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Introduction to the special issue Confined Informality: Global Margins, Statecraft, and Urban Life

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Urban Informality and Confinement:
Toward a Relational Framework

Abstract

In the 21st century, a growing number of people live 'informal' lives within fissures between legality and informality. Concomitantly, power relations are increasingly expressed through devices of confinement. While urban informality and confinement are on the rise often occurring simultaneously, scholars have so far studied them separately. By contrast, this article proposes a new framework for analysing urban informality and confinement relationally. It generates new insights into the role of informality in the (re)production of confinement and, vice versa, the role of confinement in shaping informal practices. While these insights are valuable for urban studies in general, the article charts new lines of research on urban marginality. It also discusses how the six articles included in this special issue signal the heuristic potential of this relational framework by empirically examining distinct urban configurations of 'confined informalities' and 'informal confinements' across the Global North and the Global South.

In the early 21st century, a growing number of people live "informal" lives outside legal institutions or within fissures between legality and informality. While informality cuts across socio-economic hierarchies, old and new forms of poverty make informality particularly relevant for the urban poor. Concomitantly, power relations between different class and institutional actors are increasingly expressed through fences and walls and other devices of confinement. Physical obstacles and legal practices of control are particularly consequential for the urban poor whose lives are increasingly constrained, regimented, and confined. Despite the fact that, as evidenced by UN-HABITAT 2016,[1] informality and confinement are on the rise often occurring simultaneously, scholars have so far studied them separately rather than relationally. They have not fully attended to the processes and relationships through which these two striking (experiential and structural) features of urban life combine producing distinct socio-spatial configurations of marginality.

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[1] See *The World Cities Report* launched by UN-Habitat in May 2016 at http://unhabitat.org/un-habitat-launches-the-world-cities-report-2016/ (last accessed 21st December, 2016).

On the one hand, within the broader variegated literature on informality, some scholars have emphasized issues of agency arguing that, under conditions of global neoliberalism, informality has become "a way of life" for the urban poor especially but not only in the global south. For these authors, whether living in slums, squatter settlements, or dispersed in the city, the urban poor's "informal lives" give expression to situated forms of politics, resistance, and transgression against marginality and dispossession (Agarwala 2013; Bayat 1997, 2000, 2013; Cross 1998; Simone 2004). In this view, informality is central to the "subaltern urbanism" of the poor (Roy 2011) in its various declinations from "the quiet encroachment of the ordinary" (Bayat 1997) to "occupancy urbanism" (Benjamin 2008).

On the other hand, the literature on urban control and securitization has accounted for the proliferation and increasing complexity of spatial, symbolic and discursive devices of interdictions and constrictions vis-à-vis the marginalized. This literature emphasizes how the infrastructural power of the state has all but disappeared. It draws attention to how state and international bureaucracies control marginalized and dispossessed populations across the global north and the global south (Agier 2011, 2014; Beckett 2011; Mitchell 1997; Stuart, Amenta, and Osborne 2015; Wacquant 2008a, 2008b, 2009, 2010, 2011). In this view, law and law enforcement effectively produce experiences of confinement for the urban poor limiting their mobility and disciplining their lives.

This special issue unsettles the conceptual separation between informality and confinement bringing them into a twofold analytical framework. Drawing on the session on "Informality and Spatial Confinement across the Global Order" that we organized at the XVIII ISA World Congress of Sociology (Yokohama, July 2014), we approach informality and confinement relationally and show how such a relational approach is relevant for the study of urban marginality. We argue that urban informality and confinement cannot be fully grasped in their workings and effects without an attention to their multiple connections and mutual influences. We also show how such connections and influences operate at both structural and experiential levels. We generate new insights into the role of informality in the (re)production of confinement and, vice versa, the role of confinement in shaping informal practices. While these insights are valuable for urban studies in general, here we chart new lines of research on urban marginality in three major ways.

First, we open a global and comparative line of research on socio-spatial configurations of marginality operating through the interplay between confinement and informality. Disanchoring informality and confinement from their traditional conceptual roots, and observing their mutual rearticulations in different fashions helps develop a comparative approach to socio-spatial configurations which have typically been studied only through the lens of either of the two concepts. By extension, keeping informality and confinement relationally within the same framework opens possibilities for global connections which would otherwise be difficult to detect. Along these lines, we highlight how slums and squatter settlements can be viewed not only as informal places people experiment with forms of "subaltern urbanism" under conditions of global capitalism (e.g. Datta 2012; Davis 2006) but also as places typically imbued with dominant discourses and practices of control, order, and security (e.g. Wacquant 2008b, Zaverucha 2000). In a similar way, places typically studied through the lens of formal confinement and control such as refugee camps (e.g. Agier 2014; Minca 2015) are simultaneously places where inhabitants engage in a wide range of informal practices (e.g. Sanyal 2011). By squarely inscribing urban marginality in the global and tight interplay of

confinement and informality we open a comparative approach to places that are rarely studied together (see Dias 2013 for a rare comparative study of Brazilian favelas and Palestinian refugee camps in Lebanon; see also Pasquetti 2015 on comparing refugee camps and racially segregated urban districts).

The comparative research agenda that we suggest here shows how confinement and informality are relationally at play in the production of places of urban marginality such as, for example, "subaltern spaces" within megacities, squatter settlements, ghettoes, refugee camps, and other types of camps (see also Picker and Pasquetti 2015). Focusing on the interplay between confinement and informality is helpful in raising new questions about configuration of power, politics, and rights within the urban environment: how do bureaucratic rationalities interact with state agents' use of informal and even illegal practices vis-à-vis the urban poor? What is the role of informality in projects of "territorial statecraft" (Scott 1998) that effectively confine the urban poor? How do the urban poor make sense and act upon these variable combinations of formal and informal practices imposed on them? Under what conditions does informality become a privileged way for marginalized populations to make claims to justice, redistributions, and recognition? How is the control over the economic practices of the urban poor imbricated in the production of confinement? How, by contrast, does confinement affect informal economies? And how are middle class and elite informalities distinctively located within processes of stigmatization and confinement of the "informal" poor at a time of increased inequalities within cities and regions of the world? In addressing these questions in specific cities and geopolitical contexts and along different axes of difference, especially race and class, the six papers included in this special issue advance our understanding of urban marginality and urban power relations more generally.

This comparative research agenda can and should be extended to detention facilities and prisons as spaces and institutions tightly linked to the process of reproduction of urban marginality (Martin and Mitchelson 2009; Wacquant 2001, 2008a). To be clear, we do not suggest that confinement and informality are imbricated in the production and workings of all these socio-spatial configurations in an equal way. Thus, for example, prisons are evidently places mainly produced through formal confinement. Similarly, the informal practices one can find among the urban poor are arguably more extensive in movement and projectuality than those pursued by prisoners. Nevertheless, it is important to highlight how prisons are also shaped by informal (and asymmetrical) negotiation of social organization and power. This clearly emerges from Sykes' ([1958] 2007) early perceptive study of "the society of captives," as well as from Rhodes' (2004) more recent study of "madness" and "reason" in a maximum-security prison in the United States: prison confinement is traversed by layered and often informal relationships of power, coercion, and care both among the inmates and between them and the guards. On the other hand, as Kudva (2009) puts it in her thoughtful discussion on informality and segregation in Indian cities, subaltern informalities in the city are negotiated in the context of circumscribed spaces, restricting regulations and powerful formal and informal political and economic actors (see for example Weinstein 2008 on how "development mafias" restrict subaltern urbanisms in India).

Second, our relational framework allows to qualify the process of informality by detecting recurrent patterns relating to confinement. Approaching informality starting from confinement helps conceptualize informality and formality as practices that "fold into one another" (McFarlane 2012: 90) in producing cities and urban marginality within them.

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Informality almost invariably bears an idea of screening off, invisibility and separation. At the same time, formality too involves being bounded to certain regulations and laws, hence restricting the space of maneuver within the legal or normative framework. It is within this ambivalent articulation that looking at informality through the prism of confinement, both at the governance and at the livelihoods levels, may provide a heuristic perspective. Oren Yiftachel's (2009) work on "gray spaces" is a key example of how informal power dynamics *as well as* livelihoods can thoroughly be understood by considering the dimension of confinement - both physical and symbolic - as an essential component of the analytical framework.

Smart and Smart in this volume propose a somehow similar analysis, in which state formalization measures in Hong Kong produced unintended consequence of spatial confinement, which in turn led to more informality. They also propose that concept of confinement helps understand intensities and trajectories of informality especially if we go beyond its initial spatial referent: "to confine is to keep or restrict someone or something within limits (of space, scope, or time)." Extending confinement beyond the spatial is important for understanding how experiences of confinement emerge from and restrict the politics of informality. With a focus on the experiential level and thus in dialogue with Bayat and other scholars examining forms of "subaltern urbanisms," this special issue emphasizes how informal urban spaces can be experienced as confining not only physically but also at the level of cognition, emotions, and temporality. Thus, for example, Weinstein in this volume shows how for inhabitants of an informal settlement in East Delhi, the legal and emotional insecurity produced by the threat of eviction becomes a form of confinement. Similarly, Lagegger's concept of "spatiotemporal camps" shows how homeless people trying to escape the confining effects of life in shelters experience life in the streets as a form of confinement "on the move" that goes beyond physical restrictions.

Third, and reversely, a relational framework allows to qualify the process of confinement by keeping firmly in place a focus on informality in relation to both confined people's practices and, more importantly, at the level of governance. At the level of the confined, Romola Sanyal (2011) has provided a brilliant example; the author shows how refugee camps, which are usually seen only as confined spaces, even when they are not fenced, can actually be approached as informal spaces, in which typically urban practices such as squatting going regularly on. At the level of governance, the special issue highlights processes of confinement via informality. As demonstrated by Roy (2005, 2009, 2011) in the context of urban planning, informality does not "belong" to the urban poor but it also operates among wealthy urbanities and institutional elites. As Roy (2009: 76) puts it in the case of India, "while informality is often seen to be synonymous with poverty … India's planning regime is itself an informalized entity, one that is a state of deregulation, ambiguity, and exception." Building on these and other pioneering works in urban studies, this special issue shows how the spatial and experiential confinement of the marginalized can be produced and sustained through informal practices from above beyond the context of urban planning. The framework we develop also allows to go beyond the current fragmentation and insularization of academic research on confinement that is increasingly divided into e.g. prison studies, gated community studies, camp studies, and other context-related studies. Informality and confinement, instead, cuts across these sub-disciplinary boundaries, paving the way for "reaching for the global" (Burawoy 2000), and for more "connected sociologies" (Bhambra 2014).

The relevance of a relational approach to confinement and informality clearly emerges from Clough Marinaro's analysis of "the informal faces" of Roma camps in Rome, Italy. Clough Marinaro demonstrates that, in the case of the Roma, reducing the analysis to a matter of confinement prevents understanding the most fundamental mechanisms of managing and reproducing spaces of urban marginality. She argues that the urban marginality of Roma populations living in camps is managed through "variable informalities" involving a variety of institutional actors. This line of research resonates with Roy's understanding of planning as an "informalized" practice while, at the same time, looking at the workings of informality in a wider range of institutional interventions in the city. A similar relational approach to the (antagonist) circulation of meanings and practices of informality among different class and institutional actors emerges from Mueller's article in this special issue titled "urban informality as a signifier." Mueller studies how in the context of the Olympic city in Rio de Janeiro, the trope of progress was mobilized to stigmatize and repress the informality of the urban poor, justifying their spatial confinement at the city's edges, while, at the same time legitimizing the informal practices through which the wealthy protected their gated communities. On this point, the special issue shows how confinement is produced and managed through ambiguous and informal practices from above.

In the remainder of the introduction, first we provide a brief review of studies on informality, confinement, and urban marginality and then we discuss how the papers included in this special issue advance our understanding of "confined informalities" and "informal confinements" among different marginalized populations, including residents of South African townships, Roma populations in Italian camps, residents of informal settlements in Delhi, the homeless in US cities, squatters and hawkers in the former British colony of Hong Kong, and the poor and the wealthy in Rio De Janeiro.

Toward a Two-Fold Analytical Framework

The simultaneous interplay between informality and confinement remains under-researched. While, on the one hand, the divide between the formal and the informal has been questioned, and, on the other hand, the mechanisms, causes and effects of urban confinement have extensively been studied, informality and confinement seem to regularly miss each other while often implying each other. Our understanding of how informality works in cities requires an attention to its interplay with confinement - both are forces increasingly shaping urban lives, especially those of the urban poor. In his revisiting thoughts on the concept of informality, Hart (2009), who coined the concept in the early 1970s (Hart 1973) makes this point very clearly. In questioning the widely assumed clear cut division between the formal and the informal, the anthropologist argues that one of the ways in which the two are related is the "negation" of informality by various formal powers, including bureaucracies; the process refers to the screening off, the planned invisibility of informal processes: "A good part of modern society consists in protecting the public image of bureaucratic processes from a reality that mixes formal order with corruption and criminality" (Hart 2009: 10). Viewed as a form of negation, informality recalls the idea of confinement: as Smart and Smart in this volume put it, "Informality can itself be a kind of confinement". In this regard, Roy's (2005: 149) conceptualization of informality as "state of exception" is exemplary, in that the urbanist

borrows the popular Schmittian concept from Agamben (2005), who used it for qualifying a quintessentially confined space – the (refugee) camp. Therefore, keeping informality and confinement within the same analytical framework is a step forward in the study of multiple and variegated informal configurations across the urbanizing world.

In addition, while several works have questioned the formal-informal distinction from various perspectives across different locations (AlSayyad 2004; Herrle and Fokdal 2011; McFarlaine and Weibel 2012; Morris and Polese 2014; Roy 2009), they too overlooked the often-occurring interplay of informality and its confinements as "negation". A number of these studies (e.g. Altrock 2012; Roy 2009) have shown how the boundaries between the formal and the informal are completely blurred, to the extent that it makes little sense to consider one without the other. Although fundamental in deconstructing the myth of the always "formal state", these reflections do not move beyond institutional actions and ideologies, thus limiting themselves to a typically top-down understanding of social arrangements and spatial compositions whereby the Leviathan would be in control of the totality of movements, flows and connectivities that urban contexts typically steer. This partiality reflects a more general approach to the formal-informal connections that prioritizes similarities rather than differences (e.g. McFarlaine and Weibel 2012). In dialogue with this important scholarship, we argue that approaching informality from an oblique yet fundamental angle such as confinement, makes possible not only to combine top-down and more horizontal arrangements, but also to keep in focus the moments and locations in which the formal and the informal both merge and remain distinct.

A similar conclusion can be reached from a symmetrically opposite angle - approaching confinement through the lens of informality. Informal dynamics in studies of different forms confinement, when acknowledged, often remain in the background, taken for granted rather than scrutinized. Whether the focus is on social divisions and "banishment" (Beckett 2011), incarceration (Palidda 2010; Wacquant 2010) or administrative confinement (Ceccorulli and Labanca 2014; Makaremi 2009; Mezzadra and Nielson 2013; Rahola 2010), this scholarship prioritizes formal mechanisms of control and restraints over the multiple informal practices and arrangements that take place across different arenas of institutional and social life.

Some works on spatial constrictions, concentrations, and relegations do engage explicitly with informality. However, in absence of a relational framework as the one we suggest, they continue to privilege spatial confinement. For example, Caldeira's (2000) seminal work on spatial segregation in Sao Paulo acknowledges the expansion of the informal economy in the city since the 1970s. Yet, it pays only cursory attention to the role of the informal economy (e.g. street vending) in shaping urban transformations, including the making of spatial segregation. Similarly, Agier's (2011) important study of the governance of refugees across several African states, while mentioning informal activities inside camps as well as informal zones outside camps such as "'jungles', 'ghettos', 'grey zones' and 'squats'" (2011: 39), foregrounds international bureaucracies' various formal governance apparatuses. And Samara's (2011) study of Cape Town's postapartheid divisive urbanism, although including both informal governance and informality as a target of policing, limits theorization strictly to formal security and planning in secluded urban areas. These three examples signal a tendency in some of the scholarship to acknowledge informality as present but not essential for theorizing and building arguments on multiple processes of spatial confinements.

Whether approaching the issue from one angle - confinement in informality - or from the other - informality in confinement - the view appears as similarly partial. Acknowledging this allows us to both building on seminal and insightful works, and move forward, adding up a framework which can shed a different light on relationships, contradictions and the making of sociality in urban life. To this end, this special issue joins recent attempts which adopt a more explicitly relational approach to informality and confinement, whereby the two simultaneously trigger and draw on each other (e.g. Darling 2016; Picker 2017; Sanyal 2011).

Last, two caveats are warranted. First, we do not suggest that informality creates a parallel and confined world of discredited urbanity. This view belongs to a trend in the scholarship, which oscillates between exoticizing and demeaning informal practices, spaces and by extension the people living (through) them (Varley 2013). Our focus, by contrast, is purposely directed toward exposing and examining the complex and situated processes and experiences of classification, separation and restrictions within both governance and livelihoods idioms, practices, and projects, accounting in this way for both top-down regulations, and everyday life in neighbourhoods and other places, which are often at the bottom of the class structure. Second, the relevance of our intervention on the connections and mutual influences between informality and confinement is not limited to the societies of the global south. Rather, in dialogue with recent reflections (Hilbrandt and Haid, forthcoming; Ong and Roy 2011; Robinson 2006) we have included in this special issue contributions that show how informality and confinement shape in varied combinations and intensities urban structures and experiences in both the global south and the global north.

Confined Informalities and Informal Confinements

The papers included in this special issue address themes that are quite common in the literature on informality—e.g. dwelling and employment—and the literature on confinement—e.g. control, coercion, and care—especially in the context of urban marginality. Yet, by conceptualizing informality and confinement as relational and mutually constitutive processes involving both top-down and bottom-up interventions, they render visible structures and experiences of "confined informalities" and "informal confinements" that otherwise would remain blurred or slip through either one of the two conceptual lenses. "Confined informalities" encompass a wide range of processes, including the informal practices one can find in places of marginality with sharply policed spatial-symbolic boundaries as well as the distributions of degrees of legitimacy granted by states and dominant public opinions to place-specific informalities along axes such as race, class, and legal status. Relatedly, "informal confinements" point to the intricacies of formal and informal forms of control, including the forms of confinement that state and international bureaucracies produce through informal interventions rather than or in addition to legal-coercive tools.

The transformative effects of informality in institutional forms of control over the urban poor emerges from Clough Marinaro's analysis of Italy's Roma camps. Based on two decades of ethnographic engagement with the Roma camps in Italy, Clough Marinaro expands Wacquant's () framework of neoliberal management of urban marginality to encompass state uses of informal tools. She argues that "variable informalities" constitute a building block of how the neoliberal state distributes forms of confinement over the urban poor. The role of informality in the

management of urban marginality is particularly far-reaching for deeply racialized and stigmatized segments of the urban poor. Thus, for example, in the case of the Roma, Clough Marinaro shows how ambiguities and blurred lines between formal and informal interventions have produced different degrees of confinement for the Roma dividing them between surveillance-intensive 'villages' and undocumented micro-encampments. They have also produced distinct configurations of everyday informality "from below" (in both housing and employment) in the different spaces of confinement imposed on the Roma.

While Clough Marinaro focuses on the effects of informality "from above" on spatial confinement, other papers enrich this conversation on informality and confinement by proposing expanded notions of confinement beyond the spatial. This is explicitly argued by Smart and Smart in their analysis of how the Hong Kong government has historically approached squatters and street vendors differently. Melding past ethnographic engagement with these two segments of the informal poor and archival work on recently released documents, they propose the concept of "formalization" to examine the interplay between state attempts at "eradication" against squatters and state practices of "regularization" vis-à-vis street vendors. In the process, they argue that confinement of informal practices can be done "by space, time, and the scope of what is allowed." While focusing on a more expanded version of confinement, Smart and Smart agree with Clough Marinaro's point on the informalities of the state, emphasizing how, in and beyond Hong Kong, "informality is not only a tactic of the marginalized" and how there is such a thing as a "gray space" from above.

Looking at struggles between authorities and informal urbanites in Delhi and Mumbai in a context of persistent and recurring threat of eviction, Weinstein offers a vivid account of how energy-sapping resistance practices against eviction—what Benjamin (2008) calls "occupancy urbanism"—become entrenched into individual and collective experiences of uncertainty and constraint. Informal urbanites defensively cling to the uncertain place they inhabit unable to move and spatially but also experientially confined under the threat of eviction. Through this ethnographic study informed by a keen historical sensibility, Weinstein demonstrates how a framework centered on the concepts of informality and confinement helps refine our understanding of agency, politics, and resistances among the informal poor.

A layered understanding of confinement, with a particular attention to the interplay between temporality and spatiality, also informs Langegger and Koester's analysis of the homeless in Denver in the context of anti-camping laws. Like the squatter settlement becoming a place of experiential confinement in Weinstein's account, Langegger and Koester problematize another site that is central to the literature on the politics of the informals: the street. Thus, while Bayat () identifies the streets of Teheran and other Middle Eastern cities as a privileged site for "the quiet encroachment" of the informals, Langegger and Koester shows how the streets of Denver have effectively become a "spatiotemporal camp" for the homeless because of anti-camping laws. This "spatiotemporal camp" is centered on two forms of forced mobilities for the homeless—"moving on" and "finding shelter"—which shrinks possibilities for autonomy, self-reliance, and organized solidarity among the homeless.

Studying cumulative informal and confining processes in Rio de Janeiro, at the time of the Olympics Mueller uses a performativity approach to conceptualize informality as "a signifier" and to show how informality acquires distinct meanings along class membership (the informal poor are stigmatized and the informal middle classes legitimized). This performativity approach also helps understand how meanings of confinement vary: the confinement of the

urban poor—the "eradication" dimension of "formalization" that Smart and Smart discuss in the case of squatters in Hong Kong— is justified by state elites as a necessary step for a modern future while the upper middle-classes' voluntary withdrawal in gated communities is considered legitimate and unproblematic for the modernizing imaginaries of the state.

Levenson's analysis of house delivery programs in South Africa uses a relational approach to confinement and informality to study bureaucratic rationalities in the context of overwhelmed and "crowded" welfare apparatuses. His analysis shows how the waiting list—the most formal tool of housing delivery—operates in a condition of chronic crisis and, unable to keep up with people's pressing demands, it generates myriads spaces for patrimonial deviations, further deepening people's frustrations and recriminations. Popular pressure pushes bureaucracies to introduce temporary devises—e.g. temporary housing—that however become permanent further entrapping people in a condition of desperation and feelings of abandonment. While other recent works highlight waiting as a key experience of the urban poor vis-à-vis overburdened bureaucracies (e.g. Millan 2015 on the overcrowded emergency room of hospitals in the US and Auyero's "patients of the state"), Levenson focuses on the role of social struggles and their interactional effects on how overburdened bureaucracies work, in his case switching from fully formal to more informal and ambiguous service provisions under the pressure of popular contestation.

At a time of increased inequalities, rising populist and nativist movements, and securitization of state and transnational structures of governance over displacement, the relational framework that we suggest here helps understand how urban informalities and confinements are produced, distributed, valued, and experienced across different axes of difference and hierarchy within the urban environment. Most importantly, this relational framework offers valuable lessons about the reproduction of inequalities and power relations in cities across the world. Going forward, the framework can and should be extended to further specify how temporality (e.g. waiting or the refusal to wait); emotions (e.g. uncertainty and despair among the urban poor versus sense of entitlement among the elites); and circulation/movement (e.g. movement of bodies, but also flows of meanings and ideas, and distributions of techniques of control) are imbricated in the connections and mutual influences between informality and confinement as they affect urban inequalities and marginalities.

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