

“The usage of public space in Naples – Informality in the time of Commons”

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This paper presents an ongoing doctoral research on two occupied social centres in Naples, Italy. The two centres are analysed from an “urban informality” point of view, and this work seeks to contribute to that debate. The term informality here refers neither to a typology of space nor to a type of users, but to a way of using space that differs from that space’s intended use according to the relevant law(s).

This article is structured as follows. First, it outlines the scholarly discussion on informality and highlights what are, in the opinion of the author, some conceptual limitations of this debate. Next, it locates the present research within the discussion on the “geography of urban theory”. It does so by discussing the use a traditionally “southern” concept, such as urban informality, for the study of a European city. Then it outlines a tripartite analytical model for the analysis of urban informality. The model is based on the concepts of economic gains, political legitimacy and power over space. In the final chapters, I present the case study and analyse it with the model proposed. I conclude by arguing for the relevance of the study in the debate on urban informality and by elaborating on the loose relations between informality and justice.

The empirical part of the research looks at two occupied building in Naples, known as Ex Asilo Filangieri and Ex OPG, respectively. Only the former is treated here. Naples is chosen for three reasons. The first is the traditional predominance of informal spatial practices and the corresponding weak penetration of formal regulation in its social life. This challenges the assumption that informality be an exceptional and/or temporary state of affairs. The second is Naples’ location in the Mediterranean, a region whose cities do not easily fit the ideal-types of either global north or global south. This allows an uncommon but substantiated entry point into the discussion on the geography of theory production, which is closely linked to the informality debate. The third reason is the establishment, since 2011, of a city government that claims to use “the commons” and citizen participation as its guiding principles in spatial policy. Its remarkably mild stance vis-à-vis the occupations provides an unusual, although not unique, example of a non-oppressive, non-patronising approach of city politics towards informality. The hope is that these three specificities, taken together, may broaden our understanding of the political and economic dynamics that play into phenomena of “urban informality”.

1. The scholarly debate on urban informality

This chapter summarises the debate on urban informality by contrasting its two main schools of thought: the “dualistic” and the “structural” approach. It then proceeds to highlight some limitations in how urban informality is theorised within these two conflicting approaches.

As will be argued in detail below, these limitations make it difficult to understand cases of informality – such as the one presented here – that are neither completely unrelated to the state, nor can be understood as intended outcomes of state policy. This theoretical discussion is used as a departure point for the analysis of the factors that leads states¹ to repress or tolerate (or even encourage) urban informality.

1.1. The dualistic approach

Much research on urban informality has arisen from the discussion on economic development in what used to be called “third world”. The work of Keith Hart on Ghana’s informal economy in the 1970’s is among the most cited examples of the so-called dualistic approach (the terminology is adopted from Rakowski, 1994). Hart noticed how, “[having been] denied success by the formal opportunity structure, these members of the urban sub-proletariat seek *informal* means of increasing their incomes” (Hart, 1973, p. 67, emphasis added). Hart used the term “informality” to describe workers who are officially unemployed but actually self-employed. These are cast against the “formal” workers, such as wage earners and employees. The idea that informality be a parallel realm, detached from the formal sphere, has heavily influenced the ways governments and international agencies would later interpret informal types of livelihood (in housing and employment, particularly). Reports from prominent international agencies, such as UN Habitat, the International Labour Organization and the World Bank, understood informality (once again, especially in the sectors of housing and employment) as a separate sphere which needed to be normalised and transformed into its formal equivalent (Rakowski, 1994). The dualist approach has gained new momentum with the post-1989 triumph of the liberal state, and the globalised rollback of the welfare state. Against this historical and ideological background, Peruvian economist and economic advisor Hernando De Soto (1989) put forward a recipe for poverty alleviation based on the prescription that states in the developing world legally recognise the activities of the poor and the “property” they already “possess”, thus including them in a proper market economy. Similarly, the UN Habitat II Agenda (1996) endorsed a set of poverty alleviation schemes based on the concepts of “enabling” and “empowering” (as opposed to direct provision) as guidelines for housing policy in developing countries. In a different, but conceptually related, strand of literature, other authors see the “informal” work of civic committees and NGOs as valid alternatives to state-sponsored development schemes,

¹ In the theoretical parts of this research, the term “State” is used to refer abstractly to political power. The most relevant centre of power in this case is, however, the municipality of Naples.

and look at informality as a type of “deep democracy” (Appadurai, 2002). Maloney speaks of informal workers in Latin America as “voluntarily informal” (Maloney, 2004, p. 1160).

Ray Bromley argued that the (political) success of this dualistic interpretation is due to its simple and mild policy implications: governments are not held responsible for the deprivations of their poorest citizens, but they may nonetheless set the bill straight by formalising their “properties” and activities (Bromley, 1978, cited in AlSayyad, 2004, p.11).

1.2. The structural approach²

The structural approach is radically different. Broadly speaking, writings within this approach coalesce around the notion that informality, far from being a form of benign anarchy beyond the state’s reach, is actually a form of state-led subjugation of the poor. An analogy with Marxist economic analysis may convey this view more clearly. Just as Andre Gunder Frank argued that “underdevelopment is developed”, critical scholars argue that the condition of the so-called “informal” population is in fact determined by the working of the state, the very actor one would normally expect to yield formality. According to this approach, the “marginals” are so because states have knowingly excluded them from the provision of basic services and civil rights, for the benefit of the richer classes. In her study of the Brazilian favela, Janice Perlman (1979) argued that marginality is a myth, a discursive manipulation that governments use to hide their culpable failure to provide for the poor. In what is today one of the most influential works on urban informality, authors Ananya Roy and Nezar AlSayyad (2004) adopt a structuralist concept of informality. According to this view, states subjugate informal users (e.g. squatters or street vendors) by displacing them or by issuing confusing and instable legislation, which in turn renders them prone to political patronage. States are held responsible for informality based on two considerations: States adhere to the “global” neoliberal agenda, and have an innate drive to normalise space. Urban informality is therefore understood as “an organizing urban logic which emerges under a paradigm of liberalization” (AlSayyad, 2004, p. 26).

It might be useful to take a moment to dissect this widely cited statement. The first part (“an organising urban logic”) conveys the view that urban informality is not an exceptional or extra-ordinary way of organising urban space, but a recurrent form of urban governance that, in the global south, is *organic* to how power is articulated spatially. The second part of the

² Because the structural approach enjoys more currency in the academic debate, more space is dedicated to it (and to criticisms against it).

statement (“a paradigm of liberalization”) is the argument that the expansion of the market economy on the one hand, and the shrinking of the welfare state on the other, create a vacuum where informal ways of organising space grow and thrive. The structuralist approach thus attempts to demolish the conceptual divide between the state and informality proposed by the dualistic approach and places it squarely within the policy arsenal of governments. This statement is based on several arguments: not only do states encourage informality by “rolling back”; they may also act beyond their own legal limits and thus act informally themselves (Agamben, 1998; Yakobi & Yiftachel, 2004; Mattei & Nader, 2008). Furthermore, states may deliberately issue ambiguous and shifting regulations of space and thus create legal uncertainty and blur the border between the formal and the informal (Yakobi & Yiftachel, 2004; Roy, 2005). Yakobi and Yiftachel (2004) show how Palestinians’ condition of informality (the fact that they overwhelmingly reside in “irregular” housing), and the lack of citizenship rights this condition implies, derives from Israeli planning authorities’ discriminatory practices, rather than from Palestinians’ unilateral inability to obtain legal recognition. In short, structuralist authors converge on the idea that “[t]here is nothing casual or spontaneous about the *calculated informality* that undergirds the territorial practices of the state. This idiom of state power is structural” (Roy, 2009, p. 83, emphasis added).

1.3. A critical appraisal

As anticipated above, this paper argues that the discussion on urban informality suffers from some conceptual limitations. This paragraph covers three of them. The following discussion will lay the groundwork for the construction, in chapter 2, of an analytical model to analyse urban informality.

1.3.1. Intentionality

A major point of discord between the dualistic and the structuralist approaches is the question whether informality be an intentional outcome of the state action. Authors in the dualistic tradition see informality as a realm where economic activities and dwelling take place *without* the rule of law and thus beyond the reach of state power. Quite differently, critical scholars use the notion of “calculated informality” (Roy, 2009b, p. 82) to represent what they regard as a *direct causal link* between state’s action and the condition of “informality” of its most deprived citizens. This paper argues that neither perspective can fully account for the variety of phenomena that can be subsumed in the category of “urban informality”, especially if the concept is understood as defining a mode of action rather than a type of people or a type of

space (McFarlane, 2012). For the popularity that Roy's conceptualisation has achieved in the literature on informality, it is perhaps useful to stir out the normativity undergirding the notion of "calculated informality". On the one hand, states are said to instrumentally create informality. On the other hand, informality is equated to deprivation and subjugation. Yet, the equation between informality and subjugation is not always accurate. This paper, for one, brings to the fore two cases in which the very label of informality has helped users to preserve their livelihood and avoid repression. Other empirical research comes to similar conclusions (Bayat, 1997; Gandhi, 2012). Yet this possible empirical inaccuracy stems, I believe, from a conceptual mistake. It has been observed that critical accounts of urban informality, precisely when denouncing the injustices that states perpetrate against the poor, tend to "ascribe overwhelming efficacy to the state's institutional modalities... [and to] over-determine the state's desired inscription onto subject's bodies" (Gandhi, 2012, p. 55). The stories of the "informals" and of their coping strategies (or, in theoretical terms, their agency) are often absent from the conceptualisation of informality in the critical literature. In other words, the focus on (what authors assume to be) the state's effective domination strategies may overshadow users' responses to these strategies. The "transition mechanism" between the state's intentionality and its realisation as effective policy is more often assumed to be straightforward and effective, rather than analysed in its actual and contingent unfolding (Corbridge, Williams, Srivastava, & Véron, 2005). As a consequence, critical works on urban informality tend to essentialise both the *intention* and the *ability* of states to control space for their purposes. This research seeks to pick up some progressive authors' (Merrifield, 2000; DeVerteuil, 2012) invitation to go beyond universalistic denunciation of states' intentions. It seeks to do so by "zooming in" into the practices of states and users, and into their results. It does so on the premise that states (and city councils) across the world differ from each other both in their ability and in their intention to normalise space. Not all states may successfully claim the monopoly of legitimate violence over their territory, as in Weber's definition. If it is theoretically admissible that states (or cities) might *fail* to regulate space for their own purposes, then urban informality can entail different spatialities than those imagined by the state. Alternatively, informality may mean something different than domination if governments, even when able to repress it, choose to tolerate informality. State's wish to repress or exploit informality is understood in this paper as an (admittedly probable) possibility rather than as a theoretical necessity. This research also departs from the view that state agency be unitary, and it opens up to the fragmentation, contradictoriness, and competition among municipal strategies of governance (Valverde, 2011).

1.3.2. Normativity

An equally controversial point in the debate is whether informality be, per se, a desirable condition. This is, in other words, the question of normativity. Authors within the dualistic approach share a substantially optimistic view about the opportunities that informality affords to individuals. An illustration of this optimism are De Soto's stories of poor farmers and labourers in Latin America who manage their lands without cumbersome regulations and taxes or Maloney's account of workers preferring the autonomy of informal jobs to the rigidity of regular ones. The condition of informality is thus seen as something at least partially positive. On the other side of the debate, it is not as easy to tell what scholars in the structuralist camp would regard as a desirable outcome for phenomena of spatial informality. On the one hand, formality (the law) and formalisation are denounced as tools for class domination (Mattei & Nader, 2008) or as unwarranted attempts to discipline bodies. Slum upgrading schemes and land titling are typically criticised as hidden discrimination against the poor. One example of this is Yiftachel's criticism of the "whitening" of "grey spaces of citizenship" (the attempted transformation of individuals from a condition of informality to a "whitened" one of formality). On the other hand, the poor's condition of informality is denounced as the outcome of states who deprive its disadvantaged citizens of citizenship rights. The trouble is that the simultaneous denunciation of informality as a form of deprivation on the one hand, and of the "formalisation" processes on the other hand, leaves it unclear what would constitute a desirable condition for the urban poor, or whether any improvement is conceivable at all.

The structuralist strand in the informality debate has the undeniable merit of disrupting the naïve view that states are not responsible of the deprivation of the urban poor. Yet, this advancement sometimes comes at the cost of the generalisation that informality (always) be an integral part of urban governance that subjugates the "informals". The characterisation of informality as "calculated" leaves no theoretical room for spatialities that diverge from the state's imagined ones. On the one hand, the structuralist approach seems to rule out the theoretical possibility that states enact policies *for the benefit* of its disadvantaged citizens (which would be an alternative take on state's intentionality). On the other hand, it also leaves little room for the idea that disadvantaged citizens – the "informals" – may actually *escape* or *successfully manipulate* the state's attempts to dominate them (which would be an alternative take on state's efficacy). To rephrase, overemphasising the state's ability to control individuals leaves us unable to conceive (let alone analyse) social change. This feature is certainly not unique to the debate on urban informality. As has been observed for Foucault's early work on modern

power, the conceptualisation of power as pervasive and the simultaneous disappearance of agency make it impossible to conceive social change both in the past and in the future (Fraser, 1981; Bevir, 1999). This leaves us with is a “one-sided, wholesale rejection of modernity”, and nothing else to replace it (Fraser, 1981, p. 286). The present criticism is thus not only analytical but also political, in that it seeks to open up a plurality of trajectories along which experiences of spatial informality may evolve, rather than sentence them to failure *a priori*.

1.3.3. Epistemology

A third critical point in the debate on informality concerns the epistemologies of the two approaches. Authors in the dualistic approach typically adopt an actor-based paradigm: they presuppose a social space where rational individuals make their choices in order to improve their livelihoods. The action paradigm provides (and at the same time presupposes) a positive bias towards the actors’ intentions and possibilities of success. Critical urban scholars, instead, tend to adopt a structuralist paradigm and a higher scale of analysis. They focus on the legal and economic structures that constrain actors’ autonomy (or that, in a stronger version of the theory, *determine* their deprivation). Both positions may be problematic. The structural approach, especially when detached from an analysis of informality “from within” (Hilbrandt & Richter, 2015), may become theoretically narrow and politically oppressive. Theoretically narrow because it assumes, by means of theoretical speculation, that states create both formality and informality, both of them being instruments of class domination. This begs the question of whether *any space* may escape the state’s control. This difficulty leads to the second point. Some structuralist works on informality, by fixating on “state discourses and middle class anxieties, inadvertently reproduce the gaze of the urban planner and thereby fail to reveal how state institutions in their operation deviate markedly from prescribed intentions” (Gandhi, 2012, p. 53). The postulate followed here is that the extent to which actors are limited by structural constraints (e.g. by the unequal distribution of resources or by their degree of inclusion in the legal system) should be assessed by looking at the actual interaction between state and actors, rather than be pre-determined theoretically. The idea, implicit in the dualistic approach, that informal actors act within a political vacuum is not considered here.

2. Re-conceptualising informality: a proposal

Let me now restate my definition of informality, in a slightly enriched form, as the characteristic of usages of space that, *for a variety of reasons* and *with a variety of outcomes*, do not conform to their planned use. I base this conceptualisation on the rather trivial argument

that state's *ability* to enforce spatial rules and its *intention* to repress informal users cannot be established by theoretical speculation, but should be verified empirically.

Drawing on recent attempts to operationalise informality as a theory (Yakobi & Yiftachel, 2004; Herrle & Fokdal, 2011; Altröck, 2012; Tzfadia, 2013), this research proposes a threefold model to understand how spatial informality is practiced and why. This threefold model is symmetrical, in the sense that the three factors (economic motivation, political legitimacy, and power over space) are used to explain how users *and* the state position themselves vis-à-vis informality. In other words, this research seeks to understand the dynamics of informality by looking at the (i) economic motivations, (ii) political legitimacy, and (iii) power over space of users and the state, respectively. The following lines illustrate each factor individually.

2.1. Hypothesis 1 – States assess economic gains and losses

The first element of this model are the (i) economic motivations that states consider when choosing whether to allow or repress spatial informality. That economic considerations be no strangers to state's decisions to allow or repress informality is certainly not a new idea. Indeed, many critical scholars single out a universal causal force that drives marginalisation in the shape of informality: neoliberalism (Ferguson, 2009). This argument, however, may overlook the fact that the "neoliberal project" only exists when translated into policy (Ferguson, 2009; Streeck, 2011). Surely, globalisation and austerity work as external constraints that drive cities to increase fiscal revenues and reduce public expenditure (in what Yakobi & Yiftachel, 2004 called "the logic of capital"). Yet, the global ideology of neoliberalism must be kept distinct from *practiced* neoliberalism (Harvey, 2005) for the latter varies according to the "national, regional, and local contexts defined by the legacies of inherited institutional frameworks, policy regimes, regulatory practices, and political struggles (Brenner & Theodore, 2002, p. 349). Therefore, to say that "neoliberalism has a global register" (Roy, 2004, p.5) may only bring us thus far, unless we conceive states as empty receivers and facilitators of an external force, and posit state action to unfold upon a "flat" space. With these qualifications, this paper assumes that states decide upon economic considerations,³ and strives to see *how* this happens and whether this encourages states to tolerate or suppress informality.

³ In keeping with my understanding of politics as potentially transformative, I use the expression "economic considerations" as opposed to, say, "economic forces".

2.2. Hypothesis 2 – Users assess economic gains and losses

It is hypothesised that users, too, make cost-benefits assessments before deciding whether to engage in informal usages of space.

2.3. Hypothesis 3 – States seek to legitimise their response(s) to informality

The second element of the model is (ii) legitimacy. The hypothesis is that both users and states engage in discursive practices in order to legitimise their actions. I adopt Zelditch's definition of legitimacy as the characteristic of actions that appear to be "in accord with the norms, values, beliefs, practices, and procedures accepted by a group" (2001, p. 33). In this definition, legitimacy does not refer to what *should* be legitimate from a moral-philosophical (and thus universalistic) point of view, but to what states and users *subjectively* regard as legitimate, and how these mutual perceptions play into their respective strategies. The model posits that states seek to demonstrate the legitimacy of their responses to spatial informality, be these responses repressive or otherwise. The hypothesis is that the degree to which states tolerate informality, and the specific connotation that this tolerance assumes, depend on the perceived economic gains this would provide (hypothesis 1), and whether it regards a specific example of informality as legitimate in its goals (hypothesis 3).

2.4. Hypothesis 4 – Users seek to legitimise informal usages of space

The hypothesis is that users seek to legitimise their practices by appealing to ideals of justice, rights, or legitimate gain (or to the "rationality of need or desire", cfr. Watson, 2009, p. 2269).

2.5. Hypothesis 5 – States differ in their ability to control space

The third element of the model is the level of (iii) control that states and users may exert upon space. By means of illustration, states are considered "powerful" when they are able to enforce their spatial regulations, even in the face of social protest. By operationalising the spatial assertiveness of states as a *variable*, rather than assuming it as a constant, this model of informality opens the theoretical possibility that space be used informally *against* the wishes of states. Obviously, I am not suggesting that states are never able to regulate urban space, nor that they are pervaded by a humanistic urge to accommodate users' wishes. Rather, I am suggesting that state's ability to control space is not absolute, but rather contingent, and that it should be verified empirically, not asserted theoretically.

2.6. Hypothesis 6 – Users differ in their ability to control space

Users' spatial assertiveness is defined as the level of power that informal users can exert upon a given space or, in other words, their ability to resist the official spatial regulations and to use space for their own purposes.

2.7. Summary

The hypotheses are that States tolerate urban informality when doing so (i) benefits (or does not excessively strain) their finances and/or (ii) when it deems the informal usage of space as legitimate (e.g. if it is in line with the government's political ideology). Conversely, it is posited that states seek to repress informality when the latter constitutes a financial burden and/or they regard informality as illegitimate. Economic and political gains are thus the two main factors shaping state's *intentionality* towards informal usages of space. Whether states are actually *able* to enforce their planned spatiality depends on (iii) whether they dispose of sufficient means to assert control over space.

Symmetrically, I posit that actors are motivated to use urban space informally if this (i) serves their economic needs and/or if (ii) they manage to present it as legitimate. Regardless of whether the state accepts informality as legitimate or not, users may assert (iii) control over space by virtue of sheer power.

I would like to qualify the hypotheses just introduced with two observations. Firstly, these three factors (economic motivations, legitimacy, and spatial assertiveness) are ideal-types: their purpose is analytical rather than descriptive. In other words, I do not expect to find clear-cut examples of "legitimacy" or of "economic interest" in the empirical study. To put it still more concretely, and by means of example, it is assumed that, when a state (or a city administration) contemplates whether tolerating informality would be economically beneficial or not, the answer to this question will be expressed in terms of "more" or "less" economically beneficial (or legitimate), rather than as "economically beneficial" (or legitimate) *tout court*. Secondly, none of these factors should be taken, in isolation, as a sufficient explanation for the emergence or for the existence of informality. More typically, actors and states base their strategies on a combination of the three elements, which may give contradictory inputs.

3. Situating informality research in Naples

We have seen before that urban informality emerged, as a field of enquiry, from the broader discussion on the specific types of urbanisms in the developing world. The question arises then, whether it is possible to use a quintessentially southern concept such as informality for the study of a European city, and what the geographical transposition of this concept entails. It should be noted that the discussion on the geography of theory production has mostly focused on the use of northern/western concepts for the analysis of southern/eastern cities. This research seeks to do just the opposite, and therefore the following discussion looks at the broader question whether and how spatial concepts may travel *in general*, i.e. irrespective of the “direction” of travel.

Before the rise of post-colonialist scholarship, the theme of informality was permeated by a modernist perspective. Broadly speaking, authors who adopted a modernist view understood informality as a primordial form of spatial organisation, one that would eventually evolve into a “modern” territoriality based on the rule of law. Explicitly or implicitly, scholars referred to a version of modernisation theory, whereby the “underdeveloped” countries will eventually converge towards the level of “development” of the global North. Post-colonial scholars disrupted this view. They did so by exposing the political and analytical pitfalls of the “northern gaze”. The post-colonial critique can be broken down to three broad arguments (Mabin, 2014). Firstly, northern approaches were criticised on moral grounds: by presenting the west as the carriers of modernity, modernist thinkers reproduced the hegemonic view that saw the west as the innovative centre, and the rest as the backward periphery that is lagging, but should eventually catch up. The post-colonial critique argues that this reasoning should be reversed, as in Chakrabarty’s (2000) famous call to “provincialize Europe”. The second argument is that western/northern theory does not apply to the south: southern cities are simply not converging to the model of western, “modern” city. Therefore, southern cities should not be understood as cities “in transition” to modernity, but rather as cities with their own trajectories and potentials (Amin & Graham, 1997; Robinson, 2002; Beauregard, 2003). Thirdly, post-colonial authors argue that the global south must be taken seriously, because it is precisely in the south that we can observe the latest trends in urbanism (e.g. suburbanisation, securitisation, the mushrooming of shopping malls and other trends otherwise associated with “global” cities; cfr. Comaroff & Comaroff, 2012). As Ananya Roy clearly argued: “the urban future already lay elsewhere: in the cities of the global South, in cities such as Shanghai, Cairo, Mumbai, Mexico

City, Rio de Janeiro, Dakar, and Johannesburg” (Roy, 2009, p. 820). I now would like to position this research vis-à-vis these three arguments.

While I am sympathetic to Chakrabarty’s idea of “provincializing Europe” as a political statement and as an epistemic exercise, its unresolved tension between relativism and universal rationality on the one hand, and his conflating of “Europe” (as a mode of thought based on blind universalism) and colonialism on the other (Pouchepadass, 2002), make his multiple insights a difficult theoretical basis to work upon. However, this research draws upon the second post-colonial criticism highlighted above (the statement that a modernist, teleological approach is not useful to understand non-global cities). It does so by seeking to understand informal spatial practices in Naples as practices with their own logic, rather than as residua of pre-modernity. For this very reason, however, the third post-colonial argument (the view that the urban future lies in the south) is rejected. While this paper agrees with the Post-colonialism opposition to evolutionary thinking, it does not go as far as to propose a “reverse modernism”. For simply inverting the “modernist gaze” has paradoxical consequences (Mabin, 2014). Simply put, the statement that “the urban future lies in the cities of the south” presupposes a linear evolution, too. Just as the early modernist accounts before them, and while at the same time professing to abandon the dualist thinking on informality, some post-colonial scholars end up depicting the southern cities as the archetypes of informality, in opposition to (what are imagined to be) the more formally organized northern cities. At the same time, the northern/western city, imagined by some post-colonial scholars as the place where “governance is complete”, is reduced to a caricature of itself (Devlin, 2011; Valverde, 2012; Mabin, 2014). This research adopts the view that the dichotomy between an informal south and the formal north is both conceptually misleading and empirically inaccurate (Castell, Portes, & Benton, 1989; Flyvbjerg, 1998; McFarlane, 2012).

In the previous lines I have sought to highlight the theoretical usefulness of rooting a research on informality in the context it refers to. By doing so, I also argued in favour of transferability of concepts across urban contexts, provided that they be adequately contextualised. Within a discussion on urban informality, this contextualisation is further justified by the fact that the border between formality and informality (or between the legal and the illegal) varies across spaces at and across time. In the remainder, this paragraph addresses the questions: what does “urban informality” mean in Naples? How should we expect politics to work vis-à-vis informal usages of space in Naples? I seek to provide a preliminary answer by

presenting Naples as a Mediterranean city. To borrow Leontidou's articulated formulation, cities in southern Europe are

[g]eographical, socio-economic and cultural in-between spaces which contest value-laden binary thinking... They cannot be conceptualized within the development/underdevelopment, core/periphery dichotomies of political economy or the urban/rural, modern/traditional, modern/postmodern bipolarities of urban theory (Leontidou, 1996, p. 180).

As was argued earlier, we should be alert to the fact that not all strands of post-colonial literature are immune to the "comparative gesture" it generally criticises. A specific example might convey this idea more clearly: when condemning "the state" for actively creating informality in urban India, Roy uses a view of the state (e.g. of what the state is expected to do) that derives from a resource-rich, bureaucratically efficient, northern welfare state. However, "many southern cities simply have *not* previously enjoyed much of the public provision of elements of life portrayed in this type of account" (Mabin, 2014, p. 30, emphasis added). The resource-rich welfare state is a highly contextualised type of territorial organisation, a form of state that exists (or existed) in specific regions, for a specific period of time. Although the European modern state has inspired influential analyses of the state (from Weber's classic theory of state to Foucault's account of bio-power), it does not follow that states across the world match these conceptualisations *empirically*.

With a history spanning over twenty-seven centuries, the city of Naples has been influenced by a vast array of civilisations. These include ancient Greek and Roman in ancient history; Norman and Angevin in the Middle Ages; and Aragonese and Bourbon in modern times. From the thirteenth century until Italy's unification in 1861, Naples has been the capital of southern Italy, a territory whose history has developed somewhat independently from that of the Centre-North of the country. For this reason, Naples has often been interpreted in terms of its "otherness" vis-à-vis the standards of central Europe (Leontidou, 1990; Pardo, 1996). In many literary and non-fictional accounts, Naples embodied the antonym to the north-European conceptions of modernity and rationality (Caldwell, 2011; Ouditt, 2013). Yet its perceived otherness inspired both sympathetic and critical accounts. Italian writer Pierpaolo Pasolini praised it as Italy's "last plebeian metropolis" (Pasolini, 1975), while literary critic Walter Benjamin lamented its "porosity", i.e. the precarious mixture of its private and communal spaces

(1979 [1924]). As we have seen earlier, similar arguments were made about the “informality” of southern cities by authors within a modernist tradition.

4. Empirical study

With the aim of providing some context to the hypotheses laid out in chapter 2, this paragraph summarises Naples’s last twenty years from a political point of view.

The year 1993 represented a landmark for the Italian cities, since the national government passed new legislation that introduced the direct election of Mayors. Previously, voters could only elect the city council, which would in turn organise coalitions to support a candidate Mayor and the city executive. The direct election of mayors, who since 1993 can freely choose and sack their *Assessori* (deputy Mayors with specific competences), gave Mayors greater power and autonomy from the ever-shifting alliances that characterised the Italian political landscape of the so-called “first republic”. Some numbers may add more substance to this statement. In the three decades before 1993, Naples has seen the succession of twenty-six different city cabinets (a figure similar to the number of governments elected by the national parliament). After 1993, “only” five cabinets (and three Mayors) have succeeded each other in Naples’ city hall. All of them belong to the same political area, the centre-left. The first Mayor to be elected directly was Antonio Bassolino, a former trade unionist, who governed the city for seven years. He started a set of policies aimed at urban requalification and at the definition of Naples as an international tourist destination (Pasotti, 2010; Dines, 2012). Ms Rosa Russo Jervolino, whose two consecutive mandates kept her in power for ten years, succeeded him in 2001. In 2011 Mr Luigi De Magistris, a political outsider with largely leftist views, was elected to the post after his two main rivals, both belonging to the centre-left Partito Democratico, withdrew from the competition due to a rigging scandal.

Despite this political stability, the city failed to design a comprehensive strategy to respond to the challenges posed by diminishing transfers from the central government and by the introduction of the principle of “territorial competition” for the assignment of EU’s structural funds (De Vivo, 2013). Under the first two tenures, city politics had heavily relied on symbolic policies of citizenship and tourism attraction (Pasotti, 2010; Dines, 2012). This trend has even increased with the current Mayor (De Vivo, 2013). A commonality between the last three Mayors in Naples has been the rhetorical insistence on citizens’ involvement and participation in the public life. Yet the rhetoric of participation was and still is played out in a context of fiscal

constraints and bureaucratic inefficiency, and such policies only marginally addressed the city's pressing problems of poverty and crime (Dines, 2012; De Vivo, 2013).

The rhetoric of citizen participation seems relevant for the study of urban informality, since it opens up a potential contradiction in how the municipality governs urban space. Does it make the city hall more prone to tolerate citizens who use space informally as a way of participating? Which types of "citizens' involvement" will the city regard as legitimate? Is there an economic rationality to this approach? These questions are all the more relevant since the current administration created an "*Assessorato* for common goods and participative democracy". The spatial relevance of this view became possibly even more explicit with its merger into the *Assessorato* for urban planning in 2013.

Against this background, and with regard to the theoretical discussion articulated in the previous chapters, this research looks at how two occupied buildings are used and regulated in Naples. The empirical work is still ongoing and, so far, I can only offer some preliminary findings about the first study case, the Ex Asilo Filangieri.

4.1. The case: Ex Asilo Filangieri

The "Ex Asilo Filangieri" is a former monastery, located in the historic centre of Naples. The building was (and still is) owned by the municipality of Naples. In the late 2000's, the building was chosen to host (what was supposed to be) a huge international event, the "Universal Forum of Cultures 2013", and underwent extensive renovation works.⁴ The first edition of the Universal Forum of Cultures had taken place in Barcelona in 2004, and the Jervolino administration (especially its *Assessore* for culture) hoped to replicate Barcelona's strategy and market the city as an international touristic destination.⁵ Yet, decreasing funds and continuous changes in the planning committee of the Forum gradually reduced the scope of the event. By 2013, there were fears that the municipality of Barcelona would sue the municipality of Naples for damaging the brand. Meanwhile, the building remained under-used until a (self-defined) "collective of workers of the immaterial" (*collettivo di lavoratori dell'immateriale*) occupied it in March 2012. The original plan of the collective was to occupy the building for three days, as a symbolic action of re-appropriating a space that the city's grand plans had taken away from the citizenry. The

⁴ The end value of these works is estimated in 8m euros by the city hall.

⁵ Other events included UN World Urban Forum in 2012, the Davies cup (Tennis) in the same year, and the America's cup (sports sailing) in 2013.

building is until today run by the collective (which used to be called “La Balena”, the whale), and it hosts events such as theatre plays and workshops, concerts, movie projections, dance exhibitions, and political discussions.⁶ A dedicated assembly (open to the public) meets weekly to coordinate the different uses of the space and decides on its relations with third parties (i.e. other associations or the city hall). The work of the collective is characterised by an explicit and articulated reference to the idea of the commons, exactly the same idea that the current Mayor trumpeted in the electoral campaign, and that gave the name to his unique *Assessorato*.

In the immediate aftermath of the occupation, the city administration declared that the goals of the collective (the creation of an “urban common”) were in continuity with its political ideology, and sought to turn the Ex Asilo into a permanent assembly to define the city’s “common goods” policy (which was still in its experimental phase). Repeated attempts of the city administration to co-opt the space, however, were rejected by the collective as patronising. Meanwhile, the collective continued to host and produce a growing variety of cultural activities. Things deteriorated until the municipal police closed down the building in January 2013, with the city council (in the person of the Assessore to common goods) accusing the collective of making economic profits out of a “common good”.⁷ However, the city and the collective eventually came to an understanding. The city council now pays for its water and electricity consumption, and a security guard – employed by the city – “controls” the entrance of the building for some hours every day. How to make sense of the city’s shifting reactions vis-à-vis the occupation of the building?

Preliminary results (interviews with members of the city council and with various members of the collective, and secondary evidence from city newspapers, official statements and the collective’s website) suggest that some members of the city cabinet were at first reluctant to accept the occupation of the building. This was due to the fact that the city had spent considerable funds for its renovation (the building is a former monastery and is located in Naples’ UNESCO-listed historical centre). As the Assessore for the city’s real estate (*Assessore al patrimonio*) candidly objected in an interview, the “common goods” framework was primarily intended to involve citizens in the upgrading and management of buildings located in the

⁶ More information and constant updates may be found on the website: <http://www.exasilofilangieri.it/>

⁷ Although the wording of the police ordinance was not very specific (it referred to “non-conformity to the relevant rules”), the Assessore complained in an interview about the sale of snacks and drinks during the screening of movies, which reportedly contrasts with the philosophy of the commons.

formerly industrial areas *in the periphery* of the city, not for valuable property in the city centre. The council's eventual acceptance of the occupation becomes more comprehensible when a few more considerations are brought into the picture. On the one hand, it can be argued that the collective "La Balena" put up a convincing case to portray the occupation as legitimate. This was built on two broad arguments. First, the occupation was presented as a reaction to the recent cuts to the culture sector, the very sector the city wanted to revive by hosting the Universal Forum of Cultures (which was obviously failing). Secondly, the collective framed the occupation in terms of "re-appropriation of a denied space", and as an act of "commoning", thus signalling its ideological proximity to the ideas that had been drummed by the current administration before and after its electoral campaign. On the other hand, the collective received support from several respected intellectuals who had worked on the theme of "common goods"⁸ (some of whom had co-authored scholarly work with the Assessore for common goods, a Professor in Constitutional Law). They blessed the "Ex Asilo Filangieri" as an example of participative democracy. It seems reasonable to suggest that the backing of prominent intellectuals, some of whom were close (politically, if not personally) with members of the city cabinet, further pressured the city to yield to the claims of the collective.

4.2. Interpretation of the case

We can now analyse the case according to the model and try to answer the six hypotheses illustrated in chapter 2. The users had a clear economic motivation (hypothesis 2) in occupying the building, since they lacked comparable venues that could serve similar purposes (e.g. spaces for writing, rehearsing and exhibiting performative arts). The members I interviewed claimed that they had been "priced out" from their habitual theatres and schools, which became unaffordable also due to decreasing public funds in the culture sector. Economic concerns were, however, certainly not the only factor at play. Another factor mentioned by several members of the collective was the wish to have a space to use autonomously, i.e., without having to compromise with, or adapt to, the expectations of directors of the more established theatres. In some interviews and in some of the assemblies that I attended, the occupation is referred to as an "experience of participation" (*esperienza di partecipazione*), thus pointing to an intrinsic interest in the experience that goes beyond the concrete results this would bring (and has

⁸ A very similar chain of events took place in the more famous "Teatro Occupato Valle", in Rome. The collective of the Teatro Valle was however evicted in August 2014.

brought). This cannot be captured in terms of means-costs calculation (hypothesis 2), since it points to the intrinsic value of the occupation and of the self-management of the space. On this level, the occupation of the Ex Asilo Filangieri seems inspired by post-materialist values, such as autonomy and identity, which are underlined in the so-called New Social Movements literature (Melucci, 1985; Offe, 1985; Mayer, 2013), rather than by “classical” political claims of resource redistribution and social justice. This is a first assessment of the goals that inspired the collective to occupy the building. What about their ability to stay in the building?

Interviews with the users and with members of the city administration suggest that the collective managed to build an exceptionally well-tailored argument to motivate the occupation (hypothesis 4), although the current administration’s political manifesto probably simplified their task. In the first days of the occupation, the city government explicitly supported the occupation (which it called, rather reassuringly, “an initiative”). The collective mobilised several intellectuals who had been working on the topic of the “commons”, and whose political views are proximate to the Mayor’s (one of these intellectuals, Professor Ugo Mattei, had already been appointed by the Mayor as “head of the observatory on common goods” in Naples). Together with some members of the collective, these intellectuals helped draft a manifesto for the Ex Asilo Filangieri, one that was based on the narrative of the commons and the goals of the newly founded cultural centre. Although there is need for further evidence to back this statement, it seems that these intellectuals’ proximity to the city administration played an important role in shaping the city’s attitudes towards the occupation. Finally, the collective certainly lacked the degree of power (hypothesis 6) that would have enabled them to stay in the building against the wishes of the city government, as demonstrated by their temporary eviction in January 2013.

On the other hand, the administration had economic motivations (hypothesis 1) to *evict* the collective from the building, since it had already spent a considerable amount of money to renew it, and it would need to bear the costs of water and electricity supply. On the other hand, the literature on new urban movements suggest that new social movements (of which the Collettivo La Balena is arguably an example) may be part of the mix of “austerity urbanism and creative city politics” so often pursued in post-Fordist cities (Mayer, 2013, p. 10-11). Other works focusing on “low budget urbanism” (Färber, 2014; Hilbrandt & Richter, 2015) put forward the same argument. Although the current city administration is not pursuing a “creative class” (in Florida’s sense) kind of policy, the city seeks to portray itself as “the city of rights” (La città dei diritti). More extensive research is surely necessary to conclude whether the city sees economic benefits in this sort of “branding”, and thus whether tolerating the occupation can be (partially)

explained in terms of economic gains. An alternative, but possibly complementary, explanation may suggest that, by “tolerating” the occupation, the city council has managed to fulfil its role as patron of culture by capitalising on largely voluntary work of the collective. This hypothesis obviously broadens the idea “logic of capital” by including political goals within the equation. Now we come to the question of legitimacy (hypothesis 3). On the one hand, the occupation of a public building was a clear infringement of the law (whether this is legitimate from the moral point of view is of course a separate matter). In practice, however, since the building belongs to the municipality, it was up to the city to decide whether to press charges against the collective. The city decided since the beginning not to initiate a legal case against the collective, but rather to negotiate with it. The question of legitimacy was further complicated, from the city’s point of view, by the collective’s richly elaborated justifications for the occupation. The collective portrayed the occupation as an instance of the “democracy from below” and as a practice of “commoning”, both of which featured highly in the political discourse of the city government (which had been elected only nine months before the occupation). The council was certainly able to evict the collective by force (hypothesis 6), as it happened in 2013. In the end, the city found a way to ensure a formalised cooperation between the collective and the municipality.

At this point, an important question arises: Can we still consider the Ex Asilo Filangieri as an example of urban informality? Technically speaking, not anymore. Its usage is now disciplined by a memorandum of understanding, signed by both parties. Even more, the content of this memorandum was written together by the collective and the city officials responsible for it. Strictly speaking, informality (and the romantics of political confrontation) ended with the signing of the memorandum. Yet, despite the change in its legal status, the way the Asilo is used has not changed since its occupation in March 2012, and the collective has proved able to use the space for its purposes. Surely, the story of the Ex Asilo Filangieri might well be a peculiar and isolated case, but its story runs counter not only to most literature on urban informality, but to much “critical” literature in legal urban geography as well. This hardly seems as a case of “annihilation of public space by law” (Mitchell, 1997).

5. Preliminary conclusions: Informality and justice

As we have seen, critical literature on urban informality tends to understand informality as a space of injustice that is created by the state’s intended failure to provide for its citizens. Against the view that this be its necessary outcome, this thesis suggests that it would be a mistake to see informality and injustice as indissoluble complements.

Ultimately, and in keeping with the actor-oriented epistemology adopted, this paper does not ask whether “informality” or “formality” led to urban justice, for doing so would presuppose the incorporation of a normative statement in the conceptualisation of informality. Rather, as stated throughout the previous chapters, this research sees informality as a mode of practice and leaves open the question whether these practices may be acceptable from the moral point of view. In conclusion, I would like to reconnect the issue of justice to one of Ferguson’s blunt question (2009, p.167): “what if politics is really not about expressing indignation or denouncing the powerful? What if it is, instead, about getting what you want? Then we progressives must ask: what do we want?”. After criticising power and its abuses, what is it that we would regard as an acceptable outcome? I sought an answer in the perspectives of the involved actors. As an early member of the collective stated, “the occupation was exciting... yes, an informal action, but [it stayed informal] only up to a point”. Yet the experience of the Ex Asilo Filangieri certainly did not end at the bifurcation between formality and informality. Its goal was to denounce the city’s (failed) top-down and nepotistic “cultural policies” and to claim a space for the city’s art workers. Initially, it had planned a symbolic occupation of three days. In March 2015, instead, it celebrated three years of (almost) uninterrupted activity. While the experience of Naples will probably not set the new global standard in urban governance, it is a story with its own dignity, and the analysis of its trajectory may be useful – or so it is hoped – to analyse the dynamics at play in the politics of urban informality elsewhere.

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