

Competences in dispute: construction regulation in the I Housing Congress, 1931

Competências em disputa: regulamentação de construções no I Congresso de Habitação, 1931

Raquel Oliveira Jordan

Abstract

The article seeks to problematize the debate on the laws regulating construction in São Paulo based on the I Housing Congress of 1931, a moment of rupture in the spheres of legislative deliberation, while new legal provisions were in force. Although focused on housing, as discussed in most of the historiography, the construction regulation was the theme of theses and conferences and the object of controversies in plenary sessions, with outcomes that, frequently, were different from the results indicated in those works. The study analyzes the composition of the professionals present at the congress and the dynamics of the discussions. The aim is to contribute to studies about the topic by discussing the lack of consensus on the regulation in this debate.

Keywords: I Housing Congress; Institute of Engineering; Arthur Saboya code; urban planning legislation; São Paulo.

Resumo

O artigo busca problematizar o debate sobre as leis referentes a construções em São Paulo a partir do I Congresso de Habitação de 1931, momento de recente ruptura nas instâncias de deliberação legislativa e ao mesmo tempo que novos dispositivos legais estavam em vigor. Embora voltado à habitação, como abordado na maior parte da historiografia, a regulamentação sobre construções foi tematizada nas teses e nas conferências, além de ser objeto de polêmicas nas sessões plenárias com resultados, muitas vezes, distintos dos indicados naqueles trabalhos. A abordagem analisa a composição dos profissionais presentes no congresso, bem como as dinâmicas das discussões. Espera-se contribuir com os estudos sobre o tema ao discutir uma ausência de consensos sobre esses regulamentos nesse debate.

Palavras-chave: I Congresso de Habitação; Instituto de Engenharia; código Arthur Saboya; legislação urbanística; São Paulo.



Construction legislation as a problem

“From the blueprints, everyone was able to make sure that the ‘clandestine city’ that grew up next to the official one is bigger than this one.” (Congresso de Habitação I, 1931, p. 300)

“We are in this situation: the City Council cannot establish minimum lot sizes, cannot impose a sanitary street layout, because this is an exaggeration of the right to regulation, use and enjoyment of property guaranteed by the National Constitution”. (Ibid., p. 90)

Taken from the proceedings of the First Housing Congress held in May 1931, in the city of São Paulo, the excerpts above highlight two diagnoses about the city's growth at the beginning of the 1930s, coinciding, one might say, with recent readings of its urbanization: immobility of public action on construction regulations and irregular urban expansion, in parallel to the city that was perceived on the maps and in the cadastral surveys organized by the city hall.¹ At the center of the impasse, a legislation that would be more sensitive to owner rights than to public rights supposedly represented there in the municipality's action.

Similarly, Mayor José Pires do Rio, in the years 1926 to 1930, points out an exaggerated growth of the city by reaching the milestone of one million inhabitants, and the explosive increase of 6 thousand buildings per year (Pires do Rio, 1928, p. 26), reaching 75% of houses with less than 25 years of construction (Pires do Rio, 1929, p. 2).² The time also coincides with the dissolution of the chamber of councilors made official in Decree of the Provisional Government n. 19.398 of November 1930,

as well as with the promulgation of a new municipal construction code – known as the “Arthur Saboya” code, named after the author of this consolidation of laws and the Municipal Director of Works of that period. The First Housing Congress of 1931 brought together central public authorities in this debate, such as Luiz de Anhaia Mello, appointed mayor of the city in December 1930, agents involved in writing the code such as Arthur Saboya himself, and, also, authors of public criticism of this legislation, such as engineer-architect Alexandre Albuquerque who, in addition to presenting a paper and a conference on the topic, served as president of the congress.

The event, however, did not just discuss the code but addressed various aspects of construction legislation, not just those limited to the city of São Paulo. Whether based on the authors' experience in work in the cities of São Paulo, Rio de Janeiro, Buenos Aires, and others or from the analysis of legislation adopted by different countries, central aspects of the regulation on construction of that period were called into question: land regulation, improvement taxation, conditions for private subdivision, authorization of professional activity, as well as those limited to housing: hygiene, cost reduction of materials, minimum dimensions of lots and economic housing, ceiling height, cladding and thickness walls, among others.

For a part of the historiography, the 1930s inaugurated a change in the public authorities' perception of construction, understood not only as a sanitation problem but also as an urban planning one (Feldman, 2008, p. 49).³ However, the debate on legislation has been little examined in works that discuss the congress. Despite the importance of these

works for the topic, the issue of housing, especially the “popular” type, has been the main object of the approaches. Centered on the debate of proposals and concepts of housing and urbanism (Carpintero, 1990; Bonduki, 1999; Freitas, 2005; Martins, 2013), the typology of apartments (Correia, 2017), as well as the thematic convergence of economic housing in other events of the period, being mentioned, in most of the works, of the International Congresses of Modern Architecture and the Pan-American Congresses of Architects (Bonduki and Koury, 2007; Martins, 2013; Dedecca, 2018).

As Donatella Calabi discusses, several definitions of urbanism coincide in affirming its birth in the second half of the 19th century as a response to the problems identified by progressive industrialization and the rapid population increase in cities. Based on a set of instruments – projects, laws, concepts – the discipline was configured as a technical-administrative practice or, in other words, a political science emerging from its “affirmation of scientificity [...] and its ambition for obtaining it” (Calabi, 2012, p. XXVIII). According to the author, even with elastic limits, an understanding of its institutionalization can be found at precise moments: “in teaching, in the constitution of professional institutes, in moments of control of the development of the profession, in the approval of technical instruments”, but, above all, in the themes chosen over time to converge efforts around their social and political legitimation (*ibid.*, p. XXIV). Contrary to the search for definitions, from the study

of these moments, one can reach, according to Calabi, at a history of urbanism practices – or as I seek to discuss in this article, a study of these efforts in the debate on the construction of legal instruments to the resolution of problems identified in cities –, always in play, however, with theoretical formulations.

Based on such a critical proposition, and with the objective of making the reading of legislation more complex based on the debates that constitute it, the approach proposed in this article focuses on a moment in which construction laws were placed on the agenda by specialists from the First Housing Congress of 1931. Thus, it is expected to discuss: what proposals and criticisms of these regulations were under discussion at the First Housing Congress of 1931? Who were the authors of these proposals? Did events such as the First Housing Congress of 1931 – and the debates that took place within it – have any effect on this debate constitutive of the professional field of urbanism?

To this end, the first part of the article outlines a topography of the congress participants, the main agents involved in its organization, and their occupations during that period, as well as expectations for the event. The second part focuses on the resolutions presented in the theses, the confrontation with the debates in the plenary sessions, and the resulting votes. Procedures that allow me, finally, to explore the undefinitions and disputes surrounding the formalization of construction regulations in that period and call into question the perception of a consensus around this legislation.

A congress of “technicians”

Held between May 23 and 31, 1931, the First Housing Congress was organized by the Architecture Division of the Engineering Institute (IE) of São Paulo, with official sponsorship from the city hall and the State Secretariat for Transport and Public Works. Attached to the congress, and lasting 25 days, was the Construction Materials Exhibition with the participation of engineering and architecture offices, material suppliers, construction and financing companies. In total, the congress and exhibition attracted around 246 participants, 56 exhibitors and 41 thousand visitors (Congresso de Habitação I, 1931, p. 17 and pp. 377-386). At the time, Francisco Emygdio da Fonseca Telles, an electrical and mining engineer from the University of Liège in Belgium, was president of the São Paulo Engineering Institute. Telles held the positions of director and full professor of electrotechnics at the São Paulo Polytechnic School and, shortly after the end of the congress, took over, in July, the Secretary of State for Transport and Public Works with a mandate until the following year.

Responsible for its organization, as well as for approving the regulations and themes for the theses, the executive committee of the congress, elected in January of that year, was chaired by Alexandre Albuquerque, engineer-architect graduated from the Polytechnic School in 1905, of which he was also full professor of History of Architecture and Civil Architecture, and, at the time, director at the end of his term of office of the IE Architecture Division, of which he was also its president in the biennium of 1923 and 1924, in addition to being a former counselor of the municipality in legislatures

from 1926 to 1930.⁴ The committee was formed by a secretary, José Maria da Silva Neves; by the director of the Exhibition of materials attached to the congress, Carlos A. Gomes Cardim Filho, at the time, director of the Secondary Normal School; and a treasurer, Amador Cintra do Prado, also author of a thesis presented at the congress. All of these engineer-architect graduates from the Polytechnic School of São Paulo in almost the same period: Prado in 1921, Neves in 1922, and Cardim Filho in 1925. In May, in the inaugural session of the congress, the organization was completed by the election of the board of directors, presided over by Albuquerque, and which had a vice-president and two honorary presidents.

Dacio Aguiar de Moraes, elected to the position of vice-president, was an engineer-architect trained at the Royal Higher School of Stuttgart in Germany and, at the time, had his own office, Dacio A. Moraes Construction Company, in addition to serving on the board of São Paulo Institute of Architects (IPA) as its first treasurer. In 1916, Moraes participated in the project competition for economical proletarian houses promoted by the city hall, from which he received a first-place prize in the semi-detached housing typology (Sousa, 1918, p. A39e-f). Experience, one might think, reinforced by the congress, since Moraes was also a member of the first theses committee that prepared the votes for works on economic housing. The mayor of the capital, Luiz de Anhaia Mello, author of the inaugural conference, engineer and professor at the São Paulo Polytechnic School, and the Secretary of State for Transport and Public Works at the time, and Alberto de Oliveira Coutinho, civil engineer from the same school, were appointed to honorary positions. Both former presidents of the IE, Anhaia Mello

in the biennia from 1929 to 1930 and 1933 to 1934, and Alberto Coutinho in the previous years, from 1927 to 1928.

The panel was completed by Álvaro da Costa Vidigal, an engineering graduate in 1921 from the Mackenzie School of Engineering, on the advertising reporting and the exhibition board together with Carlos Cardim Filho, as well as by Christiano Ribeiro da Luz Junior, a civil engineer graduated in 1923 from the São Paulo Polytechnic School, designated as the rapporteur of the minutes.⁵ Still, on the graphic and advertising side, Bruno Simões Magro and José Maria da Silva Neves were appointed to create the posters. Silva Neves was an engineer-architect who graduated in 1922 from the Polytechnic School, founding partner of IPA, as well as founder and professor at the São Paulo Academy of Fine Arts with Alexandre Albuquerque and Carlos Cardim Filho.

At the time, Neves combined his teaching activity with his work at the State Secretariat for Transport and Public Works, where he will be, in the years following the congress, director of the architecture section of the School Buildings Service.⁶ Bruno Simões Magro was a civil engineer at the São Paulo Polytechnic School and, at the time, an engineer at the Sorocabana Railroad, interim professor in several subjects at the Polytechnic School and president of the IPA, founded the previous year.⁷ Magro had also been the founder of IE, of which he participated in its first board of directors.

It is noted, in this composition, the presence of technical and educational institutions and public bodies focused on urban issues, four of them with the highest number of members: the São Paulo Polytechnic School, the IE, the IPA, and the State Secretariat for Transport and Public Works. Although

fewer among the organizers, the municipality was also present, including Mayor Anhaia Mello, professionals who worked at the São Paulo Academy of Fine Arts and trained at the Mackenzie School of Engineering. It is important to mention that the minutes of the congress themselves maintained the concern of indicating the technical training of the participants, publishing, next to the works, the title in civil engineer, engineer-architect, as well as, in some cases, occupation in public or private functions.

What the organizers have in common is that they held management positions in these institutions in periods prior to or shortly after the event. An indication, one might think, of the expected projection for these debates, especially if we note that both Francisco da Fonseca Telles, Alberto Oliveira Coutinho, and Luiz de Anhaia Mello held the position of Secretary of State for Transport and Public Works after presidential terms from IE, official organizer of the event,⁸ as well as, in some cases, participation in the two professional class associations: the Engineering Institute, founded in 1917, and the Paulista Institute of Architects, founded a year before the congress, in July 1930, based on the recommendations of the Panamericans Congresses of Architects.⁹ At the time, the new association was not received without controversy, such as Amador Cintra do Prado's claim that the IE Architecture Division should be recognized as the only official institution in São Paulo in defense of the professional class.¹⁰

From the debate between class associations to professional regulation, it is interesting to revisit a speech by Bruno Simões Magro at the IPA founding ceremony due to the way in which the topic of construction is

approached in a different way from what will be established by the Habitation Congress. In his speech, Magro discussed a double profile of the architect, focused on technique, but without neglecting aesthetics, and the challenge that architecture faced at the present time, according to him, increasingly utilitarian and “slowly losing its symbolic and monumental character”. And he concluded by saying that it was “impossible to separate art from construction”, and that “creating beauty is the architect’s primary function, which in all utility must be a pretext for his art” (Instituto Paulista de Architectos, 1930, p. 2).

Would such formulations contain just a rhetorical proposition? Would the presence of professionals from different institutions focused on urban issues and the professional class be an indication of a rivalry in the search to establish hierarchies in this debate that aimed to find solutions to housing problems? (Novo, 2018, p. 45.). Even though intended for the IPA installation ceremony, Simões Magro's speech seems to establish a contrast with the proposal of the IE Architecture Division to prioritize, at the congress, questions about construction, leaving the artistic point of view for a second edition that it should also include urbanism.

Presented by Alexandre Albuquerque, the restricted focus on housing issues responded, according to the engineer, to IE's previous, and frustrated, attempts to organize a broader congress on various engineering topics.¹¹ However, the “moment of reforms” was considered opportune by Albuquerque, so that “technicians [...] can show, from their special point of view, [...] some of the paths that should be taken advantage of by managers” (Congresso de Habitação I, 1931, p. 19). Álvaro da Costa

Vidigal, director of the materials exhibition, defined broader purposes for the congress shortly after it took place:

Promote the construction of economical houses; make better known the construction materials available on the market [...]; promote, through theses and their conclusions, the broadest discussion of our laws on construction, our construction processes, the greatest comfort at the lowest cost, in short, the study of all problems that concern housing, considering the supplier, the engineer, the architect, the tenant, the owner, and the community. (Ibid., p. 344)

Another speech, by Henrique Doria, reinforces a search to delimit the congress program to construction issues, however, only those considered as technical listed by the engineer as: “hygiene, economic efficiency and the technique of materials and constructive processes and the social function of housing” (ibid.). The program suggestion was formulated a few months before the congress and followed a negative assessment of the treatment of aesthetic issues “as they escape the mathematical precision of exact and scientific conclusions” (ibid., p. 14).

Furthermore, for Henrique Doria, it should be part of the objectives to “develop [...] associative organization” and put “scientific cooperativism into practice”, defined by him as something “that puts everyone's experience within reach”. Like Vidigal, Doria delimits the potentially interested groups: “[the] public, the public administration, [...] the class of architects, engineers specialized in architecture, reputable builders and, also, the industries of materials intended for constructions” (ibid., p. 13). Between technique and aesthetics,

including or not the class of builders, many of whom did not have a degree, there seems to be a dispute in the speech of these engineers over the organization of these agendas and the problems faced in the practices of professionals around construction.¹²

One of the works – sent by Argentine architect Raul Pasmann – sets the tone for the importance expected from the congress:

Attendance at Congresses held in different South American countries in which we have taken part, sending plans, models, and photographs of the constructions carried out by the National Cheap Houses Commission, have conclusively evidenced the acceptance of the building system and the technical conclusions that have been reached, so that they are cheap and within the reach of the family with limited resources, without detriment to the architectural face. (Ibid., p. 49)

We can think, based on Pasmann's speech, an expectation that the proposals defended there would be evaluated by participants, culminating not only in the deliberation of official votes but also in the legitimization and adoption of those practices.¹³ The composition of the event involving engineers, architects, medical doctors, political authorities, sectors of industry and commerce, as well as its format between the presentation of theses, the exhibition of materials from the construction industry, and the publication of votes on whether or not to endorse those works, seems to reinforce the organizers' quest to bring together demands on construction issues, whether by seeking consensus on these works or by seeking to encompass the various interested on the topic.

The reduced focus remained on the congress regulations, which aimed to “study and discuss issues related to the housing problem” (ibid., p. 15). To this end, five themes were chosen in addition to a free agenda, to cover those topics not officially referenced: 1) Economic housing, programs, land subdivision, districts; 2) Collective housing, apartment houses, tenants and owners; 3) Rationalization of construction materials, construction processes, standardization, comfort conditions; 4) Coding, state and municipal codes, resistance tests and reception of materials; 5) Construction financing, capital problems in construction. The titles already suggest the importance that construction regulation had in the congress, directly present in the fourth theme.

In the inaugural session, once again, the proposal for a scientific event is formulated with the aim of indicating to public managers new concepts, materials, or construction processes. The law does not escape such formulation. According to Albuquerque, a review of the standards in force in São Paulo was expected, with the removal of “archaic devices” and “the introduction of others recommended by current science”, especially for the engineer-architect, it was necessary for the laws to indicate “guidance to follow” and doesn't constitute of “‘can't' codes” (ibid., pp. 22-23).

The legislation seems to assume, in Albuquerque's speech, a central role in this expectation of organizing the demands of specialized professionals, builders, public administration, and the construction materials industry around housing issues. Since, through it, the authorized spaces for the work of graduates and non-graduates and specialists were established, as well as defining the

materials accepted in the works, facade permissions, and the limiting dimensions of the constructions.

The congress program contains 21 theses. According to the titles of the works, three addressed the topic of constructions based on legal codes: “Defense of the municipality against clandestine street construction for land speculation” by Lysandro Pereira da Silva; “Municipal Construction Codes” by Alexandre Albuquerque, and “Moiety” by Álvaro da Costa Vidigal, as well as the conference “Municipal Codes”, by Alexandre Albuquerque. In addition to these works, six dealt directly with the issue of economic housing, and another twelve addressed housing indirectly, through cheaper construction, either through the study of construction materials and processes, their standardization, and financing of housing production. In addition to these theses, lectures by Luiz de Anhaia Mello under the title “Urban planning problems that directly concern the city of S. Paulo”; by José Marianno Filho, “The mesological architecture” and by José Baptista de Almeida Prado with the theme of domestic refrigeration (*ibid.*, p. 16; *Foi inaugurado...*, 1931, p. 10.).

The congress annals present not only the theses and conferences but also its administrative part: regulations, background, press coverage, minutes of plenary sessions, and official assemblies.¹⁴ Although it includes debate sessions which, in the case of construction laws, also extended to some of the mass circulation newspapers as indicated by the minutes themselves. When following these reports, there are few divergences about the work under discussion, so that, by focusing only on the official deliberation sections, we

may run the risk of perceiving the existence of consensus around the positions of participants on this legislation. However, a joint analysis of the theses and votes resulting from the deliberations allows us to enter into another reading of these debates, different from what the annals seem to demonstrate in the succinct assemblies of resolutions.

Between laws and study committees

When following the official votes, only the theses of Alexandre Albuquerque (“Municipal construction codes”), Álvaro da Costa Vidigal (“Moiety”), Amador Cintra do Prado (“Rural houses adapted to worker’s houses”), and Lysandro Pereira da Silva (“Defense of the municipality against clandestine streets construction for speculation”), would have been the subject of proposals for building regulations. However, beyond what could be expected from the titles of the works and the votes of the committees, the theses seem to have been more precise in their recommendations. This is because, in their work on the topic of affordable housing, Bruno Simões Magro, Henrique Doria, Marcelo Taylor C. de Mendonça and Raul Pasmann proposed new laws or changes to devices considered obsolete or inadequate by the authors. As well as the conferences by Anhaia Mello and Alexandre Albuquerque with proposals for the Municipal Construction Code.¹⁵

Instead of a detailed exposition of the various arguments raised in these works, I propose to follow the positions on construction

control in force at that time in São Paulo, based on the main conclusions or recommendations of the theses and their comparison with the votes approved by the commissions. Would the perception of limitations in the legislation allow us to affirm the existence of a consensus among experts in favor of revisions to the building regulations? Furthermore, which aspects of the current regulations were the subject of criticism and proposals?

As historian Marisa Carpintero (1990, pp. 193-205) discusses, concern with the cost of housing is frequently noted in the works. Line followed by Alexandre Albuquerque in his work "Municipal Construction Codes". The "popular house", according to the classification of the second article of the Arthur Saboya Code, with only three rooms – "room, kitchen and private with bathroom" – was argued by him as ineffective in addressing the problems perceived in this type of housing. The comfort, hygiene, and moral formation of the inhabitants appear as central in the engineer-architect's speech with the aim of "avoiding a life of promiscuity" and combating the emergence of tuberculosis and alcoholism. The proposal also aimed to combat the transformation of "kitchens and even private rooms" into bedrooms, reinforcing a sanitary concept for this type of housing (Congresso de Habitação I, 1931, pp. 284-286).

Unlike the three-piece house, Albuquerque proposed reviewing the minimum areas of rooms provided for in the same legislation. For bedrooms, reduction of the minimum area to 7 square meters, for service areas such as dining rooms, kitchens, and bathrooms, reduction of areas at the discretion of the architects. Furthermore, the ceiling height was reduced, reaching up to two meters

in the lowest beams, and the thickness of the external walls was reduced to half a brick (*ibid.*, p. 288).¹⁶ With such changes, and the expected savings from these reductions, there would be no harm to hygiene, according to Albuquerque, in addition to avoiding discomfort with a home with just a few pieces.

Amador Cintra do Prado's thesis seemed to indicate the same direction by discussing an economy permitted in rural-type construction. According to Prado, the devices provided for houses in urban spaces differed "radically from the criteria adopted and established by rural populations" (*ibid.*, p. 81). However, he differed from Albuquerque when discussing the hygiene principles contained in the legislation. In Cintra's terms, the proposal sought to convince the practical nature of the measures in relation to hygiene: for the worker's home, "salubrity within the reach of his means", for the most favored "the details of perfection" (*ibid.*, p. 86).

Using tables and sketches of the types of housing with living room, bedroom, kitchen, and bathroom, the participant sought to demonstrate the differences in costs when the ceiling height is reduced, eliminating the ceiling lining, reducing wall thicknesses, as well as when substituting high-cost materials, such as replacing wooden floors with brick flooring, adjustments possible for rural constructions that did not demand the required permit from the urban area. However, although the use of the rural-type house may seem like a mere rhetorical resource by the author, the arguments focused, as for Albuquerque, on reducing the ceiling height, the basement, and the thickness of the walls,¹⁷ since that, as discussed by Albuquerque, the municipal building code was precise regarding the

minimum areas for bedrooms, living rooms, kitchens, and bathrooms, as well as requiring the construction of latrines in an area not adjacent to the kitchen.

The production of affordable housing was also the subject of Argentine architect Raul Pasmann's thesis based on his experience at the National Commission for Cheap Housing. Of national character and elected by the Argentine executive government, the commission was authorized to operate by Law no. 9.677 of October 1915, and at that time coordinated the construction, through state resources, of two neighborhoods of individual houses and one collective. The design of a minimum individual house adopted by the commission was two bedrooms, a living room, a dining room, a bathroom, and a kitchen. As Pasmann discussed, the occupation of such dwellings had demonstrated the existence of families with a greater number of members, making it necessary to review the legislation to include new rooms and sanitary installations, as well as reducing construction costs, use of land for those interested, changes in fee collection and payment through life insurance, among others. Changes that, for the architect, aimed to improve the "eminently social spirit" of the law (Congresso de Habitação I, 1931, pp. 47-50).

Pasmann's thesis seemed to function as support for Henrique Doria's proposal to form a commission to study the "issue of worker houses" under "all its aspects" formed by "engineers, architects, industrialists, sociologists, doctors and jurists" (ibid., p. 54). Access to this housing was defended by the engineer, however, based on effective legislation to promote the activity of economic housing societies, whether through private initiative or

even through direct action by public authorities. The complexity of the problem would require, according to Henrique Doria, mutual action and not restricted to making construction cheaper through legal reforms. According to him, it was necessary: "proper legislation, both municipal, state and federal, for financing, for setting the 'minimum housing' in accordance with our local conditions, for the choice of materials and more efficient and economical construction processes" (ibid., p. 53). Complexity that would not be covered in Federal Decree n. 14. 813 in force since May 1921 to encourage companies to build houses for workers.

The proposal was justified by the author with the perception of helplessness on the part of capitalists, charitable foundations, cooperatives, legislation, in short, private initiative, and the government with economic housing. Positioning restored by part of the historiography that identifies the action of public authorities at the beginning of the 20th century, especially in the production of laws to promote the construction of towns and workers' houses or laws for housing sanitation (Rolnik, 1997, pp. 35-42; Freitas, 2005, pp. 114-119). A situation that changed, according to most works from the 1930s onwards, with proposals for the production of housing by public authorities in social policies aimed at workers under the dictatorial government of Getúlio Vargas (Bonduki, 1999, p. 136; Rolnik, 1997, pp. 170-174), as well as the perception of housing as a social issue (Feldman, 2008, pp. 86-97).

However, although fragmented, some initiatives can be identified at the end of the 19th century, in the production of housing in working-class villages by industrialists (Carpintero, 1990, pp. 97-113; Correia, 2017, p. 216), through the granting of loans, as in

the case of the Sanitation Company in Rio de Janeiro, responsible for the construction of more than five thousand houses (Carpintero, 1990, pp. 93-96), as well as linking workers' housing as part of the industry's growth strategies in the "Avenue Plane" by Prestes Maia in 1930, but whose discussions date back to the 1920s (*ibid.*, pp. 158-164).

At the Congress, however, criticism of the lack of action by the private sector and public authorities would not have been unanimous. Engineer-architect Bruno Simões Magro considered it "injustice to attribute the precarious situation of the proletarian home to the negligence of our governments", since the issue was also "verified in countries with greater resources than Brazil and considered to be better governed" (Congresso de Habitação, 1931, p. 55). In that year, Simões Magro held the position of professor at the São Paulo Polytechnical School, the presidency of the Paulista Institute of Architects, and the role of technical architectural advisor at Sorocabana Railroad Company. As researcher Maria Luiza Freitas discusses (2005, pp. 139-149), Simões Magro was an agent inserted in the debates on architecture at that time around the ideal type of the minimal house – isolated, collective, semi-detached or in height – or even in its architectural feature – modernist, futurist or neocolonial.

The economic aspect, as Freitas notes, takes on several dimensions in Simões Magro's speech, for whom doubts regarding the viability of buildings with a very small area were the main object of disagreement among experts at that time. It is on this aspect that the author will mobilize the thesis of the German architect Ernest May, defended at the III Congress of

Modern Architecture recently held in Frankfurt. The limit in the reduction of the area is again central among the excerpts that Simões Magro takes from May to think about the problem of the economic house. In his thesis, the author seems to present a different position in relation to other authors in terms of making construction cheaper.

The simple saving of materials – with frequent replacement by those of inferior quality – could only be accepted, for Simões Magro, in rental houses or temporary shelters for workers in works in progress, and it is not uncommon, counters the architect himself, to observe its use in areas that are difficult to monitor or in those far from centers, with fewer construction restrictions according to the current building code. This is because, for the author, the technician who set out to "solve the problem of economic housing" should not neglect his "responsibility as a shaper of the social environment" (Congresso de Habitação I, 1931, p. 57). The relationship between hygiene and morality as a priority aspect in the production of the economic house, as perceived in Alexandre Albuquerque's speech, was also taken up by Magro as something already established and accepted among experts, such as the quote from the report on Popular Houses of 1906 by Everardo Backeuser who recommended greater rigor in sanitary prescriptions in workers' homes.

Unlike Albuquerque and Prado, for Simões Magro it would not be recommended to reduce the areas of the rooms beyond what is foreseen in the codes of the state and municipality of São Paulo since these would have taken into account the spaces for furniture and mobility of the residents. In his proposal for

the railway workers' houses in Mayrink, Simões Magro considered the minimum dimensions of the areas provided for the rooms in the 1929 building code, as well as their arrangement on the lot. However, following the example of the proposal for the rural house in Cintra do Prado and Albuquerque's calculations, Magro also makes suggestions for making construction cheaper through changes to the municipal building code to reduce wall thickness and ceiling height.

Despite the precise indications for revisions in the legislation, the theses of Bruno Simões Magro, Henrique Doria, and Raul Pasmann received votes for the formation of a "Permanent Council for Popular Housing". This direction was also followed in the votes on Alexandre Albuquerque's thesis for the formation of a commission to study and review municipal ordinances under the organization of IE.¹⁸ Although the recommendation on the commissions seems to follow the proposal presented by Raul Pasmann at the National Commission for Cheap Homes, there is a concern with a mixed composition, approximating Henrique Doria's proposal:

The First Housing Congress concludes that in order to carry out a conscientious study of the problem of popular housing, it is advisable to establish a permanent Council for Popular Housing, which would include engineers, architects, industrialists, sociologists, doctors, jurists, etc. and which must bring together all the best that exists in foreign legislation, adaptable to our environment, always maintaining the eminently social spirit of the idea. (Ibid., p. 47)¹⁹

Another inadequacy of the legislation was raised in Álvaro da Costa Vidigal's thesis based on the appearance of new materials

and construction processes, especially in reinforced cement constructions, whose precise calculation of the external walls for just one building would make it impossible, according to the author, to comply with the provision of the half-thickness wall between neighbors for the first to build, as provided for in article no. 580 of the Civil Code. For Vidigal, an adjustment to the legislation was necessary so that the article would not be applied to constructions with this material, such as the Argentine Civil Code – source of the article in question according to jurist João Luiz Alves, cited in the author's thesis – which established the condition that the first wall be made of brick or stone.

A similar perception was defended by Alexandre Albuquerque, from the point of view, however, of the construction of municipal building codes. The requirements of the codes should, according to the author, "evolve with science and architecture, both in constant movement" (Congresso de Habitação. 1931, pp.306-307). The appearance of new materials such as steel and reinforced concrete, and the constructions created from them: skyscrapers, hangars, "Eiffel towers" would denote to the engineer-architect the need for changes in legal provisions on constructions, also based, according to Albuquerque, on the aesthetics and technique of the vault and arch.

In his conference, the author argued that, with 595 articles, the requirements of the code made inspection by municipal employees difficult and facilitated a "tendency towards fraud" (Ibid. 1931, p. 302). Unfair and demoralized, for Albuquerque the legal provisions lacked a practical value that corresponded to the current demands of professional activity, only possible according to the engineer-architect, through the elaboration

of the devices tailored to his needs. Among his proposals was the creation of legislation in a centralized manner based on a general code, which he called a “type code”, following the example of other works at the Congress on the rationalization and standardization of materials and construction processes. The code would be complemented by the state secretariats and municipal departments in the promulgation of ordinances on the particular issues of each municipality.²⁰ It thus removed the drafting of legal provisions from the competence of municipal and state legislators and, with it, the fear of validating “fifty-year-old positions” or the permanence of laws that were “harmless, harmful, contrary to the latest scientific discoveries, or at odds with the latest materials created by modern industry” (ibid., p. 305).

As historian Maria Stella Bresciani (2010, pp. 28-32) discusses, the defense of an authoritarian and centralizing state was not strange to the proposals of public health professionals in the first half of the 19th century. The “sanitary issue”, as defined in the 1840s by the English lawyer Edwin Chadwick, through the association between the shape of the environment and the incidence of diseases, poverty, and behaviors considered harmful by poor workers, recognized the possibilities of technique, in controlling of the physical environment, especially control of the workers' homes, a powerful political instrument. Supporter of the proposals of philosopher Jeremy Bentham – author of reflections on the “panopticon” as an idea of architecture that, on different scales, in buildings or encompassing the city, would function as an instrument for controlling behavior through the ever-present sensation of a watchful eye (Bentham, 2008, pp. 17-20) –, for Chadwick, the “sanitary issue”

was established through devices for organizing physical space and promoting domestic comfort (legal postures, sanitation works, plumbing of water, electricity, among others), contributing to insidious surveillance of the population's habits (Béguin, 1991, pp. 39-54).

On another scale, no longer that of the house, but also encompassing the city, Lysandro Pereira da Silva's (1931) thesis also addressed the issue of the municipality's competence in proposals on hygiene and urban aesthetics or, in other terms, as argued the municipal engineer, the ineffectiveness of the laws in force in controlling the opening of new streets (Congresso de Habitação I, 1931, p. 88). Street construction without recognition by public authorities, as well as private construction on these roads, were identified by the author as a problem arising from land speculation in the city, with an increasing increase in its border areas.

The perception, as discussed (2010, pp. 24-26), was not recent. The theme already appeared in articles by Victor Freire in the 1910s in approaches to legislation and proposals for urban intervention. Director of works for the municipality between 1889 and 1926, in the article “Improvements of S. Paulo”, Freire wondered if it would be possible for “the population of a modern city to grow indefinitely?” (Freire, 1911, p. 126). The question taken from French urban planner Eugène Henârd discussed the importance of conserving open areas for the future – and planned – growth of cities. As well as, in “The healthy house”, an article from the same period, Freire argues for a change in the understanding of the relationship between the street and the house in the production of hygiene and the economy of buildings, which

is not possible to be achieved, according to the municipal engineer, based on the application of the geometric concepts of the “straight line” and the “chess” system to streets construction (Freire, 1914, pp. 349-354).

It is also part of the article “Sanitary Codes and municipal ordinances on housing” from 1918 due to the increase in the cost of living with an exaggerated growth of the city: “the greater the city's population, the higher the unit price” of housing. This implied Freire's proposal to, without extremes, condense “the largest number of inhabitants [...] on a certain surface” for the best land yield (Freire, 1918, p. 240). To these questions, Lysandro (1931) adds the debate about the competence of public authorities to legislate on the opening of streets and buildings.

As Lysandro continues, there would be no doubt among experts, including those present at the congress, regarding the need to regulate construction elements. However, this was not observed in the land requirements. The author elaborates on topographic and geological conditions as central to the hygiene of housing, due to the better distribution of free spaces, aeration, and lighting inside. Conditions that required, for the engineer, a sanitary layout of the streets with rainwater and wastewater drainage, as well as the prior calculation of the width of the roads, the shape, and size of the lots.

From the perception of urban problems resulting from land speculation, as also present in Victor Freire about the exaggerated growth of the city, Lysandro Pereira proposed a “perfect solution”, in the author's terms, such as the formal prohibition of construction and the exclusive right of the municipality in opening streets based on a general plan for a reduced

area of the city that would increase, over time, by charging an “improvement fee” to cover the costs of street works as this growth occurs.²¹ However, the current situation of the presence of unofficial streets required, according to Lysandro, a second proposal: for the author, without prejudice to the principle that provided for the opening of roads as public competence, the municipality could carry out, at the request of interested parties, the review of streets and their officialization through the creation of a prohibitive tax as a way of promoting a demoralization of these practices.

In addition to concerns about the hygiene of roads and buildings, the author seemed to seek to reinforce the legitimacy of municipal action – maintained in the vote on the thesis – in controlling urban expansion and in formulating aesthetic and sanitary proposals (Congresso de Habitação I, 1931, p. 87). To this end, he articulated, in his proposal, the mention of municipal powers over private construction, regulated in article no. 572 of the Civil Code of 1916, in force at that time. Action provided for in Act n. 129 when listing the procedures for making these roads official and, however, subject to criticism of abuse of construction rights, as Lysandro argued by citing the April 1931 legal opinion prepared by Vicente Ráo, professor at the São Paulo Law School, which, in turn, guided the formalization of a protest in court against the measure.

From the publication of newspaper clippings of the time in the congress annals, it can be seen that discussions about the powers of the municipality, the state, or even the federal government in regulating construction, opening roads, and general

plans as highlighted in the theses by Alexandre Albuquerque and Lysandro Pereira, extended beyond the conference rooms. Therefore, it is still interesting to observe a letter read at the opening of the plenary sessions, and sent by a group of municipal engineers with a declaration of disinterest in the work under discussion. Signed by Lysandro Pereira himself, the letter was mentioned again in the discussion of the votes on Alexandre Albuquerque's thesis, which received support from some of the engineers mentioned (*ibid.*, p. 33).

Added to this statement was the exchange of statements between Arthur Saboya and Alexandre Albuquerque surrounding the debates on the municipal construction code. In a critical tone about Alexandre Albuquerque's propositions, Arthur Saboya, director of municipal works and author of the consolidation of the code, argued that there had been enough time to debate this legislation both in the municipal council and in class institutions that, almost four years after the beginning of these debates, they would not have formulated an opinion on the law (Congresso de Habitação..., 29 maio 1931., p. 4). When disagreeing with the narrative, Albuquerque considered such words as an "attack letter", since his proposal by a mixed commission of councilors, engineers and other interested parties would not have been accepted in the municipal plenary.²² One can highlight from this controversy Albuquerque's quest to bring together the efforts of various interested in debates about the code. Debate made possible according to the same author by the congress itself that brought together its "most directly interested parties" (Congresso de Habitação I, pp. 33-34).

Conclusions

In the clash of competencies, sometimes of the municipality, the state, sometimes of technical institutions and other interested parties, it is important to perceive, in the speeches of the Congress, the reinforcement of the prerogative of the public authorities in regulating the construction and organization of the physical space of the city. Even in its "type code", Albuquerque recognizes that falls to the public authorities the task of legislating the division of the city into residential and industrial zones; the height of the buildings in relation to the width of the streets to guarantee and establish their flow; the leveling of roads for rainwater drainage; the censorship of projects in relation to hygiene and aesthetic precepts; care for "the lives of the inhabitants" in relation to safety devices for sidings, scaffolding, foundations, and building overheads; as well as legislating on issues classified as administrative, according to Albuquerque: taxes, permits, professional registrations, inspection of constructions and electrical installations and other equipment with a risk of accidents (*ibid.*, pp. 308-309).

The promotion of economic construction, through construction companies or government action, by reducing the minimum areas of parts with the largest number of rooms, by reducing the thickness of walls and ceiling height, by different regulations considering new materials and construction processes, and also the sanitary layout of land intended for housing, appears among the various measures in the theses for the creation or review of current legislation on construction. Despite the approaches around the issue of

cheapening, in the selected works, divergences between participants on the measures to be adopted can be noted, as well as differences in the indications for construction laws: reduction of the minimum areas of rooms or the maintenance of these provisions in the Arthur Saboya code for the consideration of space for furniture and locomotion, promotion of the economic type house, whether through the action of public authorities, or by the commercial and financing sectors, or even the cheapening of construction materials among hygiene and saving devices.

How can we understand, however, the option of the majority of votes on these works for the formation of study commissions, if not the attempt to organize consensus on these provisions? Three theses, by Amador Cintra do Prado, Lysandro Pereira da Silva, and Álvaro da Costa Vidigal, received, in the votes, the recommendation for the attention of legislators to review or improve the devices mentioned

in these works. The others, by Bruno Simões Magro, Henrique Doria, and Raul Pasmann, in addition to Alexandre Albuquerque's thesis, had, as an evaluation, the formation of councils or technical commissions to study legislation aimed at promoting popular housing and reviewing municipal ordinances.

Despite an expectation for practical propositions in these works, the votes resulting from the debates by the committees seemed to indicate paths in another direction, and although it is possible to argue just by examining these votes that there is little effectiveness in organizing immediate changes in regulations, the Congress seems to have found, like the following phrase by Bruno Simões Magro, a common objective for the professionals present in "allowing studies and research that can result in well-designed plans, carefully studied for timely application" (*ibid.*, p. 69), reinforcing, thus, another space for technicians to act, that of the council specializing in urban issues.

[1] <https://orcid.org/0000-0002-0358-5222>

Universidade Estadual de Campinas, Instituto de Filosofia e Ciências Humanas, Programa de Pós-Graduação em História. Campinas, SP/Brasil.
raqjordan@gmail.com

Notes

- (1) Conclusion similar to that of the São Paulo PDE review report, between 2016 and 2020, due to the maintenance of territorial sprawl with gaps in public services and land and housing regularization (São Paulo, 2020, pp. 33-37).
- (2) Luiz Carlos Berrini Jr., engineer at the City Hall's Urban Planning Department, points out an increase in the surface area of the urban area by more than 120 km². In 1924, the area went from 125.12 km² to 249.46 km² in 1930 (Berrini Jr., 1950, p. 320).
- (3) Approaches to this legislation have converged on the perception of a division of the city between legality and illegality, contributing to the maintenance of inequalities (Rolnik, 1997; Marins, 1998). Although Rolnik notes a critical reception of the municipal construction code by engineers and architects, such as its consideration as a set of "sparse laws, without unity and without originality", given by Alexandre Albuquerque himself, such analyses prioritize, for the most part, the content of laws and their changes over time. It is important to mention that, although it is not the subject of this article, other works through a large survey of sources have demonstrated intense participation of citizens in debates and negotiations about urban constructions and improvements, contributing to the perception of plural citizenship during this period (Cerasoli, 2004).
- (4) Albuquerque had been elected to the legislature from 1936 to 1937 but was revoked by the Estado Novo. Furthermore, he was president of the IE in the 1935 and 1936 biennium, having then assumed the directorship of the Polytechnic School between 1937 and 1938. At the time, he was also responsible for the works on the Sé cathedral.
- (5) Historical Archive of the Polytechnic School. Diploma application. Available at: <http://www.arquivohistorico.poli.usp.br/index.php/requerimento-de-diploma-340>. Accessed on: March 4, 2021.
- (6) The Architecture Section also formed by engineers Francisco Prestes Maia and Carlos Alberto Gomes Cardim Filho will, between 1935 and 1937, have the objective of building forty school groups in the city of São Paulo, whose projects will have a modern style (Freitas, 2005, pp. 210-214). A style defended by Neves from 1930 onwards. Awarded watercolorist at the 1934 Salão Paulista de Belas Artes, he also took on the position of assistant professor at the Polytechnic School in the chair of Aesthetics, General Composition, and Urbanism. Historical Archive of the Polytechnic School. Term of contract. Available at: <http://www.arquivohistorico.poli.usp.br/index.php/adjunto-da-escola-6>. Accessed on: March 4, 2021.
- (7) Between 1921 and 1950, Simões Magro taught the subjects of Descriptive Geometry, General Composition, Civil Constructions and History of Architecture, Notions of Architecture and Civil Constructions, Housing Hygiene and Analytical Architecture. Historical Archive of the Polytechnic School. Professor's folder. Available at: <http://www.arquivohistorico.poli.usp.br/index.php/atualizacao-de-dados-pessoais-109>. Accessed on: March 2, 2021.
- (8) The Secretaries of Transport were Fonseca Telles in 1931 and 1932, Oliveira Coutinho in 1931, and Anhaia Mello between 1937 and 1943. The Secretariat of Transport and Public Works was created in 1927 from a split from the Secretariat of Agriculture, Commerce and Public Works. The secretariat was structured into five directorates, in addition to reporting to several departments in the capital. Among them, were state-owned railways such as Empresa Ferroviária Sorocabana, in which Bruno Simões Magro was an engineer, author of a poster, and a thesis at the congress. Law n. 2,196, of September 3rd. 1927.

- (9) The first IPA board had Augusto de Toledo as president; Francisco Prestes Maia, as vice-president; Christiano Stockler das Neves, as first secretary; José Maria da Silva Neves as second secretary and Dacio Aguiar de Moraes as treasurer (Instituto Paulista de Architectos, 1930).
- (10) The proposal was presented by the engineer in an article in the Bulletin of the Engineering Institute in July of that year (Prado, 1930, pp. 26-27). He argued the need for a single association and proposed a review of the criteria for diplomas from recognized universities for admission to the IE.
- (11) In March 1919, the IE decided to organize periodic exhibitions with the aim of “making engineering progress known”. Although they did not occur, the first of them was scheduled for May 1920, organized by Alexandre Albuquerque, Mario Freire, Gustavo de Lara Campos, Ranulpho Pinheiro Lima, and Victor da Silva Freire. The planned program divided the engineers' work into 10 sections: 1) Scientific literature; 2) Railways and highways, bridges and viaducts; 3) Rivers, canals, ports and maritime works; 4) Sanitary engineering, water supply; 5) Mechanics and physics, electrical engineering, resistance of materials; 6) Geology, mines, metallurgy; 7) Industrial chemistry, factories, agriculture; 8) Geography, geodesy, astronomy; 9) Architecture, civil constructions, urban planning; 10) Economy, statistics, legislation, social security. Institute of Engineering. O Estado de S. Paulo, 22 March. 1919, p. 6. What is surprising in the selection is an approximation of the curricular content of the Polytechnic School that year, with the exception of the topic of urbanism, which was only included in 1926. The focus on urbanism will be raised throughout the discussions of the second edition of the congress. Although it did not occur, there was a lack of consensus on the topic, since two proposals would not have been accepted by participants due to the inclusion of the term. The titles approved for a Second Housing Congress and a First Urbanism Congress seem to indicate the preference for the housing theme. The first, said at the end of the First Housing Congress, by Alexandre Albuquerque foresaw the scope of a second Housing and Urbanism Congress, and the second, by José Marianno Filho, indicated only the term Urbanism for the title of the second event, since, according with the author, the term included “architecture and housing” (Congresso de Habitação I, 1931, pp. 43-44). As stated, both proposals, however, will not be exempt from interventions by participants (São Paulo, 1926, p. 5).
- (12) In September 1930, the IPA announced the organization of “a major national exhibition of architecture, decorative arts, and construction”, scheduled for February 1931. Although no further information was found on whether or not it took place, the preliminary program foresaw the division of themes into an artistic and an industrial section. The program also sought to bring together professionals also present at the 1931 Congresso de Habitação: “federal, state and municipal public departments, architects and construction firms, engineers specializing in architecture, architecture students from official or recognized schools, suppliers of materials, devices, and objects for all classes of buildings”. An initiative by the Instituto Paulista de Architectos. Correio Paulistano, São Paulo, 26 September, 1930, p. 3.
- (13) Raúl Pasmann was secretary of the Comisión Nacional de Casas Baratas during the administrations of 1925-1926, 1928-1928, and 1930-1931 (Argentine Republic, 1925-1926; 1928-1929; 1930-1931), a time when he also served on the steering committee of the Central Society of Architects of Argentina as deputy director in the 1927-1928 administration, and director between 1929 and 1931. Revista de Arquitectura. Argentina, year XIV, Jan. 1298, n. 85; Architecture Magazine. Argentina, year XVII, Jan. 1231, n. 121. At the IV Congreso Panamericano de Arquitectos held in the city of Rio de Janeiro in 1930, Pasmann acted as a delegate of this professional society and presided over the fourth thesis session on the theme of an economic solution to the residential problem. Revista de Arquitectura, year XVI, Aug. 1930, n. 116, p. 475.

- (14) Visits to Cia. Light's works in Cubatão, the Perús cement factory, Cantareira park, and Horto Florestal are indicated, with visits to the water supply tanks in that part of the city, as well as Cia City's works, with greater emphasis on the two buildings by architect Gregori Warchavchik (1931, pp. 325-332). For a discussion of this architect's participation in the congress, see José Lira (2011, pp. 256-257).
- (15) The congress annals only list the subjects discussed at the Anhaia Mello conference: the issuance of Acts n. 127 and n. 129 by the City of São Paulo to regulate, or prohibit, construction in unofficial streets (Congresso de Habitação, 1931; p. 300). Act n. 127, of March 20, 1931, instituted zoning, in particular, in the Jardim Europa area with permission only for residential construction, and n. 129, of March 21 of the same year, established conditions for permission to build on private or unofficial streets: minimum width of 8 meters and the need for continuity of all improvements contained in the public street that gave access, such as leveling, drainage of rainwater, pipes, gutters, manholes, paving and lighting.
- (16) Articles n. 198, no. 202, n. 207 and n. 168 of Law n. 3.427 of 1929, known as the Arthur Saboya Code, provided, respectively, the minimum dimensions of 5 m² of area for kitchens, 6 m² for dining room and pantry, 3 m² for bathroom and latrine and rooms according to their quantity in the dwelling between 8 m² and 12 m². Article n. 117 established the ceiling height at 3 m in sleeping compartments and 2.5 m in daytime compartments. Article n. 276 determined the thickness of a brick on the external walls of the house. Dimensions that remain, for the most part, in the revision of the code in Act n. 663 of 10 Aug. 1934, with changes, however, to a minimum latrine area of 2 m² when inside the house, and 1.2 m² when outside, as well as different specifications for wall thickness. In 1928, during the discussion about such devices in the City Council, Alexandre Albuquerque argued about reducing the number of rooms as a way of avoiding overcrowding, since, for the engineer, "the smaller area of the workers' rooms" contributed "to improving the social hygiene of the proletariat" (Anais da Câmara Municipal de São Paulo, 1928, p. 789).
- (17) Contrary to the other theses, the vote on the work of Amador Cintra do Prado received the indication of creating "greater facilities in the current regulatory provisions", and that public authorities provide "in the essential elements of constructions modifications that lead to reducing the cost without affecting healthiness." A difference that generated a vote, although defeated, in the commissions' debate due to the perception of a contradiction with the formation of the permanent commission on popular housing (Congresso de Habitação I, 1931, pp. 40-42).
- (18) The vote also brought together other institutions: "The I Congresso de Habitação deems it opportune that the Engineering Institute, in collaboration with other technical societies, and municipal and state technical departments, constitute a Commission with the aim of promoting the study and review of Municipal Ordinances and with the aim of meeting modern technical progress and the interests of the collectivity" (Annals, p. 38). Meanwhile, Marcelo Taylor Carneiro received a vote for the construction of garden neighborhoods for the problem of working-class housing as a "perfect solution from a hygienic and social point of view" (Congresso de Habitação, 1931, p. 139).
- (19) As historian Marisa Carpintero discusses, the proposal for the production of housing by the State, debated at the congress, found repercussions the following year, in one of the first initiatives to build housing for workers through the Retirement and Pension Fund, set out in the Decree no. 21.326 of the Provisional Government (Carpintero, 1990, pp. 251-254).

- (20) As Leonardo Novo rightly discusses, the proposition was controversial and called into question Albuquerque's own role as a councilor and participant in these debates. The reflection is part of the chapter "Alexandre Albuquerque: uma trajetória entre congressos, 1920-1931", in press for publication in the book *Modernidades Espaciais em São Paulo: perspectivas urbanas e históricas*, organized by Cidade, Arquitetura e Preservação em Perspectiva Histórica (CAPPH) from the Federal University of São Paulo (Unifesp).
- (21) Lysandro takes the creation of the "improvement taxation" from Prestes Maia's "Avenue Plan" (Maia, 1930, pp. 26-33). However, the fee was discussed by Victor da Silva Freire (1911, pp. 142-145) to fund the improvement works in the central area of the city, in dispute at the beginning of the 1910s with competition between several proposals.
- (22) In the session of November 3, 1928, Alexandre Albuquerque argued for the chamber to send the project for study by the IE, in addition to forming a commission of councilors to examine the consolidation, in a longer period of time than foreseen in the regulations (Anais, 1928, pp. 786-795), however, the code was promulgated the following year without the presentation of these studies (Anais, 1929, p. 476). For an overview of these debates in the city council, surrounded by dissent between different proposals by councilors, see Candido Campos (1998).

References

- III Congreso Panamericano de Architectos (1927). *Revista de Arquitectura*. Buenos Aires, ano XIII, n. 80.
- Anais da Câmara Municipal de São Paulo. São Paulo: Gustavo Milliet e F. I da Gama Jr, 1928.
- Anais da Câmara Municipal de São Paulo. São Paulo: Gustavo Milliet e Ruy Bloem, 1929.
- AYMONINO, C. (1973). *La vivienda racional: ponencias de los congresos CIAM, 1929-1930*. Barcelona, Editorial Gustavo Gili.
- BÉGUIN, F. (1991). As maquinarias inglesas do conforto. *Espaço e Debates*, n. 34, pp. 39-54.
- BENTHAM, J. (2008). *O panóptico. Organização de Tomaz Tadeu da Silva*. Belo Horizonte, Autêntica.
- BERRINI Jr., L. C. (1950). São Paulo, cidade dispersa. *Revista do Instituto de Engenharia*. São Paulo, ano VIII, n. 91.
- BONDUKI, N. (1999). *Origens da habitação social no Brasil: arquitetura moderna, lei do inquilinato e difusão da casa própria*. São Paulo, Estação Liberdade/Fapesp.
- BONDUKI, N.; KOURY, A. P. (2007). Das reformas de base ao BNH: as propostas do Seminário de Habitação e Reforma Urbana. In: XII ENCONTRO DA ASSOCIAÇÃO NACIONAL DE PÓS-GRADUAÇÃO E PESQUISA EM PLANEJAMENTO URBANO E REGIONAL. *Anais*. Belém, v. 12, n. 1.
- BRESCIANI, M. S. M. (2010). "Sanitarismo e configuração do espaço urbano". In: CORDEIRO, S. L. (org.). *Os cortiços de Santa Ifigênia: sanitário e urbanização (1893)*. São Paulo, Imprensa Oficial do Estado de São Paulo.

- CALABI, D. (2012). *História do urbanismo europeu: questões, instrumentos, casos exemplares*. São Paulo, Perspectiva.
- CAMPOS, C. (1998). Em nome da cidade: introdução e apropriação do urbanismo nos debates da Câmara paulistana na década de 20. In: IV SEMINÁRIO DE HISTÓRIA DA CIDADE E DO URBANISMO. *Anais*. Campinas, Faupuccamp, cd-rom.
- CARPINTERO, M. V. T. (1990). *A construção de um sonho: os engenheiros-arquitetos e a formulação da política habitacional no Brasil (São Paulo-1917/1940)*. Campinas. Tese de doutorado. Campinas, Universidade Estadual de Campinas.
- CERASOLI, J. F. (2004). *Modernização no plural: obras públicas, tensões sociais e cidadania em São Paulo na passagem do século XIX para o XX*. Tese de doutorado. Campinas, Universidade Estadual de Campinas.
- CONGRESSO DE HABITAÇÃO I (1931). São Paulo, Escolas Profissionais do Lyceu Coração de Jesus.
- CONGRESSO de Habitação (1931). *O Estado de S.Paulo*, 29 maio 1931, p. 4.
- CORREIA, T. de B. (2017). O prédio de apartamentos e a moradia do operário: debates e realizações (Brasil, 1930-1960). *Anais do Museu Paulista*, nova série, v. 25, n. 3.
- DEDECCA, P. G. (2018). *Arquitetura e engajamento: o IAB, o debate profissional e suas arenas transnacionais (1920-1970)*. Tese de doutorado. São Paulo, Universidade de São Paulo.
- FELDMAN, S. (2008). *Instituições de urbanismo no Brasil na década de 1930: olhar técnico e dimensão urbano-industrial*. Tese de livre-docência. São Carlos, Universidade de São Paulo.
- FICHER, S. (2005). *Os arquitetos da Poli: ensino e profissão em São Paulo*. São Paulo, Edusp.
- FOI INAUGURADO o Congresso de Habitação (1931). In: Folha da Manhã, 26 maio 1931, p. 10.
- FREIRE, V. da S. (1911). Melhoramentos de S. Paulo. *Revista Politécnica*. São Paulo, v. 6, n. 33, pp. 94-145.
- _____ (1914). A cidade salubre. *Revista Politécnica*. São Paulo, n. 48, pp. 319-354.
- _____ (1918). Codigos Sanitarios e Posturas Municipaes sobre Habitações (alturas e espaços): Um capítulo de urbanismo e de economia nacional. *Boletim do Instituto de Engenharia*. São Paulo, v. 1, n. 3, pp. 229-427.
- FREITAS, M. L. de (2005). *O lar conveniente: os engenheiros e arquitetos e as inovações espaciais e tecnológicas nas habitações populares de São Paulo (1916-1931)*. Dissertação de mestrado. São Carlos, Universidade de São Paulo.
- INSTITUTO Paulista de Architectos (1930). *Correio Paulistano*. São Paulo, 16 jun.
- INSTITUTO Paulista de Architectos (1930). *Correio Paulistano*. São Paulo, 26 set.
- LIRA, J. (2011). Warchavchik: fraturas da vanguarda. São Paulo, Cosac Naify.
- MAIA, F. P. (1930). *Estudo de um plano de avenidas para a cidade de São Paulo*. São Paulo, Cia. Melhoramentos.
- MARINS, P. C. G. (1998). "Habitação e vizinhança: limites da privacidade no surgimento das metrópoles brasileiras". In: SEVCENKO, N. (org.). *História da vida privada no Brasil*. São Paulo, Companhia das Letras. v. 3.

- MARTINS, R. C. (2013). *Concepções habitacionais em São Paulo: os saberes especializados na formação do conceito de habitação (1930-1940)*. Dissertação de mestrado. Campinas, Universidade Estadual de Campinas.
- NOVO, L. F. (2018). *Entre arte e técnica: “arquiteturas políticas” na legitimação da profissão no Brasil (1920-1930)*. Dissertação de mestrado. Campinas, Universidade Estadual de Campinas.
- O CONGRESSO de habitações vem despertando grande interesse (1931). *Folha da Manhã*, 27 maio, p. 16.
- PIRES do RIO, J. (1928). Ofício n. 681. Encaminha o relatório dos trabalhos executados pela Prefeitura durante o triênio de 1928 a 1928. São Paulo, Câmara Municipal. Disponível em: <https://www.saopaulo.sp.leg.br/iah/fulltext/documentoshistoricos/OF0223-1928A.pdf>. Acesso em: 20 nov 2020.
- _____ (1929). Ofício n. 733. Envia o texto “Introdução ao relatório dos trabalhos do ano de 1929”. São Paulo, Câmara Municipal. Disponível em: <https://www.saopaulo.sp.leg.br/iah/fulltext/documentoshistoricos/OF0176-1930A.pdf>. Acesso em: 20 nov 2020.
- PRADO, A. C. do (1930). A divisão de architectura e os “architectos”. *Boletim do Instituto de Engenharia*. São Paulo, n. 26.
- PRIMER Congreso Argentino de Urbanismo (1936). Realizado en Buenos Aires, los días 11 a 19 octubre de 1935. Buenos Aires, Mercatali, t. 1.
- REPÚBLICA Argentina. Lei n. 9.677, outubro de 1915. REVISTA de Arquitectura. Buenos Aires, ano XIV, jan. 1298, n. 85.
- REVISTA de Arquitectura. Buenos Aires, ano XVII, jan. 1931, n. 121.
- REVISTA de Arquitectura. Buenos Aires, ano XVI, ago. 1930, n. 116.
- RIO de Janeiro (1916). Lei n. 3.071, Código Civil dos Estados Unidos do Brasil. Rio de Janeiro, 1º de Janeiro. Disponível em: https://www.planalto.gov.br/ccivil_03/leis/l3071.htm. Acesso em: 26 abr 2024.
- RIO de Janeiro (1921). Decreto Federal n. 14. 813. Rio de Janeiro, 25 de maio. *Diário Oficial da União – Seção 1 – 28/5/1921*, p. 10279.
- RIO de Janeiro (1930). Decreto do Governo Provisório n. 19.398. Rio de Janeiro, 11 de novembro. *Diário Oficial da União – Seção 1 – 12/11/1930*, p. 20663.
- ROLNIK, R. (1997). *A cidade e a lei: legislação, política urbana e território na cidade de São Paulo*. São Paulo, Fapesp/Studio Nobel.
- SÃO PAULO (1926). *Regulamento da Escola Politécnica*. São Paulo, Diário Oficial.
- _____ (1927). Lei n. 2.196. São Paulo, 3 set 1927. São Paulo, *Diário Oficial*, 15/9/1927, p. 6839. Disponível em: <https://www.al.sp.gov.br/norma/?id=66479>. Acesso em: 26 abr 2024.
- _____ (1929). Lei n. 3.427. São Paulo, 19 de novembro. *Diário Oficial da Cidade* de 19/11/1929, p. 1. Disponível em: <https://legislacao.prefeitura.sp.gov.br/leis/lei-3427-de-19-de-novembro-de-1929/anexo/5e2891391411926000a5995d/L3427.pdf>. Acesso em: 26 abr 2024.
- _____ (1930). Secretaria da Agricultura, Industria e Comércio. Directoria de Estatística, Industria e Comercio. Estatística Industrial do Estado de S. Paulo. São Paulo, Typ. Garraux.
- _____ (1931). Secretaria da Agricultura, Industria e Comércio. Directoria de Estatística, Industria e Comercio. Estatística Industrial do Estado de S. Paulo. São Paulo, Typ. Garraux.

SÃO PAULO (2020). Coordenadoria de Planejamento Urbano – Planurbe. Monitoramento e avaliação da implementação do Plano Diretor Estratégico. Relatório de atividades. São Paulo. Disponível em: <https://gestaourbana.prefeitura.sp.gov.br/wp-content/uploads/2020/12/CIMPDE2020.pdf>. Acesso em: 15 jan 2021.

SOUSA, W. L. P. de (1918). Relatório de 1916 apresentado à Câmara Municipal de São Paulo. Casa Vanorden, v. 1.

Translation: this article was translated from Portuguese to English by the author herself.

Received: March 31, 2021

Approved: June 20, 2022

