Interrogating informality: Conceptualisations, practices and policies in the light of the New Urban Agenda

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ABSTRACT

Informality is growing in a context of increasing inequity, and in many places becoming the norm. However, despite decades of studies and interventions, 'recognising informality' is still a key issue. This paper provides a review of the literature on informality showing the shifts in its conceptualisations. The paper firstly discusses conceptual approaches related to the term 'informality' in the context of urban development; it then examines practices within, and related to, informality; and it concludes with an appraisal of policy approaches and their impact as reported in the literature. The paper finds a wide range of conceptualisations, including the questioning of the usefulness and appropriateness of the term. It finds reported evidence of 'informality' (as understood to date) spreading to the middle classes, and increasingly emerging in the Global North. Policies seem to be lagging behind in how they engage with so-called informality, with little acknowledgement of theory and limited understanding of their impacts on 'informal' practices. Finally, the paper identifies the need for better understanding of governance frameworks that include the range of actors that would normally be associated with so-called 'informality'.

1. Introduction

Over the last decade criticism of the interpretation of urban development in the Global South has largely intensified. One of the main critiques has focused on the conceptualisation of the world's so-called 'less developed' areas according to dualistic approaches related to social, economic, physical and urban trends. This dualistic approach can be also found in the sources related to the term 'Informality'. Although there is academic discourse in which this dualism has been overcome,

and informal areas are increasingly defined as urban realities emerging under certain conditions (such as rapid urban growth, unemployment, etc.), there are still sources that define informality as a 'state of exception' outside formal economic and planning frameworks. A large part of the literature on urban informality has centred on the social implications of the urban poor's perceived marginality (e.g. Perlman, 1976) as well as on the legitimacy of the informal, as an integral part of a unique urban system (AlSayyad, 2004; Roy, 2005).

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showing recent shifts in its conceptualisations. The paper first discusses rationales and conceptual approaches related to the term 'informality' in the context of urban development; it then examines practices within, and related to, informality; and it concludes with an appraisal of policy approaches and their impact as reported in the literature.

This paper has been produced collaboratively by one of three Working Groups established as a collaboration between N-AERUS[1] and Cities Alliance[2] to produce a policy paper presented at the Habitat III conference in Quito, as part of the New Urban Agenda (NUA) development process (see: http://www.citiesalliance.org/node/5967). The cooperation was undertaken with members from both the organisation and the network providing their expertise and time.

2. Rationale and concepts

The word 'informal' is used extensively in academic and policy texts but there is no clear consensus around its meaning. Devas (1999) highlights that from fully formal to completely informal there is quite a range of conditions, making it difficult to define practical boundaries between formal and informal. However, informality can be related to both concrete practices (e.g. service provision systems) and the connections and actions among actors that participate in these. If we consider that 'informality' is also often attached to different kinds of arrangements, networks, activities and providers, the fuzziness of the term increases.

Early conceptions of informality based on labour and employment studies, distinguished between the large-scale, regulated formal sector and the informal, small-scale, unregulated and often disorganised informal sector (e.g. Hart, 1973; ILO 1972; Moser, 1994). Around the same time, the observation of large-scale, rapid urbanisation and ensuing urban informal settlements in cities across Latin America gave rise to a large body of research investigating this phenomenon (e.g. Mangin, 1967; Perlman, 1976; Turner, 1972). This research critiqued and debunked the negative portrayals of informal settlements and their residents as 'marginal'.

Scholars have identified three schools of thought among the debates on the informal sector: dualist, legalist and structuralist (Chen, 2006; see also; Rakowski, 1994). Despite these critical discussions, the dualistic framework – often accompanied by an assumption of formality as the 'norm' and informality as an anomaly – has persisted (see e.g. Angotti, 2013; Rodgers, Beall, & Kanbur, 2012), at least in practice and policy if not in conceptual terms (Watson, 2009).

However, in recent discourses, authors have vehemently advocated the need to abandon the views of formal and informal as a binary of opposites (Simone, 2001). More recently, this normative and dualistic framework has been challenged by theorists such as Roy (2005, 2009a, b, 2011), Bayat (2004), McFarlane (2012), Simone (2004), and Yiftachel (2009), who seek to reverse urban informality's normative inference, and recognise the agency of marginalised populations who

are all too often criminalised on the basis of their informal activities.

2.1. Informality, a strategy underpinned by power relations in urban development

One way of addressing the critique of dualistic notions of informality outlined above is by thinking about informality as a strategy, underpinned by power relations. Informality as a concept is increasingly recognised as bridging the duality between formal and informal 'sectors' (i.e. economic, spatial, etc.) and processes (i.e. 'a way of life' AlSayyad, 2004), and defined as a continuum rather than as a condition (e.g. Jenkins, 2013; Roy & AlSayyad, 2004; Roy, 2010). Altrock takes this understanding one step further by differentiating between 'informal' status and 'informal' communication, pointing to the role of the state and the blurred boundaries between the 'regulative self-conception of the state and its actual regulative framework' (Altrock, 2012, p. 171). This understanding of informality within the mode of urban governance opens up a more general understanding of 'informality' as a strategy that also falls within the scope of the state. Most conceptualisations of informality, however, assume that the mere existence of informality is due to the absence of state control and failing states. A helpful clarification of 'informalities' as within the scope of the state has been suggested by Kreibich (2012), who differentiates between 'informality by exclusion', with a strong public authority, 'informality by fragility' with a weak public authority, and 'informality as anarchy' with pockets uncontrolled by the public authorities.

If we understand informality as falling within the scope of the state, one needs to question western-dominated normative notions of different types of regime – e.g. democracy, authoritarian, etc. In most parts of the world, regimes are hybrid and this calls for a multi-scalar analytical understanding when looking at informality (Fokdal & Herrle, forthcoming). Especially in 'authoritarian regimes', the political space for civil society actors to navigate can be rather small on a national level, however very large on the local level, often depending on individuals on the political scene. Based on research in the rapidly urbanising Pearl River Delta (China), Herrle and Fokdal (2011) identified the underlying parameters of the informal dynamics at stake in the urbanisation process, namely power, resources and legitimacy. Based on negotiations among various stakeholders, power is constantly renegotiated along the lines of resources and legitimacy. Legitimacy is not solely to be understood in its juridical sense, but also in a social, political and economic manner (Herrle, Fokdal, & Ipsen, 2014). These negotiations have implications for the language used to refer to the processes that get bundled into the notion of 'informality', as Cruz (2012) explains:

'The informal is not just an image of precariousness; it is a compendium of practices, a set of functional urban operations that counter and transgress imposed political boundaries and hierarchic economic models. The hidden urban operations of the most compelling cases of informal urbanisation … need to be translated into a new political language with particular spatial consequences. This will lead to new interpretations of housing, infrastructure, property and citizenship, and inspire new modes of intervention in the contemporary city.'

While these ways of conceptualising 'informality' largely imply a strategic mode of governance from the perspective of the state, the aspect of 'everyday life' has increasingly gained popularity in the discourse on informality (Simone, 2010). Roy (2009a, b) draws a provocative parallel between an Indian civil society organisation/network and Hezbollah to illustrate how certain actors can create 'pockets of anarchy' within a city or within a nation when the state has lost control – what she labels 'civic governmentality'. The conceptualisation of informality as an 'organising logic' (Roy, 2005) or 'practice' (McFarlane, 2012) also moves away from static categorisations towards a more nuanced understanding that reflects upon 'informal' processes that take place within the existing and prevailing inequalities of a specific context. Along the same lines of the 'everyday life' approach, a more