both to showcase the BCM's alleged brutality and to build a moral case for links between history, virtue, and land rights. In December 1931, for example, *A Batalha* related to its readers the moving saga of Quintino Francisco Guedes, whose cousin Antônio had been a member of the *A Noite* committee the previous year. A semi-paralytic widower, Guedes had been violently expelled from his home of 44 years by Napoleão de Castro and Caetano de Camorim, notorious BCM thugs whose supposedly ferocious barbarity earned them frequent comparisons to the famed bandit Lampião.¹⁵⁶ In describing Francisco Guedes' life, the article clearly meant to tug at readers' sentimental notions of rural virtue:

This rural worker, 44 years ago, acquired lot #969, on the Estrada de Guaratiba, from Joaquim José de Lacerda. Young and strong, Quintino dedicated himself to the rude work of the countryside. And, little by little, he went about constructing a small house where he and his could take shelter. And, always working the soil, which prodigiously rewarded his efforts, the rural worker became old, surrounded by his family.

The article's author used such evocations to argue strongly that history should hold sway in the allocation of land rights: now that Guedes was widowed, old, and unable to work, it was an outrage that a bunch of opportunistic land grabbers could throw him violently from the home he had taken a lifetime to build.

Residents took pains to bring similar arguments to the highest ranks of government. As noted earlier, the 1930 Guaratiba committee wanted *O Diário da Noite* to publicize their cause, but their memorial was addressed to the Ministry of Labor, and showed keen political sensibility. In 1931, a still more remarkable missive was directed to Vargas himself by José de Lima Soares, the barely literate rural worker whose lands in Jacarepaguá were targeted as part of the same land grab that threatened Guaratiba. Lima Soares accused the BCM, in collusion with the local police, of sending Caetano de Camorim (nicknamed the Lampião de Jacarepaguá) to commit the worst possible abuses "at any time of the day and night." He and his thugs arrested heads of family, burned houses, and even "deflowered maidens," undertaking "the worst barbarities in the middle of the civilized capital." In one particularly awful recent case, Lima Soares claimed, Caetano de Camorim and his thugs "assaulted Domingo Rodrigues Sotellos's property, beat his family, broke his furniture," and "robbed and took over the house." Sotellos was in the hospital with a broken leg, and his family ended up "hiding out in the bush."¹⁵⁷

Harrowing though the scenes he described were, Lima Soares did not seek to convince the president through shock value alone. In the second half of the letter, he turned directly to the question of rights. The lands' current occupants, he recounted, were the descendants of slaves of the São Bento monastery, who had been allowed by the monks to settle the lands after they were freed in 1864. Though not the lands' legal owners (a fact Lima Soares explained simply by saying that "at that time there were no documents"), the occupants had never been disturbed until the BCM's recent incursions. The BCM and its henchmen, ignoring this history, and seeking to take advantage of the occupants' ignorance ("knowing that the people were all illiterate"), had bought off notaries, police officials, and even a judge's aide, seeking to gain the land through dirty tricks because "they couldn't run anyone out judicially, since they have no title that prove that they are the land's legitimate owners." Lima Soares called on Vargas, both as a man and as the president of a nation of laws, to stop the outrage:

Senhor Presidente, is it possible that we, men who wear trousers, can stand by and watch such an act of vandalism, such a stupid crime against individual liberty and movement? It is not possible, Senhor Presidente, we demand of Your Excellency an

energetic and immediate remedy and the restoration of the civil and penal codes [because] the revolution only revoked the political portion of the Constitution.

The letter ended with a list of possible witnesses to the outrages, many of whom had been part of the *Diário da Noite* committee: Lima Soares urged haste and noted that “the people have a horrible fear of that [Napoleão] Castro.”

Like the favela residents who would later appeal to Vargas in similar terms, Lima Soares received no immediate satisfaction. But his letter made enough of an impression on Vargas and his ministers that they ordered a full investigation. This report, while contesting the involvement of police chiefs and laying the blame for the situation on the pre-revolutionary government, documented the BCM’s violence and some police collusion with it.¹⁵⁸ It also revealed that the occupants—not satisfied with civil appeals, publicity, and political missives—had on at least one occasion taken the law into their own hands: led by a local tough nicknamed the Preto Bibiano, a “numerous group” of rural workers had performed a citizens’ arrest of a BCM employee named Libanio dos Santos and brought him to the 2nd auxiliary district. At other times, they had made more conventional use of the criminal justice system, bringing criminal complaints against the BCM’s henchmen, including Caetano de Camorim and at least two police officers. Throughout, residents consistently avoided the police district whose chief they believed to be involved, relying instead on other authorities who were less directly implicated.¹⁵⁹ Years later, when former police chief Frota Aguiar became a municipal councilman, he would still recall these cases, calling the BCM an “assailant of the small cultivators’ properties.”¹⁶⁰

The multilayered resistance to the BCM’s claims involved any number of actors external to the rural communities of Guaratiba and Jacarepaguá—reporters, sympathetic or ambitious police chiefs, judges willing to give credence to the stories of poor, uneducated occupants with few documents to prove their claims. The young lawyer Vicente Carino resurfaced everywhere, officially representing some 300 evicted families but also acting as a mediator and representative in ways that went far beyond the strict requirements of legal service.

Yet, important as all of these outsiders were, a core group of highly committed residents seems to have been at the movement’s heart. Surviving records indicate more than 50 occupants who took part in the group’s varied strategies, telling their stories to the press, forming part of the 1930 Guaratiba committee, writing to the president, taking part in citizens’ arrests and criminal complaints, and contesting eviction decrees in the civil courts. If their names are any indication, many of these people were related by blood or marriage, and nearly all were engaged in mul-

tiply ways. Leopoldino Luiz dos Santos, for example, was a father of six who had been expelled from a small *sítio* called Portão, where his family had lived “for dozens and dozens of years.”¹⁶¹ An original member of the 1930 *Diário da Noite* committee, dos Santos also participated in the citizens’ arrest of BCM employee Libânio dos Santos. Luiz dos Santos testified to the 2nd auxiliary district in that case, told his eviction story to at least one reporter, and was also among the first to win a civil appeal. On 16 March 1932, he and a large group of officials and neighbors formed a “caravan” to officially repossess his lands and those of two other victorious families; the group also included lawyer Vicente Carino and one of the local police chiefs. The highly partisan communist daily, *A Batalha*, reported the caravan’s day-long sojourn in triumphal and romantic terms: “For more than three hours, mounted on horseback, everyone climbed a steep mountain. . . . Once the [BCM’s] eviction was finished, all those who accompanied the caravan, and who had also been victimized, gave themselves over to manifestations of joy, shouting ‘vivas’ and setting off fireworks.” Even a “formidable downpour” didn’t “dampen the group’s happiness” about the “bank’s notorious defeat.”¹⁶²

The BCM story did not, in the end, have such a celebratory outcome for most of the rural claimants. By 1932, the bank was already back in court with new and equally questionable strategies, this time calling not for eviction but rather for *reintegração de posse*. In two nearly identical cases, the bank claimed that two illiterate rural workers had bought its lands and then defaulted on their payments. The BCM presented the purchase and sale contracts and also called on local witnesses. In both cases, however, other occupants—Turíbio and Manoel Luiz dos Santos, quite likely brothers of Leopoldo—asked the courts to stay the case. According to them, it was all an elaborate ruse; the bank and the supposed evictees had colluded on a fake sale agreement meant to trick the courts into accepting the BCM’s ownership. In reality, they said, these lands were theirs, and the witnesses who had testified were just the bank’s *capangas*. This claim seems to have held water: one of the bank’s witnesses was Napoleão de Castro, a defendant in several of the occupants’ criminal complaints, and another was none other than Caetano Francisco de Assis, also known as Caetano de Camorim—the famed and feared “Lampião de Jacarepaguá.”

Despite Vicente Carino’s impassioned arguments, neither of these complaints was of any avail; the BCM emerged victorious. While these particular cases may have gone on to be won on appeal—we have no further record of them—the region’s long-term history also seems to have evolved in favor of the BCM and other, similar outfits.¹⁶³ Over the course of the 1940s and 1950s, rural *grileiros* continually resurfaced in Munici-

pal Council debates and press reports, their violence and exploits assuming legendary proportions. Breno da Silveira, a *vereador* and congressman who was unusually outspoken on favela land issues, became something of a champion for the rural workers' cause, hailing their virtue as pastoral laborers who supplied the Federal District's tables, and attacking the BCM and a number of other legendary *grileiros* for mounting a frontal assault on the rural districts' peoples and ways of life.¹⁶⁴ Occupants could still occasionally block *grileiro* actions,¹⁶⁵ often with the help of an engineer named Pedro Coutinho Filho. The Municipal Council came forward in favor of rural workers as well, even passing legislation meant to regularize the situation of rural regions, where, councilmen asserted, as many as 90 percent of occupants had no formal claim to their lands.¹⁶⁶ But the legislation seems to have been enforced only patchily, and few who occupied territory coveted by the BCM could secure the *usucapião* rights that would have precluded future eviction. Over the long term, the speculators' incessant litigation and continued violence chipped away at the smallholders, and the *grileiros* became the legal owners of the territory, part of which would eventually become one of the hottest land markets in the city.¹⁶⁷ Councilman Breno da Silveira summed up the case in 1948, making reference to a colleague who had successfully defended his own family's properties against the BCM's pretensions:

The ones who triumph in the much talked-about *usu-capião* [sic] cases are those who have resources, like councilman Caldeira de Alvarengo, . . . a prestigious politician who had the means to pay good lawyers to struggle against the BCM, one of the big landowners' greatest guides in the Federal District. Even so, the councilman . . . took ten years to triumph. Imagine . . . a small-time squatter, ignorant and without any means whatsoever. He is forced to give up in the middle of the struggle, and what happens is what we are now seeing.¹⁶⁸

What they were seeing was the last throes of a battle that would end with the surrender of these rural places to real estate development. It is revealing of the extent of this dispossession that the most complete modern account of the territorial history of Vargem Grande, Vargem Pequena, and Camorim does not even mention the BCM conflict, noting only the bank's continuous ownership from 1891 until the lands were subdivided and developed as summer homes in the 1940s and 1950s.¹⁶⁹

URBAN OUTBREAKS

The sheer drama of the BCM conflicts gave them a higher profile than that of many others in the 1930s. But during the same period, urban settlements also began to witness breakdowns in the informal truces that

had allowed their early growth, and the result was a similarly volatile mix of litigation, resistance, and violence. Conflict and eviction were nothing new in central Rio; small-scale private expulsions were quotidian occurrences, and massive public health eradications had a history that ran from the *cortiço* demolitions of the 1880s and 1890s right through the Santo Antônio evictions of the early twentieth century. But several of the disputes that emerged in the 1930s were qualitatively different than these, and they recalled the BCM conflicts in critical ways. They mostly began on the initiative of private owners or *grileiros* eager to cash in on their investments. Yet they involved lands that by that point had grown into substantial, and significantly coherent, communities, whose members followed the rural squatters' lead in using sophisticated and multifaceted strategies to resist eviction.¹⁷⁰ Like the BCM struggles, these marked the beginning of the all-out property wars that would wrack the city through the 1970s. Unlike the struggles of the countryside, however, the favela conflicts often ended in substantial victories for their occupants.

Because of the centralized and often repressive nature of the Vargas government, many of Rio's urban land conflicts were negotiated away from public view before 1945. Yet, even so, archival traces of eviction threats and citizens' reactions remain. In the early 1930s, as recounted above, threatened residents of Santo Antônio, Mangueira, and Jacarezinho were already writing letters to the president, sending personal committees to Catete Palace and other halls of government, seeking the aid of well-connected political intermediaries, and even sometimes prevailing in court.¹⁷¹ According to geographer Maria Lais Pereira da Silva, residents of the São Carlos favela in central Rio employed a similar array of tactics when they were threatened with eviction by a private "owner" in 1932.¹⁷² They wrote to Vargas, hired a lawyer, and sent committees to the press; in 1937, long before most analysts recognize the existence of organized resistance among *favelados*, they even established the "Sociedade dos Trabalhadores Humildes do Morro de São Carlos."¹⁷³ In many of their public communications, São Carlos's occupants echoed the rural workers of the *sertão carioca*, emphasizing critical arguments about law and rights. In a neat inversion, they alleged that the supposed owner had obtained his court order through dirty tricks, effectively using the law's technical processes for illegitimate means; at the same time, residents argued that their protests were questioning the court's orders in order to defend their "rights," effectively using extralegal means to fulfill the law's intentions. In the end, Vargas stayed the São Carlos eviction ruling, and residents eventually overturned it on appeal.

In the Salgueiro favela, also threatened by a private owner in the early 1930s, occupants used still more varied strategies and arguments.

As indicated above, Salgueiro—with one of the longest histories of any favela—in many ways exemplified the early strategic alliance of squatters', owners', and *grileiros'* interests. In the early 1930s, however, all of that began to change when several residents went to court demanding *usucapião* rights to their hillside properties.¹⁷⁴ Most likely spurred by the *usucapião* cases, the hill's supposed owner (Dona Maria Joanna Miranda de Araujo, Condessa de Mantebrial) sold the land she claimed in July of 1933. The purchaser was none other than Emilio Turano, the Italian shoe salesman and tenement manager who was at that point already a decade into the tenement and favela business. Remarkably, just three days after the sale—and long before Turano officially notified the occupants of it—three residents had already whipped out an intriguingly worded telegram to Getúlio Vargas himself:

Undersigned live [on] Salgueiro hill . . . many years' residence, having grown children born there. Now a gentleman has appeared who invites their evacuation in name [of] false rights never claimed. Cannot obey this order because have the *usucapião* [sic] of these lands cultivated and improved by undersigned, disposed to defend domain to last breath. Are poor people living life of suffering and ask of Yr. Exc. government protection, even to avoid disagreeable incidents as there are families wanting heated action that signatories have tried to contain. Will send memorandum explaining but ask Yr. Exc. for immediate orders to police in order to avoid violence.

In that short space, Aquino, de Sá, and Gonçalves both echoed the arguments marshaled by victims of the Banco de Crédito Móvel and added to them an urban urgency and tension. Some of their claims were moral—as poor, long-suffering people whose children had been born on the hill, they were asking for the traditional “protection” owed to the powerless by a Brazilian ruler. Elsewhere, though, the petitioners demanded far more than paternalistic charity, asserting *usucapião* rights in a language that showed a strong connection with rural life: not only had these lands long been occupied (as *usucapião* would require), they had also been “improved and cultivated” by the shantytown residents, a fact with considerable weight in rural land claims.¹⁷⁵ What's more, these residents were not willing simply to sit back and wait for the president's grace; they would fight for their rights, and the signatories could not prevent violence if something was not done.

There is no sign that Vargas intervened directly in the case. But the residents forged ahead. Reportedly led by the famed *sambista* Antenor Gargalhada, they mobilized Salgueiro's samba school to struggle against the eviction, and they urged their lawyer (João Luis Regada) to argue for *usucapião* in the name of Basileu Xavier Valentim and other longtime residents.¹⁷⁶ On 9 January 1934, the future juridical luminary Nelson

Hungria ruled in the occupants' favor, reportedly noting that although Valentim had “not proved the trinteniary precept on all of the disputed territories,” he nonetheless surely had “docile and peaceful possession” of his house and those he had built for third parties, and that in any case “the inhabitants of the *morros*, because of their humble station, cannot but deserve Justice's aid.”

The case ran into some roadblocks after that early triumph, but it would eventually become an emblem of the potential power of Salgueiro's multifaceted strategy. Initially, Turano's successful appeal restricted Hungria's verdict to Valentim's own lands, leaving all of the other residents open to eviction.¹⁷⁷ In response, Salgueiro's lawyer, João Luis Regada, took on at least five new *usucapião* clients (including Antônia Maria da Conceição, whose claim was discussed above) and continued to fight in court.¹⁷⁸ The whole affair reached its startling conclusion some ten years later, when Judge Heráclito de Quieroz, in a stridently worded decision, rejected Turano's final eviction claim. Noting that Turano had paid no taxes on the shacks he claimed, and also that rent law would prevent the residents' eviction even if Turano could prove they were tenants, Quieroz went on to attack the very practice of speculation:

[These] lands, held for long years diuternally and uninterruptedly, occupied in good faith by proletarians sheltered in humble huts, were long ago relegated to oblivion by their supposed possessors, who only remember them now because of the valorization that has resulted from the city's development, to which they contribute nothing. These are abandoned areas, on the *morro's* slope, never placed in the public register, where Tijuca's population formed their favela more than 50 years ago, and they remained there until the *grileiro*, by means of artifice, came to perpetuate his usurpation.¹⁷⁹

With those words, Quieroz asserted a combination of moral and legal reasoning that would be echoed often by lawyers and politicians in the tumultuous land wars of the 1940s and 1950s: *grileiros* were parasites, the lands had been abandoned, and no paper trick would justify expelling the hardworking “proletarians” who had made their homes on the hill. Quieroz also seems to have guaranteed Salgueiro residents their long-sought peace of mind: occupants and politicians alike would later point to the 1944 decision as the hill's liberation from Turano's claims. Though other threats would surface when Turano's heirs attempted to auction the hill off in 1958, none dislodged the settlement as a whole.¹⁸⁰ In the relatively small world of Rio's favelas in the 1940s, this kind of permanence was everything, and it would not be long before activists from dozens of other threatened *morros* would marshal equally heterogeneous strategies in defense of their own perceived rights.

THE BATTLES OF RIO DE JANEIRO

The most intense phase of Rio's twentieth-century property wars broke out after the end of the Estado Novo in 1945, as land values and immigration accelerated, the favela issue moved to the center of a rowdy political stage, and the federal government lost much of its ability to enforce behind-the-scenes compromises. During the Estado Novo, the Carioca courts had often allowed considerations of legislation's social effects to trump the law's strict application. After Vargas's fall, the courts unleashed a flood of eviction decrees, which together threatened tens of thousands of homes.¹⁸¹ At the same time, Rio's Communist Party, which won a majority in Rio's 1947 Municipal Council elections, placed the issue of court-ordered evictions at the center of its political strategy, framing the issue in terms of rights rather than charity, and forcing members of any other party that hoped to gain the favela vote to follow suit. This politicization, which endured even after the Communist Party was banned in 1948, would prove central to the favelas' survival.

In the late 1940s, the issue of property ownership at first appeared to be only one of many swirling around the favela phenomenon, and the courts were only one of several public entities jockeying for a say in the settlements' destinies. Prefects, city councilmen, national legislators, cabinet ministers, and President Eurico Dutra himself all had something to say on the issue, as did journalists, social service workers, and church officials. Legislative commissions and governmental agencies began to proliferate; their proposals included shacktown eradication and the deportation of rural migrants; the construction of suburban public housing; and even the on-site urbanization and civic/social "education" of favela communities. To complicate the picture still further, the favelas' full potential as political bases became apparent with the return of legal elections, and every Carioca political party jumped into the fray, setting up elaborate networks of local political operators (*cabos eleitorais*) and promising the moon and the stars to residents willing to pledge their votes.

In this heady atmosphere, it was not initially obvious that favela permanence would be viewed as a viable public policy option, or that private court battles—rather than urban planning and health policy—would be the main arena of struggle. Following the basic ideological lines that had been drawn by Prefect Henrique Dodsworth and by Saúde e Assistência head Vitor Tavares de Moura in the early 1940s, the municipal government initially focused its public debates not on whether to eliminate the favelas but rather on how and when to do so. While more tolerant poli-

ticians and officials might grant the favelas a temporary reprieve or offer charitable help and "education," such aid was never meant to grant rights or facilitate permanence. Several bills introduced during those first legislative sessions advocated the deportation of many favela residents to the rural hinterland, and demanded the immediate enforcement of the 1937 building code's ban on favela expansion or repair. Even the Fundação Leão XIII—the joint Catholic-municipal venture that would be critical between 1947 and 1954 in building up the favelas' infrastructure and preventing mass evictions—had as part of its initial mission the favelas' eventual eradication.

Relatively quickly, however, residents and left-leaning members of the Municipal Council—especially socialists and communists—began to frame the favela question in terms of residents' rights to occupy their lands permanently. The catalysts were a stream of eviction threats, both private and public; in 1947 and 1948 alone, sixteen large-scale expulsion threats were widely reported.¹⁸² Though several came from the civil courts, most of these private suits were instantly bogged down in appeals. Thus the most consequential evictions during these years were from public lands, and were carried out because of public health and building code violations, often on the personal order of Prefect Mendes de Moraes. Publicly ordered expulsions intensified especially during the so-called Battle of Rio de Janeiro in 1948, which started as the councilman and journalist Carlos Lacerda's attempt to focus municipal attention on the complexity of the favela problem, and which ended as a widely publicized municipal crackdown.¹⁸³

Many of these public evictions were quite violent, and the majority brought municipal police (and especially *guardas municipais*) into direct conflict with resistant occupants. In 1947, for example, municipal police armed with "machine guns and automatic pistols" destroyed some 60 shacks behind a cemetery in the central neighborhood of Catumbi; each dwelling, the residents claimed, represented some 500–600 *cruzeiros* of investment, and many people had lived there for more than 30 years.¹⁸⁴ During a 1948 eviction in the Morro dos Macacos—built on the public grounds of an old zoo in the north-zone neighborhood of Vila Isabel—*O Globo* described the arrival in June 1948 of a "a great bellicose apparatus": municipal policemen, "armed with portable machine guns and automatic pistols," who went up and surrounded the hill while workers from the city's Limpeza Pública destroyed more than 100 shacks with "axes, picks, and other 'arms' of destruction."¹⁸⁵ In the tumult, a local boss was badly beaten, and various residents lost everything they had; because of such abuses, the *Correio da Manhã* called the police the "SS."¹⁸⁶ In 1948, the *Diário de Notícias* summed up the sensationalist view of such expul-

sions, noting that, in a typical case, "the residents, dumbfounded, are expelled from their huts and improvised homes, and the flame of the law (a mixture of officious stupidity with gasoline and matches) transforms everything into a mountain of ashes."¹⁸⁷

Awful though it was, this sort of violence also served to place favelas and their residents squarely at the center of public attention, a position that activists and their allies used to great effect. Many of their strategies were familiar. Like Guaratiba's *posseiros*, the threatened communities sent frequent committees to a wide array of local newspapers, which generally complied by printing sympathetic stories and photographs highlighting the favelas' plight.¹⁸⁸ Activists also continued to send letters and delegations to meet with the president, his ministers, and the prefect, and they tried to establish critical relationships with lower-ranking governmental officials more directly responsible for their fate.¹⁸⁹ The organizing of neighborhood committees also continued, now sometimes impelled by religious agencies like the Fundação Leão XIII or carried out in cooperation with local politicians.¹⁹⁰ In the Rio Municipal Council's very first post-dictatorship session, for example, the communist Octávio Brandão Rego proudly announced the formation of the Lakeshore Resident's Association, meant "to defend the [residential] rights established in the Constitution, among Brazilians' most fundamental rights." The communist press continued to agitate for such organization in subsequent years.¹⁹¹ Not to be outdone, and recognizing the political potential of such organizations, by 1948 more mainstream politicians, such as Lígia Maria Lessa Bastos (UDN), Anésio Frota Aguiar (PTB), and José Osório de Moraes Borbosa (ED), were actively collaborating with residents' associations from Catacumba and elsewhere.¹⁹²

The new political context also allowed for significant strategic innovations. With the reopening of the city council and the national legislatures, local residents became constituents of particular representatives or senators, and a host of local party bosses set up shop to court favela residents' votes. Municipal Council representatives in particular dove headlong into favela politics; communist Council members, such as Octávio Brandão, Arcelina Mochel, and Amarílio Vasconcelos, seemed to have the strongest initial presence; but others, such as Breno da Silveira, Frota Aguiar, Sagramor di Scuvero, Lígia Bastos, and Geraldo Moreira, rapidly caught up. While many politicians quickly became famous for appearing in the favelas only around election time, others became consistent advocates for everything from infrastructural improvements to urban permanence. In a constant stream of letters, delegations, and requests, residents placed particular emphasis on infrastructure, not only because of its intrinsic value but also because even the smallest urban convenience was seen as a

small entrenchment, a movement toward urbanity that would make any future expulsion less viable. In making such requests, some occupants hedged their bets by contacting representatives from across the political spectrum. Jacarezinho, for example, eventually found its self-proclaimed champion in PTB politician Geraldo Moreira, but its residents were careful in the midst of a 1947 eviction threat to send a long appeal to politicians from the archrival UDN party—including samba singer Ari Barroso, who read the letter aloud to the Municipal Council.¹⁹³

Residents sought also to entrench their communities by establishing links with other, intermediate players, both inside and outside the government. The Santa Marta favela, in the south-zone neighborhood of Botafogo, was exemplary.¹⁹⁴ Already in 1948, the community had a neighborhood committee of five "longtime residents," which took it upon itself to regulate "the area of hygiene and cleanliness, maintaining order and respect among the inhabitants." That committee, and the community as a whole, had established close ties with Padre Veloso, the rector of Rio's Catholic University, and Dona Laura do Rego Monteiro of the Nossa Senhora Auxiliadora parish, which also offered the community material support.¹⁹⁵ After 1946, Nossa Senhora Auxiliadora combined its efforts with those of the Fundação Leão XIII, the joint city government-Catholic Church venture that was the first to promote a limited form of urbanization in a number of Carioca favelas.¹⁹⁶ This kind of alliance with Catholic Church leaders extended to numerous favelas, where nuns and priests sympathetic to the line of thought that would develop into liberation theology often stood at the front lines of community organization and defense.¹⁹⁷

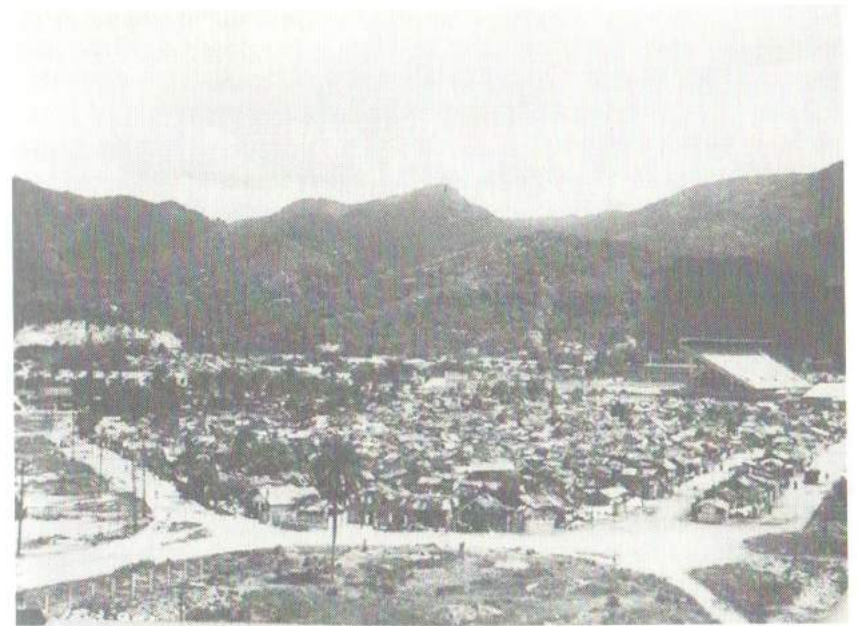
Residents' outreach efforts also extended to the police, both in Santa Marta and elsewhere. According to *birosca* owner and longtime resident Antônio José Lopes, Odilar José Lopes, another of Santa Marta's "longtime residents," was "the element linking the *morro* and the police. If there's any abnormality in the area, Senhor Odilar is called and can serve as lawyer, prosecutor, or defense."¹⁹⁸ Presumably, this kind of mediation prevented the police from interfering in *morro* affairs except in the most extreme cases, and the threat of police intervention lent Odilar and other local authorities the clout they needed to keep order in the area. With order came respectability, as well as a lower risk that police intervention might escalate into calls for the hill's eradication. Similar arrangements were common early on in São Carlos and Chapéu Mangueira, where community leaders recall the active intervention of the neighborhood committee in all sorts of internal disputes.

When this whole range of pacific tactics failed, residents often chose to exert public pressure more directly, through marches, mass visits to the

chambers of government, and open resistance. Already in 1947, residents threatened with eviction had marched en masse to the *prefeitura* and were occupying the municipal chambers from time to time, often at the urging of local politicians.¹⁹⁹ A good part of the Catumbi favela's population, threatened in late 1947, reacted in dramatic fashion, descending "to demonstrate on the city streets at various times, bringing their appeal to the people, and demanding in front of the Catete and Guanabara Palaces that the demolition be suspended."²⁰⁰ When police surrounded the hill with armed men in an attempt to stop those marches, 88-year-old grandmother Josefa Teixeira da Silva took the lead, allegedly crying "Let them kill me!" as she charged ahead.²⁰¹ Paper leaflets urging similar resistance rained down on some south-zone favelas in 1948;²⁰² during that same year, residents in places like the Morro dos Macacos and Cantagalo turned words into action, physically resisting demolition. As rumors swirled about the scope and scale of the prefect's eradication campaign, one south-zone resident, described as an "old African who helped Brazil to grow," exclaimed to a reporter, "They will only pull me from this shack dead!"²⁰³

In all of these actions, residents and their allies justified their stances in enormously varied ways. At the simplest extreme, pity was the hook; newspapers, especially, highlighted the violence and brutality of the evictions, printing tragic profiles and abundant pictures—mainly of broken homes, tearful women, wide-eyed children, and the elderly, but also of the suited and serious men who led the communities' public appeals, quite the opposite of the derelicts and thieves said to inhabit the favelas.²⁰⁴ Need, morality, and common sense were also prime arguments. Mass eviction was an "inhuman measure" that threatened to "throw to the street hundreds and hundreds of people, whose only crime is poverty."²⁰⁵ The places where residents were being sent to build new shacks were far away—many were assigned to public lands in suburban Penha—and the time spent constructing new homes would take breadwinners away from their work.²⁰⁶ Most importantly, as one south-zone residents' committee wrote to councilman Breno da Silveira, the removals threatened residents' ability to contribute to society through honest labor: "The residents have organized their lives in Leblon and nearby. They are workers, domestics, washerwomen, cooks; many work in civil construction. How can they be brutally removed from there?"²⁰⁷

All of these arguments echoed Vargas's Estado Novo rhetoric with their emphasis on pity, virtuous poverty, and work as a source of entitlement; by the 1940s, such themes were so deeply embedded in Carioca political culture that few dared publicly to argue with them. Other strains of the debate pushed the envelope further, stepping firmly over the line between supplication and demand and articulating a rights-based argu-



The Praia do Pinto favela, 1941. Courtesy of the Arquivo Geral da Cidade do Rio de Janeiro.

ment rooted in favela residents' intrinsic connection to the city that attempted to eject them. One such view was forwarded in 1948 by Praia do Pinto resident Timoteo Barbosa, a moustached "sexagenarian" who reminded a journalist of "those virile figures" from their "grandfathers' times" with the "composure of a poor but honorable man." Barbosa said that the struggle for permanence was one in which residents were "trying to save our very existence, our past and our future." The people who lived in the Praia do Pinto had earned their place in the city by helping to construct it, and any attempt to take them from their homes violated a fundamental right:

How can carpenters, masons, joiners, etc., all of the people who live in those *morros* and help to construct buildings in Leblon, in Copacabana, in the center of the city, move to infested lands, far from the city? And who will guarantee our permanence there? I have lived with my family for eight years in this little favela. I myself constructed this little shack, which is the only thing that I possess, with these hands that God gave me."²⁰⁸

Barbosa clearly understood the projected move to Penha as an expulsion from the city, which he and his neighbors had helped to build, and of which his favela settlement was very much a part. Many of his fellow

shanty residents took this argument still further, not only linking favela permanence with rights to the city but also claiming both as entitlements rooted in their long service in a rural world still closely linked to Brazil's slaveholding past. As rumors flew in 1947 and 1948 of proposed expulsions and mass deportations of favela residents to the countryside, elderly occupants minced no words in linking favelas, urban life, and freedom. In a 1948 interview, Santo Antônio resident Joaquim Lopes recounted, "In Minas, I worked like a mule for others. Stuck to the handle of the hoe day and night. I came here to not die from hunger. And from here I am not going back to that wretchedness. Only if they kill me." One of his neighbors chimed in, adding that she was not about to "fall into the folly of going back to the fields to live as the slave of the *senhor do engenho*, without a bit of land."²⁰⁹ The next month, Josefa Teixeira da Silva, the 88-year-old grandmother who had taken the lead in Catumbi's public demonstrations, exclaimed to a reporter, "Josefa is not the one who is going to be anyone's slave in the fields. Josefa is poor, but she has shame and dignity, son."²¹⁰ That same year, an article in the nationalist daily *O Mundo* fleshed out the argument in its portrait of Fernando Rosa da Silva, a 68-year-old rural migrant and Praia do Pinto resident whose "close ancestors came from faraway Africa and helped to construct this magnificent Brazil." According to the paper, da Silva, "tired of exploitation, fled to Rio," where "his purely African type" made it impossible for him to find housing anywhere but in a favela. When asked about the potential mass eviction, da Silva objected forcefully, simultaneously evoking a version of Vargas's social contract and rights born of thankless rural servitude:

They want to beautify the city at our expense. So our lives and work mean nothing. And the children that I gave the fatherland. And the right to live in peace? We helped to make this great city. We constructed the skyscrapers, the *palacetes*, and they don't even want to allow us to live in the wretched cardboard shacks we live in. But, Mr. Reporter, you can write in your paper: I will only leave my home dead. I couldn't continue living after being expelled from my own house, I wouldn't even have anyplace to go. I am 68 well-lived years old. I worked like a slave. I came from the countryside fed up with exploitation, and I am not going back there as an old man.²¹¹

Ten days later, da Silva's neighbors adopted his words as their mantra, sending a letter to councilman Breno da Silveira that bracingly concluded, "We are not animals, *senhores vereadores*, nor slaves. We are not anyone's property, we are free citizens with the right to seek our own betterment. And the government's responsibility is to help those who want to work and produce."²¹²

There is no telling the extent to which outsiders collaborated in writ-

ing these words, nor the degree to which the letter represented the views of most favela residents. But the entire array of arguments and strategies marshaled by the residents and their political and journalistic allies was often enough to stop the *prefeitura* in its tracks. Definitive legal solutions were not forthcoming. A radical Municipal Council bill, which would have prevented all expulsions until new housing was built, faded quickly after the Communist Party was banned in 1948; the municipal government, citing the 1937 building code, frequently refused to allow favela residents to make even the smallest repairs on their shacks; and small-scale demolitions and threats continued to surface throughout the 1950s. But the Municipal Council did pass a resolution against the 1948 Cantagalo eviction, and informal political pressures slowed or stopped most other expulsions. As late as 1960, virtually all of the threatened communities located on public lands remained in place, never enjoying real security, but at least anchored to the city by the combined weight of community resistance, populist politics, and scarcely viable alternatives.²¹³

PRIVATE WARS: JACAREZINHO AND THE SHIFTING TERRAIN OF THE FAVELA DEBATE

Expulsions from privately owned lands were a different story, and it was for this reason that property eventually emerged as the most explosive issue in the favela debates of the post-1946 republic. Although many of the eviction decisions that appeared in 1947 were bogged down in appeal, they resurfaced in full force by 1949. Some courts did eventually deny private land claims, but the vast majority did not; the result was stalemate. On one side stood the courts and the police forces, charged with putting civil rulings into effect, as well as a number of political allies who advocated the shacktowns' eradication. On the other stood residents and the politicians who linked their careers to the communities' defense, all of whom harnessed every resource to argue their vision that right, and rights, lay on the other side of the courts' ruling. The critical question at the center of the standoff was whether or not the same balance of forces that had temporarily blocked most expulsions from public lands would be strong enough to overrule property rights duly confirmed by Brazil's highest courts.

One of the first fronts in these new legal land wars was the north-zone community of Jacarezinho. The settlement—the same one that had fallen under Darcy Vargas's protection in the early 1940s—had unusually strong and multifaceted political connections, as well as an extraordinarily co-

herent internal organization; in many ways it embodied the coincidence of interests that had sustained the favelas' early growth. Jacarezinho had originated on lands claimed by one Mário de Almeida. Although he was perceived as a "benfeitor" by some residents,²¹⁴ Almeida seems to have followed the path of many other landowners before him, first renting settlers small plots carved from abandoned territory—much of it swamp—and then attempting to evict them as land values rose in the booming industrial neighborhood that grew around the shacktown. Court threats were initially held off by residents' wily recourse to Darcy Vargas, but neither the first lady nor her husband nor the Legião Brasileira de Assistência—which sanctioned the settlement in the mid-1940s—did anything to ensure residents permanent land rights after the dictatorship's end.²¹⁵ In October 1947, Almeida, now acting through a company called Concordia Sociedade Imobiliária, secured an order confirming his ownership from Rio's Fifth Civil Court.²¹⁶

The residents' response reflected their long political experience. Within a few days, they had sent committees to Prefect Mendes de Moraes, the municipal secretary of finance, and to President Dutra himself, appealing for help and asking that the hill be expropriated by the city along outlines already drafted by Atila dos Santos Couto, the politically agile *grileiro* and intermediary who had been named as one of the defendants in the suit.²¹⁷ The letters were printed in various newspapers, which received their basic message sympathetically; though residents recognized Almeida's property rights, they had nowhere else to go, the lands had long stood empty, and the Vargas regime (though admittedly "the last government, from the dictatorial era") had made them promises that ought to be kept.²¹⁸ Residents also pointed to the significant urbanization that had already gone on in Jacarezinho—"streets, water, electricity, and even schools"—implying that such investment had made their shacktown a true neighborhood, which could not simply be wiped from the city's face.²¹⁹

Initially, the case was suspended on appeal. While waiting for the appeal to play itself out, residents and allies worked in various and innovative ways to strengthen Jacarezinho's standing. Municipal Council members, led principally by the UDN's iconoclastic Breno da Silveira, introduced several measures that would have fortified the community's infrastructure: bringing it a post office, officially recognizing its streets, and appropriating a million *cruzeiros* for the community's "urbanization."²²⁰ The Fundação Leão XIII worked in a similar fashion, simultaneously promoting urbanization, social work, and its own particular brand of community organization.²²¹ At the same time, politicians from across the political spectrum began to echo the residents' own argument that Jacarezinho was different from most favelas. Many of its homes were made

of brick, and it contained numerous well-capitalized small businesses; it was, in short, one of relatively few "decent" communities whose residents were workers rather than *malandros*, and whose lands and homes could reasonably be reformed on-site to create a true neighborhood. In August 1948, the efficacy of these multiple lines of action and argument seemed confirmed when President Eurico Dutra and Prefect Mendes de Moraes made a widely publicized visit to the hill, promising that none of its residents would ever be evicted until fully urbanized housing was available.²²²

Less than a week after the president's visit, however, the fourth Câmara of the Tribunal de Justiça showed itself unswayed by his pronouncements, upholding the Fifth Civil Court's eviction ruling. On 30 November 1948, Judge Augusto Moura—rumored by some papers to be a vehement opponent of Getúlio Vargas—informed residents of the *reintegração de posse*, and on 16 May the court issued a *despejo* order for somewhere between 10,000 and 20,000 people, to be enforced by the military police on 20 May, with the especially harsh stipulation that residents would not receive compensation for the "imprestável" (useless, junky) material with which they had constructed their homes.²²³

By the next day, a residents' committee had contacted the press, the president, and the prefect to demand intervention. The popular Rádio Tupi aired the issue as well, and various dailies ran scathing (and, in some cases, disingenuous) exposés of Almeida and his machinations. For example, Venerando da Graça, a future councilman, published an article in *O Radical* on 17 May that seemed designed to exploit every conceivable sympathetic cliché in service of the residents' cause.²²⁴ He described Mário de Almeida as "a rich man" with "mountains of *terras devolutas*" that he neither used nor needed nor cultivated. The lands' first residents had arrived hungry, thirsty, cold, and desperate, "without clothes, without beds, without money, without any protection whatsoever," left to their own devices "when the right to live in a house definitively abandoned the poor." Almeida had pretended to accept them, allowing Jacarezinho's spectacular growth, only to sell the settlement off the moment he realized its potential worth. Da Graça proclaimed Almeida "a feudal lord of 30,000 tatters, of 30,000 tortures." After tugging at his readers' heartstrings with the laments of a destitute mother of four, he ended the article by evoking fear of a general revolt, quoting a passerby whom he described as possessing "they eyes of a rebel" and "the air of someone who would know how to defend his own to the death:"²²⁵

Who will give a house to me and mine? No one. . . . We are going to be thrown on the street like stray dogs. . . . We are going to be driven out of here with kicks or bullets. But I swear, for my children's happiness, for the love I have for my wife, I will only leave here as a cadaver on its way to the morgue.²²⁶

Politicians evidently read the papers, and it was immediately clear that the furor over Jacarezinho had transformed the terms of the favela debate. The day after the ruling, nearly a dozen PTB city councilmen proposed a bill authorizing the prefect to expropriate the hill and sell or rent its lands to the current occupants. A similar bill proposed by the communists for the Turano hill in 1947 had gone nowhere, and the Council had virtually ignored a nearly identical one suggested a year later by the UDN's Tito Lívio.²²⁷ This time, however, the atmosphere was charged, not only by the size of the potential expulsion and the proximity of the 1950 elections, but also by the number and variety of political ties binding councilmen to Jacarezinho's residents. In Council debates, Breno da Silveira took his habitual advocacy of rural *posseiros* and urban favela dwellers a step beyond the usual paternalism, urging "the Morro do Jacarezinho's residents" to organize independently "because, organized, they will be a force capable of defending their own interests." Essentially advocating civil disobedience, he said that occupants should not "give ground, in any way, on that spot that belongs to them," because "they have lived there for many years and deserve to continue there in peace, for the Morro de Jacarezinho's residents' laborious spirit is outstanding."²²⁸

Frota Aguiar, a PTB councilman and former police chief, took similar ideas in a different direction, elaborating this rebellious language into an embryonic legal doctrine that recalled in many ways the Estado Novo's hybrid paternalism. Claiming to know from his experience as a "city police authority" that "there are certain orders that one does not follow,"²²⁹ he went on to criticize the judge's sentence for not heeding "a social necessity," privileging a rigid formalism over a sociological approach that would "study the environment," "measure and weight the interests in play," and always let the needs of the "collectivity" outweigh "individual ambition."²³⁰ As if on cue, a delegation from Jacarezinho entered the Council galleries just as Frota Aguiar finished his speech. His words must have struck a chord with other councilmen, because the notion of law's social and sociological purpose would be at the heart of much political action on favela issues over the subsequent few decades.

Even as Frota Aguiar spoke, the head of the military police, General Lima Câmara, was getting ready to declare his unwillingness to command his troops to carry out the eviction.²³¹ Geraldo Moreira, the PTB councilman who had already served as Jacarezinho's lawyer and subsequently became its self-declared champion, suggested that time was too short for a formal bill, and that the Council should simply send a delegation of party heads to tell the prefect that they would support any expropriation he decreed. After intense negotiations, which included Fundação Leão XIII officials, Cardinal Jaime Câmara, General Lima Câmara, and

even the interim president, Nereu Ramos, Prefect Mendes de Morais proclaimed the community's expropriation on 24 May 1949. For the first time in Carioca history, public authorities had intervened legally to preserve a *morro's* existence as a poor community.

The Jacarezinho expropriation decree was a critical benchmark. The fact that Mendes de Morais, well known for his desire to eradicate the favelas, felt compelled even symbolically to protect and preserve one such settlement signaled a political and urbanistic sea change—one that was earlier than standard policy-oriented accounts have always suggested, and rooted much more deeply in the communities themselves.²³² Yet the prefect's decree by no means spelled the end of Jacarezinho's story. Mendes de Morais proved more willing to promise expropriation than to deliver it, and the prefecture dragged on for years without making the full payment or land exchange that would have put private claims permanently to rest.

In July of 1951, the Cia. Administradora São Paulo (also apparently connected to Mário de Almeida) surfaced with a Ninth Civil Court ruling that threatened to raze a different part of the hill, unleashing another enormous furor. By that time, Jacarezinho had grown so quickly that some politicians began to fear that it would become "an immense 'Canudos,'" ready to explode in "just and uncontrollable popular revolution."²³³ In the face of such worries—and of renewed mobilization among the hill's occupants—the Council passed another expropriation bill, this time substituting a land swap for a cash payment. That bill, too, was enacted, but its enforcement was slow and incomplete; it was only in the mid-1950s that Jacarezinho's lands finally became public.²³⁴

Thanks to that final expropriation, Jacarezinho quickly became one of Rio's most urbanized favelas. Through the Fundação Leão XIII and the personalistic protection of Geraldo Moreira, the community eventually acquired streets, electric lines, water, health clinics, and schools. In the early 1960s, during Carlos de Lacerda's tumultuous municipal administration, Jacarezinho was one of the few favelas to be graced with a full urbanization project. Throughout these years, residents—perhaps fully aware that the more their settlement looked like a city, the harder it would be to destroy it—worked as quickly as their budgets would allow to transform wood-and-zinc shacks into brick houses, and to build up a volume and complexity of commerce that would prove a magnet for north-zone residents of all stripes.²³⁵

Yet even with such unusually strong evidence of urban belonging, Jacarezinho's residents still could not claim their lands fully as their own. In October 1949, Mendes de Morais had vetoed a Council bill that would have forced him to guarantee residents' permanence, effectively blocking

the Council's attempt to turn a paternalistic salvation into a vehicle for real urban rights.²³⁶ Subsequent legislation made no deeper promises, and politicians, most notably from the PTB, quickly made political loyalty an explicit condition of urbanization.²³⁷ In the end, Jacarezinho won its expropriation because the old coincidence of landowners' and residents' interests had been replaced by an ultimately more resilient convergence. Small-time *grileiros* and entrepreneurs, community organizers, local political operators like Atila dos Santos Couto, politically ambitious lawyers like Geraldo Moreira, communist revolutionaries, Catholic anti-communists, Catholic progressives, and mainstream politicians with even the slightest interest in playing at populist electioneering—all of these groups now depended on each of the others to maintain Jacarezinho's many networks of community, commerce, and power. Yet the fragile coalition that was willing to protect tolerance divided quickly when the envelope was pushed to rights; as a result, residents were still left with something short of the urban citizenship that property ownership might have helped to confer. Jacarezinho had in essence been won because politics trumped rights, not because its residents had themselves become enfranchised. Unentitled permanence thus proved the ultimate legacy of the community's legal battles.

PUSHING THE ENVELOPE

The Jacarezinho expropriation unmistakably raised the stakes in Rio's turf battles. For residents, it proved the value of organization, resistance, and carefully cultivated relationships with politicians and the Carioca press; in many cases, it also led activists to hope for a further radicalization of the movement. For landowners, ironically, expropriation could become an incentive to attempt unfeasible evictions, holding as it did the promise of voluptuous public compensation for otherwise useless land. At the same time, though, "owners" faced increasingly rebellious "tenants," many of whom began to use the Jacarezinho example as a justification for ending rent payments, and the promise of public expropriation often remained unfulfilled. This frequently led owners to follow the model of the BCM in Guaratiba and Jacarepaguá, resorting to violence and corruption to extract income and force evictions.

In the face of such heightened tensions, politicians found themselves at the very heart of a rapidly shifting debate. The Jacarezinho expropriation—in conjunction with other trends, most notably Getúlio Vargas's post-1950 electoral populism and the entrenchment of the Fundação Leão XIII's community development work—had decreased the political feasi-

bility of advocating mass favela eradication. Once expropriation was on the table, the whole range of possible responses to eviction threats shifted to the left. More subtly, residents, politicians, and even some jurists began to develop a number of arguments about the nature of property and the need to fulfill the constitution's injunction that property rights always be limited by "social necessity." For members of the PTB, this generally entailed a need for judges and governors to mediate the needs of the collectivity, or a Catholic duty to temper individual egoism with a sense of common purpose and obligation. For socialists and communists, it could mean something far more transformative: an injunction for poor residents to demand property for themselves on the basis of collective need, constitutional protections, and historical rights. In many ways, the political battles in the first half of the 1950s centered more on the terms upon which the favelas would continue to exist than on the question of their eradication.

These debates played themselves out through a number of dramatic eviction showdowns. The first of these surfaced in the Morro do Turano, a long-embattled north-zone favela whose struggle quickly took on a much more radical and violent cast than had Jacarezinho's. Turano was named for the same Italian shoe salesman-turned-slumlord who had made a failed bid for the ownership of the neighboring Salgueiro favela in the 1930s and early 1940s. Turano's claims to his namesake hill began in the early 1920s, when he left the shoe business and won a contract to sublet an old tenement house at Rua Barão de Itapagipe 393, near the hill's border.²³⁸ From there, he acquired paper title to that and several other buildings on the same street, including numbers 443, 447, and 319. Turano appears also to have established himself as the hill's owner, building a house at its top and also setting up a lucrative business extending illegal electric wires from his asphalt properties to the hill's many shacks.²³⁹

Some residents have recalled the hill's early years as ones of relative harmony, but things seem to have broken down by the early 1940s. According to then-councilman Breno da Silveira—pinpointed by some residents as the hill's chief political patron in those years—the worst troubles began after 1944, when Turano, frustrated by the final futility of his claims to the neighboring Salgueiro hill, intensified his rent demands from several of Turano's longtime residents.²⁴⁰ They then "revolted against their exploitation," perhaps inspired by the Salgueiro example, and almost certainly in collaboration with a few outside lawyers and communist activists.²⁴¹ They rechristened their hill the Morro da Liberdade, refused to pay further rent, and contracted a young labor lawyer named Benedito Calheiros Bomfim (a communist sympathizer who would go on

to become one of Brazil's premier labor law jurists and president of the Instituto dos Advogados Brasileiros).²⁴² Already in 1946, the residents were politically organized enough to assemble 300 of the hill's families for a large rally in the nearby Praça Saenz Peña, which was addressed by federal congressmen ranging from the Communist Party's Maurício Graboís to the PRP's Café Filho to the UDN's Euclides Figueiredo.²⁴³

In July 1947, Turano attempted violently to evict some 70 families for nonpayment of rent, and the event was widely reported in the press. Two days later, in response to a memorial from Liberdade's residents, fifteen communist Municipal Council members introduced a revolutionary bill to expropriate the *morro*.²⁴⁴ This bill, predating Jacarezinho's expropriation by two years, was in many ways much more radical. It justified the expropriation, not with paternalistic appeals to social harmony, but rather with reference to two constitutional articles, one of which stipulated that property rights could be limited by "social interest," and the other of which guaranteed rural *posseiros* title to lands that they had lived on and made productive for ten years or more.²⁴⁵ What's more, the bill in its original form promised to "regularize" the situation of Liberdade's occupants, guaranteeing them a permanent home there. Like other communist measures introduced that year—including one that would have banned all favela evictions for a year—the Turano bill stalled and then disappeared when the communists were banned from political office in 1948.²⁴⁶

Without Council action, and in the face of a series of judicial decisions striking down Turano's claims, the situation turned nasty.²⁴⁷ In December 1947, according to Breno da Silveira, Turano's lawyer and son-in-law took advantage of "friends and relatives on the police force" and "decided to drive everyone to submission with brute force." He and his police henchmen began to climb the hill, demanding rents; things quickly turned violent, and two residents were killed.²⁴⁸ Though a large group of Liberdade's prominent neighbors, many of them communists, formed a committee to defend the *morro*, and though residents filed a criminal case against Turano's son-in-law, sporadic violence continued throughout 1948.²⁴⁹ Much of it seems to have been justified by the community's supposed communist connections.

Perhaps because of these radical political links, and perhaps because Turano/Liberdade lacked Jacarezinho's strong ties with the Catholic church and the Fundação Leão XIII, the community's violence remained mostly under the political radar until the summer of 1949.²⁵⁰ In the wake of the Jacarezinho expropriation, however, Breno da Silveira began to pressure the Municipal Council to act. Dramatically brandishing in the Council chambers a spent bullet that he claimed had been fired by a

police rent collector on the hill, Silveira introduced a new expropriation bill; he also personally arranged a negotiation to halt all rent raids. On 10 October 1949, Silveira's bill—which granted land rights only to the municipality, not to the residents themselves—became the second expropriation measure to be voted into Carioca law.²⁵¹

To an even greater extent than in Jacarezinho, Turano/Liberdade's fate was more stalemate than victory. Precisely because neither Turano nor his heirs never managed to prove their claims to the hill, neither the prefect nor the Câmara was ultimately willing to allocate the 9 million *crúzeiros* it would have taken to make the hill public property; when the Câmara debated one such expropriation bill, in 1950, it was pilloried in the press for catering to the corruption of *grileiros*.²⁵² Though reports of scattered violence continued to crop up over the years, and though many residents remained politically mobilized and active, the property situation in Turano/Liberdade was never entirely resolved. For the most part, the hill's residents never gained full rights to the homes they had managed to defend, a situation that left them open both to political coercion and to small-scale extortion by local *grileiros*.

On a spectrum of communities that wrung expropriation decrees from Rio's municipal government in the late 1940s and early 1950s, Jacarezinho and Turano stood at the two extremes. Jacarezinho—with its storied history, largely working-class population, deep and multitiered political connections, strong ties with the Fundação Leão XIII, and judicially certified land claimant—was the only private favela to achieve full expropriation during the 1950s. Turano/Liberdade—with its communist ties, violent rent disputes, relative lack of institutional connections, and contentious property status—achieved mainly an informal end to the Turano family's violent attempts to usurp residents' homes. Yet, in functional terms, the two hills had both arrived at a similar impasse. When their communities were energetically mobilized in the face of imminent mass eviction, they could galvanize public sympathy, political ambition, and some degree of genuine idealism in order to retain their homes. But that was as far as it went; once the urgent danger had passed, most residents went back to their more immediate daily worries, and the press backed off except for an occasional exposé or sympathy piece. Some politicians—most notably councilman and undeclared communist Amarílio de Vasconcellos and UDN member-turned-socialist Breno da Silveira—argued consistently for favela occupants' rights to full urban citizenship. But most either saw favela tolerance as a temporarily necessary evil or continued to believe, in relative silence, that the settlements should be eliminated at all costs.

In the half decade after 1949, a number of other contests pushed the

limits of Turano's and Jacarezinho's achievements. In the preelectoral climate of 1949–50, public authorities attempted many evictions, most notably in Ipanema's Morro dos Cabritos, where the city's Departamento de Viação e Obras was reportedly acting on the request of a local *grileiro*.²⁵³ The residents organized a mass demonstration at the Câmara Municipal; in the face of these protests and the press's outrage, the eviction was called off.²⁵⁴

But the major political focus of the favela debate continued to be issues of private property and judicial evictions. Conflicts broke out on the Rua Ati (in an urbanized section of Jacarepaguá); in the Marechal Mallet favela, in far-suburban Magalhães Bastos; in Lagoa's long-embattled Catacumba favela; and on the Morro da Coroa, in downtown Santa Teresa. Of these, the Coroa conflict—stemming from a judicial ruling that had been handed down in early July—received the most intense public attention. Coroa's judicial claimant, married to the consul of Panama, was a noted medium and the daughter of one of Brazil's most influential nineteenth-century spiritists; that—in combination with the *morro*'s proximity to central Rio, the brutality of the military police who were sent to enforce the eviction, and a violent assault on a reporter trying to cover the story—led to abundant press exposure of residents' outraged protests.²⁵⁵ On 11 July, Breno da Silveira, along with the UDN's Lígia Bastos, the PTB's João Luis Carvalho, and João Machado, introduced a bill to expropriate the hill, arguing for its passage with reference to constitutional provisions guaranteeing the inviolability of the home, and decrying the expulsion's suddenness and violence.²⁵⁶ Less than a month later, on 7 August, Breno da Silveira introduced two more expropriation bills, these for the Marechal Mallet and Catacumba favelas.²⁵⁷

The 1950 elections significantly changed Rio's political climate. Throughout Brazil, Vargas's turbulent tenure from 1951 to 1954 would be marked by expansive promises, rampant inflation, violent political intrigues, and mass strikes and protests against climbing prices. At the local level, the former statistician and longtime Vargas ally João Carlos Vital became prefect from 1951 to 1952. He was replaced in 1952–54 by Dulcídio Cardoso, a military man and former head of the political police (DOPS), who had also long supported Vargas.²⁵⁸ While neither man made the favelas' elimination a centerpiece of his administration, both took a relatively tough public stance on the settlements, seeking to restrict their growth and to use the Fundação Leão XIII to “educate” their residents and root out all signs of political radicalism.²⁵⁹ At the same time, Breno Silveira, Frota Aguiar, and several other Municipal Council members who had been steady advocates of the favelas' urban permanence moved on to the National Congress. The new Municipal Council

was dominated by Vargas's PTB and the opposition UDN and PSD, but the communists—who had lost all direct influence on the municipal government with their official expulsion in 1948—also elected several of their sympathizers to the Câmara, this time under the basically empty shell of the PRT.²⁶⁰ They, in combination with the lone representative from the Brazilian Socialist Party, would catalyze the gradual radicalization of the favela property debate throughout the early 1950s.²⁶¹

In this context, eviction threats continued to pour in. In 1951, the Municipal Council discussed major public expulsions from the Morro da Capela, the “Boogie-Woogie” favela, Favela Frei José, and the Morro do Rádio Nacional. In April of that year, Rio's 5th Vara Cível ordered a mass eviction from the relatively small Morro do Simão, in north-zone Vila Isabel. Residents staged effective public protests, including a mass visit to the Câmara Municipal, and the press eagerly chimed in to condemn the man supposedly behind the court case, dubbed “Seu Zica da Praça Mauá.” The Council's new members—led by the unofficial communist Antenor Marques, but with broad cross-party consensus—passed an expropriation decree, which was voted into law on 9 May and later signed by Prefect Vital.²⁶² Upon its passage, communist sympathizer Aristides Saldanha made a speech that demonstrated the continuing influence of the rights-based argument for favela permanence, stating that: “. . . favela populations can no longer be thought of as illegal, clandestine, or a plague; they are a reality in our capital . . . we must . . . think of *favelados* as Carioca citizens.”²⁶³

A similar tone marked discussions of a number of violent expulsions carried out in 1952–53. In 1952, Colonel Oswaldo Melchades de Almeida—head of the Municipal Polícia de Vigilância and of the prefect's Comissão de Favelas, and nicknamed by residents the Nero of the favelas—led a new, fiery expulsion near the Lagoa, this time in the Hípica favela.²⁶⁴ The neighboring settlement of Sacopan was also destroyed that year, with most of its residents sent to nearby Catacumba.²⁶⁵ In 1953 there were renewed confrontations in Arará—the patch of EFCB land originally settled under Vargas's tutelage in the 1930s—as well as another violent judicial expulsion on the Rua Ati in Jacarepaguá.²⁶⁶ Though none of these provoked expropriation bills, they did mobilize residents to protest in all of the now customary ways: marching en masse to the Municipal Council or the National Congress, sending committees to meet with the president and the prefect, hiring activist lawyers, pushing for infrastructural improvements that would make mass eviction more difficult to justify, working closely with sympathetic church and neighborhood committees, and negotiating behind the scenes with local police, sanitary officials, and *cabos eleitorais*. Partially as a result, the Municipal Council

did actively pursue two rights-based initiatives during these years—one of which would have legalized structures that violated the 1937 building code, and another of which concentrated on the issue of rural property—and also discussed any number of more palliative and paternalistic measures.²⁶⁷

It was in the chaotic early months of 1954, however, that a remarkable series of mass *despejo* orders once more forced the property issue front and center. The run began in early February, with an eviction threat on the Morro do Borel that seemed at first much like all of the others. As noted above, Borel was a north-zone community with roots that stretched back at least to the 1910s; since that time, the hill had been controlled by a long line of “managers” claiming to represent its supposedly absentee owners.²⁶⁸ By the early 1940s, that claim had fallen into the hands of the Portuguese Daniel Gonçalves and a partner named Manuel Pacheco, who lived on the hill, collected rents, and had most direct contact with residents.²⁶⁹ By one occupant’s account, in the mid-1940s the residents—again, possibly inspired by neighboring Salgueiro—began to doubt the authenticity of Gonçalves’s claims and refused to pay rent.²⁷⁰ From there, the breakdown of relations between the “owners” and the residents followed a familiar path. Gonçalves first tried to coerce recalcitrant renters, and then stopped charging rent altogether, a common strategy used by owners who wanted to strip favela tenants of rent-control protections in anticipation of a mass eviction. Gonçalves also prohibited any new construction and seems finally to have decided to sell his “rights” to the hill to a company called Borel, Meuron Imóveis, a subsidiary of the textile firm Seda Moderna, which had purchased a number of buildings on neighboring Conde de Bomfim Street.²⁷¹ The company then brought a *despejo* and rescission-of-contract case against Gonçalves, who was listed as the hill’s sublessor.²⁷² According to residents, Gonçalves was in cahoots with the suit and only “pretended to mount a defense”; by early 1954, a mass eviction seemed imminent.²⁷³

In the early days of February, municipal policemen began to appear on the hill, worrying the uneasy residents. On 1 February, four armed guards told them that the prefect had given them four days to move to a prearranged site in distant suburban Engenho de Dentro; if they did not leave, the punishment would be “prison for the recalcitrant, and the burning and demolition of their little houses.” In the face of the threat, residents mobilized quickly. Many gave interviews to the press, often highlighting the human angle of their plight.²⁷⁴ On 5 February, for example, the communist daily *Imprensa Popular*—the only newspaper to cover the 1954 property disputes from beginning to end—ran a story announcing that 15,000 people were to be evicted from Borel. The story was no journal-

istic masterpiece—it was published the day after residents were to be evicted, and its population numbers were wrong—but it did serve as an effective tearjerker, featuring pictures of women and children and profiles of longtime occupants.²⁷⁵ The article stated that one of them, a veteran factory worker named Noémia Ramos, had lived on the hill since 1913 and had constructed her *barracão* “with great sacrifice”; now, “worn down by age, she sees herself about to be thrown in the street.” Other prospective evictees included a man partially paralyzed by polio and a 76-year-old woman with no family or help who had lived on the hill for 27 years. To drive the point home, the story ended with a malevolent threat from an anonymous *guarda municipal*, who claimed that the force would return soon to “incinerate all of this.”

Sympathy, however, was far from the residents’ only recourse; a group of them—“the most radical,” according to Manoel Gomes’s eyewitness account—also acted quickly in the judicial and political arenas. One of their first moves was to seek out a lawyer. Their choice—which turned out to be fateful both for Borel and for the favela movement more broadly—was Antoine Magarinos Torres, a left-leaning litigator who lived in neighboring Tijuca and had clear sympathies and ambitions for the favela cause.²⁷⁶ On 2 February, Magarinos Torres and “representatives of 548 families” from Borel filed a criminal complaint against the policemen and the authorities who had sent them to Borel, alleging “coercion in the course of a trial” and “arbitrary use or abuse of power.”²⁷⁷ Though police denied the accusations, stating that they had gone to the *morro* merely to help anyone who might choose voluntarily to move, the complaint received wide press attention. Shortly thereafter, as many as 1,000 Borel residents marched with Magarinos Torres to the nearby home of high-court judge (*desembargador*) Sady de Gusmão. Gusmão could find no actual court order for the *despejo*, and even Melchiades, the Guarda Municipal’s chief, denied having given an order for his agents to evict residents.²⁷⁸ At that, the threat seemed to dissipate, with the official *despejo* put off until late February.²⁷⁹

The respite proved uneasy. On 11 February, police from the 17th district responded to a call from Magarinos Torres, who complained that agents were once again climbing the hill to evict residents.²⁸⁰ The police again pled innocence, alleging that they had come only to aid a resident named José Oliveira Arruda, who had chosen to move, and that destroying his *barracão* upon his departure was part of the agreement.²⁸¹ But another Borel resident, José Joaquim Barbosa indignantly objected to “his” shack’s destruction, claiming that Arruda had only been his tenant; he filed another official complaint with the 17th district, along with 86 of his neighbors.²⁸² In the complaint, written by Magarinos Torres, a radi-

cal slant was manifest in a description of Barbosa's home as a "humble abode of a worker, as respectable as, or more respectable than, the palaces of the potentates, erected as it was with the sweat of his brow, with no stain of the dishonesty that tends to lurk beneath the foundations of great riches."

On 12 February, "hundreds" of Barbosa's neighbors, in association with Magarinos Torres and the unofficial communist councilman Aristides Saldanha, marched to the National Congress to speak against the eviction and police abuse, protesting indignantly when Congressman Lútero Vargas (Getúlio's son) suggested that Melchiades would never have ordered violence against *morro* occupants.²⁸³ Though no such public displays followed in the following weeks (which coincided with *Carnaval* and the height of summer), one of the movement's leaders—described in the *Imprensa Popular* as "the venerable Casemiro, longtime resident of the *morro* and one of the central figures in the struggle against the pillagers"—recalled "countless meetings" during these months, "including assemblies" with Magarinos Torres and Congressman Roberto Morena, one of Brazil's most important twentieth-century communist politicians.²⁸⁴

By April 1954, this groundwork appeared to have paid off. On 26 March, Magarinos Torres and many of the hill's residents filed a new criminal complaint, claiming that ten armed policemen had come to the hill on the previous day and destroyed the shacks of three people, one a fully documented "worker," another an illiterate 102-year-old "watchman," and the last a single mother.²⁸⁵ According to Manoel Gomes's memoir of these events, Borel, Meuron Imóveis had ordered the demolitions—despite the fact that the hill's fate was still being fought out in the civil courts—in order to clear a road to the hill's peak that would facilitate subdivision and development.²⁸⁶ In response, on 2 April some 500 people—many of them women and children—marched through downtown Rio to the Câmara Municipal and the Câmara Federal, calling for guarantees against the eviction and also for Colonel Melchiades's resignation as head of the Guarda Municipal.²⁸⁷ They were met by Breno da Silveira—now a federal deputy and socialist—and his colleague Roberto Morena. In interviews with an *Imprensa Popular* reporter, some protesters dug in their heels; Senhora Teresa Gonçalves, for example, seemed to speak straight to the heart of middle-class fears of revolution descending from the *morros* when she declared:

Our right to live in Borel is something we will not even discuss. I, for example, will only leave the *morro* under gunfire. That is what we came to tell the councilmen. And if they can't resolve the issue, they can leave it to us.²⁸⁸

Days later, on 5 April, residents proved true to Gonçalves' word; when workmen appeared on the *morro* to begin to lay the projected road, they were met with what Manoel Gomes later described as "a tremendous civil war, unplanned and commanded by no one," in which residents attacked the "invaders" with "sticks, rocks, stones, knives, broken daggers, pocketknives, and broom handles" and even "some sticks of dynamite" taken from a local quarry.²⁸⁹ According to the *Imprensa Popular*, which did not mention the violence in such detail, "the prompt and courageous reaction of the workers put an end to the pillage attempt."²⁹⁰ That very night, residents also marched to the Câmara Federal, and a meeting was held at Magarino Torres' Tijuca home, where the lawyer urged residents to call a massive assembly in Borel itself in order to strengthen and amplify their cause.²⁹¹

That massive assembly would prove a turning point in Rio's property struggles. Most of the Borel residents' actions through those early April days were notable but not unprecedented. Many favelas had boasted relatively organized neighborhood leadership since the 1930s, and there are numerous examples of cross-favela communication and collaboration.²⁹² Marches to the halls of government were established practice by the 1950s, as were recourse to the press and physical resistance to police troops. The residents' fiery rights-based rhetoric echoed language common among communists since the end of the Vargas dictatorship; more moderate politicians, such as Breno da Silveira, voiced similar reasoning. Even Magarinos Torres was simply the latest in a long line of lawyer-activists that had begun in Guaratiba with Vicente Carino and included such mainstream politicians as the PTB's Geraldo Moreira. On 21 April, however, it became clear that the Borel movement, led by Magarinos Torres, would push the envelope. In a Borel assembly attended by some 1,000 residents—as well as by a wide spectrum of prominent politicians, union representatives, and occupants from various other threatened hills—community activists announced the formation of the União Geral dos Trabalhadores de Favela, later simply called the União de Trabalhadores Favelados, or UTE. For the first time, activists sought systematically to create a unified political coalition of all of the city's favela residents; in the hopeful words of Magarinos Torres, "Not a single favela in Rio will go without its own union."²⁹³

Despite such aspirations, no favela outside of Borel might have joined the União Geral dos Trabalhadores de Favela if its founding had not coincided with a remarkable concentration of threats to other *morros*, all occurring in one of the most turbulent election years in Brazil's twentieth-century history. As Borel's story was unfolding, several other favelas were

already under intense threat. In early April, Judge Hugo Auler of the 3d Vara Cível sent military police to enforce a high-court eviction ruling on the Rua Ati in Jacarepaguá.²⁹⁴ The favela had been the site of intense conflict at least since the 1930s, when its residents had written to Getúlio Vargas for aid, and smaller violent incursions had occurred throughout the early 1950s; according to one politician, the area had been claimed by no fewer than eight separate *grileiros*. Largely thanks to Breno da Silveira, the settlement's strongest political ally, the April eviction made headlines throughout the city and drew protest in the Câmara Municipal and in the National Congress.²⁹⁵

Other threats came quickly after that. On 14 April, socialist councilman Urbano Lóes proposed the disappropriation of Morro da União, the north-zone hill once known as the Morro do Jorge Turco because of its shady local *grileiro*, the Middle Eastern immigrant Jorge Chediak. Here, threats had been building ever since Chediak's late-1953 assassination, which had left his heirs struggling with those of his ex-partner for control of the hill.²⁹⁶ On 22 April—the day after the foundation of the UTF—another expulsion loomed in Botafogo's Santa Marta favela: UDN councilman Cotrim Neto announced that the hill's lands had been awarded to an outside claimant in mid-February, and that a mass eviction of some 2,000 people was soon to begin.²⁹⁷ The next day, the news made headlines throughout the city.²⁹⁸ In mid-May, yet another community came under threat when the 16th Vara Cível awarded possession of the Morro do Dendê, on the Ilha do Governador, to one Rômulo de Avelar, thus threatening some 2,000 people, many of whom had been expelled from the neighboring Querosene favela only a few years before.²⁹⁹ And finally, in mid-June, the military ordered the destruction of Timbau, a favela on army lands in north suburban Bonsucesso from which officials had collected rents for several years.³⁰⁰

Although the protests related to Ati and Timbau intensified the UTF's sense of urgency, neither ultimately joined the organization. The Rua Ati settlement was the only 1954 case in which neither the residents' protests nor its political allies' negotiations succeeded; there, the *despejo* seems to have been effective and final. In Timbau, the only community in which the lands were public, negotiations fell into a well-worn groove. On 15 June, city papers reported that the army had "assaulted" the favela and destroyed a dozen shacks; residents organized a neighborhood association, told their stories to the press, and sent a committee to the Câmara Municipal.³⁰¹ Councilmen and congressmen decried the army's actions and attempted to negotiate a solution, highlighting the fact that Timbau's rent-paying inhabitants should have been entitled to rent-law protections. Councilman Couto de Souza, in a classic populist gesture, offered person-

ally to help a woman whose shack had been destroyed while she was still inside, and the entire settlement was preserved, thanks to back-room negotiations among politicians and army officials. In 1960, the federal census listed the population of Timbau at 3,136.³⁰²

Santa Marta, União, and Dendê were a different story. In the months following the creation of the UTF, these communities, along with Borel, conducted a tumultuous public campaign for expropriation. At stake were not only the interests of residents and property claimants—fiercely defended, on both sides—but also those struggles' political meaning. For the UTF, and for socialist and communist politicians and sympathizers, the land wars presented an enormous opportunity to mobilize and radicalize the favela masses, and they also set the stage for potentially powerful election-year theatrics. For other members of the opposition—the UDN above all—the explosion of the favela problem exposed the failures of Getúlio Vargas's populism, as well as the revolutionary threats those failures were generating. And for the governing PTB, resolving the land issue was a chance to show the government's willingness—and, critically, its ability—to act as "father of the poor," protecting the country's humblest from certain calamity. As conflicts escalated in each community, tensions among these distinct factions heightened, negotiations stalled, and residents took matters into their own hands on an unprecedented scale.

Santa Marta's struggle, which erupted publicly in late April, showcased the spectrum of political and religious actors who could come together in support of favela expropriations on the eve of an important election. The first person to bring the mass eviction to the Municipal Council's attention was Alberto Bittencourt Cotrim Neto, the legalistic lone representative of the nearly defunct Partido Republicano Progressista; his brief speech highlighted the social consciousness that the 9th Vara Cível judge had shown in delaying the eviction from February to April, and it issued a blistering critique of Prefect Dulcídio Cardoso's inaction on the issue.³⁰³ The communist press was also quick to criticize the prefect, publishing an article on 23 April titled "Dulcídio Plots Another Monstrous Eviction" and publicizing a planned protest by residents.³⁰⁴ On 26 April, hundreds of men, women, and children marched first to the home of Judge Ney Palmeira Cidade of the 9th Vara Cível and to the Câmara Municipal; though the *Imprensa Popular* attributed leadership to the UTF and the communists, the marchers were also (or perhaps even principally) led by Padre Belisário Veloso, the rector of Rio's Catholic University, who had a long-standing involvement in the *morro*'s affairs. On that same day, Aristides Saldanha introduced a bill to expropriate the hill, but its 30 signatories also included everyone from the PTB councilman and journalist José Venerando da Graça to the UDN's Gladstone Chaves de Mello. In

a long discourse, Chaves de Mello linked Santa Marta's struggle to the humanitarian impulses of the Catholic Church, highlighting the long-running work of Padre Veloso and the Pequena Obra da Nossa Senhora Auxiliadora, and claiming that he himself had founded a "Conferência Vincentina" with fieldwork on the hill while still a student at Catholic University.³⁰⁵

These competing claims for leadership seemed to help rather than hurt Santa Marta's cause. The bill passed in record time, as residents were still crowding the galleries. On 5 May—as several thousand people demonstrated outside nearby Guanabara Palace, brandishing signs that read "We want the hill's expropriation," "Long live the UTF," and "We want the right to live"—Dulcídio Cardoso signed the bill into law.³⁰⁶ But competing claims remained even in victory. While the staid *Correio da Manhã* reported only that "a project signed by all the party leaders was approved," the *Imprensa Popular* ran a long series of articles emphasizing the UTF's role and the continued vigilance and increasing radicalism of Santa Marta's residents. In one story, the paper quoted councilman Aristides Saldanha, who declared that "only organization and unity will give victory to the *favelados*." In another, it profiled Maria Luiza Silva, a woman with three small children who had demonstrated from 4 A.M. to nightfall on 26 April in favor of the expropriation. And in still another, the paper interviewed several residents who viewed the battle as ongoing: Claudelino Freitas, a six-year Santa Marta resident, declared that the approval of the project by the Câmara only "added up to half a victory," and another man anonymously urged his neighbors to stick with the UTF.

On 2 May, days before the prefect signed the Santa Marta bill into law, the UTF showed its determination to build on the Santa Marta movement. The organization sponsored a large victory party in Borel, publicized by the communist newspaper, which promised the presence of "well-known cinema and radio artists."³⁰⁷ Several thousand residents attended, including some from União, Santa Marta, and Jacarezinho. During the party, the UTF inaugurated its new headquarters, and the singer Stella Egg animated the crowd. Other luminaries attended as well, including General Edgar Buxbaum (one of the founders and early leaders of the intensely nationalist Liga de Emancipação Nacional); the communist deputy Roberto Morena; the journalist and Carioca congressman Heitor Beltrão; and both Padre Veloso and Aristides Saldanha, in whose honor the party had been given. The celebration was in some sense a great show of unity between Catholic and communist activists, but their differences remained apparent. For Magarinos Torres Filho, the party was "a sign of the total organization of all of the Federal District's *favelados*," and for Saldanha

it was a moment to celebrate the UTF, which had "already shown its combativeness, its strength, and its energy in the struggle for the most elemental of rights, the right to live." But Veloso, decidedly more restrained, simply led the Côro do Apostolado da Oração in a performance of "Benedictus" and blessed the *favelados*' cause.³⁰⁸

In the following months, Rio's prefect did nothing to enforce the Santa Marta law, the Borel struggle dragged on through the judiciary, and both the UTF and leftist politicians did their best to build on these continued uncertainties. Just days after the prefect signed the Santa Marta bill into law, the *Imprensa Popular* was touting the *morro*'s alleged support for Aristides Saldanha's reelection, which marked the beginning of a longer campaign heightening consciousness of favela threats and linking leftist candidates to the *favelados*' security and prosperity.³⁰⁹ On 7 June, Saldanha himself met with Santa Marta residents, who were unhappy with the continued uncertainty; he then proclaimed to the Câmara Municipal that: "The law we passed is not worth anything, nor is the fact that the prefect sanctioned it and allocated the funds." Without action, he declared, the favela residents would "not rest" or "disarm their vigilance"; on the contrary, he said, they would "reinforce their unity" until city government effectively enforced the law.³¹⁰ A day later, the UTF sponsored an "assembly" on Santa Marta, complete with a "succulent *feijoada*" where Saldanha, Roberto Morena, and Câmara Municipal candidate Henrique Miranda all addressed a small crowd that also included residents from Borel, Dendê, and São Carlos. Miranda, who had been involved in Turano/Liberdade's early struggles, reinforced the rights-based line of argument that had been sustained by the communists since the late 1940s: "We all . . . pay the same taxes and thus have equal rights. We should all unite so that our rights will be respected."³¹¹

In mid-June, Aristides Saldanha accused Police Chief Melchiades of authorizing the destruction of more Borel shacks—including a school that the *moradores* had constructed themselves—and also of brutally beating a man who had resisted them.³¹² Women and children reportedly had blocked the incursion and sent for the police, and neighbors quickly reconstructed the destroyed shacks, deciding in the process to rechristen the hill "Independência" (a name that never stuck).³¹³ Residents also sent committees to various newspapers, and the demolitions stopped. But two days later, the UTF and communist activists led a demonstration of *moradores* from Santa Marta and Borel to the steps of the Câmara Municipal. According to the *Imprensa Popular*, the 800 demonstrators—carrying signs that read "Down with Colonel Melchiades, enemy of the poor" and "You can't get rid of the favelas by knocking down shacks and beating *favelados*"—demanded punishment for the police officer involved in

the Borel beating, and they also insisted that the prefect act on the still moribund Santa Marta law. Aristides Saldanha heightened the demonstration's political tension by attacking the PTB's Geraldo Moreira for supposed corruption and false populism in Jacarezinho.³¹⁴

The demonstration provoked a vehement reaction from Melchiades. On 23 June, he held a press conference in which he set out a blistering attack on Magarinos Torres and the UTF. According to the *Correio da Manhã*, which published Melchiades's remarks under the headline "Communist Agitation on the Morro of Borel," he claimed that "no violence, no arbitrary act" had ever been carried out by him or his agents "against humble and honorable workers who inhabit the Morro do Borel or any other Carioca favela." His actions on the *morro*, he said, had been limited to taking a census of Borel's inhabitants and transmitting to them a proposal that they move to lands that Borel, Meuron Imóveis had arranged for them in north suburban Engenho Dentro. On that basis alone, Melchiades claimed, Magarinos Torres had moved in to bring suit against his agents and to found the UTF, putting in practice "the Marxist methods of agitation, insult to authority, and defamation." Given this history, he said, the public could "easily make up its own mind" about who was "really against the *favelados*: the communists, who try to abuse their good faith, not permitting them to accept a human, Christian, and patriotic proposal . . . or the authorities, who have done everything to ensure the well-being and tranquility of this working mass."³¹⁵

In this contentious atmosphere, the 1954 land struggles crested, catalyzed by the imminent demolitions of Dendê and the Morro da União. Dendê's rather sordid story attracted especially avid public attention. In mid-May, Judge Gouveia Coelho awarded the hill's lands to an outside claimant. Following, he said, the mandate of "l'adoucissement du droit," the judge allowed residents to keep their shacks' materials and refused to fine them for destroying the hill's vegetation. But he did not question the plaintiff's claim that the residents had been on the hill for less than a year, and he accepted part and parcel the claimant's version of the residents' supposedly "violent" and "clandestine" "invasion" of the hill; both of these conditions had significant legal implications for the residents, whose scant defense was rejected out of hand.³¹⁶ To make things worse, the claimant, Rómulo de Avelar, nicknamed "Coca-Cola," had originally bought the lands with money garnered to build housing for "victims of the integralist attack" of 1937. Though he incorporated a company with the sunny name "A Home for Everyone," Avelar never laid a brick for housing—a fraud for which he was criminally prosecuted, and which made his intended expulsion of some 2,000 to 4,000 residents all the more scandalous.³¹⁷ In the face of this ruling, its publicity, and a

subsequent eviction order, Roberto Morena and Magarinos Torres went quickly to the *morro* to offer their services, and councilman Joaquim de Couto Souza of the PSD began to push for expropriation.

That expropriation would eventually become law, thanks mainly to the eruption of another, still more urgent case in the Morro da União. Socialist councilman Urbano Lóes had proposed União's expropriation in mid-April, and even before then Henrique Miranda had been working there for some time. But it was only in late May that the 14th Vara Cível gave definitive ownership of the hill to one of the families that had disputed the lands since Jorge Chediak's 1953 murder.³¹⁸ By mid-June, the residents' legal recourses were exhausted, and Congressman Breno da Silveira warned that the looming *despejo* would "lead to new interminable lines" of residents who would begin to flood the National Congress, the Municipal Council, and Catete Palace. Perhaps conscious of the explosive conflicts surrounding communist and socialist involvement in the favela issue, he appealed for action in the most moderate of terms, asking his colleagues to pass a measure "consonant with our human qualities, with our Christian qualities, giving the less favored classes, the poor classes, at least an opportunity to live and a place to inhabit, even if it be in humble shacks."³¹⁹

By the very next day, residents and councilmen made it clear that União's expropriation would not proceed along such conciliatory lines. As councilmen announced that the demolitions were about to begin, hundreds of União's residents crowded into the Câmara's galleries. The Council leadership, citing vaguely worded rules that all visitors had to be "decently dressed," tried to restrict anyone without a tie and hat to one side of the chambers. The socialist Raimundo Magalhães Júnior railed against the ruling, saying, "This is a house of the people, and as long as a citizen is not offending public morality, he has the right to enter here to defend his threatened rights."³²⁰ But the leadership held firm and also refused to debate the expropriation bill.

The frustrated residents returned to the Council on Monday, 28 June, but leaders still refused to discuss the appropriation bill, insisting that the Câmara first vote on a concession for a municipal gas station. As the cycle repeated itself over the following days, members of the majority repeatedly walked out of the chambers so as to deny proponents a quorum and keep União's *despejo* from the top of the agenda. In the meantime, the crowds from União swelled, organized mainly by the UTF, and Magalhães Júnior and Aristides Saldanha incited them to press the issue still more vigorously. The real content of the political dispute became clear in a blistering speech by majority leader Salomão Filho, who railed against the communists and framed expropriation as something that could only

be “given” by the political mainstream:

All of the *favelados* from all of the *morros* need to know that neither the communists nor the socialists will ever resolve a single case in this house. The only thing they do is berate, and beraters achieve nothing. If *favelados* have had their lands expropriated by the government, or if they intend it to happen, the people who will provide this are the men of the government, not the communists, who give them nothing and only exploit their misery. Those who give them everything are the councilors of all parties who make up the Câmara of the Federal District.³²¹

The demonstrators, however, showed themselves to be in no mood for deference. Frustrated by a fourth day of delays, “women and children cried . . . men protested, yelling, stamping their feet on the ground and banging on the double doors . . . some recounted out loud that the shacks were being torn down.”³²² According to the *Correio da Manhã*, the communists were to blame: “Taking advantage of the reigning spirit, they called an assembly in the foyer, inciting the *favelados* to disorder,” to the extent that there were “threats that the building would be stoned.”³²³ Finally, in an unprecedented gesture, the residents resolved to occupy the Câmara overnight, declaring, in the *Imprensa Popular’s* summary, that “the Câmara is the people’s house, so let it shelter us until our project is approved.”³²⁴ Though majority councilman Levi Neves urged them to go home and promised the vote would come, the *Correio da Manhã* claimed that “spirits remained exalted . . . to cries of ‘From here I won’t go, from here nobody will take me,’ men, women, and children invaded the building’s inner reaches, resolved to spend the night and stay until the project was voted upon.”³²⁵

Not surprisingly, descriptions of the occupation varied enormously. The *Correio da Manhã* downplayed the movement’s radicalism, reporting that Levi Neves had decided early on that it would not be “desirable” to forcibly extract the demonstrators and had agreed to make things easier on them, opening up back rooms and even arranging food. From there, the paper seemed to argue, the main story became one of cheap populism catering to the hungry masses, as other politicians quickly piled onto the food-donation wagon. When all was said and done, the paper reported with odd precision, the demonstrators had consumed 600 liters of milk, 5 boxes of apples, 50 kilos of cookies and crackers, 300 kilos of bread, and 20 boxes of banana paste, “all of this given by the Council members.”

The *Imprensa Popular* was more interested in political radicalism than in gluttonous detail; by its rendering, the occupation was an “indignant protest against the sabotage of the bill that would expropriate the Morro da União.” Protesters, that paper claimed, were joined by UTF members from Santa Marta, Dendê, Borel, Liberdade, and Catacumba and were accompanied by the radical politicians Saldanha, Henrique Miranda,

Alves, and others. The paper also noted that the demonstrators were well fed. But the paper gave credit for the food to the Feminine Association of the Federal District, an organization led by Eline Mochel, a favela physician and communist congressional candidate whose sister, Arcelina, had led the communist bloc of the Câmara before its 1948 expulsion.³²⁶

Whatever the occupation’s tone, it worked, and the demonstrators seem to have given much of the credit to the UTF and leftist politicians. On 3 July, the Câmara unanimously approved a bill that expropriated both União and Dendê, and on 5 July the prefect signed it into law.³²⁷ The day following the Câmara’s vote, even the *Correio da Manhã* published pictures of demonstrators—most of them women raising their right fists in victory—and described a celebration in which “the multitude intoned the national anthem and gave way to their joy with embraces, smiles, and even tears.” The *Imprensa Popular* exuded jubilation, publishing pictures of communist and socialist leaders being lifted into the air by an ecstatic crowd, and giving celebratory accounts of the political consciousness that the Câmara events supposedly had awoken among the demonstrators. For all the contention and controversy the UTF had provoked, its election-year protests had succeeded in pushing the favela residents’ struggle for property rights to the threshold of legality.

THE LAW OF THE FAVELA

Neither União’s story nor the saga of Rio’s property wars ended with the municipal Council occupation. After the tumultuous events of late 1954—Getúlio Vargas’s suicide in August, the national elections of 5 October—the UTF, Borel, and União soon returned to public controversy. The very day after the elections, two or three squadrons of police, armed with machine guns and tear gas, arrived without warning to expel Borel’s residents, only to be repulsed by the hill’s women. Some 200 families occupied the court that had issued the order, ending their protest only when the eviction stopped and the Minister of Justice himself promised to ensure Borel’s permanence.³²⁸ On 10 October, Interim President Café Filho himself confirmed the minister’s promise.³²⁹ At this seeming final victory, the activists rechristened Borel “Cidade Independência,” and the *Imprensa Popular* ran a series of articles celebrating the new peace and prosperity that had supposedly been born of the Dendê, União, Borel, and Santa Marta movements. In late October, the paper reported on an enormous UTF celebration that had included delegations from a dozen favelas, including one group of “composers and singers” from Salgueiro as well as the usual radical politicians and even Minister of Justice Seabra

Fagundes.³³⁰ The organization seized the moment to announce a planned congress of all favela leaders and to give publicity to a radical proposal that would have required the prefect to expropriate and urbanize any favela that could organize 100 or more residents in its favor.³³¹

Yet, despite all the drama and high ambitions, the 1954 expropriation victories never moved beyond the realm of promise. In Borel, where an expropriation decree had never even been formally proposed, new threats surfaced in March 1955.³³² When thousands of residents again came to the city center to protest, the new Minister of Justice, Marcondes Filho, not only downplayed his predecessor's promises but also notoriously rejected the protestor's claims that police had violated their homes, stating that a shack was not, "strictly speaking, a home."³³³ In the tumultuous month that followed, União also came under threat from owners frustrated with the prefect's failure to act on the July law.³³⁴ Mass protests ensued, spurred on by Magarinos Torres and a new slate of leftist congressmen and Council members, and scenes turned ugly both in downtown Rio and on the hills themselves: two demonstrators were shot by police on the steps of the Câmara Municipal, Magarinos Torres scuffled with officers who wanted to prevent him from participating in political negotiations, military police in full riot gear staged early-morning raids on both hills, and hundreds of União residents slept on the steps of the governor's palace to protest the violence.³³⁵ It was only at the end of the month that a tentative agreement was reached in both cases; the prefect finally agreed to expropriate União, and the residents and "owners" of Borel agreed to a plan by which residents would pay 200 *crúzeiros* per month per family for five years, in exchange for eventual title to their lots.³³⁶

These plans, like others before them, remained just that, never actually leading to legal residential certainty. Both communities settled into the same uneasy permanence as Turano, Coroa, and Santa Marta had before them; residents knew that the political process had temporarily annulled the judicial evictions, but they were still subject to periodic threats and unable to claim full rights to their property, their neighborhood, or their city.³³⁷ And as they waited, other conflicts surfaced. In 1955, eviction threats arose in the suburban communities of Vila Vintém, Vigário Geral (Maloca), Juramento, and Mata Machado as well as in Mangueira, various Leme favelas, and the Maré complex, a swampy area off the Avenida Brasil.³³⁸ All of these generated extensive protests, which involved the UTF, Magarinos Torres, the newly elected unofficial communist councilman Waldemiro Vianna, and, most prominently of all, a newly radicalized PTB councilman, Geraldo Moreira. Under Moreira's leadership, a bill expropriating the Maré properties passed the Câmara in September

1955; during that same year, the prefecture undertook a never-enforced expropriation in Vintém.³³⁹ In 1956, attention shifted to the rural *fazenda* Piaí, to a church-ordered eviction in suburban Penha, and to the "Boogie-Woogie" favela on the Ilha do Governador.³⁴⁰

In the wake of such constant threat and turmoil, the politics surrounding the favela issue continued their unsteady veer to the left. The change was perhaps best incarnated in the PTB's Geraldo Moreira, whose legal and political advocacy for favela communities such as Jacarezinho had carried a heavy charge of paternalistic populism in the late 1940s and early 1950s.³⁴¹ Moreira's stance seemed to change, however, after the heightened activism of 1954 and under the pressure exerted by the UTF's militant, rights-based demands. Though he had been Maré's legal counsel since the early 1950s, Moreira began after 1954 to talk of the favela's situation in a language that strongly echoed the words of Breno da Silveira, Magarinos Torres, and Aristides Saldanha. At one point, while calling for Council action before a full house of favela residents from Maré, Moreira incited them to physically resist the judicial eviction order, stating bluntly that they were Brazilian and had "the right to live in some part of Brazil," and that they were "living in that mud hole and wish[ed] to continue there."³⁴²

Some branded Moreira a communist for his pains, and his words were indicative of two important trends. First and foremost, they reflected the opening of a period in which a wide range of Carioca policymakers acknowledged that favela eradication would never be feasible; now, the political watchword became favela "urbanization," carried out with considerable participation by the residents themselves.³⁴³ Second, Moreira's words indicated a critical approximation between the PTB and the UTF, which would reach full fruition in the late 1950s.³⁴⁴

Symptomatically, in mid-July 1955, Moreira introduced a bill that echoed the UTF's own very similar initiative.³⁴⁵ The bill would have required the prefecture to ascertain the juridical status of every favela property, to expropriate any that lay in private hands, to provide those areas with significant urban services, and to give residents permanent claim to lots where they themselves would build structurally sound homes. Moreira justified the bill by claiming that the favelas were a symptom of wider structural inequalities and transformations, a problem that would "never be resolved through charity . . . or punitive expeditions or mass expulsion of *favelados* and incineration of their shacks." What was needed, Moreira argued, was "the *favelados*' own participation in solving their material and social problems"—and that, apparently, would come only when they had permanent and undeniable claim to their lands.³⁴⁶

Moreira's bill did not pass the Câmara for several years, and other

measures that would have ended judicial evictions also stalled.³⁴⁷ But the cycle of judicial threats, popular protests, and unfulfilled expropriation promises had reached fever pitch by 1955, and a wide array of politicians, lawyers, and jurists began to demand some type of solution. For some, the problem lay in the fact that expropriations were promised and never carried out, the result being a process of “mystification” that was little more than demagoguery. Though Geraldo Moreira argued—probably accurately—that even the promise of expropriation had a “psychological power” that had helped to preserve the favelas, the fact remained that expropriation decrees had no legal power unless they were funded.³⁴⁸ At the same time, many others saw problems in the promise and possibility of expropriation itself. Not only did it incite residents to radicalism, it also spurred landowners to bad behavior: speculators, some argued, were driven by the possibility of a huge public payoff and were buying land and expelling residents with the sole aim of having their properties expropriated. Municipal Counsel Manuel de Carvalho Barroso highlighted this perception in an important 1956 legal brief about the União expropriation:

The scheme is well known: the owner allows the favela to invade his property. Once (the community) is established, he decides to reclaim the land or benefit from it—for which purpose he demands the requisite possessory order. This results without fail in the sale of the land to the city, which the owner obliges to comply with the purchase by using the pressure of the dislodged, and exploiting the emotional atmosphere that surrounds the case. From the beginning, one can point to one sure beneficiary—the owner, who rids himself cleanly of the property, which he surely would never use, since he formulated the use proposal only to ensure expropriation.³⁴⁹

Such considerations, along with a growing acknowledgment that there were no realistic alternatives to Rio’s favelas, led to a series of national initiatives that would have been unthinkable ten years before. In 1955, the National Congress, following the UTF’s initiative, constituted a Comissão Parlamentar de Inquérito (Parliamentary Investigative Commission, or CPI) to ascertain the ownership of all Carioca favelas. Though the CPI never actually completed its work, it did seem to have a chilling effect on the *despejo* cycle. According to Congressman Cardoso de Menezes, favela rent payments stopped during the CPI’s authorized term, and between 1955 and 1956 “there was never a single collective eviction in any favela in the Federal District.”³⁵⁰ Cardoso de Menezes’s support for the CPI—and also for the expropriation of the Vintém favela—was in itself a strong indicator of the changing terrain of the favela debate among Carioca politicians; a religious conservative and ex-Integralist who would later staunchly support the military government, Menezes

was hardly a likely bedfellow for the UTF rabble-rousers or even the PTB populists.³⁵¹

Even as the CPI stretched on, two other initiatives appeared that would more definitively suspend Rio’s cycle of judicial evictions. In 1955, Interim President Café Filho called on the National Congress to appropriate 50 million *cruzeiros* to Helder Câmara’s newly created Cruzada de São Sebastião, a Catholic entity that aimed, among other things, to urbanize on-site Rio’s most notorious favelas. The National Congress began a fiery debate on the proposal in late 1955; though the lone communist deputy, Bruzzi Mendonça, was among its strong supporters, he was joined by a broad coalition that included virtually all of the Carioca representatives.³⁵²

During those same months, in the Senate, an interim PSD senator, Moura Brasil, proposed the suspension of all judicial evictions of the Carioca favelas—a near-exact replica of a 1947 communist initiative that, ironically, had been soundly defeated by councilmen from the UDN and the PSD.³⁵³ The new bill’s justification reflected the growing conventional wisdom about the settlements. The favelas were “a real, concrete problem of public interest,” and the national state was “uniquely capable of resolving it, given its proportions.” Favela residents were too poor to pay almost any rent, and because they constructed their shacks in an “evident state of need,” their occupation of empty lands could not be taken as “clandestine or violent possession,” as many judges had argued in stripping them of their possessory rights.³⁵⁴ Thus it was natural that the *favelados* would cling to their lands “as a castaway clings to a life raft,” and the state “would betray its purpose if it remained indifferent and contemplative before such a dramatic reality.” The situation called for a comprehensive and definitive state solution, and this could not be found so long as the *favelados* themselves were in a constant state of politicized emergency; given these circumstances, the bill mandated a “respite”—a year-long ban on all private evictions—that would allow officials to “to face, objectively, the favela problem.”³⁵⁵

Moura Brasil’s bill stalled in the senate. But on 23 January, the unofficial communist congressman Bruzzi Mendonça proposed an important amendment to the Cruzada de São Sebastião bill, according to which all *despejos* in Rio would be suspended for two years, and all of the favelas’ residents would be guaranteed permanence in their homes until better housing could be built.³⁵⁶ Mendonça, justifying these amendments, emphasized the enormous number of favelas that were under threat of *despejo* (fourteen or fifteen in that year alone, he claimed), and also the utter insufficiency of even 50 million *cruzeiros* in the face of a problem so enormous.³⁵⁷ In September 1956, he would amplify those arguments in

language clearly drawn from the 1954 campaigns: "The *favelados*, at the very least, need to have a minimum of tranquility, at least the assurance that, the next day, they will still have that humble shelter, often dirty, but at least a shelter that for them is a home, as . . . a mansion or an apartment might be for others."³⁵⁸

Despite strenuous objections from some senators and many rural congressmen, the bill became law in September 1956, complete with funding both for the Cruzada São Sebastião and for Mendonça's two amendments blocking evictions and ensuring permanence. The law also included moneys for favela initiatives in São Paulo, Recife, and Vitória.³⁵⁹ Though this so-called Lei das Favelas (law of the favelas) technically banned evictions for only two years, in fact it marked the end of the era in which property conflicts would be the shacktowns' most significant threat. It tacitly accepted—as favela advocates had argued for years—that housing was the sort of public need that the civil code obliged judges to take into account when applying the law, and that the broader "social well-being" demanded that private property rights be restricted to protect the settlements.³⁶⁰ More concretely, as many of the law's framers had intended, it effectively took the wind out of the *grileiros*' sails.³⁶¹ Not only did the eviction ban cut off the expropriation cycle, it also convinced many residents to stop paying rents, since no legal threat could now be made against them.

A number of other policies, laws, and interpretive practices deepened the impact of the Lei das Favelas. The two most important public agencies dealing with the favelas between 1956 and 1962 were the Cruzada de São Sebastião and the Serviço Especial de Recuperação das Favelas e Habitações Anti-Higiênicas (SERFHA), each of which promoted, in its own way, the sort of self-organization and auto-urbanization that served to further entrench the *morros*.³⁶² At SERFHA's urging, a 1961 municipal law reinforced the Lei das Favelas by indefinitely prohibiting all rents charged for *barracões*—a provision that, if enforced, would have had an enormous impact on modest favela entrepreneurs as well as on *grileiros*—and strictly regulating rents charged for favela lands.³⁶³ What's more, some critical policymakers—following a labyrinthine legal logic, which endured even after the 1964 military coup—argued that the Lei das Favelas was self-renewing in the absence of contrary legislation.³⁶⁴ Some jurists eventually claimed that the permanence guarantee of the Lei das Favelas did not apply to private lands. But Rio's local government continued in the 1960s the unofficial practice begun under pressure from the favela residents in the 1940s. Whenever a large judicial eviction surfaced, the government would issue an expropriation decree, which it never intended to enforce with payment; such decrees, renewed periodically, effectively froze the eviction cycle.³⁶⁵

All of these policies, legal measures, and practices effectively marked the end of an era. From the Lei das Favelas forward, private landowners' legal ambitions were mostly neutralized in Rio's largest favelas. Though large-scale evictions would continue over the following decades, private owners and civil courts would no longer be their principal instigators. The question of community permanence came to reside with the local and national governments, now an issue of politics rather than law.

Reference Matter

Statistical Appendixes

The appendixes that follow represent bi- and multivariate analysis of two separate samples of criminal cases tried in Rio de Janeiro's criminal courts, the first involving 251 accusations from the late 1920s through the early 1940s, and the second involving 263 accusations from the 1950s and early 1960s. The cases were held in the Brazilian National Archives, Rio's state judicial archives, and the archives of Rio's sentencing court.¹ Both samples included a variety of crime types, with roughly equal proportions of guilty verdicts. They had a fairly even geographical distribution throughout Rio de Janeiro but were otherwise chosen at random.

In analyzing these cases, I sought to study the connections between race, social status, and the workings of Rio's criminal justice system by measuring the relationship between various personal characteristics of defendants and four distinct questions of judicial procedure and outcome: (1) whether or not the defendant's case was dismissed before trial; (2) whether or not a defendant was found guilty; (3) whether or not a defendant spent any time in prison; and (4) the degree to which the civil rights guaranteed to each defendant in the codes of criminal procedure were respected or violated. In analyzing these factors, I used two techniques: a simple cross-tabulation (merely determining the percentage of defendants with each characteristic that received determined types of treatment, and comparing these percentages with the statistical average for all defendants), and a series of logistic regressions (which allowed me to look at the independent influence of each variable, but which have the disadvantage of being somewhat speculative because of the number of variables I considered and the relatively small size of my two samples).

THE CROSS-TABULATIONS (Statistical Appendix I, Tables I.1-I.4)

In the 1930 sample cross-tabulations, I compared these questions of procedure and outcome with eleven categories classifying defendants'

personal characteristics, as detailed in chapter 5. For the cross-tabulations calculated for the post-1950 sample, I analyzed two additional factors: (1) whether or not a defendant possessed a *carteira profissional*, and (2) how each defendant was personally characterized by the *vida pregressa* mandated by Brazil's 1942 code of criminal procedure. In the tables for both periods, I have indicated with italics when the number of defendants with the said characteristic was fewer than fifteen; in these cases, the results should be seen as highly speculative.

THE LOGISTIC REGRESSIONS
(Statistical Appendixes II and III, Tables II.1 and III.1)

Cross-tabulations and qualitative analysis both strongly suggest that a number of factors influenced the course of Carioca criminal trials in both periods, with documents assuming ever-greater importance among them. Only a multivariate statistical method, however, can test this hypothesis with some degree of precision, measuring the influence of individual variables while holding all others steady. Because of the qualitative nature of the data involved, logistic regression proved to be the most appropriate multivariate technique. Using it, I constructed models for both samples predicting the four types of outcome explored in my cross-tabulations. I analyzed separately the pre- and post-1945 samples, running eight separate regressions.² The results for each sample are presented in table II.1 and table III.1. For both samples, model 1 predicts the likelihood that a defendant will go to trial, model 2 predicts the likelihood that a defendant will be found guilty at trial, model 3 predicts the likelihood that he or she will spend any time in prison, and model 4 predicts the likelihood that his or her civil rights will be violated. The models were able to predict correct outcomes between 71 and 86 percent of the time, and in all cases they were significantly better predictors than random guesses.

The individual characteristics considered in all of these models differ in a few ways from those used in the cross-tabulations. In the interest of maximizing the statistical significance of the findings, I reduced the number of categories considered, added a few new types of information, and also greatly simplified the sub-classifications within each category. In all cases, I did this with the objective of increasing the predictive power of the model as a whole. While this led to some loss of precision, it allowed me to build models that often yielded significant results and were relatively accurate in predicting outcomes. Nonetheless, given the small sample numbers and the large number of variables considered, many of the numbers here do not have true statistical significance.³

The results tables show three variables: B , $Exp(B)$, and $Exp(B)/Exp(B) + 1$. B represents the natural log of the odds that an individual with a specific characteristic will spend time in prison, be found guilty, and have his or her civil rights violated. To a layperson, B simply indicates the scale and direction of the relationship with the so-called omitted category (marked in the tables); a negative number here means that an individual in this category is less likely to face a negative outcome as compared to the omitted category, and a positive number means the opposite. The total natural log of the odds that any individual will face a given outcome, $B(ind)$, is equal to the constant plus the B corresponding to each individual characteristic that the individual possesses. Thus, for Manuel Francisco dos Santos—a *preto* dump guard with a primary education who was accused of murder, lived in a formal neighborhood, was employed as a security guard, had a civil ID and a work ID, had no criminal record, had a positive *vida pregressa* (VP), and hired a private lawyer—the equation predicting the likelihood that he would face trial would be: $B(ind) = 1.248 (constant) - 2.617 (murder) + 2.150 (preto) + .056 (formal neighborhood) - .032 (labor) - .293 (primary education) + .605 (positive VP) - .659 (no criminal record)$. The equation works out to .458. In order for this number to mean something to the uninitiated, however, it must first be transformed into $Exp(B)$ (equivalent to the odds) and then to $Exp B/(Exp B + 1)$ (equivalent to the probability). For Manuel, these numbers are, respectively, 1.581 and .613; the latter number indicates that a person with Manuel's characteristic has, according to the model, a 61 percent probability of facing trial. The general odds and probabilities for each category are presented in the tables as $Exp(B)$ and $Exp(B)/Exp(B) + 1$.

As a whole, these statistics are better read as suggestions regarding the direction and strength of relationships than as definitive conclusions. But they are valuable nonetheless because this is the largest historical sample of criminal cases ever to consider questions of procedure, and to include many of the variables considered (possession of documents and representation by police being the most important among them).

TABLE I.1

Deviation from Average Percentage of Cases Dismissed Before Trial Stage, by Characteristics of Defendants

Pre-1945		Post-1945	
Individual characteristics	Deviation (%)	Individual characteristics	Deviation (%)
<i>Professional occupation</i>	26.3	Domestic occupation (nonpaid)	36.4
<i>Supervised housing</i>	14.8	Other Brazil birth	23.6
<i>Rural neighborhood</i>	11.5	<i>Factory occupation</i>	18
Formal housing	10.1	<i>Rural neighborhood</i>	14.2
Branco	10	Police/military occupation	11.8
High literacy	7.7	Formal housing	10
Primary literacy	7.7	Professional occupation	9.2
White-collar occupation	6.2	Formal neighborhood	8.5
Mixed neighborhood	5	High literacy	7
Skilled labor occupation	3.3	Primary literacy	5.8
Foreign birth	3	Married or widowed	5.8
Police/military occupation	1.6	Informal union	4.7
Southeast birth	1.4	Has work ID	3.8
Birth in Distrito Federal	1.2	Has civil ID	3.5
Married or widowed	0.8	Pardo	2.8
<i>Informal union</i>	0.5	Positive VP ^a	2.7
Defendant works	0.5	Defendant works	2.3
Has civil ID	0.4	Birth in Distrito Federal	2.2
Pardo	0.2	Branco	1.7
Domestic occupation (nonpaid)	0.1	No criminal record	0.6
Rudimentary literacy	0	Northeast birth	0.4
Formal neighborhood	-0.2	Mixed neighborhood	-0.5
Single	-0.3	Neutral VP ^a	-0.7
No criminal record	-1.6	No work ID	-1.4
No civil ID	-1.9	<i>Foreign birth</i>	-2
Northeast birth	-4.2	No civil ID	-2.1
Preto	-6.6	Collective housing	-2.6
Collective housing	-9.6	Shack housing	-3.3
<i>Factory occupation</i>	-10.2	<i>Supervised housing</i>	-3.4
Inquérito record	-10.2	Inquérito record	-4.4
General Brazil birth	-10.2	Unskilled labor occupation	-4.9
Unskilled labor occupation	-12	Southeast birth	-5.6
Criminal record	-12.5	Illiterate	-7.7
Illiterate	-13.7	Preto	-8.2
Shack housing	-14.6	Skilled labor occupation	-8.6
Informal neighborhood	-19.2	Single	-8.7
Defendant doesn't work	-21.7	White-collar occupation	-10.8
		Informal neighborhood	-11
		Rudimentary literacy	-11.9
		Defendant doesn't work	-13.8
		Criminal record	-22.8
		Negative VP ^a	-23.8

NOTE: Italics indicate 15 or fewer defendants in category.

^a VP = *vida progressa*.

TABLE I.2

Deviation from Average Percentage of Innocent Verdicts, by Characteristics of Defendants

Pre-1945	Deviation (%)	Post-1945	Deviation (%)
<i>Factory occupation</i>	18.6	<i>High literacy</i>	46.8
Private lawyer	17.7	Professional occupation	44.2
Formal housing	12.9	Domestic occupation (nonpaid)	37.5
<i>Professional occupation</i>	11.9	Police/military occupation	32
<i>High literacy</i>	10.2	Has work ID	26.3
Rudimentary literacy	9.5	<i>Foreign birth</i>	25.6
Has civil ID	8.2	Private lawyer	23.2
Defendant works	8.1	Has civil ID	15.9
Married or widowed	8	<i>Supervised housing</i>	14.2
Foreign birth	7.8	Positive VP ^a	11.6
<i>Informal union</i>	7.5	Primary literacy	9.5
Birth in Distrito Federal	6.7	Informal union	9.5
<i>Domestic occupation (nonpaid)</i>	6.4	Birth in Distrito Federal	8
Preto	5.2	Formal housing	7.4
Mixed neighborhood	5	Married or widowed	7.1
White-collar occupation	4.8	No criminal record	5.4
Formal neighborhood	4.5	Defendant works	5
<i>Police/military occupation</i>	1.9	Shack housing	4.9
Collective housing	1.9	Branco	3.7
No criminal record	1.3	Formal neighborhood	3.1
Pardo	0.3	Pardo	3
Informal neighborhood	-0.5	Neutral VP ^a	2.7
Inquérito record	-2.3	Informal neighborhood	2.6
Skilled labor occupation	-3.1	White-collar occupation	0.4
No civil ID	-3.4	Skilled labor occupation	0
Southeast birth	-3.7	<i>Factory occupation</i>	-2.9
Branco	-4.2	<i>Rural neighborhood</i>	-2.9
Unskilled labor occupation	-4.7	Southeast birth	-3.5
Primary literacy	-5.6	Preto	-4.8
Single	-6	Illiterate	-4.9
Northeast birth	-6.7	Mixed neighborhood	-5.8
Illiterate	-8.9	Inquérito record	-8.3
Shack housing	-11.1	<i>Other Brazil birth</i>	-8.3
No lawyer	-12.8	No civil ID	-8.8
Criminal record	-12.8	No work ID	-9
<i>Supervised housing</i>	-14.8	Single	-9.1
<i>General Brazil birth</i>	-14.8	Criminal record	-10.5
Public defender	-16.5	Northeast birth	-11
Defendant doesn't work	-22.1	Public defender	-11.5
<i>Rural neighborhood</i>	-48.1	Rudimentary literacy	-16.2
		Collective housing	-16.6
		Negative VP ^a	-16.9
		Unskilled labor occupation	-18.3
		Defendant doesn't work	-23.6

NOTE: Italics indicate 15 or fewer defendants in category.

^a VP = *vida progressa*.

TABLE I.3

Deviation from Average Percentage of Cases with No Prison Time, by Characteristics of Defendants

Pre-1945	Deviation (%)	Post-1945	Deviation (%)
Domestic occupation (nonpaid)	24.9	Domestic occupation (nonpaid)	30.2
High literacy	17.7	Professional occupation	23.1
Police/military occupation	15.6	Police/military occupation	18.5
<i>Professional occupation</i>	13.6	Has work ID	16
Formal housing	12.7	Other Brazil birth	14.6
<i>Factory occupation</i>	11.7	<i>Factory occupation</i>	14
Foreign birth	9.4	<i>Rural neighborhood</i>	14
Has civil ID	8.9	Positive VP ^a	13.3
Defendant works	8.6	Has civil ID	12.1
<i>Informal union</i>	8.1	Married or widowed	10.1
White-collar occupation	7.9	Formal housing	8.1
Married or widowed	7.5	High literacy	7.5
Primary literacy	7.1	No criminal record	7.1
Mixed neighborhood	6.2	Defendant works	4.9
Birth in Distrito Federal	5.4	Primary literacy	4.2
No criminal record	4.8	DF birth	3.5
Informal neighborhood	4.7	Mixed neighborhood	3.4
Preto	3.4	Neutral VP ^a	2.7
Branco	2.1	Branco	2.1
Formal neighborhood	0.3	Formal neighborhood	-0.3
Collective housing	0.3	Pardo	-0.4
Southeast birth	-1.3	Shack housing	-1
Rudimentary literacy	-4	Informal union	-1.2
No civil ID	-4	<i>Supervised housing</i>	-2.2
Shack housing	-4.5	Preto	-2.7
Single	-4.8	Southeast birth	-3.3
Pardo	-5	Unskilled labor occupation	-4
Unskilled labor occupation	-8.2	Northeast birth	-5
Northeast birth	-8.5	Informal neighborhood	-5.4
Illiterate	-9.5	No work ID	-6.1
Skilled labor occupation	-12.5	No civil ID	-7.2
<i>Supervised housing</i>	-13.3	Single	-7.5
<i>Rural neighborhood</i>	-16.6	Collective housing	-7.9
Inquérito record	-19.5	Illiterate	-8
General Brazil birth	-25.8	<i>Foreign birth</i>	-9.3
Criminal record	-29.2	Inquérito record	-10.4
Defendant doesn't work	-40.9	White-collar occupation	-10.7
		Skilled labor occupation	-11.2
		Rudimentary literacy	-11.5
		Defendant doesn't work	-20.8
		Criminal record	-34.9
		Negative VP ^a	-38.1

NOTE: Italics indicate 15 or fewer defendants in category.

^a VP = *vida progressa*.

TABLE I.4

Deviation from Average Percentage of Cases with No Civil Rights Violations, by Characteristics of Defendants

Pre-1945	Deviation (%)	Post-1945	Deviation (%)
Police/military occupation	21.5	Domestic occupation (nonpaid)	30.4
<i>Professional occupation</i>	19.1	Police/military occupation	29.8
High literacy	17.3	Professional occupation	23.2
<i>Factory occupation</i>	14.3	Has work ID	22.7
Foreign birth	12.3	<i>Factory occupation</i>	21.4
Formal housing	12.1	High literacy	21.2
Has civil ID	11.6	Has civil ID	17.8
White-collar occupation	11.3	<i>Rural neighborhood</i>	15.7
Primary literacy	11.1	Positive VP ^a	15.2
<i>Supervised housing</i>	10.1	Formal housing	13.7
Domestic occupation (nonpaid)	9.2	No criminal record	10.4
Married or widowed	7.7	Married or widowed	8.5
Mixed neighborhood	7.3	Defendant works	7.9
No criminal record	6.7	Primary literacy	7.4
Defendant works	5.8	Branco	7.3
Branco	5.6	<i>Supervised housing</i>	7.1
<i>Informal union</i>	5.4	Formal neighborhood	6.6
Birth in Distrito Federal	4.1	<i>Foreign birth</i>	5.7
Formal neighborhood	0.3	Neutral VP ^a	5.4
Northeast birth	-1.8	Mixed neighborhood	5.1
Rudimentary literacy	-2.9	Other Brazil birth	4.5
Collective housing	-3.4	Birth in Distrito Federal	4.4
Preto	-4.2	White-collar occupation	-0.7
Single	-4.7	Southeast birth	-2
No civil ID	-5.4	Informal union	-2.2
Skilled labor occupation	-5.5	Pardo	-2.5
Southeast birth	-5.6	Illiterate	-2.6
Pardo	-6.5	Collective housing	-3.7
<i>Rural neighborhood</i>	-6.5	Shack housing	-5.1
Shack housing	-11.4	Single	-6
Informal neighborhood	-13.2	Preto	-8
Illiterate	-14.7	Northeast birth	-8.4
Unskilled labor occupation	-16.7	No work ID	-8.7
Inquérito record	-17	Skilled labor occupation	-9.8
Criminal record	-27.8	Inquérito record	-10.1
General Brazil birth	-29.4	No civil ID	-11.1
Defendant doesn't work	-37.1	Unskilled labor occupation	-12.9
		Rudimentary literacy	-13.3
		Informal neighborhood	-13.7
		Defendant doesn't work	-33.9
		Criminal record	-35.3
		Negative VP ^a	-37.4

NOTE: Italics indicate 15 or fewer defendants in category.

^a VP = *vida progressa*.

TABLE II.1
Regressions on Pre-1945 Sample for Chapter 5

Exp B=odds Exp B/(Exp B+1)=probability	Model 1		Trial likelihood		Model 2		Guilt likelihood	
	B	Odds	Probability	B	Odds	Probability	B	Probability
Variables describing crime type								
Sexual crimes	-2.714	0.066	0.06	-1.003	0.367	0.27		
Physical violence	-2.233	0.107	0.10	-0.09	0.914	0.48		
Vagrancy/arms possession	7.2	1339.59	1.00	0.184	1.202	0.55		
Theft/robbery	-1.367	3.469	0.78	0.736	2.087	0.68		
Calumnia/injuria (omitted)								
Variables describing region of birth								
Foreign	0.487	1.628	0.62	-0.445	0.641	0.39		
Rio de Janeiro (DF)	0.115	1.122	0.53	-0.245	0.783	0.44		
Migrants (born in SE or NE)	-0.22	0.803	0.45	0.302	1.352	0.57		
Migrants (born elsewhere in Brazil) (omitted)								
Variables describing color								
Branco	-0.862	0.422	0.30	0.833	2.3	0.70		
Pardo	0.112	1.119	0.53	0.012	0.977	0.49		
Preto	0.291	1.337	0.57	-0.754	0.097	0.09		
Unknown (omitted)								
Variables describing housing type								
Formal/supervised	-0.555	0.574	0.36	-0.414	0.661	0.40		
Shacks/collective/rural	0.803	2.233	0.69	0.367	1.443	0.59		
Unknown (omitted)								
Variables describing address region								
Zona Sul	-0.495	0.61	0.38	-0.479	0.619	0.38		
Centro or elsewhere in Rio	0.376	1.456	0.59	-0.426	0.653	0.40		
Rural (omitted)								
Variables describing occupation								
Professional	-1.818	0.162	0.14	1.1294	3.646	0.78		
White-collar occupation	0.433	1.541	0.61	-0.403	0.668	0.40		
Worker	0.848	2.336	0.70	-0.509	0.601	0.38		
Unskilled labor occupation	0.792	2.207	0.69	-0.617	0.539	0.35		
Domestic occupation, unpaid (omitted)								
Variables describing literacy								
Primary literacy	-0.563	0.569	0.36	-0.252	0.777	0.44		
Illiterate	-0.418	0.658	0.40	0.202	1.224	0.55		
Highly literate (omitted)								
Other variables								
Has a civil ID	-0.168	0.845	0.46	-0.488	0.614	0.38		
Has a work card				-1.292	0.275	0.22		
Has a criminal record				0.562	1.754	0.64		
Does not have a criminal record				0.716	2.046	0.67		
Unknown criminal record (omitted)								
Has a private lawyer				-0.925	0.397	0.28		
Has a public defender				0.559	1.749	0.64		
Has no lawyer (omitted)								
Constant	2.393			0.569				

	Model 3	Prison-time likelihood		Model 4	Rights-violation likelihood	
	B	Odds	Probability	B	Odds	Probability
Variables describing crime type						
Sexual crimes	-2.333	0.097	0.09	-0.689	0.502	0.33
Physical violence	-0.699	0.497	0.33	-1.082	0.339	0.25
Vagrancy/arms possession	2.877	17.756	0.95	1.645	5.179	0.84
Theft/robbery	0.183	1.201	0.55	0.985	2.679	0.73
Calumnia/injuria (omitted)						
Variables describing region of birth						
Foreign	-0.736	0.479	0.32	-1.217	0.296	0.23
Rio de Janeiro (DF)	-0.448	0.639	0.39	-0.303	0.738	0.42
Migrants (born in SE or NE)	0.424	1.528	0.60	0.444	1.56	0.61
Migrants (born elsewhere in Brazil) (omitted)						
Variables describing color						
Branco	0.647	1.909	0.66	0.318	1.374	0.58
Pardo	0.352	1.422	0.59	0.323	1.381	0.58
Preto	-0.938	0.391	0.28	-0.779	0.459	0.31
Unknown (omitted)						
Variables describing housing type						
Formal/supervised	-0.429	0.651	0.39	-0.53	0.589	0.37
Shacks/collective/rural	0.301	1.352	0.57	0.553	1.738	0.63
Unknown (omitted)						
Variables describing address region						
Zona Sul	-0.837	0.433	0.30	-0.881	0.414	0.29
Centro or elsewhere in Rio	0.061	1.062	0.52	0.745	2.107	0.68
Rural (omitted)						
Variables describing occupation						
Professional	0.34	1.406	0.58	-1.826	0.161	0.14
White-collar occupation	0.437	1.549	0.61	0.184	1.202	0.55
Worker	0.858	2.359	0.70	0.579	1.785	0.64
Unskilled labor occupation	0.251	1.285	0.56	1.099	3.001	0.75
Domestic occupation, unpaid (omitted)						
Variables describing literacy						
Primary literacy	-0.229	0.795	0.44	-0.233	0.792	0.44
Illiterate	0.418	1.519	0.60	0.392	1.481	0.60
Highly literate (omitted)						
Other variables						
Has a civil ID	-0.957	0.384	0.28	-1.008	0.365	0.27
Has a work card						
Has a criminal record	1.306	3.693	0.79	0.841	2.319	0.70
Does not have a criminal record	0.563	1.756	0.64	0.319	1.375	0.58
Unknown criminal record (omitted)						
Has a private lawyer						
Has a public defender						
Has no lawyer (omitted)						
Constant	-1.006			-2.233		

NOTE: Italics and bold = significance at 0.05; bold = significance at 0.055-0.149; italics = significance at 0.15-0.249.

TABLE III.1
Regressions on Post-1945 Data for Chapter 6

Exp B=odds Exp B/(Exp B+1)=probability	Model 1		Trial likelihood		Model 2		Guilt likelihood	
	B	Odds	Probability	B	Odds	Probability	B	Probability
Variables describing crime type								
Sexual crimes	-1.935	0.144	0.13	-0.083	0.92	0.48		
Physical violence	-3.055	0.047	0.04	0.459	1.582	0.61		
Vagrancy/arms possession	10.556	38425.603	1.00	17.915	60300884	1.00		
Theft/robbery	-0.633	0.531	0.35	0.167	1.181	0.54		
Attempted murder	0.657	1.93	0.66	-3.699	0.025	0.02		
Murder	-2.617	0.073	0.07	-1.742	0.175	0.15		
Calumnia/injuria (omitted)								
Variables describing color								
Branco	1.935	6.925	0.87	3.021	20.519	0.95		
Pardo	1.328	3.774	0.79	1.744	5.719	0.85		
Preto	2.15	8.582	0.90	1.614	5.023	0.83		
Unknown (omitted)								
Variables describing neighborhood type								
Formal	0.056	1.058	0.51	0.263	1.3	0.57		
Mixed	0.333	1.395	0.58	0.214	1.238	0.55		
Informal	0.871	2.389	0.70	0.542	1.719	0.63		
Rural (omitted)								
Variables describing occupation								
Professional	<i>1.007</i>	2.737	0.73	-1.641	<i>0.194</i>	0.16		
White-collar occupation	<i>1.078</i>	2.938	0.75	1.195	3.302	0.77		
Worker	-0.032	0.968	0.49	0.167	1.182	0.54		
Unskilled labor occupation	-0.65	0.522	0.34	1.515	4.55	0.82		
Domestic, women (omitted)								
Variables describing literacy								
Primary literacy	-0.293	0.746	0.43	3.586	36.092	0.97		
Illiterate	0.5	1.649	0.62	3.727	41.569	0.98		
Highly literate (omitted)								
Other variables								
Has a civil ID				1.153	3.167	0.76		
Has a work card				-2.646	0.071	0.07		
Has a criminal record	0.992	2.698	0.73	-0.745	0.475	0.32		
Does not have a criminal record	-0.659	0.517	0.34	-0.902	<i>0.406</i>	0.29		
Has a positive VP ^a	0.605	0.136	0.12	-0.288	0.75	0.43		
Has a negative VP ^a	1.056	2.876	0.74	0.391	1.478	0.60		
Has a private lawyer				-2.64	0.071	0.07		
Has a public defender				-2.775	0.062	0.06		
Constant	1.248			-2.146				

	Model 3	Prison-time likelihood		Model 4	Rights-violation likelihood	
	B	Odds	Probability	B	Odds	Probability
Variables describing crime type						
Sexual crimes	0.651	1.918	0.66	0.412	1.509	0.60
Physical violence	-0.126	0.881	0.47	-0.801	0.449	0.31
Vagrancy/arms possession	2.182	8.864	0.90	2.286	9.833	0.91
Theft/robbery	2.032	7.627	0.88	2.008	7.45	0.88
Attempted murder	1.341	3.823	0.79	1.425	4.16	0.81
Murder	1.473	4.362	0.81	1.417	4.125	0.80
Calumnia/injuria (omitted)						
Variables describing color						
Branco	-0.4	0.67	0.40	-0.326	0.721	0.42
Pardo	-0.915	0.4	0.29	-0.183	0.833	0.45
Preto	-0.822	0.44	0.31	0.038	1.039	0.51
Unknown (omitted)						
Variables describing neighborhood type						
Formal	0.723	2.06	0.67	0.633	0.161	0.14
Mixed	0.245	1.277	0.56	-0.067	0.936	0.48
Informal	0.513	1.67	0.63	1.005	2.731	0.73
Rural (omitted)						
Variables describing occupation						
Professional	-0.329	0.72	0.42	0.477	1.611	0.62
White-collar occupation	0.79	2.204	0.69	0.524	1.689	0.63
Worker	0.366	1.442	0.59	-0.214	0.807	0.45
Unskilled labor occupation	-0.299	0.742	0.43	0.279	1.321	0.57
Domestic, women (omitted)						
Variables describing literacy						
Primary literacy	-0.441	0.643	0.39	0.2	1.222	0.55
Illiterate	0.397	1.488	0.60	0.299	1.348	0.57
Highly literate (omitted)						
Other variables						
Has a civil ID	-0.219	0.803	0.45	-0.585	0.557	0.36
Has a work card	-0.642	0.526	0.34	-0.97	0.379	0.27
Has a criminal record	0.946	2.576	0.72	1.122	3.072	0.75
Does not have criminal record	0.331	1.392	0.58	0.264	1.303	0.57
Has a positive VP ^a	-0.648	0.523	0.34	-0.42	0.657	0.40
Has a negative VP ^a	1.146	3.147	0.76	1.209	3.351	0.77
Has a private lawyer						
Has a public defender						
Constant	-0.483			-1.856		

NOTE: Italics and bold = significance at $\alpha = 0.05$; bold = significance at $\alpha = 0.05$ - 0.149 ; italics = significance at $\alpha = 0.15$ - 0.249 .

^a VP = *vida progressa*.

Notes

All translations, here and in the body of the text, are the author's unless otherwise noted.

All quotations in Portuguese retain the original spelling and grammar.

All works cited here are listed in the bibliography alphabetically by the author's final surname. The following abbreviations are used in the notes:

ACDF	<i>Anais da Câmara do Distrito Federal</i>
AJ	Arquivo Judiciário
AN	Arquivo Nacional, Rio de Janeiro
IBGE	Instituto Brasileiro de Geografia e Estatística
TJ	Tribunal de Júri
PC	Pretoria Cível
PCr	Pretoria Criminal
VC	Vara Cível
VCr	Vara Criminal

INTRODUCTION

1. See, most notably, Parisse, *Favelas*; Leeds and Leeds, *A sociologia*; Machado da Silva, "O significado"; Tavares de Moura, "Favelas"; Tavares de Moura, *Relatório*; Perlman, *The Myth*; Conn, *The Squatters' Rights*; Sociedade de Análises Gráficas e Mecanográficas Aplicadas aos Complexos Sociais, "Aspectos humanos"; Souza Santos, "The Law"; and Valladares, *Passa-se*.

2. On the law's uses and exclusions during slavery and abolition, see, among many others, Grinberg, *Liberata*; Grinberg, *O fiador*; Mattos de Castro, *Das cores*; Motta, *Nas fronteiras*; Chalhoub, *Visões*; Chalhoub, "The Politics of Silence"; Naro, "Customary Rightholders"; and Holloway, *Policing Rio*. On the First Republic, see Chalhoub, *Trabalho*; Fausto, *Crime e cotidiano*; Kowarick, *Trabalho e vadiagem*; Abreu Esteves, *Meninas*; Caulfield, *In Defense*; Bretas, *A guerra*; and Bretas, "You Can't." For both periods, see essays collected in Lara and Mendonça, eds., *Direitos e justiças*; and dos Santos Gomes and Gomes da Cunha, *Quase cidadão*.

- came across four in which a defendant was murdered by police, who apparently were never punished for the crime. See AJ, TJ, caixa 392/3056/1959, caixa 424/2026/1962, caixa 424/2006/1962, and caixa 407/4155/1962.
134. A copy of the 36th police district's inquiry into the case is held in the Carlos Lacerda archives, dossiê Seção de Segurança Pública.
135. See speech of 10 January 1956, published in *Anais da Câmara dos Deputados*, 1955-56, vol. III, 86-88.
136. On the UTF, see chapter 8, this volume.
137. A document containing the Ministry of Justice's investigation of the allegation, though not the original complaint, can be found in the Fundação Getúlio Vargas, Alexandre Marcondes Filho papers, AMF 55/03.01/1.
138. See minutes of "Reunião para decidir medidas policiais urgentes," 12 March 1963, held in the Carlos Lacerda archives, dossiê Gabinete/Correspondência, caixa 164.
139. Though this book is extensively quoted in the article mentioned in note 140, below, I have never found a copy of it, and it is not in Licia do Prado Valladares's extensive bibliography (*Pensando as favelas cariocas*). If it exists, it would predate the more famous book by Carolina Maria de Jesus, *Child of the Dark*.
140. "Favelado toma consciência dos seus problemas e não quer a ajuda do governo," unattributed 1961 newspaper article found in the Carlos Lacerda archives, dossiê Gabinete/Correspondências, caixa 156.
141. See the discussion of Jacarezinho in chapter 8, this volume.
142. Abdias José Nascimento dos Santos, personal interview with the author, 27 November 2003.
143. See, for instance, a complaint brought in January 1954 by UTF lawyer Magarinos Torres regarding police raids in Borel, discussed in chapter 8, this volume.
144. Abdias José Nascimento dos Santos, personal interview with the author, December 2003. For a confirmation of the view that modern policemen do not know how to respect local distinctions, see Penglase, "To Live Here."
145. Odília dos Santos Gama, personal interview with the author, 2 December 2003.
146. "Uma favela que começa em Botafogo e termina em Laranjeiras," *O Globo*, 25 May 1948 (interview with Santa Marta resident Antônio José Lopes).
147. Abdias José Nascimento dos Santos, personal interview with the author, 27 November 2003.
148. For a somewhat idealized version of civil law mediation in Jacarezinho, see Souza Santos, "The Law."
149. Both Marcos Bretas and Roberto Kant de Lima call attention to police roles as informal mediators in minor disputes.
150. For instances of such silence, see AJ, TJ, caixa 424/2082/1963, caixa 419/1542/1962, caixa 387/2956/1959, and caixa 392/317/1959; see also AN, 6a VCR, caixa 2172/8675 (Hélio de Souza Campos).

PART IV: OWNING THE ILLEGAL CITY

1. *Diário da Noite*, 18 December 1930.
2. *Ibid.*
3. On Maurício de Lacerda, see Corrêa, *O sertão carioca*, 183-84. Vicente Carino appears in newspaper accounts and court cases throughout his period, and a communist engineer by the name of Pedro Coutinho Filho would continue to represent squatters from Jacarepaguá and Guaratiba right into the 1950s; see "Lavradores do sertão carioca defendem seu direito à terra," *Imprensa Popular*, 10 August 1954.
4. See Mattos de Castro, *Das cores*; Naro, "Customary Rightholders"; and Motta, *Nas fronteiras*.
5. This was largely because of Euclides da Cunha's classic journalistic account of the war, *Os Sertões*. On the historical meanings of the *sertão* metaphor, see Trindade Lima, *Um sertão*; on its relation to early perceptions of Rio's favelas, see Valladares, *A invenção*.
6. The term "supercivilized" is from Ricardo Palma's introduction to Corrêa, *O sertão carioca*, originally published in the *Diário Carioca* on 20 September 1932.
7. The most notable example is Corrêa, *O sertão carioca*, which paid homage in loving detail to the region's quickly vanishing pastoral life, invoking with nationalist pride such figures as the *pesqueiro*, the *machadeiro*, and the *cesteiro*.
8. Miguel Pereira coined the now famous phrase in 1916, quoted in Trindade Lima and Hochmann, "Condenado pela raça," 24.
9. Recounted in Trindade Lima, *Um Sertão*, 60.
10. "Far-West ou terra civilizada?," *A Batalha*, 16 December 1931.
11. Scholars such as Anthony Leeds and Janice Perlman long ago countered marginality theories by arguing that mid-century favelas had strong economic, social, and political ties to Rio; however, very few researchers have ever highlighted the degree to which outsiders have had abiding interests in the favelas' growth and survival. In this respect, Pereira da Silva, *Favelas Cariocas*, complements my own research.
12. For general discussions of Brazilian property law, see Cirne Lima, *Pequena história*; Costa Porto, *O sistema sesmario*; Motta, *Nas fronteiras*; Mattos de Castro, *Das cores*, especially chap. 4; and Viotti da Costa, "Land Policies."
13. On land in Rio, see N. Santos, *As freguesias*; Costa Ferreira, *A cidade*; Fridman, *Donos*; and Pechman, "A gênese."
14. On the series of decrees that attempted to reassert this dimension of the sesmaria system, see Motta, *Nas fronteiras*, chap. 4.
15. See Motta, *Nas fronteiras*. Mattos de Castro gives a detailed analysis of why demarcation often worked against the perceived interests of large landholders (*Das cores*, chap. 4).
16. See Fridman, *Donos*.
17. The classic work on the relationship between land and patronal power is Martins, *O cativo*.
18. See Motta, *Nas fronteiras*, especially chap. 4.

19. See Mattos de Castro, *Das cores*, 82.
20. *Ibid.*, 123.
21. Mattos de Castro, *Das cores*, 82; the remainder of her fourth chapter details this point.
22. Lei 601 (17 September 1850); for discussion, see Viotti da Costa, "Land Policies."
23. Viotti da Costa, "Land Policies"; Martins, *O cativoiro*.
24. On article 8, see Motta, *Nas fronteiras*; on widespread noncompliance with registration requirements, see Osório Silva, *Terras devolutas*.
25. See *Código Civil Brasileiro*, articles 550–553.
26. *Constituição da República do Brasil* (16 July 1934), title III, chap. II, article 113, no. 17.
27. This is similar to the situation described in São Paulo by Holston, "The Misrule of Law."
28. 2 June 1907, quoted in Almeida Abreu, "Reconstruindo."
29. AN, 3a PC, caixa 2415/262, dated 22 March 1934.
30. *Código Civil Brasileiro*, article 550: "The person who possesses a property as his own for 30 years, uninterrupted and unopposed, will acquire its dominion, independent of title or good faith, which in such cases is presumed; he may require a judge to pass a sentence so stating, which can serve as title for the purpose of legally registering the property."
31. "Mas 10 mil cariocas ameaçadas pelas picaretas da prefeitura," *Imprensa Popular*, 30 November 1952.
32. Nunes, *Favela*, 11.
33. In addition to those cited below, see the accounts collected in Varela, Bertazzo, and Jacques, *Maré*.
34. Lucíola de Jesus, personal interview conducted by Guaraci Gonçalves for the Favela Tem Memória project, 22 February 2005.
35. Salomão Pereira da Silva, personal interview conducted by Rita de Cássia for the Favela Tem Memória project, 16 July 2003.
36. Marina da Silva, personal interview conducted by Bete Silva for the Favela Tem Memória project, 31 August 2005.
37. References to gardens, fruit trees, and animals are common in most oral histories of early favelas; in official sources, they usually appear as offhand references, taken for granted as part of the favela landscape. See, for example, Fundação Leão XIII, *Morros e favelas*, 25; or Goulart, *Favelas*, 41. The photo collection held at the Arquivo Geral da Cidade do Rio de Janeiro confirms the rural aspect of many communities right through the 1960s.
38. The connection between rural origins and urban marginality was one of the staples of Latin American sociology for much of the 1950s and 1960s. For a summary (and rejection) of such views, see Perlman, *The Myth*. For a relatively mild version of the connection between rural origins and urban marginality in Brazil, see Sociedade de Análises Gráficas e Mecanográficas Aplicadas aos Complexos Sociais (SAGMACS), "Aspectos humanos"; for a more forceful argument, see Medina, *A favela* (Medina is one of the SAGMACS authors). For contemporary (and original) comment on the influence of the notion of rurality in the city, see Leeds, "O Brasil e o mito."

39. AN, 4a PC, maço 116, processo 5194, Emilio Antônio Turano vs. Ocupantes de um imóvel no morro do Salgueiro, 17 July 1933.
40. This provision first appeared in the 1934 constitution and was repeated in all that followed; see note 26 to part IV, above.
41. On the time of Rio's first building census, in 1933, Borel already had nearly 200 shacks; in 1948, when Rio's first favela census was published, that number of shacks had grown to more than 500, and probably housed about 2,000 people. Alemão's development came later, but by 1960 there were already more than 3,400 residents there, and debates about ownership of the *morro's* lands had already been common in the early 1950s.
42. AN, records of the Secretaria da Presidência da República, série 17.7, caixa 41. The translation includes errors in spelling and grammar found in the original.
43. Fridman, *Donos*.
44. See, for instance, the story of Quintino Francisco Guedes, who claimed to have informally acquired land in Guaratiba from one Joaquim José de Lacerda in the late 1880s, and found it threatened by the Banco de Crédito Móvel's expulsions in 1931. His cousin, Antônio Guedes, was also expelled by the BCM from lands he had inherited without title from his father. Rio's 8a Pretoria Cível later nullified Antonio's expulsion. See "Far-West ou terra civilizada?" *A Batalha*, 16 December 1931; see also "A justiça reintegra tres 'posseiros' de Guaratiba vítimas das violências do Banco de Crédito Móvel," *A Batalha*, 17 March 1932.
45. See, for example, Apelação Cível 1088, apelante Mafalda Maria da Conceição, apelado Banco de Crédito Móvel, cited in final decision on Leopoldo Luiz dos Santos vs. Banco de Crédito Móvel, 4a Câmara da Corte de Apelação, reprinted in the *Jornal do Comércio*, 14–15 March 1932; see also Apelação Cível 1130, Manoel I. Botelho vs. Banco de Crédito Móvel, also cited in final decision on Leopoldo Luiz dos Santos vs. Banco de Crédito Móvel.
46. After the turn of the century, more of these agreements seem to have taken written form, even when all or most of the parties involved were illiterate—a movement that probably reflected owners' awareness of rising land values and the threat of *usucapião*.
47. This will be discussed further below in relation to Eduardo Duvivier's land claims in Copacabana/Leme, and in relation to the BCM's numerous land cases in Guaratiba.
48. These interpretations were based on the 1916 civil code, which granted specific rights to confirmed *posseiros*, among which were rights to any improvements made on the land (articles 516–19). The civil code also left room for indemnification for anyone who improved property that he or she did not legally occupy as a *posseiro* (article 547). For a discussion of the civil code and the rights accrued by *posseiros*, see Nascimento, *Posse*.
49. Estate of Manuel Luiz de Souza (represented by Alain Luiz de Souza) vs. Marcelino Martins et al., AN, 3a PC, 2440/1924, 29 June 1936.
50. This amount was somewhat less than what a poor family would have paid monthly for a shack in central Rio.
51. The practice of selling the rights to an inheritance was common enough not to attract any special notice in Brazil during this period. The most likely mo-

tive was avoidance of the lengthy legal process surrounding inheritance; heirs eager to cash in on homes and lands would often simply sell their presumed rights to property in lieu of the property itself. This could happen, as it did in this case, even among modest and scarcely literate people.

52. All quotations from original complaint, dated 29 June 1936, estate of Manuel Luiz de Souza (represented by Alain Luiz de Souza) vs. Marcelino Martins et al., AN, 3a PC, 2440/1924, 3-4.

53. The right to *reintegração de posse* was granted to all possessors by the 1916 civil code (article 499), so long as possession was taken by way of *esbulho*, or the violent, clandestine, or precarious usurpation of an object. See Nascimento, *Posse*, 200-204.

54. Estate of Manuel Luiz de Souza (represented by Alain Luiz de Souza) vs. Marcelino Martins et al., AN, 3a PC, 2440/1924, 7.

55. Testimony of José de Macedo Paes, 16 August 1936, *ibid.*, 81-82.

56. Testimony of Souza's neighbor and fellow rural cultivator Adrino Francisco da Silva, 49; of his neighbor, the professional chauffeur Leonel Alves Machado, 23; and of his neighbor, the store clerk Ary Ferreira da Costa, 26, 16 August 1936, *ibid.*, 83-88.

57. Testimony of Joaquim dos Santos Rodrigues, 30, a worker and Souza's neighbor, 6-29-1936, *ibid.*, 15.

58. Lauderdale Graham, *House and Street*, 26.

59. Chalhoub, *Cidade febril*, 38-39.

60. See Karasch, *Slave Life*, on *quilombo* slave settlements in the hills (chap. 10), and on slaves who constructed such dwellings with their masters' permission (chap. 5, especially 186). On Leblon, see E. da Silva, *As camélias*. For a comparison with Santos, see M. Machado, "From Slave Rebels."

61. Ministério do Trabalho, Indústria, e Comércio, Departamento de Estatística e Publicidade, *Estatística Predial do Distrito Federal*, 1933.

62. Lauderdale Graham, *House and Street*, chap. 1; see also Karasch, *Slave Life*, chap. 3, especially 105, and chap. 5, 184-87.

63. Azevedo, *O cortiço*.

64. See chapter 1, this volume; see also Almeida Abreu, "Reconstruindo"; Vaz, "Contribuição."

65. See Vaz, "Contribuição."

66. The original public iteration of this often repeated history of the favelas' name seems to have come from Cruz, *Os morros*. On the wider links between Canudos and the early favelas, see Valladares, *A invenção*.

67. At mid-century, marginality theorists and their critics would vociferously debate the extent to which favela residents themselves were the "marginal" incarnations of a culture of poverty, but both groups underemphasized the extent to which the settlements themselves were fundamental to Rio's economies and political networks; neither point was lost on the politicians in Rio's municipal council. For a summary of these debates, see Leeds and Leeds, *A sociologia*; and Perlman, *The Myth*.

68. See Pereira da Silva, *Favelas Cariocas*, 123, quoting an article in the *Diário de Notícias*, 7 January 1938.

69. Conniff, *Urban Politics*, chaps. 3 and 4.

70. Cruz, *Os morros*, 13-14.

71. Letter dated 16 June 1934, AN, records of the Secretaria da Presidência da República, série 17.4, caixa 33, pasta 1934.

72. See chapter 3, this volume.

73. Letter dated 4 February 1942, Arquivo Geral da Cidade do Rio de Janeiro, Prefeitura do Distrito Federal, série Saúde e Assistência, 1937/45, caixa 203.

74. At least one of these letters has been preserved; in it, the writer speaks in the name of the residents, appealing for Vargas's help and affirming that the *moradores* are "poor Brazilians prepared to die for our beloved Brazil at any moment." See letter from José Moreira dos Santos dated 18 May 1942, AN, records of the Secretaria da Presidência da República, série 17.7, lata 402.

75. Letter dated 16 June 1934, AN, records of the Secretaria da Presidência da República, série 17.4, caixa 33, pasta 1934.

76. Instituto de Planejamento do Rio de Janeiro, "Cadastro das favelas do município do Rio de Janeiro," interviews conceded to IPLANRIO researchers by Felix Pereira da Silva and José Saraiva on the Morro do Escondidinho between 25 March 1981 and 11 August 1981, and by José Antônio da Felicidade and "Dona Argentina" on the Morro dos Prazeres between 19 March 1981 and 23 July 1981 (records held at the Instituto Municipal de Urbanismo Pereira Passos).

77. "Em Mangueira falta tudo," *O Mundo*, 9 December 1947.

78. See Souto Oliveira, *Favelas*, 157-58. For a more oblique version of the same story, see S. da Silva Pereira, "O serviço social," 14. See also Pino, *Family*. A 1949 article in *O Radical*, entitled "Com Getúlio, isto não aconteceu" and written in the midst of a new eviction threat, also stated that the favela's permanence was due to Getúlio Vargas's protection (20 May 1949). In a letter to Prefect Mendes de Moraes, residents confirmed that the Legião Brasileira de Assistência had given them permission to settle on the site; the letter is printed in "Intenso Tumulto no Morro do Jacarezinho," *Diretrizes*, 22 October 1947. In a separate letter, a residents' committee claimed that the Vargas government had been close to granting them title in 1945 but never completed the transaction; see "35,000 pessoas ameaçadas de despejo," *O Radical*, 24 October 1947.

79. Remarks by Frota Aguiar, 18 May 1949, published in the *ACDF*, 1949, 290.

80. Conniff, *Urban Politics*, especially 107.

81. The Escola Humberto de Campos, in Mangueira; see *ibid.*

82. Pereira da Silva details some of Pedro Ernesto's early favela visits to São Carlos, Mangueira, and the Morro do Pinto, as reported in the *Jornal do Brasil* in 1933 and 1934. She also suggests that Ernesto was active in mediating between favela residents and companies that sought to remove them from their lands (*Favelas Cariocas*, 56 and note 110). Photos of the São Carlos visit are available at the Arquivo Geral da Cidade do Rio de Janeiro.

83. On samba and the morros, see Oliveira and Marcier, "A palavra."

84. Conniff, *Urban Politics*.

85. Henrique Dodsworth, "Favelas," *A Noite*, 17 October 1945. This article

appears in manuscript form among Vitor Tavares de Moura's personal papers; it is possible that he had a part in its composition. Fundação Oswaldo Cruz archives, Vitor Tavares de Moura papers, dossiê Produção Intelectual, caixa 2.

86. For the closest study of the actions of this commission, see Medeiros, "Atendimento."

87. On the Parques Proletários and the destruction of the Largo da Memória, see chapter 1, this volume.

88. For a good early expression of his views, see Tavares de Moura, "Favelas."

89. For the 1933 statistics, see Ministério do Trabalho, Indústria, e Comércio, Departamento de Estatística e Publicidade, *Estatística Predial do Distrito Federal, 1933*; for the yellow-fever estimates, see IBGE, Conselho Nacional de Estatística, Serviço Nacional de Recenseamento, *As Favelas do Distrito Federal e o Censo Demográfico de 1950*, 16.

90. Arquivo Geral da Cidade do Rio de Janeiro, Prefeitura do Distrito Federal, série Saúde e Assistência, caixa 191, letter dated 5 November 1940.

91. For the original census, see document addressed to "Exmo. Sr. Secretário Geral de Saúde e Assistência," Fundação Oswaldo Cruz archives, Vitor Tavares de Moura papers, série Parques Proletários e Favelas, caixa 1. The census notes the numbers of several houses that paid rent to the Ministério da Fazenda. For newspaper reports on the census, see "A Favela do Esqueleto," *Folha do Dia*, 20 December 1947; "Estão satisfeitos os moradores da 'Favela do Esqueleto,'" *Diário de Notícias*, 30 December 1947.

92. "500 famílias morando num único barracão," *Diretrizes*, 21 November 1947.

93. Arquivo Geral da Cidade do Rio de Janeiro, Prefeitura do Distrito Federal, série Saúde e Assistência, caixa 193, letter from SOS to Henrique Dodsworth dated 29 September 1944. On the SOS, see chapter 2, this volume; see also Conniff, *Urban Politics*, 124.

94. Arquivo Geral da Cidade do Rio de Janeiro, Prefeitura do Distrito Federal, série Saúde e Assistência, caixa 195, processo 5328/44. The file begins with a letter from Napoleão de Alencastro Guimarães to Henrique Dodsworth, 10 April 1944.

95. Speech by Gama Filho, 20 May 1949, published in the *ACDF*, 24 May 1949, 337. Gama Filho indicated that the EFCB was preventing residents from repairing their shacks, arguing that the company had only lent the extremely valuable land to the prefecture for one year and was now in need of it. In 1953, the EFCB finally did begin to evict residents from the area (then called Parque Arará), but full removal was blocked by vigorous protests from the residents (who at one point occupied the municipal council) and by careful politicking on the part of various council members. See *ACDF*, 26 March 1953.

96. Arquivo Geral da Cidade do Rio de Janeiro, Prefeitura do Distrito Federal, série Saúde e Assistência, caixa 195, protocolo 07863, letter from Atila dos Santos Couto to Henrique Dodsworth, 29 March 1945.

97. Report submitted to Moura by Jayme Maia Arruda, 13 June 1945, Ar-

quivo Geral da Cidade do Rio de Janeiro, Prefeitura do Distrito Federal, série Saúde e Assistência, caixa 195, protocolo 07863.

98. Requisition presented on 13 May 1947, published in the *ACDF*, 1947, vol. V, 9.

99. See letter from a committee of Jacarezinho residents to Municipal Secretary of Finance João Lima Filho, printed in "35,000 pessoas ameaçadas de despejo," *O Radical*, 24 October 1947.

100. Sagramor di Scuvero, speaking on 24 May 1949, *ACDF*, 25 May 1949, 352. For the reference to the plaza named for Professor Atila, see "Moradores de Jacarezinho desmascaram Geraldo Moreira," *Imprensa Popular*, 27 June 1954.

101. In this sense, as in others, the early favelas may have grown from business practices pioneered in the *cortiços*. According to various sources, many tenements—including the famous Cabeça de Porco, which gave birth upon its destruction to the Morro da Favela—had also been owned by families of considerable means.

102. On housing set up by the textile factories, see Lobo, Carvalho, and Stanley, *Questão habitacional*, 80–81. On the Hospital Alemão, see letter from José Moreira dos Santos to Getúlio Vargas dated 18 May 1942 (AN, records of the Secretaria da Presidência da República, série 17.7, lata 402); see also a letter from Eulália Moreira Santos to Getúlio Vargas (Arquivo Geral da Cidade do Rio de Janeiro, série Saúde e Assistência, lata 203, 1942, no. 02801).

103. "No Morro dos Prazeres, a vida é um martírio," *O Mundo*, 15 May 1948.

104. Nóbrega Fernandes, *Escolas*, 70. In a 1928 contract, the widow, Julieta de Saião Lobato, showed clear awareness that shacks occupied the property, even detailing the property's contents shack by shack. The contract is reproduced in Pereira da Silva, *Favelas Cariocas*, 102–3; original in the AN, 30 Ofício de Notas, Livro de Escrituras 1092, 97–99, microfilm 010.169–79. The Companhia de Seguros Victória eventually purchased the property; for a detailed account of its rental practices, see a report from *agente social* Elias Marino da Silveira Lobo to Vitor Tavares de Moura, dated 24 April 1945 (Arquivo Geral da Cidade do Rio de Janeiro, Prefeitura do Distrito Federal, Saúde e Assistência, caixa 193, 2969/1945).

105. For a history of Wagner and his attempt to subdivide and sell much of Copacabana in the 1870s, see Gerson, *História*. Wagner also apparently attempted to build a tramway in the 1870s, and Decreto Federal 8914 (29 March 1883) details a contract (apparently never fulfilled) between the imperial government and Duvivier e Cia.—a company owned by Wagner's son-in-law and Eduardo's father—for an animal-powered streetcar line projected to run between Rio's center and Copacabana. This attempt to link transportation and real estate development followed the most successful business models of the period.

106. See "Eduardo Duvivier," in Alves de Abreu et. al., *Dicionário*, 1969.

107. On the evolution of middle-class and luxury apartments in the 1920s and 1930s, see Vaz, *Modernidade*, especially chaps. 3 and 4.

108. The company had acquired the lands in 1891 from Duvivier's maternal

grandfather, Alexander Wagner; the sale was registered in the 30 *Ofício de Notas* by Evaristo Valle de Barros and is affirmed in a subsequent sale record transcribed in several civil cases from the late 1920s and early 1930s, among them, Eduardo Duvivier vs. Antônio José de Carvalho, AN, 4a PC, 941/4304/1928, 12–16. For more on the company and its prominent associates, see Quieroz Ribeiro, *Dos cortiços*.

109. Quieroz Ribeiro, *Dos cortiços*, 225. For more on the deals reached between the company and the tram company, see Almeida Abreu, *Evolução*, 48, quoting N. Santos, *Meios*, 338–39.

110. Almeida Abreu puts the favela's origins sometime around 1907 (“Reconstruindo”).

111. See *Empresa de Construções Civas vs. Manoel dos Santos, Maria Luiza, José Manoel, and Albertina Amorim*, 9 October 1916, AN, 4a PC, 72/3353; and *Empresa de Construções Civas vs. Manoel Francisco de Souza et al.*, 17 May 1917, AN, 4a PC, 66/3109.

112. *Empresa de Construções Civas vs. Dona Candida A. da Silva*, 21 July 1926, AN, 4a PC.

113. See *Eduardo Duvivier vs. Manoel Luiz da Silva*, AN, 4a PC, 47/2717; *Eduardo Duvivier vs. Honorato Lopes da Silva*, AN, 4a PC, 68/3237; *Eduardo Duvivier vs. Manoel do Sacramento*, AN, 4a PC, 68/3236; and *Eduardo Duvivier vs. Romualdo Antônio de Oliveira*, AN, 4a PC, 68/3235.

114. That census listed only ten brick houses on the entire Morro de Babilônia, and it classified the *morro*'s remaining 64 structures as *casebres*; see Ministério do Trabalho, Indústria, e Comércio, Departamento de Estatística e Publicidade, *Estatística Predial do Distrito Federal*, 1933, 210, 223.

115. This full history is recounted in Decreto 24515 (30 June 1934); many of its details are corroborated in the 1891 contract by which Wagner sold the lands to the ECC. A subsequent statute, Decreto 1763 (10 November 1939) precisely delimited the army lands and ordered compensation for unwitting third-party purchasers, and a third measure, Decreto-Lei 4761 (30 September 1942) affixed compensation rates and listed all of the parties who would receive indemnification.

116. Decreto-Lei 4761 of (30 September 1942). One beneficiary was Vitorino Ferreira Amaro, who had contested one of the ECC's eviction suits in 1917; see *Empresa de Construções Civas vs. Manoel Francisco de Souza et al.*, 17 May 1917, AN, 4a PC, 66/3109. Manoel Francisco de Souza and José Soares de Souza were other *barraco* owners from the same case who may have been indemnified, but small discrepancies in the names make verification difficult. There are several other coincidences in last names, but these are too common to make it possible to verify people as members of the same families.

117. See Duvivier, “O problema da habitação,” clipping held in FOC, Fundo VTM, Artigos, Caixa 03.

118. Odília dos Santos Gama, personal interview with the author, 2 December 2003. Other interviewees include Maria da Conceição Ferreira Pinto (Dona Filinha) and Lúcio de Paula Bispo.

119. These rents were of course steep for the workers themselves, but they

were roughly equivalent to what was charged in tenements, and they were much cheaper than formal houses or apartments; wage information from the América Fabril factory, compiled by Lobo in *Rio de Janeiro Operário*, 93 (table 2.4).

120. For sample rents and purchase prices for apartments in the late 1920s and early 1930s, see the scattered ads in Vaz, *Modernidade*.

121. In the mid-1940s, rents in most south-zone favelas were still 100–300 cruzeiros, and rents for shacks in some favelas were as low as 30 cruzeiros a month (see the Hospital Alemão case, cited above). The flat-fee method was quite common.

122. Undated report from Vitor Tavares de Moura to Municipal Secretary of Health and Social Welfare Jesuino de Albuquerque, Fundação Oswaldo Cruz archives, Vitor Tavares de Moura papers, série Parques Proletários e Favelas, caixa 1, 3.

123. See Almeida Abreu, “Reconstruindo,” 37, quoting the *Correio da Manhã*, 17 October 1901.

124. See chapter 5, this volume. See also AN, 5a PC, CF 70.9476, the criminal case from which the example is drawn.

125. “500 famílias morando num único barracão,” *Diretrizes*, 21 November 1947, 34–35.

126. In 1908, Salgueiro requested a copy of the certificate that dissolved a real estate company he had held with his brother, Joaquim Pires Alves Salgueiro. In that case, he appears to have owned property in the Cidade Nova and on what was then called the Rua Dona Felicidade; see AN, 1a VC, 373/3406. In 1913, Salgueiro's lawyer filed a *despejo* suit against Joaquim Esteves, an informal tenant of Salgueiro's on the *morro*, then known as the Morro do Trapicheiro. Esteves was 28 months late on his monthly rent of 22,500. Salgueiro, presenting a property tax receipt for the first half of 1913 as proof of ownership, prevailed in the case; see Domingos Alves Salgueiro vs. Joaquim Esteves, AN, 5a PC, 4182/33. In 1910, Salgueiro responded to a suit for back taxes on the same address; see AN, Juízo da Fazenda Municipal vs. Domingos Alves Salgueiro, 1910.

127. These suits were spurred by the competing claims of Emilio Turano, a notorious land grabber who claimed to have purchased a good portion of the Salgueiro lands in 1933. For more on Turano, and on the Salgueiro case, see below; for the record of his claim, see Emilio Antônio Turano vs. Ocupantes de um imóvel no morro do Salgueiro, 17 July 1933, AN, 4a PC, maço 116, processo 5194.

128. Pereira da Silva, *Favelas Cariocas*, 123 and note 236. See also a fuller description of this struggle, below.

129. Fundação Oswaldo Cruz archives, Vitor Tavares de Moura papers, série Parques Proletários e Favelas, caixa 1 (census reported on 13 January 1947).

130. *Ibid.*, census reported on 26 April 1948.

131. See Decreto-Lei 7499 (27 April 1945). Accounts of the history of holding property in Catacumba vary. It is unlikely that Janice Perlman's account—which places original ownership with “The Baroness of Lagôa Rodrigo de Freitas” (sic) and ends with judicial conflict among the slaves she allegedly granted the lands to, her heirs, and an unnamed third party—is entirely reliable, principally be-

cause there was never a “Baroness of the Lagôa Rodrigo de Freitas” (Perlman, *The Myth*, pp. 24–25). Maria Lucia de Paula Petiz provides another judicial history in “A utilização” (2–3), citing a series of laws and disputes between the Federal government and the Empresa de Terrenos do Distrito Federal. Aside from a 1945 law, however, none of the legislation cited here seems to be specific to Catacumba. For more on the destruction of Catacumba, see Valladares, *Passa-se*; and E. Leeds, “Forms.”

132. “500 famílias morando num único barracão,” *Diretrizes*, 21 November 1947.

133. “Espaço vital no Morro de Jacarezinho,” *O Globo*, 21 October 1947.

134. *O Globo*, 5 June 1948.

135. For example, Vitor Tavares de Moura’s census of Esqueleto names a police sergeant, an official from the electric company, and a common resident who all furnished electricity to the *morro*; see census report submitted on 11 December 1947, Fundação Oswaldo Cruz archives, Vitor Tavares de Moura papers, série Parques Proletários e Favelas, caixa 1. The census of the Jockey Club favela from the same year points to three residents who charged for electricity; see census report submitted 14 July 1947, Fundação Oswaldo Cruz archives, Vitor Tavares de Moura papers, série Parques Proletários e Favelas, caixa 1. See also “‘Pernambuco Come Gordo,’ o manda-chuvas da favela,” *Vanguarda*, 23 October 1947, which names two men who controlled electricity in the Barreira do Vasco favela.

136. “Uma favela que começa em Botafogo e termina em Laranjeiras,” *O Globo*, 25 May 1948. For similar praise for *biroscas* from a politician, see José Carlos Machado Costa (PST), speaking in the city council on 12 June 1953, published in the *ACDF*, 1953, vol. 62, 423–24; Machado Costa argued that the *biroscas* were vital in providing goods in small quantities and extending credit “to odd-jobbers, washerwomen, and humble workers.”

137. “‘Pernambuco Come Gordo,’ o manda-chuvas da favela,” *Vanguarda*, 23 October 1947. The article was based in part on denunciations made by municipal councilwoman Sagamor di Scuveiro.

138. Lucio Cardoso, *Salgueiro*, 52.

139. Undated speech, Fundação Oswaldo Cruz archives, Vitor Tavares de Moura papers, dossiê Produção Intelectual, caixa 2, 3.

140. 8 January 1957, Fundação Oswaldo Cruz archives, Vitor Tavares de Moura papers, dossiê Produção Intelectual, caixa 2. The same brothers were profiled in a 1947 newspaper article, “4 irmãos exploram a favela de Cantagalo,” *Diário de Notícias*, 16 November 1947: “There exist there four brothers who exploit the shack industry, renting them for 300 cruzeiros a month and even more: they own dozens of shacks . . .”

141. See Tito Lívio, 6 May 1947, *ACDF*, 1947, vol. IV, 251–52.

142. For the details of Turano’s career building, see below.

143. See Daniel Gonçalves vs. Aurélio Cunha, 1930, AN, 5a PC, 4184/6; and Daniel Gonçalves vs. Luiz Cachoeira, 18 August 1930, AN, 5a PC, 4184/50-A.

144. On the other *grileiros* who had controlled Borel before Gonçalves, see Gomes, *As lutas*. On Gonçalves’s early rental of lands behind the tenement, see

AN, 5a PC, Daniel Gonçalves vs. Eugênio Luiz and Leocádio Luiz, 30 March 1931 (this is an eviction case for the rental of land behind the tenement rather than for a room within it).

145. Gomes, *As lutas*, 9–10.

146. See Sociedade Amante da Instrução vs. Jorge Chediác, AN, 3a PC.

147. For the latter accusation, see embargoes presented by José Rodrigues in Jorge Chediác vs. José Rodrigues, AN, 5a PC, 4053/33.

148. For discussion of these trends, see chapters 1 and 2, this volume.

149. For detailed accounts of early suburban development and the companies that carried it out, see Quieroz Ribeiro, *Dos cortiços*, especially chap. 6.

150. Leonardo Soares dos Santos, who has studied the convergence of urban and rural land movements in the 1940s–1960s, reaches a different conclusion; this may be because he did not consider earlier developments in the 1920s and 30s (Soares dos Santos, “Laços em Movimento,” 8).

151. For a version of the story sympathetic to the legality of the bank’s claims, see Corrêa, *O sertão carioca*, 183–84. For a detailed account of how the bank acquired the lands in the first place, see Fridman, *Donos*, 134–35.

152. Corrêa, *O sertão carioca*.

153. Without proof of a rental agreement, occupants could claim to be *posseiros* or could even make a case for *usucapião*.

154. Three of these cases (involving Miguel Ferreira da Rosa, Leopoldo Luiz dos Santos, and Josefino Santos Mesquita) are referred to in a 1932 article printed in the communist daily *A Batalha* (“A justiça reintegra tres posseiros de Guaratiba, vítimas das violências do Banco de Crédito Móvel,” 17 March 1932). It is possible that these were appellate court *acordões* 1786 and 1263. The entire text of Leopoldo Luiz dos Santos’s appellate court decision (*acórdão* 1198) was also printed, along with those of Manoel Isidro Botelho (*acórdão* 1130) and Mafalda Maria da Conceição (*acórdão* 1088), in the *Jornal do Comércio*, 14–15 March 1932.

155. Leopoldo Luiz dos Santos vs. Banco de Crédito Móvel, appellate court *acórdão* 1198, 23 January 1931.

156. Caetano de Camorim’s legendary thuggishness earned him a place in Corrêa’s *O sertão carioca* (51–52). The BCI’s shareholders sent Corrêa a note of complaint about his portrayal of the company, which he published in the book.

157. Corrêa presents an alternate version of this story, which lines up with the investigative report attached to Lima Soares’s letter; he affirms that Sotello’s widow was “barbaramente despejada” by Caetano and an associate (nicknamed Four Eyes) and claims that Sotello was in the hospital with a broken leg because of a train accident (*O sertão carioca*, 52).

158. Report from police chief Francisco Telles de Moraes, filed with *processo* begun by José de Lima Soares, 24 November 1931, AN, records of the Secretaria da Presidência da República, série 17.7, caixa 41.

159. The 24th district was the most frequently maligned by residents. The 26th was mainly condemned for inaction, and the 2d and 4th auxiliary districts were unbesmirched.

160. *ACDF*, 7 October 1950, 930, 970.

161. Family size gleaned from "Violências sobre violências," *A Batalha*, 18 December 1931; landholding history from Corte de Apelação, 3a and 4a Câmaras, *acordão* 1198, 23 January 1931.
162. *A Batalha*, 17 March 1932.
163. The areas involved in the most notorious of these conflicts, aside from those in Vargem Grande, Vargem Pequena, and Camorim, were the Fazenda Piaí, in Sepetiba, and Fazenda Curicica, in the same region as the BCM conflicts. The land grabbers most frequently cited besides the BCM included the Lopes family, also said to have been involved in lotteries and the *jogo do bicho* (numbers game), and a rather mythical European with the surname Reinert.
164. For an explicit linking of the urban/rural question, see *ACDF*, 28 October 1948, 3224. For discussion of the rural question in the *sertão carioca*, see *ACDF*, 22 October 1948, 3107-8.
165. In 1950, for example, a judge ruled that the wealthy landowners had not proven territorial ownership of disputed lands on the Estrada dos Bandeirantes, in the same area as the BCM conflicts of the early 1930s (César Augusto da Fonseca et al. vs. Miguel Augusto et al., 12a VC, decision proffered 31 May 1950, published in *Diário da Câmara do Distrito Federal*, 15 August 1950, 973-75). The judge in the case, Rizzio Afonso Peixoto Bovendi, pointedly refused to grant the occupants *usucapião* rights, stating that the case was not the right forum, and that they had not proven their status as rural workers, which they needed to do if they were to claim rural *usucapião*, with a 10-year lead period rather than the longer 30 years required for urban land.
166. Figure of 90 percent from *Diário da Câmara do Distrito Federal*, 15 July 1950, 940. For legislation, see Lei Municipal 211/48 and Lei Municipal 671, sanctioned on 5 December 1951. For reference to Coutinho Filho, see "Lavradores do sertão carioca defendem seu direito à terra," *Imprensa Popular*, 10 August 1954.
167. Recreio dos Bandeirantes; controversy over land rights in Jacarepagua, Recreio, and Guaratiba has continued to be endemic into the twenty-first century.
168. Speech given 26 May 1948, published in the *ACDF*, 28 May 1948. On Breno da Silveira linking rural and favela land, see *ACDF* (1948), 2224.
169. See Fridman, *Donos*, 134-35.
170. This point, which is collaborated by the recent work of Maria Lais Pereira da Silva, flies in the face of much favela scholarship, which generally points to 1954 as the year when favela residents began to effectively organize themselves. See especially Trinidad Lima, "O movimento."
171. Nóbrega Fernandes, *Escolas*, 57.
172. See Pereira da Silva, *Favelas Cariocas*, 118-19.
173. This is generally traced to 1954 and the União de Trabalhadores Favelados. For the most nuanced version of this chronology, see Trinidad Lima, "O movimento."
174. *Ibid.*, 199, quoting a *Diário de Notícias* report, 26 March 1944.
175. It is possible that this rural-urban connection came through lawyers and political supporters as well as through residents themselves; communist journal-

ists and lawyers, for example, were active in the Guaratiba and Jacarepaguá conflicts and may well have intervened in Salgueiro also. Trinidad Lima suggests that political radicalism was also quite common in the favelas during these years ("O movimento").

176. Cabral, *As escolas*, 87. Valentim's name is from Pereira da Silva, *Favelas Cariocas*, 199, quoting "Querida desalojar toda a população do Morro do Salgueiro," *Diário de Notícias*, 26 March 1944.

177. For the date of the decision and the name of the judge, see Cabral, *As escolas*, 87; for the content of the decision, see Pereira da Silva, *Favelas Cariocas*, 199-200, quoting the *Diário de Notícias*.

178. For a list of some other clients of Regadas, see Maria Antônia da Conceição's *usucapião* suit, 22 March 1934, AN, 3a PC, 2415/262.

179. Transcribed in Pereira da Silva, *Favelas Cariocas*, 124-25, quoting "Querida desalojar toda a população do Morro do Salgueiro," *Diário de Notícias*, 26 March 1944.

180. The auction was actually carried out on 28 February 1958; the buyer, a lawyer and real estate developer by the name of Fábio Kelly de Carvalho, promised to pay 3,100,000 cruzeiros for the hill and also told the press that he planned to build small houses and sell them to current residents; see "Vendido por 3 milhões e cem mil cruzeiros o Morro do Salgueiro," *Imprensa Popular*, 1 March 1958. Apparently, however, the sale never took effect: though residents mentioned to city officials in the early 1980s that a "Senhor Kelly" had once claimed the property, they said he had never been able to prove his claims in court, and that the Pastoral das Favelas was working out the land claim; see Instituto de Planejamento do Rio de Janeiro, "Cadastro das Favelas," interviews conducted by researchers from IPLANRIO with residents of the Morro de Salgueiro (records held at the Instituto Municipal de Urbanismo Pereira Passos).

181. According to communist city councilman Amarílio de Vasconcelos, the Carioca courts took a conscious decision not to grant the flood of eviction requests they received between 1945 and 1947. In 1947, however, that informal agreement came to an end, bringing many long-simmering cases to the fore.

182. These communities were Catacumba, Bonsucesso/Avenida Brasil (probably the Baixa do Sapateiro), Jockey Clube, Tavares Bastos, Arará, Turano, Bangú, Jacarezinho, Areinha, Ferani (on the Rua Marques de Abrantes), Morro dos Macacos, Cantagalo, Assis Brasil (in Copacabana), Catumbi, Avenida Rio de Janeiro in Cajú, and the Morro do Vintém in Realengo.

183. On the Battle of Rio de Janeiro, see Pereira da Silva, *Favelas Cariocas*, 125-30. Surprisingly, given his later draconian stance, Lacerda in these years favored a sensitive and multitiered (though still top-down) approach to favela eradication; its clearest expression was a bill that he introduced to the city council in 1948 (Projeto-Lei 101/1948); see *ACDF*, 11 June 1948, 728-30.

184. "Despejaram os moradores e quebraram os barracos," *O Radical*, 30 December 1947; see also "Está sendo derrubada a favela do Catumbi," *Diário Carioca*, 30 December 1947.

185. "Macacos—Despejo," *O Globo*, 5 June 1948.

186. *Correio da Manhã*, 5 June 1948.

187. Joel Silveira, "Terror nas favelas," *Diário de Notícias*, 25 January 1948.
188. See, for example, "Rebelião nas favelas," *O Mundo*, 3 July 1948; "Está sendo destruído a 'favelinha' de Bonsucesso," *A Noite*, 24 November 1947; "Cerca de dois mil pessoas ficarão desabrigadas," *O Globo*, 26 November 1947; "Despejaram os moradores e quebraram os barracos," *O Radical*, 20 December 1947; "Sessenta barracões destruídos," *Diário de Notícias*, 30 December 1947; and "Cinco mil moradores deixarão as favelas," *A Manhã*, 26 March 1948.
189. On relationships with lower-ranking officials, see, for example, "Uma favela que começa em Botafogo e termina nas Laranjeiras," *O Globo*, 25 May 1948, which documents the relationship between the Santa Marta favela and Gastão Vintens, the residents' "grande amigo" in the mayor's office.
190. For the organization's own account of its efforts, see Fundação Leão XIII, *Morros e favelas*.
191. See *ACDF*, 14 March 1947, vol. I, 172.
192. See "Rebelião nas favelas," *O Mundo*, 3 July 1948.
193. Speech given on 26 May 1947, published in the *ACDF*, 27 May 1947, vol. V, 288–89.
194. All of this information was provided by Antônio José Lopes to *O Globo*; see "Uma favela que começa em Botafogo e termina nas Laranjeiras," *O Globo*, 25 May 1948.
195. Santa Marta's relationship with Padre Veloso endured until his death in the 1980s, and its ties to the PUC and the NSA parish have endured to the present; for a sympathetic recounting, see Adair Rocha, *Cidade Cerzida*, chap. 2.
196. By 1948, the Fundação Leão XIII was active in Barreira do Vasco, São Carlos, Jacarezinho, Telégrafos, Salgueiro, and Praia do Pinto, in work that ranged from arranging basic sanitation and electricity to fomenting social and religious education to organizing neighborhood associations based in *centros de ação social*. By 1956, the organization's work had also expanded to Coruja e Alegria, Mangueira, Santo Antônio, Candelária, Tuiuti, Sumaré, Borel, Rocinha, Pavo/Pavãozinho, and Cantagalo.
197. On the early Catholic influence on favela neighborhood associations, see Trindade Lima, "O movimento"; and Valladares, *A invenção*.
198. "Uma favela que começa em Botafogo e termina nas Laranjeiras," *O Globo*, 25 May 1948. It is likely, given the name, that Odilar was Antônio's brother, but it is not possible to verify this.
199. See, for example, *ACDF*, 7 October 1947, 2481.
200. "Nova ameaça do prefeito Tatuirá contra a favela do Morro do Catumbi," *Tribuna Popular*, 6 March 1948.
201. "Uma líder da resistência do povo," *Tribuna Popular*, 11 March 1948.
202. *ACDF*, 13 July 1948, 1365; 15 July 1948, 1401.
203. "Rebelião nas favelas," *O Mundo*, 3 July 1948.
204. See, for example, all of the press coverage surrounding the Morro dos Macacos removal, as well as "Mil pessoas apelam para o Presidente Dutra," *O Radical*, 25 November 1947.

205. Petition from residents of the Praia do Pinto favela in Leblon to councilman Breno da Silveira, printed in the *ACDF*, 13 July 1948, 1367.
206. Interview with Pedro Paulino dos Santos, resident of a favela at 104–24 Avenida Rio de Janeiro, in "Cinco mil moradores deixarão as favelas," *A Manhã*, 26 March 1948.
207. Petition from residents of the Praia do Pinto favela in Leblon to councilman Breno da Silveira, *ACDF*, 13 July 1948, 1367.
208. "Rebelião nas favelas," *O Mundo*, 3 July 1948.
209. "Inquietos ante a ameaça de deportação," *Tribuna Popular*, 20 February 1948. The second quotation is from a washerwoman named Clotilde Cabral, whose husband worked in the Brahma Brewery.
210. "Uma líder da resistência do povo," *Tribuna Popular*, 11 March 1948.
211. "Rebelião nas favelas," *O Mundo*, 3 July 1948;
212. Petition from residents of the Praia do Pinto favela in Leblon to councilman Breno da Silveira and others, *ACDF*, 13 July 1948, 1367.
213. IBGE, Departamento de Censos, *Favelas do Estado de Guanabara: VII Recenseamento*, série especial, vol. 4.
214. See interview with resident Wilson da Silva in "Espaço vital no Morro do Jacarezinho," *O Globo*, 21 October 1947.
215. For further evidence on Almeida and the LBA's involvement, see letter written by inhabitants of Jacarezinho to Mendes de Moraes, printed in "Intenso tumulto no Morro do Jacarezinho," *Diretrizes*, 22 October 1947.
216. *ACDF* 5 May 1949, 154–55. See also "Trinta dias para desocupar o Morro de Jacarezinho," *O Globo*, 22 October 1947. There are some references to other owners: in "Intenso tumulto no Morro do Jacarezinho" (*Diretrizes*, 22 October 1947) a reporter makes reference to a "Laboratório Lutécia"; and in 1951, council members mentioned the "Moinho Fluminense." It seems likely that Concordia sold parcels to these buyers.
217. See letter from a committee of Jacarezinho residents to Municipal Secretary of Finance João Lima Filho, "35,000 pessoas ameaçadas de despejo," *O Radical*, 24 October 1947.
218. Quotation from residents' letter to Mendes de Moraes, printed in "Intenso Tumulto no Morro do Jacarezinho," *Diretrizes*, 22 October 1947. See also letter from a committee of Jacarezinho residents to Municipal Secretary of Finance João Lima Filho, "35,000 pessoas ameaçadas de despejo," *O Radical*, 24 October 1947.
219. Residents' letter to Mendes de Moraes, "Intenso Tumulto no Morro do Jacarezinho," *Diretrizes*, 22 October 1947.
220. Breno Dália da Silveira traded his UDN affiliation for the PSB in 1951 and remained a leftist federal deputy until 1969, when his political rights were stripped under the military government's Institutional Act no. 5. The bills (270 and 272) that would have recognized Jacarezinho's streets both passed the council in October 1948 but seem never to have become law.
221. Fundação Leão XIII, *Morros e favelas*.
222. On the visit, see "Dutra na favela," *Vanguarda*, 5 August 1948; "Nen-

hum 'barraco' será demolido," *A Notícia*, 5 August 1948; "O presidente e as favelas," *O Jornal*, 6 August 1948; "Todos os favelados serão atendidos," *A Manhã*, 6 August 1948; "O Presidente e as favelas," *Gazeta de Notícias*, 7 August 1948; Carlos Cavalcanti, "Visita às Pelancas," *Diário da Noite*, 11 August 1948; "A favela do Jacarezinho," *Revista da Semana*, 14 August 1948.

223. This accusation that Moura was a UDN member and an anti-Getulista is from an article published in a blatantly partisan daily; see "Com Getúlio, isto não acontecia," *O Radical*, 20 May 1949. The note on materials comes from councilman Ari Barroso, *ACDF*, 17 May 1949, 290; according to Brazilian civil law, even people who could not establish a firm claim to legal possession (generally because they had occupied lands for less than a year) had a right to compensation for improvements.

224. See "Cidade maravilhosa," *O Radical*, 17 May 1949, reprinted in the *ACDF*, 18 May 1949, 294.

225. The mother of four provides a clue to possible disingenuousness; as it turns out, she was the wife of the very same man who was described a few days later, in another article, as politically well connected and prominent in the favela.

226. The passerby is also described as carrying a water can on his head, a posture usually (but not always) associated with those of African descent.

227. Projeto-Lei 76/1947 was the original Turano measure.

228. Breno da Silveira, *ACDF*, 17 May 1949, 291.

229. Frota Aguiar, *ibid.*

230. Frota Aguiar, *ACDF*, 18 May 1949, 302.

231. Breno da Silveira, speaking 19 May 1949, *ACDF*, 20 May 1949. See also "O caso da 'favela' de Jacarezinho," *Jornal do Brasil*, 19 May 1949; "Agradeceram ao chefe da polícia os moradores do Jacarezinho," *Diário Carioca*, 19 May 1949; and "O despejo em massa do Morro do Jacarezinho," *Correio da Manhã*, 19 May 1949.

232. For the standard early chronology on favela activism, see Parisse, *Favelas*; Leeds and Leeds, *A sociologia*; and Valla, *Educação*.

233. See Cotrim Neto, *ACDF*, vol. X, 2-11 July 1951, 233.

234. For the slow action on this second law, Bill 293-A from 1951, see *ACDF*, 25 May 1953, vol. 61, 234-38; see also *ACDF*, 27 April 1954, 372-73.

235. See Souto de Oliveira, *Favelas*; during these years, residents sent frequent requests for neighborhood improvements to the city council, and doubtless to other entities as well.

236. Veto on 27 October 1949, published in the *ACDF* (1949), 2436. Breno da Silveira, fearing the same sort of expulsion that was being attempted throughout the south-zone favelas, criticized the fact that the expropriation left the land in the hands of the prefecture; see *ACDF*, 20 September 1949, 1807.

237. "Jacarezinho, bairro abandonado," *Imprensa Popular*, 11 July 1954.

238. A copy of the rental contract can be found in Emilio Turano vs. Adelino da Fonseca, 1922; the contract was made in September 1921 with the guardian of the minor heirs of Manoel Ferreira da Costa e Souza, the Barão da Formalição.

At the time, the hill was referred to as the Chácara do Vintém, and Turano paid 1:150,000.00 per month for the right to sublet it. Turano's original guarantor was the owner of a shoe factory (AN, 5a PC, 4054/6).

239. The electricity business was described by Breno da Silveira on 7 July 1947 in the Câmara Municipal; see *ACDF*, 8 July 1947, 1159-60. In 1981 or 1982, the house at the top of the hill was described by Antônio Gonzaga da Silva, president of the residents' association, to interviewers from IPLANRIO; see Instituto de Planejamento do Rio de Janeiro, "Cadastro das Favelas" (records held at the Instituto Municipal de Urbanismo Pereira Passos). Barão de Itapegipe 319 was listed as Turano's home residence in a 1933 judicial case (Sizino Teles de Menezes vs. Emiliano Turano, AN, 3a PC, 2 February 1933), and councilman Paes Leme also said he had read the title, and that Turano had acquired the property in a 1923 purchase (*ACDF*, 14 October 1950, 1780). Breno da Silveira mentioned number 447 in a speech given on 18 August 1949, *ACDF*, 19 August 1949, 1376. Turano presented tax receipts for number 443 in a 1936 *despejo* case against his own *arrendatário*, Candida Barbosa (AN, 5a PC, Emilio Turano vs. Candida Barbosa, 1378/4045), and Pereira da Silva, *Favelas Cariocas*, note 219, uncovered a contract with a second *arrendatário* in 1942.

240. Speech by Breno da Silveira on 18 August 1949, *ACDF*, 19 August 1949.

241. See "Sobem aos morros os candidatos do asfalto," *Imprensa Popular*, 27 June 1954, in which the authors claim that the unofficial communist councilman Henrique Miranda had been involved in the local affairs of Liberdade/Turano since 1947.

242. According to his nephew, Edmundo, Calheiros Bomfim was a "comarada de militância" with Graciliano Ramos.

243. See the *Diário de Notícias*, 17 February 1946, cited in Pereira da Silva, *Favelas Cariocas*, 127.

244. Projeto-Lei 76/1947. The sambista Ary Barroso was the only noncommunist to sign on to the proposed law.

245. 1946 Constitution, article 141, no. 16, and article 156, no. 3.

246. The bill banning all evictions was Projeto-Lei 77/1947, which was shot down shortly after the expulsion of all communists from the Brazilian government on January 7, 1948.

247. Councilman Breno da Silveira pointed to negative decisions in the 13a and 14a Varas, and an article published in the *Tribuna da Imprensa* on 13 October 1950 also cited one in the 6a Vara. These cases, like others in the post-1945 period, can be found in the record books of the Varas, but access to them is effectively closed to researchers.

248. On events in late 1947, see "Turano e a polícia prometem novas violências hoje no Morro da Liberdade," *Tribuna Popular*, 23 December 1947. See also Joel Silveira, "Terror nas favelas," *Diário de Notícias*, 25 January 1948.

249. On the Tijuca neighbors' committee, see "Fundada uma comissão de ajuda ao Morro da Liberdade," *Tribuna Popular*, 24 December 1947. The criminal case was brought against Turano's son in law, José Bastos Ferreira, in the 13a

Vara Criminal, though its end result is unclear. On sporadic violence throughout 1948, see *O Mundo*, 14 April 1948; *A Folha do Povo*, 15 April 1948; *A Manhã*, 7 September 1948; and *Diretrizes*, 7 September 1948.

250. Fundação Leão XIII, *Morros e favelas*, lists Turano as being served by the Serviço Social São Sebastião of the Paróquia dos Padres Capuchinos. However, Turano was one of the few well-established favelas not to have been served by the Fundação Leão XIII itself during this early period, and there was no indication of active Catholic involvement in the morro's land struggles.

251. Lei Municipal 359/1949.

252. See "Escândalo a vista: a desapropriação do Morro da Liberdade," *Tribuna da Imprensa*, 13 October 1950.

253. Anésio Frota Aguiar, speech in the Câmara Municipal on 12 July 1950, *ACDF*, 13 July 1950, 1119. Another public health operation was carried out in the Baixa do Sapateiro, a swampy settlement near the Avenida Brasil.

254. The occupation occurred on 12 July 1950; see *ACDF*, 13 July 1950, 953.

255. Like the other post-1945 cases cited here, the Coroa case (from the 9a Vara Civil, Judge Martinho Garcez Neto presiding) is on the Vara's record books but not available for consultation; for details about it, see municipal council debates, especially for 11 July 1950, *ACDF*, 12 July 1950. For press coverage, see especially the left-wing *Imprensa Popular*, 10 July 1950, and the *Diário de Notícias*, 12 July 1950.

256. "The home is inviolable, whether it be a humble shack or one of the most noble palaces of the Zona Sul"; see *ACDF*, 12 July 1950, 939. For the bill, see Projeto-Lei 191/1950.

257. See Câmara Municipal debates of 7 August 1950, published in the *ACDF*, 8 August 1950, 1094, 1137. Breno da Silveira was the only signatory on both of these bills.

258. Both men had interesting connections to the deeper history of favelas and land issues in Rio. Vital, who began his career as a census official, had been responsible for the publication of the landmark 1933 building census, and Cardoso had been head of the 4th Auxiliary District of the Carioca civil police when residents of Jacarepaguá sought its aid during the violence of 1931-32.

259. See Trindade Lima, "O movimento"; and Fundação Leão XIII, *Favelas*.

260. The PTB claimed nineteen members and substitutes; the UDN, eleven; and the PSD, seven. The PRT representatives included Antenor Marques, Antônio Costa da Silva, Aristides Saldanha, Ilizeu Alves de Oliveira (substitute), Henrique Aranha Miranda (substitute), and Milton José Lobato.

261. There were two members of the PSB active in the 1951-55 Câmara, Raymundo Magalhães Júnior and Urbano Lóes, but Lóes was Magalhães Júnior's substitute rather than a full member.

262. Marques, like other communists after 1948, was elected under the guise of the PRT.

263. *ACDF*, 1951, vol. III, 23-30 April, 287.

264. *ACDF*, 1952, vol. XXXI, 15-30 April, 541, 597.

265. See "Mais 10 mil cariocas ameaçadas pelas picaretas da prefeitura," *Imprensa Popular*, 30 November 1952.

266. On Arará, see *ACDF*, 26 March 1953, 378; residents came to the Câmara Municipal on that date and accused *guardas municipais* of previously taking bribes in order to spare them eviction. On the Rua Ati and the visit to the Câmara Municipal by a committee of its residents, see *ACDF*, 19 May 1953, vol. 61, 47 and 3 July 1953, vol. 64, 150.

267. For more on these bills, see chapter 2, this volume.

268. See complaint 1043.1954, sent to the 17th police district by Magarinos Torres Filho and 548 families from Borel, 2 February 1954, published in *Anais da Câmara dos Deputados*, 2 April 1954, vol. II, 211-19.

269. As on many points with regard to Borel, the memories of the morro's most complete chronicler, Manoel Gomes, clash somewhat with newspaper accounts and interviews done at the time of the events. Gomes relates this story in some detail, referring to the owners only as "Daniel" and "Pacheco" (*As lutas*). His version is reinforced by "4 vigilantes municipais ameaçam de desabrigo a 558 famílias" (*Tribuna da Imprensa*, 2 February 1954), which quotes "Cismiro de Tal" (probably Casemiro Pereira, who would become one of the residents' most outspoken activists) indicating Pacheco as the local rent collector and Gonçalves as a man whose name appeared on rent receipts but whom "poucos conheciam" (few had met).

270. See Gomes, *As lutas*, 13.

271. These buildings, according to Gomes, were nos. 1122 and 1212, near one of the structures that Daniel Gonçalves had sublet in the early 1930s. It is unclear whether they had also been managed by Gonçalves, or whether the same firm that employed him—owned by a Gonçalves who may have been Daniel's relative—was the one to sell the buildings. The information about the cessation of rent charges comes from "4 vigilantes municipais ameaçam de desabrigo a 558 famílias," *Tribuna da Imprensa*, 2 February 1954 (interview with "Cismiro de Tal").

272. The case was decided in the 13a Vara Cível.

273. See account given by residents in complaint 1043.1954, sent to the 17th police district by Magarinos Torres Filho and 548 families from Borel, 2 February 1954, and published in the *ACDF*, 2 April 1954, 211-19.

274. See "Indignação no Morro do Borel," *Imprensa Popular*, 1 February 1954; "Terra de ninguém—vigilantes municipais ameaçam de desabrigo 558 famílias," *A Folha da Imprensa*, 2 February 1954; and "Quatro mil favelados ameaçados de despejo," *A Notícia*, 2 February 1954.

275. According to the 1950 census, Borel's population that year was 3,873.

276. According to Nísia Trindade Lima, whose master's thesis is the only comprehensive work on favela residents' mobilization after 1954, Magarinos Torres was suggested to one of the leaders of the Borel resistance ("Seu Izequiel") by a "pai do santo," to whom the residents had gone to ask for "proteção espiritual"; see Trindade Lima, "O movimento," 106. Magarinos Torres's political sympathies would later become fuel for rancorous debate in the Câmara Municipal; see debates of 26 May 1954, *ACDF*, 27 May 1954, 729, 754.

277. Código Penal (1940), articles 344 and 350 no. 4. The entire sequence of complaints and police responses was reprinted in the *Anais da Câmara dos Deputados*, 1–20 April 1954, vol. II, 211–19.
278. See “4 vigilantes municipais ameaçam de desabrigo a 558 famílias,” *Tribuna da Imprensa*, 2 February 1954. The chronology given here differs from some accounts of the morro’s struggles, most notably from one given on 14 November 2003 to Marcelo Monteiro by Mauriléia Januário, as reported on the Favela Tem Memória website. Januário claims that the residents’ first encounter with Magarinos Torres was on 19 March 1954, but it is clear both from the criminal complaint and from the *Tribuna da Imprensa* article that this chronology is not correct. Manoel Gomes places all of these events in 1952 rather than 1954—an evident error of memory, since they are recorded in newspapers from the period as having taken place in 1954.
279. See photo caption on the first page of the *Imprensa Popular*, 6 February 1954.
280. Register of *ocorrência* for 11–12 February, 17th police district, published in the *Anais da Câmara dos Deputados*, 2 April 1954, vol. II, 211–19.
281. It was also, in theory, the municipal government’s right under the 1937 building code.
282. Addition to complaint 1043.1954, sent to the 17th police district by Magarinos Torres Filho and 548 families from Borel, 2 February 1954, and published in the *Anais da Câmara dos Deputados*, 2 April 1954, vol. II, 211–19.
283. “Para resistir a Vargas e ao prefeito,” *Imprensa Popular*, 13 February 1954; see also *A Noite*, 13 February 1954.
284. “Moradores do Morro do Borel lutam contra a polícia e os grileiros,” *Imprensa Popular*, 7 April 1954.
285. 26 March 1954, addition to complaint 1043.1954, sent to the 17th police district by Magarinos Torres Filho and 548 families from Borel, 2 February 1954, and published in the *Anais da Câmara dos Deputados*, 2 April 1954, vol. II, 211–19.
286. Gomes, *As lutas*, 17.
287. “Moradores do Borel sob nova ameaça de despejo,” *Imprensa Popular*, 3 April 1954.
288. *Ibid.*
289. Gomes, *As lutas*, 17.
290. “Moradores do Morro do Borel lutam contra a polícia e os grileiros,” *Imprensa Popular*, 7 April 1954.
291. The chronology here is taken from “Moradores do Morro do Borel lutam contra a polícia e os grileiros,” *Imprensa Popular*, 4–7-1954. It differs somewhat from Manoel Gomes’ account, which puts the first large meeting with Magarinos Torres on April 19. The *Imprensa Popular*’s version is probably more accurate, as it was already reporting these events on 7 April. The content of the meeting is also somewhat unclear; Gomes claims that it was here that residents began to work with Torres, but police as well as press reports from as early as February show that this collaboration began several months earlier.

292. See, for example “Dispostos à resistência os moradores do Pasmado,” *Imprensa Popular*, 6 December 1952, which chronicles a visit for a committee of Catacumba’s residents to the nearby community of Pasmado.
293. “Para combater a miséria e a grilagem,” *Imprensa Popular*, 22 April 1954.
294. The plaintiff in the case was João Nogueira. Judge Hugo Auler had actually ruled in the residents’ favor in the first instance, but his decision was overturned on appeal.
295. See speech by socialist Magalhães Júnior in the Câmara Municipal debates of 31 March 1954, published in the *ACDF*, 1 April 1954, 177. See also Frota Aguiar’s intervention in the *Anais da Câmara dos Deputados*, 1 April 1954, vol. II, 87; and Breno Silveira’s interventions, published in the *Anais da Câmara dos Deputados*, 2 April 1954, 164, 200–203, 208–9. For journalistic coverage, see “Usineiro e polícia despejam a favela Rua Ati,” *Imprensa Popular*, 3 April 1954.
296. See Breno da Silveira’s speech in the Federal Congress, 23 June 1954, published in the *Anais da Câmara dos Deputados*, vol. IX, 802.
297. *ACDF*, 23 April 1954, 339. The judicial case had been ruled on by Judge Ney Palmeira Cidade in the 9a Vara Cível. União’s 1960 population was 3,860; it was not listed in the 1950 census.
298. “Dulcídio trama outro monstruoso despejo,” *Imprensa Popular*, 23 April 1954. According to the 1950 census, the hill’s population at that point had been 1,632, and in 1960 it would be 3,135. For an oral history of the morro of Timbau, see Ferreira dos Santos, *História*, quoted in Varella, Bertazzo, and Jacques, *Maré*, 25–27.
299. In 1960, Dendê’s population stood at 2,211; it was not listed in the 1950 census.
300. “Nova derrubada de barracos no Timbau,” *Imprensa Popular*, 16 June 1954; “Pagam os favelados aluguel até de Cr\$300 e ainda assim, têm seus barracos arrasados por patrulhas do exército,” *Imprensa Popular*, 19 June 1954; see also council debates of 15 June 1954, published in the *ACDF*, 16 June 1954, 930.
301. “Patrulhas do exército despejando favelados,” *Imprensa Popular*, 15 June 1954; council debates of 15 June 1954, *ACDF*, 16 June 1954, 930; “Nova derrubada de barracos no Timbau,” *Imprensa Popular*, 16 June 1954; Breno da Silveira, speech in the Federal Congress, published in the *Anais da Câmara dos Deputados*, 16 June 1954; “Pagam os favelados aluguel até de Cr\$300 e ainda assim, têm seus barracos arrasados por patrulhas do exército,” *Imprensa Popular*, 19 June 1954.
302. IBGE, Departamento de Censos, *Favelas do Estado de Guanabara: VII Recenseamento*, série especial, vol. 4.
303. Speech on 22 April 1954, *ACDF*, 23 April 1954, 339.
304. *Imprensa Popular*, 23 and 25 April 1954.
305. Speech on 26 April 1954, *ACDF*, 27 April 1954, 372.
306. Lei 794/1954 (5 May 1954) *ACDF*, 10 June 1954, 869.

307. *Imprensa Popular*, 30 April 1954.
308. "Cofraternizam-se para a luta, os favelados," *Imprensa Popular*, 5 May 1954.
309. "O morro quer a reeleição de Aristides Saldanha," *Imprensa Popular*, 8 May 1954. See also *Imprensa Popular*, 11 May 1954 (on Gávea); "Exploração eleitoral na favela do Jacarezinho," *Imprensa Popular*, 1 June 1954; and *Imprensa Popular*, 11 July 1954 (on Jacarezinho). Some time after the Santa Marta expropriation, the communist paper published a strident attack on Padre Veloso and his allies on the *morro*; see "'A festa da UTF aumentará nossa união,' dizem favelados de Santa Marta," *Imprensa Popular*, 15 October 1954.
310. *ACDF*, 8 June 1954, 829.
311. "Comício no morro de Santa Marta," *Imprensa Popular*, 9 June 1954.
312. Saldanha, speaking on 18 June 1954, published in the *ACDF*, 19 June 1954, 961. On the school, see Gomes, *As lutas*, though as always in this account the dates are somewhat uncertain.
313. "Reconstruíram o barraco derrubado pela polícia," *Imprensa Popular*, 23 June 1954.
314. "800 favelados lutam nas ruas pelo sagrado direito de um lar," *Imprensa Popular*, 23 June 1954.
315. *Correio da Manhã*, 24 June 1954.
316. Decision handed down in the 16a Vara Cível, 14 May 1954, published in the *ACDF*, 8 June 1954, 836-37.
317. See the debates of 26 May, where Couto de Souza aired these accusations, published in the *ACDF*, 27 May 1954, 729, 837. For a sensational version of Avelar's history, see "Lar Para Todos SA quer tomar o lar de todos," *Imprensa Popular*, 26 May 1954.
318. These were the descendants of a widow with the surname Brívio, whose executor (*inventariante*) was Jaime da Silva Rodrigues. See municipal council debates, 24 May 1954, published in the *ACDF*, 25 May 1954, 703.
319. Breno da Silveira, federal congressional debates of 23 June 1954, published in the *Anais da Câmara dos Deputados*, 24 June 1954, 802.
320. Raimundo Magalhães Júnior, debates of 25 June 1954, published in the *ACDF*, 26 June 1954, 1052.
321. Debates of 1 July 1954, published in the *ACDF*, 2 July 1954, 1083.
322. "Inédita no Brasil: 2 mil favelados ocupam a Câmara," *Imprensa Popular*, 2 July 1954.
323. "Transformada a Câmara dos Vereadores em hospedaria de favelados," *Correio da Manhã*, 2 July 1954.
324. "Inédita no Brasil: 2 mil favelados ocupam a câmara," *Imprensa Popular*, 2 July 1954.
325. "Transformada a Câmara dos Vereadores em hospedaria de favelados," *Correio da Manhã*, 2 July 1954.
326. Schumaker and Brazil, *Dicionário*.
327. Lei Municipal 797/1954.
328. See Roberto Morena's discourse in the Federal Congress, 6 October 1954, published in the *Anais da Câmara dos Deputados*, vol. XVII. See also "Os

- moradores do morro do Borel impediram um novo despejo," *Imprensa Popular*, 7 October 1954.
329. "Marcado para hoje o despejo de Borel: favelados protestam," *Imprensa Popular*, 1 March 1955.
330. "Vão reunir-se em congresso os favelados cariocas," *Imprensa Popular*, 20 October 1954.
331. On the bill, see "Apresentará a UTF Projeto de Lei em favor dos moradores de favelas," *Imprensa Popular*, 13 October 1954.
332. "Marcado para hoje o despejo de Borel: favelados protestam," *Imprensa Popular*, 1 March 1955; numerous other articles followed in the same journal over the following weeks.
333. "O Morro do Borel é a nossa casa, daqui não sairemos," *Imprensa Popular*, 6 March 1955.
334. "Também o Morro da União sob a ameaça de despejo," *Imprensa Popular*, 4 March 1955.
335. See, respectively, "Populares Tiroteados por sicários policiais," *Imprensa Popular*, 9 March 1955; "Marcado para hoje o despejo de Borel: favelados protestam," *Imprensa Popular*, 1 March 1955; and "Nova vitória dos favelados," *Imprensa Popular*, 12 March 1955.
336. "Assinado decreto que susta o despejo do Borel," *Imprensa Popular*, 29 March 1955.
337. See, for example, a threatened eviction in Borel publicized in the Federal Congress by Bruzzi Mendonça in January 1956; speech given 27 January 1956, published in the *Anais da Câmara dos Deputados*, 1955-56, vol. VI, 128.
338. See debates of 29 June 1955, 5 July 1955, 5 August 1955, 9 September 1955, 13 September 1955, 14 September 1955, and 15 September 1955, all published in the *ACDF*, 30 June 1955, 6 July 1955, 6 August 1955, 10 September 1955, 14 September 1955, 15 September 1955, and 16 September 1955. In *Vintém*, the threat was the result of a high-court decision that, interestingly, reversed an earlier lower-court ruling in favor of the favela residents; see debates of 4 August 1948, *ACDF*, 5 August 1948, 2080.
339. Projeto-Lei 149/55, introduced on 4 August 1955 and passed on 15 September 1955; for the final version, see *ACDF*, 16 September 1955, 2082.
340. On Piaí, see Câmara Municipal debates of 13 May 1956, *ACDF*, 14 May 1956. On Penha, see Câmara Municipal debates of 10 July 1956, *ACDF*, 11 July 1956. On the "Boogie-Woogie" favela, see debates of 16 July 1956, *ACDF*, 17 July 1956.
341. Moreira had been the frequent target of attacks for his political tactics in Jacarezinho, both from the communists—and especially the *Imprensa Popular*—and from more mainstream rivals, such as Edgard de Carvalho. Elizabeth Leeds, writing more about Moreira's later actions, argues that most residents of the north-zone favelas where she conducted fieldwork had a generally positive impression of Moreira; Nísia Verônica Trindade Lima calls that interpretation into question.
342. See Câmara Municipal debates of 13 September 1955, published in the *ACDF* 14 September 1955, 2046.

343. On the genesis of such participatory urbanization, see Trinidad Lima, "O movimento"; for its most expressive manifestation, see J. A. Rios, "Operação Mutirão."

344. For the accusation of communism, see *ACDF*, 14 September 1955, 2047. One signal of the approximation was the fact that the communist *vereador* Waldemar Vianna, when asked by residents of Vintém for help in finding a lawyer, recommended Moreira, who saw no judicial solution but did attempt to negotiate another settlement. See debates of 29 June 1955, *ACDF*, 30 June 1955.

345. Projeto-Lei 32/1955. For full text, see debates of 5 July 1955, *ACDF*, 6 July 1955, 1260-61.

346. See debates of 6 July 1955, *ACDF*, 7 July 1955, 1260-61. This language anticipated by several years that of José Arthur Rios's *Operação Mutirão* in the early 1960s; for more on that, see chapter 2, this volume.

347. P-L 32/1955 did pass the Câmara in 1958.

348. Câmara Municipal discussion of 5 August 1955, *ACDF*, 6 August 1955.

349. Barroso, "Favelas." For a similar discussion, see Meuren, "Breves considerações," 463.

350. See *Anais da Câmara dos Deputados*, 3 February, 1956, vol. VII, 65. See also Bruzzi Mendonça's comments during the debates of 17 September 1956, published in *Diário do Congresso Nacional*, Seção I, 18 September 1956, 8318.

351. On Cardoso de Menezes, see Alves de Abreu et al., *Dicionário*.

352. Projeto-Lei 749/1955, eventually passed as 749-D. Most of the early debates played themselves out between late December 1955 and early February 1956. Ex-municipal councilman and former police chief Frota Aguiar also played an important role in these discussions.

353. Projeto-Lei 1/1956.

354. See, for instance, the decision in the 1954 Dendê case, brought up in the Câmara Municipal on 7 June 1954, and published in the *ACDF*, 8 June 1954, 836. On the nature of possessorial rights in general, see Nascimento, *Posse*; for one interpretation of favela residents' possessorial rights in the 1960s, see Conn, *The Squatters' Rights*.

355. Projeto de Lei do Senado 1/1956, Senator Moura Brasil, *Anais do Senado*, 3 January 1956, 23-25.

356. See congressional debates of 6 February 1956, published in *Anais da Câmara dos Deputados*, 7 February 1956, vol. VII, 290-91. Another amendment was also suggested that would have used the 50 million cruzeiros to expropriate favela lands rather than turning them over to the Cruzada de São Sebastião, but it was not adopted. See congressional debates of 6 February 1956, published in the *Anais da Câmara dos Deputados*, 1956, vol. VII, 289.

357. See congressional debates of 6 February 1956, published in the *Anais da Câmara dos Deputados*, 1956, vol. VII, 290-91.

358. See congressional debates of 17 September 1956, published in the *Diário do Congresso Nacional*, Seção I, 18 September 1956, 8319.

359. Lei 2875, signed into law by Juscelino Kubitschek (19 September 1956).

360. The introduction to the 1916 civil code required that "in applying the law, the judge will attend to the social ends to which it is directed and to the exigencies of the common good." Article 147 of the 1946 constitution declared "the use of private property will be conditioned by social well-being." For an explicit link between these articles and the Lei das Favelas, see Meuren, "Breves considerações."

361. This intention was clearly stated by Congressman Frota Aguiar in the congressional debates of 17 September 1956; see *Diário do Congresso Nacional*, 18 September 1956, 8318.

362. On both organizations, see chapter 2, this volume.

363. Decreto Municipal 374 (24 February 1961). This was revoked under the military government in 1965, but social service workers seem to have continued to invoke it even well after this date. Stephen Conn suggests that this decree was often enforced only loosely in the 1960s, given an appeals court ruling that supported owners' rights to collect something in exchange for leasing their land.

364. Meuren, "Breves considerações," 466. Meuren argues that the 1954 law, like every other Brazilian law, "revoked all dispositions contrary to it," and that the clauses of the rent law that governed evictions were among these; unless they were reestablished by law, there was no longer any legal mandate with which to evict favela residents. See also Conn, *The Squatters' Rights*.

365. See Conn, *The Squatters' Rights*, part 1.

366. Even Nísia Trinidad Lima, whose work with oral history and journalistic sources in the late 1980s gave unprecedented attention to the earlier period, wrote that "despite earlier struggles and associative movements, leaders point to the formation of the UTF of Borel as the great milestone of social struggles in the favelas"; see Trinidad Lima, "O movimento," 102-3.

367. Between 1962 and 1965, Lacerda's government, through the agency COHAB, "removed" thirteen entire favelas, most of which were tiny, but a few of which—Esqueleto, Pasmado, Bom Jesús, and Maria Angú—were home to between 200 and 2,000 families. COHAB also eliminated portions of sixteen other favelas, including 34 families from Turano, 366 from the combative Brás de Pina, and 253 from the Morro de São Carlos. Altogether, some 6,290 families, or 31,000 people, were affected; see Leeds and Leeds, *A sociologia*, 220.

368. See Trinidad Lima, "O movimento."

369. See Leeds and Leeds, *A sociologia*, 220; and Perlman, *The Myth*, 202.

370. "Marcado para hoje o despejo de Borel: favelados protestam," *Imprensa Popular*, 1 March 1955.

371. This seems to have eventually caused a rift between Magarinos Torres, who advocated the multilateral approach, and some of the ideological communists within Borel and the UTF; see Trinidad Lima, "O movimento."

EPILOGUE

1. Império Serrano, "E verás que um filho teu não foge à luta" (1996); the sociologist and activist Herbert de Souza ("Betinho") participated in the samba's performance. MV Bill, "Um Crioulo Revoltado Com Uma Arma" (2006).