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**The Revolution Will Be Tweeted.
How the Internet Can Stimulate the
Public Exercise of Freedoms**

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The Revolution Will Be Tweeted

How the Internet Can Stimulate the Public Exercise of Freedoms

Abstract: This article discusses how new technologies of communication, especially the Internet and, more specifically, social network services, can interfere in social interactions and in political relations. The main objective is to problematize the concept of public liberty and verify how the new technologies can promote the reoccupation of public spaces and the recovery of public life, in opposition to the tendency to valorize the private sphere, observed in the second half of the twentieth century. The theoretical benchmark adopted for the investigation is Hannah Arendt's theory about the exercise of fundamental political capacities in order to establish a public space of freedom, as presented in "On Revolution". The "Praia da Estação" ("Station Beach") case is chosen to test the hypothesis. In 2010 in the Brazilian city of Belo Horizonte, different individuals articulated a movement through blogs, Twitter and facebook, in order to protest against the Mayor's act that banned the assembling of cultural events in one of the main public places of the city, the "Praça da Estação" (Station Square). By applying Arendt's concepts to the selected case, it is possible to demonstrate that the Internet can assume an important role against governmental arbitrariness and abuse of power, as it can stimulate the public exercise of fundamental freedoms, such as freedom of assembly and manifestation.

Keywords: Twitter, Social networks, Internet, Public spaces, Public freedoms, Hannah Arendt, Political action, Democracy.

"A praça! A praça é do povo

Como o céu é do condor"

(The square! The square belongs to the people

As the sky belongs to the condor)

Castro Alves

I. Introduction

This paper discusses how new communication technologies, especially the Internet and, more specifically, social network services, can cause an impact in the exercise of rights, with repercussions in social interactions and in political relations. For this purpose, we analyze the *Station Beach* case.

“It is forbidden to hold events of any nature at Station Square, in this Capital”, established the 1st article of Decree 13,798, published on December 9th, 2009.¹ With these words, the mayor of the Brazilian city of Belo Horizonte, Márcio Lacerda, prohibited the holding of events in the vicinity of a square located in the city center, a place where, since 2003, a large number of people would get together to attend free cultural events or take part in political demonstrations.

After only 5 days of the publication of the act, the dissatisfaction with the prohibition was made public with the creation of an anonymous blog, which incited the holding of a protest in that very location. A virtual pamphlet encouraged the demonstrators to go to the square dressed in bathing suits, as if they were at the beach: “If we are denied the right of being in any public space in the city, we will take over these spaces in a fun, playful and apparently unpretentious way.”² The call then spread through the Internet, to blogs and social networks such as *Twitter*, *Orkut* and *Facebook*, and led to discussions about the decree.

On the scheduled date, the square was filled by dozens of people dressed in beachwear, even though Belo Horizonte is located among mountains, miles away from the sea. The peculiarity of the situation made the event noticed by the media, mainly as mockery and as a joke. On *Twitter*, however, the profile @*pracalivrebh* (free square Belo Horizonte), created as the demonstration’s ‘spokesperson’, started to retweet pieces of news about the now called *Station Beach* movement.

Facing the massively positive reception, a campaign for the event to become weekly was launched, inciting the demonstrators to maintain the image of verisimilitude to the environment of an actual beach. Defying the prohibition and occupying the square became a weekly attraction to the youth of Belo Horizonte, and a discussion about the use of public spaces in the city took over the blogosphere and social networks. Could the mayor’s office prohibit, through a decree, the exercise of fundamental rights such as assembly? Could the municipal government deny the use of a public asset?

The virtual and real reaction made the mayor install a special commission to regulate the events at the *Station Square*. Nevertheless, the team, which was composed only by members of the municipal executive branch, could not stop the demonstrations and its repercussions to continue. The gatherings at the square were interrupted during the winter and resumed

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¹ Belo Horizonte, Decree 13,789, December 9th, 2009. Available at <<http://tinyurl.com/ybz9esh>>.

² See “Decreto proíbe eventos em praça central de Belo Horizonte”, in: *Panóptico*, January 13th, 2010. Available at <<http://tinyurl.com/3d38slq>>. Accessed: May 1st, 2011.

afterwards, in the summer, from December 2010 until March 2011. However, the virtual networks of articulation were not suspended. The profile *@pracalivrebh* on *Twitter* and the blog *Praça Livre BH* (Free Square Belo Horizonte) went on publishing criticism of the mayor and the way public spaces were being treated in Belo Horizonte, as well as divulging and supporting similar causes in different cities and governmental instances.

Through the analysis of these facts, the main objective of this research was to verify how new technologies can promote the reoccupation of public spaces and the repossession of public life itself, as opposed to the tendency of giving more importance to the sphere of private life, observed in the 20th century. We examined how the Internet, in the specific case of the prohibition of events at *Station Square*, contributed to the political action. Taking into consideration the prerogative that social networks amplify the possibilities of human interaction, we intended to demonstrate that they also affect the exercise of rights of demonstration and assembly and raise reflections on traditional concepts and juridical institutes – such as representative democracy and voting.

The theoretical benchmark adopted for this investigation is the relationship, established by Hannah Arendt, between the exercises of political rights of action and discourse, and the creation of a public space for the exercise of freedom, as it was presented in her book *On Revolution*.³ The author seeks the concept of freedom in a tradition started by Herodotus in the rise of the Greek city-states: “a form of political organization in which the citizens lived together under conditions of no-rule, without a division between rulers and ruled.”⁴ To her, into public business, “intentionally or more often unexpectedly”, it is possible to the men “constitute that space of appearances where freedom can unfold its charms and become a visible, tangible reality.”⁵

Today, this public space is not limited to the square, the traditional place of the people, but it also encompasses the Internet. The hypothesis is that connections among people established through the World Wide Web constitute in themselves a forum for public discussions among peers, capable of stimulating the public exercise of fundamental rights such as demonstration and assembly. In other words, the new communication tools can assume an important role against arbitrariness and the abuse of governmental power, by means of the creation of virtual spheres and promotion of the reoccupation of real spaces where citizens can participate more directly in the government of public affairs.

³ Hannah Arendt, *On revolution*, London: Penguin Books, 1990.

⁴ See Arendt (note 3), 30.

⁵ See Arendt (note 3), 33.

Given the characteristics of the object to be analyzed, the methodology adopted has not been limited to the analysis of the juridical-formal aspects of the question, or to the interpretation of the constitutional, legal and administrative documents which implement the norms that are applicable to the case. Even though parts of the successive municipal decrees by which the mayor of Belo Horizonte disciplined the use of the *Station Square* are reproduced, and the provision in the Brazilian Constitution which governs the exercise of rights of assembly is examined, the sources include news articles, newspaper photographs, articles from blogs and websites, virtual pamphlets and comments posted on *Twitter* and other social networks. It is important to emphasize that the vast majority of the material collected is only available on the internet, and many texts do not express the name of the author in the original source, or have it protected by a pseudonym.

It is warned that, despite what the title of this article may suggest, it is not preoccupied in refuting the Gladwell's theory in *Small Change: why the revolution will not be tweeted*, which states that the connections promoted by virtual networks are weak.⁶ Nor was the intention to confirm the thesis that, even from weak social connections, force may originate.⁷ Actually, the intensity of relationships in the networks was not a concern of the research, even if some findings, opposed to the Gladwell's conclusions, may serve as data for other investigations on the matter.

II. The Station Beach case

Belo Horizonte is a Brazilian metropolis located 853 meters high, kilometers away from the Atlantic Ocean. Officially founded on December 12th, 1897, when it only had 10,000 inhabitants, the city was planned to become the administrative center of the State of Minas Gerais. The original plan predicted, for the future capital of the state, the construction of public buildings, broad avenues, tree lined streets, parks and squares, and a population of 400,000 inhabitants. However, surpassing all expectations of the 19th century Building Commission, the municipality reached in 2010 the 6th position of most populous cities in the country, with 2,375,151 inhabitants distributed in an area of 331.4 square kilometers.⁸

The fast growth of the population of Belo Horizonte which started in the 1950's had a direct impact on its urban structure, leading to an urban sprawl that advanced beyond the

⁶ See Malcolm Gladwell, *Small Change: Why the revolution will not be tweeted*, in: The New Yorker Reporting & Essays, Annals of Innovation, October 4th, 2010.

⁷ See Mark S. Granovetter, The Strength of Weak Ties, in: *The American Journal of Sociology*, Vol 78. No. 6 (May 1973), 1360-1380.

⁸ Data provided by the Brazilian Institute of Geography and Statistics (IBGE). See Instituto Brasileiro de Geografia e Estatística, Cities@: Belo Horizonte. Available at <<http://tinyurl.com/3f2nwqy>>. Accessed: May 6th, 2011.

limits of the projects for the city, and also over the original plan, which lost its characteristics. In the 1960's most of the old houses had been brought down, and the green areas, reduced, which allowed the construction of high-rise buildings. The tendency to construct taller buildings intensified in the following decades, impairing the architectural heritage and the quality of life in the capital, which, in the beginning of the 20th century, had been nationally known as Garden City.⁹

Among the public areas that were part of the original project for the city was the *Rui Barbosa Square*, one of the most important and illustrative in the history of Belo Horizonte. The square, located in the center of the city, is popularly known as *Station Square*, because it holds the train station for one of the railroads from *Central do Brasil*, in the 19th and 20th centuries, one of the main railroads in the country.

Conceived as the front door of the city, the square was a place of major people flow in the first half of the 20th century, before the dissemination of highway transportation. However, in the 1960's, it had its area reduced for the construction of roads, and during the 1980's, it served only as a parking lot. Only in the 1990's did the Municipal Government begin to formulate strategies to recover the public use of *Station Square*. In the first years of the 21st century, more exactly in 2003, the area was restored, and, in 2005, the building of the old station was made into a museum, the Museum of Arts and Crafts (in Portuguese, MAO). The area then became a space of contemplative leisure and of the realization of major political – speeches, rallies, and public addresses – and cultural events – folkloric, musical and theatrical performances –, attracting a significant number of people.

According to what was published by the Municipal Government, the *Rui Barbosa Square*'s refurbishing project included “the revitalization of the public space, providing it with adequate infra-structure for cultural manifestation with a large number of people.”¹⁰ The work was part of a broader strategy of refurbishing the Center of Belo Horizonte, which aim was “to extend the public spaces, taking into consideration leisure and quality of life of the population”¹¹. Following those policies, detachable fountains, special lighting and a new floor were installed in the square, for the purpose to create a large space for pedestrians and even for big events.¹²

Even though the recently refurbished square had taken the role of a place for large public gatherings, and the fact that the renewal of the area had this one goal, on December 9th, 2009,

⁹ See IBGE (note 8).

¹⁰ Data provided by the Municipal Government. See “Prefeitura investe na requalificação da Praça da Estação”, in: *DOM*, November 21st, 2003. Available at <<http://tinyurl.com/yer8k6z>>. Accessed: May 8th, 2011.

¹¹ See *DOM* (note 10).

¹² See *DOM* (note 10).

the mayor of Belo Horizonte, Márcio Lacerda, published the Decree 13,789, which prohibited the holding of events “of any nature” at *Station Square*, from January 1st, 2010:

“The Mayor of Belo Horizonte, in the exercise of his legal duties, and conforming to article 31 of the Municipal Organic Law, taking into consideration the difficulties in limiting the number of people and assuring public safety due to the assemblies, and also, the depredation of public property detected because of the latest events held at Station Square, in Belo Horizonte, DETERMINES THAT:

Article 1 – It is forbidden to hold events of any nature at Station Square, in this Capital.

Article 2 – This Decree will come into effect on January 1st, 2010.”¹³

In Brazilian Law, a decree is an executive act, which does not depend on legislative approval.¹⁴ In fact, the prohibition was made unilaterally by the Municipal Chief of Executive Branch, who announced it on the same day it was published in the official municipal gazette (in Portuguese, DOM). Before the decision, there was no discussion with the civil society, nor was the City Council consulted.

The official reasons for the adoption of the act were stated in the decree itself: the difficulties in limiting the number of people that gathered in the area and assuring their safety, and the incidence of depredation to public property during some of the events held at the square. According to the newspapers published at the time, the decision was supported by some of the residents of the surroundings, inconvenienced by the noise, and by the MAO’s director, Ângela Gutierrez.¹⁵

The act, however, was considered excessive and arbitrary by many sectors of society, especially by cultural and social groups, which regarded the square as an adequate space to promote their manifestations. To express the dissatisfaction with the decree, it was created, on December 14th, 2009, the anonymous blog *Vá de Branco* (Wear White). The website proposed questions such as “Why didn’t the Property Security Department propose a debate with the population about the depredation at Station Square?” and invited readers to participate in a “Protest for Culture at Station Square”, on January 7th, 2010.¹⁶

The invitation for the *Wear White* demonstration was reproduced by other blogs, such as the *Pedreira na Vidraça* (The Quarry against the Glass)¹⁷ and the *Brazil Independent Media*

¹³ Belo Horizonte, Decree 13,789, December 9th, 2009. Available at <<http://tinyurl.com/ybz9esh>>.

¹⁴ Celso Antônio Bandeira de Mello, *Curso de Direito Administrativo*, São Paulo, 2010.

¹⁵ See “Prefeitura de BH proíbe eventos na Praça da Estação”, in: *Hoje em Dia*, December 10th, 2009. Available at <<http://tinyurl.com/3cgmz4r>>. Accessed: May 7th, 2011.

¹⁶ See “Entenda o decreto que proíbe eventos na Praça da Estação”, in: *Vá de Branco*, December 14th, 2009. Available at <<http://tinyurl.com/4xp99rs>>. Accessed: May 8th, 2011.

¹⁷ See “Vá de branco!”, in: *Pedreira na Vidraça*, December 16th, 2009. Available at <<http://tinyurl.com/43xeu5>>. Accessed: May 8th, 2011.

*Center*¹⁸. The demonstration took place as planned and around 20 people participated, which did not attract media attention. In order to guarantee the act would take place again the following Saturday, and that more people would join, on January 13th, 2010, the blog *Pedreira na Vidraça* published a post that urged its readers to gather at *Station Square*, on January 16th, 2010, wearing bathing suits and carrying “inflatable swimming floats, chairs, beach towels, etc.”, “drums and guitar” and “food for a collective feast” to take part in an event called “Station-Beach – The Action”.¹⁹

On the same day, the profile *@pracalivrebh* was created on *Twitter*, self-described as a “Movement against the decisions made by the mayor of Belo Horizonte, Márcio Lacerda”. The movement started using the social network to advertize the holding of the “Beach at the Station Square” event, and to reproduce (or, to use the appropriate jargon, retweet) the comments from people who sympathized with the cause.²⁰

Even though it was published only 3 days before the demonstration, this time the initiative was able to mobilize a greater number of people. According to data provided by the press to City Hall, there were 70 “actors, musicians, journalists, artists and inhabitants of Belo Horizonte” at the “Station-Beach – The Action” event.²¹ Other sources, however, said there were “about 300 demonstrators”.²²

The peculiar situation in which dozens of people would gather dressed in beachwear, in the downtown area of a city located kilometers away from the Brazilian coast, attracted the attention of the traditional media. The demonstration made the major local newspapers, such as *Hoje em Dia*²³ and *O Tempo*²⁴ and national newspapers, such as *O Globo*²⁵. It also made

¹⁸ See “Vá de branco!”, in: *CMI Brasil*, January 6th, 2010. Available at <<http://www.midiaindependente.org>>. Accessed: May 8th, 2011.

¹⁹ See “Praça-praia: a ação!”, in: *Pedreira na Vidraça*, January 13th, 2010. Available at <<http://tinyurl.com/3bcr638>>. Accessed: May 8th, 2011.

²⁰ See the profile *@pracalivrebh Praça Livre BH* on *Twitter*. Available at <<http://Twitter.com/#!/pracalivrebh>>. Accessed: May 8th, 2011.

²¹ See “Grupo transforma praça de BH em praia durante protesto”, in: *O Globo*, January 16th, 2010. Available at <<http://tinyurl.com/3umwzuv>>. Accessed: May 9th, 2011.

²² See “Manifestantes fantasiam para debochar da lei que veta ato público na Praça da Estação”, in: *Hoje em Dia*, January 16th, 2010. Available at <<http://tinyurl.com/ydjjqyv>>. Accessed: May 9th, 2011.

²³ See *Hoje em Dia* (note 22).

²⁴ See “Grupo protesta contra proibição de eventos na Praça da Estação, em BH”, in: *O Tempo online*, January 16th, 2010. Available at <<http://tinyurl.com/yeyvpeo>>. Accessed: May 9th, 2011.

²⁵ See *O Globo* (note 21).

the major news portals such as *R7*²⁶, *GI*²⁷ and *UOL*, which published a photograph of the event as its “Picture of the Day”²⁸.

The coverage from the major communication vehicles, however, was centered in the “mockery” and “joke” aspects of the assembly and not in the reasons for the protest.²⁹ Nevertheless, the publication in major newspapers and portals helped to disseminate the movement more quickly.

On *Twitter*, @*pracalivrebh* had a major increase in the number of its followers on January 18th, 2010, when, on commenting about the assembly that had happened two days earlier, used the expression *Praia da Estação* (Station Beach) for the first time.³⁰ The name was chosen because of the similarity between the Portuguese words *praça* (square) and *praia* (beach). The intentional wordplay was used to suggest that the *Station Square* could serve in Belo Horizonte the same purpose as the beaches in the major cities on the Brazilian coast, which is to be a free-for-all space to different sectors of society. The linguistic resource was based on the idea, a consensus among the participants of the protest, that the capital of Minas Gerais, albeit far from the sea, does not offer large areas or spaces for free – and, thus, accessible to all – leisure.

As the profile @*pracalivrebh* began to retweet photos and compliments from people who had taken part in the previous demonstration, besides recommending blogs which informed about the happening, catch phrases such as “Beach Station, a summer hit” and “Beach Station, the new wave of the summer” spread to blogs.³¹ Facing the massively positive reception of the movement, a campaign for the event to become weekly was launched, inciting the demonstrators to maintain the image of verisimilitude to the environment of an actual beach (PRAIA..., 2010d).

In order to unify information about the movement, on January 20th, 2010, a website called *Praça Livre BH* (Free Square Belo Horizonte) was created. The first post on the website was an invitation for the demonstration to be held on the following Saturday, January 23rd, 2010:

²⁶ See “Manifestantes transformam praça em praia para protestar em Belo Horizonte”, in: *R7*, January 16th, 2010. Available at <<http://tinyurl.com/3h23yxc>>. Accessed: May 11th, 2011.

²⁷ See “De biquíni e sunga, manifestantes transformam praça de BH em praia”, in: *GI*, January 16th, 2010. Available at <<http://tinyurl.com/y9fguqd>>. Accessed: May 11th, 2011.

²⁸ See “Imagem do Dia”, in: *UOL Notícias*, January 16th, 2010. Available at <<http://tinyurl.com/4xkpqha>>. Accessed: May 9th, 2011.

²⁹ See *Hoje em Dia* (note 22).

³⁰ See @*pracalivrebh* *Praça Livre BH* (note 20).

³¹ See “Praia da estação, o hit do verão”, in: *Fórceps blog*, January 17th, 2010 – available at <<http://tinyurl.com/yboz6tl>>, accessed: May 11th, 2011; and “Praia da estação, a nova onda do verão!”, in: *Blog do C.I.S.C.O.*, January 17th, 2010 – available at <<http://tinyurl.com/yacvf8y>>, accessed: May 11th, 2011.

“It was like this: we found out that BH also has a beach! Now it is time to seize the opportunity to question the rulers.

- WHAT’S WITH THIS DECREE! THE SQUARE BELONGS TO US!

For the ones who have not been informed, it fell on the square, in the quietness of New Year’s Eve, a decree which prohibits ‘events of any nature’ at Station Square. What’s your opinion?

Attend and enjoy the square to talk about this!

Come in bathing suit, bring beach towels, beach umbrellas... Don’t forget to bring balls... Drums, guitar, trombone... And sunscreen! Posters, banners are also welcome! And whatever you want! The square belongs to us!

TAKE OVER THE SQUARE WITH EVENTS OF ANY NATURE!”³²

As planned, the scheduled events took places on the 23rd and 30th of that month, with around 200 participants on each day. Again, the protest made the online version of the local newspapers.³³ Then, on January 30th, 2010, the Decree 13,863 was published in the DOM, by which the mayor of Belo Horizonte formed the “Especial Commission of Regulation of Events at Station Square”:

Article 1 – The Especial Commission of Regulation of Events at *Station Square* is formed, in order to define special rules for the use of this public space for events, acknowledging what was stated in Law number 9,063, from January 17th, 2005, and Decree number 13,792, from December 2nd, 2009. [...].

Article 4 – It is the duty of the Especial Commission of Regulation of Events at *Station Square*, in a 90 (ninety) day term, to perform the necessary technical studies, as well as to promote debates, hearings and public consultations about the subject, in order to establish the rules to use the *Station Square* to hold events.

Article 5 – This Decree comes into effect from the date of its publication.³⁴

In the terms of the regulation, the commission, composed only by members of the Municipal Executive Power, should, in 90 days, perform the necessary technical studies and promote hearings and public debates to subsidize the new rules for the use of *Station Square*.³⁵ The publication of the act showed that City Hall was willing to review its previous decision, the prohibition of holding “events of any nature”³⁶ in the area.

³² See “Praia da estação – dia 23 de janeiro”, in: *Praça Livre BH*, January 20th, 2010. Available at <<http://pracalivrebh.wordpress.com/2010/01/page/2/>>. Accessed: May 11th, 2011.

³³ See “Protesto bem-humorado transforma praça em ‘Praia da Estação’”, in: *Portal UAI*, January 23rd, 2010 – available at <<http://tinyurl.com/yaozsuf>>, accessed: May 11th, 2011; and “Praça vira 'Praia da Estação' durante protesto”, in: *Hoje em Dia*, January 23rd, 2010, available at <<http://tinyurl.com/y9b234x>>, accessed: May 11th, 2011.

³⁴ Belo Horizonte, Decree 13,863, January 29th, 2010. Available at <<http://tinyurl.com/y92fq3p>>. Accessed: May 15th, 2011.

³⁵ See note 34.

³⁶ See note 1.

However, while the proceedings of the commission were taking place, cultural and political demonstrations at the square continued to happen. In this period, there were soirees (on January 1st, February 2nd and April 4th, 2010), and “big events” – the first on March 6th, the second on May 8th and 9th, 2010 –, with musical, dance and theatrical performances. On Saturdays, with relative assiduity, the demonstrators kept on gathering in beachwear, and on Thursdays, meetings were held, in order to discuss proposals for the future of the movement. The repercussions in the blogosphere and social networks grew. The existence of a social web of people who had in common the interest in cultural manifestations and the use of the city’s public spaces was used to support and receive support from other social groups organized for similar causes.

On March 24th, 2010, representatives of the demonstrators were received in the Municipal Council of Belo Horizonte, to participate in an audience before the Commission of Education, Science, Technology, Sports, Leisure and Tourism, composed by members of the local Legislative Branch. The subject was the use of *Station Square*. Also present were representatives from City Hall, inhabitants of the surrounding area, and artists.³⁷

According to the minutes of the meeting, the representative from *Beach Station*, Rafael Barros Gomes, stated:

“this movement is a peaceful one, but it has a strong political basis. [...] He said it is not only about a protest against the prohibition of events of any nature at the Square, but also against the way the prohibition was made: the Mayor, through a legal, but undemocratic, instrument, prohibited, with no debate on the subject, the use of the Square. He informed that the municipal legislation establishes that the term “event” encompasses from the gatherings of a small number of people to big events. He analyzed, then, that the movement “Beach Station” could not take place there, and therefore, would be an affront to Decree 13,798/09. Rafael Barros Gomes highlighted that the municipal legislation must respect the differences in society. [...] He registered that public property belongs to the people, and, therefore, should be used. He reminded them that in many historical cities, where there is a great deal of public property, there is a profusion of manifestations. [...] he highlighted, then, that he does not intend to antagonize the desires of the population that lives in the surroundings of Station Square, but there should be a way of allowing events at the Square, without causing problems to the inhabitants and to public property.”³⁸

Another participant of the movement, Antônio Eduardo Silva Nicácio, also present at the public hearing, declared that:

³⁷ Belo Horizonte, Municipal Council, Minutes of the 7th meeting of the Commission of Education, Science, Technology, Sports, Leisure and Tourism, March 24th, 2010.

³⁸ See note 37.

“this Decree, ‘besides being a disaster’, is a juridical mistake, that can be questioned for many reasons. He pointed out that the Decree 13,798/09 was biased, because it lacks factual motivation, and therefore grounding is required. [...] the Decree 13,798/09 is unconstitutional, because it violates subsection XVI from article 5 in the Constitution of the Federative Republic of Brazil and, on this note, read the Direct Act of Unconstitutionality number 1969/4, which dealt with a similar problem in the Federal District and was approved unanimously. [...] He also requested a list with all the previous events held at Station Square that indicate what damage was done during these events and if an administrative proceeding or judicial investigation were initiated to inquire about the responsibility for this damage. He considered that, if there were no proceedings to investigate the responsibility, it could be understood that there was no damage done during the events or a crime of prevarication was committed. Antônio Eduardo Silva Nicácio deemed the City Hall of Belo Horizonte disappointing, arrogant and authoritarian as it did not seek the dialogue with civil society about the use of Station Square.”³⁹

On May 5th, 2010, regulatory acts were published in the DOM that were the result of the work of the Especial Commission of Regulation of Events at Station Square. The first, Decree 13,960, revoked the Decree 13,798, which had prohibited the holding of events of any nature at *Station Square*. In addition, it predicted that, from the date of its publication, the events held at the place would have to “be licensed in accordance to Decree 13,792, from December 2nd, 2009, and to a Directive of the South Central Municipal and Regional Administration Office intended to regulate the holding of events at Station Square.”⁴⁰

The second one, Decree 19,961, established, for the “Use of Station Square for the holding of events, proportionally to the number of days” the following amounts to be paid: “1 – From 1 to 2 days, R\$9,600.00; 2 – From 3 to 4 days, R\$14,400.00; From 5 to 6 days, R\$19,200.00.”⁴¹

On May 5th, 2010, the Directive of the South Central Municipal and Regional Administration Office (SARMUCS) that “Regulates the holding of events at Station Square” was published.⁴²

Even though the publication of the decrees and the directive led to the end of the prohibition of the holding of events of any nature at *Station Square*, it set, as a condition for the holding of events, the payment of fees in the amounts published in Decree 13,961. The charging of amounts considered high caused protests in the social networks, but the movement Beach Station was suspended from the month of May, partly because of the lower

³⁹ See note 37.

⁴⁰ Belo Horizonte, Decree 13,960, May 4th, 2010. Available at <<http://tinyurl.com/3ur3h9d>>. Accessed: May 15th, 2011.

⁴¹ Belo Horizonte, Decree 13,961, May 4th, 2010d. Available at <<http://tinyurl.com/2a4xawm>>. Acesso: May 15th, 2011.

⁴² Belo Horizonte, South Central Municipal and Regional Administration Office, Directive 2, May 5th, 2010, *DOM*, May 5th, 2010.

temperatures in the city due to the wintertime. The articulating virtual webs, however, did not dissolve. The profile *@pracalivrebh* on *Twitter* and the blog *Praça Livre BH* continued to publish critical manifestations against the mayor and the way in which public spaces open to the culture were treated in Belo Horizonte. The assemblies at the square in which the participants took part in beachwear were resumed on December 11th, 2010. There were more events, on December 18th, 2010, January 22nd, 28th, 2011, and on March 5th, 2011.

III. The search for spaces for the exercise of public freedoms

A superficial analysis of the *Beach Station* movement could lead to the mistaken conclusion that it did not produce the effects proposed by the participants. The publication, on May 4th, 2010, of Decrees 13,960 and 13,961, and, on May 5th, of the SARMUCS Directive 2, which established rules for the holding of events at Station Square, among them the payment of high fees, could be seen as a defeat, if the movement is understood as “only a struggle against the prohibition of events of any nature at the Square”⁴³.

However, the exclusivity of this goal was denied by the representative of the movement, Rafael Barros Gomes, at the public hearing held at the Municipal Council on March 24th, 2010. According to Gomes, it is also a case of revolt: “the way the prohibition was made: the Mayor, through a legal, but undemocratic, instrument, prohibited, with no debate on the subject, the use of the Square.”⁴⁴ Taking this statement into consideration, it can be concluded that the prohibition of events at that square, before being the main goal against which the demonstrators fought, was the immediate motive that led to the mobilization. The intended purpose is broader.

Indeed, the constitutionality of Decree 13,789, which prohibited the holding of “events of any nature at Station Square”⁴⁵ is questionable, which allows the questioning if there is a case of abuse of power by the mayor of Belo Horizonte. According to Brazilian Law, decrees are administrative acts of exclusive competence of the Chief of Executive Branch of each entity of the federation – municipalities, states, Federal District and Union. They are regulatory dispositions, non-statutory. The validity of a municipal decree, therefore, depends on its conformity with the municipality’s legislation.⁴⁶ But not only that. In the terms of the rules of

⁴³ See Municipal Council of Belo Horizonte (note 37).

⁴⁴ See Municipal Council of Belo Horizonte (note 37).

⁴⁵ See Belo Horizonte (note 1).

⁴⁶ See Mello (note 14).

the federalism adopted in the country, any act by the different spheres of government has to be in accordance with the Constitution of the Federative Republic of Brazil⁴⁷.

The subsection XVI of article 5 of the Brazilian Constitution assures to all the right of assembly in public places: “Article 5 – [...] XVI – anyone can assemble pacifically, bearing no arms, in places open to the public, independent of authorization, provided they do not disrupt another assembly at the same place previously scheduled, requiring only previous notice to the competent authority”⁴⁸.

Assembly, according to José Afonso da Silva is: “any grouping formed at a certain moment with the common objective of exchanging ideas or receiving manifestations of political, philosophical, religious, scientific or artist thought.”⁴⁹ It differs from an association for being temporary: it does not require organization, agreement among components or internal structuring. It suffices that there be “a previous summons under the direction of someone or a commission.”⁵⁰ As a result, “Are included in the concept of assembly the parades and demonstrations at public places, which are meetings of people that take place at certain circumstances, to express a collective will or common feeling”⁵¹.

The conditions imposed for the free exercise of this right are stated in the constitutional text: the pacific aspect (“no arms”), the non-impediment of a previously arranged meeting at the same place and a previous notice to the competent authority. The authority which receives the notice does not have the competence to impede the assembly, if the aforementioned requirements are met. The Constitution is clear about this freedom being exercised “independent of authorization”.

It is inevitable to recognize, therefore, that if the mere assembly of people with the objective of promoting artistic and political manifestations constitutes an event “of any nature” – as designated by Decree 13,789 –, it is difficult to sustain the arguments that led to the prohibition that such manifestations occur at the square. The motives alleged by the mayor, the difficulties in limiting the number of people, ensure the safety and hinder the damage to public property are not stated in the ones indicated by the Constitution as requirements for the exercise of freedom. It is, after all, a public place, and the gatherings, peaceful and notified to the Municipal Government, did not impede other manifestations previously scheduled at the same place.

⁴⁷ See Brazil, Constitution (1988), *Constituição da República Federativa do Brasil*, de 5 de outubro de 1988, Brasília, DF, October 5th, 1988.

⁴⁸ See Brazil, Constitution (note 47).

⁴⁹ José Afonso da Silva, *Curso de Direito Constitucional Positivo*, São Paulo: Malheiros, 2008, 264.

⁵⁰ See Silva (note 48), 264.

⁵¹ See Silva (note 48), 264-265.

As Silva notices, the need of law enforcement is a frequently used argument “to hamper the exercise of freedom of assembly and even for the exercise of arbitrary authority.”⁵² Under this pretext, it is common for the public authorities to indicate the places in which the assemblies can take place – or, in the opposite direction, to define the places in which they are not permitted. These procedures are, however, according to the author, abusive: “The choice of the public place open to the public is part of the freedom of assembly. It is free, without the power of any authority to indicate the place in which it can happen. This freedom of choice can only be impeded if another gathering, and it is proven, has been scheduled at the same place.”⁵³

However, even though the constitutionality of the Decree 13,789 is questionable, to limit the *Beach Station* as a case of perplexity to a misuse of power by Mayor Márcio Lacerda implicates a disregard of peculiar characteristics of the movement – treating its essential elements as secondary. Firstly, the articulated web on the Internet housed various manifestations on themes that interest the city, from the rational use of automobiles⁵⁴ to the eviction in popular housings considered irregular⁵⁵. Secondly, the movement stood not only against acts by the municipal government of Belo Horizonte considered abusive, but also against decisions from other governmental spheres. This is illustrated by the fact that the movement supported manifestations in other Brazilian capitals, such as the one in Florianópolis against the raise in local bus fare⁵⁶.

These facts lead to the conclusion that the prohibition of the holding of events at *Station Square*, before being the main goal against which the demonstrators fought, and the reason why the movement’s virtual web remains articulated to this day, was the immediate motive that led to the mobilization. The authoritative aspect that the participants attribute to the prohibitive decrees is not, on its own, enough to explain the group’s claims, which are not only negative – that the authorities stop the practice of abusive acts –, but also positive – for example, in the words of Rafael Barros Gomes, that the municipal legislation respect “the differences within the society”⁵⁷.

The diffusion of ideas and proposals encompassed by the *Beach Station* movement makes it difficult to find meaning behind the multiple actions of the participants. That does

⁵² See Silva (note 48), 264.

⁵³ See Silva (note 48), 266.

⁵⁴ “Que trem é esse?”, in: *Praça Livre BH*, September 25th, 2010. Available at <<http://tinyurl.com/317gvj5>>. Accessed: May 19th, 2011.

⁵⁵ “Torres Gêmeas: já tinha cara de desalojo...”, in: *Praça Livre BH*, September 26th, 2010. Available at <<http://tinyurl.com/3v23wq5>>. Accessed: May 19th, 2011.

⁵⁶ “Outro movimento popular no Brasil: Florianópolis contra Aumento das Passagens”, in: *Praça Livre BH*, May 12th, 2010. Available at <<http://tinyurl.com/3dzuzum>>. Accessed: May 19th, 2011.

⁵⁷ See Municipal Council of Belo Horizonte (note 37).

not mean, however, that this meaning does not exist. The dispersal itself is an original characteristic of the movement, and differentiates it from traditional walks and demonstrations. It originates, mainly, from the absence of identifiable leaders and defined hierarchy. Most of the texts about the movement on the internet are anonymous or signed under a pseudonym. On the blogs which are involved, any person can make their opinions public. In a final analysis, the decentralization is a consequence of the way the World Wide Web is organized – from the horizontality of the flux of virtual information.

Not only is a chain of command is inexistent, but there is also no way of differentiating active participants from sympathizers and spectators. Even the space where the demonstrations took place and the way in which they were advertized constitute free access. And despite the political nature of the protests, they are not linked to any political party or political faction. This allowed some of the people who attended the *Beach Station* to be there just to enjoy the place and the opportunity to sunbathe in swimsuits in the downtown area of a major metropolis.

Others, however, went to the square to answer the call for a “protest”⁵⁸, a “debate”⁵⁹ or a “talk”⁶⁰. These words, taken from the pamphlets to advertize the *Beach* and from the virtual forums related to the movement, indicate the need to talk about what happened and to find a place in which they could be heard, are main matters to the participants. This was proven by the two representatives that attended the public hearing at the Municipal Council. Both showed that, more than the controversy generated by the publication of the prohibitive decree, what made them consider “the position of the City Hall of Belo Horizonte disappointing, arrogant and authoritative”, was the fact that the prohibition occurred “without a debate over the subject” and that the government “did not seek the dialogue with civil society”.⁶¹

These manifestations expose the cause which is subjacent to the perplexity and dissatisfaction of those involved with the *Beach Square*: the absence of a place in which they could talk about the governing of public affairs. In a more abstract level, therefore, the meaning of the movement lies in the will of direct participation in the decisions which affect the *res publica*.

As paradoxical as it may seem at first, the detachment of the ordinary citizen from the public sphere is a *pathos* of the modern Republics, in which the democratic rule is exercised through elected representatives. As observed by Hannah Arendt, since the American and

⁵⁸ See *Vá de Branco* (note 16).

⁵⁹ See *Vá de Branco* (note 16).

⁶⁰ “Praia na praça da estação”, in: *Centro de Mídia Independente Brasil*, January 13th, 2010. Available at <<http://tinyurl.com/ycwcz47>>. Accessed: May 8th, 2011.

⁶¹ See Municipal Council of Belo Horizonte (note 37).

French Revolutions in the 18th century, “it was the delegates of the people rather than the people themselves” who have constituted what the writer calls “the public realm” – a place for dialogue, deliberation and decision-making created when men are gathered for action and discourse, so they can stand before others, be seen and heard by the others.⁶²

The individuals who vote and put their representatives in that position, those who “theoretically, were the source and the seat of power”⁶³, although they have “generally recognized rights of subjects to be protected by the government in the pursuit of private happiness even against public power”⁶⁴, remained forever outside the doors of the public space.

This “space of appearance [...] predates and precedes all formal constitution of the public realm and the various forms of government, that is, the various forms in which the public realm can be organized.”⁶⁵ Both the gathering of men as their exercise of power of action and speech are conditions for such realm. In this way, it “disappears not only with the dispersal of men [...] but with the disappearance or arrest of the activities.”⁶⁶

Only in this specifically political space, “where men met one another as citizens and not as private persons”⁶⁷, can we talk about free men. The author differentiates public freedom, which is positive, from “the more or less free range of non-political activities which a given body politic will permit and guarantee to those who constitute it.”⁶⁸ In other words, she distinguishes it from civil rights.

According to Arendt’s line of thought, individual freedoms, “whose fruits are absence of restraint and possession of ‘the power of locomotion’”⁶⁹, are indeed conditions of freedom, but, differently from “the truly political freedoms, such as freedom of speech and thought, of assembly and association”⁷⁰, possess “a negative character”⁷¹. The individual freedoms do not consist in “powers of themselves, but merely an exemption from the abuses of power”; they claim not a share in government but a safeguard against government”.⁷² Among these negative rights it is included “the right of representation for the purposes of taxation which later became the right to vote”.⁷³

⁶² See Arendt (note 3), 251.

⁶³ See Arendt (note 3), 251.

⁶⁴ See Arendt (note 3), 127.

⁶⁵ Hannah Arendt, *The human condition*, University of Chicago Press, 1998, 199.

⁶⁶ See Arendt, *The human condition*, University of Chicago Press, 1998, 199.

⁶⁷ See Arendt (note 3), 31.

⁶⁸ See Arendt (note 3), 30.

⁶⁹ See Arendt (note 3), 32.

⁷⁰ See Arendt (note 3), 217.

⁷¹ See Arendt (note 3), 143.

⁷² See Arendt (note 3), 143.

⁷³ See Arendt (note 3), 143.

Hence freedom transcends “the idea of a successful liberation from tyrants and from necessity”⁷⁴ and means “participation in public affairs, or admission to the public realm”⁷⁵. The modern era experienced this kind of freedom – and the public happiness that originates from it – during the revolutions of the 1800s. After them, however, there was the “disappearance of the 'taste for political freedom' as the withdrawal of the individual into an ‘inward domain of consciousness’”.⁷⁶ Since then, happiness began to be regarded as a feeling which was restricted to the private life of citizens, while “having a share in public business [...] and the activities connected with this business” is regarded as a burden.⁷⁷

Only very recently did some individuals, engaged in the discussion of the fate of public affairs, and making use of social networks and the blogosphere as a space for discourse, demonstrate having rediscovered that such activities “gave those who discharged them in public a feeling of happiness they could acquire nowhere else”⁷⁸. The fact that the actions that originate on the internet are initiating the public expression of political rights outside of the virtual environment is, therefore, understandable, even though it may surprise and cause discomfort to formal political institutions. The surprise occurs because the events defy the idea, dominant until then, that new communication technologies would lead to the disbandment of human relationships. And the conflict with the constituted authorities arises because the mobilization contradicts the logic which is inherent to the representative democracies organized under the dominant paradigms of the 20th century.

IV. Conclusion

In the analysis of the *Beach Station* case, it is remarkable that, even though the movement holds different interests and proposals, the participants and inciters are both determined to make use of the public square – be it concretely, by physically making use of a square, or abstractly, through the creation of spheres of political discussion. Most of the posts that summoned the readers to the *Beach* had both intentions: “Attend and enjoy the square to talk about this!”⁷⁹. This determination can be explained by the feeling, albeit sometimes not expressed, that the citizen, to whom civil liberties are assured – among them, the periodic right to vote –, have his possibilities of publicly exercise his political and freedom powers such as assembly, limited.

⁷⁴ See Arendt (note 3), 243.

⁷⁵ See Arendt (note 3), 32.

⁷⁶ See Arendt (note 3), 140.

⁷⁷ See Arendt (note 3), 119.

⁷⁸ See Arendt (note 3), 119.

⁷⁹ See “Praia da estação – dia 23 de janeiro”, in: *Praça Livre BH*, January 20th, 2010. Available at <<http://pracalivrebh.wordpress.com/2010/01/page/2/>>. Accessed: May 11th, 2011.

Such limitations can be a consequence of arbitrary government acts – such as, according to the participants of *Beach Station*, the decrees that prohibited or hindered the holding of events at *Station Square*. And, indeed, the abuse of power was, in the case analyzed by this research, the immediate cause of revolt. However, it is necessary to observe, and Hannah Arendt's doctrine is crucial in this task, that regardless of the good faith of the rulers, the contemporary democratic Republics hold, in their organization, elements which favor this diffused feeling of alienation from public life. The representation mechanism itself is conducive to this feeling, as it authorizes the effective participation of a reduced political elite in the government, and limits the most meaningful possibility of citizen influence to the vote – which consists, largely, in a negative freedom.⁸⁰

Even though they were motivated by the revolt against an act they considered arbitrary, the participants of the *Beach Station* movement kept active due to the possibility of enjoying this freedom as a political phenomenon, taking action and altering the configuration of the public space in the city of Belo Horizonte. But the possibility only arose because the connections among individuals on social networks and blogosphere already existed.

The demonstrators realized that: “The only remedies against the misuse of public power by private individuals lie in the public realm itself, in the light which exhibits each deed enacted within its boundaries, in the very visibility to which it exposes all those who enter it.”⁸¹ To fight the abuse, therefore, they had to go into the public sphere from which they were excluded. Taking advantage of the environment created by new communication technologies, especially social networks, they created by themselves a space of public debate and open discussion, where their moods would be supported by their expressed opinions. In doing so, they experienced what Arendt calls “public happiness”⁸².

It is natural, then, that the determination of the demonstrators would not be limited to the virtual environment and that the discussion forum was taken to the public square, where the participants rediscovered the right to assemble. It is comprehensible, also, that such occurrences were met with surprise and perplexity.

Regarding the former reaction, the surprise occurs because such demonstrations shatter a widely accepted paradigm of the previous century: the image that new communication technologies would essentially serve to the enjoyment of private freedoms, and not to the defense of rights.

⁸⁰ See Arendt (note 3).

⁸¹ See Arendt (note 3), 202.

⁸² See Arendt (note 3), 126.

Regarding the difficulties with which movements such as *Beach Station* raise in the constituted authorities, a statement made by the Secretary of Belo Horizonte, Fernando Cabral, is illustrative. The publication of the decrees that instituted the charging of fees to use the square generated protests and led to the publication, in a local newspaper, of declarations against the acts and criticism of the Municipal Government: “What is the meaning of a square to a city? More specifically, what is the meaning of Station Square to Belo Horizonte? These questions arise from the necessity for debate; a necessity which was created by the decisions made by City Hall.”⁸³ In response, the Municipal Secretary stated: “We have a legitimately elected Mayor, so we cannot let go of the role to govern. This is not a Greek democracy in which we create an assembly in public square and decide the fate of the city.”⁸⁴

In doing so, he denounced, maybe intuitively, the perplexity that arises from the protests is the conflict between two forms of democracy: the direct one and the representative one.

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