THE RIGHT TO HOUSING AS A STRUGGLE AND RECOGNITION: ONE HONNETH READING FOR BELO HORIZONTE

O Direito à Moradia como Luta e Reconhecimento: Uma Leitura de Honneth para Belo Horizonte

El derecho a la vivienda como una lucha y reconocimiento: un Honneth lectura para Belo Horizonte

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ABSTRACT

This paper investigates whether the way the housing realized in North Vector of the metropolitan region of Belo Horizonte in recent years, especially in the case of "Isidoro" occupation, can be identified as recognition policy within the meaning of Axel Honneth that social struggles allow personal fulfillment - and the very popular movements claiming the effectiveness of fundamental rights. Critical to planning legislation, especially at a municipal level of production, in that it will legitimize the State's option for non-recognition, if not carry the right to housing and concomitantly not honor human dignity and democracy.

Keywords: housing policies – Belo Horizonte – recognition – critical theory – Honneth.

RESUMO

Este trabalho investiga se a forma como a política habitacional realizada no Vetor Norte da Região Metropolitana de Belo Horizonte nos últimos anos, especialmente no caso da ocupação "Isidoro", pode identificar-se como política de reconhecimento, na acepção de Axel Honneth de que as lutas sociais permitiriam a realização pessoal – e também dos próprios movimentos populares que reivindicam a efetividade de direitos fundamentais. Critica-se a legislação urbanística, sobretudo num nível de produção municipal, na medida em que venha a legitimar a opção do Estado pelo não-reconhecimento, se não efetivar o direito à moradia e concomitantemente não reverenciar a dignidade humana e a democracia.

Palavras-chave: políticas habitacionais – Belo Horizonte – reconhecimento – teoria crítica – Honneth.

RESUMEN

En este trabajo se investiga si la forma en que la vivienda se dio cuenta en el norte del vector de la región metropolitana de Belo Horizonte, en los últimos años, especialmente en el caso de la ocupación "Isidoro", puede ser identificado como política de reconocimiento en el sentido de que Axel Honneth luchas sociales permiten la realización personal - y los movimientos muy populares que reclaman la eficacia de los derechos fundamentales. Críticas a la planificación de la legislación, sobre todo a nivel municipal de la producción, en la que va a legitimar la opción del Estado de no reconocimiento, si no llevar el derecho a la vivienda y concomitantemente no honrar la dignidad humana y la democracia.

Palabras clave: políticas de vivienda – Belo Horizonte – reconocimiento – la teoría crítica – Honneth.

1 INTRODUCTION

It would be possible to understand housing policies, especially those made as land regularization of the urban space that was irregularly occupied, as expressions of recognition, through which conflicts are resolved at the same time that subjects are carried out in their intersubjective relationships related to the right to home? And also: would this perception be possible regarding the struggles for housing in the North Vector of the Metropolitan Region of Belo Horizonte (RMBH), like the Isidoro occupation?

To shed light on this perspective of analysis, it uses the concept of recognition that Axel Honneth developed within the framework of the critical theory of the Frankfurt School, without neglecting the criticisms made by Fraser and the respective responses to it by his own creator. Thus, recognition must be understood as the subject's self-realization in one of the three levels of intersubjective relationships (loving, legal and solidary).

In the case of the right to housing, including the concrete situations that the North Vector of the RMBH presents, there are conflicts over the use of urban land, as well as expectations of recognition by residents of irregular occupations and social movements. However, the very way in which the State will respond to these questions depends, among other factors, on the struggle that is waged for this right by individuals deprived of it.

In this work, we analyze the applicability of the theorization on the recognition of Honneth to social movements for the right to housing, especially illustrated by the Isidoro occupation. It is expected to observe from the conflict experienced there and from its final composition elements that allow contributing to the development of urban land regularization actions as signs of self-fulfillment of its subjects.

2 HOUSING AS AN ELEMENT OF HUMAN DIGNITY (OR SELF-RESPECT) AND THE STRUGGLE OF THE "UNWORTHY" FOR A PLACE TO LIVE IN THE NORTHERN VECTOR OF THE RMBH

Since housing became part of the Constitutions, as well as appearing in international declarations and conventions[1], the urban space is no longer understood only in its patrimonial

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[1] Housing is a social right that was expressly included in art. 6 of the Constitution of the Federative Republic of Brazil of 1988, through its Amendment n. 26, of February 14, 2000, having been enshrined in the Universal Declaration of Human Rights of 1948 (art. XXV, 1), in the International Covenant on Social, Economic and Cultural Rights of 1966 (art. 11), in the Declaration of Vancouver on Human Settlements of 1976 (Habitat I) and the Istanbul Declaration of 1996 (Habitat II). International "regional" conventions, drawn up within a continent,

dimension, starting to understand itself also as a right to compose the dignity of the human person, as Ingo Wolfgang Sarlet warns (2010, p. 15):

(...) It is probably the right to housing - much more than the right to property - that best fits Hegel's well-known phrase, when he maintains - in a free translation - that property constitutes (also) the space of freedom of the person (Sphäre ihrer Freiheit). Indeed, without an adequate place to protect himself and his family from the weather, without a place to enjoy his intimacy and privacy, in short, an essential space to live with a minimum of health and well-being, certainly the person will not have their dignity assured, in fact, sometimes they will not even have assured the right to their own physical existence, and therefore their right to life.

The right to housing, in this sense, would boast a dual nature: defense, presenting itself as a limit to state action itself, as in the case of the house being considered an "inviolable asylum", according to art. 5, XI, of the Constitution of the Federative Republic of Brazil of 1988; and, on the other hand, provisional, to demand public policies to ensure their effectiveness. In this last sense, the housing policies developed by the State would reveal the relationship between the government and society, especially with the social movements that fight for housing.

Contemporaneously, after the approval of the Statute of Cities (Law No. 10,257, of July 10, 2001), public policies related to housing began to incorporate mechanisms of land tenure regularization of urban space, in the light of the principle of human dignity and, with regard to politics itself, the democratic management of cities.

According to the urban legislation after the 1988 Constitution, the recognition of the need for housing as a right should not be understood as a simple concession by the State, given that its enunciation and the search for its implementation reveal, above all, the performance of social movements, which, according to Gohn (1991, p. 45), came to form their own identity during their trajectory of struggle:

Identity is not a given. It is historically constructed in a process of struggles. In Brazil, a great fermenting element in the constitution of identities has been the State, through its policies to respond to popular movements. He unites what was divided. The initial establishment of identity is based on the location or creation of areas of equality, in contrast to state proposals.

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usually do not consider housing as a right, with the exception of the Charter of Fundamental Rights of the European Union of 2000 (art. 34).
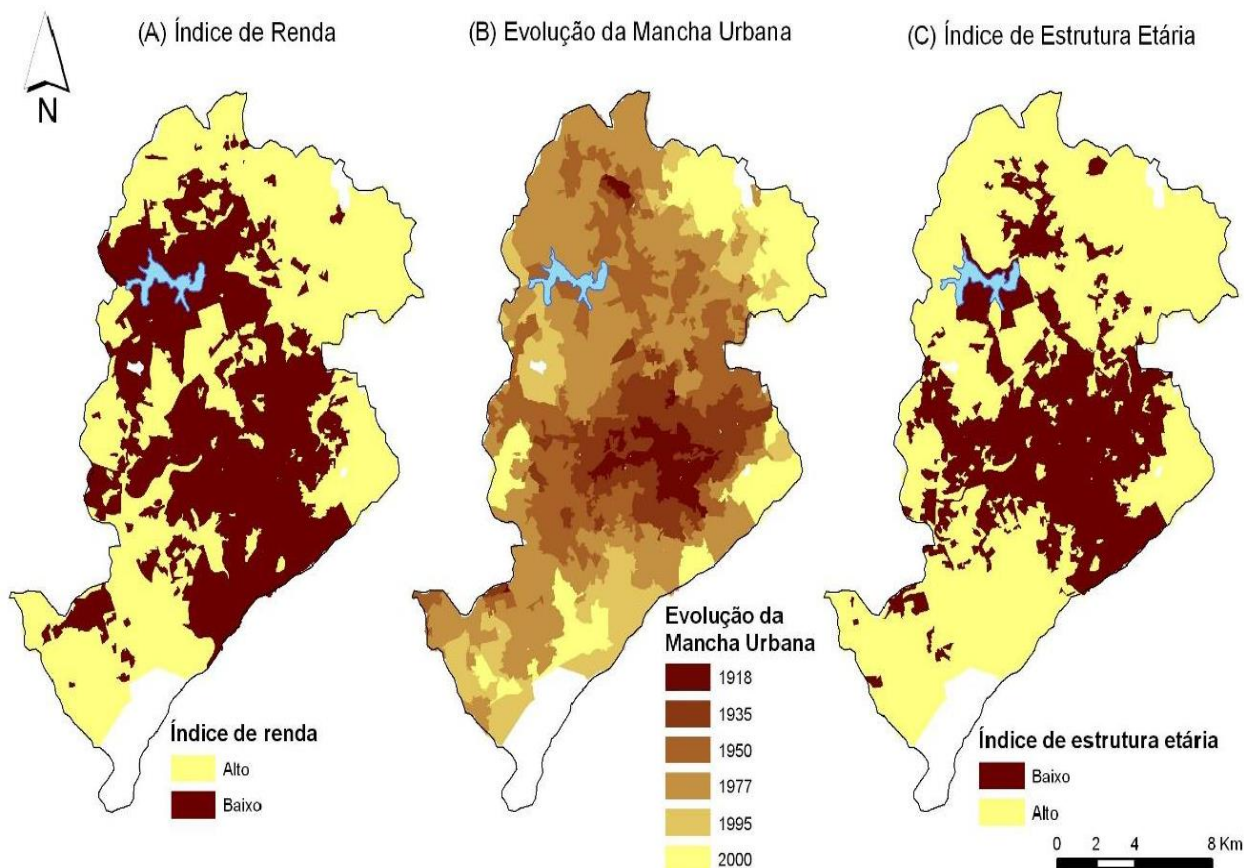
And, in fact, while the social movements for housing in Brazil built themselves, they achieved expressive results in their agenda of demands, due, in part, to the capacity of the movement itself for its leaderships to transit between the public power and the communities to be be benefited. As highlighted by Tatagiba (2010, p. 71-72), such advances include not only the effective conquest of rights, such as the indication of families to be settled, but also the mobilization of interested parties. In this sense, in addition to the conquest of rights and the construction of government policies, Brasil (2011, p. 223-224) also underlines the repercussion of these movements in terms of the radicalization of the democratic regime. In the same perspective, Fernandes (2012, p. 20) emphasizes the role of municipalities in protecting the democratic principle, under the bias of guaranteeing popular participation in the construction of urban policies.

Greater Belo Horizonte is one of the scenarios where housing as a right makes it possible to identify the eminently provisional relationships - without ceasing to be conflictive, as will be seen later - between the State and society, in view of its housing deficit. According to data from Fundação João Pinheiro, the metropolitan region of Belo Horizonte – RMBH – had a housing deficit of 8.9% (eight percent and nine tenths) in 2012[2].

This lack of housing, according to Almeida (2014), was due to the strategies used to expand the metropolitan region of Belo Horizonte. On the one hand, the subdivision of urban land would be made to serve the middle and upper classes, with provision for community areas that would respect the urban functions of leisure and transport (in addition to housing and work). On the other hand, subdivisions aimed at the lower classes should be carried out, with evident precariousness of urban and environmental infrastructure, in addition to the difficulty of legitimizing possession by its occupants. Thus, a central-south region was formed, composed of an elite population, which would own their respective houses and benefit from all sorts of urban equipment; and, still, a large metropolitan periphery, where the working class would live, not guaranteed access to urban amenities. Macedo and Umbelino (2017) illustrate urban sprawl in Belo Horizonte, compared to household income:
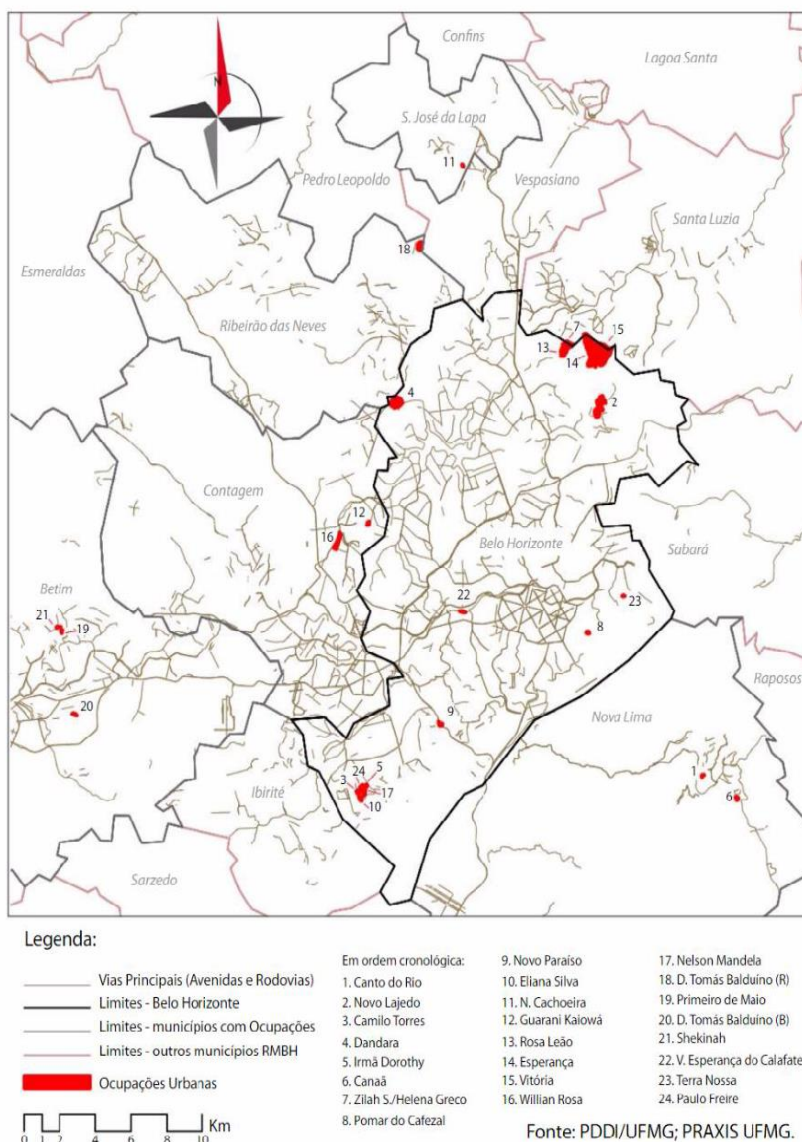
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[2] João Pinheiro Foundation (2014). The deficit is broken down by the situation of families in precarious housing or in cohabitation, excessive burden of paying rent and excessive density.

(A) Índice de Renda
(B) Evolução da Mancha Urbana
(C) Índice de Estrutura Etária

N

Índice de renda
Alto
Baixo

Evolução da
Mancha Urbana
1918
1935
1950
1977
1995
2000

Índice de estrutura etária
Baixo
Alto
0 2 4   8 Km

As Tonucci Filho (2013) warns, in recent years a fractal perspective of the RMBH has been defended, looking for signs that center-periphery urbanization is being fragmented by new centralities. Thus, the integration of communities with different levels of urbanization is proposed, and it is up to housing policies to seek the land regularization of irregularly occupied urban space and providing it with adequate urbanization, with the guarantee that the directly affected population participates in its deliberations[3]. Libânio (2016) brings a visual demonstration of the occupation of areas in the RMBH by movements for housing:

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[3] Brasil and Queiroz (2013) highlight the importance of the Deliberative Council for Metropolitan Development of the RMBH, as a body with powers for the deliberation of housing policy throughout the region, composed of representatives of civil society.

Legenda:

— Vias Principais (Avenidas e Rodovias)
— Limites - Belo Horizonte
— Limites - municípios com Ocupações
— Limites - outros municípios RMBH
■ Ocupações Urbanas

0 1 2 4 6 8 10 Km

Em ordem cronológica:
1. Canto do Rio
2. Novo Lajedo
3. Camilo Torres
4. Dandara
5. Irmã Dorothy
6. Canaã
7. Zilah S./Helena Greco
8. Pomar do Cafezal

9. Novo Paraíso
10. Eliana Silva
11. N. Cachoeira
12. Guarani Kaiowá
13. Rosa Leão
14. Esperança
15. Vitória
16. Willian Rosa

17. Nelson Mandela
18. D. Tomás Balduíno (R)
19. Primeiro de Maio
20. D. Tomás Balduíno (B)
21. Shekinah
22. V. Esperança do Calafate
23. Terra Nossa
24. Paulo Freire

Fonte: PDDI/UFMG; PRAXIS UFMG.

Contemporaneously, given that the economic growth of the RMBH turns to its so-called North Vector[4], given the implementation of the Administrative City, the construction of the Green Line, the allocation of resources to industries, both mining and technology, and the revitalization of Confins Airport, there was an increase in the demand for real estate in this region, which, in turn, generated an increase in their respective prices, making it difficult for families with lower incomes to acquire a home.

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[4] According to the Master Plan for Integrated Development - PDDI, the North Vector of the RMBH covers the Municipalities of Belo Horizonte (central and regional Pampulha, Venda Nova, Leste, Northwest, North, and Northeast), Ribeirão das Neves, Santa Luzia, Esmeraldas (the part located in the Ribeirão da Mata basin), Vespasiano, São José da Lapa, Pedro Leopoldo, Matozinhos, Capim Branco, Confins, Lagoa Santa, Jaboticatubas, Betim and Contagem (Vargem das Flores only, along the Contorno Ring Road North) and Sabará.

On the other hand, it should be remembered that the North Vector of the RMBH was populated, in part, irregularly, with the occupation of areas by a low-income, economically vulnerable population that still would not be able to achieve its own development, since would not have social support and political self-mobilization capacity[5]. There are, finally, occupations in this region that are not characterized as an organized social movement, resulting in the lack of housing policies or flawed state interventions, without, finally, the popular support that characterized the movement that managed to insert housing in the Constitutional Text.

Although each municipality in this region has its irregular occupations and its clandestine subdivisions, areas such as "Morro Alto", in Vespasiano, "Justinópolis", in Ribeirão das Neves, and "Palmital", in Santa Luzia, are already consolidated examples of this kind of settlement[6], which are the result of the urbanization of the RMBH itself. Soraggi (2012, p. 29), by the way, notes that:

The constitution of the metropolitan space of the RMBH [...] is characterized by the pattern of socio-spatial segregation, reproducing the center-periphery model whose bases were established in the very conception of the Minas Gerais capital from the urban plan prepared by engineer Aarão Reis. The action of the State was – and still is – decisive for the configuration of the metropolitan periphery of Belo Horizonte, through the implementation of infrastructure necessary for metropolitan expansion and urban regulation instruments, in addition to the direct production of housing.

As Silva and Soraggi (2013) and Nazário and Andrade (2012) note, this housing policy led to peripheral urbanization with high social costs, given that the areas chosen for the settlements were far from the home of the displaced families and were not effectively urbanized. If, at the time, the State unilaterally proposed this solution, without listening to and without meeting the demands of social movements for housing, with the 1988 Constitution and the housing legislation that followed it, housing gained a new perception, which had repercussions on state responses. According to Rolnik (2006), housing should be understood as a space for the realization of individuality, for the affirmation of social bonds, from family to community, transforming itself from an address to a place for the formation of the man himself. And housing policy must advocate the realization of this right in its objective dimension, but also subjective, promoting the dignity of the human person.

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[5] Moura *et al* (2011), highlight the conflicts inherent to this excluding economic development in the North Vector of the RMBH. Fernandes, 2010, warns of the mismatch between the urban reality of the country, as in Belo Horizonte, and the urban legislation, prevailing the conflict between the interests of the population residing in precarious housing and the positive law.
[6] Nazário and Andrade (2012) refer to the origin of these settlements, especially Morro Alto and Palmital, from the transfer of families in precarious housing conditions, from Belo Horizonte to the outskirts of the capital, on the initiative of COHAB.

Social movements, for this housing policy to take place, have unequivocal relevance. According to Tatagiba (2010), the distribution of competences among federative entities, added to the emergence of left-wing governments, pulverized the activity of the housing movements so that their organization and their performance came to depend on their own dialogue with the State:

what the case of the housing movement shows is that in response to changes in the political environment, in particular the greater or lesser openness of the State to participation, the movement organizations changed their forms of action, reviewing the strategies of interaction with the State. As a result, the movements produced new scenarios more or less favorable to the conquest of their interests, which challenged them, once again, to review their forms of action. Action strategies were constructed and modified in the relational game itself, based on a more or less objective assessment of the relative power of each actor, in each specific juncture (2010, p. 76).

As Nazário and Andrade (2012) rightly observe, the urban expansion of the RMBH, particularly towards its northern vector, has always been accompanied by the vociferation of leaders and housing movements. However, their growing deference to the state was due to the opening of local and regional governments to popular participation[7].

At this point, Tenenwurcel's (2017) approach is important, for its immersion in the conflict over the right to housing, placing it in the struggles of an urban occupation (in this case, Eliana Silva, in Belo Horizonte), to transcend the usual analysis of rational discourse, be it the claim of social movements, or the foundations of public policies, coming to identify innovative elements in the understanding of the struggle for housing. Thus, it highlights the motivational aspect resulting from the absence of rights, the emancipatory potential of the self-realization of subjects and the translation of recognition into the signs of the struggle for housing ("the house as freedom, citizenship and esteem").

Even though the federal urban legislation after the 1988 Constitution is guided by the paradigm of democratic management of the city - and the equitable access of all to the benefits of urbanization, the action of the municipal public power only begins to promote the auscultation of the "peripheries". from RMBH. As highlighted by Gustin *et al* (2013), analyzing the housing programs in Belo Horizonte, especially those aimed at the resettlement of families,

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[7] Fernandes e Pereira (2010), especially advances in legislation, question the municipal policy of Belo Horizonte, by (un)treating the beneficiaries of urbanization in its planning. Brasil et al (2014) present, by the way, a series of indicatives of the thirty-four municipalities that integrate the RMBH that demonstrate the incipient opening of the municipal public power for the institutionalization of social participation in the housing policy.

it can be inferred that there is a lack of recognition of residents of villages and favelas as subjects of rights, capable of formulating their demands and participating in decision-making processes regarding their own way of life. On the contrary, the projects are previously structured and standardized and, therefore, do not meet the peculiarities of the places where they will be implemented.

There are, however, occupations that started in the northern vector of the RMBH as a result of the housing deficit and, particularly, due to the deficiency in the state response to its supply, such as the "Granja Werneck", between Belo Horizonte and Santa Luzia. This case, like others, sought to resolve the conflict over urban land tenure in court.

As noted by Alves and Honório (2011, p. 3), the so-called "Granja Werneck" is located in a region that would correspond to the "last large green area in Belo Horizonte". Although it is a private property, it was classified as an environmental protection area. But, through the formal alteration of its parameters of use and occupation, it was destined to a multifamily building project, with a forecast of expressive financial results for its entrepreneurs.

According to Franzoni et al (n.d.), this area was already occupied by a quilombola community, the "Mangueiras". Despite being ignored by the public authorities at the time when its new urban function was approved, it was gradually occupied by homeless families, especially from its surroundings, who formed their homes there, albeit irregularly (estimating around eight thousand in 2013). Triggered by the owners, the reintegration of possession was granted, although it was not carried out, mainly due to the resistance of the owners.

The occupation of Isidoro, according to Foureaux (2014), is characterized by a broad movement of support for families who settled in the region of "Granja Werneck". Although the undertaking by the public authorities, especially the Belo Horizonte City Hall, to reintegrate the property and promote the initially planned urban operation, there was an impasse, caused by the repercussion of complying with the order for reintegration of possession, in the face of social and political mobilization. that the occupation has acquired. Despite the occupation of the Isidoro area having been judicialized so that its possession could be reintegrated to the owners, the judgment was suspended in the second instance at the Minas Gerais Court of Justice, in order to make the conflict possible. On November 9, 2018, an agreement was approved between the parties, ensuring the maintenance of families and allowing the subsequent urbanization of the community.

From the experience observed in Belo Horizonte, more especially its northern vector, like the resistance seen in Isidoro, it is observed that social movements that support actions for the realization of the right to housing, when successful, promote the organization of communities with their own

identity, defined by a common origin, the struggle for the right to housing. Honneth, as will be seen below, offers the theoretical source necessary to understand this achievement as recognition - just as the absence of this characteristic of social mobilization implies the non-recognition of the subjects of an irregular occupation.

3 THE POPULAR ORGANIZATION FOR THE RIGHT TO HOUSING AS A STRUGGLE FOR RECOGNITION ACCORDING TO HONNETH

In order to investigate whether there is recognition in the struggle for housing, in the event that housing policy develops as land regularization of irregularly occupied urban space, it is essential to understand how Honneth deals with recognition as self-fulfillment in intersubjective relationships, for him eminently conflicting. .

Axel Honneth is considered the greatest exponent of the Frankfurt School today, succeeding Habermas and Horkheimer in the exploration of critical theory. Saavedra (2007, p. 95-97), places his starting point precisely in the conciliation that aims to promote between the philosophical foundations for an individual emancipation and a theory of society that, before being systemic, knows about social relationships from its category fundamental, the fight.

Honneth, in this assignment, starts from a critical reading of the theoretical postulates of his predecessor in the Frankfurt chair, Habermas. The author of the famous theory of communicative action builds his understanding of society from Kantian premises regarding the aptitude for understanding[8], through which he presents his idea of consensus in the discourse, made possible by a procedure of communication and deliberation that would be based on the formal equality of the participants and would be normatively oriented towards democracy; and, finally, projects its procedural-discursive model in a systemic social organization, with its own technical rationalities, although it is open to the "lifeworld" and on which a "porous" public order would operate.

The Honnethian critique of the theory of communicative action is limited to its dual nature: it makes a "theoretical-communicational interpretation of social reality" and explores a systemic version of the theory of society. For Honneth, such a systemic understanding tends to lead to the error of

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[8] Voirol (2008, p. 35-36) he locates this Kantian reference by Habermas in the three postulates of the principle of publicity: that there is a possibility of public use of private reasons, in an appropriate instance; that the people exponents of their reasons be autonomous (autonomy in the precise sense of the ability to guide their conduct according to universal moral imperatives); and that the power to regulate human relations presupposes public consensus.

considering systems devoid of normativity and arenas of communicative action where expressions of power would not occur.

Honneth therefore disagrees with Habermas, because participation in discourse does not end with respect for communicational and deliberative procedures, so that there is simply consideration and validation of claims, since, in intersubjective relationships, expectations of recognition are also nurtured. Therefore, autonomy is not restricted to linguistic competence, but also encompasses the subject's integrity (or rather, his recognition by himself and by the other). In addition, there are social relationships in which the non-linguistic aspect prevails, given the feeling of injustice that may not emerge because of some symbolic repression (such as, for example, dominated social groups, which are unable to express their need for self-affirmation.).

Honneth, on the other hand, rescues the dialectical perspective of the young Hegel, accepting Mead's psychological theory about personality formation (in the perspective of recognition in love, legal and work relationships), and envisions the possibility of personal self-fulfillment through the relationship of individual with his "self"[9]. Self-realization, in turn, would be possible through three distinct forms of recognition: self-esteem, which would be opposed to mistreatment, and would be conceived as its first level; self-respect, as opposed to injury, corresponding to its second level; and solidarity, as opposed to violence, thus seen as its third level[10]. Any addiction – or, in Honnethian language, pathology – about recognition offends the positive relationship that is desired for each individual, which, in itself, would motivate the struggle for recognition. According to Sobottka & Saavedra (2008, p. 17), this struggle has an unequivocal propositional force:

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[9] In Voirol's diction (2008, p. 23-24): "The self refers to the uncontrolled part that expresses itself impulsively without a reflexive activity of the subject; it precedes the horizon of consciousness that the subject has of himself and his interaction partners and reveals himself as a reservoir of impulses from which creative action emerges, not subject to objectification. On the contrary, the me refers to the conscious constitution of the subject and to his ability to take himself as an object thanks to his faculty of putting himself in the other's place. The me, which is thus constituted in the interaction and in the language, corresponds to the image formed from the perspective of the interlocutors and translates the fact that the individual comes to the consciousness of himself as he adopts the perspective of the other. For Honneth, such a distinction allows, in turn, to account for the uniqueness of social subjects and the intersubjective character of the individuation process. The singularity of the subject depends, therefore, on the intersubjective structures and on the relations of recognition, as it allows us to ensure that we find in the other and in the collectivity, at different levels of the structure of recognition, the social respect that constitutes a positive relationship between the subject and himself. The concept of subject autonomy, constitutive of the dynamics of the public sphere, is therefore modified in relation to that of Habermas: we move from a concept centered on communicative competence to a concept centered on the integrity of the self".

[10] Avritzer (2007) points to Honneth's incongruity in electing the subject's self-realization as a category of legal and solidary recognition, since, at these levels, the scope of action of those who wish to be recognized - especially social movements - is of eminently collective.

Honneth seeks to show that behind the historical events there is a process of moral development that can only be explained from the logic of the expansion of relations of recognition. The model of the struggle for recognition must, therefore, fulfill two tasks: (1) to be a model of interpretation of the emergence of social struggles and (2) of the process of moral development.

In the construction of the first level of recognition, in which self-confidence is manifested, Honneth starts from Winnicott's psychological theory of personality formation and its development by Jessica Benjamin. The relationship of initial dependence, followed by relative independence, between the baby and its mother, is connected to the idea of fighting for attention and the self-confidence acquired by the offspring, projecting itself in self-respect, while the individual can play a self-esteem. in their intersubjective relationships, and autonomy, which will direct their actions in public life. Thus, the lack of recognition at the first level would be revealed by mistreatment, in which psychic integrity is violated, as Sobottka & Saavedra (2008, p. 14-15) remind us.

The second level of recognition operates in the law, in the possibility of recognizing the individual as a subject of law, characterized by his autonomy to decide on moral issues. In order to understand the relationships situated here, Honneth distinguishes between traditional societies, whose recognition takes place through different status, by the positions of individuals in social organization, from post-traditional or modern societies, in which such recognition is repugnant to the law (before, by the way, it must fight privileges)[11]. In these societies, the law is presented as a description of the properties of each individual - and the recognition of a right refers precisely to these properties, while the value judgment is translated as a gradient of measurement of these individual properties - and its recognition highlights the properties of each individual in comparison with others. Thus, legal non-recognition is manifested by deprivation of rights, where the sensorial dimension of injustice also reveals a cognitive aspect, when referring to the possibility of universalizing an individual's moral responsibility. In this sense,

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[11] It is important to transcribe Pereira's note (2012, p. 30), about Honneth's reading of the historical evolution of fundamental rights in Marshall, to explain the second-level recognition: "(...) Honneth, when dealing with such a topic , cites Marshall's thesis about how the content of recognition of law has expanded step by step. It extracts from it that, although Marshall adopts a tripartition of legal claims from a historical perspective (whose simplest version, as already mentioned, teaches that the constitution of liberal rights of liberty took place in the 18th century, the establishment of political rights of participation, in the XIX, and finally the creation of social rights of well-being, in the XX), 'it is important for our purposes only the demonstration that the imposition of each new class of fundamental rights was always historically forced with arguments referred to from implicit way to the requirement to be an equal member of the political collectivity'".

When the concept of 'recognition' is used today to establish a conception of the moral order of society, then the starting point tends to be a phenomenological analysis of moral injury. In this negativistic approach, the central role is played by the idea that events experienced as 'injustice' can provide the adequate solution for an initial explanation of the internal connection between morality and recognition. On the basis of the criteria used by the individuals in question to differentiate between a moral offense and a mere misfortune or force, it is not difficult to demonstrate that, in the first case, there must be an element of recognition denied or refused, while, in the second, naturally there is not. there is room for these references. Thus, physical injury becomes a moral injustice if victims are led to see it as an action that intentionally disregarded a central aspect of their (victims') personal well-being. It is not just the infliction of physical pain as such that constitutes a moral injury, but the additional awareness of not having its understanding recognized and accepted (Honneth, 2007, p. 85).

At the third level of recognition, solidarity would play a normative role: the differential properties of individuals have a generic binding effect, constituting a reference system for the moral evaluation of the properties of each individual. Here, recognition would be made possible by valuing individual capacities, especially the tension between the social reference system and personal self-realization (and Honneth does not neglect to perceive that individuals and social groups will strive to transmit to the system of social reference to their moral understanding of society; healthy self-realization, however, depends on the possibility of recognition symmetry between social actors).

The lack of recognition, at this third level, corresponds to the idea of moral degradation, but also to the idea of injury, through which the individual is denied the possibility of forming a positive self-esteem. For Sobottka & Saavedra (2008, p. 15), here "the dimension of the threatened personality is that of dignity. The experience of disrespect must be found in the degradation of self-esteem, that is, the person here is deprived of the possibility of developing a positive self-esteem".

Finally, when considering Honneth's theory, Testa (2008, p. 96-97) argues that his formulations would be, at the same time, explanatory, normative and critical:

Explanatory, as it explains the evolution of the practical Self and the moral logic of social processes. Normative, while, at the same time, it presents a normative framework of the good life that serves to value the attainment of moral identity and the progressive character of social movements (...). Criticism, while such a normative explanation also provides a theoretical framework that explains how the emergence of an activity of critique of the domain over subsisting forms of life is possible.

Despite Honneth's theoretical complexity, Fraser argued that it was insufficient to explain situations of material inequality, to which, before recognition, a demand for distribution would be imposed. This debate is of interest to the understanding of housing policy, as will be seen below.

4 DISTRIBUTION AND RECOGNITION IN CURRENT BRAZILIAN URBAN LEGISLATION: THE CHALLENGES OF LAND TENURE REGULARIZATION

The Brazilian legislation that governs the use and occupation of urban land began with Decree-Law No. 58, of December 10, 1937, which eminently dealt with subdivisions. Much later, on December 19, 1979, Law No. 6,766 was approved to organize the use of urban land. The properly social advances of Urban Law, however, took place under the aegis of the Constitution of the Federative Republic of Brazil of 1988, from its art. 182, which disciplined the social function of urban property and foresaw the need for planning to achieve the social function of the city. Also noteworthy is Constitutional Amendment No. 26, of February 14, 2000, which expressly established the right to housing as a social right.

By way of disciplining urban policy, also aiming at the effectiveness of the right to housing, Law no. of the Institutes of Urban Law, affected by the housing and urban crisis that is raging in cities, particularly in the RMBH. As a response to "favelization", as a phenomenon of irregular housing, and, due to its precarious physical and legal conditions, it foresaw, among its objectives, the "land tenure regularization and urbanization of areas occupied by low-income population through the establishment of special norms of urbanization, land use and occupation and building, considering the socioeconomic situation of the population and environmental standards (art. 2 º, XIV)".

Land tenure regularization was especially dealt with by Law No. 11,977, of July 7, 2009, and its predecessor, Law No. 11,481, of May 31, 2007. For both, the Executive Power, namely the municipal one, passed to have the instruments that allow it to build solutions to the problem of lack of regularized housing, that is to say, clandestine subdivisions and irregular occupations, in which residents lack title to their respective houses and urbanization is precarious – when it exists.

Law No. 13,465, of July 11, 2017, among other topics, provided for urban land regularization, establishing instruments for the regularization of informal urban centers and guaranteeing the right to housing, especially through the title of holders over the areas in which they live, in addition to "providing the participation of interested parties in the stages of the land regularization process (art. 10, XII)". According to the new law, municipalities will play a prominent role in the planning and

execution of urban policies, especially regarding the conception of their urban projects, according to local legislation.

Considering that each municipality – including those in the northern vector of the RMBH – has legislative and administrative competence to deal with local land tenure regularization, it is assumed that their respective policies are inspired by popular aspirations, not only by the presence and organization of social movements, but also for the effectiveness of their performance according to the expectations of recognition of their struggles.

Laws on land tenure regularization are expected to be effective in relation to the Public Power, insofar as they allow the implementation of regulatory and administrative measures to effectively guarantee access and maintenance of people to housing. However, can one think of effectiveness also in relation to society? Can the understanding of the right to housing in the light of the democratic principle lead to an "obligation" for society to collaborate in the realization of this right? Or, from a properly Honnethian perspective, is there any form of recognition possible – in this case, of those who fight for the right to housing – in a housing policy of land regularization?

To answer these questions, Testa (2008, p. 109) admonishes the normative nature of Honneth's theory. It alludes to a "golden rule", capable, in itself, of guaranteeing recognition in intersubjective relations (more precisely between the State and the social movement fighting for housing):

The golden rule could thus be understood as the norm that each one should follow so that the social bases of interaction remain intact and it is possible for each to realize their individuality. In other words, formal ethics is reduced to the totality of the intersubjective conditions necessary for individual self-realization, so much so that one can ask whether Honneth's normative point of view is the forms of recognition or, rather, the idea of individual self-realization, with respect to which interactive structures would be considered as preconditions. Finally, one must ask whether the peculiar dialectic of conciliation and conflict in which the struggle for recognition consists is subjective or objective. Such a dialectic, in fact, does not only refer to the social reality of man, but also to his natural and evolutionary reality. The dialectic of conciliation and conflict, on the other hand, is by no means an objective law of reality, because in Honneth it seems to be restricted to the human world, and, above all, because it seems to refer solely to historical conditions of interaction. With regard to social interaction, this does not seem to indicate a law of movement, but rather a formal condition, which, on the other hand, is not only normative, but also constitutive in relation to individual and social genesis, insofar as the coercion to recognition is a necessary condition of every identity.

For Honneth, at any level of recognition, in any scenario (including the struggle for housing), the existence of conflict permeates the subject's search for self-fulfillment, in the sense of motivating him to satisfy his own identity. And, in this, she receives the criticism of Fraser, for whom the category of recognition proves to be insufficient: in certain social situations, which she calls "status", non-recognition reveals itself as subordination (or rather, it would not be the identity of the subject that would demand to be recognized, but rather the position, the status of the subject in an interaction). Fraser, then, defends the distinction between recognition and redistribution: while recognition refers to moral or cultural conflicts, distribution stems from material inequality[12].

Both cases reflect injustices, to which the parity of participation of the subjects in society becomes imperative, either for the equitable distribution of material goods, or for the equality in the distribution of opportunity to achieve social esteem. Fraser then adopts two strategies (which she calls remedies) to provide the justice inherent in non-distribution and non-recognition: affirmation and transformation. In the affirmation, individual identities are reinforced in group contexts, in cases of struggle for recognition, or, still, it provides material assistance for cases of improvement in the distribution of goods (with the setback, in this case, of impacting the lack of recognition of the assisted). Transformation, in turn, is connected to recognition through the attempt to dismantle discrimination based on "status" and, in terms of distribution, it is characterized by the construction of social bonds of solidarity (and, in this, it even impacts recognition) .

Honneth, in response to Fraser, clarifies the scope of his concept of recognition (not susceptible to being reduced to culturalism, as Fraser suggests), relating its symbolic to material dimension:

It is observed that Honneth emphasizes not denying the importance of the distribution of material resources. He treats recognition as a broad category capable of harboring claims of various kinds. Thus, demands for material redistribution would fit into his proposal in two ways: 1) in the normative implications of equality before the law, which promises equal treatment to all members of a political community; and 2) on the idea that every member of a democratic society should have the chance to be socially esteemed for his or her personal accomplishments (Mendonça, 2007: p. 176).

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[12] Mendonça (2009, p. 5) warns against the most current criticisms of Honneth's proposal. He recalls that Markell understands recognition rather as an affirmation – even dangerous, due to the risk of promoting subordinate or tyrannical relationships – of the sovereignty of the individual, placing himself in the "ability to define himself as an independent and self-determining being"; hence his concept of "acknowledgement", in which recognizing oneself would be "self-directed": the finitude of the individual would be revealed by struggles that, circumstantially, frame each identity. Despite the criticism, Mendonça highlights the importance of intersubjectivity in Honneth as a characteristic that defines the subject in an open process, with a plurality of means for recognition.

Even though there is a constitutional rule and legislation that allows for the densification of the right to housing, there is a non-compliance – sometimes systematic – with its command. Honneth's proposal regarding the effectiveness of this right considers the ability of its subjects – residents of irregular occupations in general – to self-realize. It would be essential, as we will see below, to organize and motivate the struggle, as well as the opening of the public power to welcome them and, finally, to compete for the satisfaction of their pretensions.

5 THE DEFICIENCY OF THE HABERMASIAN PUBLIC SPHERE IN THE RECOGNITION OF THE RIGHT TO HOUSING ACCORDING TO HONNETH: (UN)HAPPY ENDINGS IN THE NORTHERN VECTOR OF THE RMBH?

What recognition is possible for social groups fighting for housing in the North Vector of the RMBH? As seen, in this region, the very form of urban land occupation induces land conflicts, without, however, strengthening an organized social movement, with a sufficient repertoire of action and that, above all, is "pathologically" motivated to fight for housing. There are some occasional popular movements, in which few achieve social recognition; many are dismantled during conflicts, either due to internal demobilization, or because they are excluded from legal protection (on occasions when, between property and housing, the Judiciary protects the former to the detriment of the latter).

In situations in which the social movement for housing organizes itself and manages to articulate its struggle for recognition in the North Vector of the RMBH, the first recipient of these expectations is the government (state or municipal, according to the regional or local scope of the interests involved). And here the question arises: can housing policies, including those for land tenure regularization, be conceived as signs of recognition? Starting from the concepts of possibility and project, Pizzio (2008, p. 85) offers some indications of the response of identifying a public policy as being of recognition:

recognition policies open up, in the public sphere, a field of possibilities for the formulation and implementation of collective projects aimed at the conquest and expansion of social rights characteristic of citizenship, with real prospects of reducing social inequalities.

Now, to the extent that the public power must implement the right to housing, through the construction of a public policy, it can simply respond to the constitutional mandate through unilateral deliberations, based on techno-bureaucratic reasons, or it can dialogue with social movements. , its recipients, in the construction of a democratic city. In this perspective, social movements need to act as collective actors, institutionally organized, with full capacity to influence their decisions and their

implementation, particularly in the three main axes that were formed on the housing policy after the edition of the Statute of Cities: discussion the right to the city and citizenship; improvement of institutes related to the social function of the city and property; and democratic management of the city.

It is observed that this trajectory of the agenda of social movements organized around the right to housing developed in accordance with the establishment of public policies that would be open to Honnethian recognition, especially regarding the possibilities of building intersubjective relationships that promote democratizing values, highlighting the importance of popular participation in responding to urban problems (far beyond, by the way, formal recognition in consultative public spaces). This growing importance of social movements in the construction of public policies related to the right to housing was due to the effectiveness of the repertoire of their actions in the political process of enforcing the right. This is what Tatagiba observes (2011, p. 178):

A part of the movement advocates work in the legislative field and in the formulation of public policies, via participation in institutional spaces such as the Housing Council, combined with direct pressure (for example, brief occupations) to strengthen these struggles and guarantee achievements. Other rural organizations, which say they are more 'combative', criticize this strategy of approximation with the State, the 'office talks', and defend the centrality of the occupation to live as a form of struggle. Although organizations' strategies are often portrayed as acts of will by their leaders or as a reflection of the ideology of individuals and organizations; what research has shown is the weight of the structure of organizations, the relational position of actors and conjunctural dynamics in the definition of 'forms of struggle'. Regarding this last dimension, we see that in response to changes in the political environment, in particular the greater or lesser openness of the State to participation, the organizations of the movement changed their forms of action, reviewing their strategies of interaction with the State.

In addition to the discussion about (regular) homelessness as a social problem, social movements can have an effect on the very way the State reacts to it; State responses, in terms of public policies, may vary from the creation of deliberative bodies, such as consultative councils for parity formation; direct participation of movements in the allocation of budgetary resources; co-management in housing construction projects; society's ostensible control over procedures and results. Thus, although the state response to the realization of the right to housing can be characterized as effective, it can, in fact, be scaled according to a democratic gradient, insofar as it is possible to build with the participation of its recipients, as institutionally active stakeholders. of their respective public policy.

The initiative of the State, however, by the political process analyzed here, does not connect or induce the social enterprise, claimed as democratizing; that is to say: social movements, in the discussion and implementation of a public policy, do not have their performance conditioned to the state response to a right; rather, they can provoke it.

The experience of the social movement for housing reveals, in this step, that, before consensus, there is conflict, within itself, between itself and the beneficiaries and, mainly, with the State itself. But without a fight, there is no recognition, as Fuhrmann notes (2013, p. 93):

Based on Axel Honneth's theory of recognition, urban conflicts, whether defined by violent, depredatory or even demanding actions, signal the absence of subjective and social recognition as a triggering component of such manifestations. Especially in democracies, the premises are not based on the removal of constituted power, but on the demand for diffuse demands resulting from multiple subjectivities. When individual feelings of worthlessness, humiliation and contempt meet collective feelings of social injustice, urban struggles and conflicts are triggered.

It can be expected that there would be a democratic organization of urban space, based on the actions of its most interested parties, starting with those who live in irregular housing. In the conflicting trajectory that this struggle goes through, there are mishaps arising from the intersubjective dynamics of the stakeholders themselves, from the formalities inherent to the realization of rights, in short, from the recognition by the State. Honneth, in this perspective, offers a lens to understand this phenomenon, but, above all, to instigate possible responses to this desired self-fulfillment. As Kowarick would say, finally (2013, p. 72):

Challenges, agglutinations or claims around common goals do not necessarily awaken collectivities to fight against what is perceived as injustice. They constitute raw materials with which projects of change are elaborated, but which, in many cases, lead to anomie or simply to demobilization that reproduces the condition of subalternity due to the absence of a concrete action that raises real or symbolic benefits: the corollary of contestation is the dynamism of social action, not apathy. However, as raw materials they are, they can result in social movements, as long as it is emphasized that this skein to be woven precedes the making of political action.

At this point, contemporaneously, the change in the performance of social movements for housing in their struggle for recognition is perceptible. In addition to the "trivial" action, such as the mobilization for events (community assemblies, public meetings, marches, etc.), a re-signification of the subjects is perceived: in addition to a protagonism in the solution of material problems, what would

be the lack of housing, the dignity of individuals is affirmed in the struggle, making the strictly economic dimension compatible with the cultural-identity dimension[13].

In Isidoro, the organization of his community is remarkable. From an agglomeration of a few families, installed there in canvas tents, leaders quickly emerged, a support network was built, based on other social movements, and a discussion and reflection began among the occupants about their legal situation, especially external pressures for the repossession of the property. Oliveira (2016) highlights the holding of formal hearings, carried out with entities or in specific forums, and informal, when carried out by the residents themselves. In both, indicating the diversity of factors that contributed to or hindered its occurrence, it was possible to identify the articulation of the discourse of social demand for rights with the violation of dignity by the indicative of crying as a sign of the subjects' emotionality.

Notwithstanding, the government of Minas Gerais already has an urban planning of the North Vector of the RMBH, including to identify informal urban centers with a view to their land regularization[14], there must be attention to the development of metropolitan, micro-regional or municipal urban policies, in the sense of also identifying and satisfying social needs from the perspective of the right to housing as a sign of recognition. Although social struggles can be translated as effective conquests of rights, they will not always lead to the fullness of the subject, given that the

At the center of the idea of esteem defended by Honneth is the defense that subjects do not want to see themselves as undifferentiated parts of an amorphous and homogeneous mass. Therefore, the simple guarantee of rights is not the totality of recognition. 'Not all forms of collective protest conform to the logic of rights claims; not all aim to secure the 'permanent political identity or constitutional status' of subordinate groups' (Patrick, 2002, p. 37). Feeling valued has a political dimension beyond the possession of rights (Mendonça, 2009, p. 9).

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[13] As highlighted by Garcez et al (2020), the repertoire of actions of the housing movements, including in Isidoro, also covered the use of social networks, both to highlight an identity of the subjects through their greater exposure, and to intensify intersubjective relationships, including with the Public Power.
[14] Like the SEDE Call Notice 01/2021, for the registration of informal urban centers in Minas Gerais municipalities for REURB purposes.

6 FINAL CONSIDERATIONS

Although the conquest of a house can represent a personal accomplishment, in the sense that its "owner" has a place of protection for himself and for his family, both for shelter from the weather and for his position in society, the lack of a house, of a home, in the current civilizational state, can also represent a violation of an individual's right, especially because it is a benefit that would be constitutionally owed to him, exposing him to, finally, some indignity.

If the subject's self-realization can occur through the recognition of rights, as would happen with housing, Honneth subverts his strictly material reading, to understand the struggle for law as a plexus of intersubjective relationships that reveal themselves as an emancipatory propulsion of the individual. .

To the extent that the right to housing can be realized through actions of urban land regularization, especially from the municipal perspective, its resignification as recognition, in Honneth's optimism, would really depend on the centrality of the subject, of the social being in this construction, in its community environment, as long as attention is paid to housing as an element of integrity.

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