

TERRITORIAL MANAGEMENT AND SOCIO-ENVIRONMENTAL DEVELOPMENT CHALLENGES IN THE TERRA LEGAL PROGRAM

An institutionalist analysis

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Resumo

A informalidade em assentamentos urbanos tornou a regularização fundiária tema central nas cidades brasileiras, em especial na Amazônia, marcada por desigualdades históricas. Nesse contexto, o Programa Terra Legal foi concebido com vistas à efetivação do direito à moradia e à promoção de um ordenamento territorial mais inclusivo e sustentável. Este estudo tem por objetivo analisar este Programa, a partir do institucionalismo histórico, enfatizando a interação entre normas jurídicas, instituições e práticas sociais que moldam a governança fundiária na Amazônia. Trata-se de pesquisa com abordagem qualitativa, baseada em levantamento bibliográfico e documental, selecionados a partir do recorte da criação do Programa Terra Legal em 2009. Ademais, foram consultados bancos de dados sobre regularização fundiária, como fontes secundárias. Dentre os principais resultados, constatou-se que o Programa Terra Legal configura-se mais como um ajuste incremental com maior número de títulos emitidos em relação a iniciativas anteriores, mas que segue reproduzindo padrões históricos de exclusão socioespacial e revelando limitada capacidade de transformação no acesso à terra urbana. Ao final, é necessário avançar na articulação entre regularização fundiária e políticas de sustentabilidade ambiental e inclusão social.

Palavras-chave: Regularização fundiária, Exclusão socioespacial, Institucionalismo histórico.

Summary

Informality in urban settlements has made land regularization a central issue in Brazilian cities, especially in the Amazon, which is marked by historical inequalities. In this context, the Terra Legal Program was conceived with the aim of realizing the right to housing and promoting a more inclusive and sustainable territorial planning. This study aims to analyze this Program from the perspective of historical institutionalism, emphasizing the interaction between legal norms, institutions, and social practices that shape land governance in the Amazon. It is a research study with a qualitative approach, based on a bibliographic and documentary survey, selected from the creation of the Terra Legal Program in 2009. Additionally, databases on land regularization were consulted as secondary sources. Among the main results, it was found that the Terra Legal Program is configured more as an incremental adjustment with a greater number of titles issued compared to previous initiatives, but it continues to reproduce historical patterns of socio-spatial exclusion and shows a limited capacity to transform access to urban land. In the end, it is necessary to advance the articulation between land regularization and policies for environmental sustainability and social inclusion.

Keywords: Land regularization, Socio-spatial exclusion, Historical institutionalism.

1. INTRODUCTION

In Brazil, the number of irregular dwellings has multiplied over the past decades across all regions of the country, contributing to a deficit of approximately 5 million adequate homes (IBGE, 2022). This current scenario can be linked to the origin of the national land structure in Portuguese Law, which employed the sesmaria system to define land access. This system prevented any individual lacking sufficient possessions from receiving land grants, thus generating social exclusion (Treccani, 2009) and

forcing low-income individuals to live irregularly. This problem is aggravated in the Amazon due to its history of occupation and the overlap of titles dating from the colonial to the republican periods (Loureiro, 2009).

Amazon underwent an occupation process driven by economic cycles and migratory flows, resulting in the concession of various overlapping titles (e.g., sesmarias, possession rights, private ownership, and illegally acquired lands—*terras griladas*) by imperial, federal, and state governments without canceling prior documents (Loureiro, 2009).

In contrast, the 1988 Federal Constitution (CF) adopts the promotion of quality of life as the driving force for urban policy, providing a set of fundamental rights to guarantee a dignified life for all. As we argued before, conflicts may arise between national and international frameworks (Santos et al., 2024; Outeiro, 2024; Santos & Outeiro, 2025), especially when considering a multicultural perspective on rights. But, ultimately, the goal is to protect fundamental rights (Outeiro & Nascimento, 2020; Outeiro, Oliveira & Nascimento, 2016), whether at the domestic or international level. Urban land regularization (*Reurb*), defined by Law No. 13,465/2017, is a public policy alternative for addressing already irregularly occupied areas (Azevedo, 2016). It guarantees the legal security of possession (minimum legal protection against forced evictions and other threats) and the social right to housing.

The legal security of possession and the role of federative entities in a *Reurb* program can be analyzed from an institutional perspective. Institutions - formal and informal rules - are key variables for explaining differences in quality of life and economic growth, as they reduce societal uncertainties (Hall; Taylor, 1996). The institutional view helps analyze the blockages to change, which reproduce inefficient political choices made in the past (North, 1990). After a phase focused on how institutions and policies shape political and social behavior, recent historical institutionalist research has turned to studying institutional change (Capoccia, 2016) e para a atuação de atores (Emmenegger, 2021).

There are some studies that discuss rural land regularization in the Amazon. For example, Brito et al. (2021) state that approximately 28.5% (143 million hectares) of the Legal Amazon territory lacks information on land allocation. Dias et al. (2024) analyzed 27,878 INCRA processes up to 2023. But to a large extent, research on land regularization is focused on rural areas, without more systematized information on the performance of urban regularization.

This study wants to understand to what extent does the institutional design of the Terra Legal Program (TLP) explain the success or failure of the urban land regularization process in Amazonian municipalities. The general objective is to analyze the TLP's performance based on the political-institutional dynamics that produced a framework characterized by a significant degree of federal regulatory power and a wide range of municipal attributions.

This is a qualitative study utilizing bibliographic and documentary research, with official and institutional documents as secondary sources. The following sections will present the theoretical framework (neo-institutionalism and its connection to Brazilian federalism), the historical background of land irregularity in the Amazon, an analysis of the TLP, and the final considerations.

2. HISTORICAL INSTITUTIONALISM AS AN APPROACH FOR THE STUDY OF LAND REGULARIZATION PUBLIC POLICIES

The study of institutions and actors is increasingly central to public policy analysis. Debating political configurations is essential, as decisions on issues like housing policies, urban mobility, and sustainability affect the collective, and legislative frameworks do not always guarantee satisfactory implementation.

Before discussing historical institutionalism, a brief consideration of new institutionalism is necessary, given its dialogue with Law and institutions. Neo-

institutionalism posits that institutions guide human action, influencing political choices. Hall and Taylor (1996) identify several theoretical strands, including historical, rational choice, and sociological institutionalism, influenced by transformations in social, political, and economic institutions.

Ellen Immergut (2006) notes three common epistemological premises across neo-institutionalist strands: (1) expressed preferences should not be confused with real interests; (2) collective decisions cannot be based solely on aggregating individual preferences, as institutions redefine interests and limit choices to achieve political decisions; and (3) social scientists have a normative challenge to improve the justice of political outcomes, acknowledging that actors may be partial and changes may be necessary.

Rational choice institutionalism views individuals as rational, strategic beings who maximize personal gains by calculating costs and benefits. Institutions "are important simply because they shape individual strategic behavior" (Steinmo, 2008, p. 162). This perspective found that institutions explained the constant stability of the US Congress, contradicting the rational choice theory that predicted instability (Hall; Taylor, 1996). Here, institutions organize options, and individuals cooperate because collective gain is greater than individual gain.

In contrast, sociological institutionalism, emerging from organizational theory, argues that institutional rules and procedures are adopted because they express cultural practices rather than being merely efficient (Hall; Taylor, 1996). Individuals are seen as "fundamentally social beings" (Steinmo, 2008), whose actions are shaped by moral and cognitive frames of reference. Institutions are broadly defined to include informal rules and socially constructed symbolic codes and are internalized and legitimized by society (Hall; Taylor, 1996). The persistence of some institutions over time is attributed to cultural transmission, which institutionalizes certain practices (Dimaggio; Powell, 1991; Zucker, 1977).

Historical institutionalism is distinct in its understanding of the actor, who behaves according to the existing institutional design (Steinmo, 2008). Actors can be individuals or groups. Institutions shape individual behavior, reduce uncertainties, and mediate between social structures and individual action: actors maximize interests but also follow culturally constructed rules (Steinmo, 2008). Decisions are thus a combination of these two logics. Institutions are formal and informal rules that configure the political structure, such as the Federal Constitution. Strategic behavior is guided by incentives and penalties, leading individuals to adhere to patterns where the cost of avoidance is higher than the cost of adherence. For Immergut (2006), historical institutionalism sees political processes structured by the Constitution, political institutions, State structures, and timing contingencies, with actors being self-reflective. The origin of institutions relates to the dynamics of structuring power relations (Steinmo, 2008).

3.1. Historical Institutionalism and Public Policy Analysis

Historical institutionalism is better understood as an alternative for examining public policies rather than a specific theory or method (Steinmo, 2008). It focuses on policy development, considering singular decisions that affect future dynamics among political actors who compete for scarce resources within the existing institutional structure. Scholars examine organizational configurations, moments of structural transformation, and long-term processes to make the context and interaction processes that define the State and policy outcomes intelligible (Skocpol; Pierson, 2002).

Institutions, as rules of a decision-making arena (Steinmo, 2008), influence the actors in the game. Individual preferences are shaped by sanctions and incentives, reflecting rational behavior within the existing institutional framework. Actors' interpretations of their interests are molded by collective organizations and institutions carrying historical traces (Immergut, 2006).

Institutional inheritance suggests that once a path is initiated, the costs of reversal are high, as institutional arrangements tend to self-reinforce the initial choice, even if new choice points exist. Thus, history is important. While institutions matter, they are not the sole causal force, as they are created and modified by human beings. Socioeconomic development and a myriad of interrelated variables (context, actors, formal and informal rules, learning processes, the singularity of the moment) also affect the political outcome. Scholars focus on the perception of processes over time rather than just past observations (Skocpol; Pierson, 2002).

In policy analysis, path dependence centers the study on the order and timing of events (Immergut, 2006), recognizing that the political game often produces unintended and incoherent effects (Thelen, 2006). The emphasis is on historical processes, where institutions are concrete products emerging from a political and social context. Institutions cannot be understood in isolation, and the dependent trajectory embraces continuity while remaining open to structural changes (Thelen, 2006).

Capoccia (2016) views the political game as arenas of conflict where actors (e.g., politicians, citizens) compete to adapt norms to their interests—an endogenous change that can lead to evolution, regression, or extinction. Tsebelis (1998), while integrating the rational choicers school, shows how Game Theory can predict the behavior of political actors. A rational participant chooses the option that maximizes interests, with rationality being the optimal correspondence between ends and means. Apparent non-optimal behavior is explained by the existence of hidden games and multiple arenas, which must be studied to reveal the players' motivations (Tsebelis, 1998). Institutional change thus depends on these actors' behavior.

Emmenegger (2021) develops a conceptual framework to clarify the role of agency within historical institutionalism, a tradition that has typically prioritized structural constraints and institutional stability. Although institutions shape actors' preferences and behavior, agency is indispensable for understanding how institutions are created, maintained, and transformed, what can be explained by the concept of coalitional work—the active effort by agents to build and sustain social coalitions that either stabilize or challenge institutions. Without such agency, no coalition, and therefore no institution, can endure or change (Emmenegger, 2021).

It is a way to reconcile two key theoretical tensions: the paradox of embedded agency (how actors, shaped by institutions, can act to transform them) and the paradox of plasticity (how to preserve institutional explanatory power in contexts of continual change) (Emmenegger, 2021). Institutional stability results both from the purposeful efforts of incumbent coalitions and from the collective action problems that hinder challengers. Institutional change is thus possible but rare, occurring under specific conditions such as weakly institutionalized fields, peripheral or cross-field actor positions, exogenous shocks, or enduring foundational conflicts.

Some institutional designs assign power to certain individual or collective players to agree to or veto (veto players) changes to the status quo. Levi (1991) argues that institutions create power by conferring greater ability to maintain or alter rules on certain groups (e.g., politicians), potentially impeding change. Groups with less bargaining power can force change by opposing or refusing to accept institutions when other actors abuse their position.

4. A BRIEF HISTORY OF PROPERTY RIGHTS IN BRAZIL AND THEIR IMPACTS IN THE AMAZON

Understanding Reurb (Law No. 13,465/2017) and the TLP in the Amazon requires assimilating historical events related to the region's land structure. The current importance of state regularization programs is linked to the past: land irregularity has historically been the norm for part of the Brazilian population (Sá, 2017), a situation aggravated in the Amazon due to its occupation process (Loureiro, 2009).

The land dispute left marks on Brazil's land structure, with a succession of

instruments from colonial, imperial, federal, and state legislation that did not always constitute acquired rights to be respected (Treccani, 2009). This trajectory is divided into four periods: sesmarias regime (1500–1821), possession regime (1821–1850), Land Law regime (1850–1889), and the republican period (1889 to the present) (Treccani, 2009).

Portuguese arrival initiated military occupation in the Amazon in the 16th century and the territory became public domain, with land access controlled only by the Portuguese king (Prieto, 2016). The consolidation of the Portuguese crown led the national land structure to inherit the sesmarias regime, fostering a personalistic State focused on rulers' interests. The sesmaria system, based on personal and economic criteria, determined that land transfer required fulfilling obligations, including effective use. This initiated the formation of large estates (latifúndios), excluding those with less purchasing power, a problem that persists (Prieto, 2016).

After independence, Brazil entered the possession period (until 1850) without land legislation. This moment saw the coexistence of confirmed sesmarias, legitimate possessors without confirmation, possessors without state authorization, and vacant lands (terras devolutas). The latter generated de facto situations without legal protection, worsening the land chaos (Azevedo, 2016). The first Constitution (1824) conceived property as an absolute right (Prieto, 2016) but failed to regulate acquisition.

In 1850, Dom Pedro II sanctioned the Land Law (Law No. 601/1850), creating instruments like the legitimization of possession, which granted formal full domain to the private individual who worked the land (Article 5, caput). Despite being an advance, its socio-spatial effects included land concentration in favor of a few financially resourced individuals and social exclusion of low-income people (Prieto, 2016). Only those with economic resources could obtain land rights, excluding peasants, foreign immigrants, and former slaves. The Land Law benefited large landowners and land grabbers (grileiros), forming the Brazilian State based on private property (Prieto, 2016).

The late 19th century saw the peak of rubber exploitation due to international market demand, leading to the migration of northeastern workers to the Amazon. The proclamation of the Republic (1889), followed by the first Republican Constitution (1891), ended the Land Law regime and began the republican period without changing the absolute property right conception, which the 1916 Civil Code (CC) embraced. Vacant lands were handed over to the States, except for borderlands, which remained with the Union (Treccani, 2009). Ethnically configured territories (e.g., indigenous, quilombola) were considered vacant, unoccupied, and available for expansion (Prieto, 2016).

Loureiro (2009) argues that the Amazon was generally considered by the State a space for generating wealth and exploitation from the colonial past until the 19th century. This intensified in the 20th century with regional development plans, creating a legacy of social exclusion for indigenous people, Africans, and immigrants.

4.1. The Right to Property in the 20th Century and the Amazon

The 20th century movement to insert social norms into Constitutions led Brazil to promulgate the 1934 Constitution, which implicitly recognized the social function of private property by limiting its exercise against social or collective interest (Article 113, item 17).

Amazonian settlement was restricted to the river valleys until the late 19th century, intensifying from the mid-20th century, driven by cycles of extractive product valuation in the international market (Becker, 2004). Until the mid-1960s, Amazonian lands belonged mostly to the Union and the States (Loureiro; Pinto, 2005). Occupation occurred in economic bursts, concentrating wealth in regional elites while exporting natural assets (Escada; Amaral; Fernandes, 2023). This economic cycle trajectory, lasting until the military government in the 20th century, involved national development

plans (Becker, 2004).

The military dictatorship (1964–1985) ushered in a new occupation phase. Federal Decree No. 1,164 (1971) initiated the federalization of Amazonian lands, transferring areas to the Union if they were within a 100 km strip of federal roads. Development plans (e.g., the First Five-Year Plan, 1967; I National Development Plan, 1972) sought to fill the "demographic void" through colonization, under the motto *integrar para não entregar*. These projects led to land concentration, land grabbing, land conflicts, and deforestation (Castro, 2012). The Union and States alienated most public land to economic groups and privileged social segments at advantageous prices. Residents, as mere holders, were disadvantaged, lacking legal protection and the right to acquire land through adverse possession (*usucapião*), which only applies to private property (Loureiro, 2009). The history of migratory movements and developmental plans resulted in the denial of rights for many, forcing them into irregularity, eventually leading to the implementation of land regularization programs. The historical legacy (Colonial, Imperial, and Republican Brazil) resulted in the overlap of various titles, which the military government did not alter, continuing the trajectory of resource exploitation (Loureiro, 2009).

4.2. The 1988 Constitution and New Land Regularization Norms

By the 1980s, the Amazon was considered an urbanized forest, with urbanization stimulated by local economic development but lacking sufficient infrastructure for a quality life (Costa; Rosa, 2017). The re-democratization period culminated in the 1988 Federal Constitution and new rules on federative competencies and urban policies.

The struggle of urban reform movements, active since the late 1970s (Klintowitz, 2015), advocated that urban land management be attributed to the municipalities. Progressive sectors mobilized for valuing work, free public health, popular housing, and urban policy. The urban reform movement demanded the institutionalization of legal instruments for land management to promote social inclusion, resulting in a chapter on urban policy (Articles 182 and 183) and the City Statute (*Estatuto da Cidade*)—applicable nationwide and to all federative spheres. The 1988 Constitution mandated shared competency among federative entities to execute housing programs, inducing an uncoordinated decentralization (Klintowitz, 2015).

The 1988 Charter consecrated the social function of property (Article 5, XXIII; Article 170, III, CF) as an integral quality of private (and public) property, requiring it to serve the public interest beyond individual concerns. The 2002 Civil Code and the City Statute followed this principle. However, land regularization remains an exception in legislation and is often detached from municipal urban policy, limiting its results. Despite positive legal changes in the last century aimed at democratizing urban land, practical effects have been restricted, and land irregularity remains the rule.

In 2008, recognizing that land definition uncertainty affected about 50% of the Amazon, the Federal Government issued Provisional Measure (MP) No. 458/2009 to overcome the lack of regularity. This MP was converted into Law No. 11,952/2009, which instituted the TLP for land regularization in the Legal Amazon. The TLP norms are applied with Law No. 13,465/2017, which regulates *Reurb*.

4.3. Analysis of Land Public Policies in the Amazon

The historical-institutional study provides criteria to examine Amazonian land regularization policies, which must bring predictability by defining property rights, and to assess whether the TLP shifted the region's trajectory. Historical institutionalism allows for considering the singularity of decision-making moments, identifying conflicts between actors and context, and analyzing the behavior of social groups through a combination of social rules and strategic calculation (STEINMO, 2008).

The Legal Amazon (defined by Law No. 1,806/1953 and Complementary Law No. 124/2007) covers 5,020,000 km² (about 60% of the national territory) and includes 776 municipalities with a population of nearly 28 million (IBGE, 2017). Of the 502 million hectares, 113 million (22.5%) are federal lands, with 55 million being without destination before the TLP (Ribeiro; Silva; Santos, 2016). The TLP addresses both rural and urban land regularization, prioritizing the titling of local communities. Rural regularization requires quiet and peaceful occupation and direct exploitation of an economic activity on a rural property, before July 22, 2008. Urban regularization (Reurb) aims to transfer the full domain of occupied federal lands to the municipalities to benefit the local community, but the TLP requires a counterpart.

A prerequisite for Reurb is a municipal law (Master Plan or specific law) covering the area (Article 22, § 1, Law No. 11,952/2009). However, transfer of already consolidated urban occupations can occur regardless of this municipal law (Article 22, §2). Consolidated urban occupations are defined as having an implemented road system (paved or unpaved) that configures the urban area (blocks and lots), and predominantly urban use (residential, commercial, industrial, institutional, or mixed buildings) (Decree No. 7,341/2010, Art. 2, I, "a" and "b"). Law No. 11,952/2009 prohibits benefiting an individual or entity with the regularization of more than one occupied area (Art. 1, sole paragraph).

Law 13,465/2017 modified the TLP criteria. Previously, conditions (Art. 30, Law 11,952/2009) included: 1) gratuitous alienation for low-income occupants in properties up to 1,000m². Bidding was for properties over 1,000m², and gratuitous alienation to state bodies was for plots with public buildings. Subsidiary to these was the Bidding Law. Currently, Article 30 only mandates that the Municipality conduct land regularization using the instruments of the specific federal Reurb legislation (Law No. 13,465/2017).

This new law aimed to de-bureaucratize Reurb, innovating with mechanisms like: extending Reurb to informal nuclei with urban characteristics in rural areas; creating the real right of surface property (*direito real de laje*); and giving legitimization of possession contours resembling administrative adverse possession, bypassing the Judiciary. It maintains the distinction between Reurb of Social Interest (Reurb-S), for low-income populations (declared by the municipal Executive), and Reurb of Specific Interest (Reurb-E), for the non-low-income population.

The greatest novelty for the TLP was the determination to use Reurb instruments, including land legitimization (*legitimação fundiária*) (Articles 23 and 24, Law 13,465/2017). This is an original form of property acquisition for the occupant of an urban unit in a consolidated informal urban nucleus existing on December 22, 2016 (in public or private areas). The recipient gets the property free of any encumbrances, and since it is an original acquisition, it is exempt from transfer taxes (ITBI and ITCMD).

Prieto's (2016) criticism suggests that the ability to acquire public property without burdens or requirements (except for the December 22, 2016 occupation date in Reurb-S) resembles new forms of land grabbing. This could facilitate land accumulation for high-income people rather than democratizing urban land access for the low-income population. The main requirement in the new law is applied only in Reurb-S.

The attempt to facilitate Reurb modified the TLP policy initiated in 2009. The trajectory of land regularization policies has followed a pattern that allowed land agglomeration for the benefit of a few, causing what was exceptional to require a lasting regularization policy. Research indicates little progress in the TLP (Ribeiro; Silva; Santos, 2016; Brito; Barreto, 2011), resistance to burdensome alienation instruments by local actors, difficulties with informal rules (Outeiro; Goés; Nascimento, 2016), and a high potential to benefit land grabbers (Sauer; Leite, 2017). Ribeiro, Silva, and Santos (2016) noted that in Rondônia (2009–2014), the TLP failed to meet expectations due to a slow titling pace (estimated 4 decades to serve all occupants), a low number of beneficiaries (fewer than 5 thousand out of over 43 thousand), and failures in monitoring. Law 13,465/2017, due to the absence of rigid criteria to hinder land

grabbing, is seen as facilitating land grabbing (Sauer; Leite, 2017).

Rural land regularization in the Amazon has advanced but shows low operational performance, continues to permit land grabbing, and does not significantly reduce legal insecurity, despite improvements in transparency and the cancellation of illegal titles (Ribeiro; Silva; Santos, 2016). It also makes little progress in democratizing land for small holders (Cunha, 2009; Oliveira, 2016). By May 2016, the rural TLP had issued 17,101 titles (over 95% to family farmers) within a universe of 3 million hectares, but another 20 million hectares remained unregulated (Andrade et al., 2016). For Reurb, estimates show 11,000 titles issued (5.7 million hectares) until 2017 (Brasil, MDA, 2017), leaving over 40 million hectares (urban and rural) irregular. The change in legislation was not accompanied by a change in the mentality of local actors, who prioritized gratuitous alienation. Informal rules regarding land use and transfer have ensured the functioning of the market for buying and selling public areas in Reurb zones, regardless of formal law, a factor that must be considered. Informal rules take longer to change. Thus, avoiding harsh sanctions like forced removal is a way to prevent antagonizing the local community, but action should be taken for the rules.

The trajectory of the land structure began with the sesmarias regime (Treccani, 2009), leading to socio-spatial exclusion and the formation of large estates, continuing with the Land Law of 1850 and a conception of property as an absolute right (Prieto, 2016). This was aggravated in the Amazon, which the State viewed as a space for generating wealth (Loureiro, 2009). The 1988 Supreme Law explicitly recognized the social function of property, followed by the 2002 Civil Code, culminating in the TLP, later altered by Law 13,465/2017. A constant throughout this trajectory is socio-spatial exclusion and the ability of actors to use institutions for their own benefit, opposing changes. Alterations occur incrementally, in a system of self-reinforcing mechanisms that hinder the adoption of a more democratic path. The situation is an arena where actors with their own agendas act according to (or against) formal institutions, informal rules, and timing.

If change depends on how actors ally to transform formal rules, it would be possible to act locally to create formal rules consistent with democratizing land access. However, this has been absent, despite greater autonomy for local urban policy influence. Conditions for changing the legacy of irregularity include: 1) Using Reurb instruments that maintain public domain over the land, whether limited or not; 2) Modifying the TLP to use social inclusion criteria for gratuitous alienation of public lands, or having municipalities adopt similar criteria. Since the TLP design fails to adequately address the Amazonian land problem—neither the former version lacking Union control and municipal land management, nor the current one lacking rigid social inclusion criteria—it is essential to consider the existence of local informal rules, rather than focusing only on formal rule changes.

CONCLUSION

The current land conditions in the Amazon result from past decisions by political agents, which, if not properly understood, will influence the future. While the past is materialized in the present, it does not preclude attempts to act toward a different future. A chain of political decisions reduced future options and left a legacy of social exclusion and land irregularity in Brazil, especially in the Amazon, aggravated by migratory flows.

The TLP aligns more as an incremental adjustment within the same trajectory, with limited effects that permit land grabbing and land accumulation. This is because the TLP results resemble the effects produced by the sesmaria regime and the Land Law, demonstrating the strength of the historical legacy, where only incremental adjustments occur. The Reurb process based can be viewed as a game with actors in conditions of power asymmetry, where expressed preferences should not be confused with a person's real interests. Based on the previous trajectory, it is easier to predict that Reurb will be executed without rigid criteria that seek an egalitarian urban reform.

New research is necessary to debate the subject; after all, the past acts in the present and designs the future, but that does not mean there are no alternatives to change tomorrow and that the future is inevitable.

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