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**Abstract.** The informal city is configured and articulated as a spontaneous, sprawling or illegal city. Each of them present recurring and distinctive characteristics also in relation to specific territorial contexts. After outlining the scientific background of informal and illegal cities, and summarising the Italian specificities of the last ones, the paper focuses on the dualism between the informal and the illegal city found in the analysis of the technical literature on the subject regarding spatial planning. The aim is to bring out affinities and differences between the two city models to contribute to the formulation of the correct contents of urban planning tools for their redevelopment and/or regeneration to transform especially Italian illegal cities into liveable neighbourhoods.

**Keywords:** Informal city; Spontaneous city; Illegal city; Sustainable regeneration; Spatial Planning tools.

## The informal settlements\_ Cultural and scientific background and critical framing of the debate

Squatter settlements present in different shapes in the urban built environment of the world and are the outcome of a process that has been advancing steadily for more than half a century, spatially manifesting a socioeconomic and cultural malaise of a large part of the urbanised population in opposition to or in the absence of physical planning rules. Urban Geography Glossary (2008) defines spontaneous settlements as outward expansion of population centres, citing growing urbanisation added to the lack of services (Ekandem *et al.*, 2014).

The definition of "spontaneous settlement" is only one of several names by which this phenomenon is identified. A term widely used in the global vocabulary to label this trend is squatter settlement. In his research *Defining Squatter Settlements*, H. Srinivas (2005) exposes how the flow of migration has created a growing demand for construction in recent decades. This has not always been met in time and has, therefore, led to migrants being faced with the need for shelter that could be adapted to their needs. The problem is two-fold, precisely the lack of means on the part of migrants and the apathy of governments in dealing with migration. The consequence has often been drastic, namely the illegal occupation of available space and land. This has only aroused the dislike of institutions and citizens, who perceive spontaneous settlements as an invasion and a social evil however, this situation has also highlighted another serious issue, which is adequate housing for all.

According to data compiled for the *Global Report on Human Settlements* (Un-Habitat, 2009), about one billion people lived in informal settlements at the time, and still do in 2022. According to the new UN Habitat report, 25% of the world's population lives in informal settlements (<https://data.unhabitat.org/pages/housing-slums-and-informal-settlements>). The UN-Habitat agency speaks of rising figures even in 2013. Accord-

ing to research conducted at the Rights Observatory by Álvaro Puertas Robina, architect and secretary general of Habitat International Coalition (HIC), more than 1,9 billion people still lived in slums at the end of 2019 (<https://www.osservatoriodiritti.it/2020/01/07/baraccopoli-significato-nel-mondo/>). Areas in Latin America, such as Argentina with Villas miseria<sup>1</sup>, Peru with Barriadas<sup>2</sup>, Brazil with Favelas<sup>3</sup> and Africa with Bidonvilles are mostly affected by the self-made city "Slum" phenomenon. The phenomenon of informal building and urban planning is also present in the European sphere, specifically in the Mediterranean belt, and involves Spain with Suburbios (1930) and Barrios marginales (1940-1970), Turkey with Gecekondu<sup>4</sup> (Fig. 1) Tunisia with Gournavilles<sup>5</sup> (Bertini, 1994), the southern part of France, Greece, and Italy with widespread and/or illegal settlements.

The multiple definitions of spontaneous settlements have created so much confusion over the years that the concept itself is difficult to understand. However, it should be clarified that the definition of an informal settlement refers to the physical conditions of this type of urbanization, and not to its legal nature, an aspect we find in the unauthorised ones. The accurate translation of the term is illegal settlement.

To better understand this phenomenon, it is necessary to re-read the history of housing, which over the centuries has seen the status of housing construction change from an autonomous activity, carried out under the control of users, to a bureaucratised and controlled system. This change is inextricably linked to the concept of housing, which increasingly becomes a product of the market, moving away from its conception as a complex process proper to human beings. Bureaucratisation tends to increasingly reduce user control over their own lives, and to blur the right to do for themselves what they can do, passing the burden into the hands of the state, and thus producing an unsustainable expense for it.

The available literature, starting in the 1970s, produced by researchers such as Ward, Fichter, Illich and Turner himself, highlights very critical positions with respect to the ability of the state and institutions to respond to certain basic needs. From the studies of these authors, the state and the market have shown themselves incapable of producing housing capable of satisfying human needs. The first victims of this new system are the weaker segments of the population who pay with systematic exclusion from decent housing.

The phenomenon of informal settlements is not attributable only to developing countries. Indeed, there is a certain background of experience in the history of the most developed nations. The most common form we find in the previous century



mostly belongs to agricultural squatters and, in some cases, to pioneers. What has always limited their development is a traditionally rigid attitude towards the respect of property rights. The history of illegal settlements in the United States is linked to the regulation of property rights. In 1841 with the Preemption Act, the government sanctioned the possibility of purchasing land by families who had settled there for more than fourteen months, agreeing with them very low and accessible prices. Other relevant cases in the USA concern the period of the Great Depression of 1930, a period in which the numerous unemployed and homeless built illegal settlements in abandoned areas, often in swampy or border areas. The national government responded by strengthening the borders and building low-cost public housing. In these cases we are talking about phenomena that do not present numbers comparable to realities such as Latin America or Africa and are therefore easier to absorb, especially if addressed quickly.

*Origins: Thesis supported on the dualism between informal planned cities*

The origin of the term “informal sector” is attributed to Keith Hart, an English anthropologist, who introduced this concept in a paper presented at a 1973 conference on an indigent working in Accra (Ghana). The International Labour Organization recovered this term in a study on the urban economy in Kenya, using it to describe small-scale economic activities and unregulated employment. Unofficially, the term was already in use in some research, for instance that of Arthur Lewis (Lewis, 1954) in the 1950s. The economist focused on informal work and its economic aspects but neglected the spatial sphere and emerging forms of urbanisation. Yet, it was Lewis who first began to

separate two different environments, precisely the formal and the informal.

In the late 1970s, Caroline Moser offered a description of informality linked to the settlements and their inhabitants, focusing on the antithesis nature of these environments to traditional planning models. It is evident how, in the early debates, informality appeared as a social and economic phenomenon, and only later was it linked to urbanism. In official documents, the phenomenon was officially analysed, for the first time during the 1976 Habitat Conference in Vancouver (Un-Habitat, 2009). The earliest writings on the subject are the productions of Charles Abrams (Abrams, 1964) and John Turner (Turner, 1968). The former illustrates the process as a conquest of urban areas dictated by the law of force at the expense of the force of law. The second extols the outcome of self-production, recognising it as a very successful solution to housing problems in urban areas in developing countries.

Abrams in the dossier *Squatter Settlements: the problem and the opportunity*, exposes and analyses the data inherent to migratory flows towards large cities, arguing that the growing problem of squatters is to be blamed on the shortcomings of political management (Abrams, 1966). Criticism is levelled at political actions that in some cases tend to ignore the proliferation of this phenomenon, to the point of no longer being able to manage it. The researcher starts from the concept of the need for shelter, which drives parts of populations to occupy vacant land to the detriment of private owners and the state itself. The resulting economic damage is not only immediate, but risks being exponential due to the impossibility of reclaiming land, which, as the years go by, sees the number of occupants grow frighteningly to the point of making eviction impossible.

In the 1970s and 1980s, at the height of its discovery, the phenomenon became a subject of study for sociologists, anthropologists and economists and less so for architects and town planners. These years saw the spread of what can be described as a dualistic approach, which contrasts formal and informal. The former seen as a planned system opposed to the latter, considered merely a non-planned form. However, this tendency ignores the complex system of dynamics encapsulated in this concept. Also in Italy, Fera and Ginantempo, in a 1985 study, define illegal and spontaneous self-building as a phenomenon that occurs where the legal building market is absent or unable to meet social demand. The scholars differentiate between those who own land and build without authorisation based on their own needs and those who must look for a roof and land to manage themselves. However, from the point of view of land transformations they are different ways in which squatting has spread. This idea has also been analysed over the decades by various practitioners. After a study in Lagos (Nigeria), Rem Koolhaas (Koolhaas, 2006) extols the creativity of residents and their promotion of new forms of housing. Ananya Roy elaborates on what Koolhaas stated, and defines the informal field as subaltern urbanism (Roy, 2011.). Hernando De Soto, on the other hand, focuses his attention on the lack of growth of some African realities, blaming the informal sector that does not allow their development, stifling their possibilities (Benjaminsen *et al.*, 2009). This set of reflections constitutes what has been called a dichotomous oppositional approach. In contrast to these, there are other theories that classify informality as a production of space, a possibility of connection between opposing and divergent realities. Felipe Hernandez proposes the theory of intermediate space (Hernandez *et al.*, 2010), an alternative that leaves ample room for unprecedented forms developed by creativity. Instead, Oren Yiftachel identifies informal settlements as a grey space between the white of legality/approval/security and the black of eviction/demolition/death (Yiftachel, 2009). The idea of grey space, linked to permanent areas on the fringes of cities, is open to various evolutions. The author defines a bleaching process and a blackening process. The reflections proposed by Hernandez and Yiftachel highlight how planning practices, combined with informal practices, form a single system. The study of informality can be summarised in three phases. In the first phase, between the 1970s and 1980s, we find the dualist school, which conceives informality as a set of marginal activities excluded from the formal sphere. The second phase, between the 1980s and 1990s, is marked by the spread of multiple interpretations. Among the most relevant are the legalist approach, characterised by the view of informality as a set of positive forces in a formal context linked to power strategies. In the 21st century, after a few years of apathy with respect to the phenomenon, a

phase marked by a renewed interest begins, particularly in the relations with the globalisation processes that are changing the economic, social and political geography of the world.

### **The Italian illegal settlements\_Cultural and scientific background**

The issue of illegal building and town planning is addressed in this section with an eye above all to the town planning

tools useful for the redevelopment of illegal/illegal settlements, and in particular to identify: a) the boundary of these settlements; b) the techniques involved in their subsequent redevelopment; c) the type of tools available for abuses committed in areas at anthropic risk, especially seismic risk. Among the three possible approaches (repressive, mitigative and inclusive), the only practicable solution – mitigative – is to provide for specific variants of the municipal plan for the redevelopment of abused places and the urban reintegration of the parts of the territory affected by this problem (de Biase and Losco, 2023).

Building illegality is more than half a century old. An emblematic case is Rome, where the relationship between the spontaneous Borgate of the 1950s (see, for example, the Mandrione Borgata) and the building units of the 1930s (e.g., the Borghetto Latino, a nucleus that arose during Fascism, between 1932 and 1935, in the Appio Latino district) and the consolidation into off-plan Borgate districts of some barracks and suburbs already present in the 1920s (e.g., the Magliana or the Acilia Borgata of 1924) seems indisputable.

In this case the kinship between the spontaneous hamlets of the 1950s (see, for example, the Mandrione suburb) and the building nuclei of the 1930s (e.g. the Borghetto Latino) and the consolidation into off-plan hamlets of some barracks and Borghettos already present in the 1920s (e.g. the Magliana or the Acilia suburb of 1924) seems indisputable.

It was in the 1930s, during the Fascist period, that the emergence of the degraded suburbs was recorded in Rome. In fact, the regime proceeded with extensive and important demolitions in the historic centre and, at the same time, for the mass of the population expelled from it, it created a number of settlements of very low building quality, lacking the main services and generally located in the open countryside, possibly a long way from the historic centre, in some cases many kilometres from the consolidated city: Pietralata, Borgata Gordiani, Primavalle, etc. These settlements were flanked by the first self-built illegal housing, made up of shacks that, in most cases, were in very poor sanitary conditions (Cellamare, 2010). During Adolf Hitler's visit in May 1938, a trompe l'oeil backdrop was created along Via Tiburtina to conceal the spontaneous settlements that had sprung up during those years (Berdini, 2010).

As Cellamare writes in 2019, Rome is traditionally characterised





by weakness and inability to govern the city and illegal occupation demonstrates this. The process of recognition and recovery of illegal settlements in Rome is long. In 1962, 44 illegal building nuclei were identified (F1 zones); in 1978, with the variant to the PRG, 84 “O Zones” were delimited; in 1997, the so-called “Piano delle Certezze” identified another 80 illegal areas defined as toponyms. The sizing of these areas was carried out in the 2008 PRG, and refers to specific recovery plans. If it is therefore clear that the phenomenon is long and complex, it is equally clear that the urban planning instrument has tried to intervene, providing for specific interventions to resolve the phenomenon (<https://www.mapparoma.info/mappe/mapparoma33-labusivismo-a-roma/>). In Italy, the distortions in urban development were determined, starting from the second post-war period, by a series of causes, such as the rapid transformation of the country from agricultural to industrialisation and the growing demand for housing. These are situations for which planning has not been able to play the typical role of controlling the development of housing stock and urban transformations. There are many reasons for this inability, precisely the absence or complexity of legislation, the lack of supervisory action, the inability to adequately repress illegal interventions. In the 1970s, building squatting was determined by a clearly identifiable demand, supported by a lower-middle class, workers and artisans, and by a consequent supply, prepared by small or improvised builders who are the main protagonists in large cities and their suburbs. They construct properties that they sell illegally to buyers who are as needy as they are uninformed. In the latter half of the 1980s, the scenario changes considerably. The builders are no longer the turnkey organisers of the business. The driving force becomes the owner of the land, who already owns it as an agricultural plot or buys it fractioned from third

parties. He has the unauthorised housing built, often repaying the company with part of it, reversing the mechanism of the previous decade. The housing is sold when it is not kept for himself or his family. The phenomenon was further perfected in the 1990s. Organised companies hardly intervene any more in the construction of unauthorised buildings. Small teams of workers and craftsmen, either totally irregular or permanently employed in construction companies, carry on the construction until completion, in an exclusive relationship with the landowner. From the early 2000s to the present day, the phenomenon of unauthorised building has been moving towards a kind of marginalisation. Owners of land with buildings that are generally wholly owned, who extend or raise them, create additions, build unauthorised constructions (garages, basement volumes), on buildings that are sometimes already unauthorised and regularized by a building amnesty or subject to amnesties that have not yet been administratively defined. Illegal construction is just one of the most evident symptoms of a distorted modernisation and failure of some paradigms of urban planning discipline (Zanfi, 2008). The reasons for the success of the term illegal settlement are in its immediate representative effectiveness. At the same time, the word evokes the idea of the anomalous use of a resource, namely the soil, of its overuse, of a practice that benefits those who practice it to the detriment of others and the entire community (Fig. 2). This term entered the Italian collective imagination following the Agrigento landslide and building collapse of 1966, when the hill of Girgenti collapsed under the weight of the most incredible speculation and dragged with it the product of an intricate combination of building entrepreneurs and local politicians, who had systematically eluded constraints and regulations by erecting tall buildings on a landslide slope. The disturbing view crushed by

the telephoto lens of the “Greek Temple of Concordia” dominated by skyscrapers thus becomes the metaphor of an opulent illegal construction that destroys the city and the landscape.

A country where speculators can deface cities, destroy coastlines, destruct the landscape with impunity, can do all this and more without paying personally and without answering to public authorities.

#### *The illegal settlements: critical framing of the debate*

Leaving aside the classification of the different types of abuse, it is important to remember that the way of producing suburbs outside the plan forecasts shows a much more structural distinctiveness that goes far beyond the discrepancy from urban planning tools. Spontaneous periphery is configured as an actual mode of growth of the urban periphery in which the role played by the institutional centres of government of supply and demand (state and market) is secondary to the self-organising capacities of users.

It is essentially a way of producing low-cost suburbs, or at least ones suited to the investment capacities of low and middle-income households. The condition for the phenomenon to occur is the establishment of two orders of anomalous relations within the urban intervention models. The first is related to the way space is physically organised, and can be generalised when similar conditions of urban intervention occur. The second concerns the guarantees that regulate the relations between the agents involved in the various phases of the settlement process. Indeed, given the difficulty of generalising structurally different situations, it is impossible to identify it except by contrast with what is considered orthodox in the specific context situation.

One argument used to justify illegal culture is that it has been able to provide a housing response to families who had no market alternatives. It is certainly true that the amount of public housing built in Italy has always been far less than the population's actual needs, and it is equally true that migration flows in the first two decades of republican Italy were so intense as to make it difficult to control the transformation of the territory. But the cause-effect relationship is not so straightforward. Turin and Milan have not experienced building abuse, except to a marginal extent and limited to small extensions or changes of use of non-residential premises. In Rome and throughout the South building squatting is rampant, creating neighbourhoods, buildings and production facilities. Here too, post-World War 2 Italy shows two faces.

#### **Thesis supported and Concluding considerations**

At the end of the 1980s, the need for a different or alternative urban planning instrumentation, which could replace the more traditional urban planning tools for a strategic rethinking of the city, was emphasised in the Ital-

ian urban planning scene. The crisis of traditional urban planning instruments was already evident: the armamentarium of operational town planning had proved ineffective.

The entire decade 1980-1990 places Italy clearly behind Europe in the recovery of the growing dysfunctions of cities. While in the more advanced countries new tools had been developed and operational for some time, our country remained anchored to a traditional conception of urban planning discipline, built on the rules of prohibition or on the rationale of attributing building rights to individual land. In those years, the end of the era of building expansion and the economic recession led to a profound rethinking of urban structures and a strong demand for redevelopment, recovery, reconversion - including social - of large portions of the city.

The poor operational capacity demonstrated by the planning system, combined with a growing weariness towards any kind of procedural engineering mechanism, have perhaps accelerated a process that has already been underway for some time. The situation has led, in urban planning culture circles, to a comprehensive reflection on the principles and tools of territorial governance<sup>6</sup> and, in practice, to the so-called level of constraints, with an interpretation of urban planning as a taxing tool, aimed at imposing what cannot and must not be done. The latter is the objectionable predominant solution in the mid-1980s. From a constant process of identification of the plan with the constraint, a further reason for intolerance towards urban planning and its tools has arisen. The arrival of the Nineties determines a radical change of direction. The scenario in which urban intervention is carried out has almost definitively changed, and from the phase of expansion outside or close to the inhabited centre, the so-called growth of the city within the city is identified as the most suitable solution to respond both to housing and urban quality needs and to the needs of the building market. It is not possible to entrust important urban redevelopment interventions to the plan conceived in the Eighties. After the complex planning phase, today, thanks also to the spread of community policies, other types of tools are starting to assert themselves which, placing themselves halfway between the traditional urban plan and the actual building-urban project, seem capable of responding to the new needs of regeneration of the city. The scientific and cultural debate surrounding this type of settlement process of the *informal city* oscillates between the definitions of *spontaneous city* and *illegal city*, often giving a positive connotation to the former, and a negative one to the latter. Two ideological conceptions of the city confront each other:

- the *spontaneous city* tends to emphasise the unplanned, do-it-yourself character, the protagonism of the inhabitants and a city that is often defined as self-built. In this sense the

- meaning oscillates from a neutral connotation – linked to its non-formal character – to a positive one, linked to the direct and social production of the city by the inhabitants;
- the *illegal city* tends to emphasise the illegal aspect of the behaviour and consequently the negative effects on the growth/development of the city, including those related to land consumption, environmental damage and lack of facilities. The negative interpretation is related to the image of the degraded city and generally, linked to this interpretation, to the proposal of policies related to the control and repression of illegality.

Actually, these are two dimensions of the same process, two valid points of view but both insufficient to view the phenomenon. Moreover, as Cellamare (2019) wrote, while it is true that «the dimension of informality assumes [...] often a – seemingly – positivised, if not even romanticised character [...] it is also true that it is a rather problematic material, social and symbolic place». Instead, it is often a place of great conflict and tension, and it is not taken for granted that forms of self-organisation will develop. In reality, there are common characteristics of the two types of phenomena, such as the process of self-building, in the initial phase of the squatting phenomenon also the need for shelter, the tendency to occupy interstitial spaces and, above all, the search for proximity to connecting infrastructures. While this is true, there are also differences, one of which is the social class of the inhabitants who, in most spontaneous settlements, have a very low income, whereas they belong, at least in recent times, to the middle classes in the squatting phenomenon.

Despite the differences in conceptions and definitions, the real substantial difference between the two lies in the political attitude. The spontaneous city is itself an illegal city, even if the substantial difference can be seen in the *ownership of the land*. Indeed, part of the shantytowns is located on public land (clearings, buffer strips, etc.) expropriated from private individuals while, generally, the illegal settlements arise, in most cases, on land owned by the builders or the *squatters themselves*. This last aspect highlights the political problem of managing public goods, and the fight against illegality.

## NOTES

<sup>1</sup> An informal settlement formed by precarious houses is called a villa miseria. They take their name from Bernardo Verbitsky's novel *Villa Miseria también es América* (1957), which describes the terrible living conditions of internal migrants during the so-called Infamous Decade.

<sup>2</sup> Barriada slums are poor areas on the outskirts of large cities. There are more than 800 slums in Peru, called today's youth, an expression that hides the sad reality of these neighbourhoods.

<sup>3</sup> The term favela refers to Brazilian slums, generally built on the outskirts of major cities. The dwellings are built with a variety of materials, from simple

bricks to scraps salvaged from garbage, and very often the roofs are made of asbestos cement.

<sup>4</sup> The term Gecekondu is derived from the fusion of Gece and Kondurmak, which mean night and put suddenly, respectively, and stands for the informal neighbourhoods typical of Turkey. The debate over these settlements began in the 1940s when the country's major cities, such as Ankara, Istanbul and Izmir, were affected by the massive phenomenon of immigration that saw the emergence of new construction outside any physical land planning instrument and without any building permits. Over the years, national policies have produced various attempts at resolution by adopting in some cases the path of amnesty and depriving the term itself of direct reference to informal settlements.

<sup>5</sup> The earliest forms of spontaneous settlement date from the 1930s, until then the building types were those of the dar, a traditional single-family house with an interior courtyard (wust al-dar, the patio), located in the historic centre; the continuous multi-story collective building that, repeated in series, forms the blocks of the part built by the French immediately abutting the medina; and the isolated single-family house, villa or pavillon, of the suburban neighbourhoods that define on the territory a veritable garden city (citè jardin). To these types are added a set of rural precarious dwellings and rural stable dwellings called houch, which together form the gourd-villes. These were built and inhabited mainly by the rural population that still migrates to the main urban centers (Tunis, Sousse, Sfax, Bizerte).

<sup>6</sup> In the XXI Congress of Bologna (1995) the INU launched a proposal to reform the rules and principles of urban planning.

## ATTRIBUTION

Within this contribution, which is the result of a joint elaboration by the authors, personal contributions can be identified as specified below: *Paragraph 1 – The informal settlements – Cultural and scientific background and critical framing of the debate* (Claudia de Biase) and *Paragraph 2 – The Italian illegal settlements – Cultural and scientific background* (Salvatore Losco). *Abstract and Thesis supported and Concluding considerations* are the result of joint elaboration. This work is the outcome of the research carried out by the two professors also within the framework of technical-scientific conventions, stipulated with the Departments of Architecture and Industrial Design and Engineering of the University of Campania Luigi Vanvitelli with the Municipalities of Orta di Atella (Ce), Terzigno (Na) and the Province of Caserta.

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