



**Transgression in
the Architectures
of After-Modernity**
**A Paradigm at Work
in Times of Crises**

Carmen Popescu (ed.)

Transgression in the Architectures of After-modernity

A Paradigm at Work in Times of Crises

Edited by

CARMEN POPESCU

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Chapter 3

On Relational Histories of Spatial Law and Transgression

Tiago Castela

“There are no boring landscapes, only landscapes we haven’t learned to see.”

Introduction: A View from the End of the Bus Line

This chapter explores a particular aspect of spatial transgression, based on Henri Lefebvre’s conception of space–time as a category that involves both the built environment and social space,² and inspired by the work of urbanist Ananya Roy and architectural historian Nezar AlSayyad on inhabitation under conditions of urban informality.³ My interest in the latter arose from my embodied, situated knowledge as a Lisboner, intrigued that *Urban Informality* did not include a chapter on an European city. Growing up, I often did not have school in the afternoons, and with a couple of other unwitting teenage derivists, took buses to the end of the line, and walked around. Much later, when I started preliminary doctoral fieldwork and walking around the informally created subdivision of Casal de Cambra (Fig. 3.1), the motivations of the first dwellers were both unexpected and sensible: they had moved from central Lisbon in the 1960s due to a lack of affordable housing, instead of being the rural migrants described in most accounts. As I started reading on the history of spatial law,⁴ checking land sales in Casal de Cambra, reading the minutes of Sintra’s Municipal Chamber or of the Improvements Committee of Casal de Cambra, as well as consulting the periodicals archive, I also realized with surprise that when “clandestine” subdivisions started being created in the late 1950s, these could hardly be characterized as illegal processes. Back to Berkeley, I did a walking tour of West

Oakland with architectural historian Paul Groth, and it was striking how similar the subdivision and self-building processes were to those of “clandestine” neighborhoods in Portugal, despite differences in techniques and materials.⁵ And yet in California there had not been a drive by the press to illegalize, which was what had happened in Portugal. As a result, research moved away from the material built environment, and attempted to follow the productive relations between the history of informal subdivision and various kinds of spatial expertise, including architectural culture.



Figure 3.1: Street in Casal de Cambra neighborhood, in the Sintra municipality near Lisbon, on August 16, 2007. (All photographs by the author)

Urban Informality reinterpreted a tradition of research on squatting and slums through the framework of the economics of informal labor.⁶ Roy in particular challenged the legalist approach of Hernando De Soto by employing a Foucauldian conception of power, defining informality as “a realm of regulation where ownership and user rights are established, maintained, and overturned through elaborate ‘extra-legal systems.’”⁷ In this chapter, spatial transgression thus denotes built environments and social spaces created by citizens for their own housing within what this chapter describes as an “economy of spatial illegalisms.”

The main argument is for more relational histories, that is, for the need to intensify the application of historical methods to understand squatter settlements and informal subdivisions, instead of examining such housing spaces synchronically. In addition, the chapter argues that such partly lost worlds cannot be studied in isolation, but are instead “actants” through their relations with professional architectural culture, as well as with the formation of laws on the built environment. The latter relation is the focus of the chapter. This means that my conception of transgression sovereignty draws less on exception as understood by Schmitt or Agamben, and more on Ong’s anthropological idea of exception as an “extraordinary departure in policy that can be deployed to include.”⁸ The first part of the chapter foregrounds a relational understanding,⁹ briefly exploring the concept of an economy of spatial illegalisms, as it can allow research to focus on the dynamic relation of transgression with law. The following sections develop my past research on Portugal, to explore how spatial law kept being redefined by the state.

A Spatial Economy of Illegalisms?

By spatial law I mean not only explicit state laws and regulations on land subdivision, housing design, and building, but also the less explicit rules that arise from the unplanned intersection of various kinds of instruments, including master plans or rules for public subsidies for housing. In addition, spatial law can also include the even less visible local rules that arise from how a specific municipality interprets and applies explicit spatial law. As anthropology has long argued,¹⁰ social relations are maintained through rules that are not necessarily codified in written state law, or that even exist in relations of friction to the latter.

In 1975, as part of his challenge to theories inspired by Marx that subsumed social struggles under labor exploitation, Michel Foucault argued that a shift in both social rules and written state law happened in France with the increased domination of society by the capitalist mode. This argument drew on earlier work on transgression, commented at length in the introduction to this volume by Carmen Popescu. In *Discipline and Punish*, Foucault described written state law and its practice by the state apparatus as an “economy of illegalities.”¹¹ Restructuring the latter entailed defining as “violent transfer of ownership” practices that had

hitherto been tolerated.¹² Simultaneously, “the bourgeoisie was to reserve to itself the illegality of rights: the possibility of getting round its own regulations and its own laws, of ensuring for itself an immense sector of economic circulation by a skilful manipulation of gaps.”¹³ Gilles Deleuze later clearly defined the law itself as the dynamic result of constant conflict between social groups.¹⁴

Although Foucault or Deleuze did not dwell on the role of the built environment in the economy of illegalities, later research influenced by Henri Lefebvre showed how the rise of a liberal political economy entailed both a radical transformation of property, as well as of the social rules and written laws concerning land and buildings.¹⁵ Hence, an aspect to consider when reflecting today about Foucault’s challenge is the commodification of space, that is, the processes through which space, since the liberal revolutions of the nineteenth century in Europe and the Americas, became a commodity that can be easily valued and traded and provide capital for reinvestment.¹⁶ Thus, rules about the built environment are inevitably also about space as a commodity. This does not mean that all laws related to space treat it as a commodity; on the contrary, many laws hope to regulate or even impede commodification. Besides, not all transactions are part of a market exchange, and even the latter cannot be conflated with “capitalism.”¹⁷ Yet, since space in the present is *also* a commodity, any law about the built environment establishes a relation with spatial capital, implicitly or explicitly.

It is also important to be aware of the role of categories of difference in particular societies, as emphasized by Foucault. When people created housing informally, including in Europe, who gets to be tolerated or punished, either through demolition or illegalization, can depend on perceived rank in terms of occupation and material wealth. For example, the developer of the informal subdivision of Casal de Cambra became the “number one” founding shareholder of one of Portugal’s main private banks, in 1985.¹⁸ His profit achieved through land sales was fully legal. In contrast, for low-income households that moved to Casal de Cambra in search of homeownership, and that started organizing collectively in January 1974, obtaining a housing permit for a house built in the 1960s or formalizing further land subdivision of their own lots has always been an expensive and laborious process, partly due to *ex post facto* rules, some of which will be addressed. Squatters, and particularly black squatters (Fig. 3.2), are treated with even greater forcefulness.



Figure 3.2: Quinta da Serra neighborhood in the Loures municipality, near the Lisbon airport, on August 15, 2007. The neighborhood was being slowly demolished by the municipality at the time, and no longer exists.

Thinking about squatter settlements or informal subdivisions through a relational understanding, attentive both to connections between different kinds of transactions, as well as to the role of perceived societal rank in the application of the law, allows one to examine how such spaces contribute to circulations of capital that are characteristic of an economy of *spatial* illegalisms. More architectural histories on squatter settlements and informal subdivisions could be attentive to the role of such spaces in an economy of spatial illegalisms, researching how laws on space are contingently formed, and how this contingent formation is political and contested, that is, how certain social groups are benefited and others adversely affected, as well as the ways in which the contingent formation and application of laws on space has a productive relation with trends in the commodification of space.

Lisbon's "Clandestine" Subdivisions

The following sections focus on a specific historical process. So-called "clandestine" subdivision started in the municipalities around Lisbon in the 1950s.¹⁹ In Lisbon proper, where about 800,000 lived, after two decades of fast growth low-income households had few options beyond renting a room or building a shack in occupied land.²⁰ However, after 1945 it became feasible to commute from hitherto agricultural areas that were distant from the two suburban railway lines to the north of the city, due to the creation and rapid expansion of a public bus system within Lisbon, and the creation of private suburban bus lines.²¹ It was now possible to simply walk from the city limits to new self-built housing in a former farm.²²

At the time, it was perfectly legal to detach a lot from a large farm and sell it, as will be explained in detail. Lot splits were only made illegal in 1973.²³ If the lot was large enough, it was also legal to build a house in the lot. In addition, unless the house was next to some kind of public road or street, there was no obligation to ask for a building permit. There was not even a law that allowed private subdivision of a whole former farm, so developers planned subdivisions *de facto* and then detached one lot at a time. The process may be characterized as "informal," as it was a new kind of practice that was different from the dominant modes of suburban building and planning: railroad apartments suburbs and more privileged single-family housing suburbs. But the process was initially not illegal.

It is important to understand in detail this juncture in the economy of spatial illegalisms in Portugal. After the beginning of the military dictatorship in Portugal in 1926, the state apparatus started intervening more in how land was divided for building, where buildings must be authorized by the state, and how housing was rented. It is through the conjunction of various unrelated written laws that "clandestine" subdivision emerged as an informal *and* legal practice. By 1936, two years after the start of the Salazar dictatorship, a new Administrative Code tacitly illegalized private forms of subdivision.²⁴ However, the detachment of rural lots with at least 5,000 square meters was still allowed by the 1929 Fiscal Reform Law,²⁵ which remained valid until 1970.²⁶ The 1936 Code demanded building permits for construction next to "streets and other public places."²⁷ It was reviewed in 1940, and licensing was made mandatory for "any construction work in land next to streets and other

public places.”²⁸ In 1944, the Ministry of Public Works and Communications under João Pinto da Costa Leite, a former assistant of Salazar at Coimbra’s Faculty of Law, defined that all municipalities had to develop “general plans for the urbanization and expansion of the seats of the municipalities,” and the concept of a “rural protection zone” was introduced to impede urban sprawl.²⁹ In these zones, building licenses would be mandatory and urban extension would not be allowed. Architect Etienne de Gröer, a lecturer at the Paris Urbanism Institute who had moved to Portugal in 1940, defined Lisbon’s three-kilometer wide rural protection zone in 1948 and forbid “buildings or settlements of urban character” there.³⁰ One-fifth of the more than hundred informal subdivisions created between 1950 and 1970 ended up being built in this zone that surrounded Lisbon proper.³¹ It must be noted that even though masterplans were created and guided the practices of municipalities, the plans were never formally published, with the exception of the 1948 Sun Coast Urbanization Plan,³² and it may be argued that consequently the rural protection zones had no legal existence.³³ Municipal licensing was thus not necessarily mandatory in the areas defined as rural protection zones in the unpublished plans, except for building in lots adjacent to public “streets and other public places.”

It is at this moment that a change in rental housing laws strongly stimulated suburbanization in both Lisbon and Porto. At the same time that the regime aimed at better controlling how space was divided and sold, and how cities were extended, the same regime aimed at liberalizing the rental housing market. In 1948, a new law eliminated urban rent controls,³⁴ with two very important exceptions: the cities of Lisbon and Porto, where urban rents were frozen, with the effect of reducing the availability of rental housing there.³⁵

By 1951, a new General Code for Urban Buildings was published, and it clearly stated that new buildings in “rural protection zones” were also encompassed by the code,³⁶ even though the “rural protection zones” had no formal existence, as we have seen. Yet, the only punishment for building without a permit was the payment of a fine to the municipality; it was probably cheaper and easier for most to pay a fine than hiring one of the then rare professionals who could submit a design to the municipality, and paying the required fees, as mentioned in the press.³⁷

By the early 1960s, informal subdivision was explicitly defined as illegal at first not by any state entity, but by the press. Many planning

experts clearly saw, from the point of view of the central state and of Lisbon proper, the “clandestine” attempts at suburban living as a challenge to societal discipline and order that should be discouraged. But documents from the late 1950s do not define informal processes as illegal ones, even though it is clear, for example in the 1959 law proposal for the first regional plan by the Minister of Public Works under military engineer Eduardo Arantes de Oliveira, that the central state was well aware of the informal creation of subdivisions. The proposal argued that, because of the lack of a regional plan, it:

has not been possible to stop *the disordered growth of suburban settlements* and the creation of new population nuclei, according to private initiatives. The latter are moved in most cases by the simple purposes of land speculation or with the objective of evading the discipline of the urbanization plans to which the most important population centers are subjected.³⁸

Disorder, Illegality, and Progress

Three years later, the daily newspaper *Diário Ilustrado* publishes a series of articles on the new Brandoa neighborhood, describing what was happening as “criminal illegality.”³⁹ The first article started by asking: “Should one conclude that disrespect for the law can be tolerated?” The reporter noted that all that builders do is to pay a fine of 800 or 1,600 Escudos, arguing that they refused to stop building, as purportedly municipalities needed to take each individual case to court if demolition was to be achieved.⁴⁰ It is interesting to compare these public pronouncements by city journalists to the statements of suburban municipal council members in their weekly public meetings. In the minutes, one can often find arguments on how these new neighborhoods were bringing hard-working, honest families with children to the municipality, and in fact represented “progress.” In contrast to the coeval “transgressive domesticity” analyzed by Savia Palate in another chapter in this section, in Lisbon spatial transgression was most often deployed to participate in the construction of the new normative domesticity of the nuclear family that the Salazar dictatorship fostered through its formal housing policies. For example, in 1964 a council member in Sintra stated the following during a discussion titled “Clandestine Buildings” in the minutes, which

addressed the potential demolition of ten houses, described as “shacks” in the minutes, built on ten lots that “family chiefs” had bought in A-da-Beja, a village next to the Casal de Cambra subdivision:

[T]hose who work in this municipality and here toil spending their lives to gain means of sustenance, but at the same time for the progress of this municipality, have the right to a minimum of living conditions inherent to their quality and dignity of human person.⁴¹

Amidst these different kinds of discourses, alternatively focusing on “disordered growth,” “illegality,” or “progress,” during the 1960s and early 1970s Portugal’s central state apparatus proceeded to gradually legalize the informal. In 1962, one month after the *Diário Ilustrado* campaign, the building code was amended to allow municipalities to demolish or halt construction in the absence of permits, and to evict renters if there had been no building permit.⁴² In the following year, a new amendment made it possible to refuse the granting of permits in the absence of extant public infrastructure.⁴³ In 1965 it became possible to license subdivision by private developers.⁴⁴ By 1973, the state introduced the first legal instrument that defined the “clandestine” as an exceptional domain, instead of changing the general laws, by creating special rules for the “renovation” of informal subdivisions.⁴⁵ Later that same year, a crucial change was introduced that illegalized informal subdivision as it had been practiced for two decades, as detachment of individual lots became impossible.⁴⁶

With the revolution in 1974–75 and the start of political democratization, one could have hoped that this process could have been reconsidered. For the conservative dictatorship those in “clandestine” neighborhoods were undesirable due to their disrespect for planning order, but tolerable to a certain extent due to their interest in homeownership. In addition, in the final years of the dictatorship the exposure of architects to “clandestine” inhabitation arguably shaped the situated emergence in Portugal of the global architectural discourse on participation, in ways that are not too distant from the discourse on participation and transgression explored in another chapter in this section. However, in the emerging progressive regime an interest by laborers in the comforts of suburban single-family housing was often considered suspect, as will be addressed at the end of this section. Of course, experts before the revolution had

already been aware of the role of these neighborhoods in the circulation of capital, in contrast to the “shack” neighborhoods, and of the relation between spatial planning and commodification:

[T]he main *areas of clandestine constructions* forming groupings are concentrated mostly in the periphery of the Capital [. . .] close to agglomerates with plans that have been already approved, one must foreground the abnormality of the extraordinary rise of the prices of land destined to new urbanizations, in those plans, making prohibitive its use for housing of the less favored social strata of the population that, for that reason, embark on clandestine building.⁴⁷

A decade later, in an interview during the revolution, then Deputy Minister for Housing Nuno Portas, an architect, completely refused to continue extending the interventions by the Housing Development Fund, or interventions by the new SAAL program, to “clandestine” subdivisions.⁴⁸ Portas claimed that informal subdivisions were due to the “lack of [municipal] land reserves [. . .] and to the retention of land by private landowners, because of the expectation of increases in land values.” He added:

I prefer to call these *savages*, in the sense that one cannot designate as clandestine those subdivisions that, although illegal, were intensely publicized in newspapers and in television, and addressed through the condescendence [. . .] of the authorities of the old regime.

He also defended that the new regime should abstain from creating any kind of public infrastructure, as “any kind of improvement in these areas, at the moment, would only foster the processes that created them.” Later, from the 1980s onwards, after the emergence of a first wave of academic urban scholarship,⁴⁹ some proposed moving away from the initial focus on the political economy these authors had proposed, and also conceiving the “clandestine” as rural;⁵⁰ perhaps this can be understood as an argument emphasizing another kind of transgression, now of normative urbanity.

In the case of less well-known left-wing political actors after the 1974 military coup that ended the Caetano dictatorship, informal subdivision could be viewed as a kind of class betrayal, or at least without an

openness to self-building. During an interview with a former associative leader in the informally created subdivision of Casal da Silveira, focusing on relations with the communist-led Loures municipality, the leader recalled how they were criticized due to their ambition of living in a single-family housing neighborhood: “Because one day they accused us here of wanting to be the Restelo of Loures, can you imagine that, [the process] was so out of their control, ‘these guys want to be the Restelo of Loures?’”⁵¹ This recalls Lila Leontidou’s argument on laborers in Southern Europe:

Some of their everyday manifestations like informality, community life and socializing, song and football attendance, or mutual aid and illegal building, meet the indifference and scorn of marxists, even the Communist Parties of their own countries.⁵²

In addition, it also recalls the criticism by Henri Lefebvre of the lack of “creative capacity” of state socialism.⁵³ Nevertheless, in practice Lefebvre was not engaged in an optimistic perspective on urban informality. In a visit to Lisbon for a roundtable at the National Laboratory of Civil Engineering on “Marxist Thought and the City” during Portugal’s revolutionary period of 1974–76, he stated: “Dreadful . . . I was driven through the suburbs . . . and what I saw was horrible. You will need a whole generation to remediate all that.”⁵⁴

Towards Relational Histories of Spatial Transgression

Common to all the expert knowledge from the period addressed in the previous section is a lack of interest in the history of informal subdivision. Why was there a moral panic in early 1960s Lisbon about suburban houses that were hard to distinguish from new buildings in Portuguese villages or towns from the same period? Here the issue of the postwar rationality of development, and its articulation in colonialist countries such as Portugal, could be explored in future work. Indeed, the prospective exercises of those most privileged was arguably haunted by “the Europe” beyond the Pyrenees. Never mind that squatter settlements existed at the time around Paris, or Rome; or informal subdivision around many Italian cities. In post-democratization Portugal, “clandestine”

neighborhoods continued expanding and being tolerated (Fig. 3.3); but few municipal actors used extant laws to re-legalize the informal. By 1995, a new law on Urban Areas of Illegal Genesis maintained many neighborhoods in a state of expectancy until today.⁵⁵



Figure 3.3: News article from 1977 titled “Clandestinity Pays?” comparing the speed of self-building with the slowness of the prefabricated CAR public housing program. *Expresso*, July 30, 1977. (Photograph taken at the Hemeroteca Municipal de Lisboa on June 21, 2008)

Architecture can strive toward studying spatial transgression by also understanding the productive relationship both with spatial law and with expert knowledge. Each change in spatial law is integral to a situated, contingent, and unequal political moment, instead of a mere technical improvement within a broader path to national development. In consequence, present-day spatial law is partly a legacy of the past

projects of authoritarianism and colonialism, which are inimical to democratization. It is particularly important to do relational architectural histories of transgression in Europe, where a rich history of urban informality has been neglected until very recently.

Methodologically, and the previous section attempted to convey this, the difficulty is that an architectural historian will rarely find pertinent boxes in the archive; and professional architects are rarely involved, so there is also little access to drawings or plans. In the case of squatter settlements, the difficulties increase, because in the absence of formal ownership by the residents, built environments tend to be demolished and places of inhabitation disappear. Inspired by critiques of the colonial archive such as Stoler's,⁵⁶ or Rabinow's conception of ethnography in *French Modern*, this chapter rehearses a view "from the end of the bus line," so to speak, arguing in favor of archives that an architectural historian must create out of fragments from municipal minutes, newspaper articles, private notebooks, interviews, aerial photography, and all other unconventional sources of information. This would arguably potentiate the contribution of architectural history, during the present global housing crisis, to the imagination of new ways of building and living together.

Notes

- 1 The Friends of Paul Groth, "Paul Groth: A Festschrift," January 10, 2022, <https://www.platform-space.net/home/paul-groth-a-festschrift>. This chapter is dedicated to the late geographer and architectural historian Paul Groth (1949–2022). Paul was an example of caring collegiality for scholars everywhere.
- 2 Henri Lefebvre, *The Production of Space* (Malden: Blackwell, 1991).
- 3 Ananya Roy and Nezar AlSayyad, eds., *Urban Informality: Transnational Perspectives from the Middle East, Latin America and South Asia* (Lanham, MD: Lexington Books, 2004).
- 4 Fernando Gonçalves, *Evolução Histórica do Direito do Urbanismo em Portugal, 1851–1988* (Lisbon: LNEC, 1997); Manuel da Costa Lobo, *Administração Urbanística: Evolução Legal e Sua Prática* (Lisbon: IST, 2005).
- 5 Paul Groth, "Workers'-cottage and Minimal-bungalow Districts in Oakland and Berkeley, California, 1870–1945," *Urban Morphology* 8, no. 1 (2004): 13–25.
- 6 Alejandro Portes, Manuel Castells, and Lauren Benton, eds., *The Informal Economy: Studies in Advanced and Less Developed Countries* (Baltimore, MD: Johns Hopkins University Press, 1989).
- 7 Ananya Roy, "The Gentlemen's City: Urban Informality in the Calcutta of New Communism," in *Urban Informality*, eds. Roy and AlSayyad, 159.
- 8 Aihwa Ong, *Neoliberalism as Exception: Mutations in Citizenship and Sovereignty* (Durham, NC: Duke University Press, 2006).

- 9 Gillian Hart, *Disabling Globalization: Places of Power in Post-Apartheid South Africa* (Berkeley, CA: University of California Press, 2002).
- 10 Laura Nader, "The Anthropological Study of Law," *American Anthropologist* 67, no. 6 (1965): 3–32.
- 11 Michel Foucault, *Discipline and Punish: The Birth of the Prison* (New York: Vintage Books, 1995), 87. The term "state apparatus" here is not a reference to Althusser's work on repression. It distinguishes the state as the multi-scalar political association of citizens from the state apparatus proper.
- 12 Ibid.
- 13 Ibid., 86.
- 14 Gilles Deleuze, *Foucault* (Paris: Les Éditions de Minuit, 2004), 37; translation by the author.
- 15 David Scobey, *Empire City: The Making and Meaning of the New York City Landscape* (Philadelphia, PA: Temple University Press, 2002).
- 16 Henri Lefebvre, *La Révolution Urbaine* (Paris: Éditions Gallimard, 1970).
- 17 J. K. Gibson-Graham, *A Postcapitalist Politics* (Minneapolis, MN: University of Minnesota Press, 2006).
- 18 "DIAP investiga nova queixa contra o BCP," *Jornal de Negócios*, February 18, 2008, https://www.jornaldenegocios.pt/empresas/detalhe/diap_investiga_nova_queixa_contra_o_bcp. Like all others in Portugal, it thrived due to public subsidies for housing mortgages, mostly benefiting real estate developers and higher-income households.
- 19 In early twentieth-century Portugal, the term "clandestine" was broadly used to denote a lack of authorization or registration. By the 1950s, journalists started using it to identify informal modes of suburban subdivision and building.
- 20 In 1936, 50,000 people lived in shacks in Lisbon; and about 150,000 people lived in rented rooms. Francisco Keil do Amaral, *O Problema da Habitação* (Porto: Livraria Latina Editora, 1945), 33.
- 21 Teresa Barata Salgueiro, *A Rede de Transportes Colectivos na Aglomeração de Lisboa* (Lisbon: Centro de Estudos Geográficos, 1971).
- 22 Junta de Freguesia da Brandoa, *Brandoa, De Bairro Clandestino a Freguesia em Evolução: Trabalho de Levantamento Histórico* (Brandoa: Junta de Freguesia da Brandoa, 1988), 160.
- 23 Decree-Law 289/73, June 6, 1973.
- 24 Decree-Law 27,424, December 31, 1936.
- 25 Decree 16,731, April 13, 1929.
- 26 When the 1929 Fiscal Reform Law lost its validity, a decree reiterated that all rural lots resulting from lot splits could not be smaller than 5,000 square meters. *Portaria 202*, April 21, 1970.
- 27 Decree-Law 27,424, December 31, 1936. All translations of excerpts of primary sources in Portuguese were done by the author.
- 28 Decree-Law 31,095, December 31, 1940.
- 29 Decree-Law 33,921, September 5, 1944.
- 30 Câmara Municipal de Lisboa, *Plano Director de Lisboa* (Lisbon: Câmara Municipal de Lisboa, 1952), 7.
- 31 A 1972 study shows 113 unlicensed subdivisions built in three distinct suburban areas. Most were built near Lisbon proper: 60 subdivisions were located in the northern periphery, but less than half of these were located in the rural protection zone. The two other main areas were south of the river, and to the West near Cascais, both far from the zone. Teresa Barata-Salgueiro, "Bairros Clandestinos na Periferia de Lisboa," *Finisterra* 12 (1977): 28–55.
- 32 It was officially published through Decree-Law 37,521, December 28, 1948.
- 33 Gonçalves, *Evolução Histórica do Direito do Urbanismo em Portugal*, 33.

- 34 Law 2,030, June 22, 1948.
- 35 Jorge Gaspar, *Urban Growth Trends in Portugal* (Lisbon: INIC, 1980), 32. The first rent-freeze law had been declared during the First Republic, through Decree, November 12, 1910. The military dictatorship that preceded Salazar's nomination as President of the Council allowed an exceptional increase of the fixed rents and decided that new rents would be free from state control, through Decree 15,289, March 30, 1928.
- 36 Decree-Law 38,382, August 7, 1951.
- 37 "O Caso das Construções Clandestinas," *Diário Ilustrado*, February 6, 1962; "Urbanização Ameaçada Mil Casas na Freguesia de Belas," *A Capital*, May 10, 1972.
- 38 Ministério das Obras Públicas, "Proposta de Lei," *Plano Director do Desenvolvimento Urbanístico da Região de Lisboa* (Lisbon: Ministério das Obras Públicas, 1960), 13; emphasis added.
- 39 "As Construções Clandestinas," *Diário Ilustrado*, February 7, 1962.
- 40 "O Caso das Construções Clandestinas," *Diário Ilustrado*, February 6, 1962.
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