



URBAN LAND REGULARIZATION IN GOIÂNIA: LEGAL HISTORICAL TRAJECTORIES, POLICY MAPPING AND SOCIO SPATIAL TENSIONS

REGULARIZAÇÃO FUNDIÁRIA EM GOIÂNIA: TRAJETÓRIA JURÍDICO-HISTÓRICA, MAPEAMENTO DE POLÍTICAS E TENSIONAMENTOS SOCIOESPACIAIS

REGULARIZACIÓN FUNDIARIA EN GOIÂNIA: TRAYECTORIAS JURÍDICO HISTÓRICAS, MAPEO DE POLÍTICAS Y TENSIONES SOCIOESPACIALES



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ABSTRACT

Considering the persistent asymmetries between Brazil's legal framework and municipal practices of urban land regularization in Goiânia, this paper addresses the gap between the "law" and the "lived city" and its impacts on the right to housing and the social function of property. It aims to analyze the legal-historical trajectory of regularization in the city, identify institutional turning points, and assess the recent effectiveness of instruments (with emphasis on REURB). To this end, we adopt a qualitative design combining: (i) legal mapping of statutes, decrees, plans, and programs; (ii) a hermeneutic reading of constitutional and urban principles; and (iii) a socio-spatial reading of two case studies—Setor Leste Universitário (consolidated central area) and Jardim Nova Esperança (expanding periphery). The results show institutional advances (greater intersectoral coordination and targeting of social-interest areas) coexisting with territorial selectivity and administrative bottlenecks (cadastre, titling, data integration). Findings indicate that effectiveness hinges on aligning inclusion-oriented guidelines (right to the city, social function, adequate housing) with sustained implementation capacity, monitoring, and social participation, which allows us to conclude that long-term policies aligned with urban planning and spatial justice are required.

Keywords: Urban Land Regularization. Goiânia. Social Function of Property. Right to The City. REURB.

RESUMO

Considerando a persistência de assimetrias entre o marco normativo brasileiro e as práticas municipais de regularização fundiária em Goiânia, este artigo parte do problema da distância entre "lei" e "cidade vivida" e de seus efeitos sobre o direito à moradia e a função social da

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propriedade. Objetiva-se analisar a trajetória jurídico-histórica da regularização na capital, identificar inflexões institucionais e avaliar a efetividade recente dos instrumentos (com ênfase na REURB). Para tanto, procede-se a um desenho qualitativo que combina: (i) mapeamento jurídico de leis, decretos, planos e programas; (ii) leitura hermenêutica dos princípios constitucionais e urbanísticos; e (iii) leitura socioespacial de dois estudos de caso — Setor Leste Universitário (área central consolidada) e Jardim Nova Esperança (periferia em expansão). Desse modo, observa-se a coexistência de avanços institucionais (maior coordenação intersetorial e focalização de ZEIS/áreas de interesse social) com seletividades territoriais e gargalos administrativos (cadastros, titulação, integração de bases). Os resultados indicam que a efetividade depende da articulação entre diretrizes de inclusão (direito à cidade, função social, moradia adequada) e capacidade de execução contínua com monitoramento e participação social, o que permite concluir pela necessidade de políticas de longo prazo alinhadas ao planejamento urbano e à justiça espacial.

Palavras-chave: Regularização Fundiária. Goiânia. Função Social da Propriedade. Direito à Cidade. REURB.

RESUMEN

Considerando las asimetrías persistentes entre el marco normativo brasileño y las prácticas municipales de regularización fundiaria en Goiânia, este artículo aborda la distancia entre la “ley” y la “ciudad vivida” y sus efectos sobre el derecho a la vivienda y la función social de la propiedad. Tiene como finalidad analizar la trayectoria jurídico-histórica de la regularización en la capital, identificar inflexiones institucionales y evaluar la efectividad reciente de los instrumentos (con énfasis en la REURB). Para ello se procede a un diseño cualitativo que combina: (i) mapeo jurídico de leyes, decretos, planes y programas; (ii) lectura hermenéutica de principios constitucionales y urbanísticos; y (iii) lectura socioespacial de dos estudios de caso —Setor Leste Universitário (área central consolidada) y Jardim Nova Esperança (periferia en expansión). De esta manera se observa la coexistencia de avances institucionales (mayor coordinación intersectorial y focalización de áreas de interés social) con selectividades territoriales y cuellos de botella administrativos (catastro, titulación, integración de datos). Los resultados indican que la efectividad depende de articular directrices de inclusión (derecho a la ciudad, función social, vivienda adecuada) con capacidad sostenida de ejecución, monitoreo y participación social, lo que permite concluir la necesidad de políticas de largo plazo alineadas al planeamiento urbano y a la justicia espacial.

Palabras clave: Regularización Fundiaria. Goiânia. Función Social de la Propiedad. Derecho a la Ciudad. REURB.



1 INTRODUCTION

Land regularization in Goiânia is more than a technical procedure aimed at the titling of urban properties: it is a legal, political and social phenomenon that reflects the contradictions of the Brazilian urbanization process. Since the 1960s, the capital of Goiás has been marked by intense territorial transformations and by the coexistence between formal planning and spontaneous occupations, in a scenario of social inequality and state omission. The city reveals, therefore, a field of disputes where law, politics and territory are intertwined.

According to Barroso (2014) in Goiânia, a capital planned between 1933 and 1949 under the ideal of modernity and urban rationality, the process of territorial expansion resulted, paradoxically, in new forms of segregation and housing informality. Since the 1960s, the city has witnessed the emergence of several irregular occupations — such as the East University Sector and Jardim Nova Esperança — which, although consolidated over time, face continuous challenges in obtaining legal certainty and adequate infrastructure. These spaces have become laboratories of local urban policy and reflect the ambiguities between legal order and social exclusion.

The right to the city emerges, in Brazil, as a response to the contradiction between a progressive legal system and a profoundly unequal urban reality. From the 1988 Constitution and the City Statute, urban space began to be recognized as a collective good, but its effective democratization remains dependent on political action and the social interpretation of norms. (Fernandes, 2007, p. 205)

Based on this reading, this article seeks to understand how the normative instruments of land regularization — and their application in Goiânia — have contributed both to the solution and to the reproduction of land conflicts, revealing the role of the law as a mediator between social inclusion and exclusion.

The relevance of the theme lies in the need to analyze land regularization from a perspective that transcends the merely documentary aspect and reaches the social and legal dimension of housing. The recognition of the social function of property, incorporated by the Federal Constitution of 1988 and consolidated by the Statute of the City (Law No. 10,257/2001), redefines the paradigm of property rights in Brazil, by linking its exercise to the promotion of human dignity and the social use of urban land.

Silva (2018) clearly summarizes this paradigm shift:

The social function of property consists in subordinating individual rights to the public interest. It is not only a matter of limiting the use of property, but of directing its use



towards purposes compatible with the common good, in such a way as to harmonize private interests with the requirements of the collectivity. (Silva, 2018, p. 752)

The historical relevance of the theme is reinforced by the metropolitan context: Goiânia is today one of the Brazilian capitals with the highest number of REURB-S (Regularization of Social Interest) processes in progress, coordinated by the City Hall and the Goiás Housing Agency (AGEHAB, 2023). However, the success of these initiatives depends on the institutional capacity to reconcile titling, urbanization, and socio-environmental justice — a challenge that mobilizes jurists, urban planners, and public managers. In this sense, understanding land regularization also implies understanding the role of the State in the realization of the right to housing and in the construction of a fairer and more accessible city. Goiânia, as an empirical case, allows us to visualize how urban legislation and administrative practice dialogue — or enter into tension — in the face of the reality of informal occupations.

This article aims to analyze the historical and legal development of land regularization programs in Goiânia, identifying the normative and political frameworks that have guided their formulation from the 1960s to the present day. It seeks to examine, in a critical way, how the law has been mobilized both to correct social distortions and to reproduce structural inequalities.

Coelho (2019) points out that, in the capital of Goiás,

The land regularization policy in Goiânia faces structural difficulties: lack of registration information, fragmentation between agencies and absence of an integrated database. These factors compromise the social reach of the programs, which end up prioritizing areas of greater economic interest to the detriment of the urban peripheries. (Coelho, 2019, p. 67)

Thus, the article is organized into seven sections: the introduction, followed by the bibliographic review and the theoretical framework; the methodology employed; the legal mapping of the regularization policies; the analysis of the case studies — *East University Sector* and *Jardim Nova Esperança*; the interpretative discussion and, finally, the conclusion, which synthesizes the main results and proposes future perspectives for the consolidation of land regularization as a result of the instrument of urban justice.

2 THEORETICAL FRAMEWORK

Urban land regularization is a field of convergence between law, urban planning and public policies. This intersection requires a theoretical reading capable of integrating normative foundations, socio-urban approaches, and historical interpretations of land occupation and use.



In this section, the main conceptual bases that support the analysis are presented: (i) the approaches to urban land law and the social function of property; (ii) studies on urban irregularity and land policies; and (iii) the hermeneutic and historical perspectives that guide the critical reading of the norms.

2.1 APPROACHES TO URBAN LAND LAW AND THE SOCIAL FUNCTION OF PROPERTY

The debate on urban land law in Brazil goes back to the need to rethink property as a legal category based on its social function. The landmark of the Federal Constitution of 1988, by elevating the principle of social function to the level of a structuring clause of the economic and social order, profoundly changed the traditional understanding of property. As Alfonsin (2001) points out,

Land regularization, when treated as an instrument of urban policy, constitutes a means of promoting social justice and ensuring the fulfillment of the social function of property. It should not be seen as a mere formalization of possessions, but as a process of citizen inclusion and recognition of historically denied rights. (Alfonsin, 2001, p. 198)

Authors such as Edésio Fernandes (2007) and Ermínia Maricato (2000) reinforce that the legal debate cannot be dissociated from the context of urban inequality. Maricato observes that informality and self-construction are legitimate expressions of the popular struggle for the right to housing — and that the State, by recognizing these territories, must act as a redistributive agent, not just as a regulator. Fernandes, in turn, recalls that the right to the city emerges as a political and normative construction, whose emancipatory potential depends on the State's ability to integrate the social and the legal.

The social function of property is also the social function of law: a principle that imposes on the interpreter the responsibility to apply the norm in accordance with social justice and human dignity.

2.2 STUDIES ON URBAN IRREGULARITY AND LAND POLICIES

Urban irregularity, a phenomenon intrinsically linked to socio-spatial exclusion, is approached by several authors from perspectives that articulate the urban, the legal and the political. Fernandes (2007) identifies informality as a historical product of Brazilian structural inequality. For the author,

Urban informality is a product of historical exclusion. Millions of Brazilians live in irregular settlements not by choice, but by the absence of formal alternatives for access to housing. The challenge of urban law is to face this reality without



criminalizing poverty, recognizing the social value of self-construction. (Fernandes, 2007, p. 213)

Maricato (2011) deepens this critique by showing that the Brazilian urban development model has been historically exclusionary, producing a coexisting "legal city" and an "illegal city". Rolnik (2015) adds that, in the era of financialization, land policies began to meet the logic of land valuation rather than the democratization of access to land. For her, land regularization is today a field of dispute between the right to housing and the interests of real estate capital.

Bonduki (1997), when examining the formation of urban peripheries, observes that irregular occupations are not mere deviations from the norm, but a constitutive part of Brazilian urbanization — a social response to the absence of consistent public policies for popular housing.

2.3 HERMENEUTIC AND HISTORICAL PERSPECTIVES IN THE READING OF NORMS

Contemporary legal hermeneutics proposes an overcoming of normative positivism, shifting the focus from the mechanical application of the law to interpretation committed to constitutional values and historical contexts. Streck (2017) argues that legal interpretation is, above all, a political act, and that judicial neutrality is a myth that hides evaluative choices. According to the author,

Interpreting the law is a political act. No normative text is sufficient in itself: its application depends on the interpreter's horizon of understanding. Critical hermeneutics seeks to break with formalism, putting law back in dialogue with social reality and with the constitutional values of equality and dignity. (Streck, 2017, p. 47)

This reading is close to the Marxist tradition of urban thought, especially Lefebvre (2008), for whom the right to the city is a project of social transformation, and Harvey (2014), who identifies the urban as the central field of power disputes and capitalist accumulation. Both reinforce the idea that urban space is a social product and, therefore, should be governed by principles of distributive justice.

The application of this perspective to the study of land regularization allows us to understand the law not only as a norm, but as an interpretative language in permanent dispute. Thus, the hermeneutic analysis adopted in this article proposes to reconstruct the meaning of the land norms of Goiânia, inserting them in their historical, political and social context.

3 METHODOLOGY

The research adopts a qualitative, descriptive and interpretative design, based on the triangulation between document analysis, hermeneutic reading and case study. This methodological combination seeks to understand the normative and empirical trajectory of urban land regularization in Goiânia, articulating the legal evolution of the instruments to their territorial and social materialization. As Cunha and Silva (2013) and Gil (1989) argue, the qualitative approach is particularly appropriate when the objective is to examine historical and institutional processes whose complexity goes beyond statistical measurement and requires analysis of meanings and contexts.

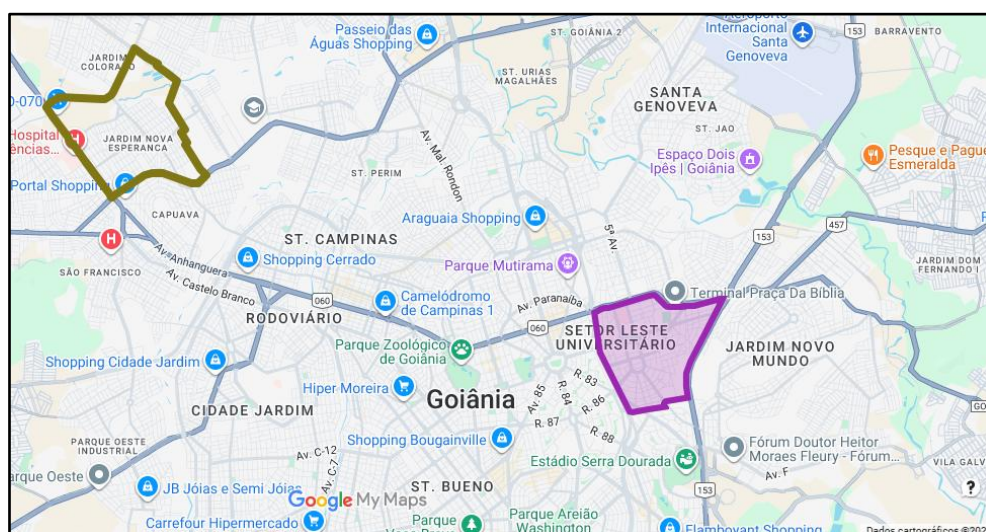
The methodological path, inspired by the structure of the original dissertation, is developed on three main fronts: (i) documentary and normative mapping; (ii) the hermeneutic analysis of municipal laws and decrees; and (iii) the empirical investigation through two representative case studies. This strategy aims to ensure coherence between problem, evidence, and inferences, in addition to ensuring traceability of conclusions.

3.1 ANALYSIS STRATEGIES: DOCUMENT MAPPING AND HERMENEUTIC ANALYSIS

The research adopts a qualitative-interpretative method, structured from two main fronts: the documentary mapping, which gathers and systematizes the legal norms related to land regularization in Goiânia; and hermeneutic analysis, which seeks to understand the meanings produced by these norms in the light of their contexts.

Figure 1

Location of Goiânia and delimitation of the neighborhoods analyzed: Setor Leste Universitário and Jardim Nova Esperança



Source: Prepared by the authors from Google My Maps (2025)



Inspired by Streck (2017) and Gadamer (1999), the hermeneutics applied here considers the legal text as a historical and linguistic product, whose meaning is renewed in the interaction between norm and social reality.

3.2 NORMATIVE SOURCES: LAWS, DECREES AND MUNICIPAL MASTER PLANS

The primary sources of this research included legislation, decrees and administrative documents collected in official databases and public archives. Among the main sources used, the following stand out: (i) Federal laws and decrees: Law No. 10,257/2001 (City Statute), Law No. 13,465/2017 (REURB), Decree No. 9,310/2018 (REURB regulation) and rules of the National Justice Internal Affairs Office (Safe Soil Program). (ii) Municipal legislation: Law No. 4,526/1972 (land subdivision in Goiânia), Master Plans of 1969, 2007 and 2023, in addition to specific land regularization decrees published between 1990 and 2024. (iii) Complementary sources: Reports from the Goiás Housing Agency (AGEHAB), notary records, data from the Brazilian Institute of Geography and Statistics (IBGE) and technical documents from the Municipal Secretariat of Urban Planning (SEPLAM).

These sources were interpreted as products and vectors of public policies, that is, instruments that both reflect political choices and shape administrative practices (Costa, 2014). The analysis of these norms was systematized in a data matrix that relates year, legal scope, objective and territorial impact, allowing us to visualize the progression of municipal policies over the decades.

The resulting mapping is not restricted to chronological description, but proposes a critical interpretation of the legal-urban dynamics, highlighting how the legal provisions express models of governance and regulation of the territory. This stage prepared the ground for the comparison between the normative discourse and the empirical reality observed in the case studies.

3.3 CRITERIA FOR SELECTING THE CASES ANALYZED

The selection of the two case studies — East University Sector and Jardim Nova Esperança — was based on criteria of historical relevance, socio-spatial diversity, and institutional representativeness. According to Yin (2015), the case study is appropriate when seeking to understand contemporary phenomena inserted in complex contexts, where multiple variables interact inseparably.

The East University Sector was chosen because it represents one of the first centers of planned urbanization in Goiânia, which has undergone land reconfiguration processes since the 1960s. Its trajectory highlights the ambiguities between formal planning and



consolidated informality, making it an example for discussing regularization policies aimed at central areas.

Jardim Nova Esperança, in turn, symbolizes peripheral expansion and the challenges of regularization of social interest. Located in the northwest region of Goiânia, the neighborhood emerged from spontaneous occupations in the 1980s and 1990s and became the object of multiple public interventions, involving state (AGEHAB) and municipal (REURB-S) programs.

In the interpretation of Barroso (2014) and Coelho (2019), the history of environmental and dominial conflicts in the neighborhood illustrates the complexity of the implementation of legal instruments in socially vulnerable territories, revealing the distance between the normative framework and the reality of urban practices.

The empirical analysis of both cases was conducted based on triangulation of sources: (i) Official documents and legislation (administrative acts, decrees and regularization plans); (ii) Press materials and institutional reports; and (iii) Historical cartographies and orthophotos, which allowed correlating the physical transformations of the territory with the legal measures adopted.

This triangulation reinforces the reliability of the results and enables an interdisciplinary reading of the phenomenon, in line with the logical model of public policy evaluation proposed by Gertler et al. (2018), which articulates inputs, activities, products, and impacts.

The integration of these stages — legal mapping, hermeneutic reading and empirical study — makes it possible to understand how urban law operates, simultaneously, as a factor of planning and production of inequalities, tensioning the ideal of the social function of property in the face of concrete practices of regularization in Goiânia.

4 RESULTS AND DISCUSSIONS

The process of formation and expansion of Goiânia was, from its origin, associated with state policies of territorial planning and planned occupation. However, from the 1960s onwards, rapid urbanization and the absence of structured housing policies produced a scenario of irregular occupations and land conflicts that challenged the initial model of the modernist city. The legal response to this process manifested itself in a fragmented way, through laws, decrees and master plans that, over the decades, sought to reconcile urban growth with the regularization of possession and the fulfillment of the social function of property.

The present mapping reconstructs this trajectory in three analytical stages: (i) the timeline of municipal decrees and laws, (ii) the historical-legal interpretation of the normative



formulation, and (iii) the relations between the federal framework and local regulation, evidencing the tensions between national guidelines and municipal practices.

4.1 TIMELINE OF MUNICIPAL DECREES AND LAWS ON IRREGULAR OCCUPATIONS

From the 1960s onwards, Goiânia began to adopt specific policies aimed at controlling urban expansion and the legal treatment of irregular areas. As Costa (2014) points out, Law No. 4,526/1972 — inspired by Federal Law No. 6,766/1979 — represented the first municipal milestone with a direct impact on land regularization, by establishing guidelines for the approval of allotments, requiring minimum infrastructure and criteria for land use and occupation. In the author's reading, however, the absence of effective inspection mechanisms and the pressure for popular housing favored the proliferation of irregular occupations in public and private areas, evidencing the distance between the norm and urban practice.

During the 1980s and 1990s, Coelho (2019) observes that municipal decrees aimed at the punctual regularization of consolidated neighborhoods, such as the East University Sector and Jardim Nova Esperança, multiplied. These acts sought to recognize *de facto* situations – old and consolidated occupations – granting title deeds or provisional authorizations of use. In the author's analysis, these were casuistic and fragmented policies, conditioned to the political conjuncture and disconnected from an integrated urban policy.

The 2007 Master Plan represented a turning point in this path, by integrating the theme of land regularization into municipal urban policy and introducing the concept of Special Zones of Social Interest (ZEIS). As Pinho (2023) observes, this moment marks the transition between punctual responses and an attempt to institutionalize land policy, even though gaps in administrative continuity and articulation between public agencies persist.

The history of regularization policies in Goiânia shows that the actions of the public authorities have been concentrated, for a long time, on punctual and emergency responses. The lack of administrative continuity and the absence of integrated planning produced a fragmented normative mosaic, in which municipal decrees emerged to solve isolated situations, without constituting a permanent public policy. (Pinho, 2023, p. 54, Historical obstacles in land regularization in the Municipality of Goiânia, Master's Dissertation, PUC Goiás)

The 2020s consolidated the institutional articulation between the municipality and the State of Goiás, with the joint action of the Goiás Housing Agency (AGEHAB) and the Goiás Court of Justice (TJ-GO) in the Safe Soil program, which aims to accelerate the land titling processes (AGEHAB, 2023). The 2023 Master Plan incorporated the guidelines of the UN 2030 Agenda, reaffirming the commitment to sustainability and social justice. From this point



on, land regularization came to be understood not only as an instrument of titling, but as a strategy for inclusion and urban reparation.

This timeline reveals the transition from a reactive and fragmented policy to an institutionalized and normative approach, although challenges of integration and effectiveness persist.

4.2 HISTORICAL-LEGAL INTERPRETATION OF THE NORMATIVE FORMULATION PROCESS

The normative evolution of land regularization in Goiânia reflects, on a local scale, the transition of Brazilian urban law from a formalistic model to a social model.

Baracho and Muniz (2015) interpret the 1960s and 1970s as the peak of a technocratic rationality, aimed at protecting private property and maintaining territorial order, to the detriment of social justice. The Federal Constitution of 1988 broke with this tradition, by enshrining the social function of property and the right to housing as the foundations of a new urban hermeneutics.

In Goiânia, this process translated into the gradual incorporation of these values into municipal legislation. The 2007 Master Plan, for example, formally recognized occupations of social interest as an integral part of the urban structure. This normative turn was due, in large part, to the influence of social movements and new currents of legal thought that defend an emancipatory constitutional hermeneutics, as Streck (2017) argues. Law, in this perspective, ceases to be a mere technique of control and starts to act as an instrument of inclusion and redistribution.

In the following years, with the implementation of REURB and the strengthening of the state housing policy, regularization actions began to incorporate urban, environmental and social dimensions, although with variations in execution. Authors such as Fernandes (2007) and Alfonsin (2001) emphasize that the consolidation of an effective land policy depends on coordination between federative entities and the overcoming of bureaucratic fragmentation. Goiânia exemplifies this challenge: the coexistence of multiple responsible bodies — City Hall, AGEHAB, notary offices, the Public Prosecutor's Office and TJ-GO — makes the regularization process slow and uneven.

The municipality, as a federated entity, is the privileged space of urban policy. It is in it that the contradictions of the city manifest themselves with greater intensity and where the norms need to dialogue with the concrete reality. Municipal legislation should not uncritically reproduce federal guidelines, but reinterpret them in the light of their local conditions, ensuring social participation and the fulfillment of the city's social function. (Costa, 2014, p. 112)



4.3 RELATIONS BETWEEN THE FEDERAL FRAMEWORK (LAW 13.465/2017) AND LOCAL REGULATION

Law No. 13,465/2017 marked the consolidation of a new legal model for land regularization, by creating the REURB-S and REURB-E modalities and bringing together previously fragmented normative instruments. While Coelho (2019) emphasizes the impact of this norm on the reorganization of local competences, Pinho (2023) observes that its implementation in Goiânia revealed both institutional advances and structural limitations, resulting from the lack of integration between public agencies and land registries.

On the practical level, the municipality incorporated innovations such as land legitimation, urban demarcation and the classification of consolidated informal urban centers, seeking to align the federal framework with the specificities of the territory of Goiás. Among the main innovations incorporated into municipal practice are: (i) land legitimation as a form of original acquisition of property; (ii) the urban demarcation of informal settlements; and (iii) the creation of informal urban centers consolidated as a specific legal category.

The Urban Land Regularization – REURB aims to identify, organize and regularize informal urban centers, ensuring the social right to housing, the full development of the social functions of urban property and the right to an ecologically balanced environment. REURB comprises two modalities: I – Urban Land Regularization of Social Interest (Reurb-S), applicable to informal urban centers predominantly occupied by low-income population; and II – Urban Land Regularization of Specific Interest (Reurb-E), applicable to other informal urban centers. (Brazil, 2017, art. 9, Law No. 13,465/2017)

In Pinho's (2023) reading, the application of REURB instruments in Goiânia still comes up against significant structural limitations, including the insufficiency of registration data and the lack of integration between municipal, judicial, and notary systems.

Despite these obstacles, AGEHAB itself (2023) highlights that the interinstitutional articulation promoted by the Safe Soil Program has contributed to speeding up titling and reducing the judicialization of land conflicts.

On a broader level, the alignment between the federal framework and local regulation reveals a tendency towards normative convergence, but also the persistence of federative asymmetries: the Union defines the general guidelines, while the municipalities remain in charge of execution and inspection, which generates inequalities in the effectiveness of policies.



5 CASE STUDY(S)

The case studies presented here aim to demonstrate, in an empirical way, how the instruments of urban land regularization were applied in different contexts of Goiânia, revealing both normative advances and structural and political limitations.

The analysis focuses on two emblematic territories: the East University Sector, which represents the challenge of regularization in consolidated central areas, and Jardim Nova Esperança, which exemplifies the complexity of regularization in peripheral areas and areas of social interest. Both cases were selected for their historical relevance, the diversity of agents involved and their symbolic value in the debate on the right to the city.

5.1 THE EAST UNIVERSITY SECTOR: URBAN GENESIS, LAND TENURE SITUATION AND LEGAL FRAMEWORKS

The East University Sector is one of the oldest and most traditional neighborhoods in Goiânia. As Bernardes (2009) explains, the neighborhood was planned in the 1940s as an area of urban expansion, intended for educational institutions and high-school residences, within a modernist logic of territorial planning.

Over the following decades, however, the sector underwent intense transformations: population density, the multiplication of irregular constructions and real estate appreciation accentuated land conflicts and the pressure for urban requalification.

Table 2

East University Sector

Issues	Results	Source/Note
a) Why did the occupations take place in this place?	The first urban occupations advanced along the banks of the Botafogo Stream and, over time, the expansion of the city was projected to the east; The original guideline of maintaining preserved lanes (parkways) was not fully implemented, favoring appropriations along the valley.	Rocha, Pasqualetto & Nunes (PUC Goiás), chap. 1.6
b) What did the place offer?	Location immediately east of the Center, infrastructure and strong university presence (UFG and PUC Goiás at addresses in the East University Sector), which generates residential and service demand.	



c) Would the area be destined for environmental preservation?	Yes. The Botafogo Stream has an APP defined by municipal law with bilateral strips of 50 m from the banks (more restrictive than the Forest Code at the time); Empirical studies show consolidation of occupations in these ranges between 2006–2016.	Case study in Goiânia (CaderNAU)
d) Characteristics of the occupations.	Unplanned origin on the valley fringes, with subsequent densification and consolidation; presence of residential and institutional uses bordering the APP; recurrent conflicts of land regularization.	Rocha, Pasqualetto & Nunes (PUC Goiás, 2021)
e) Address (City Region)	Central S Administrative Region; East University Sector.	Statistical Yearbook of Goiânia 2013
f) Area (of original occupation)	I can't confirm that. (I did not find a public source that brings the specific footage of the "original occupation".) Official area of the neighborhood (2013): 3,279,091.97 m ² (3.28 km ²).	Statistical Yearbook of Goiânia 2013
g) Number of families (in the original occupation)	There is no consolidated official series. Useful punctual data: in Block 88 of the University East, there is a historical dispute involving about 53 families, occupants for decades.	Source: report from Jornal Opção (Dec. 26, 2021)
h) Distance to the Center	Sector is contiguous to the Central Sector	Official classification of the administrative region.
i) Was there an eviction?	There is no record of "mass eviction" of the neighborhood; there are prevailing processes of regularization/land dispute of specific blocks (e.g., Block 88) and recent debates in public hearings.	Jornal Opção (history of 53 families in Block 88) and note from the City Council on the 2023 hearing regarding old properties in the University East.
j) What is the current occupation?	25,381 inhabitants (2022 Census)	IBGE 2022

Source: Authors.

In Pinho's (2023) analysis, the land tenure situation of the neighborhood reflects the overlapping of domains and cadastral fragmentation, resulting from successive administrative transfers between the Union, State, and municipality. The absence of a continuous policy of



updating the cadastre and regularization of titles has produced a scenario of legal uncertainty and disputes between owners, squatters and the government.

As Coelho (2019) observes, in the 1980s and 1990s, the City of Goiânia even issued specific decrees to regularize lots and recognize the possession of families with long stays. However, the lack of documentary standardization and integration between notary offices and municipal bodies limited the effectiveness of these measures, perpetuating land irregularity even in valued and central areas of the city.

The East University Sector presents a paradigmatic case of the complexity of Goiânia's land tenure. It is a consolidated central area, but permeated by domain overlaps, cadastral irregularities and conflicts between public and private uses. The historical lack of integration between administrative and notary records has transformed the neighborhood into a space of permanent disputes, in which attempts at regularization occur in discontinuous cycles and with partial results. (Coelho, 2019, p. 72)

With the enactment of Law No. 13,465/2017, the municipality began a new process of diagnosing the neighborhood, aiming to fit the properties in the REURB-E (specific interest) and REURB-S (social interest) modalities, according to the socioeconomic profile of the occupants. This classification allowed the advance in the titling of part of the residential properties and in the regularization of the institutional areas linked to the Federal University of Goiás (UFG) and the Pontifical Catholic University of Goiás (PUC Goiás).

However, challenges persist related to the compatibility of urban zoning with the legal regime of land and the absence of housing policies aimed at vulnerable families who still occupy risk areas. The experience of the East University Sector reveals, therefore, the contradiction between the formal modernity of the laws and the material complexity of the city, where land regularization assumes a selective and unequal character, reflecting economic interests and real estate pressures.

In addition to its empirical relevance, the case highlights a symbolic aspect: even in central areas with consolidated infrastructure, the application of urban legislation faces historical and administrative obstacles. The law, which should operate as an instrument of territorial planning and justice, often ends up reinforcing dynamics of exclusion and socio-spatial differentiation.

5.2 JARDIM NOVA ESPERANÇA AND THE LIMITS OF LAND REGULARIZATION OF SOCIAL INTEREST

Jardim Nova Esperança, located in the northwest region of Goiânia, represents one of the most emblematic historical challenges of land regularization in the capital. In Barroso's



(2014) interpretation, its origin dates back to the 1980s, when low-income families — coming mainly from the interior of Goiás and the north of Minas Gerais — occupied an area without infrastructure and without definition of ownership, in search of decent housing.

The author highlights that the occupation process, marked by self-construction and solidarity among residents, consolidated the neighborhood as an occupation of social interest, whose collective practices of community organization reveal the capacity for resistance of peripheral populations in the absence of public policies.

Since the early 2000s, Jardim Nova Esperança has become the object of multiple public actions. The 2007 Master Plan officially recognized the area as a Special Zone of Social Interest (ZEIS), paving the way for its inclusion in state regularization programs. As of 2017, with the entry into force of Law No. 13,465/2017 and Federal Decree No. 9,310/2018, the neighborhood became part of the Municipal REURB-S program, coordinated by the City Hall in partnership with AGEHAB and TJ-GO, within the scope of the Safe Soil Program.

The municipal decrees published between 2018 and 2024 disciplined the stages of the regularization process, providing for the preparation of urban projects, the identification of occupants, and the issuance of Land Regularization Certificates (CRF).

Table 3

Jardim Nova Esperança

Issues	Results	Source/Note
a) Why did the occupations take place in this place?	Collective occupation started in 1979, in the area of the Caveiras Farm, with canvas camps and opening of streets by the residents themselves; founding landmark of the neighborhood and popular expansion in the Northwest Region.	Dissertation PUC Goiás (Barroso, 2014)
b) What did the place offer?	Extensive urban void on the northwest edge, with the possibility of popular allotment and access to regional road axes; subsequent consolidation of local commerce on Central and Sol Nascente avenues.	Barroso (2014)
c) Would the area be destined for environmental preservation?	Yes. Presence of the Caveiras Creek watershed; urban watercourses have PPAs along the banks, and studies point to degradation/occupation in these strips in the watershed.	Technical article on Caveiras Stream (IBDU).



d) Characteristics of the occupations.	Unplanned origin, by self-construction and popular lots; land conflicts and attempts to curb new invasions in the early 1980s (e.g., Jardim Boa Sorte, 1981); consolidated neighborhood over the following decades.	Moyses (2001) and Barroso (2014)
e) Address (City Region)	Northwest Region of Goiânia (official classification)	Statistical Yearbook of Goiânia 2013
f) Area (of original occupation)	I did not locate footage of the initial historical clipping. Official area of the neighborhood (2013): 1,502,261.01 m ²	Statistical Yearbook of Goiânia 2013
g) Number of families (in the original occupation)	I did not find a public historical register with an initial count of households/families for 1979–1980.	
i) Was there an eviction?	There was no mass eviction of the neighborhood; The predominant process was one of land regularization and consolidation, with conflicts and specific actions against new invasions in the surroundings.	Barroso (2014)
j) What is the current occupation?	Yearbook 2013 brings 15,480 inhabitants (base 2010)	Statistical Yearbook of Goiânia 2013

Source: Authors.

According to data from AGEHAB (2023), more than 2,000 families were awarded property titles, accompanied by paving works and sanitation networks. Despite these advances, the process revealed the fragility of institutional coordination, since the titles were not followed by continuous policies of urban maintenance and social inclusion.

Jardim Nova Esperança was born as a spontaneous occupation of working families who were looking for housing in a context of strong urban segregation. Throughout the 1980s and 1990s, the community was consolidated without infrastructure, but with strong social organization. The subsequent land regularization represented a formal advance, although insufficient to change the condition of vulnerability, since the property titles were not accompanied by investments in urbanization and public services. (Barroso, 2014, p. 89)

From a legal point of view, Jardim Nova Esperança is a paradigmatic example of the practical application of REURB-S instruments, but it also highlights its structural limitations. The average time between the beginning of the withdrawals and the issuance of the bonds exceeds five years, reflecting the slowness of the administrative and notary procedures.



In the reading of Fernandes (2007), land regularization in contexts such as this imposes a double challenge: to reconcile the fundamental right to housing with environmental protection, especially when the occupations focus on valley bottoms or permanent preservation areas.

The case demonstrates, therefore, that the realization of the social function of property depends not only on legal instruments, but also on the institutional capacity to mediate collective and environmental interests in a balanced way. The study shows that, although municipal decrees and REURB instruments have expanded formal access to property, the social effectiveness of regularization still depends on integrated policies that articulate housing, infrastructure and social development. In summary, the regularization in Jardim Nova Esperança was legally successful, but socially incomplete, maintaining structural inequalities in the urban space.

5.3 RESULTS AND INTERPRETATIONS: THE LAW AS AN OPERATOR OF SPATIAL INEQUALITY

The comparison between the two case studies allows us to identify patterns of continuity and differentiation in land regularization practices in Goiânia. In the East University Sector, regularization measures focused on the legalization of properties and the urban readjustment of valued areas, while in Jardim Nova Esperança, titling actions in low-income settlements, linked to social interest programs, predominated. This distinction illustrates the structural duality of local land policy: universalist in discourse, but selective in application.

The results indicate that urban law, instead of acting only as an instrument of inclusion, often reinforces spatial hierarchies. In central neighborhoods, regularization tends to value heritage and consolidate private property; In the peripheries, it is only sought to mitigate informality without changing the logic of inequality. This asymmetry stems from the combination of restrictive legal interpretations, economic interests and institutional fragility, as already pointed out by Fernandes (2007) and Alfonsin (2001).

The contemporary city reproduces inequalities not only through the economy, but also through its legal and urban instruments. The law, which should act as a mediator of social justice, often becomes an instrument for the reproduction of the logics of accumulation, legitimizing the unequal appropriation of urban space. (Harvey, 2014, p. 36, *Rebel Cities: from the right to the city to urban revolution*, Trans. J. Camargo, Martins Fontes)

The hermeneutic reading of these results suggests that the right to the city, in the context of Goiás, remains tensioned between the normative ideal and the political reality.



While legislation advances in the direction of inclusive urbanism, administrative practices continue to be subject to selective patterns of implementation. Thus, law reveals its ambiguity: it is simultaneously an instrument of emancipation and the reproduction of inequality, operating within the limits of a historically excluding socio-spatial structure.

6 CONCLUSION

The analysis developed in this article demonstrated that the trajectory of land regularization in Goiânia, between 1960 and 2025, shows both relevant institutional advances and persistent structural challenges. The historical and legal survey revealed the transition from a formalistic and exclusionary model — centered on the protection of private property — to a broader approach, guided by the principles of the social function of property and the right to housing, enshrined in the Federal Constitution of 1988 and by the Statute of the City (Law No. 10,257/2001).

However, this normative evolution has not fully converted into social transformation: local implementation continues to be permeated by bureaucracy, institutional fragmentation and territorial selectivity. The case studies analyzed — East University Sector and Jardim Nova Esperança — exemplify this duality.

While the first reflects an effort to make legal compatibility in a valued and consolidated area, the second reveals the limits of the regularization of social interest in peripheral and vulnerable contexts.

Thus, even though Law No. 13,465/2017 (REURB) has modernized the instruments and procedures, spatial inequalities remain. Fernandes (2007) argues that Brazilian urban law tends to assert itself as emancipatory in its discourse, but restrictive in its practice, when operated in unequal institutional structures. Alfonsin (2001) adds that the realization of the right to housing requires not only titling, but integrated policies that recognize the centrality of the city as a space for collective life.

The experience of Goiânia confirms, therefore, the ambiguous role of the law: simultaneously an instrument of social recognition and reproduction of urban inequalities, challenging the public power to transform normative advances into concrete effectiveness.

The crisis of law does not lie in the lack of norms, but in its inability to produce legitimacy and meaning in social life. Overcoming formalism means rescuing the ethical role of the interpreter and recognizing that the legal decision is always an act of responsibility in the face of reality and constitutional values. Interpreting is, therefore, an act of commitment to democracy. (Streck, 2017, p. 289)



As a theoretical and methodological contribution, the article proposes a hermeneutic-critical reading of urban land law, showing that land regularization should be understood not only as a technical procedure, but as a political and historical process. This perspective allows us to understand the right to the city as an unfinished project, whose effectiveness depends on the articulation between legal interpretation, political will and social participation.

The present investigation opens multiple fronts for future deepening. First, it is recommended the development of comparative studies between Goiânia and other Brazilian capitals, in order to evaluate how different political and administrative contexts influence the results of land regularization. Another promising line involves the analysis of post-titling effectiveness, that is, the monitoring of living conditions and real estate appreciation after the issuance of titles, a topic that has not yet been explored in the literature.

In addition, interdisciplinary research can integrate geospatial technologies and cadastral data analysis to map, with greater precision, the regularized areas and the social and environmental impacts of these interventions. It is also necessary to investigate the effects of the judicialization of land conflicts, which are intensified with the multiplicity of interpretations on the application of REURB.

These developments may subsidize more equitable public policies and strengthen the role of law in promoting urban justice.

The historical path examined allows us to conclude that urban law, in Goiânia, operates as a productive and organizing force of space, but also as an element of symbolic and material dispute. Land regularization, when detached from broader social and urban policies, runs the risk of formalizing inequality, legalizing structures of exclusion under the guise of inclusion.

On the other hand, when understood in its political and social dimension, regularization can constitute a tool for historical reparation, promoting the democratization of access to land and the realization of the right to the city.

The consolidation of a fair and sustainable land policy requires, therefore, the overcoming of three central challenges: (i) Reconfiguring the legal hermeneutics, guiding the interpretation of the norms from the perspective of social justice; (ii) Strengthen urban governance, integrating public agencies, notary offices and civil society in collaborative networks; and (iii) Expand citizen participation, ensuring that decisions about the territory are collectively constructed.

Only in this way will the law be able to fulfill its emancipatory function, transforming itself from an instrument of territorial control into an agent of democratic construction of urban space.



The experience of Goiânia, with its successes and contradictions, shows that spatial justice is not a point of arrival, but a continuous process of struggle, interpretation and social transformation. Harvey (2014) summarizes the contemporary challenge:

The city is the space where the contradictions of capitalism are most evidently revealed. It is, at the same time, a place of reproduction of inequality and the possibility of emancipation. To claim the right to the city is to claim the power to shape urbanization processes according to human needs, and not according to the logic of capital accumulation. (Harvey, 2014, p. 23)

Land regularization, therefore, should not be limited to the formalization of property, but should be understood as a policy of territorial justice. In Goiânia, urban law can – and should – be transformed into an instrument of redistribution, recognition and collective construction of space.

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