

editorial  
editorial

entrevista  
interview

ágora  
agora

tapete  
carpet

artigo nomads  
nomads paper

projeto  
project

expediente  
credits

próxima v!rus  
next v!rus

**V!22**

REVISTA V!RUS  
VIRUS JOURNAL

issn 2175-974x  
julho . july 2021



ÁGORA  
AGORA

DIREITO À CIDADE E BEM VIVER: DIÁLOGOS E AFETOS LATINO-AMERICANOS  
RIGHT TO THE CITY AND BUEN VIVIR: LATIN AMERICAN DIALOGUE AND AFFECT  
LIANA DE VIVEIROS E OLIVEIRA, ADRIANA LIMA, JULIA DELL'ORTO

PT | EN

**Liana Silvia de Viveiros e Oliveira** is an Architect and Urbanist and Ph.D. in Architecture and Urbanism. She is a professor in the Architecture and Urbanism course and a collaborator in the Postgraduate Program in Territorial Planning and Social Development, both at the Catholic University of Salvador, Bahia. She coordinates the DCidade research group, where she conducts research on disputes over the right to the city, urban conflicts and public spaces. [liana.oliveira@pro.ucesal.br](mailto:liana.oliveira@pro.ucesal.br)

<http://lattes.cnpq.br/8583090742995485>

**Adriana Nogueira Vieira Lima** she holds a Law degree and a doctorate in Architecture and Urbanism. She is a professor of Law and coordinator of the Territoriality, Law, and Insurgency Research Group at the State University of Feira de Santana, Bahia, Brazil. She conducts research on urban conflicts, land tenure regularization, and the intertwining of legislation and the city. [adriananvlima@gmail.com](mailto:adriananvlima@gmail.com)

<http://lattes.cnpq.br/1797614329766910>

**Julia Marques Dell'Orto** has a Law degree and a master's degree in Territorial Planning and Social Development. She is currently a researcher in the Urban Processes and Right to the City (DCidade) and Political Ecology, Development, and Territorialities (EPDT) groups. She studies Buen Vivir, emancipatory technologies, and autonomous and self-managed organicity. [juliamdellorto@gmail.com](mailto:juliamdellorto@gmail.com)

<http://lattes.cnpq.br/6896554636182391>

How to quote this text: Viveiros, L., Lima, A. N. V., Dell'Orto, J. M., 2021. Right to the city and buen vivir: Latin American dialogue and affect. Translated from Portuguese by Cressida Lydia Roper Evans. *V!RUS*, 22, July. [online] Available at: [http://www.nomads.usp.br/virus/\\_virus22/?sec=4&item=3&lang=en](http://www.nomads.usp.br/virus/_virus22/?sec=4&item=3&lang=en). [Accessed: 17 July 2021].

ARTICLE SUBMITTED ON MARCH, 7, 2021

### Abstract

This article reflects on the relationship between the right to the city and buen vivir, based on an analysis of articulation between social movements, organizations, and networks/webs, and the exchange of legal ideas and practices observed in Brazil in relation to other Latin American countries. In relationalities identified at distinct times, we identify affective vectors that construct identities and territorialities, which mobilize engagement in the struggle for the transformation of the political and judicial spheres. In the experiences analysed, it is possible to identify powerful

alliances and affective vectors, notably that of territory, linked to a set of values that calls for other affective approaches, such as combatting the unequal power structures, injustice, and oppression inherent in the hegemonic capitalist order. Our analytical effort is focused on connections between agents and between political and legal instruments in order to visualize affective vectors, using the methodology of qualitative analysis, anchored in documentary and bibliographical research. The research concludes that the affective alliances constructed in the exchange of ideas and practices anchored in the defence of the right to the city and in *buen vivir* produce solid political and legal support that continuously (re)configures urban policy in Latin American countries, with an emphasis on Brazil, Colombia, Bolivia, Ecuador, and Mexico.

**Keywords:** Right to the city, Buen vivir, Web of the Peoples, Urban resistance, Latin America

## 1 Introduction

The idea of an encounter between the right to the city and *buen vivir* – two notions with such distinct roots – can only be proposed through the praxis of social agents who see promising possibilities for social transformation. These notions are important to understand the inequalities and oppression historically produced in/by capitalism that guide urban social struggles in Latin America. They also shape what has been called the “new Latin American constitutionalism” (Dalmau; Pastor, 2019, p. 335, our translation), which has sparked debates about principles and hermeneutics. This article reflects on this relationship, based on two ongoing processes: 1. the articulation between social movements, organizations, and networks/webs; and 2. efforts to promote the exchange of legal ideas and practices. This double movement is made from the context in Brazil in relation to other countries in the region, with the purpose of identifying affect (Grossberg 2010, 2018) and affective vectors (Farias, 2021) capable of producing identities (Hall 2006, 2016), territorialities (Haesbaert, 2014), and engagements in the struggle for other possible worlds.

Here, we focus on understanding the cultural processes constructed in the interactions of social agents in Latin American countries within political and legal actions that construct common identities and mobilize affect. With a common past which, despite the specificities of each context, reveals the colonialism of power in its many dimensions, such as inequality, silencing, and oppression (Quijano, 2005), we can see in these interactions the assertion of worldviews based on counterhegemonic principles and values, in ways of thinking about the city and urban policy. The main contribution of this work, therefore, is in observing the recent dialogue between the right to the city and *buen vivir* and outlining some of its meanings.

The right to the city, initially put forward by Lefebvre (1991), has been challenged as a concept and as a social and political practice. Many authors have done this in movements that range from incorporating and interpreting the right to the city in Lefebvre's thinking within its spatial and temporal context, through a discussion about the ability to respond to current questions, to use the concept to understand the phenomena that are present and, finally, but not exhaustively, to supporting ideas of social justice. These challenges are certainly not only theoretical in nature, given that the right to the city does not stand outside urban struggles. To put it another way, although the right to the city is anti-capitalist, in the Lefebvrian sense, there is no right to the city that creates pressure “from outside” capitalism.

*Buen Vivir* constructs modes of seeing and feeling the world anchored in Latin American cultural references, principally from indigenous peoples and nationalities, but also from other “traditionally marginalized, excluded, exploited and even decimated” groups (Acosta, 2016, p. 70, our translation). This opening allows us to recognize, within urban social struggles, values, beliefs, and meanings about what life in society should be, in contrast to ideas of development and progress, whose promises have been unmasked by immense concentrations of wealth, social, and spatial inequalities, the devastation of the planet, oppression, and violence.

From the approximation between the right to the city and *buen vivir*, we can only glimpse linkages and relationships, although it is possible to situate these in the interactions between social movements in Latin America from the second half of the 2000s (Viveiros, 2018). This is certainly a promising pathway for the theoretical development of these concepts and their elements of convergence, in connections on the ethical and political plane, in their break from the duality and opposition between human beings and nature, between the countryside and the city and, particularly in their profound view of our emancipatory culture and practices. We can see this movement in the links between Brazilian urban social movements and movements in other Latin American countries and, more recently in the formation of the *Teia dos Povos* (Web of the Peoples). For

other purposes, this approximation may be observed in exchanges in the legal field arising from the progress achieved in the constitutions of Ecuador (2008) and Bolivia (2009), which incorporate the notion of *buen vivir*.

Here we see these processes through the dimension of affect, as modes of engagement constructed in discursive and cultural practices. As organized and organizing dimensions of these practices, and ones which are not random, affective relations are territorializing; they construct and are, in themselves, power relations and therefore political (Grossberg 2010, 2018). In this hypothesis, principles, and values associated with *buen vivir*, in their relationship with the right to the city, produce affective relations that construct Latin American identities and solidarity in emancipatory social struggles. The methodology, supported by qualitative research, and a comprehensive documentary and bibliographic survey, creates links in its analysis between common principles, values, and agendas in interactions between social movements and in the exchange of legal ideas and practices, referenced in the right to the city and in *buen vivir*, as constructors of affective vectors. The work supports contributions from research conducted by the authors and mobilizes the affective bonds involved in this debate, nourished by the substance of the social struggles.

## **2 Right to the city and *buen vivir*: weaving together for other possible worlds**

Since the 1990s, the right to the city has constituted an agenda for social movements and organizations in Brazil and in other Latin American countries, particularly Mexico, Colombia, Ecuador, and Bolivia, and this has become more marked in the political action of these agents, including in the formation of networks. The adoption of this concept by social movements, and the theoretical questions posed by Harvey (2013), Purcell (2002), Viveiros (2018), and others in recent times, have all demonstrated its importance. Harvey (2009) highlights the transforming potential, even in its indeterminate nature, and Purcell calls for radicalism in the right to the city and points to the difficulties of claiming and appropriating it given contemporary interactions across different levels. In research into links between social movements in transnational networks, Viveiros (2018) appropriates several meanings of the right to the city used by social movements in legal and institutional documents and in the literature and notes both the legitimacy and the vitality instilled in the concept in different interpretations within social praxis. The debate about the concept suggests a pathway to expanding reflections about its appropriation in the social struggle, including alternative possibilities for the production, appropriation, and enjoyment of the city. One could say that the right to the city nourishes the experimental utopia of which Lefebvre (1991) spoke, while, at the same time, it feeds on this experience in the transforming praxis of the city, in knowledge about the urban and the city, and in the very notion of the right to the city.

*Buen vivir*, which was more substantially addressed in theoretical formulations during the 2000s and is in profound harmony with the worldview of indigenous nationalities and peoples, guides indigenous and *quilombola* social struggles, as well as those of the urban social movements, particularly for the defence and affirmation of their territories. It contains a "proposal for harmony with Nature, reciprocity, relationality, complementarity and solidarity between individuals and communities, with its opposition to the concept of perpetual accumulation." (Acosta, 2016, p. 33, our translation). It is considered an alternative to development, its "surnames" and its recurring frustrated promises. As an "idea in construction, free of prejudice, it opens the doors to a formulation of alternative views of life", bringing together existing concepts, experiences and practices from the Andes and the Amazon and from oppressed and subordinate peoples from other locations (Acosta, 2016, p. 32, our translation). There is no single definition of *buen vivir*, nor is there any intention to make one. It is understood as *suma qamaña* (Aymara), where it refers to "full, austere but diverse, experience which includes both material and affective components, where nobody is excluded"; and as *ñande reko* (Guarani), where it expresses "freedom, happiness, celebration in the community, reciprocity and invitation". As Gudynas (2011, pp. 6-7, our translation) notes, each of the different definitions of *buen vivir* refers "to a culture, a language, a history and a particular social, political and ecological context."

In a recent debate, Ailton Krenak (2020), attempting to "attain meaning" when responding to a question about the idea of *buen vivir*, notes that it has been mediated by another language, Castilian Spanish (*buen vivir* or *vivir bien*). It makes reference to an ancestral practice of the peoples who live or lived in the Andes Mountains "[...] who had a worldview in common". He explains that, in their languages, "with a small difference of expression" the Quechua and Aymara have *sumak kawsay* in common, "which describes a way of being on the Earth, a way of being in the world." (Krenak, 2020, our translation). Acosta (2016) associates *buen vivir* with *sumak kawsay* (Quechua), *suma qamana* (Aymara) and *ñande reko* (Guarani) and includes examples from eastern cultures, ecologists, feminists, the cooperative movement, Marxists and humanists. He even includes examples from other civilizations' views, such as the *ubuntu* from South Africa, and the *svadeshi*, *swaraj* and *apargrama* in India, explaining that "to prevent the construction of a single and indisputable concept, it would be better to talk of good livings or good coexisting" (Acosta, 2016, p. 92-93, our translation).

Like the right to the city, *buen vivir* evokes very diverse understandings and interpretations often opposed to the principles of the worldview that sustains it. It is repeatedly associated with the Eurocentric idea of well-being, which has provoked a debate between those who try to ensure fundamental values and avoid incorporation (Williams, 1979) into the hegemonic culture. *Buen Vivir* confronts this view, as Ailton Krenak (2020, our translation) notes: "it could be a difficult experience to maintain a balance between what we can obtain from life, from nature and what we can develop [...]". While well-being "is supported by an idea that nature is here for us to consume."

The dialogue between *buen vivir* and the right to the city, in the sense of Lefebvre (1991), as the right to participation, to appropriation, and to the work that claims use-value, could come about through many pathways, particularly through radical opposition to the commodification of life and in confrontation with private property. As the author notes, the right to the city is formed through the right to urban life, opposed to the generalization of the commodity. From this perspective, the city and urban reality are "refuges of use-value," opposed to the forces that try to subordinate them to exchange value. In this tension, *buen vivir* and the right to the city support, in different ways, the same trenches and produce affective alliances for transformations to the capitalist hegemonic order.

### **3 Social movements and networks (or webs) in Brazil: links and affect**

In their principles and values, the notions of the right to the city and *buen vivir* converge in relation to the land and the territory through which they link affective relations. In Brazil, urban and rural struggles for land and territory have incorporated a broad defence of the idea of the social function of property, one of the pillars of the right to the city, which also provides substance to strategies for *buen vivir*, particularly in the fight for land and the defence of quilombola territories, of indigenous peoples and nationalities and other communities. In this shared sense, they have been cultivated by social movements and organizations since the process for the re-democratization of Brazil, initially by those who were part of the National Forum for Urban Reform and, more recently, by others who have constructed dialogue between the right to the city and *buen vivir*, which we will discuss below.

There have been links between urban social movements in Latin America for a long time and through various pathways. Protest and rights movements emerged in the context of the re-democratization of countries subject to dictatorial regimes and assumed leadership in the 1980s. With distinct features, in terms of organization, agendas, strategies, and tactics, these movements contain the traits of their cultural formation, such as strong links with catholic principles and values, interactions with technical advisors, and crossover with or the centrality of ethnic/racial and gender agendas, with an emphasis on those of indigenous peoples and nationalities and black people.

One promising perspective is presented by Alvarez, Dagnino, and Escobar (2001, p. 25, our translation) in their understanding of how politics is presented in the discursive links (and formations) "that originate from existing cultural practices – never pure, always hybrid, but despite this, demonstrating significant contrasts with dominant cultures – and in the context of certain historic conditions". The authors discuss the praxis of Latin American social movements as cultural policy, understood as a process "through which the cultural becomes political fact." (Alvarez, Dagnino and Escobar, 2001, pp. 24-25, our translation).

To consider the cultural policy of social movements in relation to affect, as we propose, involves mobilizing the concept of identity and therefore the multiple, plural, and contextual relationships (Hall 2006, 2016) between identification and difference, mutually determined and actively produced (Silva, 2000). Given that identities are constructed in cultural discourse and practices, and shape the affective vectors of mobilization and engagement, they appear in these relational processes and involve principles, values, and meanings. Since the view here comes from Brazil and is aimed at the entire cultural construction and formation of urban policy based on the right to the city, this is the perspective from which we observe how *buen vivir* is incorporated into these processes.

The sharing of experiences, solidarity in support for local struggles, and running training activities have all motivated links between social movements in Brazil and social movements in other Latin American countries in the fight for the right to the city. These movements, in decisive positions in the face of hegemonic power structures, resort to activities of protest and pressure to direct their struggles. Among the movements with this profile, we notice the Homeless Workers' Movement (*Movimento dos Trabalhadores Sem Teto*: MTST), the Movement of Grassroots Struggle (*Movimento de Luta Popular*: MLP/Pará), Free Earth – the Grassroots Movement of the Countryside, and the City (*Terra Livre – Movimento Popular do Campo e da Cidade*), the Homeless Movement of Bahia (*Movimento dos Sem Teto da Bahia*: MSTB) and the Popular Brigades (*Brigadas Populares*: BPs).

Inside these movements, one may observe conceptions, forms of organization, agendas, strategies, and tactics for different struggles that refer back to their respective cultural formation. For most, the right to housing is the main agenda, with their struggles constructed from its base, and through which transverse connections are established with other agendas, such as gender, youth, ethnicity/race, and others. The right to the city supports dialogue with the broadest urban agendas, in large-scale confrontations with the corporative model of production of the city and the defence of territory. For the MSTB, the right to the city became a relevant agenda when territory began to be of value and give meaning to the movement, as an alternative to its previous practice of occupation to obtain housing, independent of where the place was located in the city (Viveiros, 2018). Broader agendas of urban policy have helped to construct links with movements for which housing is not the specific struggle, for example, the Free Fare Movement (*Movimento Passe Livre*: MPL).

One strategy of these Brazilian movements is to construct alliances with social movements in other Latin American countries, and this has increased with the current advance of the right and conservatism in the region. Through this understanding, Brazilian social movements have developed regular coordinated action with other large political social movements in their respective countries, including the Darío Santillán Popular Front (*Frente Popular Darío Santillán*: FPDS) in Argentina, the People's Congress (*Congreso de Los Pueblos*) in Colombia, the Railway Movement (*Movimiento Ferruvias*) in Bolivia and *Ukamau* in Chile. They run meetings and training cycles and provide solidarity and support to struggles in specific contexts. In these interactions, they assume the debate of *buen vivir* in their relationships with the city, which has had particular repercussions for their struggles and forms of organization, above all for the housing movements in their strategies for the construction of "Territories for a Dignified Life and *Buen Vivir*" (*Resistência Urbana...*, 2021, our translation).

The territory is also central to the Web of the Peoples, a coalition of movements and other social agents founded at the 1st Agroecology Meeting in Bahia in 2012, organized through "links" and "centres". The "base centres" are made up of communities, peoples, territories, and political organizations that have territorial links and the "Weblinks" are made up of solidarity and support. As defined in the 6th Letter of the Agroecology Meeting in Bahia (2019, our translation), this coalition "brings together movements and social organizations, fishermen and women, shellfish pickers, riverside dwellers, pastoral peoples, people from the Candomblé worship houses, family farmers, the landless, the homeless, indigenous people from many nations, *quilombolas*, black people and extractivist people." Members of urban movements include, for example, the MSTB, and these coalitions of alliance provide a crossover between city and countryside agendas in the construction of common principles and agendas.

The Web's meeting point ("the great struggle") is against racism, capitalism, and the patriarchy. Within this framework, an alliance may occur with a "deterritorialized" indigenous people reclaiming its ancestral land, or with a black organization that "organizes people from the periphery to found a quilombo and rid themselves of all the violence, persecution and extermination that the State commits against them in the city". (Ferreira, 2021, p. 34, our translation). By considering the claiming of land as a means of taking over the means of production and therefore an anti-capitalist struggle or the organization of a quilombo as an anti-racist struggle, unity of action is constructed with the capacity to generate autonomy for a good and dignified life based on territory, seeing nature in all its uniqueness (Ferreira, 2021). The debate for territorial self-defence is also built through joint productions and is based on the construction of horizontal relationships, with a particular role for women and young people as part of its strategy.

#### **4 Exchanges of ideas and legal practices: the repercussions of *buen vivir* and the right to the city for constitutional charters in Latin America**

Notions of the right to the city and *buen vivir* are central to links between social movements in Latin America in the terms addressed here, where reciprocal interference is not restricted to the moment of writing constitutional charters, but expands over time, remaining connected to the elements that triggered their constituent processes. This concept has contributed to a better understanding of the exchange of legal ideas and practices and strengthens legitimation so that the constituent power "acts as a *standard for a measurement criterion*, lasting over time, founding the Constitution's legitimacy according to its intention: legitimation through the permanence of constitutional praxis at its material 'core'" (Muller, 2004, p. 53, author's italics, our translation). From its material and symbolic dimensions, which understand constituent power as more than a temporarily defined event, this hermeneutic perspective may be useful for legitimizing the social arenas that act in the continuous construction of new rights aimed at renewed democracy, the central nucleus of the right to the city, in the terms put forward by Henri Lefebvre (1991).

Based on this understanding, we highlight the context of constituent processes, demonstrating some of the ways that ideas have circulated in Latin America and their repercussions for the legal system, exposing the tensions in their conception and the obstacles to their applicability. From a historical perspective, the

constitutionalism of the 20th century in Latin America was initiated by the 1917 Political Constitution of the United Mexican States, which maintained a spectrum of influence and meanings for Latin American constitutionalism, particularly in regard to the treatment of social issues, and the mitigation of the liberal view of the law in imposing limits on private property, based on public interest and guided by the equitable distribution of public wealth and the subsistence of peoples. Although the Mexican constitution was innovative, the constituent powers and legal elite in Brazil did not place due importance on it, adopting the Weimar Constitution as a reference point for the new social parameters of the 1988 Constitution, demonstrating, to some extent, a preference for maintaining a colonizing North-South view in detriment to the construction of Latin American dialogue.

Connections and dialogue have been triggered by legal jurists who work in the field of critical law, with an emphasis on the Law Found on the Streets based on the epistemological political assumption of meeting “the expectations of social praxis constituted in the common experience of the struggle for justice and rights” (Sousa Junior, 1993, p. 5, our translation). These connections have also been constructed by the social movements, as we can see in the discourse provided by indigenous leader Ailton Krenak<sup>1</sup> in 1987, during the National Constituent Assembly, in which the principles of *buen vivir* were explained (Krenak, 1987) and in an entire course of interactions and coordination between social movements and organizations linked to the National Forum of Urban Reform and other political organizations in Latin American countries. In these processes, knowledge, and links emerge in the field of critical law, seeking to reframe an understanding of the meaning of western constitutionalism itself, in order to propose the construction of “new constitutionalism” based on the experiences of Latin American constitutions, marked, according to Pastor and Dalmau (2019), by participatory and plural grassroots initiatives following an era of hegemony in the constitutionalism of the elites.

Dialogue in the field of critical law has been marked by the construction of legitimating discursive repertoires for insurgent and autonomous social practices, presented as a counterpoint to paradigms for the validation of basic rights founded on the belief that the State is the sole producer of legal norms. This plural view of the law, linked to the struggle for urban and rural land, has permeated constitutional processes in Latin America since the 1980s, initiated by the 1988 Constitution of the Federal Republic of Brazil, in which the focus on democratic constitutionalism enabled the recognition of urban rights, in the chapter on Urban Policy, without, however, modifying the structure of the economic system or the basis of the nation-state. Its promulgation was followed by the constitutional charters of Colombia in 1991, Ecuador in 2008, and Bolivia in 2009, all widely anchored in popular participation.

Based on these considerations and taking the Brazilian constitutional experience as our focus, it is possible to see that the concept of the right to the city, according to the terms of Henri Lefebvre’s (1991) thinking, permeated the mobilization of the National Movement for Urban Reform during the constituent process. Although the Federal Constitution of 1988 recognized the “right to the city” as a collective right, further opening up an important arena for the exercise of participatory democracy (as Fernandes, 2007, notes), the classical legal tradition of the right to property, supported by the ideology of legal positivism, was presented as an obstacle to advancing a central point of Lefebvre’s thinking about structural changes to the treatment of the property. The advance of the Brazilian constitutional charter, which also occurred with the Political Constitution of Colombia, reduced these questions to the dimension of use, in detriment to exchange value, and to the ideal of the “social function of property” which, although presented as a structuring principle of these constitutional charters, runs counter to the laws arising from it and to the public policy implemented, demonstrating, from that moment, the limits to incorporating Lefebvrian concepts into the positive order.

Based on the text of the Brazilian constitution, Law no. 10257 of 10 July 2001 was approved (the City Statute) which established guidelines for urban policy and instruments for the fulfillment of the social function of property, the recognition of grassroots territories, and the democratic management of the city. In the exchange of ideas, this regulatory framework influenced the construction of legislation aimed at the guarantee of the right to the city in other Latin American countries, especially in relation to the creation of participatory public spheres (city conferences, councils, and participatory budgeting) and, in turn, heavily influenced by the Colombian experience, supported by Laws nos. 9/1989 and 388/1997, known, respectively, as the Urban Reform Law (*Ley de Reforma Urbana*) and the Territorial Development Law (*Ley Desarrollo Territorial*), referring to instruments to manage property valuation.

In the more recent context, the constitutional experiences of Ecuador (2008) and Bolivia (2009), driven by anti-capitalist agendas, delineate the new Latin American constitutionalism, presented as a counter-hegemonic movement for the resignification of elements from the modern nation-state, replaced by the notion of plurinationality and interculturalism. This new constitutionalism focuses on conferring recognition on social and legal plurality and on the political and institutional structure. It advances the self-organization of jurisdictional functions, capable of promoting the legitimation of regulatory repertoires, and sources for the legitimacy of indigenous peoples, conferring express recognition on collective non-proprietary rights, whose

main ethos is the right to land and territory. This reconfiguration makes it possible to combine “the human being with elements related to life as a whole, be they human or not, in certain situations considering elements of *Pachamama* and valuing *buen vivir*.” (Silva Junior, 2018, p. 171, our translation).

In the legal and constitutional sphere, the concept of *buen vivir* is manifest in the incorporation of community values that converge with the purposes of the struggle for the right to the city, in the strong limitations of property, the provision of mechanisms for the direct participation of indigenous and peasant peoples in decision-making processes, the provision of mechanisms to protect nature and the incorporation of plural and community means for the organization of society. These assumptions obtained an operational dimension in the instruments for the Constitution of the Republic of Ecuador, which elects Nature as a subject of law and presents a protective system related to themes that traverse the city and the countryside, incorporating dimensions of habitat and housing as components of *buen vivir*.

This experience enables us to establish a dialogue between the ideal of the right to the city and the purposes of *buen vivir*, focusing on the action of collective power in transformation processes. This perspective of new Latin American constitutionalism helps to reactivate the emancipatory synergy that drives urban social movements. It values the lived social experience and the constitutive plurality of the legal phenomenon, which, in its urban manifestation emerges in the alleyways and in self-built low-income dwellings, flows in the streets, and is intertwined with an endless range of condensed rights as an expression of the right to the city. According to Lefebvre (1991, p. 135, our translation), this right is affirmed as an appeal and a requirement and manifests itself as “the superior form of rights: the right to liberty, to individualization in socialization, to the habitat and to inhabit, the right to work (to participatory activity) and the right to appropriation (as distinct from ownership)”.

## **5 Final Considerations: weaving together dialogue and affect**

The huge diversity of agendas, forms of organization, power resources, strategies, and tactics in the struggle of the collectives analysed here suggests an opening up of a universe of possibilities to construct bonds of identity, without generalizations, still less of hurried or essentialized inferences. The analytical movement we have undertaken in order to see and feel the relationalities in the cultural processes involved in political and legal practices in Latin American countries, which produce affect within the historical struggles of the social movements in the city and the countryside, in fronts, networks and webs, and in efforts to assert rights, expands rather than closes down these questions.

As we have seen, the power and importance of these coalitions reside in the indissoluble links between thought and political action, which provide the means to glimpse other possible worlds, learning from struggles against inequality, oppression, and the dismissal of certain means and ways of life. In the experiences of struggles that recognize the right to the city as a value and orientation for political action, the relationalities identified with *buen vivir* allow us to see the potential in affective alliances, especially through their indispensable presence in the praxis of social agents, adding distinct agendas to the struggle for transformations.

The territory, in its material and symbolic dimensions (ranging, continuously and dialectically, from land, water, forests and housing to ancestors, agro-ecology, food sovereignty, water, electricity, self-constructed laws, legalities - whether standardized or not - and so forth), appears to be an important affective vector. This is, principally, what enables dialogue between the right to the city and *buen vivir*, including in the legal and institutional spheres, and breaks the countryside-city and human-nature dichotomies, instruments of the capitalist hegemonic order. As affective vectors, territorialities that produce affect also call on the power of women, in the occupation of positions of power, and on youth, with their vigorous powers to create the future, in the face of the genocide of black and indigenous youth.

Taking the legal sphere as a priority, although the concept of *buen vivir* was not explicitly incorporated into the 1988 Federal Constitution, we can observe it in the appropriation of the principles and values of the Andean movements, in various daily practices, especially in those developed in occupations by the homeless movements in Brazil, in the Web of the Peoples and others. These practices, which revolve around values that come from *buen vivir*, have served as catalysts to struggles for the right to the city which, ultimately, enable a constituent practice that lasts over time and moves towards the practice of creating new rights.

Constructing affective links provides an understanding that there is a common enemy, against which it is essential to construct alliances, agendas, instruments (including legal ones), and contextual strategies, respectful of cultural and territorial specificities, but capable of revealing and constructing common identities. They broadly outline a fruitful field of differences and identifications in the assertion of Our America (*Nuestra América*) as a powerful organizer of affect.

## References

- Acosta, A., 2016. *O bem viver: uma oportunidade para imaginar outros mundos*. Translated from Spanish by Breda, T. São Paulo: Autonomia Literária, Elefante.
- Alvarez, S. Dagnino, E. and Escobar, A., 2001. Introdução: o cultural e o político na América Latina in Alvarez, S., Dagnino, E. and Escobar, A. *Cultura e política nos movimentos sociais latino-americanos: novas leituras*. Belo Horizonte: UFMG, pp. 15-57.
- Carta da VI Jornada de Agroecologia da Bahia, 2019. *Portal da Teia dos Povos*. [online]. Available at: <https://teiadospovos.org/carta-da-iv-jornada-de-agroecologia-da-bahia-2019-teia-dos-povos/>. [Accessed 2 Mar. 2021].
- Dalmau, R. M., Pastor, R. V., 2019. A constituição democrática: entre o neoconstitucionalismo e o novo constitucionalismo. *Revista Brasileira de Políticas Públicas*, 9(2), pp. 334-350.
- Farias, D., 2021. *Engajamentos afetivos na música em Salvador: territorialidades que articulam gêneros musicais e identidades*. Master 's degree. Universidade Federal da Bahia.
- Fernandes, E., 2007. Constructing the 'right to the city' in Brazil. *Social Legal Studies*. 16, pp. 201-219. <https://doi.org/10.1177/0964663907076529>.
- Ferreira, J., 2021. *Por terra e território: caminhos da revolução dos povos no Brasil*. Arataca: Teia dos Povos.
- Grossberg, L., 2010. Affect's future: rediscovering the virtual in the actual in Gregg, M. and Seigworth, G. J. (ed.). *The Affect Theory Reader*. Durham: Duke University Press. pp. 309-338.
- Grossberg, L., 2018. *Under the cover of chaos: Trump and the battle for the American Right*. London: Pluto Press.
- Gudynas, E., 2011. Buen vivir: germinando alternativas al desarrollo. *América Latina em Movimento - ALAI*. February, pp. 1-20.
- Haesbaert, R., 2014. *Viver no limite: território e multi-territorialidade em tempos de in-segurança e contenção*. Rio de Janeiro: Bertrand Brasil.
- Hall, S., 2006. *A identidade cultural na pós-modernidade*. Translated from English by Silva, T. S. and Louro, G. L. 11th edn. Rio de Janeiro: DP&A.
- Hall, S., 2016. *Cultura e representação*. Rio de Janeiro: PUC-Rio; Apicuri.
- Harvey, D., 2013. 'O direito à cidade'. *Revista Piauí*, July.
- Krenak, A., 2019. 'Discurso de Ailton Krenak, em 04/09/1987, na Assembleia Constituinte, Brasília, Brasil', *GIS - Gesto, Imagem e Som - Revista de Antropologia*. 4(1), pp. 421-422. <https://doi.org/10.11606/issn.2525-3123.gis.2019.162846>.
- Krenak, A., 2021. *O bem viver e o sentido da natureza. Mediação: Bruno Maia e Nina Arouca*. [online video]. Available at: <https://www.youtube.com/watch?v=XS5A5w14kGo>. [Accessed 4 Jan 2021].
- Lefebvre, H., 1991. *O direito à cidade*. Translated from French by Frias, R. E. São Paulo: Moraes.
- Muller, F., 2001. *Fragmento (sobre) o Poder Constituinte do povo*. São Paulo: Editora Revista dos Tribunais.
- Primeira parte: uma declaração...pela vida. *Portal da Teia dos Povos*. [online]. Available at: <https://teiadospovos.org/primeira-parte-uma-declaracao-pela-vida/>. [Accessed 20 Jan. 2021].
- Quijano, A., 2005. Colonialidade do poder, Eurocentrismo e América Latina in *A colonialidade do saber: eurocentrismo e ciências sociais. Perspectivas latino-americanas*. Buenos Aires. CLACSO, Consejo Latinoamericano de Ciencias Sociales. pp. 107-142.



Resistência Urbana Frente Nacional de Movimentos Facebook page, n.d. [online] Available at: [https://www.facebook.com/ResistenciaUrbanaFrenteNacionaldeMovimentos/about/?ref=page\\_internal](https://www.facebook.com/ResistenciaUrbanaFrenteNacionaldeMovimentos/about/?ref=page_internal). [Accessed 4 Mar 2021].

Rick, T. C. and Erlandson, J. M., 2009. Coastal exploitation. *Science*. 325(1), Issue 5943, pp. 952-953. DOI: 10.1126/science.1178539.

Silva Junior, G. L., 2018. *Novo constitucionalismo latino-americano: um estudo sobre a Bolívia*. 2nd edn. Rio de Janeiro: Lúmen Júris.

Silva, T. T., 2000. A produção social da identidade e da diferença in Silva, T. T. Hall, S. and Woodward, K. *Identidade e diferença*. Rio de Janeiro: Vozes. pp. 73-102.

Sousa Junior, J. G. (org.), 1993. *Introdução crítica ao Direito. Série: o Direito achado na rua*. 1, 4th edn. Brasília: UnB.

Viveiros, L., 2018. *Práxis de política urbana no Brasil: movimentos e articulações nacionais e internacionais na construção do direito à cidade*. PhD thesis. Universidade Federal da Bahia.

Williams, R., 1979. *Marxismo e literatura*. Rio de Janeiro: Jorge Zahar.

---

**1** Ailton Krenak is a leader of the Krenak indigenous people.