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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'.

Keywords

Informality, Urban development, Urban governance, Urban policy; New Urban Agenda, Global South

[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 (Roy 2005, AlSayyad 2004).

This paper provides a review of the literature on informality 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-AERUS¹ and Cities Alliance² 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.

¹ N-AERUS is a pluridisciplinary network of researchers and experts working on urban issues in the Global South. It was created in March 1996 by a group of European researchers. Its objective is to mobilise and develop the European institutional and individual research and training capacities on urban issues in the South with the support of institutions and individual researchers with relevant experience in this field. N-AERUS works in association with researchers and institutions in the Global South. See www.naerus.net/wp/?page_id=52.

² Cities Alliance provided N-AERUS with financial support to undertake the project 'Facilitating the link between knowledge generation and global policy-making towards Habitat III - a Cities Alliance and N-AERUS Partnership Activity'. The partnership worked on three strategic priority areas: (1) Informality; (2) Governance; and (3) Housing & Planning. The resulting policy paper was presented jointly by Cities Alliance and NAERUS at Habitat III in Quito, in October 2016. The Working Group on Informality, led by Paola Alfaro d'Alencon and Harry Smith, continued to work on the background material collected and analysed to produce the policy paper, in order to develop this more in-depth and conceptual academic paper. The article is based on the authors' own analysis and does not represent the views of the Cities Alliance nor its hosting entity, the United Nations Office for Project Services (UNOPS).

[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; Turner, 1972; Perlman, 1976). 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. Rodgers *et al*, 2012; Angotti, 2013), 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, 2009, 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' AISayyad, 2004), and defined as a continuum rather than as a condition (e.g. Jenkins, 2013; Roy & AISayyad, 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: 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, 2015). 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 & 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 re-negotiated 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 *et al.*, 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 urbanization ... 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 (2009) 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 ethnographic approximation relates informality to the terms of 'contested space' and the 'politics of place' (e.g. Simone, 2010, 2012; Bayat, 2004). Building on the notion of informality as practice, and as suggested above, it can be employed as a form of urban critique (McFarlane, 2012), or seen as a site of critical analysis (Banks *et al.*, 2016). Some authors have defined informality as the capacity of flexibility, adaptation and resilience; in other words, as a chance to create adaptive environments, abandoning

the idea that informality exists for purely survivalist purposes. Beall *et al.* (2010: 188), embracing the notion of resilience, define informal settlements and their inhabitants as entities in search of 'meaningful identities, lives and livelihoods in the interstices of fast changing and intersecting urban worlds'. This implies a move away from categorisations or domains of informality, towards seeing urban informality in political economy terms, as a means of exploring emerging urban phenomena and the power dynamics – including state-society relations – behind them. This may mean interrogating sites, practices or processes defined as informal in terms of the multi-scalar factors that influence them, the actors that are involved, and how they interact. Drawing on work e.g. on land conflict in the context of urbanisation, it may involve investigating 'site-specific phenomena deeply rooted in local histories and social relations, yet connected to larger processes of material transformation, political power, and historical conjuncture' (Simmons, 2004: 187). This is also suggestive of the need to go beyond ahistorical accounts of informality (Meagher, 2015), and it links with the notion of informality as 'negotiation about legitimacy and 'resources' proposed by Herrle & Fokdal (2011).

[2.2] Informality as an urban strategy in urban planning and architecture discourses

As far as urban planning and architecture are concerned, the pendulum has gradually swung towards learning from informality, as it has been recognised as an epistemological tool (Roy) for interpreting urban space as well as forecasting future urban trends. Moreover, many authors have challenged the idea that informal settlements lack urban order or planning (Lara, 2010; Brillembourg, 2004). In his article on 'dangerous spaces of citizenship', Holston (2009) completely avoids the word 'informal', in an attempt to go beyond the dichotomy between formal and informal. Another author to be mentioned, Watts (2005), aligns himself with Roy's concepts, portraying informal settlements as 'the defining feature of contemporary African metropolises'. Similarly, many other authors have progressively arrived at the conclusion that informality is nothing else but 'a new paradigm for understanding urban culture' (AlSayyad, 2004; Brillembourg & Klumpner, 2005; Cavalcanti, 2008). Among them, Appadurai (2001) and Roy & AlSayyad (2004) view urban informality as a new way of living, governance, and most of all, a new way of urbanisation. A key thesis is that the spread of informality (in terms of economic behaviour and livelihoods) is mostly due to globalisation market processes and neoliberal policies. Watson (2009) has put the spotlight on this, reasoning that one of the recent financial crisis' effects is the 'explosion' of informal forms of living. She also contributes valuable observations on the ways in which informality in urban centres has slowly but surely become *'the norm and no longer the exception'*.

[2.3] Informality is not only related to poverty

Increases in informality are not exclusively related to increases in poverty (Fernandes & Smolka, 2004; Smolka, 2003). The literature is clear that urban elites may use urban informality just as much as the urban poor or marginalised (e.g. Roy, 2009; 2011; Vasudevan, 2015; Varley, 2013) and that informal practices are not relevant only to the urban poor, but also to high- and middle-income urban residents, business interests and government (McFarlane, 2012). However, those urban actors who are

in a position to benefit from informal urban practices and processes, due to their circumvention of the rules or a lack of enforcement by the state, are often bolstered by their financial, social or political power and connections (e.g. McFarlane's 2012 account of big property developers not conforming to building regulations). Meanwhile, groups or individuals who are on 'the wrong side' of rules and regulations may experience worse conditions, higher prices and vulnerability to more stringent enforcement, and this tends to overlap with higher levels of marginalisation. This is seen in accounts of Zimbabwe's large-scale evictions (Simon, 2015), but also in the displacement of lower-income settlements in Delhi promoted by middle-class residents' actions through welfare associations (Ghertner, 2012). This is suggestive of the strong linkages between informality and inequality, in terms of power and resources term, which also affects voice and capacity to influence decision-making in the urban environment.

[3] PRACTICES

There is an increasing recognition that urban poverty is multidimensional. Addressing urban poverty should therefore include tackling limited access to formal housing, income poverty, precarious working conditions, poor health and social and political exclusion (Nohn, 2012). Against this background, the shift in conceptualising informality can best be observed in the approaches to livelihoods (Rakodi, 2002). To mention a few examples: social networks, community organisations and grassroots organisations, livelihood strategies, associational life. In addition, there is growing evidence of informality related to social actors in the middle classes as well as in the Global North, which have so far not been covered in the sources on informality addressed in the previous section, but are looked at here in the context of emerging practices.

[3.1] Understanding agency within informality

In the urban Global South, local practices to access basic services which are not provided by state or private monopolies, are often characterised by their informality (and sometimes illegality). These practices are usually 'needs-driven' (Allen *et al.*, 2006a), rooted in practices mainly stemming from traditional habits. According to Amis *et al.* (2001: 19), for example, grassroots organisations are composed by formal as well as informal associations where, in the case of the latter, 'informal networks rapidly spread information about what opportunities are available' and 'informal insurances ... pay fines and the shared childcare'. In another example, civil society associations in the low-income settlements of Manila develop kinship networks that are considered 'the starting point for many informal networks' aimed at gaining access to water services (Mitlin, 1999: 14).

Informal practices are still a means for obtaining basic services. Evidence from research carried out in the last two decades has shown that new governance arrangements emerge when local institutions acknowledge and support these practices, which are driven by needs (Allen *et al.*, 2004, 2006b; Amis *et al.*, 2001; Batley and Mcloughlin, 2010; Batley and Moran, 2004; Jaglin, 2001; Lombard, 2013;

Moretto, 2010; Nickson and Franceys, 2003; Phumpiu and Gustafsson, 2008; Satterthwaite, 2005; Wild *et al.*, 2012). Benefits of this collaboration between low-income communities and other actors are of a diverse nature. They include better service quality, more efficient management of natural and financial resources, the recognition of the urban poor as citizens deserving rights – such as basic services, housing, land, etc. – and dwellers' participation in the process of decision-making.

There is consensus among many authors that the wider discourse around urban governance should embrace these actions and arrangements based on co-operation, because alternative systems of governance have the potential to achieve structural improvements. Recent research has thus been focusing not only on the nature of these arrangements, but also on the way to support them. So, first, scholarship aims to unfold the basis, rules, and potentialities of local, informal practices. And second, it also explores the room for political and institutional processes to articulate local, informal practices to the dominant forms of – for instance – housing and service provision, resulting in synergies instead of shortcomings (see for instance Allen, 2010, 2012; Allen *et al.*, 2006a; Batley & Mcloughlin, 2010; Booth, 2011; Gaventa & Barrett, 2010; Moretto and Ranzato, 2017; Olivier de Sardan, 2009; Wild *et al.*, 2012). This points to the need for appropriate urban policies, which we return to later in this paper.

[3.2] About the middle class and the informal sector

If, on the one hand, the adoption of proto-formal dynamics by a wealthier class should make authorities realise that what they have called 'informal' so far, is in actual fact a growing, simple and sustainable way to construct an urban environment, on the other hand, the shift of middle-class demand down to the 'informal' economy (where the provision of public services, and possibility of imports and obtaining goods from the formal sector have been reduced), has resulted in the creation of a new, distinctive, lucrative and speculative niche, with a negative impact on the urban poor. This sensitive rebalancing holds the potential for reshaping the whole 'informality' debate. In recent years, it has become increasingly evident that informal housing and informal land access processes are also a part of the living strategies for the new middle class (Roy & AlSayyad, 2004). This concept brings to the foreground the need to reconsider and revise the division between formal and informal as far as the new urban middle class is concerned, as its urban behaviour is notably developing new levels of legitimacy.

There is evidence that middle and lower class self-building undertakings often take place either through informal land allocations or the violation of planning regulations. Reports on the new African urban middle class fail to pay enough attention to the fact that the greatest part of this class exhibit some patterns of informal urban behaviour, by living in houses or apartments built with clearly no intention to conform to any formal regulations, or settling in areas that have not been officially subdivided or those without any infrastructure provision. Thus, the new urban middle class does not maintain its urban living status in just one form of legality; on the contrary, they oscillate between different levels of formal and informal urban behaviours (Ernstson *et al.*, 2014), struggling to satisfy their basic needs (Turok, 2016; Resnick 2015a, 2015b; and Resnick and Thurlow, 2015). This pattern is also observable through the

activities of the informal economy, a sector where middle income households also play a crucial role. African middle classes' economic assets are a concoction of formal and informal income sources, which is why their entrepreneurial behaviour also derives from the set of standards and attitudes usually associated with the informal sector (Cities Alliance, 2014). Local governments, on their part, are demonstrating a growing concern towards how to accommodate the new emerging middle class, which is observable through two parallel trends: on the one hand, the increasing appeals to private investors to invest in the low-cost housing market, as an attempt to satisfy the huge housing demand; and on the other hand, the successful spread of numerous new satellite town projects, advertised and publicised as ideal residential solutions for the new 'wealthy' class.

Consequently, it is necessary (and urgent) to both understand and answer the question about how these two trends could develop in the foreseeable future and what kind of impact they could have on the ideological concept of the informal and how it has been treated so far, as well as on the future social and urban life of the areas still labelled as informal. For, in reality, there are clear signs showing some other ways in which the new middle class is beginning to inhabit the city, not necessarily choosing either new neighbourhoods or satellite towns (Melo, 2015). Contrary to what one might suppose, for many individuals from this class, the way of living in the city and finding the space to build their home is still closely associated with so-called informal dynamics.

Push and pull factors driving the new middle class during their attempts to obtain a fair share of decent urban space, are key to identifying which kind of future urban policies scenario is likely to be created in the forthcoming years. These factors are equally dependent on both the urban-related policy choices made by the formal sector and the growing opportunities the 'informal' sector provides as a substitute for failures on the part of the authorities. These dynamics are dependent on a wide range of alternative trade channels, networks, importations, and administrative transactions, often carried out through a mix of formal planning and informal processes. So it seems worthwhile to examine how this new socio-economic configuration acts towards the 'informal' sector, how much it is dependent on it, and how it is different from the poorest. Huitfeldt and Jutting (2009) identified four drivers responsible for the contemporary expansion of 'informal' behaviours: slow formal employment growth, the restructuring of labour markets in the era of globalisation, inappropriate formal sector regulations, and competitiveness to reduce costs. The latter two, however, have not had much influence on e.g. the Sub-Saharan African context.

[3.3] New informal practices in the Global North

These debates therefore strongly suggest going beyond simplified and dualistic notions of informality. Shifting the gaze towards informal processes beyond the global South supports this. The study of informality in urban areas is increasingly involving the Global North as well. A strengthening of informal practices in urban areas of the North has taken place as a reaction to the global crisis that started in 2008. This trend depends on several factors, which involve socio-economic, political-institutional and

cultural elements. In a context of increasing inequality, where a growing number of citizens is deprived of basic rights, the creation of solidarity networks in accessing housing and services (e.g. the Right to the City movement) and the development of mutualism and informal institutions are an alternative to the crisis of the welfare State and to the incapacity of public institutions in several countries of the North (Secchi, 2013).

In the Mediterranean countries, several researchers have engaged with informality focusing on parts of the urban fabric which, between the 1950s and the 1970s, have been produced and organised in an 'informal' way (Busquets, 1999; Larrea, 2011). During the 1970s, these kinds of studies, looking at the development of so-called 'marginal' forms of settlement in metropolitan areas, remained linked, at a different scale, to experiences in peri-urban and rural areas after natural disasters (e.g. informal community development after earthquakes – Londero, 2008). After the 1970s, urban informality in the North has been understood in a wider way, engaging with alternative forms of living in the city, using and creating specific urban services (in opposition to the formal ones) or being part of 'antagonist' cultures in urban areas (La Cecla, 2015).

While informality has been observed in the Global North for many years (see e.g. Baumgart & Kreibich, 2011; Willinger, 2014), in the context of recession austerity and increasing inequality it would appear that urban informality is increasing, as shown for example by studies in the US (e.g. Fairbanks 2011, Devlin 2011). In Greece, newly built areas of informal housing in Thessaloniki have been observed, lacking basic services (Karagianni, 2013). In Spain, squatting as a response to housing need, as well as a form of political protest, has been increasing, and settlements comprised of shacks (*chabolas*) have reappeared (Martinez & Garcia, 2015). In the UK, the illegal construction and/or conversion of sheds, garages and outbuildings for residential use in suburban back gardens, labelled 'beds in sheds', has appeared as a response to high housing demand in areas where affordable shelter is scarce (Lombard & Meth forthcoming). However, little is known about the precise causes, scale, nature or experience of shelter informality in the Global North, and what policy does exist fails to draw on the wealth of experience in terms of conceptualisation and responses from the Global South (Lombard & Huxley, 2011), though some research initiatives are beginning to address this (e.g. Netto *et al.*, 2015). This suggests that there is a need for further detailed investigation in this area.

In Germany, different 'informal' practices (e.g. temporary uses, small scale self organised activities focusing on the everyday of stakeholder groups) are discussed as a part of urban life and development policies (Willinger, 2014). Informality is produced through the state and is always contextual, as it emerges in the voids within administratively controlled planning. In fact, it was always part of urban life and city-making but was ignored due to the fact that modernist planning had solely focused or favoured the regulatory 'ideal' of powerful state planning. However, a shift in the understanding of informality can be observed, and independent actors within this negotiation process are increasingly seen as initiators of urban development rather than as problematic groups. On the one hand, the state is increasingly interested in working with self-organised groups to reduce, through participation, conflicts and cost, and also to benefit from the local knowledge from diverse actors by letting

experimental planning and tailored solutions emerge. On the other hand, this shift in planning helps to recognise the everyday and its processes as part of urban development processes (Alfaro d'Alençon *et. al*, 2016). However, further research is required on how, due to the lack of a democratic mandate, the implementation of joint projects within informal urbanism movements is undertaken and informal networks which carry social capital are creating added value for the city and its inhabitants.

[4] POLICIES

[4.1] Addressing informality within the context of state-society-relations: the case of urban land

As seen earlier, informality is often described as a sort of 'broken relationship' between the state and citizens. In part, this concept goes beyond the concept of extreme poverty which is often related with that of 'informality'. Other times urban informality is described as a temporary unavoidable effect of rapid urban and mega-urban growth in combination with a weak institutional framework (see e.g. McFarlane & Waibel, 2012).

In fact, the changing relationship between formal and informal sectors can be viewed within the paradigm of state-society relations, which allows an understanding of the terms of integration into the rules and regulations formulated by the state. For example, Mitlin & Walnycki (2015) argue that shifting government attitudes to the informal sector are demonstrated by the provision of formal water services in informal neighbourhoods, increasingly seen as potential sources of revenue. Moreover, understandings of informality may be shaped by the legal categories of the state (Azuela, 1987). Work from Mexico shows how the illegal land sales of *ejidal* land, on which informal settlements have traditionally been based, have generated the process of land tenure legalisation and the vast bureaucracy underpinning it. In Mexico, informal development is thus 'institutionalised' by the state (Varley, 2013); and the ensuing legal categories, defined by the state, reflect and reproduce power relations inherent in local and national structures. As Roy, Azuela and others before have pointed out, this is accompanied by the selective labelling of low-income settlements as irregular, with material effects on the poor. Indeed, in Latin America the state has been more prone to accepting the occupation of land with low commercial value and poor environmental conditions, and has protected private property, albeit its permissive attitude towards 'irregular' land agents has varied according to each country's political, economic and social circumstances (Clichevsky, 2009). In addition, the state has intervened more – mostly through 'regularisation' – in informal urban development resulting from direct invasion of public land than from occupation of private land or from illegal land markets (Clichevsky, 2009).

There has been much state-led activity over the last few decades aiming to 'formalise' informal urban development through land regularisation and titling (Clichevsky, 2009), and the limitations of the latter, despite De Soto's (1987, 2003) claims, have been much critiqued. Fernandes & Smolka's (2004) review of informal markets and land regularisation programmes in Latin America highlights their limitations in reach, appropriateness to their context, and understanding of their

actual impact. Regarding the latter, they note the limited understanding that 'tolerance' of informal urban development generates rights over time, linked to high costs of upgrading programmes, but also the limited understanding of the effects of upgrading on land values. In relation to this, Clichevsky (2009) reports how in several Latin American countries regularisation of land has increased its value driving out the lower-income, who are also affected by their lack of capacity to pay the land taxes introduced by such regularisation. Fernandes & Smolka (2004) call for a more integrated and appropriately financed approach to regularisation programmes which: links these into municipal fiscal systems together with the rest of the city; does not focus solely on residential areas; is more creative in exploring legal options for titling that go beyond freehold titles; responds to the real needs of the majority of the low-income population; does not lead to decline after the intervention; and accommodates both socio-economic and intra-urban mobility. They also acknowledge the merit of regularisation programmes in raising awareness of the legitimacy of demands by a substantial and growing section of the population, currently not included in the 'formal' socio-economic system, for effective and wide-ranging responses to their needs (Fernandes & Smolka, 2004).

Building on the above, and based on a survey of land policy experts in Latin America, Smolka & Biderman (2009) report on the lack of agreement among these on how to measure the phenomenon of informality and its magnitude, and their lack of familiarity with standard official statistics on the issue. They call for better informed policy makers in order to design appropriate policies. A case in point are the transnational networks of urban poor such as Shack/Slum Dwellers International or the Urban Poor Coalition Asia, supported by the NGO Asian Coalition for Housing Rights, which address issues such as limited accessibility to housing and land. These networks have developed a set of tools to build 'glue' among their members including savings, horizontal exchanges and enumerations (e.g. Fokdal et al., 2015). These methods are increasingly being extended towards external actors such as local officials and policy makers, creating what has been labelled as quality leaps (Ley et al., 2015). This establishes the foundation for better informed policy makers and for co-production of knowledge outside the institutional framework.

[4.2] Policy alternatives: building on the informal-formal spectrum towards co-production

An interesting alternative to conventional approaches in urban service delivery is offered by the idea of 'institutionalised co-production', as a development of the urban service co-production model in the sense of an articulation of community practices to government systems for service delivery. Originating in the late 1970s, the concept of co-production was initially a response to the drive for strongly centralised public services and for reduced state spending (Ostrom, 1996). According to Brudney & England (1983: 63), 'Coproduction consists of citizen involvement or participation ... in the delivery of urban services. These outcomes are intended to have a positive (rather than negative) impact on service delivery patterns. Coproduction stems from voluntary cooperation on the part of citizens ... and involves active behaviours.'

There has been a significant revival in writing on co-produced public services, with academics increasingly studying the multiple forms such co-production can take and the ways in which it can be manifested. Coproduction may be the initiative of citizens or governments (Jakobsen, 2012); include third sector, public and for-profit organisations (Verschuere *et al.*, 2012); be disaggregated into co-planning, co-design, co-managing and so on (Bovaird & Leoffler, 2012); and focus on consumer coproduction, participative coproduction, enhanced coproduction (Osborne & Strokosh, 2013), or collective coproduction (Bovaird *et al.* 2016). In the urban South, service coproduction is increasingly seen as a way of securing access to key services in a way that is sustainable, by means of contributions from residents as well as from public or private agents (Albrechts, 2013; Allen, 2012; Batley, 2006; Batley and McLoughlin, 2010; Booth, 2011; McGranahan, 2013; Mitlin, 2008; Moretto, 2010; Satterthwaite and Mitlin, 2014). The concept of 'institutionalised co-production' identifies a specific form of co-production based on communities collaborating with state agencies only, and not with a range of professionalised service providers (Joshi and Moore, 2004). Joshi and Moore's (2004: 40) definition of co-production is thus focused on 'the provision of public services (broadly defined, to include regulation) through regular, long-term relationships between state agencies and organised groups of citizens, where both make substantial resource contribution'. Interesting in this definition is the move from an approach to service delivery centred on the market towards a state- and community-centred form of development. It is, however, important to point towards the role of the state in co-production. The aim of co-producing services and providing access to essential services involves state responsibility in facilitating inclusive and equal urban environments.

Co-production between state agencies and communities – as described by Joshi and Moore (2004) – challenges the traditional organisation of service delivery in some important ways. First, 'institutionalised co-production' does not include co-production arrangements which are temporary, but foresees long-term arrangements developed on a regular basis (i.e. not a one-stop solution to a service shortcoming but a long-term process and an enduring engagement between state agencies and communities). Second, the relationship between citizens and state agencies can be 'undefined, informal and negotiated almost continuously' (*idem.*: 40). The usefulness of moving away from standardised contractual and/or semi-contractual agreements seems to raise a certain consensus amongst scholars studying service co-production. Third, control of resources, authority and power are shared between citizen groups and the state in a way that can entail interdependent and ambiguous relationships as well as blurred boundaries between the public and the private spheres. This means engaging also in the political dimension of resource management by challenging not only the technical organisation of service delivery, but also the distribution of power around this (McGranahan, 2013; McMillan *et al.*, 2014).

However, Alvarez *et al* (2015) highlight that the state may not recognise self- and co-production, and that this is not an 'innocent' position, as it enables the state to pursue other policies underpinning a cyclic process of abandonment and then gentrification in urban areas. In their analysis of the experience of Pikine, an informal area in Dakar, Senegal, they show how it emerged 40 years ago as a result of the initial gentrification of the city centre, whereby low-income inhabitants were evicted and

abandoned on the periphery. When the city grew around their settlement making it more central in the city, a new cycle of gentrification started. Displacement of people to a new formal settlement sowed the seed for a new informal settlement around it, which could be evicted in the future. So not recognising the informal sector has allowed the state to keep the option open to evict again – a way of keeping land ‘fallow’.

The above considerations suggest that for the development of policy that addresses urban informality in terms of urban and shelter development, a first step would be to recognise that the formal market does not give a lot of people access to housing. A second step is to accept this and to learn from co-production initiatives established by civil society, e.g. transnational networks of urban poor, and from the new governance spaces these create, often outside institutions, which allow for innovative solutions and – at their best – policies. However, in addressing the latter, caution needs to be exercised in how we conceptualise these in relation to existing manifestations of urban informality.

[4.3] The romanticisation of informality - a critical position

Nowadays many scholars caution against the danger of the aestheticisation of parts of emergent cities and the romanticisation of peri-urban areas when seen as sites of resilience and forms of ‘alternative’ urbanisation. The most recent criticisms support a new post-colonialist trend, which contends that disagreeing with the modernist dualism between formal and informal does not necessarily exclude this binary opposition. The main argument this trend of thought uses is that the idealisation of informality or of the capacities of informal settlement inhabitants’ does not help read the ‘informal’ city correctly; on the contrary, this idealisation could inevitably tip the balance in favour of the perception of ‘slums’ as the paradigmatic expression of urban informality. That is to say, some authors are seen to be in danger of promoting the idealisation and aestheticisation (Roy & AlSayyad, 2004) of informality and, more generally, of urban poverty.

On balance, these forms of criticism somehow stand to reason: insisting on the idealisation of the resilience, adaptability and temporary nature of informal uses of urban space could legitimise non-interventionist tendencies on the part of local administrations. Relating informality to the concept of non-permanence and self-help solutions excludes informal settlement households from being treated according to the standards that apply to the rest of the population, which could dangerously mislead and gravely impede the local political will trying to get a grip on urbanisation challenges in informal areas. The issue of the process of recognition by the state and by local governments therefore remains central.

[5] CONCLUSIONS

This review of the literature in the light of the New Urban Agenda has shown that in terms of definitions and rationale for the use of the term ‘informality’, the discourse has moved on from what was initially a dualistic approach to a wider range of

conceptualisations, including the questioning of the usefulness and appropriateness of the term. But such questioning of the term should go beyond simply querying its appropriateness to describe the urban realities found around the world. It should also explore the power dynamics that surround its use, including who benefits from the use of such terminology. Indeed, the 'informal' has been defined in contraposition to what is 'formally' regulated by the state, but the idea of the state and of its role are in flux (especially that of the nation-state), giving rise to a wide array of governance regimes. Though with vast differences between countries and territories, generally the power of the nation-state is gradually decreasing, thus diminishing the relevance of the concept of informality. However, in this scenario of weak governance, the powerful may increasingly take advantage of the term 'informality' for their own purposes.

In terms of practice, there is evidence of what could be described as 'informality' (in the senses used to date) spreading to the middle classes, and increasingly emerging in the Global North. This also contributes to a questioning of the use of the term. However, when we look at policies, these seem to be lagging behind in how they engage with so-called informality, with little acknowledgement of the theoretical debate, as well as limited understanding of their impacts on the 'informal' practices they aim to address.

A way forward in so far as urban development and management is concerned appears to be through better understanding of governance frameworks that include the range of actors that would normally be associated with so-called 'informality', as well as of the political economy underpinning specific urban realities – this could indeed be a key component of a new urban agenda.

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