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FORMAL CITY VS INFORMAL CITY

From the clandestine neighbourhoods to the concept of UAIG (urban areas of illegal genesis)

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Resumo

Ao longo do tempo, as definições de cidade formal e informal têm sido alteradas ou adquirido significados diferentes perante os diversos campos da actividade humana.

Desde da década de 1950, a industrialização e as mudanças nas práticas rurais levaram a uma aceleração da migração em massa de pessoas das áreas rurais para as grandes cidades, o que deu origem a numerosos assentamentos informais nos subúrbios das cidades. Um grande fluxo populacional desloca-se para as cidades à procura de melhores condições de vida.

O principal objectivo deste artigo é apresentar as mudanças que ocorreram no território, tendo como foco a periferia da cidade de Lisboa com a construção dos bairros clandestinos, demonstrando através de um mapeamento, a evolução destes espaços informais na cidade formal, para demonstrar como as AUGI (Áreas Urbanas de Génese Ilegal) se desenvolveram e influenciaram as transformações e visões da cidade formal, e a relação que as pessoas tem com o lugar que habitam.

PALAVRAS CHAVE: cidade formal, cidade informal, bairros clandestinos, áreas urbanas da génese ilegal.

Abstract

Over time, the definitions of formal and informal city have been changed or acquired different meanings in the various fields of human activity. Since the 1950s, the industrialisation and changes in rural practices caused an accelerating mass migration of people from rural areas to major cities, which gave rise to numerous informal settlements on the peripheries of the cities. A large rural migration flows to cities searching for better living conditions.

The main goal of this paper is to present the transformations that have occurred in the territory, with a focus on the peripheries of the city of Lisbon with the constructions of clandestine neighbourhoods, demonstrating through a mapping, the evolution of these informal territories in the formal city, to assess how the UAIG (Urban Areas of Illegal Genesis) developed and influenced the transformations and visions of the formal city, and the relationship that people have with the place they inhabit.

KEYWORDS: formal city, informal city, clandestine neighbourhoods, Urban Areas of Illegal Genesis

Introduction

Portugal, at the beginning of the 1960s, develops an alternative housing, at the margin of the formal market. In the periphery migrants tried to replicate the rural environments which transformed the order of the former city. The phenomenon is denominated clandestine neighbourhoods, today designed UAIG (Urban Areas of Illegal Genesis). This is associated to buildings not licensed and disrespecting the planning legislation of the territory. These informal areas defined the image of the cities, as places of mass housing construction without any infrastructure or plan. In our days, UAIG have good relationship with the road network although have deficit of good urban physical conditions and is difficult to implement primary infrastructures. The neighbourhoods are the result of self-building systems and auto-urbanization.

Informal Settlements in the world

Over the last decades, we have witnessed the accelerated growth of the urban population and the continued expansion of cities at the global level, resulting from uncontrolled urbanization processes, leading to the uncontrolled proliferation of informal settlements, spontaneously and unplanned (Llyod, 1979). In this way, cities are today marked by two opposing realities - formal city vs. informal city, which are related and confused, and there is often no precise division between them. For Lefebvre (1968), it is only possible to evolve, as a society if in the urban life of cities there is a sharing of ways of life and ways of thinking, the result of different experiences between people. It is important to define the object from a context that takes into account its spatial and social processes, and allows within the field of architecture and urbanism to classify informal settlements in the current urban context. It is relevant to recognize in informal settlements a phenomenon produced by a set of individual actions.

In the global world, informal settlements take various terms, such as slums, slums (Portugal), clandestine neighbourhoods (Portugal), “favelas” (Brazil), “musseques” (Angola), and “caniços” (Mozambique), among others. Although with different origins and types of occupation, self-produced urban scenarios spread all over the world.

The UN-HABITAT, in its report "The Challenge of Slums: Global Report on Human Settlements" (2003), defines informal settlements as areas where problems prevail such as incapacity to legalize the lot, poor quality and durability of housing, lack of sanitary installations, lack of primary infrastructures, lack of living space.

Informal problem in the formal city – case study of Lisbon

Portugal, at the beginning of the 1960s, develops an alternative housing, across the entire Portuguese territory, at the margin of the formal market, in rural areas on the outskirts of large urban centres. Following the process of attraction of rural urban centres, this phenomenon has reached a large scale in the Metropolitan Area of Lisbon, with the creation of multiple clandestine settlements, through parcelling and clandestine construction.

The main cause of the increase in the practice parcelling of illegal land settlement and clandestine construction in the main urban areas is due to the great pressure exerted by the working masses in search of working conditions and the consequent demand for housing.

The appearance of clandestine emerges as a result of the socioeconomic and political conjuncture of the 1940s and 1950s, and the clandestine phenomenon worsened in the 1960s and 1970s, with a significant increase in the south margin, where the greatest demographic the new conditions of accessibility and employment created, namely, the installation of the industry in the Setúbal Peninsula, the 25 de April Bridge and the south highway. The process of decentralization of power following the political breakdown of 1974, with the creation of local authorities, did not reduce the increase in the parcelling and clandestine construction. This phenomenon happens to be of municipal responsibility, passing the municipalities to invest in the resolution of the problem.

In this context, the phenomenon evolved to large dimensions and reached in the 1980s, uncontrolled proportions in some municipalities of the Metropolitan Area of Lisbon, for the first time in 1995, an exceptional regime for the reconversion of these areas.

The characterization of the clandestine phenomenon is done through initiatives promoted by the central administration and often executed with the support of academic institutions and the participation of municipalities, the following mapping stand out: the 1st Inquiry on Clandestine Construction, in 1977 (Figure 1); the mapping of "Clandestine Housing in the Lisbon Region", in 1984 (Figure 2); the Urban Areas of Illegal Genesis delimitation process in 1995; the mapping of Helena Rolo, in 2005 (Figure 3).

In the 1st Inquiry on Clandestine Construction in 1977, the survey only reports on construction, ignoring data on allotments and unoccupied plots.

According to Craveiro (2010) the actions are not homogeneous and it is possible to typify the various clandestine processes, which vary according to the reasons that gave rise to it, the place and the time in which they arose and the form they acquired, being possible to identify three types of clandestine: 1| Scattered buildings; 2| Construction / Allotment destined to the 1st housing; 3| Construction / Allotment for the second home.



Figure 1: Mapping the 1st Inquiry on Clandestine Construction (1977)



Figure 2: Mapping “Clandestine Housing in the Lisbon Region” (coordinated Eugen Bruno, 1984)

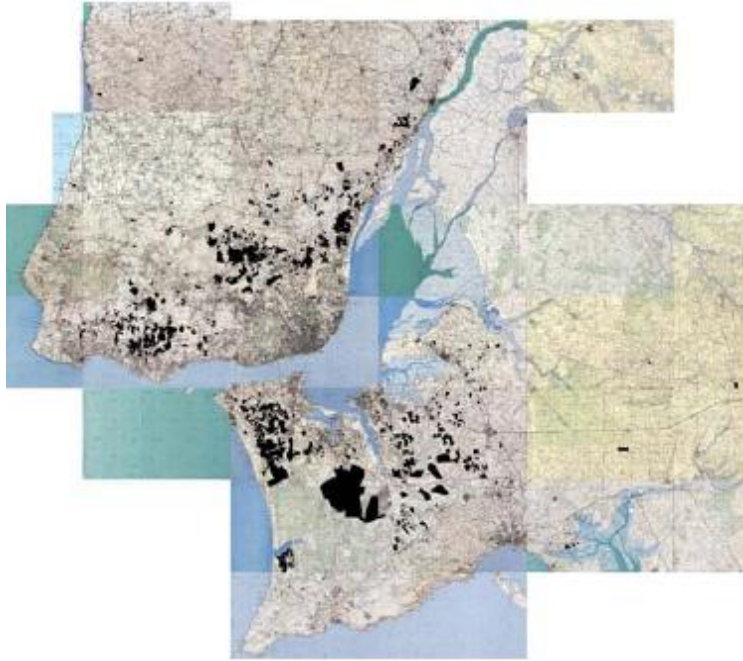


Figure 3: Mapping UAIG (Urban Areas of Illegal Genesis)
(Helena Rolo, 2005)

From clandestine urbanization to UAIG - legislative developments

Legislation and regulation of the clandestine phenomenon began to emerge in response to the economic, social and urban environment that characterized the 1950s and 1960s through control, transformation and land use.

At the beginning of the 50's, the main concerns were not only the healthiness and the habitability of the buildings, but also their aesthetics, being implemented the requirement of the licensing for the execution of actions with Law no. 38382 of August 7, 1951, which approves the RGEU (general regulation of urban buildings). The first land policy was to discipline and regulate the occupation of the territory in the late 1950s in an attempt to control and halt the consumption of spaces in the outskirts of large cities, with Law no. 2099 of August 14, 1959, with the Urbanization Plans.

In 1965 a new concept of urban subdivision was introduced, with the publication of Decree-Law no. 4663 of 29 November, which intended that the administrative authorities (local authorities) be able to intervene efficiently on the urbanization instalments, with the license that titled the division of the soil, and previously only needed writing to register the lots. This law did not condition the division of rustic buildings into new rustic buildings, which led landowners to divide large rustic estates into smaller land, which later sold as housing lots, that is, lots were legally individualized,

although without urban nature, since they did not result from instalment payments under Decree-Law no. 46673.

The concept of urban subdivision was amended by Decree-Law no. 289/73 of 6 June, which describes urban subdivision as "(...) an operation having as its object or simply the division into lots of any area of one or more buildings situated in urban or rural areas, and intended for immediate or subsequent construction (...)". (Decree-Law no. 289/73)

In 1976, a new land law was introduced, Decree-Law no. 794/76 of 5 November, which is intended to replace, in full, Decree-Law no. 576/70 of 24 November, which defines the fundamental principles and norms on land politics.

The first regime for the reconversion of clandestine construction areas is the introduction of Decree-Law no. 804/76 of 6 November. "The phenomenon of clandestine construction (...) has recently undergone an intense development, in such a way that the areas occupied by clandestine construction are nowadays in large numbers and often of great extension." (Decree-Law no. 804/76)

This law establishes for the first time the definition of clandestine, "(...) areas of clandestine construction are considered those in which there is a marked percentage of constructions carried out without a legally required license, including those carried out on land lots without the competent license" (Decree-Law no. 804/76). The diploma presents three possible solutions for the reconversion of clandestine construction areas - legislation, temporary maintenance and demolition. Following the publication of this diploma, the sale of undivided assets continues to be sold, only in 1984, Decree-Law no. 400/84 of 31 December, the sale of plots of land in unoccupied "avos" ends. Over several decades the various attempts at reconversion and normative efforts, which ended in 1995 with the approval of the exceptional regime for urban redevelopment of urban areas of illegal genesis approved by Law no. 91/95 of 2 September. This law marks the transition from the definition of clandestine to definition of UAIG.

The law of the UAIG required the municipalities to delimit the perimeter of the existing urban areas of illegal genesis (Figure 4) in their respective territories and the definition of the modality of reconversion to adopt, on its own initiative or at the request of any interested part.

The absence of data in some municipalities of the Metropolitan Area of Lisbon, in the delimitation of UAIG in the territory, such as Cascais and Amadora that did not present the information, Lisbon that did not delimit any UAIG and absence of Odivelas is due to the fact that, to date, still not to be county, being only one of the parish of Loures.

1997	
UAIG	
(no. Polygon)	
ALCOCHETE	2
ALMADA	39
AMADORA	—
BARREIRO	19
CASCAIS	—
LISBOA	—
LOURES	17
MAFRA	2
MOITA	22
MONTIJO	27
ODIVELAS	—
OEIRAS	10
PALMELA	33
SEIXAL	84
SESIMBRA	16
SETUBAL	39
SINTRA	102
VILA FRANCA DE XIRA	38
TOTAL	603

Figure 4: Data on UAIG delimited by Law no. 91/95 of 2 September
(Source of Research: DGOTDU, 1997)

Conclusion

In the last 40 years, the clandestine phenomenon has undergone several modifications that forced to rethink the urban questions. The process of reconversion with the application of Law no. 91/95 has already shown great results, but the continuity of existing conversion procedures may lead to a definitive resolution of the problem, and another type of resolution and intervention methodology in these a broader vision, ensured the quality of life of these places.

This preoccupation with socio-cultural, geographical and political specificity, along with an interest in broadening the discussion about areas of illegal genesis in the Metropolitan Area of Lisbon and the formal-informal dichotomy, were among the main motivations behind this paper. It is urgent to look at these informal neighbourhoods and adopt strategies to (re) living the space for (re) integrate into the urban structure of the city.

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