A critical perspective on policies for informal settlements in Portugal

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Abstract

While informal settlements in Portugal are not a recent phenomenon, planning and housing policy responses and results have been inconsistent. In 2012, the Amadora Municipality, within the Lisbon Metropolitan Area, resurrected the PER (Special Rehousing Programme), which was first launched in 1993 to remove informal settlements and rehouse inhabitants. This paper offers a critical analysis of the objectives, practices and results of the programme in Amadora and, particularly, regarding *Bairro 6 de Maio*, where most people were evicted without being relocated. It will discuss how informal settlement policies have been applied in Portugal over the past century and assess the New National Housing Policy, showing that integrated, effective policies regarding informal settlements are still lacking. The findings will suggest a change of the approach in addressing the phenomenon in order to guarantee the right to housing and to the city for inhabitants.

1. Introduction

Maria[i] was born in Lisbon to Cape Verdean parents who came to Portugal from Cape Verde after the country's independence in 1975. She is 30 years old and has lived for 20 years in *Bairro 6 de Maio*, one of the many informal settlements built at that time. She has two children attending primary school. In 2012, the Amadora Municipality (within the Lisbon Metropolitan Area) informed Maria that her neighbourhood was going to be demolished and that she had no right to benefit from the public housing programme. Maria had no way out and was terrified. She explained, "I don't know what to do. I've been living in this neighbourhood for 20 years; my whole life is here and my kids are attending school here! What will I do if they destroy my house? I do not earn enough to pay rent and, besides that, no one will rent me an apartment because we are black! I'm desperate!" Maria is one of about 700 people in Amadora that have been threatened with eviction since 2012. The aim of this strategy is to eradicate existing informal settlements within the municipality.
In Portugal, where massive migration influx from former colonies took place throughout the 1970s and 1980s, informal settlements became the housing solution for many of these families, primarily around

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Lisbon. These areas, defined by Ascenção (2010) as 'post-colonial slums', have many similarities to slums in the Global South. Informal settlements draw the attention of planners to multifaceted problems that exist on various levels, which include derelict and unhealthy buildings, degradation of the environment and landscapes, and lack of infrastructures and services. From a social point of view, problems related to lack of ownership and settlement irregularity often aggravate social weaknesses, which then lead to stigmatisation and isolation. In some cases, the permanence of such settlements is not appropriate, as they were built on unsafe or polluted land or within protected areas, and the displacement of inhabitants is necessary. In other cases, such settlements have become an integral part of the city over time despite their unplanned origin.

The informal settlement of *Bairro 6 de Maio* falls into the latter category and offers an especially significant case study for three reasons. Firstly, due to its location in the Lisbon Metropolitan Area, which offers an overview of the specific dynamics of ongoing transformation. Secondly, due to the position taken by and eviction practices of the Amadora Municipality, which highlights the lack of both an adequate housing policy and effective tools to deal with urban informality. Lastly, due to the response from the national and international community against the evictions and in support of the inhabitants, which has brought concrete contributions to the creation of the new national strategy.

This article tries to answer the following questions. How do programmes and policies address the issue of informal settlements in Portugal? How is the right to housing guaranteed in Portugal today? How can better policies and programmes addressing informal neighbourhoods be created?

The term 'informal settlement' refers to several types of housing sites. For the analysis presented in this paper, I will consider an informal settlement as an area where the inhabitants are socioeconomically vulnerable and do not own the land (UNECE, 2015). Informal settlements are a widespread phenomenon in many contemporary metropolitan landscapes and not just in the Global South. According to a UNECE study entitled *Self-Made Cities* (2009), more than 50 million people in European countries live in areas that are not formally planned cities. Notwithstanding this number, both academic interest and political debate in Europe have largely neglected the phenomenon. Urban theories, which have been conceived primarily in Europe, have radically pitted the planned city against the spontaneous city. As concluded by Lombard and Huxley (2011), "*Self-Made Cities* does not escape binary characterisations of normal formality and its problematic informal other". Analysis and critical debate regarding informal cities has only come to the fore in recent years (Roy & Alsayyad, 2003; Roy, 2005, 2009; UN-HABITAT, 2010; Porter, 2011), revealing the need to overcome a dualistic and stigmatised vision of informality, so that it can be recognised as being the right of the most vulnerable people to housing and to the city. In this context, urban planning plays a significant role in defending housing rights. As argued by Roy (2005), we can look at informality as another form of urbanisation, which is typical of Global South cities, and, rather than demolishing informal housing, analyse what types of rights are intrinsic to such a habitat. Over the past decade in Europe, informal settlements have been growing due to increased migration influx and, consequently, increasing the exclusion generated by the phenomenon itself. This emergency, which has not yet been fully explored, is one of the greatest challenges to planning today.

I was able to gather much useful information for this case study thanks to my work with the association *Habita!*, a collective that has been fighting for the right to housing and to the city since 2005. The data for this study were collected during eighth months of fieldwork in Lisbon from November 2014 to June 2015 and two further visits in 2016 and June 2017. They include policy documents, field observations, and interviews with activists and inhabitants, as well as my experience participating in actions and meetings with the movement and the community.

I will begin by providing an overview of the informal settlement phenomenon in Portugal and analysing the policies that have attempted to govern it over the past century. Then, I will introduce the Amadora scenario and the *Bairro 6 de Maio* case study, presenting the context and effects of eviction practices. After a brief presentation of the new national urban agenda, I will conclude by suggesting some principles upon which to base programmes regarding informal settlements in the Portuguese context in order to defend housing rights and the right to the city for inhabitants.

2. Urban Informality in Portugal

The phenomenon of unplanned settlements in Portugal has lasted since the early 1900s, when the first suburbs of Lisbon and Porto arose spontaneously. Reading about the historical process of urbanisation in Portugal would help to understand informal settlements resulting from migration pressure and lack of public housing policies. The increase in population was caused by two major influxes: 1) citizens migrating from the countryside to the cities in the early 1900s, followed by a more massive migration specifically to areas around the capital in the 1950s and 1960s after World War II; 2) immigrants coming from former African

colonies in the 1970s and 1980s after the dictatorship ended in 1974. These phases gave rise to two manifestations of unplanned settlements, characterised by different land occupation, morphology, and degree of precariousness. In keeping with the distinction proposed by Silva & Farral (2016b), the former are illegal subdivisions (i.e., clandestine neighbourhoods) or "occupations involving landownership, in which settlers own the land and, therefore, construction conditions tend to be better" (Silva, Farral 2016b: 27). The latter are hereafter called 'informal settlements' and are built on squat lands in precarious conditions. To deal with both, two programmes based on completely different approaches were implemented concurrently.

1) Clandestine neighbourhoods are the result of illegal subdivisions created solely for profit; i.e., agricultural land purchased at a low cost that is subdivided into lots and sold for a 900% return. While this solution responded to the need for houses that were impossible to find on the legal market, it also gave rise to a wide variety of housing districts in terms of both the types of buildings and the entire urban fabric. Clandestine neighbourhoods have evolved into a ring that encloses the most urbanised area of Lisbon and now form the periphery of the city (Barata Salgueiro, 1977). Land tenure is what distinguishes illegal subdivisions from informal settlements. The former are usually illegal lots that have been sold and upon which new owners build their houses. The latter is land occupied by squatters. Clandestine neighbourhoods are examined in depth in Bógus, et al. 2010 and Silva & Farral 2016a, which offer a better understanding of the phenomenon in terms of causes, types and formation processes. In this paper, we focus on informal settlements, which are built on squat lands in precarious conditions and host a vulnerable population, as described below.

2) The *bairros de barracas* (barrack neighbourhoods) rose mainly on public lands in response to the housing need of a vulnerable population. However, the land had not been previously subdivided into regular lots, construction quality was poor, the area became densely populated, and there was a lack of basic infrastructures and services. Most squatter settlements rose on the urban fringes of Lisbon and Porto and were home to immigrants from former Portuguese colonies. After the Carnation Revolution in 1974, the subsequent geopolitical reconfiguration of Portugal's former colonies in Africa, and the accession of Portugal to the European Union (EU) in 1986, immigrants from Angola, Guinea Bissau, Cape Verde, Mozambique and São Tomé and Príncipe came to Portugal and settled primarily in the Greater Lisbon area, which now houses more than 80% of the Portuguese-speaking, African immigrant community (Malheiros & Fonseca, 2011: 52). As mentioned above, one major reason for the building of informal settlements was the lack of access to housing for the most vulnerable population. In fact, social housing accounted for only 10.8% of total housing in Portugal from 1953 to 1973 (Gros, 1994: 83).

3. Housing Programmes and Policies for Informal Settlements in Portugal

I will briefly summarise the informal settlement policies implemented in Portugal over the last seventy years. It will be clear how one common idea has been the basis for these policies and resulting interventions over the long-term; i.e., the removal of informal settlements and the progressive polarisation of the economically and socially vulnerable population far from the historic fabric.

3.1 Public health programmes

Inspired by European projects, public health programmes started in Portugal with a 10-year municipal plan for the *Ilhas do Porto* (worker housing) from 1956 to 1966. The *Ilhas* began proliferating to house the masses of people coming from the countryside to Porto following the industrial development that took place from 1864 to 1900 (Vazquez & Conceição, 2015). *Ilhas* are groupings of primarily small, one-story houses evolving from a specific urban subdivision layout (width of 5.5 m across the front and length of 100 m), taken from a city expansion plan that was designed at the end of the 18th century[ii]. They quickly became the working-class residences par excellence, despite being very small spaces with shared outhouses and bad lighting and ventilation. The *Ilhas do Porto* plan saw this housing as "fires of physical and moral infection" (Pereira, 2011: 481) and aimed to both upgrade health conditions and normalise working-class behaviour. The result was the displacement of inhabitants from the continuous urban fabric. Nevertheless, the *Ilhas* are still present in the spatial and social fabric of the historic city and are a part of its heritage.
Following this, the *Programa Habitações de Renda Económica*[iii] (Low-Income Public Housing Programme), which was implemented from 1959 to 1969, gave rise to large 'ensembles' (Olivais Norte, Olivais Sud, Chelas, Alvalade), which are comparable to the European residential buildings of the 1950s and 1960s (Baptista, 1999). The programme aimed to resolve "the moral and social problems that are the disastrous consequences of urbanisation" (Nunes, 2013). The strategy was based on the need to both create social

cohesion and avoid socioeconomic segregation within the population, through the mixing of social classes in housing developments. The decision to locate the new neighbourhoods along the jurisdictional boundaries of Lisbon was an indication of the awareness that development of the metropolitan area was imminent.

3.2 Post-revolution solutions

After the revolution, a paradigm shift led to both illegal subdivisions being recognised as legitimate and the establishment of a legislative framework for their legalisation and conversion (Bógus et al., 2010: 9). An example of this shift is Decree Law 804/76, which took a new approach to spontaneous neighbourhoods for the first time in Portugal, opting for conversion rather than demolition, which had been the only solution applied until then. Another significant solution was the *Serviço de Apoio Ambulatório Local*-SAAL programme, which was developed after the 1974 Revolution by such architects as Siza Vieria and Nuno Portas. The concept involved the participation of inhabitants throughout the entire process of building new houses (Bandeirinha, 2007; Portas, 1986). However, the experiment only lasted for two years.

Since Portugal joined the EU in 1986, the informal settlement agenda has changed radically due to the availability of a large amount of cohesion funds allotted for sanitation infrastructures. There has been a shift from considering informality as a housing problem to addressing it as a planning and environmental problem (Silva, Farrall, 2016b).

Following that, two mega events in the 1990s (Lisbon Capital of Culture 1994 and EXPO 1998) brought international attention to Portugal's major cities and a growing concern about informal settlements, which were a sore point in the image that the country wished to convey internationally.

In those years, the media started to portray "migrant settlements as ghettos and 'black youths as criminals', creating a linear association between race, crime, poverty and space" (Beja Horta 2006: 274). While the national government described informal settlements as "an open wound in our social fabric" (DL 163/93). In response, two programmes were launched: 1) *Programa Especial de Realojamento*-PER (Special Rehousing Programme) to clean up areas occupied by the barrack neighbourhoods; 2) Law 91/95 regarding *Áreas Urbanas de Génese Ilegal*-AUGI (Urban Areas of Illegal Genesis) to convert illegal subdivisions into legitimate housing developments. The latter was an exceptional legal instrument for the conversion of non-regulated subdivisions that had both houses with owners and acceptable quality. There have been various assessments of the programme. Silva & Farral (2016b) argue that multiple alternatives were left open to address several contexts, such as the process being managed only by local governments, only by landowners or by both parties together. While Raposo and Valente claim that there were various situations and problems that the new law was not able to address. "The law provided a legal and technical response only to the type of situations for which it was conceived: those without major constraints, where owners were organised and had the resources needed to legalise and convert their allotments and fulfil their 'duty of conversion'. However, it could not resolve complex situations with greater socio-spatial problems, which required a more comprehensive approach, a larger commitment, better solidarity and interaction between actors, and increased public funding" (Raposo & Valente, 2010: 224-225).

The two programmes were based on profoundly different ideologies. The first was a massive standard public housing programme, while the second hinged on the ability of both municipalities to address different contexts and on owners participating in the process. The programmes treated two distinct social classes quite differently; the former displaced a vulnerable population to the suburbs, while the latter legitimised owners and allowed them to remain in their place.

3.3 Programme to eradicate slums

The PER was created and launched in 1993 by Decree-Law 163/93 to eradicate spontaneous neighbourhoods in the metropolitan areas of Lisbon and Porto, which housed over 155,000 inhabitants, by constructing new public housing or purchasing buildings from the private market. Such an immense social housing programme required the collaboration of various levels of government. The national government coordinated the work and provided financing, while the municipalities implemented the programme. The PER considered informal settlements to be a 'social scourge'. These neighbourhoods are inextricably associated with poverty, marginality, crime, prostitution and drug trafficking (Cachado, 2011) and, thus, their inhabitants are perceived as criminals. Guerra (1994) pointed out that this view arose from lack of studies regarding the stigmatisation of poverty and the living conditions of the inhabitants. After 20 years, with an investment of less than 450 million euros, the PER had created 65 neighbourhoods (25 built by the municipality and 40 private purchases) in Lisbon with a total of 8,817 housing units and a population of 8,600 rehoused inhabitants (CML, 2013: 12-13). The PER had been widely criticised since its inception (Guerra, 1994) and received the following criticisms upon its conclusion.

1) The PER had not taken into consideration the unsuccessful public housing programmes that had occurred in Portugal and other European countries in the 1960s and 1970s (Guerra, 1999; Cachado, 2013). It proposed using the 'great ensemble' model, even though debate in Europe had highlighted its effect of socio-spatial segregation and such projects in France had already been demolished. The urban form that it generated, i.e., isolated buildings with no identity and services that were often postponed or suspended (Augusto, 2000), created places of segregation and social ghettoisation.

2) The PER had concentrated a vulnerable population into huge residential blocks, ignoring the individuality and cultural practices of distinct groups coming from other countries (Lages, Braga, 2016). It had destroyed the social, familial and economic ties of ethnic communities and hastened the spiral of vulnerability and exclusion (Arbaci & Malheiros, 2010). While it had significantly improved the housing conditions of inhabitants from informal settlements, it had also transferred many of their social problems and resulting stigmatisation to the new public housing districts.

3) The PER had used a technocratic, top-down approach with no involvement of the population in the decision-making and rehousing processes (Raposo & Jorge, 2013). Its major error was considering only the financial and planning issues of the programme. "The problem of rehousing is firstly a social problem and not a problem of buildings; this is because people are not things to put in drawers."[iv] (Guerra, 1994: 11).

3.4 Participatory programmes

More recent programmes, which have taken into account the negative aspects of the PER, are URBAN I (1994 -1999), URBAN II (2000-2006), PROQUAL (socio-urban regeneration of Lisbon's peripheries) and the *Iniciativa Operações de Qualificação e Reinserção Urbana de Bairros Críticos* (Operation Initiative for Qualification and Inclusion of Critical Neighbourhoods). These were all based on an integrated vision that involved the population and strengthened social and local ties. The *Bairros Críticos* programme, in particular, introduced some innovations. Its main objective was the requalification of settlements through participatory and integrated development plans based on the belief that interventions on the built environment lead to social and economic revitalisation. The programme also assessed good practices that could be replicated in other settlements with similar conditions through three projects in three pilot areas of the Lisbon Metropolitan Area. According to Sousa's evaluation of the programme (2012), institutional effort and community involvement had helped to test methodologies and develop skills for this type of intervention and could be useful for the creation of a broader policy on informal settlements. One weak point of the programme was the land regularisation issue, as a clear legislative framework did not exist and the arduous task of solving property problems had been left to local institutions[v].

4. Amadora and Eviction in *Bairro 6 de Maio*

4.1 Context: Municipality of Amadora

The Amadora Municipality has a population of 176,298 and is located along the railway line that connects Lisbon to the city of Sintra on the northwest axis of the Lisbon district. In the early 1900s, Amadora experienced massive industrialisation[vi] that led to urbanisation on an equal scale (Baptista & Nunes, 2004: 94) and received a large influx of people from the southern region of Alentejo who built informal settlements. Since 1960, the population of the central Lisbon Metropolitan Area has decreased while that of the neighbouring areas has increased on par with the phenomenon of suburbanisation. From 1960 to 1980, the population of Amadora increased from 47,000 to 160,000, which gave rise to large residential neighbourhoods and informal settlements throughout the city.
In 1979, Amadora became a municipality as part of the metropolitanisation of Lisbon and the resulting need for a decentralised local government. In 2001, the population density of Amadora was more than 7,000 inhabit/km2, which was higher than Lisbon (6,606 inhabit/km2). The Lisbon-Amadora-Sintra corridor is a 'natural expansion' of the Lisbon transport system, along with the Lisbon-Oeiras-Cascais and Almada-Seixal-Barrero-Moita corridors (Baptista & Nunes, 2004: 91). When the PER was launched in 1993, the Amadora Municipality had 21,362 people living in precarious housing conditions and 4,855 barracks grouped into 33 settlements that included clusters of six to eight houses and neighbourhoods with more than 400 buildings. In other municipalities, the PER had demolished most spontaneous settlements and relocated their populations to public housing. In Amadora, this process did not begin until 1995 and was never completed, leaving many

informal neighbourhoods still standing.

Since the early 2000s, deindustrialisation has affected various areas of the Lisbon metropolis (Barata Salgueiro, 2001) and coincided with a recent urban reclassification process, in an attempt to build a new centrality by converting the housing fabric and transforming the resident population (Baptista & Nunes, 2004: 99). The extension of the Blue Line of Lisbon's underground system to Amadora has started a process of physical and social fabric transformation, due to the pressure on real estate. In light of this, the Amadora Municipality relaunched the PER in 2012 and is slowly and systematically demolishing the informal settlements of *Santa Filomena*, *Estrela d'Africa* and *6 de Maio*, based on the 1993 census and original PER strategies. According to updated data from the municipality, the programme has demolished 6,745 houses since its implementation (CMA, 2017). The most recent investigation in 2018 shows that more than 2,800 families need to be relocated (IHRU, 2018).

4.2 Bairro 6 de Maio

Bairro 6 de Maio is one of the informal settlements built in Amadora in the 1970s and 1980s by immigrants from the former colony of Cape Verde. The first demolitions of *Bairro 6 de Maio* began in 2012. To determine who had or did not have the right to enter the resettlement programme, the Amadora Municipality consulted the 1993 census, which had never been updated; this led to 40% of the residents being excluded from the programme. The solutions offered to those families (who had an average monthly income of only 200 to 400 euros) were either to stay in charity shelters or receive two-months' worth of rent. Due to this, many of these people are now living temporarily in makeshift situations or the homes of relatives and have added to the population living in extremely precarious housing conditions[vii]. For the 60% of residents deemed eligible in accordance with the 1993 census, the Amadora Municipality established four different programmes[viii] in 2000, shifting their strategy from building public housing to directly financing families to make purchases in the private market. The programmes basically provide a percentage of the value of a newly constructed public building, which can be spent in numerous ways by the recipients.

4.3 Discussion

The manner in which the Amadora Municipality implemented the PER programme was a betrayal of the project's original intent; i.e., to address the precarious housing conditions of inhabitants in informal settlements. Despite this, the Mayor of Amadora strongly defended the approach, claiming that the local government is not able to address all housing needs and that the municipality "offered solutions to everyone but many of the people did not accept them" (Henriques, 2016). Since the economic crisis, discussion on social rights has been systematically attacked (Abreu et al., 2013) and the reduced power of the government has caused cuts to social policies. Moreover, the Amadora approach stigmatises poor people; particularly, those of African origin and descent[ix], without taking any responsibility for the failure of implemented policies. Various interviews with inhabitants revealed that city representatives had pressured families into choosing a programme, even when none addressed their needs, and threatened to leave them with no assistance. The option of residents being accompanied by a lawyer was systematically rejected. The inhabitants also complained that they were not warned about when the demolitions would take place. This created a climate of unbearable insecurity and, in some cases, led to tension with the police who were supervising the demolitions.

Magalhães (2012) describes eviction and displacement as the government "operating within a very narrow gap between what the law says and the extralegal, between appealing to legal forms and clearly extralegal actions" (Magalhães, 2012: 132); substantially, in a 'state of exception' (Agamben, 2003). In the case of Amadora, the applied rules (read the PER implementation) led to a violent practice of eviction that did not respect fundamental human rights and left the elderly, children and sick people in the streets without any social support.

Mobilisation of the inhabitants has been supported by many associations and movements, including *Habita!*, which played a fundamental role in both bringing together inhabitants from the various *bairros* and drawing national and international attention to the Amadora situation. Consequently, many voices spoke out publicly in favour of the inhabitants and against the violent practices of the municipality. For example, during their deliberation of the case of the *Santa Filomena* informal settlement, the ombudsperson asked the Amadora Municipality to stop evicting inhabitants until proper housing solutions could be found (Soares, 2015). As well, after visiting Portugal in 2016, a UN reporter on human rights pointed out the need for a new housing strategy (Fahra, 2017). Moreover, various members of parliament asked the municipality to suspend evictions, with no results (Lusa, 2017). While, in 2017, Vhils, an internationally famous, Portuguese street artist, made a powerful contribution to the inhabitants' struggle. He entered one of the neighbourhoods at

night and spray-painted the faces of some residents on the partially destroyed walls, stating, "My hope is that when these walls with these portraits are pulled down, people can reflect about the fact that it's not only concrete and brick that are being destroyed. They are also destroying the lives of people who have lived and live in hardship and now see their most basic right being taken away: housing" (Vhils, 2017).

5. How Portugal's New National Housing Policy Deals with Informality

According to the *Levantamento Nacional das Necessidades de Realojamento Habitacional* (National Survey on Rehousing Needs) complied and published by the *Istituto da Habitação e da Reabilitação Urbana*-IHRU (Housing and Urban Redevelopment Institute) in 2018, over 25,000 families in Portugal live in sub-standard housing conditions, over 31,000 houses do not have adequate living conditions, and 74% of these are located in metropolitan areas (IHRU, 2018). About half of the families to be rehoused live in 'unconventional stone or brick constructions', almost 9,000 in 'conventional' constructions and just over 3,000 in 'shacks'. In response to the survey data, the IHRU proposed several solutions to the national housing shortage, including: rehabilitation of existing public and private housing units, wherever interventions could provide adequate housing conditions; purchase and renovation of abandoned buildings; rental of available houses in the housing park.

The *Nova Geração de Politicas de Habitação*-NGPH (New Generation of Housing Policies), which was approved by Council of Ministers Resolution no. 50-A/2018 of 2 May 2018, aims to support both the population excluded from access to housing due to their seriously vulnerable situations and new dynamics in the real estate market coming from touristification and financialisation in the metropolises. The responsibility for translating this approach into practice has been left to the municipalities, which have to identify the most suitable housing solutions for their area, survey people who live in precarious conditions, and manage their requests for support. The NGPH states that local authorities have a central role "in the construction and implementation of more effective and efficient responses, given their close relationship with citizens and the area, which gives them a more precise understanding of the challenges to be faced and the resources that can be mobilised". In line with this strategy, the IHRU distributes available funds based on proposed projects, monitors implementation of the programme, and evaluates the results.

The NGPH has four main objectives, along with tools that have been either created or improved to achieve them. The first goal addresses families in severe housing shortages, including those who live in informal settlements. To overcome the PER limits in addressing rehousing, the NGPH proposed two programmes to guarantee access to housing for the most vulnerable people. The first is the *1.° Direito: Programa de Apoio ao Direito a Habitação*[x] (First Right: Right to Housing Support Programme), which includes: municipal financing for the redevelopment of public buildings; purchase and rehabilitation of buildings; rental of buildings for housing purposes; purchase of land and construction of new units in municipalities that lack housing. It is noteworthy that the document describes vulnerable situations very carefully and does not associate them with stigmatising features or lifestyles. Informal settlements, as we have considered them, are called 'precarious units' (article 11). An interesting innovation of the programme is that people who need to be rehoused can access housing solutions as individuals, inhabitant associations or homebuilding cooperatives. These stakeholders can propose solutions to the municipality that will then give its non-binding opinion. Wherever needed and possible, the municipality will suggest changes to proposed solutions to make them approvable. In cases with legal problems, the municipality must take the necessary steps to solve them. If the redevelopment option is selected, it will require a process of legalisation. If the construction of new dwellings is opted for, the municipality may request funding to purchase land and must guarantee the demolition of existing structures. Despite the positive aspects of the *1.° Direito* programme, how the policy will be implemented by local governments and, consequently, how effective the programme will be in achieving its objectives are both still unknown. In fact, if the strategy does not recognise the limitations of the PER, it may produce equally ineffective processes and results.

The second programme, the *Plano de Ação Integrado para as Comunidades Desfavorecidas*-PAICD (Integrated Action Plan for Disadvantaged Communities), already existed and was strengthened by the NGPH. It specifically addressed neighbourhoods identified as disadvantaged areas within the *Plano Estratégico de Desenvolvimento Urbano*-PEDU (Strategic Plan for Urban Development), which was drawn up by municipalities to identify priority areas for urban regeneration. The PAICD finances the economic, physical and social redevelopment of social housing districts or degraded areas, such as informal neighbourhoods. It is a positive programme, thanks to its integrated approach to social inclusion, and has been employed by many municipalities as part of the PEDU. Unfortunately, in most cases, the PAICD has not been implemented in informal areas but in public neighbourhoods that lack communal spaces and services. For example, in Amadora, it was used only for *Bairro do Casal da Mira*, which was built as part of

the PER.

6. Refocusing Urban Planning for Informality in Portugal

It seems clear that what is lacking in the NGPH are measures specifically targeting informal settlements that, in cases such as *Bairro 6 de Maio*, could solve land tenure issues and guarantee the right of communities to remain in their neighbourhoods. It is worth remembering that the displacement of families and neighbourhoods is always a loss in terms of history, resilience, social and economic ties, which has been clearly and abundantly seen in the case of the PER. Today, the relatively small size of the informal phenomenon in Portugal makes it possible to create policies based on a deep understanding of the complexity of the problems faced by the people living in these neighbourhoods. It also allows for recognising the specificity of each case and creating integrated actions in close collaboration with the inhabitants.

The abovementioned *Bairros Críticos* programme was able to create integrated plans with the participation of the affected population, albeit with some difficulty, which link urban and building redevelopment to socioeconomic development. Unfortunately, the programme was hindered by the lack of a legal framework that could make land regularisation possible.

What I suggest, in order to address the specificity of informal settlement phenomenon in Portugal, could be systematized in two changes of the general approach and in four strategies.

In terms of approach the proposed changes are:

1) *Develop a different interpretative framework for informal settlements*
In both the Global North and South, informal cities are perceived as the opposite of legal ones, as chaos as opposed to order (Alvito & Zaluar, 2004; Roy & Alsayadd, 2003). Many authors have criticised such dualistic approach and contributed to creating a new paradigm of envisioning informality. Among these, Watson argues that planning acts within a fundamental tension, a "conflict of rationalities", between the logic of governing and the logic of survival, and proposes looking at the possible interactions between these two imperatives (Watson, 2009). It appears to be more urgent than ever that a way be found to both include informality in urban planning and support survival efforts of the urban poor rather than burdening them with regulations or displacing them (Watson, 2009). Roy (2005) went a step further and described informal settlements as a spatial manifestation of a 'different' way of building a city, characterised by other dynamics, other laws and other references. It is precisely this 'otherness' that could be a powerful base for informal neighbourhood projects. What has been considered a stigma, reinforced by ethnic concentration, could be a step forward in the construction of multicultural cities that respect and valorise cultural differences in the use of urban space rather than denying them. Multiplicity and complexity have always been the key features of urban spaces in European cities. Public housing programmes of the past, which were inspired by the rationalist movement, denied this complexity and created homogeneous spaces. Now is the time to invest in rehabilitation programmes that respect differences and help build democratic, multicultural cities and societies.

In Portugal, as in the rest of Europe, discussion on informal settlements focuses on unsanitary conditions and social degradation. Both the *Bairros Críticos* programme and the PAICD showed their most obvious limitation in the stigmatisation created by their very names. As long as policies continue to associate parts of the city and their inhabitants with the ideas of poverty, problems and vulnerability, they will remain locked into the 'logic of stigma' (Wacquant, 2007; Wacquant et al., 2014; XXX, 2016).

Moreover, the rhetoric in policies reflects a dualistic viewpoint that oscillates between racism and charity (Amnesty International Portugal, 2013). Both approaches are beyond the sphere of rights, in particular, the constitutional right to housing. As Kaika (2017) points out, in an economic crisis, both aspects of rhetoric (i.e., racism and charity) gain strength and populist consensus.

I stress the need for policies to see these neighbourhoods as part of the city and recognise their dignity and specificity. It means that the NGPH needs to include specific policies and funding for informal settlements to defend inhabitant's right to housing.

2) Defend a specific community's right to place
It is justified to think that requalification processes will continue to involve the displacement of residents until the right to place principle is translated into laws and implemented with specific interventions.

Certainly, policies regarding displacement strategies are influenced by many factors. The most significant of these are: 1) settlement locations that are unsuitable for construction (i.e., areas of hydrogeological risk, which are dangerous for inhabitants, or areas of environmental protection, which could suffer damage to the

landscape and environment); 2) lack of sewage infrastructures, which generates dangerous pollution for the environment and inhabitants; 3) threats to the effectiveness of regulations and plans, which have led to the criminalisation of extra-legal approaches. However, these arguments have also been used to disguise urban renewal projects that eliminated the problematic presence of settlements by removing them (one very significant case concerns Rio de Janeiro in preparation for the Olympic games, see Magalhães 2012).

In the Portuguese case, the implementation of the PER certainly addressed and resolved some situations where the permanence of settlements in situ was not suitable. However, as we have seen, most of the interventions on informal settlements involved demolition of dwellings and displacement of inhabitants; in particular, social housing programmes that systematically peripheralised the economically vulnerable population. In addition to accentuating the process of socioeconomic polarisation, displacement did not take into consideration the loss of social and economic ties that settled communities would suffer. These links were often people's only survival mechanisms against their conditions of extreme vulnerability. This aspect is even more relevant in ethnically concentrated communities, as demonstrated by Malheiros and Fonseca (2011). As for the remaining informal settlements, which are the subject of this article, designing interventions based on illegality or the presence of environmental and infrastructural problems that do not protect the rights of inhabitants can no longer be tolerated. Each case should look for the most suitable environmental and social solutions and be addressed with the participation of inhabitants. In this framework, the defence of right to place (Inbroscio, 2004; Newman & Wyly, 2006) by the NGPH becomes of greater importance in guiding interventions that will guarantee the aforementioned diversity and spatial justice (Soja, 2010).

In terms of strategies:

1) *Insert informal areas into the medium- and long-term ordinary planning tools*
As for the PAICD, that identify social housing district to be requalified, also informal settlement areas need to be included in local plans (in the PEDU) as specific intervention areas (similar to the Brazilian ZEIS). The national housing policy should recognize the specific vulnerability of such areas and define the framework for their inhabitants' right defence. The creation of integrated requalification programmes has been left to the political will of municipalities, which are often guided by interests that influence the transformation of local areas, as in the case of Amadora. In this sense, defining a clear legal framework and creating medium- and long-term programmes that do not depend on electoral cycles would be more desirable (Allegra et al., 2017).

2) *Develop land regularization tools*
One fundamental step is to create proper legislation that can "deal with the unplannable" (Roy, 2005) to solve the 'informal gap' (in terms of land ownership, services, etc.) and to overcome the historical duality between planned and spontaneous cities. If municipalities were provided with the appropriate tools, it would be possible to resolve issues that have lingered for years and stimulate new dynamics and inclusion processes. An important reference could be the Brazilian low known as City Statute, approved in 2001. The most innovative aspect of the Statute is the new perspective from which informal settlements are considered in legislative terms. This new vision is reflected in specific tools, among which it is important to highlight the Instruments of Land Regularization (ZEIS, Individual and Collective Urban Usucapion, Special Use for Housing Purpose): these enable new forms of legalization for occupations made by low-income populations in areas that did not belong to them legally (Instituto Polis 2002).

3) *Invest in the inhabitants' participation*
In this framework, citizen participation in city planning can make a difference; particularly, in informal areas (see themed issues: Samara et al., 2013; Aalbers & Gibb, 2014). Despite its well-known limits, inhabitant participation ensures that the planning process is a dialogue regarding different visions, needs and interests. Many urban redevelopment and regeneration programmes have been inspired by social sustainability, acknowledging that bottom-up approaches and grassroots actions are effective strategies (Butler, 2007; Rabbiosi, 2016). Requalification programmes should be based on the active involvement of inhabitants to achieve effective interventions and build both citizenship and inclusion.

4) *Develop integrated redevelopment programmes as processes of social and spatial inclusion.*
Portugal should learn from international best practices regarding integrated interventions on informal settlements and create programmes that 1) are not based on a sectorial approach to housing policies, and 2) help to reverse the historic process of social exclusion by intervening on the habitat and building urban inclusion (Brown & Kristianses, 2008; XXX, 2013; Lamaire & Kerr, 2017). Our definition of urban

inclusion is breaking the spiral of vulnerability at the socioeconomic level and creating conditions for social justice (Fischer, 2011), spatial justice (Soja, 2010) and environmental justice (Bullart et al., 2000).

7. Conclusion

Policy analysis in Portugal has shown that viewing informal settlements as both a homogeneous phenomenon and problem to be eradicated through the creation of institutional ghettos has not solved the social and housing dilemma that they have generated. The challenge is not to promote unplanned solutions, by perpetuating the historic duality between the formal and informal, but to recognize the specificity of such social and spatial manifestations and to try to addresses inhabitants' needs and defend their rights through integrated and participatory programs. As underlined by Baptista, "the idea of 'disorder'" has inspired "decades of Portuguese urban policy and its resulting impact on cities" (Baptista, 2012: 1078). Planning has been called into question to overcome the "divergence between the concrete experience of the Portuguese city and the idealised spatial and political order of the Euro-American city model" (Baptista, 2012: 1077), which has resulted in concentrating the vulnerable population into low-quality neighbourhoods.

Today, evictions caused by urban regeneration projects (Davidson, 2007; Allen, 2008) and the displacement of low-income populations, which is caused by the demolition of informal settlements and encroaching gentrification (Newman & Wyly, 2006), appear to be crucial challenges for the creation of democratic and just cities, both socially and spatially. Urban informality in both the Global North and South calls for a post-colonial approach to urban policy and planning (Watson, 2009; Robinson, 2011) to pave the way for new, integrated programmes.

The process of eviction in *Bairro 6 de Maio* has been going on for six years without any solutions being offered to the inhabitants. It is evident that there is no political will to deal with this deprivation of human rights. Moreover, we have seen that the lack of legislative and planning tools in the governing of informal settlements has prevented local authorities from dealing with the complexity of the phenomenon. The small size of the informal settlement phenomenon in Portugal allows for 1) the envisioning of the phenomenon as the result of historical processes and social inequalities and not as a group of isolated cases, and 2) the mapping of informal settlements still present in the country's major urban areas. Then, integrated projects could be designed for each area with the objective of improving habitat conditions and stimulating socioeconomic development without resorting to displacement.

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[i] The woman's name has been changed.

[ii] According to Pereira (2011), the *Ilhas* phenomenon started well before the industrialisation process and increased dramatically in the late 19th century. According to a study in 1885, that year, there were 530 *Ilhas* in Porto housing about 20,000 inhabitants. While at the beginning of the 20th century, 30% of Porto's population, which was about 50,000 people, were living in the *Ilhas*.

[iii] Decree-Law 42.454 of 18 August 1959.

[iv] "People are not things to put in drawers" is the title of an issue of *Sociedade e Territorio* published in 1994 and dedicated entirely to criticism of the PER.

[v] In Amadora, the municipality tried unsuccessfully to negotiate with the landowning family regarding the *Cova da Moura* district and could not expropriate the land on which the neighbourhood stood.

[vi] Various businesses moved to Amadora in the 1940s, 1950s and 1960s thanks to reduced land costs and the presence of strategic road and railway infrastructures (Baptista & Nunes 2004: 98).

[vii]The real situation of many inhabitants has been made public by both *Habita!* and many newspapers.

[viii] 1) 'PAAR, Aid for Rehousing', which provides 20% of the value of a newly-constructed public house, which can be spent as desired by recipients;

2) 'PAAR Mais' (Plus), which provides 40% of the value of a newly-constructed public house towards buying a house on the market;

3) 'PAAR 6 de Maio', specifically designed for Bairro 6 de Maio, which provides 60% of the value of a newly-constructed public house (CMA, 2017);

4) 'Return', which finances immigrants to 'go back' to their country of origin.

[ix] The creation of the 'Return' programme (CMA, 2017), in which the government proposed that citizens 'go back' to 'their countries', as an alternative to housing, is quite puzzling. This approach reflects current mainstream rhetoric calling for immigrants to 'go back home'. Moreover, the programme apparently ignored the fact that most informal settlement inhabitants were either born in Portugal or have lived there since the immigration waves that occurred between the 1960s and 1980s.

[x] Decreto-Lei n.º 37/2018 Diário da República, 1.ª série—N.º 106—4 de Junho de 2018.