

## Brasília, UNESCO's World Heritage: actions and instruments for the protection of urban space (1960–1987)

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**ABSTRACT:** *This article is characterized as a case study that aims to analyze the two main moments of patrimonialization of Brasília, the capital of Brazil, as a UNESCO World Heritage Site. Based on a historical discussion of actions and legal instruments aimed at the preservation of the urban space of Brasília, the article develops within the framework of two questions: 1st) the inauguration of this city, during the government of Brazilian President Juscelino Kubitschek (1956-1961); 2nd) the indication of Brasília to the status of UNESCO World Heritage, during the 1980s. The results presented in the text were achieved through the interpretation of the pertinent historiography and the study of primary sources. In this sense, in the course of the text, we seek to answer the following questions: what were the legal mechanisms for preserving of the “Plano Piloto de Brasília” (Brasília Pilot Project), from 1960 to 1987, and in what historical context did they take place? What characteristics of the Brasília Pilot Project have we tried to include in the legal instruments (laws, decrees, ordinances, etc.)? What are the differences between preservationist experiences in the urban space of Brasília?*

**KEYWORDS:** *Cultural Heritage, Brasília, World Heritage, UNESCO.*

**RESUMO:** *Este artigo se caracteriza como um estudo de caso que tem por objetivo analisar os dois principais momentos de patrimonialização de Brasília, a capital do Brasil, como patrimônio mundial da UNESCO. A partir de uma discussão histórica de ações e instrumentos legais voltados à preservação do espaço urbano de Brasília, o artigo se desenvolve no marco de duas questões: 1º) A inauguração dessa cidade, durante o governo do presidente Juscelino Kubitschek (1956-1961); 2º) A indicação de Brasília à condição de Patrimônio Mundial da UNESCO, durante a década de 1980. Os resultados apresentados no texto foram atingidos por meio da interpretação da historiografia pertinente e do estudo de fontes primárias. Nessa direção, no decorrer do texto, procuramos responder às seguintes questões: quais foram os mecanismos legais de preservação do Plano Piloto de Brasília, de 1960 a 1987, e em que contexto histórico eles vieram à tona? Quais características do Plano Piloto tentou-se contemplar nos instrumentos legais (leis, decretos, portarias etc.)? Quais as diferenças entre as experiências preservacionistas do espaço urbano de Brasília?*

**PALAVRAS-CHAVE:** *Patrimônio Cultural, Brasília, Patrimônio Mundial, UNESCO.*

## I. INTRODUCTION

This article constitutes a case study produced within the framework of the recent investigations undertaken by the members of the research group “City, Culture and Difference of Univille” (<https://gpccd.org/>). The text unfolds from two research projects developed between the years 2018 and 2021 with funding by Research Support Fund of the University of the Joinville’s Region (UNIVILLE), namely: “Behind the scenes of UNESCO: strategies for World Heritage network governance (1990-2020)” and “Brasília, UNESCO world heritage: from a functional modernist city to smart city? (1981-1990)”.

The problematic of the article seeks to discuss three main questions, namely: what were the legal mechanisms for preserving of the Brasília Pilot Project (1960-1987) and in what historical context did they take place? What characteristics of the Brasília Pilot Project did it aim to contemplate in the legal instruments (laws, decrees, ordinances, etc.)? What are the differences between preservationist experiences in the urban space of Brasília?

From a methodological point of view, the article is based on the analysis and interpretation of the pertinent historiography, as well as on primary sources, researched on the UNESDOC Digital Library and on the UNESCO World Heritage Center’s website, related to the process of patrimonialization of the Brasília Pilot Project and the nomination of Brasília to the status of UNESCO world heritage.

Furthermore to the contribution to research on the history of Brasília and cultural heritage policies, the text aims to provide subsidies for studies that analyze the heritage of cities with modernist architecture, heritage of planned cities, the challenges to the future of historical city centers recognized as a UNESCO World Heritage Site.

The article is organized in four parts. First of all, we reflected on the characteristics of Brasília and its Pilot Project considered of Outstanding Universal Value by UNESCO at the time of recognition of this city as a UNESCO World Heritage Site. After that, we discuss the legal instruments for preserving the Pilot Project at the time of the city's inauguration, as well as analyzing the governmental strategies of preserving the newborn city. In addition, we problematize the initiatives to preserve Brasília's heritage that, during the 1980s, contributed to the indication and recognition of the city as a UNESCO World Heritage Site. Finally, in the last part of this article, we promote a reflection on the possibilities of new research with regard to the city of Brasília as a UNESCO World Heritage Site.

## II. BRASÍLIA AND ITS PILOT PROJECT CONCEPT

The city of Brasília was inaugurated on April 21, 1960, after a period of more than three years dedicated to its construction, during the government of Brazilian President Juscelino Kubitschek (1956-1961), also known as JK. It is a planned city, whose urban planning project (Pilot Project) was chosen through a contest held in 1956, which was won by urban planner Lúcio Costa.

Since its inauguration, Brasília has been the federal capital of Brazil, having been recognized as a UNESCO World Heritage Site on December 7, 1987, due to the outstanding universal value that was attributed to it. The outstanding criteria for this choice were I and IV, which indicate, respectively, “to represent a masterpiece of human creative genius” and “to be an outstanding example of a type of building, architectural or technological ensemble or landscape which illustrates (a) significant stage(s) in human history” (UNESCO, 2019, p.25) <sup>[1]</sup>.

The main outstanding characteristics attributed to Brasília are, in the words of Lúcio Costa himself, the four urban scales of the city: monumental, residential, gregarious and bucolic (COSTA, 1987) <sup>[2]</sup>. According to Decree No. 10,829, of October 14, 1987, the four urban scales of Brasília are:

“The monumental scale, designed to give the city the mark of the country's effective capital, is configured in the Monumental Axis, from Three Powers Plaza to Praça do Buriti Square. [...] The residential scale, providing a new way of living, typical of Brasília, is configured along the South and North wings of the Highway-

Residential Axis [...]. The gregarious scale with which the center of Brasília was conceived, around the intersection of the monumental and road axes, is configured on the Highway Platform and in the Entertainment, Commercial, Banking, Hotel, Medical-Hospital, City and Radio and Television sectors in the South and North. [...] The bucolic scale, which gives Brasília the character of a park-city, configured in all free areas, contiguous to land currently built or institutionally planned for construction and intended for landscape preservation and leisure [...]. (DISTRITO FEDERAL, 1987) <sup>[3]</sup>

The urban scales of Brasília are underlined by the bibliography as a Brazilian affiliation of the functionalist urban conception of the International Congresses of Modern Architecture - CIAM <sup>[1]</sup> and its most influential manifesto, the 1933 Athens Charter (REIS, 2011) <sup>[4]</sup>, in which it was argued that the four essential functions of the city are: to work, to inhabit, to circulate and to recreate (CIAM, 1933) <sup>[5]</sup>.

In addition, “*superquadras*” (superblocks) are also exceptional features: a concept of wooded areas with free circulation spaces between family homes (REIS, 2015) <sup>[6]</sup>; the fluid road structure that “functions as an integrating framework for the various urban scales” (COSTA, 1987, p.4) <sup>[2]</sup>; and Oscar Niemeyer's architecture<sup>2</sup>, engraved in several buildings located on the city's Monumental scale, namely, the headquarters of the 3 powers (Planalto Palace, headquarters of the executive branch; National Congress, headquarters of the legislative branch; and Supreme Federal Court, headquarters of the judicial branch); the Itamaraty Palace, headquarters of the Ministry of Foreign Affairs; the Alvorada Palace, official residence of the President of Brazil; and the Metropolitan Cathedral, among others.

A fundamental concept for the study of Brasília is the Pilot Project and its dichotomous connotation. In this sense, it is worth mentioning the works of Thiago Pereira Perpétuo (2015 <sup>[7]</sup>; 2016 <sup>[8]</sup>), which distinguish the 1956 Pilot Project (urban design of spatial layout by Lúcio Costa who won the tender for the “urban project” of the new capital) and the Pilot Project (the physical-territorial reality that is partly due to the project and which was contemplated by the safeguard initiatives). Throughout the text, this discussion will be resumed to discuss some nuances of Brasília's preservation initiatives.

In addition, the term Pilot Project has an ambiguous connotation in Portuguese. It is common sense that Brasília has a shape that is very similar to that of an airplane (Figure 1), even though this association was not purposeful on the part of Lúcio Costa. At the same time, *Pilot* can mean *guide*, in the sense of a direction of ordering and orientation (for example, master plan or general plan). Likewise, it can mean *driver* or *aviator*, in the sense of being responsible for the direction of that supposed airplane. Furthermore, the two halves of the Highway Axis (the horizontal axis in the figure below) are called North Wing and South Wing, which further corroborates the interpretation of the possible plane.

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1 The International Congresses of Modern Architecture –CIAM (Congrès international d'architecture moderne) were a set of ten meetings held between 1928 and 1956 by the main names of international modern architecture to discuss the directions of the field of Architecture. The group's most influential work is the Athens Charter, the product of the fourth meeting, held in 1933, written by the French-Swiss architect and urbanist Le Corbusier. Brasília is sometimes considered the most significant application of the principles of that Charter.

2 Oscar Niemeyer (1907-2012) was a Brazilian architect, known worldwide in the field of architecture. He designed the architectural ensemble of Brasília, the federal capital of Brazil (1956-1964), the modern ensemble of Pampulha (1947-1952), also considered a UNESCO World Heritage Site. In addition, he participated in the team responsible for the design of the UN headquarters in New York (1947-1952).

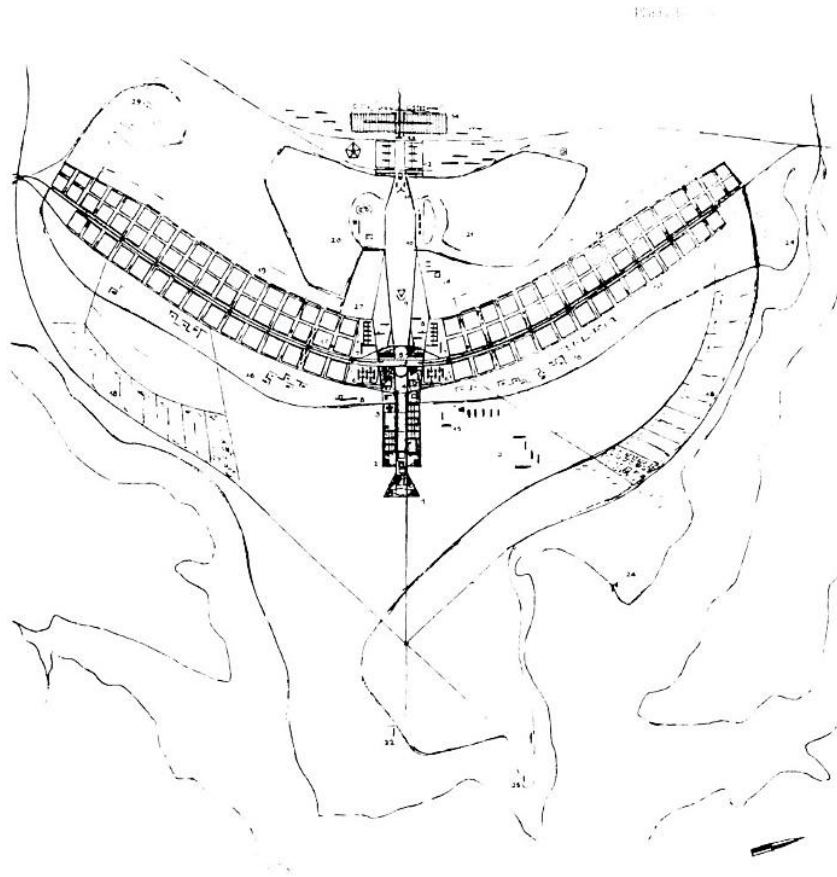


Figure 1 – Pilot Project by Lúcio Costa. Available in:  
<https://www.agenciaBrasília.df.gov.br/2019/04/25/147148/>

### III. BRASÍLIA, 1960: A CITY BORN AS HERITAGE?

Although Brasília was inaugurated in 1960, the interiorization of the capital of Brazil has been discussed at least since the 18th century, when Rio de Janeiro was still the federal seat of government. Over time, many figures from Brazilian politics and civil society have considered change, among them José Bonifácio, Hipólito José da Costa and Francisco Adolfo de Varnhagen (WESTIN, 2020) <sup>[9]</sup>. The defenders of the construction of Brasília evoked these speeches to legitimize the interiorization of the capital of Brazil. However, it must be considered that these figures from before lived in very specific and distinct historical contexts, in such a way that evoking them in a teleological journey from the new capital of Brazil, which goes from the 18th century to Brasília, as if they all defended the same idea of capital that would be being built at that moment, is a rhetorical resource.

The definitive change of the capital only started to take place after the Republic of 1946, when the Transitional Provisions of the Federal Constitution determined the transfer of the capital to the Central Plateau of Brazil and the elaboration of a working group to proceed with the study of the location of the new capital. The transfer of the capital to the country's Central Plateau was incorporated into Juscelino Kubitschek's government plan during the election campaign, in mid-1955, and ended up becoming the great flag of his term, Brasília being the Target-Synthesis of his Plan of Goals (KUBITSCHKEK, 2000) <sup>[10]</sup>.

The JK's Plan of Goals, composed of 31 targets including the Target-Synthesis, Brasília, aimed at abandoning the current exchange balance policy, in favor of the industrialization of Brazil financed by foreign

capital to enable infrastructure works in the areas of energy, transport and basic industries, many of which are associated with the construction of Brasília (CASALECCHI, 2002) <sup>[11]</sup>. Juscelino Kubitschek understood Brasília as an essential point for the rise of a new Brazil, a modern country that, together with the developmentalism of its Plan of Goals, would not only correct the deviations of the country's evolutionary process but would also represent a new force for Brazil (KUBITSCHKEK, 2000) <sup>[10]</sup>. The idea of development in Brazil, particularly from the first half of the twentieth century, starts to be signified from the industrial society and industrialization, being a way and model to be followed by regions not yet developed (COELHO; SOSSAI; OLIVEIRA, 2020) <sup>[12]</sup>.

At the moment, this interiorization of the capital gained mythical connotations in Juscelino Kubitschek's speeches, closely associated with a new decisive chapter in the nation's history, the most important after on April 22, 1500, when Brazil was occupied by Portuguese maritime fleets; and September 7, 1822, Brazil's Independence Day (OLIVEIRA, 2005) <sup>[13]</sup>.

Much because of the personalist connotation of the change of the capital in the figure of Juscelino Kubitschek, the failure of Brasília would represent the political death of the then president (PERPÉTUO, 2018) <sup>[14]</sup>. Magalhães (2010) <sup>[15]</sup> points out that the press at the time accused opposition parliamentarians of "dragging the heels" by approving the legal provisions on moving the capital, as they did not believe in the possible success of Brasília, seen as the political suicide of JK.

Thus, a certain preservationist impetus on the part of Juscelino Kubitschek in relation to the newborn capital is understandable. In this sense, aiming to guarantee the preservation of the city through a legal device, JK wrote a note addressed to Rodrigo Melo Franco de Andrade, at that time director of the Department of National Historical and Artistic Heritage of Brazil – DEPAN (current Institute of National Historical and Artistic Heritage of Brazil – IPHAN):

"Rodrigo. The only defense for Brasília is the preservation of its Pilot Project. I thought that its patrimonialization could constitute a safe element, superior to the law that is in Congress and whose approval I have doubts. I ask you to be kind enough to study this possibility even if forcing the interpretation of Heritage a little. I believe that a barrier to the destructive attacks that are already vigorous is essential. Grateful for the attention. Hugs. Juscelino. Brasília, 6-15-60".

There was the opening of a listing process at the federal property protection agency (Case No. 106090/1960-DPHAN) which ended up not proceeding, in which there is a letter from Rodrigo Melo Franco de Andrade written two weeks after the aforementioned note from JK. In the letter it is stated that the best solution for the preservation of Brasília would be a federal law, since its revocation would depend on parliamentary procedure in the Chamber of Deputies and in the Federal Senate, while a Heritage listing of Brasília carried out by JK (Presidential Decree) could be revoked by his successor, as provided for in Decree-Law No. 3,866, of November 29, 1941 (PERPÉTUO, 2015) <sup>[7]</sup>. In this direction, the Tábuas Palace, also known as Catetinho<sup>3</sup>, also had its tipping process started from a note from JK to Rodrigo Melo Franco de Andrade, one year before (BARBOSA, 2019) <sup>[16]</sup>.

In addition, it is noteworthy that this anticipation of recognition as heritage (with a preventive dimension) is quite recurrent in Brazilian modernist architecture (SILVA, 2019) <sup>[17]</sup>. In the first decades of operation, the current IPHAN patrimonialized some assets by Oscar Niemeyer and Lúcio Costa, the most notorious figures of the Modernist Architecture Style from Rio de Janeiro, such as the São Francisco de Assis

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<sup>3</sup>Catetinho or Tábuas Palace is the name of the wooden building provisionally used by Juscelino Kubitschek for his activities in Brasília before the inauguration of the Alvorada Palace, which took place in June 1958. It was built in 1956 and **heritage** listed in 1959. The name Catetinho (little Catete) is a reference to the former dispatch headquarters of the President of Brazil, located in Rio de Janeiro, the Catete Palace.

Church in the Conjunto Moderno da Pampulha (1947), the Gustavo Capanema Palace (1948) and the Tábuas Palace, the “Catetinho” (1959).

In any case, Draft Law Project No. 1,921, dated June 3, 1960, sent to the National Congress by President Juscelino Kubitschek on May 19, 1960, created the Supervision and Control Council for Architecture, Art and Urbanism of Brasília, aiming to guarantee full compliance with the Pilot Project. The council would ensure full compliance with the Brasília Pilot Project, in addition to preserving, according to JK's words, “The original urban design, preventing the monuments already existing in the city from being sacrificed in their aesthetic unity in the future” (BRASIL, 1960) <sup>[18]</sup>, as justified by the then president for sending the bill. As Perpétuo (2018) <sup>[14]</sup> points out, despite a promising start in the process, the project did not have parliamentary continuity after JK's government and ended up being shelved. The justification for not proceeding, under debate within the Federal District Commission, in mid-1965, was due to the existence of the Federal District's Architecture and Urbanism Council, created by Decree No. 43, of 1961. Thus, Draft Law Project No. 1,921 was deemed inopportune. The definitive filing took place in April 1966 (BRASIL, 1960) <sup>[18]</sup>. It should be noted that JK's letter to Rodrigo Melo Franco de Andrade dates from June 15, 1960. Apparently, “the law that is in Congress and whose approval I have doubts”, in the words of JK, could be Draft Law Project No. 1,921, from 1960.

With regard to the “devastating attacks that are already vigorous”, it is interesting to observe what JK meant by that. Was the modernist city at risk in the face of modernization? Was JK trying to save Brasília from itself? Assigning a figurative meaning to the demolishing attacks, it is possible to associate it with attacks by the opposition and part of the press to the project of JK moving the capital. In this direction, we highlight some threats signaled by Juscelino Kubitschek (2000) <sup>[10]</sup>, namely, the attempt to establish a Parliamentary Committee of Inquiry against NOVACAP, Urbanization Company of the New Capital, undertaken by some parliamentarians of the National Democratic Union-UDN (opposition party to JK) for accountability and investigation of alleged irregularities in the work, in mid-1959, which ended up being discussed immediately after the inauguration of the city, already in the first parliamentary session in the National Congress in Brasília; and the refusal of 19 opposition senators to move to Brasília, who continued to symbolically exercise their parliamentary activities in Rio de Janeiro for a certain time. On the other hand, understanding the devastating attacks in a more literal sense, we did not find any great movement between the inauguration of Brasília and the date of the note that constitutes such a threat of the Pilot Project's characterization. This specific point requires research on its own.

In addition to Draft Law Project No. 1,921 of 1960, which ended up not being approved, Brasília had another legal provision that legislated regarding its Pilot Project, Law No. 3,751, from April 13, 1960. The legal mechanism is the organic law of the Federal District, considering that it provides for the administrative and political organization of the new capital that would be inaugurated 8 days later. Art. 38 of the law, located in the general provisions, legislates that “any change in the Pilot Project, which the urbanization of Brasília obeys, depends on authorization by federal law” (BRASIL, 1960) <sup>[19]</sup>. This means that even before inauguration, Brasília already had a legal device for defending the Pilot Project.

The law comes from Bill No. 1,513, of February 10, 1960, sent by the Office of the Presidency of the Republic to the Chamber of Deputies, which passed with parliamentary urgency, as indicated by the documentation available in the Chamber of Deputies' collection. Article 38 comes from Amendment No. 7, presented on March 24 by Deputy Ernani Sátiro, which states that “only by federal law can any changes be made to the current Urbanization Pilot Project of Brasília”. The amendment had a favorable opinion by the Constitution and Justice Committee, but the Finance Committee did not. According to the commission's rapporteur, Deputy Petronilo Santa Cruz, “I am of the opposite opinion, because I understand that the subordination of the alteration of the Pilot Project to a special law can determine excessive delay and even stop the service in the face of many times a modifying measure, without major importance”. The amendment ended up being inserted in the final version, but with a different text from the initial proposal (BRASIL, 1960) <sup>[20]</sup>.

Perpétuo (2018) <sup>[14]</sup> signals the dissatisfaction of Deputy Ernani Sátiro in the subtle changes of his amendment. He took the floor at the plenary session on March 29, where he brought up issues such as the

character of a work of art in Brasília and the possibility of disfigurement as a result of the advance of the private sector. As Perpétuo (2018, p. 319)<sup>[14]</sup> points out, “it is noteworthy the way in which Sátyro evokes, even before the inauguration of the city, some of the values [of work of art] later recognized – or attributed – to Brasília”. This article would still be resumed in the late 1980s, when the Pilot Project was protected by district decree, on the occasion of Brasília's recognition as a UNESCO World Heritage Site.

#### IV. A CITY THAT IS A WORLD HERITAGE?

In 1979, dialogues were initiated in order to think about the preservation of Brasília, especially due to the danger of the city's characterization being caused by real estate speculation (SILVA, 2019)<sup>[17]</sup>. At the time, the management of the then president of IPHAN Aloísio Magalhães (1979-1982), who was previously linked to the National Cultural Reference Center of Brazil – CNRC (an institution that functioned as a critical alternative to IPHAN in the second half of the 1970s) and, from the merger of IPHAN, CNRC and the Historic Cities Program, the agencies started to operate in a complementary system of action (FONSECA, 2009)<sup>[21]</sup>.

In this institutional context, the GT-Brasília (Working Group for the Preservation of the Historical and Cultural Heritage of Brasília) is constituted, through Decree 5.819, of February 24, 1981. The group had the participation of professionals from the Government of the Federal District, IPHAN and the University of Brasília, combining the interests of technicians from the heritage and government authorities to think about preserving the city (SILVA, 2019)<sup>[17]</sup>.

The group, which operated from 1981 to 1988, carried out several studies for the preservation of Brasília, having submitted a synthesis report in 1985 and a draft bill for the protection of the Brasília Pilot Project, in 1987. The group's preservation proposal worked with a concept of absolute protection zone that included the Pilot Project; a buffer zone, where there is a predominance of green spaces; a peripheral area that comprised Lake Paranoá and its margins; and the pioneering camps of workers of the time of the construction of Brasília, in addition to the farms before the capital's displacement to the Central Plateau, understood as historical testimonies of the birth of the city (SANTOS, 2009)<sup>[22]</sup>.

As soon as he was appointed governor of the Federal District, José Aparecido de Oliveira, who had contact with the work of the GT-Brasília when he held the position of Minister of Culture in Brazil in 1985, signaled to the newspaper *Correio Braziliense* that his first government plan would be to “proceed with the overturning of the Pilot Project to avoid the mischaracterization of its architectural lines” (APARECIDO, 1985 apud PERPÉTUO, 2015, p.182)<sup>[7]</sup>. The government of José Aparecido de Oliveira ends up directing the work of the GT-Brasília for the candidacy of Brasília to the status of UNESCO World Heritage Site, considering that the group is tasked by the governor to transform the research results into the application dossier submitted to the World Heritage Committee, in addition to drawing up a draft of the Pilot Project protection law, one of UNESCO's requirements for the recognition of the property (SILVA, 2019)<sup>[17]</sup>.

What motivated the newly installed governor to defend the overturning of the Pilot Project and direct the work of the GT-Brasília to Brasília's candidacy for UNESCO World Heritage Site is a question still unclear. On the other hand, a text by José Aparecido de Oliveira published in the *Folha de São Paulo* newspaper on December 8, 1987, the day after Brasília was recognized as a UNESCO World Heritage Site, signals some clues:

“Once, speaking at Palacete Dantas, when I was secretary of Culture in Minas Gerais, Afonso Arinos remembered being a boy in an infant city. ‘Belo Horizonte would be the only belle-époque construction in the world if it had preserved the urbanism and architecture of the end/beginning of the century’. Master Afonso Arinos' warning was the seal of the governor of the Federal District”. (OLIVEIRA, 1987 apud PERALVA, 1988, p. 40)<sup>[23]</sup>

Furthermore, it should be noted that José Aparecido de Oliveira had a political trajectory closely linked to the cultural issue, having been Minister of Culture in Brazil twice; Secretary of Culture of the State of Minas

Gerais; President of Oscar Niemeyer Foundation, since 1988; Brazilian ambassador to Portugal and a key figure in the constitution of the Community of Portuguese Speaking Countries, both during the 1990s (BRAGA, 1999).<sup>[24]</sup>

#### **IV.1 THE DIPLOMATIC CAMPAIGN FOR THE RECOGNITION OF BRASÍLIA AS A UNESCO WORLD HERITAGE SITE**

The notion of world heritage was established by the 1972 UNESCO Convention for the Protection of World, Cultural and Natural Heritage. It was ratified by Brazil by means of Legislative Decree No. 74, of June 30, 1977, and promulgated by Presidential Decree No. 80,978, of December 12, 1977. It was an international seal for the protection of sites, cultural properties, and public goods considered to be of outstanding universal value, the preservation of which is supposedly of world interest.

Like Brasília, the candidates for the UNESCO World Heritage List are chosen by the World Heritage Committee, composed of 21 members from different countries seasonally elected to the post. According to article 1 of the 1972 UNESCO Convention, the following are considered cultural world heritage:

Monuments: architectural works, works of monumental sculpture and painting, elements or structures of an archaeological nature, inscriptions, cave dwellings and combinations of features, which are of outstanding universal value from the point of view of history, art or science; groups of buildings: groups of separate or connected buildings which, because of their architecture, their homogeneity or their place in the landscape, are of outstanding universal value from the point of view of history, art or science; sites: works of man or the combined works of nature and man, and areas including archaeological sites which are of outstanding universal value from the historical, aesthetic, ethnological or anthropological point of view (UNESCO, 1972, art. 1)<sup>[25]</sup>.

Scifoni (2017)<sup>[26]</sup> believes that the 1972 UNESCO Convention represented the globalization of a certain European preservation experience, especially French, very much based on the monumentality and exceptionality of the sites. In this sense, Peixoto (2002, p. 39)<sup>[27]</sup> states that, from the end of the 1980s, UNESCO's World Heritage status has been functioning as a "symbolic and emblematic distinction and reference par excellence of heritage processes". Similarly, Meskell (2015)<sup>[28]</sup> points out that applications and nominations for UNESCO's status as World Heritage sites have been an increasingly politicized business, with millionaire application dossiers and the hope of high revenues from tourism.

Within the scope of discussions on Brasília as a UNESCO World Heritage Site, there was a diplomatic campaign that started in December 1985, when José Aparecido visited the then Director-General of UNESCO, Amadou Mathar M'Bow, and argued that "not only secular properties, but also contemporary monuments should obtain protection from UNESCO" (PERALVA, 1988, p.91)<sup>[23]</sup>. The campaign was successful in December 1987 when Brasília was recognized as a world cultural heritage at the 11th Session of the World Heritage Committee, held in Paris.

In this regard, the study by Gfeller and Eisenberg (2016)<sup>[29]</sup> highlighted that UNESCO's World Heritage policies have historically been shaped according to the needs of member states, which seems to us to be the case for Brasília's candidacy and recognition. In fact, the inclusion of Brazilian cultural property in the UNESCO World Heritage List occurred simultaneously with the increase in the country's financial contributions to the World Heritage Fund. The accountability report of the VI General Assembly of the World Heritage Convention recorded that, between 1977 and 1985, Brazil voluntarily contributed (in addition to the mandatory payments by States parties to the Convention) with US\$ 22,500.00 for the World Heritage Fund. Between 1986 and August 31, 1987, Brazil contributed US\$ 25,184.00 and, between August 31 and the VI Assembly (held in October), the country donated an additional US\$ 25,132.22 to the Fund (UNESCO, 1987)<sup>[30]</sup>. In other words, in the 1986-1987 biennium, Brazil voluntarily contributed about twice as much as in the eight years preceding the period. It is worth mentioning that, when the World Heritage Convention was ratified by the Federal



Government of Brazil through Legislative Decree No. 74, of June 30, 1977, there was a reservation to paragraph 1st, of Article 16 of the Convention. This paragraph concerned the mandatory contributions of States parties to the Convention. In this way, it is possible to state that Brazil had never made such a significant financial contribution to the UNESCO World Heritage Fund as it did between 1986 and 1987.

In this context, there are a number of backstage movements, including the activities of the Ministry of Foreign Affairs of Brazil (called Itamaraty), through the Brazilian representation at UNESCO, which, among other things, it tried unsuccessfully to hold the X and XI Session of the World Heritage Committee in Brasília, as a means of forcing the discussion on the entry of contemporary goods in the referred List. As reported by Peralva (1988) <sup>[23]</sup>, efforts to host the World Heritage Committee Session began in January 1986, with a sequence of exchanges of letters and telex between Brazilian ambassadors and advisers at UNESCO with the Federal District Government authorities throughout the year. The invitation turned out to be successful years later, when the 12th Session of the World Heritage Committee was held in Brasília, in December 1988.

In addition, an attempt was made to guarantee a Brazilian place on the World Heritage Committee, aiming to have better conditions to achieve the inclusion of Brasília in that List. According to the telex sent by the interim chancellor Mr. Paulo Tarso Flecha de Lima to the governor of Brasília, Mr. José Aparecido de Oliveira, dated October 30, 1987:

“I am pleased to inform you that, on the occasion of the VI General Assembly of the States Parties to the Convention on the Protection of World Heritage, Cultural and Natural, held at Unesco's headquarters in Paris on 10/30, out of the 15 countries competing for the 7 seats on the World Heritage Committee, Brazil was the only state party to be re-elected, having obtained the second of the largest vote (41 votes), followed by the United States (45 votes). I believe that our presence, thus, once again assured, will give us better conditions to achieve the inclusion of Brasília in the World Heritage list, at the next meeting of the referred Committee, next December” (LIMA, 1987 *apud* PERALVA, 1988, p. 129) <sup>[23]</sup>

As much as the presence of Brazil in the Committee facilitated the defense of the inclusion of the site in the discussions, there was not necessarily a relationship between the participants of the Committee and the sites included in the World Heritage List. According to our survey, between 1978 and 1990 (in relation to the inclusions each year), there are years when the percentage of inclusion of sites located in member countries of members of the World Heritage Committee is greater than 70% of the total of sites included, while in others it is less than 20%. Therefore, there was no statistical standard that justified Chancellor Paulo Tarso's speech.

The Government of the Federal District also played a constant role in making use of political meetings to mobilize the support of international public opinion for the candidacy of Brasília. The III Plenary Assembly of the Union of Luso-Afro-American-Asian Capital Cities, held in Brasília on April 21, 1987, unanimously approved a motion deciding to support Brasília's candidacy for UNESCO World Heritage status. In May of the same year, at the Congress of the World Association of Large Metropolises (Metropolis-87), a motion was presented by representatives of the city of Rio de Janeiro in support of Brasília's candidacy for UNESCO World Heritage. The members of III Plenary Assembly of the Union of Ibero-American Capital Cities (UCCI), held in Buenos Aires in November 1987, unanimously approved a vote of congratulations on UNESCO's decision to declare Brasília a UNESCO World Heritage Site.

We understand that the campaign to nominate Brasília as a UNESCO World Heritage Site was an activity of cultural diplomacy, since it used diplomatic activity to mobilize public opinion (national and international), using culture as a power strategy. Furthermore, Figueira (2010) <sup>[31]</sup> points out that, as of the 1980s, the “loan” of employees of the Ministry of Foreign Affairs of Brazil to provide diplomatic services in other federal municipalities is recurrent, which is what happens in this case, when they assisted the Federal District Government in the negotiations between December 1985 and 1987.

Finally, diplomatic (and cultural diplomacy) activities related to the promotion of Brasília as a heritage of outstanding universal value continued to take place in the year following its recognition as a UNESCO World

Heritage Site. For example, in April 1988, Léon Pressouyre, an official at the International Council for Monuments and Sites-ICOMOS, responsible for the favorable report on the candidacy and recognition of Brasília as a UNESCO World Heritage Site, was awarded the Brasília Medal of Merit, in the Grand Cross degree (the highest). In addition, a Commemorative Landmark was inaugurated on July 29, 1988, in the Three Powers Plaza in Brasília due to the recognition of Brasília as a UNESCO World Heritage Site. The ceremony was attended by several authorities, including the then Director-General of UNESCO, Frederico Mayor.

#### **IV.2 BRASÍLIA, UNESCO'S WORLD HERITAGE**

In 1986, the set of documentation produced by the GT-Brasília was sent to UNESCO, having been analyzed by ICOMOS, which was favorable to the candidacy, but considered the protection legislation in Brasília insufficient (ICOMOS, 1987)<sup>[32]</sup>. Governor José Aparecido de Oliveira ordered the Attorney General of the Federal District to provide the necessary legislation and the pending issue identified by ICOMOS was resolved with Decree No. 10,829, of October 14, 1987, which regulated Article 38, of Law No. 3,751, of April 13, 1960, as suggested by Attorney General Humberto Gomes de Barros (PERALVA, 1988)<sup>[23]</sup>. The pertinent bibliography indicates that, at the moment, there was a conceptual uncertainty (PERPÉTUO, 2015<sup>[7]</sup>; 2016<sup>[8]</sup>), since the two legal instruments legislated on different things. Article 38, of the 1960 law, aimed to guarantee the execution of the Pilot Project (the urban design of spatial layout by Lúcio Costa who won the competition for the "urban project" of the new capital), especially at a time when the city was still being built and constituted. The 1987 Decree protected the Pilot Project (the physical-territorial reality that was partially due to that initial project).

In any case, Decree No. 10,829, of 1987, explained the concept of the cultural asset called "Pilot Project", understood as the urban conception of the city by Lúcio Costa, as well as delimiting its spatial profile, in addition to determining that the maintenance of the Pilot Project should take place in favor of preserving the characteristics of the four scales of Brasília (monumental, residential, gregarious and bucolic), signaling the main characteristics of each one, in addition to deciding on the occupation of the surrounding areas (DISTRITO FEDERAL, 1987)<sup>[3]</sup>. The Governor of Brasília has also committed to sending a bill to the National Congress to legislate on the tipping of assets in the Federal District. It seems that Law 47, of October 2, 1989, dealt with the patrimonialization of assets in the Federal District.

On December 7, 1987, Brasília was nominated as UNESCO World Heritage Site with an urban polygonal of 112.25 km<sup>2</sup>, being one of the first contemporary assets to achieve inclusion in the World Heritage List. The Brazilian delegation that was present at UNESCO to celebrate the event was composed of six people, five employees of the permanent UNESCO delegation linked to the Ministry of Foreign Affairs of Brazil, which once again denotes the use of cultural diplomacy in the campaign to include Brasília in the World Heritage List. In addition, the applicant exchanged correspondence between December 1985 and December 1987 between members of the Governor of the Federal District and the employees of the permanent delegation of the Itamaraty at UNESCO allows us to affirm that these agents and diplomatic contacts played a decisive role in the success of the candidacy.

In contrast to the contribution of the GT-Brasília to the Brasília Nomination Dossier as a UNESCO World Heritage Site, it should be noted that little of this GT's work was used by Decree No. 10,829, of October 14, 1987, as well as by Law No. 47, of October 2, 1989. In fact, the draft bill drawn up by the GT comprised a much larger set of assets than those contemplated by the Law that ended up being approved. The GT-Brasília had a notion of cultural assets that also included the old urban settlements of cities, as well as farms in the Federal District that pre-existed in the capital and the camps of workers who worked on the construction of Brasília. In addition, the GT dealt with a more dynamic preservation concept, much more than standardized patrimonialization concepts showed in legal instruments concerning to the Brasília Pilot Project and its history.

#### **V. CONCLUSION**

This article aimed to compare two distinct moments of protection of the urban space of Brasília, materialized in its legal instruments, placing them in their respective historical times and in the light of

bibliography and analysis of primary sources. In this context, we conclude that, in a first moment (1960s), in the framework of the inauguration of Brasília, the preservation of the city was closely linked to the will of politicians like Juscelino Kubitschek, materializing in two bills, with only one of them being approved (Law No. 3,751, of April 13, 1960). In addition, such legal protection mechanisms, in the first years of the city, aimed to consolidate Brasília respecting Lúcio Costa's Pilot Project, as well as strengthening it as the capital of Brazil.

The second moment, during the 1980s, was linked to the occasion when Brasília was recognized as a UNESCO World Heritage Site. To this end, the work of the GT-Brasília (1981-1988), the role of the Ministry of Foreign Affairs and the Government of the Federal District, converged, which combined efforts to achieve success in the nomination. The legal instrument that made it possible to succeed in this endeavor was Decree No. 10,829, of October 14, 1987, which aimed to protect the urban scales of Brasília (monumental, gregarious, bucolic and residential) and spatially delimited the dimensions of the Pilot Project as a cultural asset of outstanding universal value.

Finally, we hope that this article will be a contribution to research that deals with cases of patrimonialization of cities that have a strong presence of modernist architecture, especially those that have undergone processes of patrimonialization of built public goods based on precisely planned architectural projects.

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