In for mal ity

Contents

Editors' Note

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The tenuous interface between formality and informality is a fundamental condition of contemporary urbanism. Formal regulation by governments and other institutions has been celebrated in modern cities, yet informal and semiformal infrastructure and services permeate spaces and systems that are integral to urban life. Squatter settlements constitute vast and vibrant urban communities across the Global South. Appropriation of street spaces by informal vendors substantially influences urban economies and the character of the public realm. Transportation systems are heavily impacted by informal paratransit and disruptive technologies. Even urban data are increasingly open and crowdsourced, loosening researchers' reliance on governmental and corporate sources. Given the pervasiveness of informality, how can we differentiate it from the formal? Does informality benefit marginalized populations, or does it reinforce inequality? Are planning and informality inherently antithetical, or are there opportunities for planners to embrace informality as they seek to improve urban well-being?

The Call for Papers for Volume 30 of the Berkeley Planning Journal invited academics and practitioners to engage these questions. Submissions came in the form of original research, critical reflections, and photo essays that explore the conditions and implications of urban informality through various theoretical frameworks and methodologies. Taken together, the authors are situated and offer insights from around the globe. Their articles touch on a breadth of topics integral to informality, including self-organization, informal economy and trade, urban governance and transformation, public spaces, informal housing and slum-upgrading, design intervention, power and gender dynamics, and more. The specificities and commonalities these topics reveal deepen our understanding of informality across geographic and temporal contexts and have significance for planners and policymakers working from local to international scales.

We begin with Mehaffy and Haas's broad examination of the New Urban Agenda in relation to urban informality. Next, we zoom in on São Paulo, Brazil with Formicki's discussion of favela-upgrading efforts and shifting power scenarios for various social actors, such as favela dwellers, governments, and parallel powers. We set out to Durban, South Africa where DeVries turns toward the treatment of informal traders and the disconnect between planning perspectives and policy enforcement. Sadikoglu Asan and Ozsoy explore the intersection between informal and formal practices in Istanbul, Turkey as builders are considered both rule-breakers and rule-makers. Following

this, Ezeadichie et al. demonstrate the contributions of women running Home-Based Enterprises, a subsect of the unemployment-led informal economy in Enugu, Nigeria, and the challenges they face. Maaoui then analyzes the implications of legalizing Accessory-Dwelling Units in Seattle, US, particularly in relation to minority households. Finally, Subramanian and Jana take us through the Recreational Open Spaces of urban India while evaluating the impacts of design interventions. We conclude this volume with a listing of 2017–18 doctoral dissertations and master's theses from Berkeley's Department of City and Regional Planning, which are just as thematically diverse and global in scope.

It is imperative to understand urban informality from a broad array of perspectives in order to grasp the complexities, challenges, and opportunities posed by this phenomenon. While informality certainly connects these geographically detached narratives, we hope each article is also considered alongside discourses on climate change, the alleviation of poverty, race- and gender-based inequities, and so forth, to truly affect change. We are excited to share this volume with our readers and encourage your feedback.

Informality in the New Urban Agenda:
A "New Paradigm?"

MICHAEL WEST MEHAFFY AND TIGRAN HAAS

Abstract

The New Urban Agenda, the outcome document of the United Nations Habitat III conference in 2016, was adopted by consensus by all 193 member states of the United Nations. The Habitat III leadership has proclaimed that the document represents a "new paradigm" in urban planning, reversing the "over-determined" model of 20th century Western-dominated planning, and embracing more locally-determined forms of informality. This paper examines the intellectual history of the document, and compares it to its antecedents, thereby evaluating the claim that it represents a new paradigm. The conclusion assesses implications for future planning practice, particularly as we confront an age of rapid urbanization in many parts of the globe.

Introduction

In October 2016, the third United Nations Conference on Housing and Sustainable Urban Development—more commonly known as "Habitat III"—was held in Quito, Ecuador. Its outcome document, the "New Urban Agenda," outlined a new framework agreement for urbanization policy and practice over the next two decades (United Nations 2017). In December of that year, all 193 UN member states adopted by consensus the New Urban Agenda, thereby implicitly agreeing (though without any binding requirements) to adopt its policies on urban development.

The New Urban Agenda comes at a time of unprecedented rapid urbanization in many parts of the world, especially the Global South (UN-DESA 2018). At the same time, there is an increased recognition of the "informal" aspects of global urban development, including informal settlements (discussed sixteen times in the document) as well as informal economies (discussed four times in the document). Claims have also been made by prominent contributors to the Habitat III process, as discussed further below, that the document represents a "paradigm shift" away from Western-dominated models of "over-determined" urbanism and "towards a more open, malleable, and incremental urbanism that recognizes the role of space and place—and how they are shaped by planning and design—in making cities more equitable" (Clos et al. 2018, 3).

This paper examines what the New Urban Agenda reveals about the current state of discourse on urban informality, and the degree to which this new international pol-

icy agreement reflects a historic change in direction for urban development policy—a "new paradigm"—as claimed. The conclusion assesses the implications for planning for the future, and the challenges remaining to implement the goals and policies of the New Urban Agenda.

Intellectual Antecedents of the New Urban Agenda

The New Urban Agenda was developed over a multi-year process involving a complex progression of events, issue papers, engagement activities, and online dialogues between governments, civil society and other stakeholder groups (Habitat3.org 2016). A series of "preparatory committees" met to draft portions of the document, and these were debated and amended by member states and other stakeholders.

The intellectual content of the Agenda's language, however, was contributed through a series of conferences and related issue papers. One of these kinds of events was known as an "Urban Thinkers Campus." A representative Urban Thinkers Campus was organized as a partnership among UN-Habitat, Project for Public Spaces, and Ax:son Johnson Foundation, and held in Stockholm, Sweden in 2015. This partnership, known as the "Future of Places," was a multi-stakeholder initiative that brought together over 500 organizations and more than 1500 individuals from around the world, including significant representation from the Global South (UN-Habitat 2015).

Two of the participants at the Future of Places conference were the sociologists Richard Sennett and Saskia Sassen. They are co-authors of the book, *Toward an Open City: The Quito Papers and the New Urban Agenda* (2017), which offers a detailed exposition of the thinking behind the New Urban Agenda. Additional co-authors include Joan Clos, secretary general of Habitat III, and Ricky Burdett, professor of Urban Studies at the London School of Economics. Also participating in the conference was Maimunah Mohd Sharif, then mayor of Penang Island, Malaysia and later the successor to Joan Clos as executive director of UN-Habitat. The interaction between Sennett, Sassen, and other prominent figures in this conference provides an indication of at least one influential strain of the intellectual content of the New Urban Agenda (Future of Places 2016).

In turn, Sennett, Sassen, and the others drew on more recent intellectual influences in the later 20th Century, including criticisms of Western-led global development trends and their consequences (Sassen 2014). The conference also featured extensive discussion of growing challenges for the Global South, including rapid urbanization, informal settlements, loss of affordability and homelessness, gentrification, displacement, and challenges to the "right to the city" (Future of Places 2016).

For his part, Sennett argued that "we need to apply ideas about open systems currently animating the sciences to animate our understanding of the city" (Sennett 2018a). His "open city" drew on ideas of informal interaction described much earlier by Jane Jacobs (1961) in her powerful critique of the early 20th century architect Le Corbusier's conception of cities. "Against the over-determined vision of Le Corbusier,"

wrote Sennett, "Jacobs argued that places should become both dense and diverse, either in the form of dense streets or packed squares; such physical conditions can prompt the unexpected encounter, the chance discovery, the innovation which is the genius loci of cities" (Sennett 2018, 7).

Soon after Jacobs, the architect and design theorist Christopher Alexander—also discussed by Sennett—articulated a specific design problem: the tendency to organize designs into neatly ordered hierarchical structures, or mathematical "trees." A city is not a "tree," as Alexander argued in a famous 1965 paper with the same title. It is, rather, a web-network of overlapping and ambiguous relationships. This is not a weakness, Alexander wrote, but a critical strength of cities:

> It must be emphasized, lest the orderly mind shrink in horror from anything that is not clearly articulated and categorized in tree form, that the idea of overlap, ambiguity, multiplicity of aspect and the semi-lattice are not less orderly than the rigid tree, but more so. They represent a thicker, tougher, more subtle and more complex view of structure. (2015, 16)

Alexander's paper critiqued a number of mid-century global developments and their dramatic failures, including sites in Chandigarh, India and Brasilia, Brazil. He traced their failure to become vital urban places to their failure to generate "multiplicity of aspect," ambiguity and complexity. The "tree city" was a rigid top-down imposition by planners, notably Western planners, on the life and complexity of real places, with devastating results.

In his focus on the implications for designers, Alexander's view seems more in sympathy with Sennett's than does Jacobs's. As Sennett said, "Urban design, as design, does not figure much in [Jacobs's] version of the open city; the art of design matters in mine" (Sennett 2018). This is not a laissez-faire conception of urbanization, then, but one of a different kind of design.

It is this focus on design and planning, as acts that must consciously engage informality, that is perhaps most striking within the New Urban Agenda. Design is not simply a matter of creating end states—the view that seems to be implied in the Charter of Athens—but rather, of creating the conditions under which urban structures may evolve in directions that are more preferred for their residents.

In this respect, Sennett is echoing the influential design theorist and polymath Herbert Simon, who famously described design as a process of "changing existing conditions into preferred ones" (Simon, 1988). This view of design is in stark contrast with the over-determined *tabula rasa* approach of the Charter of Athens.

Simon also pioneered describing the implications of the dawning age of complexity for design, notably in a famous paper on "The Architecture of Complexity" (Simon 1962). Like Alexander, he noted that the structures treated by design are *nearly* decomposable hierarchies, but not necessarily so. Indeed, Simon saw clearly that the structures of the cybernetic age were "generative"—that is, they might proceed from a few simple rules that could produce considerable complexity as they interact within an

environment over time. The same principle holds, he observed, for human beings: Our own complex behaviors result from complex interactions with our environments and with one another, notably in an urban setting.

Simon also cautioned against over-planning too far in advance. Human beings are unable to anticipate all of the conditions that will occur because they are limited by what he termed "bounded rationality." This term referred to what he called "important constraints arising from the limitations on the actor himself as an information processor"—that is, our inability to know in advance all of the complex variables that will interact and determine a result (ibid., 162). An obvious example is the inability to precisely predict, say, the weather at a particular time next week.

For designers, this implies that the "over-determined city" described by Sennett and the "tree city" described by Alexander must be avoided. What is needed instead is a kind of planning that is more iterative; one that is more able to adjust and change paths to make the necessary transformation toward preferred conditions possible. Moreover, this is a kind of planning that creates a supportive framework within which the preferred changes may, with careful transformation, develop over time.

Sennett may also be reflecting the acknowledged influence of sociologist Bruno Latour (2005), whose "actor network theory" sees a shifting web of relationships in urban settings, and not a rigid "determined" structure. There is also a strong echo of Henri Lefevbre's (1992) "social production of space" (also explicitly referenced in the New Urban Agenda) and "right to the city" (also echoed in the New Urban Agenda's call for "cities for all"). They and other late 20th century authors emphasize that the city is a dynamic and emergent co-creation of many actors, not a static creation by a small group of technical specialists.

Informality in the New Urban Agenda

Clos et al. (2018) argue that the New Urban Agenda "challenges the value of anachronistic 'bottom-up vs top-down' models, so heavily rooted in western urbanism" (3). In particular, they call for "a more open, malleable and incremental urbanism" that is emergent, ambiguous, and co-produced by the residents of the city. In that sense, the authors are pointing to the essential role of *informality* as a core process of urbanization, as we discuss in more detail below. This informality should not be ignored or suppressed, but rather supported and coordinated with more formal actions, so as to produce Simon's "preferred conditions."

Within the academic literature on urbanism today, the term "informality" is used in a number of related but distinct, and therefore potentially confusing, ways. In urban sociology literature, informality is commonly used to describe urban structures that emerge (at least partially) without formal planning, such as favelas, slums, and other "unplanned" settlements; the term is also used to describe a variety of shadow, second, or covert economies (Misztal 1999; Hansen and Vaa 2004; Dupont et al. 2015; McFarlane and Waibel 2012).

Christiansen and Neuhold (2012) identify at least three separate usages of informality within the literature. First is the designation of the framework within which decisions are taken as being informal (institutions, organizations, networks); second is the identification of the process or procedure through which policies are made as being informal (politics, arrangements, activity); and, third is the classification of the outcome of any such process as being informal (rules, norms, influence).

Roy and AlSayyad offer new insights on the complexity of informal and formal interactions, particularly in the Global South, and the role of the state in creating constraints that shape informal activities (Roy and AlSayyad 2004; Roy 2009, 2011). Varley (2007, 2010) also describes the ambiguous "grey zones" that commonly accompany property formalization, and the role of states in setting the parameters of informality, specifically in the Global South. The notion of "grey zones" is particularly important to understanding the ambiguity and complexity of informal development and its interactions with more formal systems (Thomassen 2014, 2015; Knudsen and Frederiksen 2015).

Other authors have demonstrated the uniquely local (non-Western) variations of informality that have occurred in the Global South, including Simone and Pieterse's (2018) discussion of African and Asian urban contexts; Caldeira and Holston's (2007) examination of local democratic interventions within modernist (Western) planned projects in Brazil; and Caldeira's (2017) study of autoconstruction at the urban periphery in the Global South. These authors challenge the notion that all urbanization—including informal urbanization—proceeds logically from a Western-originated model, and they demonstrate the uniqueness and complexity of local responses.

Finally, Roy (2005) highlights how informality can be strategically used by planners to mitigate some of the vulnerabilities of the urban poor, and how this requires a recognition by planners of an implied "right to the city" as a form of distributive justice. Informal structures are shaped not only by local and emergent processes, but by a "mix of sovereignties" and a set of models and best practices not yet sufficiently critiqued for what has gone wrong.

This articulation of the concept of informality as a phenomenon that is intensely local, complex, and emergent echoes newer insights from the sciences about self-organization in natural systems also described by Alexander, Simon, and especially Jacobs. In Jacobs's landmark *The Death and Life of Great American Cities* (1961), she describes "the kind of problem a city is" as one of "organized complexity" in which informal and self-organizing processes are essential. She gives a lucid account of the then-dawning understanding of biological complexity in the sciences, and draws specific parallels to urbanism. She ends the book with this hopeful message: "Lively, diverse cities contain the seeds of their own regeneration, with energy enough to carry over for problems and needs outside themselves" (448).

This understanding of informality as self-organizing complexity—and especially as a city co-produced by its people—rings throughout Jacobs's book. At the end of the

second section, she declares, "Cities have the capability of providing something for everybody, only because, and only when, they are created by everybody" (238).

Jacobs contrasts this dawning understanding of self-organizing complexity with older methods of planners, which were still dominant at that time. She singles out the architect Le Corbusier as having had "an immense impact on our cities" (23). But this impact was not positive:

> His city was like a wonderful mechanical toy. Furthermore, his conception, as an architectural work, had a dazzling clarity, simplicity, and harmony. It was so orderly, so visible, so easy to understand. It said everything in a flash, like a good advertisement . . . But as to how the city works, it tells . . . nothing but lies. (23)

Informality in the 1933 Charter of Athens: A Problem to be Eradicated

Joan Clos, the secretary general of Habitat III, also identified Le Corbusier's influence as profound, and profoundly destructive. Writing with colleagues (including sociologists Richard Sennett and Saskia Sassen, and planner Ricky Burdett) in *The Quito Papers*, Clos described the older paradigm as a Western-dominated relic of the highly influential 1933 Charter of Athens: "Despite the increasing complexity and specificity of the global urban condition, many of the 94 recommendations of the 1933 Charter of Athens still determine the generic forms and physical organization of the 21st century city" (Sassen et al. 2017).

The 1933 Charter of Athens was first documented by Le Corbusier in a book of that name some ten years later (Le Corbusier 1943). Its ideas—or the versions of them handed down by Le Corbusier—were developed in a meeting by the highly influential Congrès Internationaux d'Architecture Moderne, or CIAM, a leading group of European architects and urbanists of that time. The outlines of the draft were developed during a legendary cruise from Marseilles to Athens, giving the document its name.

Many of the central ideas of 20th century urban planning—functional segregation, superblock patterns, segregation of streets by types of movement, and removal of buildings from the street—were laid out in the Charter of Athens (Gold 1998). While there are precedents for these ideas elsewhere, it is difficult to overstate the profound influence of this document on the history of modern planning up to the present day (Jacobs and Appleyard 1987; Sassen et al. 2017).

When it comes to informal settlements, the Charter of Athens is very clear: They are to be demolished without hesitation. The charter states,

> Unsanitary blocks of houses must be demolished and replaced by green areas: the adjacent housing quarters will thus become more sanitary. (Le Corbusier 1943, ¶ 36)

> The destruction of the slums around historic monuments will provide an opportunity to create verdant areas. (ibid., ¶ 69)

Likewise, there is little tolerance of informal or ambiguous aspects of urbanization, of "chance" or "improvisation," which should be eliminated:

> It is a matter of the most urgent necessity that every city draw up its program and enact the laws that will enable it to be carried out. Chance will give way to foresight, and program will replace improvisation. (ibid., ¶ 85)

In dramatic contrast to the Athens Charter, the New Urban Agenda embraces informal settlements and proposes that they be "upgraded" rather than demolished:

> We will . . . [prioritize] renewal, regeneration and retrofitting of urban areas, as appropriate, including the upgrading of slums and informal settlements…. (United Nations 2017, ¶ 97)

> We will support the provision of well-designed networks of safe, accessible, green and quality streets and other public spaces that are accessible to all . . . fostering both formal and informal local markets and commerce. (ibid., ¶ 100)

In addition, informality would arise from the participatory actions of citizens "socially producing" their own spaces:

> We commit ourselves to promoting national, subnational and local housing policies that support . . . enabling the participation and engagement of communities and relevant stakeholders in the planning and implementation of these policies, including supporting the social production of habitat. (ibid., ¶ 31)

> We share a vision of cities for all . . . [that] are able to inhabit and produce just, safe, healthy, accessible, affordable, resilient and sustainable cities and human settlements. (ibid., ¶ 11)

This New Urban Agenda does explicitly propose what it terms a "paradigm shift" for planning. It is a move away from the older models of urbanization:

> We commit ourselves to working towards an urban paradigm shift for a New Urban Agenda that will . . . readdress the way we plan, finance, develop, govern and manage cities and human settlements. (ibid., ¶ 15)

These older models of urbanization are, as Clos and his colleagues argued, still largely determined by the Charter of Athens and its concepts, "despite the increasing complexity and specificity of the global urban condition" (Sassen et al. 2017, 2).

A "New Paradigm" around Informality?

Clos and his co-authors argue instead for the need to embrace a more "open" kind of urbanization:

> The patterns of urbanization today require a re-framing of the discourse and practice of planning, one that questions the very tenets of the Charter of Athens and challenges the value of anachronistic 'bottom-up vs top-down' models, so heavily rooted in western urbanism. More work is needed to complement the New Urban Agenda, helping to mark

a paradigm shift away from the rigidity of the technocratic, generic modernist model we have inherited from the Charter of Athens towards a more open, malleable and incremental urbanism that recognizes the role of space and place--and how they are shaped by planning and design--in making cities more equitable. (Clos et al. 2018, 3).

The words "incremental," "malleable," and "open" point to a significant role for informality as an essential aspect of urbanization, but one that is nonetheless to be engaged and "shaped" by planning and design under the New Urban Agenda. This is certainly a major shift away from the intolerance of informality seen in the earlier Charter of Athens.

This contrast of design paradigms can be seen clearly in contrasting passages from the Charter of Athens and the New Urban Agenda, where the Charter of Athens states, "Plans will determine the structure of each of the sectors allocated to the four key functions and they will also determine their respective locations within the whole" (Le Corbusier 1943, ¶ 78).

This is a "determined" approach to planning, with sectors functionally segregated and allocated according to a precise and static scheme. By contrast, the New Urban Agenda recognizes a more flexible and dynamic approach to planning, embracing change over time, evolution, incremental growth, informality, and the "emergent" acts of many planners and builders:

> We will also strive to build flexibility into our plans in order to adjust to changing social and economic conditions over time. (United Nations 2017, ¶ 94)

> We will encourage the development of policies, tools, mechanisms and financing models . . . that would address the evolving needs of persons and communities, in order to improve the supply of housing . . . This will include support to incremental housing and self-build schemes, with special attention to programmes for upgrading slums and informal settlements. (ibid., ¶ 107)

Thus, planning and design must not only recognize self-organization as posing a limitation on "bounded rationality," but moreover, see it as a *resource to engage*. The designer is not simply seeking to restrain the negative consequences of self-organization. On the contrary, the designer is actively using self-organization as a tool. The design lies precisely in the way that self-organization is activated and directed.

One might use the analogy of the difference between carpentry and gardening. In carpentry, the goal is to measure and cut parts that will go together in fairly direct, determined ways. In gardening, however, the goal is to support desired forms of growth, using good soil, seeds, water, fertilizer, pruning—and of course, some carpentry too, in the form of planter boxes, trellises, and the like. But these supportive frameworks are not the end goal; they are the means to the goal, which is the support of the living structure—the informal growth.

In that sense, we may say that the purpose of Sennett's infrastructure is to form a kind of "urban trellis" of the city. Good "seeds"—successful design types and pat-

terns—can produce new growth of the kind that is "preferred." Financial investments and economic incentives can further promote preferred growth, and regulatory controls can limit destructive kinds of growth.

This approach might be called "design for self-organization." The goal is not a predetermined state, but, following Simon, a "preferred" state whose specific features might not be known, or even knowable, in final detail. Indeed, the complexity of the outcome might well be so immense that it is impossible to make a predetermination, for any but the most lifeless, inadequate responses. Without engaging self-organization—without engaging informality—urban planners are limited by their own "bounded rationality" to only unsatisfactory results.

Nor is this a laissez-faire approach that suggests it is acceptable to just let things emerge, or "let the market decide." A laissez-faire approach focuses on an atomic conception of a consumer or market, and ultimately prevents the pursuit of "preferred states" by societies or their constituents. Emphasis should not be placed on self-organization for its own sake, but *design* for self-organization—to achieve the states preferred by citizens individually and collectively.

In this sense, the concept of "design for self-organization" (or design for informality) is only apparently a contradiction in terms. In fact, it expresses Simon's original definition of design as transformation: Offering a way to efficiently explore and manage "autocatalytic pathways" between the existing and the preferred.

Implementing Informality in the New Urban Agenda

There remains, of course, the overwhelming question of how the New Urban Agenda's aspiration of engaging informality will be implemented, and how it can assure positive outcomes in that process. There are four principal strategies called for within the document, and further articulated by Habitat III stakeholders, as discussed in more detail below: One, engaging with data; Two, engaging with community-based planning; three, engaging with infrastructure; and four, engaging with strategic interventions.

1. Engaging informality with data

Many advocates for residents of informal settlements have sought to give residents greater access to data as a tool for the generation of social and political capital, and the development of their neighborhoods. For example, Anni Beukes of Shack/Slum Dwellers International described their work to create an international platform for use by members of these communities:

> SDI affiliates use data collection to produce social and political capital for themselves, both linking their communities together and building relations with their local authorities and other government agencies. The data they produce has become the basis of a powerful social and political argument that has seen the leveraging of substantive improvements in the lives of millions of slum dwellers across the global South. (Beukes 2015)

The New Urban Agenda references this provision of open-source data tools as well, when it states, "We will foster the creation, promotion and enhancement of open, user-friendly and participatory data platforms using technological and social tools available to transfer and share knowledge among national, subnational and local governments and relevant stakeholders, including non-State actors and people." (United Nations 2016, ¶ 160).

More broadly, the use of data as a tool for self-organization and neighborhood-scale problem-solving is growing. A number of new businesses and nonprofits are developing "crowdsourcing" tools to help communities deal with local problems, including Code for America (Dyson 2013). In 2015, the Santa Fe Institute convened international organizations (including Slum Dwellers International) to a conference titled *Acting Locally, Understanding Globally: Scaling Up Community-Collected Data in Developing Cities*. The conference produced a concluding document that read, in part:

> The process of synthesizing local knowledge also provides individuals an opportunity for self-organization, empowerment, and engagement with the decision-making process. Recognizing that a plurality of conceptions of well-being exists, we must ensure that the capacity for individuals and local governments to actively engage and improve their own wellbeing is built into this synthesis process. (Mehaffy 2015b)

Likewise, the New Urban Agenda calls for similar shareable local knowledge and tools, as when it states:

> We will promote the development of national information and communications technology policies and e-government strategies, as well as citizen-centric digital governance tools, tapping into technological innovations, including capacity development programmes, in order to make information and communications technologies accessible to the public . . . broadening participation and fostering responsible governance, as well as increasing efficiency. (United Nations, 2017, ¶ 156)

2. Engaging informality with community-based planning, and the "social production" of urban and public spaces

As we saw previously, the New Urban Agenda represents a "paradigm shift" away from the specialist-led approach to urban development embodied in the Charter of Athens, toward a much more participatory process of urban co-creation. As the New Urban Agenda states, we need tools "enabling the participation and engagement of communities and relevant stakeholders in the planning and implementation of these policies, including supporting the social production of habitat" (United Nations 2016, ¶ 31).

This "social production" requires a distributed network of agents conducting formal and informal processes, following the principle of "subsidiarity." In other words, what is needed is the support of more local actions by more centralized agencies: "We will develop and implement housing policies at all levels, incorporating participatory planning and applying the principle of subsidiarity" (United Nations 2016, ¶ 105).

In addition, the New Urban Agenda calls for the formation of "co-production networks" for its implementation:

> We recognize the significant contribution of voluntary collaborative initiatives, partnerships and coalitions that plan to initiate and enhance the implementation of the New Urban Agenda, highlighting best practices and innovative solutions, including by promoting co-production networks between subnational entities, local governments and other relevant stakeholders. (ibid., ¶ 154)

A number of communities are pushing forward with tools to achieve this kind of participatory, subsidiary, and co-produced planning. A notable example is the city of Medellín, Colombia, which has seen a remarkable renaissance of its informal settlements following processes of community planning, participatory budgeting, and related implementation tools (Mehaffy 2013). It will be important to institute a platform where these tools can be shared and developed. Indeed, the New Urban Agenda calls for "the sharing of best practices, policies and programmes" as a matter of high priority (United Nations 2016, ¶ 81).

3. Engaging informality with infrastructure

Just as the growth of a healthy garden requires supportive frameworks (trellises, planter boxes, pipes for irrigation, etc.), so too the growth of a healthy neighborhood could be said to require a supportive "framework for informality." Clearly the needs of informal settlements for cleaner energy and safer transport are central, and indeed, the New Urban Agenda calls for them: "We also commit ourselves to giving particular attention to the energy and transport needs of all people, particularly the poor and those living in informal settlements" (United Nations 2016, ¶ 54).

In this sense, infrastructure is a catalytic tool to support the growth of helpful structures within an informal settlement. The investment of top-down resources is leveraged to produce desired bottom-up growth.

More broadly, public space is itself a critical kind of urban infrastructure, which is made clear in the seven paragraphs where it is discussed within the New Urban Agenda. While parts of the city and its public spaces are "socially produced," as we have already seen, it is also important to plan for an essential network of public spaces, as an infrastructure framework for human and economic development. This includes the streets themselves, as well as other spaces:

> We commit ourselves to promoting safe, inclusive, accessible, green and quality public spaces, including streets, sidewalks and cycling lanes, squares, waterfront areas, gardens and parks, that are multifunctional areas for social interaction and inclusion, human health and well-being, economic exchange and cultural expression and dialogue among a wide diversity of people and cultures, and that are designed and managed to ensure human development. (ibid., ¶ 37)

This form of infrastructure, then, serves as a "driver" of social and economic development, which is generated informally, as in this passage:

> We commit ourselves to promoting safe, inclusive, accessible, green and quality public spaces as drivers of social and economic development, in order to sustainably leverage their potential to generate increased social and economic value. (ibid., ¶ 53)

A number of research centers are working with UN-Habitat to develop and share research knowledge, including the Centre for the Future of Places at KTH Royal Institute of Technology in Stockholm (foprn.org 2018).

4. Engaging informality with strategic interventions

The last two decades have seen a number of significant experiments in "guiding informality." We previously mentioned the city of Medellín, Colombia, which has built several prominent new civic facilities in the midst of informal settlements as a way of catalyzing healthy growth around them. The city also built an escalator system in its Comuna 13 neighborhood, with positive results for the livability of the neighborhood (Mehaffy 2013). This kind of strategic intervention has been called "urban acupuncture," a term coined by Barcelona architect Manuel de Sola Morales, and developed further by a number of activists including Jaime Lerner, former mayor of Curitiba, Brazil (Lerner 2014).

A similar idea was described by Jacobs (1961), as she referred to public buildings and other projects as "chess pieces" that could be moved in concert to catalyze desirable growth in different parts of the city. This was one key reason that she discouraged the idea of concentrated "civic districts."

More recently, New Urbanists and others have begun practicing "tactical urbanism," a coordinated series of small-scale interventions that gradually transform a neighborhood. As proponent Mike Lydon says, tactical urbanism is just a formalized tool that captures what already happens: "Really, tactical urbanism is how most cities are built. Especially in developing nations. It's step-by-step, piece-by-piece" (Berg 2012). Lydon and his colleagues have gathered up many tactical urbanism tools into a compendium (i.e., Street Plans Collaborative 2012).

A similar effort is the so-called "placemaking movement," which promotes the sharing of tools and resources for informal actions by neighborhood activists, local agencies, and professionals. For example, an early guide in the USA is called "Placemaking: Tools for Community Action" (Concern Inc. et al. 2002). More recently, Project for Public Spaces (PPS) has been active in developing an international network to promote and share placemaking tools (Project for Public Spaces 2018). PPS has also been a partner of UN-Habitat in developing some of the concepts of the New Urban Agenda, and is now playing an active role in developing implementation tools.

As we discussed earlier, Richard Sennett's own model of the "open city" includes similar tactical thinking. He proposes three "systematic elements" to be used for engag-

ing informality within the open city: 1. Passage territories, or transitional zones that function like membranes; 2. incomplete form, or structures that are deliberately created incompletely to be altered over time; and, 3. development narratives, taking a more flexible approach rather than the "determined" outcomes suggested in most contemporary "master plans" (Sennett 2018b).

Conclusion

The evidence does show, then, that the New Urban Agenda reflects a major shift toward engaging informality—what may be called a "new paradigm." However, a cynical person might ask about the utility of such a shift toward engaging informality—indeed, what use is the New Urban Agenda—if the document is merely a voluntary agreement, and moreover, if current barriers to implementation cannot be overcome.

It is true that, at present, there is an interlocking global system for financing, planning, building, marketing, and managing human habitat—what we might think of as the global operating system for growth. This system has its roots in the production systems that were active at the time of the Athens Charter, and in many ways, it clearly embodies the same mechanical, top-down thinking. Specifically, this system, along with its many national and local sub-systems, consists of all the financial instruments, incentives and disincentives, models, standards, laws, rules, codes, and other components that determine what is profitable and not profitable, what is technically feasible and not, what is legal and not; in short, what can be built and not, and in what way. This system also determines the profound impacts of what is built, for better or worse, for different populations at different times. It is clearly performing well for certain populations at certain times, but performing inadequately for other populations, including the poor today and many others in future generations who will feel its many negative impacts. Indeed, this is the essence of the challenge for "sustainable development," and for the United Nations recently-adopted Sustainable Development Goals (United Nations, 2018).

The immediate problem for those seeking to engage informality as part of the New Urban Agenda is that this system tends to obstruct and supersede such efforts. Informal settlements that might be upgraded are instead demolished to make way for expensive new developments following a neoliberal model. Communities that might be able to generate more internal capacity, economic opportunity, and initiative are instead displaced and disempowered. Procedures for developing small businesses and informal economic activities are hopelessly mired in onerous bureaucratic procedure and cost, or face other insurmountable obstacles.

One might well ask too if all the talk of informality and "self-organization" is not being used as a cover for an even more extreme neoliberal approach to development. After all, if communities can self-organize in more "open" and "malleable" ways, and the role of government is to be reduced in "top-down" planning, then surely the role of government in planning can be reduced or even eliminated altogether. But that is not

at all what the New Urban Agenda calls for. As this analysis has shown, the document aims to provide (in concert with other actors) what we might think of as the ultimate infrastructure: a shareable, global platform for change to support an "operating system for growth," which involves partnerships between governments, professionals, civil society, and private businesses. Indeed, the New Urban Agenda suggests just this kind of response in its concluding sections on implementation:

> We recognize that the implementation of the New Urban Agenda requires an enabling environment and a wide range of means of implementation, including access to science, technology and innovation and enhanced knowledge-sharing on mutually agreed terms, as well as capacity development and mobilization of financial resources. (United Nations 2016, ¶ 126)

These financial resources must be generated in part through the capacities of urbanization itself, particularly its ability to monetize the long-term benefits of its growth, and similar externalities:

> We will mobilize endogenous resources and revenues generated through the capture of benefits of urbanization, as well as the catalysing effects and maximized impact of public and private investments, in order to improve the financial conditions for urban development and open access to additional sources. (ibid., ¶ 132)

This is, of course, an ambitious goal, to say the least. There are valid reasons to question the efficacy, the rigor, and even the mixed political motivations behind such an aspirational document.

At the same time, it seems only fair, and important given the stakes, to acknowledge the historic accomplishment of the New Urban Agenda. All 193 member states of the United Nations have now adopted, by consensus, a framework agreement for the character of urbanization moving into the 21st century and beyond, with notably explicit new references to informality as it occurs in diverse contexts, including the Global South. The need for place-specific analyses and solutions has been affirmed. Moreover, as we have seen, the thinking behind the document rejects a simplistic binary distinction between top-down and bottom-up, between the formal and the informal, and it offers a more subtle, and ultimately more powerful, strategic approach to engaging formal as well as informal processes.

Certainly, this framework agreement is only the first task of a much longer process. Even still, it establishes a new international platform for developing and sharing tools for local and self-determined urbanization. It clearly does so based upon a new and more encompassing set of models and concepts, reflecting a deeper understanding of the vital role of informality and its necessary engagement within a healthier urbanism.

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Power Imbalances in Favela-Upgrading Practices in São Paulo, Brazil

GUILHERME ROCHA FORMICKI

Abstract

Favelas in São Paulo, Brazil have been undergoing major transformations since the 1980s with the rise of upgrading programs. These programs are widely seen as ways of alleviating urban vulnerability. However, the fact that they change the political structure of favelas, causing power imbalances, goes often untold. This article discusses the outcomes of upgrading efforts in Favela do Sapé, placing a special emphasis on the social actors involved in the upgrading. Characters such as favela dwellers, governments, and parallel powers are assessed through a power planning *lens. The present analysis also focuses on the social actors' relational possibilities that are aimed at changing the power scenarios of favelas.*

Keywords: Favelas, Favela-Upgrading, Power Planning, Social Actors

1. Introducing the Dynamics of Favela do Sapé

On a dry and sunny afternoon Favela do Sapé, in Western São Paulo, suddenly became a ghost town. The frequent rush of children who used to play by the creek shores, as well as routine commuters who would walk down the narrow alleys to the closest bus stop, abruptly ceased. Even during upgrading works, the residents of this favela would not give up on their routine. But on that day, something different was happening.

By that time, I was an intern at the São Paulo City Housing Department (SEHAB) and my constant visits to Sapé had taught me how daily life would usually take place in the community. In the described afternoon, one architect from SEHAB and I were conducting inspection visits to residences which had been affected by cracks and other consequences of the ongoing work of tractors and trucks. When walking alongside the creek's shore, we noticed that everyone instantly vanished from sight.

As we curiously stared at each other, the explanation soon made its way through the opposite shore. A group of heavily armed policemen came out of nowhere and marched up the main street of Sapé. Fearing a shooting, we quickly left the waterfront area and looked for shelter in the City Hall's upgrading headquarters—which happened to be a makeshift structure originally designed to be the core of the construction site. A few moments afterward, we received news that the police raid was aimed at arresting a suspect for stealing a car in the surroundings of Favela do Sapé.

Favelas are defined by the Brazilian Institute of Geography and Statistics (IBGE, in its Portuguese acronym) as agglomerations of at least 51 residences, set in an irregular

grid, which lack basic services such as water, electricity, sewage, and garbage pickup. Also, favelas are set on a piece of land that residents do not own (IBGE 2011). UN Habitat uses the term "slum" to define a type of housing that (1) lacks basic services, (2) is substandard or presents illegal or inadequate building structures, (3) is highly dense or overcrowded, (4) offers unhealthy living conditions or is placed at a hazardous location, (5) presents tenure insecurity and (6) is amid poverty and social exclusion (UN Habitat 2003, 14). In this paper, the term "favela" will be employed instead of "slum" for it is here understood that each country has its particularities when it comes to precarious and vulnerable housing. And, since a Brazilian case will be assessed in this article, it is fair to label it with its proper local name.

The police raid narrated above is not exclusive to Favela do Sapé. In São Paulo and in other Brazilian cities, residents of favelas often witness police incursions, which are usually aimed at tackling organized crime that operates in and outside these settlements' boundaries. In the specific case of Sapé, it cannot be said that police presence necessarily relates to upgrading works. Nor should it be claimed that what I witnessed on that day in 2015 started to happen more frequently after this favela had its works completed.

Nevertheless, this episode sheds light on a common phenomenon that takes place in favelas across São Paulo and Brazil as a whole: The dispute over territorial control between different social actors and groups. On that specific day, I could identify the police as one of those groups. But news daily delivered by the city's media outlets, as well as studies carried out by scholars and authorities, also convey the existence of other groups. Maybe because of the impact of the means deployed by criminal organizations—namely, violence and fear—organized crime is the most evident social actor. But other groups may also be involved in the contest for spatial control in vulnerable settlements in São Paulo, especially in areas undergoing upgrading. These groups include the city's government—which is not always tied to the police—residents, upgrading designers, urban planners, social workers, etc.

This work is written based on the idea that upgrading interventions are an attempt to change the political structure of favelas, but result in power imbalances. The point is that before the beginning of the works favelas are usually a territory commanded by the parallel power, which manages to establish a relatively pacific avenue of interaction with these settlements' dwellers. However, the municipal government may seek to regain control over favelas through upgrading, which implies the physical and institutional rearrangement of those communities.

When it comes to the parallel power, there are many ways of labeling it. Gabriel Feltran (2011), for instance, calls it the "criminal world." Janice Perlman (2010) usually uses the term "drug gangs." In short, the parallel power is understood in this paper as the organizations commanded by criminals who are usually involved in drug-dealing. These organizations—such as *Primeiro Comando da Capital*, or First Command of the Capital—oftentimes act as institutions that are parallel to the government and that

establish their own order in their territories, usually through violence and fear. Due to reasons such as government neglect, one of these territories in Brazil is the favela.

The state-sponsored process of reclaiming favelas is assisted by planning, architectural, and engineering firms. These three groups usually represent technical expertise, around which power might also gravitate in vulnerable settlements. Planners, architects, and engineers hold design as their tool to perform changes to the built environment. Favela residents are also a key group involved in the quest for power, as they are the direct target of social policies, police incursions, and actions carried out by the parallel power.

A natural perturbation is always felt when favelas undergo upgrading works. After all, during these works outsiders such as architects, planners, engineers, and social workers hired by the local government flock into these communities. Also, upgrading plans are a major cause for chaos since they entail one view of how these communities should be shaped in the future, regardless of some of the implications this new conformation can have on local actors.

The concept of power imbalance originates from Bent Flyvbjerg's work, which in general terms is based on the power planning concept. To be more precise, Flyvbjerg addresses this framework as "phronetic planning." For the purposes of this article, the same approach has been relabeled *power planning*.

Flyvbjerg (2002) studies the influence of power relations within planning practices. He claims that, based on their interests, the most powerful social actors control the way planning-related data will be interpreted and how planning practices will be prioritized and carried out in their cities or communities. He analyzes the implementation of a car-traffic reduction project in the city of Aalborg, Denmark. This planning project partially relied on the assessment of surveys of local shoppers' transportation modes. Flyvbjerg asserts, "The interpretation [of survey results], which has the stronger power base, becomes Aalborg's truth, understood as the actually realized physical, economic, ecological, and social reality" (360).

Similarly, the interpretation of the needs for favela-upgrading works in Sapé, as well as the project priorities ascribed to this upgrading and the way they were conducted were legitimized by the most powerful group of social actors in this context. The São Paulo City local government, as well as planning professionals—architects, urban designers, engineers, and social workers—had the biggest say on how the Sapé upgrading was carried out. And this community's residents, who had less power, were to some extent maneuvered (as shall be explained in item 5). The parallel power was naturally left out of the decision process.

Bent Flyvbjerg probably did not conceive of his methods with favelas in mind, but if some theoretical constraints are rightfully accounted, his framing can be replicated and applied to the power dynamics that emanate from favela-upgrading projects. Therefore, this paper will turn an eye toward Brazilian communities, especially through—but not limited to—Flyvberg's perspective.

This work follows a predominantly qualitative approach, which is founded on the analysis of Favela do Sapé as a case study. The primarily-collected material for this analysis includes a total of six semi-structured interviews carried out with local dwellers, public officials from the São Paulo City Housing Department, and from a company hired by SEHAB to oversee upgrading works. One of the six semi-structured interviews was also conducted with a member of the design team of Sapé's upgrading. All these talks took place throughout 2016 in Favela do Sapé and other areas, such as the Housing Department headquarters. The names of interviewees are intentionally omitted for confidentiality.

Primary sources also comprise pictures taken in situ during visits that occurred between 2014 and 2016, as well as satellite images adapted for this article. Secondary sources correspond to news articles taken from newspaper archives and from hard news websites. Academic literature, especially on urban violence, spatial segregation, and power dynamics, was also vital to the making of this paper.

It should be mentioned that although this article heavily relies on interviews, one major constraint regards their conduction. Power dynamics are a naturally delicate matter as they relate to subduing and subjugating processes wherein at least one social group is undermined. In Favela do Sapé's context, the most influential element in local power relationships is physical and psychological violence. For this reason, asking local residents and other actors about specificities of the settlement's power dynamics proved to be a difficult endeavor. This became a taboo issue that had to be overcome with a careful elaboration of less sensitive questions, as well as through the consultation of other sources such as academic literature.

This paper is structured into this introductory section, five other parts, and a conclusion. The next section will cover a brief literature review of favelas, urban peripheries, and elements that often relate to these places such as the vast influence of the parallel power, landownership issues, and the autoconstruction practices witnessed there.

The following section will explain in detail the upgrading project of Favela do Sapé, including envisioned and actual interventions. The fourth section of this work will go further in the description of Sapé's upgrading. In this part, a contextualization of upgrading policies and practices will be given through the lens of the dispute for territorial control between the local government and its allies on one side and the parallel power on the other. The fifth section will cover a very specific and unique practice that rises from upgrading programs in São Paulo: the Management Council. It will be argued that in Sapé this council was an important participatory planning tool. But, on the other hand, it can be seen as a mechanism for the government to maneuver favela dwellers into siding with the City Hall in the local quest for power.

The last section preceding the conclusion will focus on the *power planning* theory and other ideas that explain Sapé's upgrading. The final link between all interviews, field observations, and consulted literature will be made in this section. By including these sections and organizing them in this way, this paper will ultimately shed light

onto the idea that planning is heavily conditioned by the outcomes of power struggles between various social actors.

2. Favelas and the *Periferia*: Where Ownership Issues, Violence, and Organized Crime Meet

Favelas have historically been disputed territories in Brazil between state forces and criminal organizations, as well as between different drug gangs. In some cases, para-military forces, or militias, also take part in claiming favela land. As Janice Perlman (2010) puts it, "Favelas are appealing locations for drug gangs,[1] with their narrow, winding alleys, abundant hiding places, and unemployed youth" (165). The sale of substances such as cocaine from favela territories to high-income consumers is the mechanism that mostly sustains the parallel power. And the reaction from state forces eventually comes as a means of repression toward two distinct groups: criminals and favela residents (Leeds 1996, 50). The former may be the primary target of the police; however, the latter group usually ends up affected by repressive state action as well.[2] When it comes to favela dwellers, Elizabeth Leeds points out that "squatter populations, in particular, are caught between the illegal violence of drug dealers and the official violence of security forces" (ibid.).

Favelas are settlements that bear different geographical locations across Brazilian cities. Whilst in Rio de Janeiro many of them are scattered through high-income neighborhoods, in what resembles socially vulnerable and physically precarious enclaves, in São Paulo most favelas emerge on the city's fringes, usually labeled as *periferia*, or periphery. As Mautner (1999) explains, the geographical periphery of São Paulo does not fully overlap with the periphery defined by urban sociology. She adopts the sociological understanding—which this paper also does—and defines the *periferia* as a place where the poor live, as well as a socially segregated area with low real estate values.[3] Additionally, the periphery of São Paulo, and many other Brazilian cities as well, comprises areas that are distant from transportation infrastructure and most employment opportunities. These areas also lack social, leisure, and public facilities.

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1   It should be noted that this paper does not claim that favelas are susceptible to trafficking because of one sole feature, such as physical irregularity. The point made by Perlman and supported in this article is that a combination of issues (namely, lack of state presence in police patrolling and in the provision of infrastructure, basic services and facilities, as well as a lack of economic opportunity and of representativeness) coupled with the narrow alleys, dead ends, and physical and visual obstacles that exist in favelas create a convenient stage for opportunistic criminal groups to establish themselves in these settlements.

2   Cases of favela dwellers who are shot during confrontations between policemen and criminals are frequent. Other ways through which those dwellers can be affected by repression (such as in selective police searches) are more nuanced.

3   Mautner also defines the periphery as a transforming place, which is gobbled up by the formal city and which thus expands its borders centrifugally (Mautner 1999, 254).

The *periferia* is thus marred by social exclusion in most cases. Ermínia Maricato (2010) describes the Brazilian peripheral city as an outcome of "peripheral capitalism," which implies that low-income populations from cities in developing countries may settle in areas excluded from the formal land market, as well as from existing urban regulations (8). It is important to make a crucial distinction here. Although most favelas in São Paulo are on the city's periphery, due to a few technical and abstract elements, they cannot be seen as synonyms.

As Holston (2008) explains, favelas usually emerge from squats in areas that can either be central or peripheral. The *periferia* is, on the other hand, mostly built on the ideas of land and home ownership, which materialize in *loteamentos* (subdivisions). Naturally, there are squatter areas in the periphery as well, but the dwellers of the urban fringes originally settled in these areas after paying for their land and for the construction of their residences. The author argues,

> Even if the former [settlers who pay for land and for their home's construction] were swindled in their purchase and could not prove full legal ownership as a result, the majority could claim to have transformed themselves in the process of settling the peripheries from renters, squatters and mere posseiros [squatting landholders] of land into landowners. (185)

In fact, although *periferia* residents usually stick to the idea of ownership, in many cases, land occupation in the peripheries originates illegally. Holston explains that "[the] very illegality of house lots in the peripheries makes land accessible to those who cannot afford the higher sale or rental prices of legal residences" (206–207).

It should be noted that even if they illegally occupy land, the poor working classes that inhabit São Paulo's peripheries do not necessarily resort to property seizure. As stated in one quotation above, they might pay for their land's occupation and development, but still end up in a form of "illegal or irregular residence" after being defrauded (ibid., 208).

And what about the abstract driver of the comparison between favelas and peripheries? Due to the fact that favela dwellers usually seize property, as opposed to purchasing it, favelas are usually seen by peripheral residents as places of "physical" and, consequently, "moral" disorder (ibid., 173). There is, thus, a conceptual separation between squatting (favelas) and ownership (subdivisions in the *periferia*) sustained by the inhabitants of the latter.

Holston also describes the historical bifurcation of the trajectory of the urban poor in São Paulo during the 1940s: Governmental measures and other influential forces prompted the urban working poor to leave their dwellings in the city center.[4] As he puts it, "They could either try to remain in the more central areas, moving into the new favelas . . . or hanging onto rooms in *cortiços* [tenements] . . . or they could move to the distant hinterlands" (165). The hinterlands are the areas where the *periferia* would

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4   Among governmental measures and other factors was the 1942 approval of the Renter's Law, which froze rents in Brazil and thus made renting unfeasible from the landlord's perspective. Coupled with that, were the numerous demolitions of rental units due to urban renewal efforts in central São Paulo. Lastly, the

later be constructed. For the reasons stated in the preceding paragraphs, favelas and the periphery are seen as mostly different alternatives.

One of the ultimate construction mechanisms in the periphery of São Paulo is what Caldeira (2016) calls "autoconstruction." As she explains, autoconstruction—known as well as "self-building"—is a process by which *periferia* dwellers incrementally build their own houses, usually with their own labor (5). Ermínia Maricato (2010) adds that this process is also related to fragile land ownership, usually based on clandestine occupations of urban plots (9).

Ananya Roy (2005) explains that informal settlements within cities are a convenient mode of urbanization for governments in the developing world. She points out that the state reserves to itself the power of legitimizing and delegitimizing informality. The state also has the means to curtail or foster informal urban settlements. For Roy, it is a matter of "political struggle" (150).

Feltran (2010) explains that the aforementioned *periferia* dwellers that built their houses through self-help in the Greater São Paulo area were, in the 1970s and 1980s, usually associated with the image of "*trabalhadores*," or workers. These workers overcame adverse conditions, such as low education attainment and income, by forging political movements. Many movements were related to national and regional unions or had local implications—including community organizations that fought for social goods (such as asphalt, piped water, housing provision, etc.) and for the actual achievement of universal rights (592).

Feltran argues that, after the 1980s, the "criminal world" gained room to compete for legitimacy with traditional peripheral elements such as labor and political representativeness. From this point onward, crime began to influence local residents and their institutions (592). This was witnessed in the favelas that were located in São Paulo's *periferia*. Similarly, favelas in central areas also went through similar processes of crime-control escalation.

After this brief explanation of the social and historical processes that encompassed the periphery of São Paulo and many of this city's favelas, it becomes possible to understand the constitution of what would later result in power struggles and imbalances between the parallel power, dwellers, and the government in this case. Now, the physical shaping of this case study shall be assessed.

3. The Upgrading Plan for Favela do Sapé

Territorial interventions are crucial ways of interfering with power relationships. Favela-upgrading efforts could be seen in this sense as a means to change the way space is built, as well as who occupies it. Having said that, it should be noted that this article does not have the ambition to assert that the power struggles which were

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gradual replacement of streetcars for buses made settlements in the periphery a feasible alternative to living downtown (Holston 2008, 162–163).

witnessed in Sapé necessarily happened in other upgraded favelas. This work aims to assess the particularities of the selected case study. Thus, hopefully this work can make room for similar studies in the future.

In order to understand the upgrading plan of Sapé, it is important to trace back the process of settlement in this favela. It is located in Rio Pequeno District, an area that was formerly considered peripheral but has currently been incorporated by the formal city in many ways.

The first settlers moved into Sapé in the 1970s. A testimony from a long-time local dweller conveys the neglect from the city government in relation to the constitution of a physically precarious housing network on the local creek's waterfront:

> Sapé had the river, the river that used to flow and that still flows today. But it was a very shallow river, very shallow. When I arrived here, there were no shacks in front of the river. There were shacks, but very few. Then, [the years] went by and [Sapé] went on growing, growing, growing. The waterfront started to expand. The waterfront started to expand and there was a point in which there was nowhere to build anything.

The conditions that followed those years of increasing occupation in Sapé led to housing insalubrity mainly due to flooding and landslide risks. It became evident that some kind of physical intervention was necessary, as another testimony narrates: "My house was on the waterfront. I lived [there for] 26 years. I experienced floods. I experienced floods that my stove, the water would cover it. I experienced floods [so] that I lost everything."

Upgrading came, then, as the answer. This type of intervention should be understood as a way of consolidating residential areas in favelas, with few demolitions. In upgrading projects, favela dwellers usually remain in their homes and have infrastructural facilities such as sewage systems and new road space implemented in their communities. New housing units are built only to rehouse displaced families within the favela boundaries. The primary aim is to improve the targeted areas rather than to rehouse all dwellers.

The devised project for Sapé aimed, among other objectives, at clearing the local creek's floodplain, which meant demolishing 527 residences alongside the watercourse. Another important criterion for demolition was the physical precariousness of some dwellings. The City Hall estimated that, before the upgrading, 9% of homes (about 210 units) were made of wood, which is considered more insalubrious a material than brickwork, which is more commonly adopted in São Paulo's favelas. Additionally, the project envisaged clearing 98 residences to make room for new road space. Lastly, 354 homes would be demolished to open space for the resettled units. The foreseen displacements accounted for 1,082 residences in total (Formicki 2016, 81-82).

The upgrading process ended up clearing 1,496 houses and replaced them with 462 housing units[5] between 2012 and 2017. This means that more than 1,000 families are still displaced.[6] It shows that while on the one hand upgrading interventions can solve the physical precariousness of many families, on the other, such interventions can also engender troublesome consequences. In other words, upgrading favelas could result in exclusion and displacements. In this sense, Sapé's case illustrates what well-intended policies can lead to.

Naturally, exclusion was not the original intent of the São Paulo City Housing Department and upgrading designers. Although the number of planned displacements in Favela do Sapé reached a high proportion—the total amount of families that originally lived in the community was 2,362—there was an original prediction that more housing units would be built not only in Sapé itself but also on two separate plots of land near the favela (ibid., 82). Problems with construction funding and land ownership ended up being a definitive hindrance to more replacements (80).

It is important to state that, according to Zuquim (2012), although complete favela clearings can still be seen in São Paulo, recent city administrations have been implementing upgrading programs in favelas with a certain regularity since the 1980s (6). Thus, Sapé is a result of the recent shift in the city's housing policy.

4. Favela-Upgrading as a way of Intervening in Space and the Status Quo

> Sapé's upgrading project designer: I think that design, architecture, and urbanism are always a transformative action of space. We always transform. When we transform we demand that users revisit their ways of behaving. Organized crime, as well as formal social institutions, are based on permanence. That means that it is easier to administer the public good or it is easier to administer the control of space by trafficking with the constancy of places. If that place starts being constantly changed, you have to revisit the rules, you have to revisit the strategies, your points of view, your strong and weak points in the territory's domain. So, I think that the works in Sapé, which lasted four years, were a big disturbance for drug dealing, for the dealers, for the domain scheme that Sapé's space had.

As mentioned before in this paper, territorial interventions strongly interfere with power relationships. Studies and hypotheses that range from the *defensible space* theory to so-called authoritarian modernism have been devised—and critiqued—in order to

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5   This was Sapé's situation by September 2017 when the upgrading works were already over. The upgrading works in Sapé were carried out between 2012, when the first displacements took place, and 2017, the year when the last housing units were delivered.

6   In such cases, the São Paulo City Housing Department (SEHAB, in its Portuguese acronym) pays a monthly allowance to displaced families until they are rehoused in public residential units. The problem that usually arises is that families receive a low allowance of 400 reais (equivalent to about 120 dollars), which only enables them to seek precarious housing.

frame how planning and architecture's takes on the built environment may influence people's behaviors.

For instance, Oscar Newman's defensible space theory attempts to explain how architectural and urban design might affect the way U.S. low-income condominium dwellers see themselves responsible for public, semi-public, semi-private, and private areas. Among other points, Newman (1996) argues that if a designer conceives of more private areas in a housing project, its dwellers may feel more inclined to take care of their own spaces, watch out for them, and, thus, help prevent "crime and instability" issues there (28).

It is important to counter-argue that the defensible space theory may not consider a series of social and economic factors that can explain the incidence of crime in housing projects. In other words, Newman might have overlooked issues such as the social vulnerability of many dwellers, as well as the low governmental funding for the maintenance of spaces in public housing condos.

Other authors have also formulated theories and critiques of the way modernism-based architecture, urban design, and planning have been shaping cities. Holston (1989), for instance, argues that the modernist ideas that guided the design of Brasília were nourished by the "utopian" premise that "the design and organization of Brasília were meant to transform Brazilian society" (21). James Scott (1998) uses the expression "high-modernist authoritarianism" to talk about how, in his view, Le Corbusier would see urbanism and the role of the planner (111).

When it comes to favela upgrading, planning and design may affect the way different social actors embrace the transforming built environment. The interview excerpt in the beginning of this section illustrates this point. In this case, the works themselves implied an at least temporary change in the routine and order of Sapé. And, as shall be explained in the following paragraphs, technical experts who were hired and supported by the São Paulo City local government attempted to implement a new, definitive spatial order that could affect this community's parallel power in the long run.

In the previous quotation, historical neglect from the city's authorities toward Sapé's settlement was evidenced in the words of a local dweller. The social constitution of favelas, spatially embodied by squatters and precariously-built and insalubrious residences, was layered upon an active inaction from the government. The decades-long omission by authorities created the conditions for other actors—namely, settlers—to take over territorial control.[7]

Following the population that migrated to Favela do Sapé, another set of actors stepped into the area to claim its territory. One of these actors is the parallel power,

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7   This state omission cannot, however, be simply interpreted as a state absence. As Caldeira (2016) points out, "peripheral urbanization does not mean an absence of the state or planning, but rather a process in which citizens and governments interact in complex ways" (7). The author says that local governments in the Global South usually allow for squatting in urban peripheries and, years later, intervene by improving these areas and providing squatter setters with land regularization and, in a few cases, social housing.

which should be here understood as a group of actors that have some control over areas such as favelas similarly to governments but not officially. In São Paulo, the parallel power is embodied by a major drug-dealing organization called "PCC," *Primeiro Comando da Capital*, or First Command of the Capital. It gained prominence in São Paulo and penetrated this and various other communities city- and state-wide. Biderman et al. (2014) explain,

> [Ethnographic] evidence suggests that PCC dominated the wholesale drug distribution of illegal drugs into the city of São Paulo during the second half of the 2000s. From this vantage position, it established exclusive deals with local retail distributors located at favelas, who later became PCC operatives. (4)

A look onto newspaper and news website archives shows that PCC has been active in Sapé and has been using its space as a stage for actions such as executions. In a report from February 2017, *O Estado de S. Paulo* news outlet informs audiences of the trial of one of the top commanders of PCC. He was being prosecuted for ordering two killings, which occurred in Sapé in 2004 (Hisayasu and Carvalho 2017).

The entry of a third group of actors, the government—in this case represented by the police—was registered in Sapé after the parallel power took control of the settlement. Police incursions, as the one previously narrated, took place on some occasions. A 2017 report from *Agora* newspaper narrates the conduction of a police force "mega-operation" against drug trafficking in all parts of São Paulo City, especially including five favelas among which is Sapé (Fontes 2017).

Aside from raids, the upgrading policy comes as another type of effort to regain spatial domain on the government's end. Naturally, this is not the sole intention of these interventions. It should be mentioned that the reason stated by the São Paulo City Housing Department for the clearance of the creek's shores, for instance, was the existence in this area of precarious houses, which were subject to floods (Formicki 2016, 56). In fact, as already mentioned, many residences—some of which consisted of extremely precarious materials such as wood—were in the flood-risk area. However, the fact that some clearances created a more encompassing visibility in Sapé and thereby enabled the circulation of eventual police raids should not be disregarded.

Sapé, like most Brazilian favelas, was abundant in narrow alleys, dead ends, and tiny circulation spaces. As a result of the creek's floodplain clearing, a vast open space was created. This space enabled a better view of the favela's central area and also made circulation easier.

Figures 1 and 2 depict spatial differences in Sapé before and after the upgrading works. The first image is from 2005, when the settlement had more housing density and shacks covered up the stream course. It is difficult, if not impossible, to identify any street or alley. Figure 2 shows the physical situation of Favela do Sapé in 2017. By this time, the upgrading interventions were over and many residences had been cleared
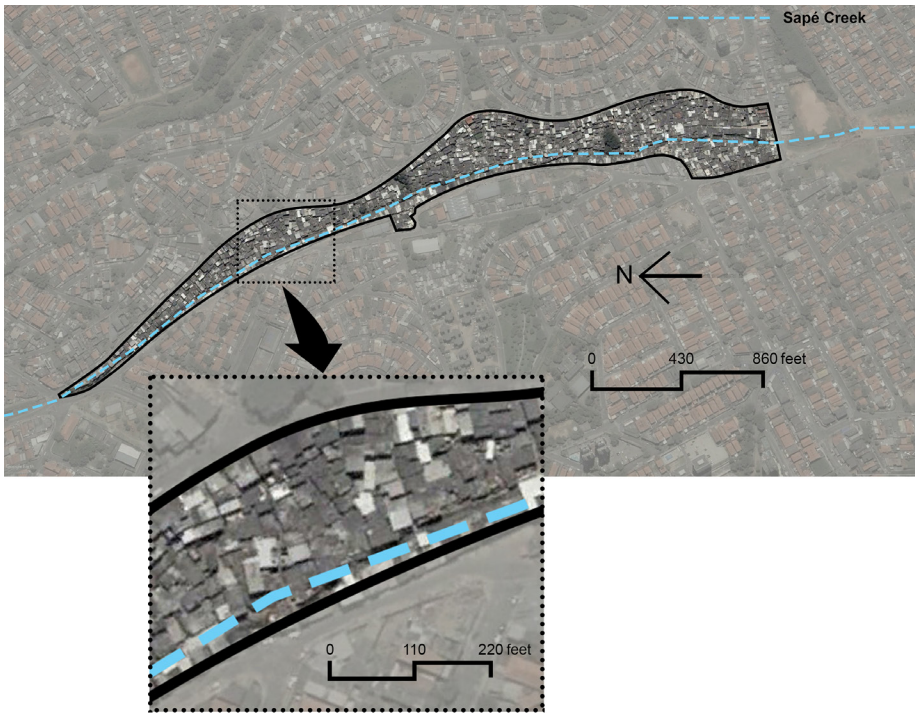
Figure 1   Favela do Sapé, 2005 *(Image from Google Earth and adapted by the author)*
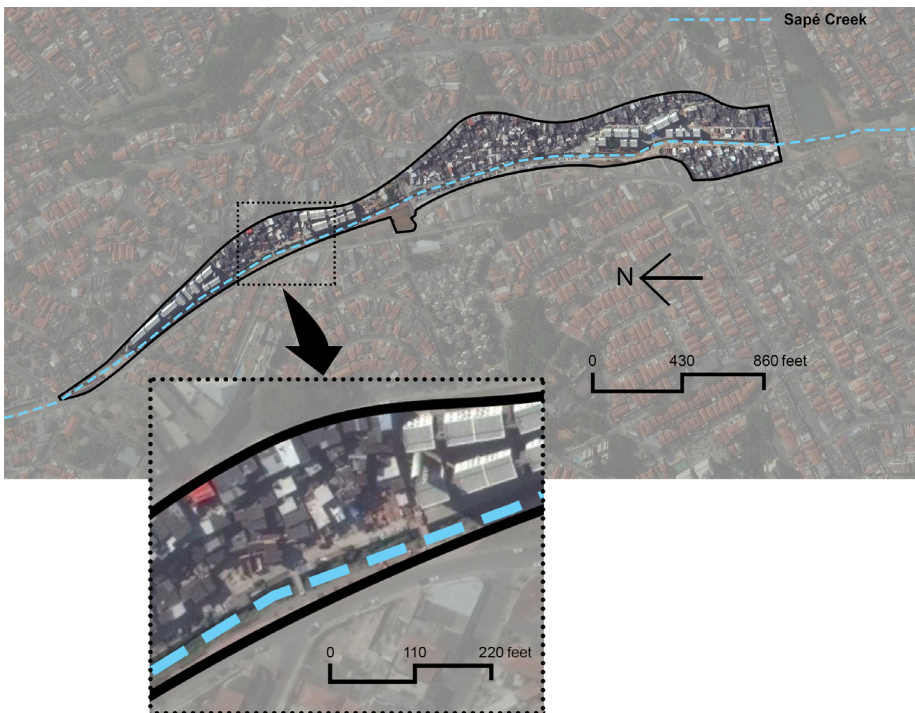
Figure 2   Favela do Sapé, 2017 *(Image from Google Earth and adapted by the author)*

alongside the waterfront. It is possible to see one street built on both sides of the channeled creek.

Figure 3 zooms into one of the former images. One can see an intermediate stage between 2005 and 2017 during which the works were still underway. The future street and a newly-established visual horizon that overlooks the upstream portion of the favela are already visible.

Figure 3   Clearance of the stream's margins in Favela do Sapé during the upgrading works. The stream runs between the green guardrails. *(Photo by the author)*

According to Samper (2012), upgrading could be a means to reduce violence in informal urban settlements (59). Moreover, the author asserts that governments interfere with the urban environment to increase real and perceived levels of security (62). Samper sees "a trend in Latin America towards multi practice (urban upgrading) design as tools for the state agencies to re-conquer spaces where the right of the state to control the means of repression . . . is in frontal contestation" (64-65). In this sense, governments are directly disputing spatial control with the parallel powers via upgrading practices.

This logic is corroborated by Sapé's upgrading designer. As she states in an interview carried out by this article's author, altering the "constancy of places" implies revisiting strategies of territorial occupation, especially on the local parallel power's end.

It should also be mentioned that local governments across Brazil usually do not justify upgrading interventions on violence control grounds. Authorities do not claim that these improvement plans are important because they curb the control the parallel power has over favelas. This fact is implicit. However, different administrations tend to broadly announce and advertise actions *exclusively* dedicated to fighting off drug dealing influences on these communities. This happened in the late 2000s when the UPPs (Pacification Police Units) were implemented in the City of Rio de Janeiro by the Rio de Janeiro state government, and in 2018 when the Brazilian military was allowed to intervene in the city to carry out armed raids against local criminal gangs.

At the crucial moment of upgrading, another group of social actors comes into play. This group represents the possessors of technical knowledge, which may relate to the fields of urban planning, architecture, urban design, civil engineering, social policy, etc. Members of this party were trained and educated with the purpose of implementing physical and social changes. In Sapé's case, these changes should affect not only its dwellers, but also inhabitants of the surroundings, as said one member of the upgrading design team states,

> [Sapé's upgrading] resulted in an urban gain, resulted in a gain for that place, for beyond the favela, which I think is a duty of public money. All that is public money. So, it is not possible that all that will be destined for those who live in Sapé. This is another rationale that I believe has always been important to us. Which is to say that it should generate something good for the city. Regardless of the favela. Because, otherwise, we will be privatizing the use of public money.

In the quest for power in Sapé, technical professionals usually side with the government and deploy their knowledge in corroboration with favela-upgrading practices. One member of the upgrading design team mentioned in an interview with the author that during the upgrading process, the team always partnered with the city government and dialogued with public officials.

5. *Conselho Gestor*: A Governmental Approach

Another city mechanism that perpetuates efforts to exercise more power during upgrading works is the *Conselho Gestor*, or Management Council. This is a type of local council which is made up of dwellers and landowners of an area to be upgraded, as well as public officials and NGOs that work inside or with the area. This council is informative and also deliberates on the outcomes of the proposed upgrading program (Formicki 2016, 27).

The Management Council is set up by City Hall officials and comprises regular meetings that take place not in the City Hall premises, but in the area that is about to be

upgraded. During these meetings, information on project deadlines is presented. Also, the project itself is presented along with maps, plans, and drawings. Citizens are then consulted about architectural details to be implemented. This council is an attempt to approach favela dwellers as authorities. By establishing a means of dialogue with favela dwellers and by granting them some decision-making power over their future, this approach can be seen as a way of mollifying eventual demands and complaints about the lack of room for community participation. The constitution of participatory planning mechanisms such as the Management Council also underscores a previous level of organization and engagement with favela dwellers—and, broadly speaking, peripheral urbanites. As Caldeira (2016) argues, these citizens from the Global South come together in networks that secure jobs, local support, and rights such as tenure regularization (10). The author explains that "the quality of the urban environment has significantly improved and residents of the peripheries have been able to remain in the neighborhoods they built, in large measure due to their constant organizing" (15).

The Council initiative has generated positive effects, which can be noticed in quotations from both São Paulo authorities and from Sapé locals. In an interview with the author, an official from the Housing Department asserted that the "Management Council was also a great learning opportunity. Establishing the Management Council [in Sapé], discussing with them, understanding the dynamics of the population. That was a great learning opportunity." A community dweller also had a good impression of the approach: "The best thing that existed was inventing this council thing. To help the community."

The way Sapé dwellers view management councils is not, however, unanimously positive. As one local dweller and member of the council puts,

> Because under this mayor here, this administration here, he gives a lot of opportunity to the councils. The councilmen have free pass inside the Housing [Department]. Councils there have free will. There the councilmen can call and arrange a meeting. You can see that, when it is in somebody's schedule, it is set up. They have it there. But there is a problem. They schedule, we talk, but they don't keep [to their promises].

Two elements can be witnessed in this testimony. First, there is an institutional arrangement within São Paulo City's governance structure that allows management councils to have great outreach. Councilmen are not ignored nor put on hold. However, a second element stands out: According to this Sapé councilwoman, agreements are not fulfilled on the authorities' end.

One question should then be posed: what is the point of the Management Council? As the two elements previously brought up indicate, the point of this institutional arrangement is basically twofold: giving favela dwellers a sense of power and influence over the upgrading outcome of their settlement and, more importantly, by this means getting them to side with and support city officials in the bigger quest to alter the power balance in the community to favor the local government. Naturally, there

is not only a sense of granted power to dwellers; there is an actual concession from designers and public authorities. Nevertheless, this concession is somewhat limited, for the economic resources and the technical expertise belong to those government representatives and designers.

To end this section, two observations are made. Firstly, the exposed conclusions relate to one specific favela in São Paulo. Further studies might confirm if these conclusions can or cannot be replicated across other settlements, given that there are similar criminal structures that operate throughout not only the city but the entire state. Additionally, although the upgrading programs that were implemented had design specificities, they followed similar major rationales, such as the criteria for the selection of intervention areas.[8] The way of conducting the upgrading plans—which includes the adoption of management councils—was also adopted similarly in many favelas. Thus, in a sense, Sapé may illustrate the conjuncture of many other favelas in São Paulo City and State.

The second observation is about the time frame of the described upgrading policies. They refer to three consecutive administrations, which ruled São Paulo between 2004 and 2016. The current government has slowed the pace of upgrading works across the municipality and may change key components of the city's housing policy.

6. Interpreting Sapé's Upgrading through the Power Planning Approach

As this article approaches its end, a few more questions remain to be answered. They relate to the quest for power in favela-upgrading practices: How does the upgrading project of Favela do Sapé engender power imbalances? What is a power imbalance?

Let us start with the definition of power. Based on his *power planning* research, Bent Flyvbjerg (2002) asserts that "power defines physical, economic, social, and environmental reality itself" (361). In Sapé's upgrading case, power emanates from all social actors and realities. The government has economic might—for it finances the works—as well as repressive police power. Caldeira (2016) argues that "while residents are the main agents of the production of space, the state is present in numerous ways: it regulates, legislates, writes plans, provides infrastructure, polices, and upgrades spaces" (7). The government also indirectly guides designers and other technicians, such as the Housing Department architects and planners. Teresa Caldeira explains,

> In the process [of developing peripheral land], state planners and agencies acted routinely after the fact in a way that benefitted private developers, improved neighborhoods, and consolidated the rights of residents. We can recognize the same logic in programs of land regularization and slum upgrading. (8)

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8   In a few words, one of the main elements that drove the selection of certain favelas over other areas is the location of settlements along hydrographic basins, as well as the physical precariousness and social vulnerability of some settlements.

Sapé's residents have popular power, which is conveyed through the election of their Management Council representatives and, more broadly, of city legislators. However, these residents have little if any economic and technical might. Lastly, the parallel power, through violence and fear, attempts to interfere with the favela's power relationships.

A power imbalance may occur if one group of social actors is subdued and ends up underrepresented. As stated previously in this article, upgrading works are an overall attempt by governments to alter the amount of influence the parallel power holds. But the effects of upgrading practices happen distortedly, as the most affected group—the one that is actually mostly weakened in terms of power—is favela dwellers. Although physical interventions may disturb the routine of criminal organizations, residents end up facing the biggest power asymmetry.

For instance, in the case of São Paulo's Management Council, the City Hall empowers this council as a pretext to the perpetration of changes that appeal mostly to the government. The council is not as autonomous as it seems, for it inconspicuously incentivizes Sapé's dwellers to feel included in the upgrading process and thus to support it. In this case, it is the political power emerging from the government that defines the institution of the Management Council as an informative and deliberative mechanism; not the informative and deliberative attributes of the council itself. Analogously, Flyvbjerg argues that power may define the application of knowledge instead of letting knowledge reign for its own significance.

It is important to state that the parallel power in São Paulo is structured through a strong network that outsizes city and state boundaries. The primary organization behind the criminal world is the aforementioned PCC, which earns money from trafficking in countless places and from other economic activities, too. Thus, the physical upgrading of PCC's territories may not disturb this illegal group too much. On the other hand, favela residents end up in between a power dispute in which local authorities, with the support of technicians, try to expand its domain.

In this expansion attempt, the São Paulo government has changed its intervention tactics throughout time. Historically, the city administration shifted from clearing favelas to upgrading them, as explained by one resident of Sapé: "Then, since I arrived here, I always listened to this upgrading plan. [But] they didn't say 'upgrading.' They used to say 'favela clearance.'" This change in the government's discourse and actions showed that maybe authorities realized that favelas could not be fully reclaimed by clearance. Following this rationale, a smooth and incremental intervention could prove more successful.

Research, such as Flyvbjerg's, points to the sometimes overlooked relationship between power and rationality within planning practices. Rationality could be viewed as the technique- and expertise-based side of planning. According to the author, this side is oftentimes interpreted and manipulated by the group of social actors that controls the planning mechanism. Thus, what matters the most is not the "correct, ratio-

nal or true" interpretation, but actually "which party can put the greatest power behind its interpretation" (Flyvbjerg 2002, 36).

In the upgrading of Sapé, what prevailed was the interpretation of the city government, which shaped the rational approach of designers and technicians. And there were strong reasons for the local authorities to lead their take on rationality: the social vulnerability and physical precariousness of the settlement's dwellers and, last but not least, the intention to weaken the influence of the parallel power over local residents.

The outcomes of this interpretation are as follows:

a) The physical transformation of Favela do Sapé, which, among other things, created new horizon lines and facilitated circulation in the settlement;
b) An increase in the presence of the local government; and,
c) The forging of an allegiance with local residents through the Management Council.

The transformation of Sapé's spaces resulted in a change in the way these spaces were appropriated by local residents and by the parallel power. Although this transformation is permanent, it may not lastingly affect the power dynamics in this favela if the government does not permanently operate there.

This leads us to the second outcome. During the upgrading works, government officials were constantly seen in Sapé. By "government officials" I mean architects, planners, social workers, and engineers. The police eventually made incursions, as described in this paper's introduction.

Nevertheless, after the end of the works most of these officials were relocated to other areas or went back to their offices. There is no São Paulo City urban policy that effectively brings a government presence to favelas on a permanent basis. Although the upgrading brought important public infrastructure and services, such as sewage collection, many other elements are still missing. Public facilities such as daycares and libraries, which denote the amicable and necessary presence of the state, were not implemented. It is important to say that police patrolling is also important—not only in favelas, but the entire city—but should not be the sole means of state action.

The last outcome was also established through a temporary logic. The Management Council brought many Sapé residents closer to government authorities and, therefore, empowered the City Hall and, to some extent, local dwellers. However, after the completion of the works the Management Council of Sapé, although not dissolved,[9] became considerably less active.[10] This shows that, once again, the upgrading efforts carried out in Favela do Sapé led to an ephemeral increase in government presence. Therefore, although significant, the government-sponsored change in the power

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9   The Council still formally exists because its period of validity has not yet expired. Also, as there were a few condominiums which were still left to be built, and a new bidding process for their construction might approach, this structure has not been dismantled.

10   One source from the Housing Department explained that, in practical terms, only one council person has still been working on behalf of the Management Council.

dynamics caused by and witnessed during Favela do Sapé's upgrading did not fully accomplish the desire of the City Hall's authorities.

7. Concluding Remarks

Caldeira (2016) argues that "peripheries are, undoubtedly, about inequality" (9). Based on the power planning framework, I argue that this inequality is mirrored by power imbalances in favelas across São Paulo.

Government authorities, criminal organizations, planners, designers, and residents are unequally involved in the quest for control over favelas. The recent upgrading attempts in São Paulo convey the way this quest is currently shaped. It is a powerful mechanism in a sense that it aims at securing the incorporation of favelas into the jurisdiction of the state. After all, upgrading means disturbing the presence of the dominant parallel power. It also implies an attempt to establish legal participatory institutions, such as the Management Council, that can bring favela dwellers into the urban realm and also persuade them to side with the local government.

If residents tend to be highly and disproportionately affected by state interventions, criminal gangs may not be equally hit. This does not necessarily mean that favela-upgrading practices are deceitful or harmful. Upgrading should not be viewed through a good-or-bad lens. It should be seen as a mechanism of incorporation of marginalized urban dwellers by the state, which results in power struggles and imbalances. Its effects could be positive or negative depending on which social actor is regarded and, especially, each actor's strength.

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Exploring the Dangerous Disconnect Between Perspectives, Planning, Policy, and Practice Towards Informal Traders in Durban, South Africa

DANIELLE NICOLE DEVRIES

Abstract

While cities pursue recognition on the global scale, low-income populations are often negatively impacted by urban growth. Informal workers in Durban, South Africa have fallen victim to this trend, as the municipality's focus shifts to drawing international investment and cleaning up the city. In this article, I explore the question: How do municipal employee perspectives, current planning and policy documents, and current practice in the city align regarding treatment of informal traders in Durban, South Africa? I find a disconnect between current well-intended perspectives and planning with policy and its enforcement in practice. This disconnect must be addressed to protect informal traders in Durban.

Keywords: Informal Trade, Street Vending, Informal Economy, Social Planning, Urban Governance

Introduction

While cities pursue recognition on the global scale, low-income populations are often negatively impacted by urban growth. Informal workers in Durban, South Africa have fallen victim to this trend, as the municipality's focus shifts to drawing international investment and cleaning up the city. Informal traders, defined as anyone who trades goods or services and is not employed in a position that complies with official tax and business regulations, are very prominent in the municipality. A recent census estimated there are nearly 50,000 informal traders in the metropolitan region (StreetNet International 2010). Though many people depend on informal work as their main source of income, traders generally lack support in the inner city and must adhere to strict guidelines. Meanwhile, municipal staff and planning documents speak of supporting traders and respecting their field as a vibrant contributor to the municipality's economy and culture (eThekwini Municipality 2016a).

Given that Durban is a globalizing city, it is undergoing changes in labour structure (Buechler 2006). Durban was previously industrial-focused and relied mostly on production and port activities. Now, the economy is much more diverse, with a growing interest in the financial, real estate, and creative sectors, but a shrinking portion of production jobs. This change in labour structures has been noted in several lines of global cities theory (Cohen, Dear, and Scott 2006; Buechler 2006). However, this change has a devastating effect on low-income populations. Traditionally, low-income people in Durban worked in agriculture or production, but since those jobs are decreasing,

people are increasingly becoming unemployed. To cope with this, many work informally as traders, trolley pullers, mealie cookers, taxi drivers, recyclers, etc. The municipality recognises this trend in their public documents, stating that "when jobs are shed in the formal sector, it often means that people seek employment in the informal sector" (Machen 2011).

It is an essential time to ensure that informal traders in Durban are adequately protected and provided for, since it is an ever-growing field and necessary for many families' survival. The municipality has been increasing regulation of traders in recent years, to both protect the traders and improve the city for international investment. Heavy regulation of informal trade has played out negatively in other cities that are striving to be global, since informality is perceived as unsightly and forbidden from areas where the municipality is trying to attract international tourism and capital (Schindler 2014; Donovan 2008). However, regulation may also play out in favour of informal workers, since they have increased access to safe and clean work environments (Alfers, Xulu, and Dobson 2016; Donovan 2008).

Despite well-intended municipal perspectives, planning, and policy, current practice is increasingly punitive toward informal traders. This punitive practice arose as the municipality began preparations for the 2010 FIFA World Cup and has continued with efforts to renew the inner city (Xulu 2015). The municipality is conducting formal "clean-up" operations to make the city appear desirable for foreign investment. This paper focusses on informal traders, since they are one of the largest segments of informal workers in the city (along with paratransit). It is also a prudent time to examine planning and policy documents since the new Inner City Local Area Plan and associated Warwick Precinct Plan, where the majority of traders work, were approved at the end of 2016 (eThekwini Municipality 2016b; eThekwini Municipality 2016a). Additionally, the municipality approved a new bylaw applicable to traders in 2016 and plans to amend another in 2018 (Xulu 2015; eThekwini Municipality 2017; eThekwini Municipality 2015). Thus, this paper will examine informal trade in the inner city, with around 21,000 estimated traders, specifically referencing Warwick Junction where the markets are located, with over 8,000 estimated traders (StreetNet International 2010). In doing so, the paper will explore the question: How do municipal employee perspectives, current planning and policy documents, and current practice in the city align regarding treatment of informal traders in Durban, South Africa? This exploration will help inform where there is a disconnect between good intentions and the current punitive practice towards traders.

Study Area

Durban is the third largest city in South Africa. It is a regional municipality with a population of 2.44 million and an annual budget over 26 billion rand (roughly $2.6 billion Canadian; (eThekwini Municipality 2011). Further, it is outperforming the national economy in terms of GDP, Gini coefficient, and unemployment rate (Machen 2011).

The municipality itself aims to be the most livable, vibrant, and caring city in all of Africa by 2030, which speaks to its lofty global goals (eThekwini Municipality 2011). It is known as a cultural melting pot, characterized largely by Zulu, Indian, and mixed-race individuals with vibrant traditions (Machen 2011). However, due to the shifts in economy and labour structure that come with becoming a global city (deindustrialization, polarization, etc.), 21% of the population experiences unemployment (Cohen, Dear, and Scott 2006; eThekwini Municipality 2011). This unemployment is feeding into an ever-growing informal economic sector in the inner city, with street traders and informal supporters for these traders, such as paratransit, trolley pullers, and recyclers (Dobson et al. 2009; eThekwini Municipality 2016a; StreetNet International 2010).

Despite the negative connotation that could come with unemployment, many of these people are resilient and make their livings informally. This informality is often more connected to cultural heritage than formal employment. There is a widespread recognition in the city that those involved in the informal economy are a vital part of their society, so planning and policy are attempting to embrace cultural heritage and create better work spaces for informal traders in the urban realm (eThekwini Municipality 2016a; Dobson et al. 2009). This was approached early on through the Warwick Market project, which invested over 40 million rand to create a vibrant market space for informal traders through urban design interventions (Dobson et al. 2009; Alfers, Xulu, and Dobson 2016). Today, it is being addressed with the new Inner City Local Area Plan (eThekwini Municipality 2016a). This paper focusses specifically on the inner city, located on the northern edge of the port, and the Warwick Precinct, which is the southwest corner of the inner city and entrance to the central business district.

Background

The Warwick Junction Pilot Project in Durban is largely recognised in academic research. Authors like Lund and Skinner have written extensively about the history of trade in the inner city from colonial times through Apartheid and into the current planning regime (Chazan 2010; Skinner and Valodia 2003; Skinner 2008; Lund and Skinner 2004). Since the early 1990s, when the Warwick Junction Pilot Project first started and involved traders in the development of and investment in organized markets, Durban has been recognised for its success with informal trading (Skinner 2008; Skinner and Valodia 2003; Lund and Skinner 2004). Often, literature about informal trade in other cities states that traders lack organization and collective voice to negotiate with the local government for space in the public realm (Forkuor, Akuoko, and Yeboah 2017; Goodfellow 2016; Roever and Skinner 2016; Brown, Lyons, and Dankoco 2010). These studies reference Durban as the best example of involving trading associations in local governance and management processes of the markets (Goodfellow 2016; Roever and Skinner 2016).

While Durban had early success integrating the informal economy into their economic development and planning strategies, momentum died down when the FIFA World Cup was hosted by Durban in 2010 (Mkhize, Dube, and Skinner 2013; Skinner

2008). The FIFA World Cup brought on relocation and punitive enforcement of informal traders to clean up the inner city for the eyes of the world (Mkhize, Dube, and Skinner 2013). This was the beginning of the disconnect between perspectives in planning and actual policies and practices towards informal traders. After a decade of successful support for informal workers through the Warwick Junction Pilot Project, practices started to become punitive toward informal traders in the mid-2000s (Xulu 2015). This type of punitive practice toward informal traders occurs in many other cities in the world and is more common when thinking about how traders are treated by their respective local governments (Forkuor, Akuoko, and Yeboah 2017; Schindler 2014; Donovan 2008). These cities aim to formalize traders and keep them out of the public realm in response to the global ideals of what a city should look like (Schindler 2014; Brown, Lyons, and Dankoco 2010; Donovan 2008). Formalization into market spaces may come with benefits like better workplace health and safety, but decreases opportunities for marginalized people who depend on work as traders (Alfers, Xulu, and Dobson 2016; Donovan 2008; Williams and Round 2007).

Moving forward, Durban has not fully returned to its previous collaborative state that is so highly praised in the literature. Thus, the disconnect with practice remains. The Informal Economy Monitoring Study reviewed the current state of informal work in Durban after the 2010 FIFA World Cup and noted policy recommendations to move the informal economy forward (Mkhize, Dube, and Skinner 2013). Current policy needs include listening to and addressing traders' needs to do their work both efficiently for themselves and cleanly for the city (Goodfellow 2016; Roever and Skinner 2016; Mkhize, Dube, and Skinner 2013). Other studies call for various sectors within the local government to work toward a common goal for regulation and enforcement of informal trade (Schindler 2014). Researchers also recommend holding multiple aspects in balance like celebrating traders' vibrancy while protecting them from risks, or reducing inequality while promoting full economic inclusion (Goodfellow 2016).

Most research on this topic involves interviews with traders or speaks from the perspective of informal workers (Mkhize, Dube, and Skinner 2013; Brown, Lyons, and Dankoco 2010; Donovan 2008; Lyons and Snoxell 2005). Some studies do engage with municipal staff, market leaders, or other citizens (Brown, Lyons, and Dankoco 2010; Williams and Round 2007). Considering municipal perspectives is important to understanding motives behind policies and, ultimately, how they will come into practice. This paper will consider municipal perspectives, planning, policies, and practices regarding informal trade in Durban, and build on past literature about informal trade in Warwick Junction.

Methods

In this qualitative assessment, I conducted an informal survey of municipal staff perspectives, reviewed planning and policy documents, and searched social media and promotional materials for examples of current practices in eThekwini Municipality

(Durban), South Africa. To gain insight into the perspectives of municipal staff, I employed a convenience sampling strategy and targeted contacts that I made while working for the municipality. They were contacted by email in November of 2017 with research details, a request for consent, and nine open ended questions. Responses were collected until December 2017, and then analyzed using NVivo 11.

In addition to the survey, I analyzed planning and policy documents addressing informal trade in the inner city. I reviewed all current documents in use that address informal traders. This includes the Inner City Local Area Plan, the Warwick Precinct Plan, the Informal Trading By-Law and the Nuisances By-Law. While reviewing the documents, I extracted details from sections that highlighted provisions and restrictions for informal traders in the city.

Finally, I reviewed the municipality's weekly bulletin and Facebook page for stories about current practices regarding informal traders. I retrieved stories about new planning, education, or enforcement strategies applied to informal traders. Then, I recorded details of each story to represent current practices in the city.

Results

Perspectives

Over November and December 2017, 18 municipal staff members were recruited for the survey, and 11 completed the survey questions. Of the 11 who completed the survey, only three were women. The sample was racially representative of the population in Durban. The survey was very interdisciplinary and represented seven municipal departments, including planning, health, and transportation. Overall, consistent themes appeared among staff perspectives of informal traders. It is important to note that general questions were posed about the informal economy in the entire city, but most answers only catered to traders—not paratransit workers, recyclers, and other roles in the informal economy.

Municipal staff understand the informal economy as work that lacks controls such as taxes and fees (10/11 respondents) and involves trading goods and services (8/11). Only one individual noted that the informal economy is "in different sectors and not just the street trading," but the connection to street trading is suitable since traders are the most prominent subgroup of informal workers. A definition of the informal economy, based on responses from municipal staff, is as follows: A sector that lacks the controls of formalized businesses, is primarily conducted as trade of goods and services, takes place in the public realm, and benefits unemployed and low-income individuals.

According to this definition, most municipal staff view informal trading as playing a positive role in the city with some negative impacts. They recognise that informal trade provides job opportunities and access into the economic market (7/11), sustains low-income and unemployed individuals (9/11), and contributes to the local economy (3/11). However, most (9/11) go on to complain about a laundry list of negative impacts

including refuse dumping, odor and noise nuisances, damage to city infrastructure, impeding pedestrian movement, and taking up public space. One municipal employee aptly described the informal economy as an "economic paradox" since they "need it to sustain marginal communities . . . but [it] continue[s] to contribute to a plethora of negative impacts." This comment captures the tension accompanying the informal economy, since it does play both positive and negative roles in the city.

Coping with the tension between these positive and negative roles has become the primary planning activity in the inner city. One participant recognizes that "there is a contradiction and tension, but this is part of the historical, capital, and colonial system," suggesting the problems are deep-rooted into current practice. Another participant suggested that "the negative can be minimized and mitigated in the city if the informal economy participants and organizations worked better together, meaningfully and respectfully." This is a call for future planning and policy interventions in the inner city. Many of the participants (9/11) highlighted examples of where planning and policy are falling short to support work that informal traders rely on. These examples include lack of bylaw enforcement, allowing corrupt officials to take advantage of traders, poor management, lack of supporting infrastructure (e.g., waste bins, toilets, etc.), poor work conditions, too many new entrants, and no training programs. Durban needs better policies that are carried into practice to support informal traders, and the municipal staff is aware of this gap in planning.

All the municipal staff recognise that better planning and policy are needed to regulate street trading. Along these lines, four suggested that the municipality needs to be more proactive in planning for and accommodating the needs of traders. A few (3/11) noted that such policy and planning will require collaboration not only between municipal departments, but also with the community members the regulations would affect. There is currently a lack of adequate consultation, and existing policies are neither robust nor communicated well to traders (4/8). One of the participants suggested that new plans should "clearly articulate the vision of if and how informal economy activities will be accommodated within an area." Currently, even municipal staff have differing perspectives on how policies should be interpreted, so informal traders with less access to information should not be expected to do the interpreting. One responded that the "policies have ambiguity which favours traders," while another stated that the policies are "based on some rational notion of what informality is, how many [traders] can exist, and how [they can] be regulated, which have all failed to date." This suggests that some find current policies to be beneficial for traders yet have room to improve. However, others see them as failures that have not successfully regulated informal trade in the city.

Most of the participants (9/11) called for greater, more consistent enforcement of policies and bylaws with dedicated roles among departments. Two of these went so far as to suggest harsher penalties for illegal informal activities. Another four suggest that the biggest shortcoming of current planning is inconsistencies in practice and

enforcement of policies. Most (7/11) suggest further regulation of the traders is necessary, such as formalized market spaces leading to better management. Some see this regulation as punitive to get rid of unsightly and disorganized spaces, while others see it as protective to promote better work environments and public spaces. One stated that "[informal trade] allows them to earn a living under hard economic conditions . . . on the other hand, it does create more inequality where the municipality starts enforcing harsher bylaws." Another stated that "the 'formalization' of 'informal' trade activities may seem like a contradiction, but I believe it is necessary in terms of the bigger picture for a city." While staff do not agree on the type and amount of regulation, all seem to suggest that regulation is necessary to create the city they desire.

All participants affirmed that the informal economy plays a critical role in their dream version of the city and have many suggestions to improve the state of informal trade. Three suggest that rather than additional punitive regulation, they should expand what is considered legal by providing more permits, alternates to permits such as day markets, and more spaces as opportunities allow. One participant suggests that instead of considering traders informal, their businesses "should be classified as small, medium, and micro enterprises (SMMEs) as part of local economic development" policies. Some of the participants (4/11) noted that trading can be aesthetically improved by getting rid of "structures that look tatty and just lower the standard of the area" and becoming "permeable to allow foot traffic . . . [and] attractions that people have to visit when they come to the city." Another suggestion (2/11) is that there must be adequate infrastructure for the traders to do their work, be protected from the weather, and deal with waste and recycling efficiently. A few participants (3/11) were more visionary, suggesting a complete paradigm change regarding what is considered formal and informal, rather than just upgrades. One stated that "they should not be treated as informal if we want to grow our economy in a sustainable manner. As long as we don't change our paradigm, informal and formal economy will co-exist." Another stated that trading would be "more vibrant, supported, innovative, and part and parcel of our so-called formal economy." Ideas that call for a paradigm change are innovative and provide essential energy to apply to future planning in Durban.

Planning

The municipality has a collection of plans that address the future of municipal land use from region-wide, long-term plans to finer local- and precinct-level plans. In 2016, the new Inner City Local Area Plan (LAP) was approved by the municipal council. This is the first detailed plan to address Durban's downtown core in over 30 years. The plan also included a precinct plan, at an even finer scale, for the Warwick Junction neighbourhood—which encompasses informal trading markets. I consider current planning through the lens of the new LAP and precinct plan because they address the informal economy in Durban.

Since there are now over 21,000 informal traders in the inner city alone, the Inner City LAP has made addressing informal trade one of their primary goals (eThekwini Municipality 2016a). The plan suggests that improving connectivity and increasing sidewalk widths will create enough space for 80% more registered informal traders (eThekwini Municipality 2016a). This 80% improvement is only for the 8,000 traders counted in Warwick, so a new total space would be created for 14,400 traders. The distinction of a "registered" informal trader is an important one. The city allows for informal trade through the Informal Trading Bylaw, but requires that traders be registered for administrative and enforcement purposes (eThekwini Municipality 2014, 20). This means the plan is targeted mostly at traders who already follow some of the municipality's rules and puts those who have not acquired a permit on a lesser standing.

The new plan aims to combat urban management issues in trading spaces by not only creating more space, but also including appropriate facilities and education in all of these spaces (eThekwini Municipality 2016a). These facilities include public toilets, waste management, and storage lockers for personal belongings (eThekwini Municipality 2016a). There are additional ongoing projects to support the occupational health and safety of traders and their children who attend day care on site (Alfers et al. 2016; Dobson et al. 2009). These efforts are in the municipality's favor as they will foster better cultural capital and make the markets a safer, more desirable tourist destination, which feeds back into their global goals for tourism. The municipality also noted in the Inner City LAP that traders throughout the city actually help deter crime since there are more eyes on the street for prevention and reporting (eThekwini Municipality 2016a).

The Warwick Precinct Plan created under the Inner City LAP, focuses on the Warwick Junction neighbourhood where most of the market space is in the inner city. This is the plan's vision: "The future Warwick is a safe, mixed-use trade and transport hub and an attractive thriving centre of diverse commercial, social and cultural exchange" (eThekwini Municipality 2016b, 6).This is a beacon of hope for informal traders since trade and transit, two of the largest informal sectors, are recognized at the forefront. The plan goes on to outline the problems in Warwick, noting that "crime and grime" is a loaded phrase that usually refers to urban management, there are tensions with so-called "illegal traders" and enforcement, and there is a severe lack of adequate infrastructure to support safe and healthy environments for informal traders (eThekwini Municipality 2016b, 19). The plan states:

> It is the intention that significant additional space for traders be provided in the precinct, so that many more permits can be issued, thus allowing greater inclusion, and regulation and more effective enforcement without reducing the capacity of the area to generate livelihoods for as many people as possible. (eThekwini Municipality 2016b, 19-20)

This dramatic statement is only backed up by an 80% increase in trading space, which will limit the growth of informal trade in the inner city.

The plan also reviews policy goals that could play out in the Warwick Precinct. This is a promising section of the plan that outlines modes of support and training, better management, and better protection and regulation. Whilst these goals are outlined as necessary, they are not accomplished by this plan as its limits are spatial. The spatial solutions that the plan seeks to create are new trading spaces on widened sidewalks, in transit interchanges, markets, and areas that provide the adequate infrastructure to be clean and secure. Even with promising an 80% increase in the number of permitted traders who will have space in Warwick, the plan fails to denote where this space will be—despite laying out the detailed, street level reconfigurations for the precinct. This highlights the need to complete a further detailed plan for traders that denotes special trading zones, the number of allocated spaces, potential street reconfigurations to provide even more space, and future growth of the informal sector. Further, the number of so-called illegal informal traders is claimed to be high, so an 80% increase in space for permits may not provide enough space for those already engaging in informal trade in Warwick.

Policy

The municipality has also recently implemented several bylaws that affect informal traders. Durban was the first in South Africa to implement an informal trading policy in 2001, which recognised the importance of traders for the local economy and defined regulations around trading in public space (eThekwini Municipality 2001). In 2014, the municipality released the first Informal Trading Bylaw, which was largely based on the 2001 policy (eThekwini Municipality 2014). It both recognised the importance of traders and defined when, where, and how traders may conduct business. This policy benefits informal traders by giving them a recognized role in the city but can also be dangerous since the municipality can dictate where traders can work. To deal with current enforcement issues, the municipality proposed an amendment to the bylaw in 2017, which is set to be approved in 2018 (eThekwini Municipality 2017). The amendment defines harsher conditions for traders about when and where they can trade and will allow for impounding goods as a punishment. The municipality is also trying to address cleanliness issues that are often attributed to informal traders. They implemented a Nuisance and Behaviour in Public Places Bylaw to define the coined "crime and grime" issues in the city and allow for enforcement of these infringements (eThekwini Municipality 2015). Both bylaws, including the future amendment, allow the municipality to enforce detailed regulations on traders.

The following is the original purpose of the Informal Trading Bylaw:

> To provide for the right to engage in informal trading; to establish informal trading areas and informal trading sites on municipal property; to provide for the granting of trading permits to trade on municipal property; to restrict and prohibit informal trading in certain areas; to regulate the conduct of informal traders; to regulate informal trading at special events; [and] to provide for measures to ensure health and safety. (eThekwini Municipality 2014, 2)

The preamble to the bylaw is generally positive, since it recognises the importance of trade both for disadvantaged individuals and the local economy. However, in further detail, it allows the municipality to define when, where, and how traders work, which could be a dangerous allocation of power to the municipality regarding traders' livelihoods. The details of the bylaw grant all individuals the freedom to trade if they comply with the regulations (s5; eThekwini Municipality 2014). The conditions of trade are more detailed, but requirements include a valid permit (s11-12); that traders are unemployed formally (s12); that the area is kept clean (s29); and no restricted behaviour such as using structures, trading overnight, or trading in any area that blocks any public facility or flow of traffic (s19-28; eThekwini Municipality 2014). Further, the council has the right to define trading areas (s9); define restricted areas (s18); define trading hours, goods types, permit expiry, and types of trading structures (s12.5); remove a permit with notice (s16); and restrict trading at special events (s31; eThekwini Municipality 2014). Trading is not a free endeavor for traders, since the required permit comes with an application fee and annual rental fee for the trade location (s13; eThekwini Municipality 2014). Infringements of these regulations are punishable with up to a R5000 (about $500 CAD) fine or one year in prison (s38; eThekwini Municipality 2014).

The proposed Informal Trading Amendment Bylaw aims to exercise more control over informal traders, since there are current problems with enforcing the bylaw as it stands. The traders won a precedent case against the municipality about goods impoundment when they were not able to retrieve their goods (WIEGO 2015). The judge deemed police confiscations unconstitutional and required the municipality to rewrite the applicable section of the bylaw to hold police liable for the care of confiscated goods (WIEGO 2015). Though the intention of the amendment was to make the bylaw fairer to traders, this is the stated purpose:

> To prohibit an informal trader from trading in an area or place where informal trading is prohibited or restricted; trading in restricted areas; to provide for certain restrictions on informal trading; to provide for the impoundment of goods; [and] to provide for the regulation of abandoned goods." (eThekwini Municipality 2017, 2)

Thus, the amendment is increasing harshness toward traders. Importantly, the bulk of it outlines the procedure for Metro Police to impound goods: Traders must acknowledge understanding and receive a signed receipt to retrieve their goods after paying the fine (s35; eThekwini Municipality 2017). This change will override the court's reasons for the previous halt on impoundment. Further, it allows the municipality to sell, destroy, or dispose of goods if they are not collected on time (48 hours for perishables, 3 months for others; s35), which is worrisome for traders (eThekwini Municipality 2017).

In addition to the Informal Trading Bylaw, which requires traders to keep the spaces they use clean, the municipality is attempting to combat crime and grime through the Nuisances and Behaviour in Public Places Bylaw (eThekwini Municipality

2015). The purpose of the bylaw is "To provide for measures for preventing, minimising or managing public nuisances; [and] to prohibit certain activities or conduct in public places" (eThekwini Municipality 2015, 2). It defines a nuisance as "any conduct or behaviour . . . which causes damage, annoyance, inconvenience or discomfort to the public," which is very broad and open to municipal interpretation as needed (eThekwini Municipality 2015, 2). The details of the bylaw contain several nuisances that reinforce restrictions on traders' behaviour that are laid out in the Informal Trading Bylaw. These include hanging goods (s7), making noise such as music (s8), littering (s9), obstructing pedestrian traffic (s12), and building any structure such as a trading hut or stand (s15; eThekwini Municipality 2015). Additionally, it reinforces the municipality's authority to define trading places and allocate permits to avoid such nuisances (s17; eThekwini Municipality 2015). This bylaw introduction has created another avenue for police to be punitive toward traders.

Practice

On December 20, 2017, I reviewed eThekwini's Facebook page and weekly bulletin for posts and articles about informal trading from the beginning of 2016 to the end of 2017 (eThekwini Municipality 2018a, 2018b). These posts and articles were used as examples of current practices of municipal staff toward informal traders in the city. Some of the posts are positive, such as free business training and allocation of funds for new trading infrastructure. However, there are many examples of the municipality's efforts to clean up the city, which are becoming increasingly harsh and punitive toward informal traders. The municipality exhibits great pride in their clean-up efforts, as demonstrated by their November 13, 2017 Facebook post depicting police issuing fines to traders (eThekwini Municipality 2018b). Yet traders still lack the adequate education, support, and infrastructure to follow the bylaws well. Many complain of police brutality and difficult circumstances with what is provided to them (StreetNet International 2010). Another, more positive, post on November 29, 2017 shows the mayor announcing R350 million for new trading infrastructure over three years (eThekwini Municipality 2018b). In addition, the eThekwini bulletin, which features three to four stories each week, has published three stories on the Inner City LAP upgrades and three stories on increasing bylaw enforcement efforts since February 2017. The municipality is certainly increasing efforts regarding traders, but it is doing so with a focus on bettering the city over traders' wellbeing.

Discussion

We see a disconnect between the municipality's perspectives, planning, policies, and practices towards traders. The perspectives are generally positive and see a future for trading in the city that respects traders' culture and economic contributions. Most staff who participated in the survey regard regulation of traders as a necessary practice

to maintain order in the city, and in some cases to also protect and provide for informal traders. There are only a few instances where staff favor global success over traders' wellbeing. Planning documents appear hopeful for traders and leave room for subsequent plans and policies to meet traders' needs. However, they have neither detailed how traders' needs will be met nor provided protection for traders in the inner city to maintain their spaces. The policy and bylaw documents are troublesome, since they leave the bulk of power to define the informal trading landscape with the municipality. Though providing adequate resources, health, and safety are in the preamble of the documents, they go on to allow the municipality to decide how, when, and where traders may work in the city. This is a dangerous position for traders to be in while the municipality focuses on cleaning up and attracting international investment because the municipality could displace traders to undesirable locations. Finally, examples of current practices add to the dangerous disconnect between municipal perspectives and planning. The municipality is increasingly becoming punitive toward traders by enforcing bylaws, and only providing minor improvements for traders' circumstances. Therefore, while the importance of informal traders and improved working conditions are recognized, traders must still adhere to strict rules, are perceived unclean and undesirable, and are suffering from increased pressure to perform without the necessary support.

Municipal staff adequately identified informal trading in the city as an "economic paradox," where it is both necessary to involve marginalized people in the economy and expensive to maintain infrastructure and cleanliness in trading areas. There is a tension here that is identified throughout the literature as part of historical capital and the colonial system (Buechler 2006). Durban is widely recognized for successfully collaborating with informal workers to design market spaces and improve working conditions (Goodfellow 2016; Roever and Skinner 2016). However, staff identified that there is now a lack of adequate consultation since this disconnect took root and they will need to work better and more meaningfully with trading organisations moving forward. This type of collaboration with trading associations is also encouraged in the literature (Forkuor, Akuoko, and Yeboah 2017; Goodfellow 2016; Roever and Skinner 2016; Brown, Lyons, and Dankoco 2010). In Durban specifically, it will entail a necessary return to previous practices and to addressing current policy concerns (Goodfellow 2016; Roever and Skinner 2016).

Policy documents recognize the importance of informal trade for the local economy but leave enough ambiguity for those enforcing the rules to interpret them in a way that aligns with a more negative view of traders. To counteract this, Durban requires policy documents with more details to enforce the positive actions rather than leaving room for punitive enforcement from officers not involved in planning. Many other cities experience punitive enforcement of traders, and researchers are calling for improved policies and collaboration (Forkuor, Akuoko, and Yeboah 2017; Schindler 2014; Donovan 2008).

As it stands, the municipality has defined what is and is not legal in terms of informal trade but lacks efficient public education and consistent enforcement. Municipal staff interpret the bylaws differently, so traders with less access to information than staff should not be expected to understand the details and face punitive enforcement. Other researchers have suggested that various sectors within the municipality should work toward a common goal to counteract the failure of regulation (Schindler 2014). This way, those responsible for planning, public engagement, and enforcement will have the same understanding of what informal trading should be in the city, and this can be consistently communicated with traders and other stakeholders.

Along these lines, planning and policy documents have yet to address key protections for informal traders. All existing documents mention the need to protect informal traders as a viable piece of the local economy and a vibrant piece of Durban's heritage; however, none go so far as to enact protections that will help informal traders. The existing plans and bylaws leave all power with the municipality to decide where and when traders may work rather than involving traders collaboratively. Though the Warwick Precinct Plan aims to create new spaces for trading so that more traders may be permitted, it has not locked special trading zones into the land use plans or defined where the new spaces may be located. The municipality still could put pressure on the spatial boundaries of informal trade and displace traders, as it seeks to "clean up" and become "world class."

The municipality's goal to be a global city has the dual consequences of forcing more people into the informal sector due to increasing unemployment and increasing competition between the emerging formal service industry and existing informal traders. These consequences make it harder for informal work to be viable. This trend is seen throughout the literature in globalizing cities (Schindler 2014; Brown, Lyons, and Dankoco 2010; Donovan 2008; Buechler 2006). With current policies, the municipality could redefine trading areas and condense informal traders into smaller spaces, so that they have more municipal land to promote for international investment in the inner city. While the plans do allow for street trading, the bylaw enables the municipality to define restricted areas. As the downtown core becomes increasingly desirable for international investment, so too will it become undesirable for activities the city sees as unclean, like informal trading.

To truly protect informal traders, the municipality must amend the existing Informal Trade Policy and create a detailed social development plan and integration framework for informal traders as a matter of urgency. Such an amendment to the policy must dictate minimum standards for the number of trading permits, public space allocated to traders, infrastructure provided to traders, and training and development sessions, and take into consideration annual inflation rates to accommodate the growing sector. These protections must be put in place to balance the municipality's claims that trading is a vibrant and important part of the community, as recommended elsewhere in the literature (Goodfellow 2016).

Though current practices are punitive and serve as a warning sign that traders need further protection, the perspectives and visions of most municipal staff are positive. This leads me to believe that there are actors within the municipality who, with the right resources, funding, and political buy-in, can create adequate policies and planning strategies to implement both protection and a better future for informal traders in Durban.

Conclusion

This paper explored municipal employee perspectives, current planning and policy documents, and current practices regarding the treatment of informal traders in Durban, South Africa. There is a disconnect between good intentions of municipal staff and planning and the current punitive practices towards traders. This study is one of a few that considers perspectives of municipal staff rather than informal traders. Their perspective is important to understand motives behind the policies and where the gap is when policy is not aligned with practice.

Durban needs to enact more detailed planning and policies to bridge the disconnect with practice, so that traders may have better working conditions and protection in the future. The municipality also needs to embark on more rigorous public engagement with both traders and enforcers, so that all parties understand the regulations and what they entail. The current disconnect between positive perspectives of informal traders and punitive practices towards traders leaves them at risk.

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The Enduring Influence of Informality in Istanbul: Legalization of Informal Settlements and Urban Transformation

HATICE SADIKOGLU ASAN AND AHSEN OZSOY

Abstract

The phenomenon of urban informality has coincided with rapid urbanization in Turkey from the 1950s onward. By the urban transformation act that was presented in 2012, formal developments and activities have increased in informal areas. Although recent activities are legal/formal, they have caused the reproduction of informality in these areas. With focusing on this spontaneous collaboration of formal and informal activities, this article seeks to understand the new urban fabric that was created by formal and informal builders who are both rule-breakers and rule-makers. The research was carried out in the Güzeltepe neighborhood, a complex neighborhood with a mix of squatter houses and renewal areas. The field study was conducted from 2014 to 2017 with site visits, photo analysis, and archival research. We will reveal and discuss legalization and upgrading processes, and the effects of this transformation. We will then analyze how informality operates as a logic of urban life.

Keywords: Gecekondu, Squatter, Urban Transformation, Urban Informality, Istanbul

Introduction

Urban areas are a kind of competitive playground on which dwellers have to survive and sustain themselves. The concept of informality refers to people creating their own rules by adapting to, or resisting, the prescribed systems of ordering urban space.

In the Global South, informality is often associated with urban spaces that incorporate such features as illegal settlements, slums, and squatter areas. However, the meaning of informality involves multiple concepts in different contexts. Informality is a result of 'finding a way' or 'seeking a remedy.' Informal activities are determined by agreed upon rules between individuals and groups outside of the state's legal framework (Roy and AlSayyad 2004). The reasons for informality vary, but the most critical factors are the existence of poverty and a lack of efficient legal options (Payne 2001; Payne et. al. 2009). A lack of a wide range of property opportunities and weak public administration are common reasons for informal development (Potsious 2014).

Informal activities have increased with industrialization and rapid urbanization, and cities have been affected in terms of economic, social, political, and spatial characteristics since the mid-20th century. During this time, the most powerful actors with regard to urban space, governments, have mainly taken two types of action for eliminating informality in urban areas: preventing illegal land occupation and demolishing

buildings or providing legal recognition (deeds) concerning existing borders/land by granting building licenses (Fernandes 2011; Brakarz 2016).

As one of the cities most profoundly affected by informality, Istanbul has experienced both of these actions. After industrialization in Turkey, large waves of migration from rural to urban areas peaked in the period between 1950 and 1970. When the economic resources proved to be inadequate, the poverty-stricken newcomers started to find their own ways to survive by illegally building dwellings on state lands, and finding jobs in marginal sectors. A new sociophysical phenomenon named *gecekondu* appeared as part of the city's urban fabric. The name given to informal housing (squatter houses) *gecekondu* means "built at night as quickly as possible" (Erman 2001, p. 985). The number of informal settlements increased, especially in big cities. By the 1980s, as a result of political engagement, some of the informal neighborhoods were legalized by the government.

The legalized *gecekondus* have been the main actors of the recent urban transformation initiatives due to the Law on Transformation of Areas under Disaster Risk (No. 6306), commonly known as the urban transformation or urban renewal law. As a result of the enactment of this law in May 2012, urban transformation projects began to be implemented in *gecekondu* areas. Both formal and informal modes of spatial production led to a change in social, cultural, economic, and spatial relationships within the city. The influence of initial informal activities in the period 1950–70 can be seen in new developments in the same neighborhood. Early informal builders (*gecekondu* settlers) constructed not only their houses, but also developed the character of the area.

This research focuses on the influence that the original informality has on more recent formal developments, and the activities of informal builders as both rule-breakers and rule-makers. The article seeks to understand the new urban fabric that was created by both informal and formal (legalization and urban transformation) activities.

The research methodology is grounded in theoretical conceptions of informality and carried out through a variety of field study activities. Data were collected by visiting the site, examining formal planning maps produced by the municipality, examining the legal framework, and analyzing national reports on urban space. The field study was conducted in the Güzeltepe neighborhood in the Eyüp district of Istanbul. This neighborhood, which has both informal and formal layers (buildings), has undergone change as a result of different legal and illegal activities. We aim to draw attention to the relationship and intersection of informal houses and newly built apartments resulting from urban transformation projects, with a consideration of the associated documentation. During site visits, sketches and photographs were used for documentation.

Conceptual Framework: Reproduction of Informality

Initial theories of informality were mainly related to economics, with reference to income-substituting activities and poverty. The concept of urban informality reflects a

mode of social, cultural, economic, and spatial production. The implications of urban informality go beyond housing and land sectors.

According to AlSayyad and Roy (2004) urban informality refers to an organizing logic that transforms the urban setting itself. In contrast to the common dichotomy of formal and informal, they suggest that informality is not a separate sector. It is a process of determining the nature of transactions between individuals and institutions, and within institutions (Roy 2005; Neuwirth 2005; Yiftachel 2009). Altrock (2012) sees informality as complementary to formal arrangements. While *formal* is generally described as rule-based, structured, and regular, *informal* is thought to be spontaneous. The categorizations of formal and informal are always deployed by the actor who holds power or by the state. With these governmental classifications and definitions, the formal and informal divide is generally described as being an 'urban problem' (McFarlane 2012). Roy (2009) and Holston (2007) state that informality should be handled as a state of deregulation, and that urban informality cannot be fixed and mapped according to any prescribed set of regulations.

AlSayyad (2004) stressed the *negotiability value* of informality. Given the effects of everyday life and experience, the informal is not isolated from the formal city (Simone 2004; Song 2016). In practice, the boundaries between the informal and formal are quite blurred in an urban space, which is always in a state of flux involving different flows and movements (Ingold 2011). As Perlman (2016) stressed, formal and informal boundaries are quite fluid in terms of the formalization of informal transactions and the informalization of the formal.

Informality or informal space includes perceived, conceived, and lived spaces. As Lefebvre (1991) suggested, production of space is not only a physical production, but also includes all social and moral (mental) dimensions. Space is not a place in which only action takes place; it is a dynamic system (Jabareen 2014). McFarlane (2012) suggests thinking of informal and formal as practices, without identifying them as different kinds of urban space. These practices do not take place in particular places, they produce particular spaces.

Informal and formal movements produce new social structures within cities. There is no single formal or informal process in planning and designing for urban space. The informal is in a strong relationship with the formal; they configure spaces together (Lutzoni 2016).

Watson (2009) states that a significant gap has opened up between marketized systems of government initiatives and the urban and everyday lives of an impoverished urban population, largely existing under conditions of informality. But urban space is shaped by all of the actors. The conflict of rationalities between formal and informal dictates demands, and they should be thought of as part of the planning process.

Another point of view focuses on the legalizing of illegal land occupation (Turner 2007). The economist De Soto (2000) suggests that informal areas can be thought of as a new fund for the state. This system can turn the occupants into entrepreneurs; they do

not have to pay for land. Their survival strategy achieves a richness and has an effect on the micro-economy. The whole process of occupation, building, and sale provides a big potential economic resource. De Soto (2000) argued that the lack of property rights makes the transformation of wealth owned by the poor into capital difficult. Advocating for private property rights, he argues that legalization strategies promise great social and economic gains for society.

In contrast with De Soto, Davis (2006) criticizes this entrepreneurial enthusiasm. Legalization/formalization provides activities for the formal economy only, and it causes urban land to be commodified again. According to Davis (2006), titling is not a solution for squatters.

By accepting informality as being only related to economics, many countries have tried to legalize informal concrete space, while some have only tried to cope with urban poverty. According to the report resulting from the cooperation of the United Nations Economic Commission for Europe (UNECE) and the International Federation of Surveyors (FIG), Eastern Europe and the former-Soviet countries have similar urban informality problems that were caused by poor administration and a weak real estate market. Well-organized legalization processes were presented as the most important course of action for these countries (FIG and UNECE 2017).

It is thought that informality is a land occupation problem. In order to solve it, demolition or legalization activities are sufficient. However, these activites cannot go beyond making a profit or the beautification of urban space or political benefit. The main focus in terms of social issues has been overlooked (Roy 2005). The primary problem in cities with informal practices is that public institutions cannot manage processes (Hall and Pfeiffer 2000). Instead of understanding urban informality, states have tended to focus directly on legalization, leading to new effects on the urban environment.

The legalization process relating to informality in urban areas has been quite a complex activity that has changed physical, social, and economic conditions in such areas. As part of the process, occupied lands, squatter houses, and illegal subdivisions can be part of legal housing markets and urban plans. Moreover, informal settlements have started to become a powerful (land) resource for urban renewal projects.

In urbanized areas, informal settlements not only dominate urban growth, but have also had an effect on implementations developed by government institutions. Both the occupants and their buildings that have been created illegally are part of the economic, social, and political system (Castells 1978; Gilbert and Gugler 1987). In the current era, the number of urban poor (urban marginal or urban disenfranchised) has increased, as have their verified activities within the urban environment (AlSayyad 2004).

Today, although there have been significant urban transformation policies and implementations in many countries, informality practices cannot be prevented. It can be said that informality is not related to concrete space. Informality now manifests in new forms and new places at the rural and urban interface in terms of the development of the idea of property ownership. There are different types of informal accumulation,

and the liberalization era has blurred the boundaries between informal and formal (AlSayyad 2004).

Urban informality cannot be explained only by the physical structure of a city. It is attributed to many causes including inadequate income, unrealistic urban planning, lack of social housing programs, and dysfunctional formal systems (Fernandes 2011). Urban informality does not simply consist of the activities of the poor, or a particular status of labor or marginality. The concept of urban informality is highly differentiated. So are the policies and activities aimed at legalizing or formalizing the effects of informality on the social, cultural, economic, political, and spatial characteristics of the city.

Urban Informality in Turkey and the Impact of the Urban Transformation

The main dynamic of urbanization was based on migration from rural to urban settings. This movement affected the social, economic, and physical characteristics of cities. In Turkey, it was triggered by both local factors such as demographic and political changes, and by global factors such as those that emerged during the postwar period. Due to these factors, a general movement occurred from the eastern part of Turkey to the western part, from the countryside to big cities such as Istanbul, Ankara, and Izmir. Istanbul was the most targeted city in terms of these migrations (Öncü 1999).

The industrialization of agriculture radically transformed the sector, and the demand for a rural work force was reduced. People from rural areas started to seek new opportunities in the cities. They left their hometowns and became marginalized actors in the economy. Cheap labor and low-income relationships forced the poor to survive in unauthorized dwellings. They built their dwellings illegally on someone else's land or on public land (Erman 2001; Erman 2011).

With the increasing urbanization of the 1960s, new informal structures increased in the city center and on the periphery. The name given to these squatter houses that had been illegally constructed by individuals on unoccupied public or private land is *gecekondu*. The literal meaning of *gecekondu* is "landed in the night," emphasizing the idea of them being "built in one night" (Erman 2011, p. 104). With the use of permanent construction materials, a *gecekondu* is different from other informal houses, such as those found in Latin American cases, which are generally built with temporary materials. In the early construction of *gecekondus*, collective labor and a collaborative work ethic resulted in buildings that were produced cheaply and quickly.

First it started with a few squatter houses, but soon grew to a neighborhood scale. The production method is quite similar to the autoconstruction method identified by Caldeira (2016) and Holston (1991). The surroundings grow gradually. Kinship and friendship became important factors to the formation of a neighborhood. The inhabitants felt powerful living together with their relatives and friends, and they acted as non-governmental organizations to obtain public services. When such a community is created, it is hard to dissolve or demolish it (Keyder 2005). In time, an informal housing

market was created by individuals who built *gecekondus* for someone else, either selling or renting them, and this became their profession.

With the increase of such settlements and the changing characteristics of urban land, government and city dwellers became worried about their presence. Consequently, in 1966, the government published a gecekondu law (No. 775) allowing government agents to demolish informal settlements and prevent the construction of new illegal housing. But this law could not be applied for some political reasons: *gecekondu* residents were potential voters during election times (Tekeli 2011). Ward (2014) and Gilbert (2004) state that as informal housing increases during election times, it is obvious that there is a relationship between informal settlements and elections.

In the late 1960s and early 1970s, many squatter settlements were turned into residential neighborhoods. Although they were not legal, they were provided with several public services such as infrastructure and electricity (Tekeli 2011; Danielson and Keleş 1985).

The government focused on legalizing/formalizing existing informal settlements and squatter houses rather than demolishing them as a means of prevention. There was a belief that many of the informal settlements could be improved without demolition if they were legalized. The government declared two amnesty laws in 1983 and 1984. They provided an opportunity for the legalization of informal neighborhoods. Moreover, the government gave squatters the right to increase the size of their properties. With the 1983 law, a large portion of the illegal squatter houses built before 1981 were legalized, and a land title was provided. Moreover, the occupants got the right to build up to four stories (Uzun et al. 2010). In the 1986 amnesty law, the squatter houses built before 1985 were legalized, just as with the previous implementation. This legalizing process involving amnesty laws turned into a transfer of ownership rights from public ownership to illegal occupants. *Gecekondus* were legalized by the amnesty laws and became a permanent form of housing. However, this process proved to be an impetus for speculation on urban land and housing (Arefi 2014).

While the main advantages of the amnesty laws were to prevent increasing squatter settlements and improving the spatial and physical construction qualities, these amnesty laws had negative effects for urban dwellers and led to urban ethical problems. They did not only legalize informal settlements, they became a speculation tool for land developers.

These implementations caused a new wave of activity in the real estate market and in urban areas, which changed the characteristics of the informal settlements. With the legal approval of *gecekondus*, some occupants upgraded their one-story houses to multi-story apartment buildings, and the economic value of the land increased (Erman 2001). They developed new urban forms, housing typologies, and new public space uses. This was not only a physical creation, but also a social, cultural, and economic creation in the city.

In the political context of this process, various urban planning approaches were implemented. In the period between 1950 and 1960, destructive modernist urban proj-

ects were applied in the cities. Informal settlements were seen as one of the biggest problems of the city by the government. International funds, such as World Bank funds, were used for *gecekondu* areas. The residents of *gecekondus* never integrated into the city and, moreover, were socially and economically excluded. Between 1970 and 1980, the politicization of the *gecekondu* areas was noted by different groups, and *gecekondu* residents were seen as a threat or danger. The neoliberal economic policies of the 1980s focused on these fragile environments. The cities became actors in the reproduction of capital. The main political approaches of the 1980s were regulated by a privatization-based, export-oriented model (Senyapili 2004).

After the legalization process, the government announced a new law called the Law on Transformation of Areas under Disaster Risk. In 1999, a catastrophic earthquake occurred in the Eastern Marmara region of the country, and the government wanted to take control of the existing building stock and build new constructions which were earthquake resistant and of superior building quality. From that time, several pieces of regulation were introduced to address structural resistance and construction systems (Dulgeroglu Yuksel et al. 2014).

The Law on Transformation of Areas under Disaster Risk (Law No. 6306) was published in 2012 to improve the safety of old structures and those in risky urban areas. This law has been referred to by different names including 'urban renewal law,' 'urban transformation law,' or 'urban regeneration law' by different scholars. Although all these names refer to the rehabilitation and redevelopment of improvised urban land through large-scale activities, the law does not restrict these changes in terms of scale. Both building and neighborhood-scale transformations are welcome. The legislation determines the details and procedures with regard to renovation and the transformation of areas and buildings at risk (Official Gazette 2012). If a region or building is declared to be 'risky,' the law forces owner-occupiers to rebuild or renovate their buildings. Many incentives such as credit facilities and tax and fee immunities have been offered to owners and contractors.

The demolition of unsafe buildings and the construction of new, safe ones were encouraged by this law. Although it was developed for areas and buildings at risk of disaster, many individuals and construction companies applied it to any building with the aim of getting increased floor area ratio that they thought they could rebuild for profit. Mostly, these urban transformation initiatives were applied to individual parcels, rather than to building an entire newly-planned neighborhood. Since 2012, different projects have been developed for the *gecekondu* neighborhoods in Istanbul.

Therefore, the act that aimed to create qualified built environments became a new economic development tool for informal housing stock and *gecekondu* neighborhoods. A very common procedure has been implemented in recent years. The process of building new formal projects on (legalized) informally-occupied land usually proceeds as follows: contractors offer a certain amount of money to the owner or occupier of the parcel/land in a legalized informal area, and they then develop a multi-story

apartment building on the parcel. If the particular parcel cannot be made profitable, a couple of parcels or more will be purchased to widen the footprint of the new project.

Public places may become smaller than existing ones, and building and dweller density may increase with the introduction of newly constructed vertical living projects. Undoubtedly, in the process of the reproduction of physical space, profit is the strongest motivator with regard to these urban renewal projects. Thus, legalized informal houses have been demolished to build new high-density residential buildings.

Since these activities have become a kind of microeconomic tool, the owners of the formalized *gecekondus* have obtained power in negotiations with developers and construction companies regarding their land. If the redevelopment of the land is not feasible for the formalized *gecekondu* owner, they typically prefer not to sell/redevelop their *gecekondus*. Consequently, some formalized *gecekondus* still have not been bought up and redeveloped. In addition to formalized *gecekondus*, today there are still illegal *gecekondus* built after the 1980s. The remaining *gecekondus* in the cities include both illegal and legalized/formalized *gecekondus*.

The conflict regarding the intersection of remaining *gecekondus* in a particular area and new apartment buildings in close proximity to that area has affected both the urban fabric and social, cultural, and economic relationships.

Reproduction of Urban Informality in Istanbul, Guzeltepe Neighborhood

In the last decade, the image of the Eyüp and Kağıthane districts have changed as a result of new urban transformation projects. Although they were small villages in the 1950s, the area of which they are a part became one of the central districts of Istanbul in the 1980s. The unplanned and disorganized development of the area continued until the 2000s, and the area has now been turned into a part of the city center, with newly built shopping centers, mass housing projects, and mixed-use buildings. The area is located in a valley and surrounded by highways. Officially, the Güzeltepe neighborhood, at the intersection of the Eyüp and Kağıthane districts, is operated by the Eyüp Municipality. It is mainly affected by Kağıthane socio-spatial relationships (refer to fig. 1).

The Eyüp and Kağıthane districts have a multilayered physical, social, and cultural heritage that provides historical information about Turkey's informal settlements or "*gecekondu* practice."

The population increased in the 1950s due to rapid urbanization. The opportunity to work in industrial facilities that were established in urban areas, and the economic difficulties that existed in rural areas, all had an impact on the increase in mass migration from rural to urban areas. In that period, the industrialization of Eyüp played an important role in attracting rural people to the area. During the 1980s, the district became an important area in terms of both industrialization and squatter living. In the 1990s, migration and the number of informal settlements increased, and with changing governmental regulations, the area changed from an industrial area to a residential one (Kurtulus et al. 2014; Yenen et al. 2000; Eyüp Municipality 2018).

Figure 1   Eyüp and Kağıthane Districts in Istanbul *(Image by the authors)*

When we look at the formal and informal development history of the area, the first industrialization movements started in 1950 with the spread of industry from the Golden Horn area. The people who worked in the resulting factories changed the socio-spatial structure of the area (Yetman 2013; Keles 2015; Aslan 2006). In 1985, with new urban planning regulations, industrial firms started to move away from the area, and in the 1995 master plan, the decentralization of industrial facilities increased. In the 2000s, these industrialized buildings were regenerated to serve other functions such as university buildings, art galleries, etc. The area has become an attractive place for developers (Yener et al. 2013).

There were only a few *gecekondus* in the area in the late 1940s and 1950s as seen in a 1946 air photo. In the 1970s, increasing industrialization in the area turned it into a new type of neighborhood that was mostly comprised of *gecekondus*. The factories were located in the valley while the slopes of the valley were filled with dwellings, as can be seen in a 1970 air photo (refer to fig. 2).

| | Industrial Area | | Dwelling Area |

Figure 2   Changes in the area 1940-70s period *(Image from Istanbul Municipality Archives and adapted by the authors)*

The area was very suitable for the expansion of informal settlements. This caused the creation of a local political network that included both formal and informal land developers. The socio-spatial character of the area has been altered with the actions of several actors over different periods. Until the 1980s, this local coalition attempted to solve informal housing and ownership problems in the area (Aslan 2006). The municipality was working on the development of the area, while organizations and groups were illegally sharing or selling parcels of public spaces (state land) to people that were willing to have or build a *gecekondu* on the land. These illegal groups were also a kind of social authority in other informal neighborhoods. They controlled both social life and public space parcels. This process made the building of informal housing settlements easier during that time (Kurtuluş et al. 2013).

Over time, building and population density increased in the neighborhood, and one-story squatter houses turned into multi-story squatter apartment (*apart-kondu*) buildings. In 1984, with the legalization of existing squatter houses and occupied lands, and with squatters obtaining licenses, poor families started to demolish their *gecekondu* houses to put legal buildings in their place, or cooperated with contractors pushing for the development of urban renewal projects (Tekeli 2011; Keles 2015).

In summary, there have been three main periods of change with regard to the Güzeltepe neighborhood. First, the 1940–50 migration movement caused the emergence of *gecekondu* settlements. Second, in the 1980s, by obtaining licenses these informal houses were transformed into multi-story apartments. The final feature of this transformation was the urban renewal law of 2012, as a result of which new apartment buildings were built in the area. Today, all these layers are visible within the new form of the city.

Field Study: The Enduring Influence of Informality in the Guzeltepe Neighborhood

This research was undertaken to determine and discuss the influence of initial informality, in terms of rule-making and rule-breaking, on formal housing developments. In this paper, we have researched the ways in which informal urban areas have been affected by both formal and informal activities. Is the conflict between formal and informal a powerful factor when it comes to reproducing informality? To examine this conflict, the research was conducted in the Güzeltepe neighborhood located in the valley between the Eyüp and Kağıthane districts. This neighborhood was chosen because it is rich in squatter settlement history and the urban transformation of recent years. Informal formation, the formalization (legalization) process, and the effects of the urban transformation act are the focal points of this field study.

The field study was conducted by visiting the Güzeltepe neighborhood and focusing on the informal and formal contradictions and intersections that existed on-site. There were several social responsibility projects in the area. This research was started following a participatory project by KEDV (Foundation for the Support of Women's

Work), Kagithane Municipality, and ITU (Istanbul Technical University) that focused on disaster preparedness and relief in Güzeltepe (KEDV 2015).

In 2014–2017, several detailed site visits were conducted in different parts of the Güzeltepe neighborhood in order to identify any significant examples of informality. During the site visits to the Güzeltepe neighborhood, first, general observations were made. A specific part that was very rich in urban layers was chosen. In this particular part, a total of 221 buildings were analyzed with regard to their relationship to the neighborhood and other buildings, and to the affect of interventions on the urban fabric and the local environment. A focus group was conducted with 20 *gecekondu* households in the neighborhood, in an attempt to understand the evaluation of the neighborhood since the 1980s. During site visits, buildings were categorized according to their physical quality and construction period, function analyses, and by the original municipality map and dimensions of new construction parcels. The effects of informal practices were photographed. The analysis of the data was conducted in two parts. First, the neighborhood and buildings that have changed due to several formal and informal activities were analyzed in terms of function, topographic use, and land dimensions (footprint). For the second part, focus was placed on the intersections of formal and informal practices.

Part One: Settlement and Building Analysis

Functions/Land Use

To understand the site's characteristics, a function analysis of the chosen part of the neighborhood was undertaken. It was noted that while 189 buildings had a residential function, 20 buildings were of mixed-use (commercial ground floor + residential apartments) while the rest (2 buildings) were religious buildings (mosques; refer to fig. 3). The commercial ones are located on the main road linking to other districts in Istanbul.

Existing Settlement Pattern and Topography

The settlement pattern is determined by the topography of the area and by other spatial relationships that have evolved over time. Examining the settlement pattern can help provide clues about social life, the relationships between people and their physical environment, and their interactions. This organic pattern tells us that the neighborhood grew over time without any holistic planning, and is not complete or static. This growth refers to auto construction behavior, such as is found overseas in Latin American squatter settlements. It began with only a few squatter dwellings, then turned into a collective creation (step by step) in terms of both natural and built environments (Caldeira 2016; Holston 1991). This is a common, ongoing process for informal areas, and one that is found in many informal neighborhoods in Turkey. Topography has been a strong factor in determining the informal parts of the Güzeltepe neighborhood settlement pattern (refer to fig. 4).

Figure 3   Building Function in the area in 2014 *(Image by authors)*
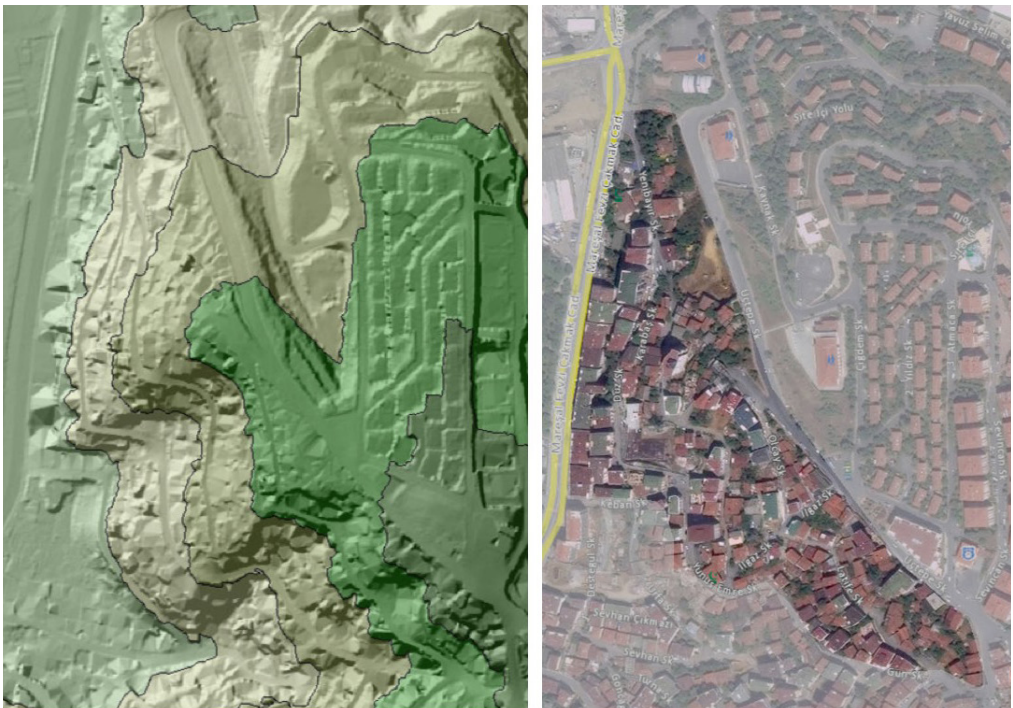
Figure 4   2017 Topography Map and 2017 Air Photo *(Images from Istanbul Municipality Archives and adapted by the authors)*

When we look at the historical development of squatter settlements in the area, we see that the occupants mostly preferred to settle on sloping areas that seem relatively unattractive in terms of use by legal authorities. The occupants created their own common built environment on such sloping areas to satisfy their essential needs. They built patterns with or without any experience or expertise. Steep roads for vehicles and pedestrians followed earlier paths worn by the *gecekondu* occupants.

Building Layers in the Neighborhood and Land Dimension Changes

There are four important time layers in the neighborhood in terms of informality and urban renewal activities. The first one was dated between the 1950s and the 1980s, when squatter dwellings started to be built. The second period started with the legalization by the government of what had been illegal houses and occupied land in the 1980s. When occupants obtained their building licenses (deeds), they rebuilt or renewed their *gecekondus* legally. In the 1990s, some occupants sold their squatter houses and land with their license to contractors, allowing them to build multi-story apartment buildings. After publication of the urban transformation law in 2012, contractors and developers focused on bigger parcels (lots), or on bringing together adjacent parcels to obtain bigger construction sites and more marketable footprints. Two or more parcels that were adjacent became one big parcel. This kind of parcel combination changed the existing ratio, solid-void balance, and construction density of the area. When we zoom in on a part of the neighborhood, it is obvious that parcels have been combined, especially on main roads (refer to fig. 5).
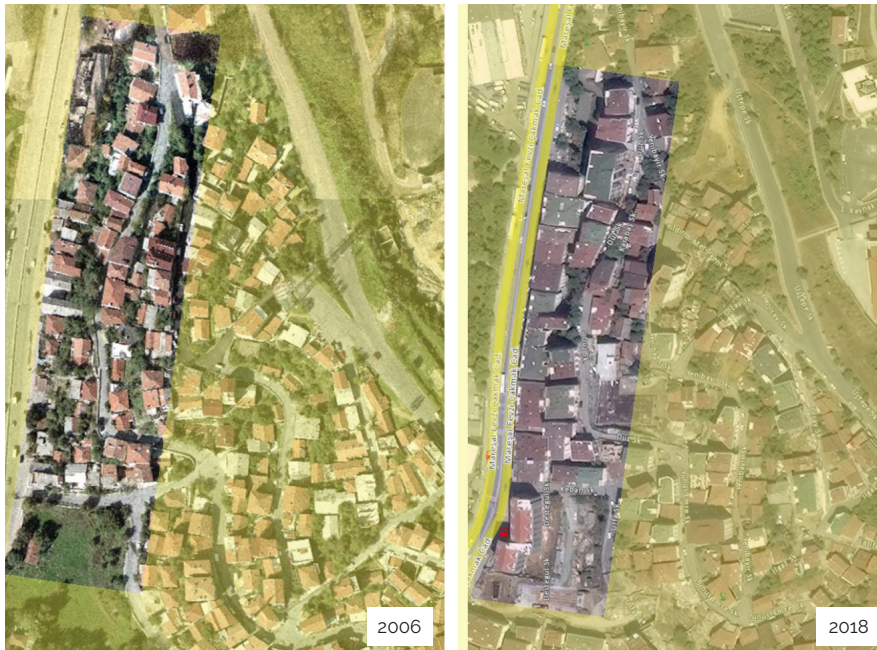

Figure 5   2006 and 2018 Air Photos *(Images from Istanbul Municipality Archives and adapted by the authors)*

Besides *gecekondu* areas, empty plots of land were combined and used for construction. As a result, the density of the area increased, as can be seen in figure 5. This is very typical of attempts in recent years, in terms of urban transformation activities. According to the regulations, if two or more parcels/lots are unified for building on as one parcel/lot, the developers can gain more construction rights on the site, such as increasing the floor area ratio.

Construction companies and real estate developers have generally focused on profit rather than aiming to improve urban quality and decrease disaster risk. The urban transformation system supported by the 2012 act gave rise to new actors with regard to the land, such as individual business developers. Although they may not have had the necessary know-how or building capacity, they caused the emergence of new informal practices. They have put another layer into the urban fabric. New intersections and building combinations have emerged.

Part Two: Intersections of Formal and Informal Practices

The neighborhood has developed different layers of formal and informal activities since the 1940–50s. Today, the housing stock in the Güzeltepe neighborhood includes legalized *gecekondus* resulting from the amnesty laws of the 1980s, illegal *gecekondus* built after the 1980s, and newly developed multi-family apartment buildings. In terms of the remaining *gecekondu* stock, some of the legalized *gecekondus* have been redeveloped by developers and construction companies. Negotiations between developers and legalized *gecekondu* owners are continuing, and the area is changing.

In the first part of the field study, building and settlement analyses were used to obtain information about the changing characteristics of the area in terms of formal and informal relationships in the neighborhood. The second part of the field study, with the help of these analyses, focused on new patterns/products arising from informal and formal contradictions. There are many details that can be seen regarding this intersection in the form of gaps, roads, stairs, and sidewalks, that are part of the urban environment.

With the findings from site observations and analyses, significant effects were revealed about urban patterns and characteristics. The process involving informal settlement following legalization, and urban renewal in the same part of the neighborhood, have been the cause of a number of new informal symptoms such as the following: changes in the solid and void balance of the neighborhood, new formal and informal open spaces that have emerged, the development of informal passageways to allow access to main roads from houses—steep stairs, steep roads, and sidewalks—loose spaces leading to dramatic gaps between buildings, and artificial topographies caused by excavations or filling-in during informal activities.

Changes in the Solid and Void Patterns of the Neighborhood

In the period between the 1970s and 1990s, with the increasing number of *gecekondus*, the area became increasingly dense. In the earliest period of *gecekondu* settlement, there were larger gardens and more open spaces. However, after the 1980s, *gecekondus* turned into objects of profit. Consequently, the density of the neighborhood started to increase.

With the 2000s, urban transformation projects that involved combining two or more parcels increased the footprint of the construction area, and changed its solid and void pattern. Land which previously contained small *gecekondu* buildings was filled with huge, bulky, multi-story apartment buildings that had various shops on the first floor (refer to fig. 6). Such changes were particularly visible on the parcels of land that were located on the busy main roads.

Figure 6   New Buildings after Transformation in the Area *(Photo by the authors)*

The early urban transformation activities started generally in the most valuable parts of the neighborhood, specifically land with access to main roads.

Changing Open Spaces, Roads, and Connections

In the Güzeltepe neighborhood, the incremental creation of the neighborhood was related to a number of factors. In the early years, while the occupants were building their *gecekondus*, they focused on their relationships with other occupants, such as kinship, friendship, and being from the same hometown. Open spaces consisted of land on which there were no buildings. In time, during the 1970–1990 period, these open places were filled with new *gecekondus*. Open spaces in the neighborhood consisted of land left over from all the formal and informal building activities (refer to fig. 7).

Figure 7   Changing Open Spaces *(Photos by the authors)*

Given that there are not a lot public spaces such as parks and playgrounds, the streets, roads, and sidewalks have become important for informal meetings and socializing. Occupants created their own pattern of early roads and entrances to *gecekondus*. These came to exist based on their experience and relationships. With the formalization of the legal ownership process, the municipality and other government offices provided public services such as electricity, water, and other infrastructure services including roads and sidewalks. It can be seen that public works, roads, and sidewalks were constructed with no relationship to (legalized) informal houses. After the construction of roads and sidewalks, the occupants adapted their environment to create access from their homes. Super-steep roads and stairs were used in many parts as connecting elements (refer to fig. 8).

Figure 8   Connections Between Houses and Roads *(Photos by authors)*

The neighborhood is set on steep land. When the early *gecekondus* were built, the occupants followed the natural topographic lines as shown in the first image. Following the legalization period, local authorities provided all public services to the occupants. Taking into consideration the existing *gecekondus*, new roads were constructed. Then, with these new implementations, the *gecekondus* had a new relationship with their immediate environment in terms of connection to the main streets, garden usage, or scenes.

While some *gecekondus* stayed below the main road level, others stayed at the upper level of the new roads. These new levels and terraces have caused three-dimensional pattern changes in urban places.

Loose Space-Dramatic Gaps between Buildings

The first *gecekondus* in the 1950s were built according to the occupants' own rules, and with regard to their degree of relationship or kinship with neighbors. After the legalizing process, new apartment buildings had to follow not only municipal guidelines, but also the guidelines that emerged from the earlier *gecekondus*. For example, if there was still a (legalized) *gecekondu* behind land earmarked for new construction, when building the new apartment, the developer respected the existing *gecekondu*'s façade openings such as entrance or windows (refer to fig. 9). Some such spaces are not quite wide enough to clean or maintain, and seem to act as unclaimed spaces.

Figure 9   Gaps Between Buildings *(Photo by the authors)*

The gaps are not only between two or more *gecekondus* or between *gecekondus* and newly-built, multi-story apartment buildings. Such gaps can also be seen between new multi-story apartment buildings that were built in line with the urban transformation regulations.

Though they may not have realized it at the time, the early squatter groups were constructing not only houses but also the character of the area. The initial informality laid down a set of rules that later formal developments had to follow.

Non-Morphological Aspects

Since the 1950s, the neighborhood has changed in terms of socio-cultural and economic characteristics as a result of formal and informal activities. Relationships which were once based on kinship and friendship in the area have evolved into different types with the arrival of new residents who live in the multi-story apartment buildings that followed urban transformation (Ergin and Rittersberger-Tilic 2014). *Gecekondu* owners had a chance to profit from the spaces they occupied with the introduction of legalization and urban transformation regulations. This led to a new form of informal collaboration between developers, construction companies, and occupants. In the past, the area was seen as an informal dwelling area. Since the introduction of the urban transformation regulations, the area is now considered an investment area by developers. New real estate practices emerged with the selling of *gecekondu* lands to developers, with the expectation of a profit above its market value (Hurriyet Emlak 2018). However, these new investments are still influenced by the existing layout of the informal *gecekondus*; they caused the creation of an unplanned built environment on the part of developers, and new builders followed.

In June 2018, the government published a new amnesty law absolving illegal building activities in urban areas. According to the amnesty, the owners of illegal buildings that were built before 2017 can apply to get their deeds (Official Gazette 2018). The affects on the area of this new legislation are yet to be seen.

Conclusion

Informality is not only the result of illegal implementations. Sometimes it can emerge as a result of collaboration among legal and illegal activities and of the contradictions that exist. The new developments must conform to the rules, and the character of the neighborhood created by the initial informal builders. They are both rule-makers and rule-breakers of urban activities.

In Turkey, informal urban practices have evolved from the 1950s to the present day in terms of these activities. There are different urban layers/periods: the informal settlement period between 1950 and 1970; the legalization as a result of the government regulations of the 1980s; and the act of urban transformation with regard to areas under risk of disaster. Each of these has affected the case study area, the Güzeltepe

neighborhood. Today, the existing building stock in the neighborhood varies in terms of different periods and characteristics. Not only are there dwellings, there are also a range of different types of buildings with several functions. All the buildings and their users have added new features to the urban fabric of the neighborhood.

In the first period, the occupants created a new informal neighborhood. In the second period, with the help of government regulations, many of the informal houses were legalized and the occupants obtained their licenses/deeds. The economic value of the land in the neighborhood increased, and contractors and construction companies focused on the area. State-led interventions have been used as a tool to develop new formal/legal projects and to profit from urban space.

Moreover, such developers had the right to benefit from the urban transformation act. *Gecekondus* have become commodified objects or investments rather than just dwellings. Developers have started to pay the legalized squatters for their parcels of land on which they can then build multi-story apartments or other dense-occupancy buildings.

Besides morphological reproduction, such developments have led to social, cultural, and economic changes. With the serial amnesty regulations that have been enacted, urban informality has been mainly concerned with physical upgrading and real estate investment. It has caused rapid socio-cultural changes. When living costs increased in the area, it became difficult for users to remain in the neighborhood.

In this study, we examined the emergence of a multi-layered informality in terms of collaboration and the contradictions associated with formal and informal activities in an urban space. Informal and formal practices have a strong relationship in urban areas, in that they jointly configure the urban space, and feed off of each other in order to reproduce themselves. The influence that the initial informality has had on recent legal/formal developments, in the form of urban transformation activities, can be observed in the area. The power of informal practices remains. This research shows that informal builders are as much rule-makers as they are rule-breakers, as later construction has to follow the rules set out by the *gecekondu* settlers. In addition, the presence of existing informality and adaptive practices of the *gecekondu* settlers, after the implementation of urban transformation policies aimed at formalization, demonstrate the power and influence of the informal city in an urban setting.

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Integrating Home-Based Enterprises in Urban Planning: A Case for Providing Economic Succour for Women of Global South

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Abstract

A major challenge of urbanization in the global South has been the unemployment-led informal economy that has grown beyond the capacity of African governments in general and urban planners in particular. The socio-cultural status of women, and other inequalities in largely patriarchal African societies, have caused them to resort to the most invisible and adaptable sub-sector of the informal economy: Home-based enterprises (HBEs). This study examines the contributions and challenges for women in HBEs using empirical evidence from Enugu, Nigeria. The study employed mixed methods and made use of both primary and secondary data. The study findings confirm that HBEs provide economic succour to women excluded by the formal sector. Among the benefits of HBEs are income provision, supplementary household income, provision of goods and services, skill acquisition, social value and self-esteem, and the ability to look after sick family members. The challenges of HBEs were inconsistency and noise effects as reported by non-operators, while operators complained about multiple levies collected by government agencies, poor infrastructure, and insecurity.

Keywords: Home-Based Enterprises, Integrating, Urban Planning, Women, Succour

Introduction

There has been a growing interest among scholars on the intended and unintended socio-economic consequences of global urbanization trends on women. Statistics on urban growth reveal a marked shift in urbanization from the global North of the 18th and 19th centuries to that of the global South of the 21st century (UN 2014). These differing urbanization experiences present varying degrees of challenges to various local actors in general and to women in particular.

The urbanization of the 21st century global South left in its wake several urban planning and management challenges. Three of these challenges in particular, have attracted the attention of experts and scholars in the field of urban planning, they are: urbanization growth beyond the capacity of urban planners to manage, informality, and spiralling unemployment (ILO 2006; Fapohunda 2012; Ilegbinosa et al. 2014). The pro-urban development policy of most governments of the global South has given a fillip to rural-urban migration trends, increasing unemployment among mostly unskilled and uneducated migrants, and growing the informal sector. The growth of unemployment and proliferation of the informal sector are expected to worsen in Nigeria,

Africa's most populous nation, especially with the prediction that she will be the third most populous country in the world by the year 2050 (UN 2014). Further, this trend will decrease the formal sector and increase the inability of the government to cope with the rapid rate of urban growth (Yusuf 2014).

Available evidence suggests that home-based enterprises (HBEs), an important segment of the informal economy, are growing, predominantly by women (UNIDO 2001; Onyebueke and Geyer 2011). These women, who otherwise would have been unemployed—thereby exacerbating the poverty of their families—have found an employment niche in HBEs (Kitching and Woldie 2004).

The participation of women in HBEs in Nigeria, and Enugu particularly, is however fraught with several challenges. Women engaged in HBEs are usually vulnerable, least protected in the labour circle, least paid, and mostly over-laboured (Chen et al. 2004; HNSA 2011). The participation of women in HBEs is underestimated and excluded from national census of production surveys and the calculation of the gross national product (UN 1995; Arimah 2002; Kitching and Woldie 2004). The implications are that the policy and infrastructural support given to the contributors of the economy are denied to these critical, albeit, undocumented economic actors. Furthermore, the cream of urban planning personnel in Enugu State, which the 'exclusionist' colonially-inherited orientation is yet to accept, document and formally plan for the operations of these HBEs and the informal economy in general (Ogbazi and Ezeadichie 2014). Available anecdotal evidence suggests that the non-inclusion of the HBEs in formal urban planning resulted in their operations being largely seen as illegal, and as such, various government actors subject them to multiple levies, outright extortion, occasional harassment, and the pulling down of their structures while denying them government support and security.

There are pertinent questions that can be raised about the participation of women in HBEs in Enugu State. Are there more women in HBEs than men across the various residential densities of the city? What are the inherent benefits of women's involvement in HBEs? Are these benefits compelling enough to justify their inclusion in urban planning? What are the key challenges faced by women in HBEs? How do urban planners perceive the operations of HBEs? Providing answers to the above questions is the central focus of this study. Specifically, it intends to fill a gap in the literature: a paucity of studies investigating the inherent benefits and planning challenges associated with the operations of women in HBEs in Enugu, as evidence to rationalize formal inclusion of women in Enugu urban planning.

The study was guided by two main hypotheses:

1. There is no significant relationship between the number of women involved in HBEs and the residential density of neighborhoods.

2. Residential location of HBE operators does not significantly influence perceived benefits and challenges.

HBEs are norms in informal settlements of developing countries, but the current trend of incidence and growth of HBEs in formal residential areas described as the 'informalization of formal settlements' necessitates a density-based investigation to ascertain the characteristics of this current trend (Myers 2011, 73). In cities of developing countries, the residential areas are usually zoned into three sections according to their income levels. The residential areas are high, medium, and low densities while informal settlements for the urban poor spring up without guide.

The incidence of HBEs across three residential densities—high, medium, and low—selected through stratified sampling in Enugu was 70.6%, 70.4%, and 59%, while the proportions of women-owned/operated enterprises were 62.5%, 55.1%, and 55% respectively. The contributions of HBE-operators were identified through the administration of a set of 490 questionnaires to 10% of the residents by systematic sampling and interviews with some residents (HBE operators/non-operators) and urban planners managing the neighbourhoods. HBEs across the neighbourhoods experience the following benefits: income provision, supplementary household income, provision of goods and services, skill acquisition, and they have a sense of social value and look after sick members of the family. The challenges, on the other hand, include inconsistency and noise effects as reported by non-operators, while the operators complained of multiple levies collected by government agencies, poor infrastructure, and insecurity. Data from respondents indicate that 83% of the interviewees would encourage accommodation of income-earning activities within neighbourhoods. Based on the findings of the study, a reorientation of urban planning towards formalization and inclusion of HBEs in urban plans was recommended. The study is significant for policy-makers, planners, and HBE operators. For instance, policy-makers have examples of successful inclusion of HBEs in some cities to learn from, while operators are provided with enough motivation to accept formalization to reduce vulnerability.

Conceptual Framework

The non-existence of a sector-specific conceptual approach for HBEs necessitates the use of a general conceptual approach for the informal economy in this work. The stance of dual economy approaches (Boeke 1953) and modernisation approaches (Rostow 1960) that the informal economy would disappear with development and rising per capita income have been invalidated by the International Labour Organisation (1972), Hart (1973), and Afangideh (2012). For the dependency approach, Tokman (1990) views informal economies negatively with suspicions of taking advantage of the formal economy. However, the fourth approach in the dualist class, neoliberalism by De Soto (1989), considers informal economy an inevitable outcome of irrational state regulation. This is supported by Watson (2009) who blames urban planners for non-consideration of the poor in urban planning. Also, De Soto applauds informal economy operators as 'brave' micro-entrepreneurs who have refused to be ignored by government regulations. However, De Soto holds that productivity could be increased by the formaliza-

tion of the sector. The structuralist and formal-informal continuum approaches view formal and informal sectors as a continuum where the informal economy is seen as a subordinate part of the economy that exists in every formal sector. To summarize, this research synthesizes various aspects of the informal economy found in each approach. These aspects are realistic and applicable characteristics in the global South, in Africa, Nigeria, and particularly in the study area, Enugu. This corroborates current rethinking on the informal economy, which advocates for an integrated approach (Chen 2012).

Literature Review

Informal Economy in the Global South

The mid-2017 global population of 7.6 billion, with Asian, African, and Latin American/Caribbean contributions of 60%, 17%, and 9% respectively, calls for proactive and responsive governance to ensuring efficient and sustainable urbanization in these global South regions. World population projections of 8.6 billion in 2030 and 9.8 billion in 2050, with Africa expected to contribute over 50% of the expected 2.2 billion population growth in the next 33 years (2017–2050), require the urgent design of management strategies for mitigating ensuing challenges (UN 2017). The implication of these figures is huge for Africa, particularly for Nigeria, Africa's most populous country. Urbanization in the global South is generally described as rapid, which Potts (2007) disagrees with. Her views are however considered isolated by Onodugo et al. (2016).

The shift of urbanization to the global South is accompanied by many challenges in this unprepared part of the globe. An overriding challenge in the global South is unemployment and, consequently, urban poverty (UNSD 2018). However, sustainable and thriving urbanization will necessitate proactive and responsive governments (UN 2014), which are mostly absent in African countries. The rapid influx of rural-urban migrants has resulted in an unskilled and unemployable urban population (ILO 2006). High rural-urban migration has been attributed to the 'pro-urban policy' (Onyebueke and Ezeadichie 2011, 353) of governments in the global South. A large proportion of the population in the global South has resorted to self and wage employment in the informal economy, which accommodates their level of education and skill. This has globally resulted in lower levels of unemployment in the global South, thereby providing relief to about 4.2% and 4.3% of the population in China and India, respectively, compared to European Union countries' average of 8.4% (ILO 2006). Yet, the rate of poverty is much higher in the global South than in the North due to the low incomes the informal economy generates and the availability of social welfare packages in the global North (Fields 2011). This partly explains the proliferation of informal economies in the global South.

The great share of employment represented by the informal economy is also corroborated by other studies (Schneider et al. 2010; UN-Habitat 2011; Ezeadichie 2012). The causes and proliferation of informality have been attributed to global eco-

nomic policies (Chen et al. 2004), state regulations (Adeyinka et al. 2006), uncontrolled rural-urban migration (Banerjee and Raju 2009), urban poverty (Onyebueke and Geyer 2011) and diminishing formal employment opportunities (Abolade et al. 2013). The difficulty in attaining uniform parameters for measurements and comparisons has led to the suggestions that it is better to use the various subsets of informal economy such as HBEs, street vending, domestic work, and waste picking rather than the whole sector (Central Statistical Organisation India 1999; Chen and Raveendran 2014). This research is focused on HBEs and is motivated by the subset's invisible, vulnerable, and women-dominated nature (Fapohunda 2012).

Home-Based Enterprises in the Global North and South

HBEs are described as income-earning activities characterized by their location in the home, undifferentiated business and household accounts, shared household and business facilities (Lawanson and Olanrewaju 2012), as well as low productivity, exploitation, and poverty (Vyas and Ahmed 2012). Statistics on HBEs estimate that over 100 million people in both the global North and South (Napier and Liebermann 2006) are involved in this subset, yet precise measurements are difficult due to invisibility (Gondwe and Ayenagbo 2013).

In the global North, HBEs in the US, UK, and Australia have been estimated as 50 to 60% of all businesses (Mason et al. 2011; BIS 2012). However, Mason et al (2011) noted that HBEs in the global North are mainly formal, online, registered enterprises among professionals, and quite distinguished from the informal, unregistered type of HBEs in the context of this study—which are prevalent in the global South. Global South estimates for HBEs indicate one out of every three households in Indonesia and Vietnam, and 20 million in China (Mehrotra and Biggeri 2002). Other statistics on HBEs include 6.47% (3.3 million) of urban employment in 1995 in Brazil and 54 to 77% of the labour force in five Sub-Saharan African (SSA) countries (Chen et al. 1999). This affirms that HBEs are prevalent in the three regions that comprise the global South.

The two major types of HBEs are micro-enterprises with a maximum of four employees and survivalist enterprises with one operator, usually the owner, and unpaid family members, comprising mainly women (Napier and Liebermann 2006). There are two main classifications for HBEs: the type of business and the type of services rendered by the worker. The former comprises commercial, service, and production (Verrest and Post 2005). The latter is classified as industrial outworkers—a prominent feature of HBEs in Asia and Latin America (Gough et al. 2003)—informal wage workers (Mason et al. 2011), and own account/self-employed workers characteristic of African HBEs (Tripathi and Mishra 2013). The traditional HBE typology entails a part-time home business dominated by women to combine their reproductive and productive roles (Loscocco and Smith-Hunter 2004).

Women in Home-Based Enterprises

> What is evident is that in conjunction with increasing vulnerability, irregular work and low wages, home-based work also leads to the overburdening of women as they shoulder various means of making a living while tending to their domestic as well as community responsibilities, many times with unemployed but unsupportive husbands. In the current situation, the heightened vulnerability of women home-based workers is coupled with increasing invisibility of women home-based workers. (HNSA 2011, 1)

The International Labour Conference in June 2002 included as one of the key characteristics of the informal sector the dominance of women, migrants, and vulnerable groups of workers (Adeokun and Ibem 2016). Generally, women are dominant in informal economies, representing 60% of all female employment in the global South. In OECD countries, women represented over 60% of part-time workers in 1998, while in HBEs women consist of 30 to 80% of all workers and make up 80% of industrial home workers (ILO 2002). Statistics on HBEs by Chen et al. (1999) reveal that 88% of women's manufacturing enterprises and 57% of women's services in Lesotho are home-based. They also revealed that 53% of female and 10% of male entrepreneurs in Egypt are home-based. In contrast to the usual occurrence in developing countries where women dominate HBEs, South Africa has a ratio of 45.5% women to 54.5% of men (UNDP 2007). Her estimated 1 to 2.3 million informal businesses contribute between 7 and 12% of their GDP.

Socio-cultural obstacles like lack of social security, high family responsibility, reduced access to credit, lack of opportunities to access financial resources, and women's low level of education and training are contributing factors to women dominance in home-based enterprises. The expectation set by social and cultural norms in a typically patriarchal African society that women's primary responsibility is playing the reproductive role limits many women from pursuing high-level careers. Many women, therefore, opt for self-employment which affords them the flexibility to play the reproductive role while engaging in productive activities (Fapohunda 2012; Walker and Webster 2004). It offers others opportunities to cater for sick members of the family (Mattis 2004) and help shield women who are widowed or divorced from the stigma and harassment that abound in the formal employment arena (Lewis 2004). Women's vulnerable nature, which predisposes them to teenage pregnancy, early marriage, and a greater burden of household labour, leads them to HBEs (Fapohunda 2012). All of these account for a paucity of women in the managerial cadre of the public sector that is modelled more to fit males (Doherty 2004; Drew and Murtagh 2005). For instance in Australia, women are reported to compose 45% of the workforce, where 12% are in a managerial cadre and only 3% are chief executive officers (Equal Opportunity for Women in the Workplace Agency 2006).

Home-Based Enterprise as Succour for Women of the South

Women's long hours of labour devoted to both reproductive and productive roles in the home are a coping strategy to supplement household resources (Tripathi and Mishra 2013). In some instances, women's presence at home, while others working outside the home have gone, has preserved the neighbourhood from certain risks. Some of these women have reported suspicious movements and saved the neighbourhoods/households. Some women have also helped to quickly extinguish fires that would have been disastrous, and have been handy for sick people when they needed to be taken to the nearest health facility. HBEs provide the needed opportunity for women to achieve work-life balance (Pocock 2005).

Several factors have combined to put pressure on women to contribute to household upkeep. Chief among them are the loss of jobs by the traditional bread winners (husbands) on account of rationalization, privatization of public enterprises, and a radical reduction of government spending. The number of people resorting to the informal sector has increased as a result of outright rising unemployment, and those who use it as an income supplement to their regular underemployment (Fapohunda 2012). Women's engagement in HBEs has been argued to yield low income, but the significance of this income is so invaluable that many households would have been destitute and living in extreme poverty if they were not engaged in HBEs (Horn 2009). The worth of additional, albeit, low income from HBEs has been reiterated by Roy (2005) who added that this role is more glaring during economic crises and limited formal employment opportunities. Also, the savings in terms of transportation costs and time can help reduce household expenditures because of the presence of neighbourhood HBEs. Moreover, the use of household facilities for income generation saves the household the cost of renting a business space and other facilities, thereby reducing the overhead cost for HBE operators. In most parts of the global South, there is some form of mutual relationship between HBEs representing the informal sector and the formal sector. Producers of household goods use HBEs as marketing outlets (Chen et al. 1999); others site their factories in the neighbourhood to take advantage of cheap labour provided by residents.

Nigeria, has its 2017 population estimated at 188.9 million (NPC 2017) and 2016 urban population at 49% (World Population Prospects 2017). In the population ranking, Nigeria is the 7th country representing 2.35% of the globe. Also, the UN (2014) has projected that Nigeria will be among the three countries (others being China and India) that will constitute 37% of the world's population by 2050. One of the major challenges for Nigeria's population is unemployment. The escalating unemployment in Nigeria has been soothed by the large employment opportunities offered by the informal economy and HBEs, particularly for women. The typical patriarchal Nigerian society provides limited access to education and critical investible resources such as land, technology, and credit facilities for women. This situation constrains them to self-employment options in general and to the micro-enterprise segment of the informal economy in particular (Spring 2007). Available evidence suggests that due to a shortage of

requisite entrepreneurial skills, experience, and start-up capital, most African women are compelled to operate in the informal sector which is adjudged the largest employer of women in Africa (Tundui and Tundui 2012). These challenges and constraints notwithstanding, women have been able to rise above these shortcomings to create their own businesses even in countries where business decisions are the preserve of male household heads (World Bank 1995).

Challenges of Women's Engagement in Home-Based Enterprises

Women engaged in HBEs are usually vulnerable, they are the least protected in the labour circle, least paid, and most over laboured (Chen et al. 2004). Some unfocused women in HBEs who lack self-control indulge in anti-social behaviours like gossiping and wasting time on unprofitable neighbourhood visits, while others believe that working at home is a serious limitation to their social life (Unni and Rani 2004). Some HBE operators feel socially isolated based on the nature of their work (Mason et al. 2011) and have preferred formal or part-time jobs to avoid social isolation. Gondwe and Ayenagbo (2013) focused on women's marginalization and exclusion at the household level where women are physically visible in HBE operations but are found to be mere fronts for men who own, control, and take critical decisions behind the scene (Farrington et al. 2002). Available evidence suggests that the HBE activities of women make them prone to high mortality, low growth rates, and consequently, lower earnings (Coleman 2007). To overcome these challenges, women took to forming partnerships, coalitions, and strategic alliances to present commonalities and press for improvements to their socio-economic conditions. For example, organisations like Self-Employed Women's Association in 1974 and Women in Informal Employment Globalizing and Organizing in 1997 (HNSA 2011) were formed to empower women through sponsorship to international conferences and trainings and provide legal advocacy services for disadvantaged women in the informal economy.

Home-Based Enterprises and Urban Planning

A critical lesson from the presence and operations of HBEs in both global North and South countries is that the notion of dwelling units strictly for residential purposes has become an obsolete idea, especially in low-income and informal settlements (Kachenje 2005; Kellet and Tipple 2011). The emerging trend of HBEs in formal spaces has motivated the selection of the study area as formal residential neighbourhoods. The increase in the number of HBEs coincides with the expansion of the informal economy in the global South. Some current global policies have been instrumental in entrenching informality. They include economic globalization and neoliberal policies, aggravated by the global financial recession of 2008 (Watson 2009), which are beyond the capacity of planners. However, urban planners have been partially held responsible for the proliferation of the informal economy including HBEs (Duminy 2011). The use of archaic, restrictive, and out of context colonial-inherited planning tools that fail

to recognize the changes in demography and existing socio-economic conditions of development of African societies has been reemphasized by Ogbazi and Ezeadichie (2014). The use of housing units for HBEs usually entails a form of housing transformation in the global South (Alemea 2015). This has been the concern of urban planners and a major reason for their opposition of HBEs.

Methods and Procedures

For this evidence-based study of the current benefits and challenges of HBEs for women, Enugu, a medium-sized colonial city in Southeast Nigeria, was purposively selected. The choice of Enugu was also based on the researchers' knowledge of the realities of the HBE phenomenon in the city. The study employed both quantitative and qualitative (mixed) methods. Secondary and primary sources were used to collect data from relevant agencies through the administration of a physical survey in selected neighbourhoods, observations, and interviews with stakeholders. The questionnaire included a five point Likert scale to assess the benefits and challenges faced by women HBE operators (five representing very high to one representing very low). Two hypotheses were postulated for the study: Ho1, There is no significant relationship between the proportion of women in HBEs and residential neighbourhood density; and, Ho2, Residential location of women HBE operators does not significantly influence perceived benefits and challenges.

Sampling Procedure

Stratified sampling was used to select one neighbourhood from each of the 24 selected residential densities (high, medium, and low) in Enugu. The selected neighbourhoods were Uwani, New Haven, and Independence Layout, which have a layout representative of high, medium, and low densities, respectively. Residential densities were used as a proxy for average incomes of households in the study area. Consequently, high density was used for low-income households, medium density for medium-income households, and low density for high-income households. Residential densities were differentiated by the dominant housing type. A GPS was used to obtain the coordinates of the area of each neighbourhood, and the coordinates were input into Google Earth to get the image of the area. The image was digitized in ARCGIS 10.3 to get the building footprints for each neighbourhood. The building footprints were numbered to ascertain the quantity of housing units in each layout. 10% of the housing units in each layout were selected as a sample size for the study, yielding the following figures: Uwani 75, New Haven 132, and Independence Layout 236. A systematic sampling technique was employed in the selection of housing units. Sampling 10% of the housing units helped identify those with operational HBEs (incidence of HBE) and then among the housing units with HBEs, the HBEs owned/operated by women. The physical survey of the neighbourhoods led to their mapped representations, showing housing units

with HBEs and those owned/operated by women. Due to a lack of space, however, the maps were not included in this work. The socio-economic data of respondents (both HBE operators and non-HBE operators within each neighbourhood) and their perception of HBEs were obtained through the administration of a questionnaire, which was given to the sampled population: Uwani 85, New Haven 145, and Independence Layout 260. In total, 490 questionnaires were administered. The extra 47 questionnaires were created to make up for the probability of non-responses. 311 out of the set of 490 questionnaires were successfully completed and returned, giving a 63.5% response rate. The data collected from questionnaires were presented in tables, bar charts, and pie charts. A chi-square analytical tool was used to test the research hypotheses. Interviews were conducted among stakeholders (HBE operators, non-HBE operators, and urban planners in charge of the neighbourhoods). The interviews were included to corroborate and supplement the quantitative data obtained from the questionnaire.

The review of some HBE studies (Strassman 1986; Kazimbaya-Senkwe 2004) reveals that comprehensive analysis requires the inclusion of different residential densities. The inclusion of the different residential densities was to enable proper representation and comparison of HBEs in the study area. This motivated the selection of three residential neighbourhoods consisting of high (Uwani), medium (New Haven), and low (Independence Layout) densities for this study. To realize the first objective of the study, to ascertain the proportion of women in HBEs across densities, a physical survey of the 10% sample of housing units was undertaken. The findings of the survey show that the incidence of HBEs across densities—high, medium, and low—was 70.6%, 70.4%, and 59% (refer to fig. 1), while the proportions of women-owned/operated enterprises were 62.5%, 55.1%, and 55% (refer to fig. 2) for the Uwani, New Haven, and Independence Layout neighbourhoods respectively.

Findings from the Study

Testing hypothesis one revealed that there is significant relationship between the number of women in HBEs and residential neighbourhood densities. A chi-square was used to test this hypothesis using the statistical package for social sciences. The value of alpha-significance is less than 0.05, leading to the rejection of the originally set null hypothesis, which claimed that there was no relationship. This suggests that density of residence influences the establishment of HBEs. The low-density areas which house high-income households have a lower proportion of HBEs. The high-density neighbourhoods which are occupied by lower-income households have a higher proportion of HBEs. By implication, income level of households in a neighbourhood influences the establishment of HBEs.

To realize the second objective, which is to identify the benefits and challenges of HBEs in cities for women of the global South, data from the administered questionnaire were analyzed. The means of the benefits derived from HBEs were ascertained using the five point Likert scale. The means were presented in order of importance.

Uwani Layout
(High Density)

New Haven Layout
(Medium Density)

Independence Layout
(Low Density)

29.4%

70.6%

29.6%

70.4%

41.0%

59.0%

■ Housing units with Home Based Enterprises (HBE)
■ Housing units without Home Based Enterprises (HBE)
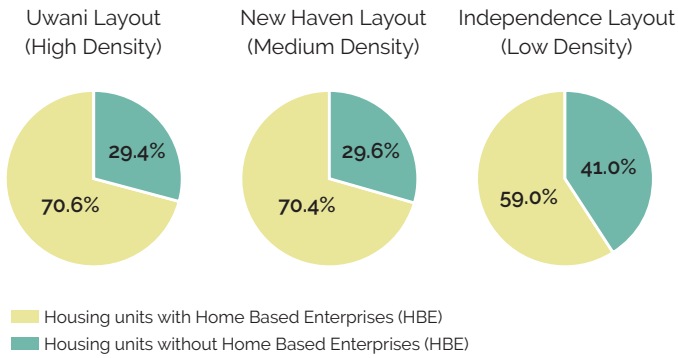
Figure 1   Incidence of HBEs in the selected neighbourhoods *(Source: survey by authors, 2016)*

Uwani Layout
(High Density)

New Haven Layout
(Medium Density)

Independence Layout
(Low Density)

37.5%

62.5%

44.9%

55.1%

45.0%

55.0%

■ Women-operated Home Based Enterprises (HBE)
■ Men-operated Home Based Enterprises (HBE)

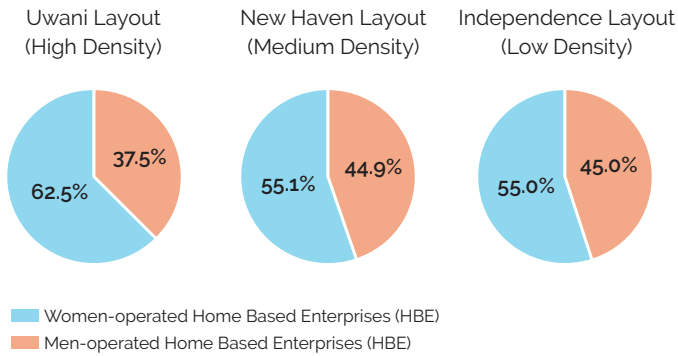**Figure 2**   Incidence of women- and men-operated HBEs in the neighbourhoods *(Source: survey by authors, 2016)*

Figure 3   HBE in Uwani managed by a woman and involving the use of a temporary structure *(Photo by authors)*

The benefits of womens' engagement in HBEs were reported as follows: Income generation (4.48), supplemental household income (3.64), provision of goods and services (3.59), employment purposes (3.50), having a sense of social value and self-esteem (3.5), taking care of some family responsibilities (3.42), skill acquisition (3.26), and having the ability to look after sick family members (3.01). Other factors such as opposition by husband/family to work outside the home and ease of setting up a business were not significant factors for starting HBEs by women in Enugu, as they had mean values of 2.

The challenges faced by women in HBEs in Enugu were also ascertained through the administration of a questionnaire and interviews. A major challenge faced by these women is increase in rent by landlords. Others are the high rate of unpaid credit and multiple levies and harassment by government officials. The benefits and challenges from the questionnaire were collated and resulting data was used to test the second hypothesis: Residential location of HBE operators does not significantly influence perceived benefits and challenges. Again, a chi-square was used to test this hypothesis.

Influence of Location on Benefit and Challenge of HBE

The value of alpha-significance for benefits was not all the same for the three residential densities. The most important benefits for women HBE operators in the high density area were income generation, supplemental household income, taking care of sick family member, taking care of family responsibilities, and the provision of goods and services. In the medium density area, the major reported benefits were income generation, and source of employment, while the benefits for the low density area were income generation, increased sense of social value and supplemental household income. Alpha-significance for income generation and provision of employment was greater than .05. This implies that the perceived benefit for these two factors is not significantly different across the three densities (high, medium, and low) for women HBE operators.

The challenges of frequently asking operators to remove attached business structures and the limitations on social life as a result of the business had alpha-significance greater than .05, implying that these were the two most common challenges faced by women HBE operators in high, medium, and low density neighbourhoods. The other challenges had alpha-significance less than .05, implying that the magnitude of the challenges differ among densities. Table 1 shows the influence of location on challenges and benefits by women HBE operators in Enugu. The table also shows the challenges and benefits that are significantly different across densities p < .05 and those that are not significantly different across densities p > .05.

In order to show how women in HBEs face different challenges and vulnerability as well as supplementary information on the negative impacts of HBEs, interviews were conducted among randomly selected non-operators (five) and operators (five) of HBEs in each neighbourhood. The analysis of the responses reveals that multiple levies were their major challenge, levies by local government officials, levies by the

Benefits	P value	Decision
Income	.138	Not sig.
Employment	.348	Not sig.
Provision of goods and services	0.10	Not sig.
Family responsibility	.001	Sig.
Inability to get formal employment	.001	Sig.
Flexibility to meet reproductive role while engaged in productive activity	.001	Sig.
Ability to look after sick family member/children	.001	Sig.
Use of dwelling unit/physical space for income generation	.001	Sig.
Resistance by husband/family to work outside home	.006	Sig.
To supplement household income	.006	Sig.
Skill acquisition	.001	Sig.
Have sense of social value and self esteem	.005	Sig.
Easy to setup business	.001	Sig.

Challenges	P value	Decision
Removal of business structure	.110	Not sig.
Waste of time	.005	Sig.
Limitation on social life	.063	Not sig.
Leads to social isolation	.022	Sig.
Increase in rent by landlord	.001	Sig.
Harassment by government official	.001	Sig.
Multiple levies	.001	Sig.
Theft	.005	Sig.
High rate of unpaid credit	.001	Sig.
Irregular business hours	.001	Sig.

Table 1   Relationship between location and perceived benefits and challenges *(Source: survey by authors, 2018)*

Enugu State Waste Management Authority and neighbourhood associations. Others complained of competition amongst the operators, poor electricity, water supply problems, roads to their homes being in a state of disrepair—which discourages customers from patronizing them—inadequate space to accommodate business operations, and weather challenges especially during the rainy season. The non-operators were very concerned about the security affects of HBEs, implying that the presence of HBEs attracts armed robbers within neighbourhoods. Another issue of concern to non-operators was noise pollution within the neighbourhoods near HBEs, either to create awareness, attract customers, and also while conducting business. More non-operators were displeased with the inconsistent mode of operation by some HBE operators.

In summary, many women in HBEs were reluctant to disclose some of their negative experiences in the course of doing business, since they would not want to be seen in a bad light. However, evidence from literature complemented by daily observations by the authors who live among these operators provided sufficient prima facia evidence that there are issues associated with HBEs that require further investigation. Most of the urban planners interviewed agree that HBEs are beneficial to urban residents, although planners have made no effort to encourage their inclusion in urban planning. Rather, they use the powers they have to punish defaulters to discourage HBEs. One of the advantages of HBEs as reported by urban planners was bringing goods and services nearer to residents. It was noted that if HBEs were included in neighbourhood designs, it would also reduce pressure on the central markets. One of the planners opined that inclusion of HBEs in neighbourhood plans will reduce the rate of illegal attachment of structures to buildings. The main fear of inclusion of HBEs in urban planning is that the activities of HBEs as part of the informal sector will be difficult to regulate and may, therefore, impact other residents and the environment negatively.

Summary and Discussion of Findings

The findings of the study reveal above average incidences of HBEs across the densities—high, medium, and low. The proportion of women-owned/operated enterprises was also above 50% for the three densities. These findings are in agreement with Strassman (1986), who found out that the number of women in HBEs was growing. Again, the results of the study showed that the benefits derived by women in HBEs are many, but the most prominent ones are income provision, supplementary household income, provision of goods and services, contribution to family responsibility, skill acquisition, a sense of self-esteem and social value, and looking after sick members of the family. This corroborates other findings in the literature (UNIFEM 2000; Gough et al. 2003) which showed that these factors influence the establishment of HBEs. Contrary to the positions of Onyebueke (2001), among many others in the literature, this study found that the ease of setting up HBEs and resistance by husband/family of women to work outside the home as a motivational factor were not significant benefits for the women in Enugu.

The two major challenges faced by women HBE operators were frequent increase in rent by landlords who think that as the home is used for commercial activities it should be charged commercial tenement rates, and harassment by urban planners if and when houses were modified to suit HBEs activities. A very striking result of the study is that contrary to the prevailing view that urban planners are against the inclusion of HBEs in plans, especially at the neighbourhood scale, the study revealed that the idea of inclusion of HBEs in neighbourhoods is acceptable to them.

Recommendations and Conclusion

This study investigated the nature and various dimensions of HBEs and to what extent they can provide succour to those considered unfit to be absorbed by the formal sector of the urban economy, especially women. The rationale and significance of the study lie in the increasing speed of growth of this segment of the informal economy, significantly affecting the urban population and the slow-to-change perception of urban planners that HBEs, for the most part, are a distortion of public space leading to little or no accommodation of their operations in urban planning.

This study confirms that HBEs are an important segment of the informal economy and have been shown to be dominated by women that are either not employed or underemployed by the formal sector of the urban economy. HBEs empower these vulnerable members of society with income and employment, and offer most of them the flexibility to cater for children and other members of the family while at the same time supporting their families economically. It is noteworthy that planning laws on development hitherto limited the opportunity for visibility and support of HBEs. Contrary to the public perception that urban planners are fixated on stamping HBEs out of urban residential quarters, this study confirms that a significant number of planners in Enugu are willing to modify planning laws to aid the visibility and operations of HBEs. Based on the findings of this study, we conclude that there is a need for policy shifts in support of integrating HBEs into urban planning. Proper planning is expected to design for ways to ameliorate the downsides of HBEs like insecurity, noise, and indiscriminate distortion of residential spaces.

We therefore recommend that Nigeria should join countries like Kenya and Ghana that have changed their perspective and have begun to empower and support informal workers, including HBEs. Specifically, we suggest that Nigeria should accentuate the attention and support given to programmes such as the National Directorate of Employment that support self-help and start-up businesses like HBEs that empower the poor (Ezeadichie 2009).

While we observe some level of similarity among operations of HBEs in Nigerian cities, caution must be exercised if using the findings of the study to make generalizations and policy statements outside the study area, especially when it comes to HBE non-operators and town planners, due to the study's limited sample size. We recommend that further studies should explore how to best include HBEs in low-income

(high density) neighbourhood designs. Future studies will be more representative if data collection is expanded to include a larger sample of town planners and non-operators of HBEs in any selected area.

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A Granny Flat of One's Own? The Households that Build Accessory-Dwelling Units in Seattle's King County

MAGDA MAAOUI

Abstract

This paper inserts itself in current debates about the legalization of Accessory-Dwelling Units (ADUs), by casting a new light on the profiles of households filing ADU permits in the unincorporated areas of Seattle's King County. Correlations between the concentration of minority households and the permitting of ADUs might call into question preconceived notions that such legalizations benefit suburban, older, white middle-class households in the first place. We seek to address the relationship between legalizing ADUs in King County, the major county of the Seattle metropolitan area, and general characteristics of households who build ADUs, based on age, race, and income. Findings underline premises for further evidence about the fact that minority homeowners benefit from the local permitting of ADUs. These findings could be the translation of a particular adequacy between ADU legalization and the long-term projects of local homeowners to transform their residential space.

Keywords: Accessory-Dwelling Units, Informality, Housing Policy, Homeownership, Real Estate Analysis

Introduction

Since 2010, Seattle joined the list of cities at the forefront of Accessory-Dwelling Unit (ADU) legalizations. Accessory-Dwelling Units are independent units built either within single-family homes or on their lots. These separate living spaces are usually equipped with kitchen and bathroom facilities. Additional space in existing housing units can sometimes provide opportunities for some households. Such might be the case for parents whose children return home after college, young couples looking after their aging parents, or families who want to rent an unused garage as a source of extra monthly income. Housing policies and regulatory structures have historically given these circumstances very little consideration. This topic matters because it explores affordable housing alternatives that were long informal and underestimated in local housing markets.

This paper intends to analyze the outcomes of the Seattle initial citywide legalization of ADUs in 2010 by looking at a recently released dataset specific to one of the counties making up the larger Seattle metropolitan area. We therefore evaluate

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the relationship between the permitting of ADUs in the unincorporated areas of King County and the characteristics of households who build these ADUs in terms of race, income, and age.

This paper complicates the preconceived notion that anticipates households with ADUs to be white, older, middle-class homeowners with a good knowledge of the regulatory tools available to them. This preconceived notion has even shaped the local conversation about the pros and cons of the policy. One recurrent comment made by obstructionists against the upzoning of Seattle neighborhoods this June was that such a legalization would "create tremendous uncertainty for 300,000 mostly middle-class residents supporting the city through homeownership" (The Seattle Times 2018). Such a preconceived notion about the typical profile of households that would be concerned by the policy is striking. Therefore, the main hypothesis of this analysis is that there could be a correlation between ADU permitting and the concentration of certain minority groups in the unincorporated areas of King County. These include urban areas of Seattle as well as suburban and rural areas, and findings could inform the likelihood of ADU permitting for other households at the metropolitan level.

We first ground our hypothesis in literature that justifies the rationale of this study, despite the fact that research about ADUs is still quite sparse. We then introduce the research methodology behind the statistical models developed to address this hypothesis. We finally present the results of these regression models carried out in the location of ADU permits. Findings corroborate our initial hypothesis about the fact that minority households benefit from the local permitting of ADUs. With further research, we could confirm our assumptions more firmly. Correlations between African-American and Hispanic households and the permitting of ADUs introduce how we might further call into question preconceived notions that such legalizations benefit suburban, older, white middle-class households in the first place.

The results obtained in this paper seem to qualify such a preconceived notion, which shapes both conversations about policy-making and debates in the literature on the topic. Based on the analysis of the correlation between the filing of ADU permits and the characteristics of households profiled, it appears that in the unincorporated areas of King County, be they urban, suburban, or rural, your average ADU permit seeker might not be necessarily older, white, and middle-class.

This research could inform policy-making. It could justify the use of regulatory tools that favor alternative ways to provide affordable housing units for underserved households. We still conclude with a strong recommendation for further mixedmethods research to increase the robustness of this model, and ensure transferability of results.

A Review of Debates around Who ADUs Ultimately Serve

A subject of debate in recent planning research is the legalization of ADUs, what alternative this is to classic affordable housing options, and how we can measure its impact

on neighborhoods. We here outline the trends that structure this debate, in order to show where this paper positions itself.

The wide variety of names used to refer to ADUs underscores the lack of standardization that characterizes this form of housing. A screening of reports and papers shows how they have been referred to indifferently as granny flats, nanny flats, mother-in-law units, backyard cottages, micro-lofts, companion units, elderly cottages, garage apartments, or second units. Yet, since the 1990s ADUs have represented an important annual addition to the nation's housing stock. Estimates evaluate the annual creation of units between 65,000 and 300,000 (Gellen 1985; Howe 1990). Such shifts have thus far informed two schools of thought for secondary-unit supply in the current literature (Wegmann and Nemirow 2011). The first one considers ADUs from a "need" perspective, as a way to generate extra income, while the second one looks at them from a "capacity" perspective, through the use of surplus residential space. This paper focuses on the "need" perspective in order to evidence how the profiles of households that file ADU permits are much more diverse than what public opinion—and a large part of the literature—holds.

The rise of these populations of interest is partly explained by changing economics, which drive both supply and demand for ADUs (Sage 2008; Mukhija et al. 2014). As more families turn to renting and away from homeownership (Been et al. 2014b), and poverty moves to the suburbs (Kneebone and Berube 2014), a growing number of renters are searching for units in predominantly singlefamily neighborhoods. Meanwhile, the need for additional income on the part of homeowners drives ADU construction.

ADUs fuel a heated debate over the balance between their advantages and disadvantages. Advantages include the provision of affordable housing options (Been, et al. 2014a), greater neighborhood integration, and more neighborhood diversity (Chang 2011; Brinig and Garnett 2013). In contrast to this, a list of recurrent disadvantages includes potential links with displacement and gentrification (Bertolet 2018), the risk of creating more temporary rentals (Furman Center 2014), and the overcrowding problem for associated off-street parking space (Chapple et al. 2012), notwithstanding concerns about the affordability of ADUs. This paper does not seek to verify whether these assumptions about the advantages and disadvantages of ADUs are true. Still, it intends to start outlining the hypothesis which states that not only suburban, white, middle-class homeowners benefit from the filing of ADU permits.

ADUs are becoming more important in housing supply, but little research has been done assessing the correlative aspects of ADU policy and household demographics. Understanding why this is an important question and in what ways certain results can be used for policy and planning is necessary. For this reason, this paper sets out to address the relationship between ADU permitting and household characteristics in terms of income, race, and age. Previous studies have formulated the hypothesis of a link between these variables, and this paper builds upon these findings to test this in the unincorporated areas of King County, WA.

There is a literature that briefly addresses the link between ADU construction and household demographic and socio-economic profiles. The literature generally reports that the typical ADU homeowner is usually white, with an average age of 49 years, well-educated, and affluent (Chapple et al. 2012). Additional research recently started to consider demographic and socio-economic features, underlining that ADU construction was more likely to take place in neighborhoods featuring slightly lower incomes, younger households, less children, and lower concentrations of white households (Wegmann and Chapple 2012). Other studies have started to underline the potential diversity in household profiles, which could, if better investigated, inform much more neighborhood-specific policies instead of one-size-fits-all citywide approaches (Mukhija et al. 2014). Rudel's study of Babylon, a blue collar suburban town of Long Island, New York, evidenced that secondary units rented, on average, for 35% less than non-secondary unit apartments (Rudel 1984; Wegmann and Nemirow 2011). A lot of it had to do with the fact that tenants were usually related to the homeowners. Paradoxically, the informality associated with these networks connecting homeowners to tenants increased the racial divide between ADU households and households without ADUs. The study was based on a 1982 survey of ADUs recently after these were legalized in the suburbs of New York in 1980. While African-Americans made up 14% of the local population, almost none of them occupied the surveyed ADUs. The study suggested that such striking results could be further investigated if longitudinal data was further collected, to strengthen these preliminary findings.

A recent study that surveyed homeowners in Portland, Seattle, and Vancouver who had built ADUs, or recently bought a house with a new ADU, identified knowledge and use of financing sources as key barriers to ADU construction (Chapple et al. 2017). 30% of respondents used only their own savings in order to finance their ADU construction project. Meanwhile, most respondents mentioned obtaining a loan (34%) and paying for the cost of construction (18%) as their top challenges. This paper builds upon such findings. It is guided by a hypothesis that spatial and class-based inequality exists in *policy capital*[1] and is manifest in housing policy-making. Recourse to ADU permitting would therefore entail the use of a certain network of knowledge (Fischer et al. 2018), or policy capital, from local households. We consider that the capacity to activate, take advantage, and benefit from ADU permitting works along socio-economic and racial lines.

This capacity is therefore what allows households to overcome the main regulatory obstacle for ADUs: local zoning ordinances and land use regulations that prevent homeowners from creating them (Williams 2001; Wang 2015). Partisans of legalizations argue

1   The topic of power associated with transactions and socio-spatial negotiations enables an exploration of the notion of *policy capital*, which we coin based on the definition of capital by Robert Putnam as "networks and norms of civic engagement" (Putnam 1993, 132). The neighborhood level is a great scale at which to analyze such manifestations of differentials in policy capital. This can indeed be inserted in a rich literature on neighborhood effects (Sampson 2011).

that these regulatory tools need to adapt to the shifting needs of households. Therefore, the main actions taken in that direction have been through state acts or local ordinances, first in places that were at the forefront of such debates (Cobb and Dvorak 2000).

The diagram below presents the timeline of major legalizations that occurred in both the United States and Canada over the past five decades (refer to fig. 1). Several North American cities and states counted large stocks of old informal housing units. San Francisco had between 20,000 and 30,000 ADUs by 1960, 90% of which were illegal. Vancouver, BC is a flagship city in this sense, since ADUs have long made up a third of the city's rental housing stock. Local planners first set out to legalize informal ADUs between the late 1970s and 1990s. This did not always trigger long-term results at first, as was the case with the 1982 California State Bill 1534 legalizing ADUs on single- and multi-family lots, which was eventually overrun in 2002. Still, such efforts structured new geographies for these alternative housing units, first in cities across the United States and Canada that were at the forefront of experimentation, and later in other parts of the continent.
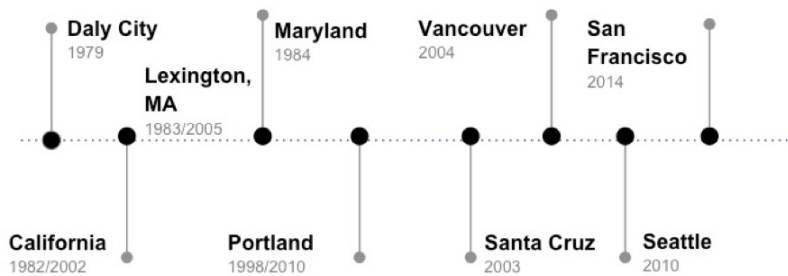
Figure 1   Cities and states at the forefront of ADU experimentation *(Image by author)*

The city of Seattle started the conversation about legalizing ADUs in the mid-1990s, and about detached ADUs since 2006. ADUs were common before then, until they were banned in the 1950s. Legalization efforts first started as a pilot project in Southeast Seattle from 2006 to 2009 (Jorgensen 2013), prior to being extended to the larger metropolitan area in 2010 (Rasmussen 2014; Chapple et al. 2017). Decision makers expected 80,000 ADUs to be legalized or built as an outcome of this new regulation. Yet, only 159 ADUs were legalized in 2015. There are now 1,200 ADU units, which represents only 1% of single-family houses in the city (Buker and Podowski 2014, 2015). Estimations show that if only 5% of local single-family houses added ADUs, this would create 4,000 additional units for the city (Johnson et al. 2011). Since 2006, the number of permits for ADUs has slowly but steadily increased (Chapple et al. 2017).

Seattle has recently been at the forefront of ADU legalization, and while it is hard to find data on such legalizations at the metropolitan level, the fact that King County made its data open to the public presents us with an opportunity to start formulating preliminary results, subject to further research in order to be able to generalize

our findings. King County is one of the three Washington counties that make up the Seattle-Tacoma-Bellevue Metropolitan Statistical Area. The local planning department recently started collecting data on the permitting process of ADUs. It therefore created a special data service for its unincorporated areas. The following map documents the location of households that filed an ADU permit in these unincorporated areas since the 2010 law (refer to fig. 2). These households are evenly distributed in both the urban, suburban, and rural areas of King County.
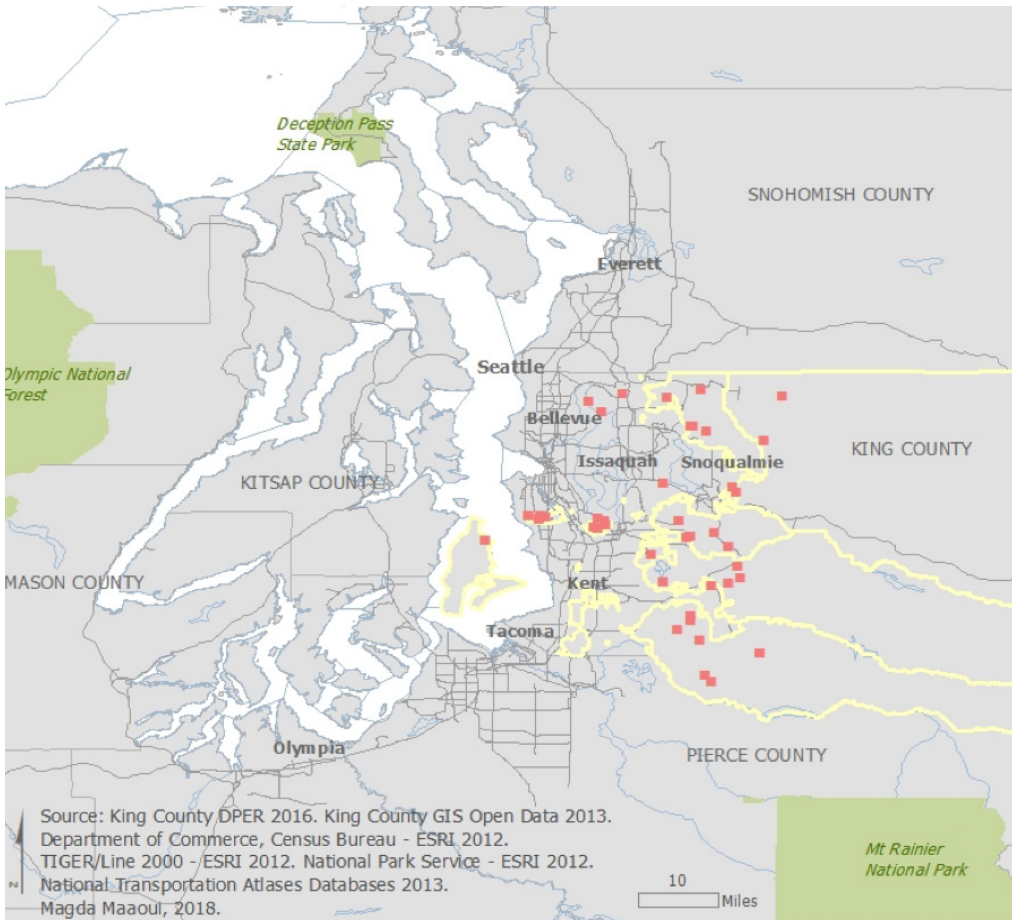
Figure 2   Households with a permitted Accessory-Dwelling Unit in King County's unincorporated Community Service Areas, since the 2010 legalization *(Image by author)*

Unincorporated areas inform policy outcomes in urban fringes that oftentimes feature low density, discontinuous, suburban-style developments. They are mostly the result of rapid unplanned growth, governmental fragmentation, and segmented land markets. At the same time, they constitute a useful case study, a potential "lesson from the fringes," when it comes to the permitting of previously informal units such as ADUs. The following charts underline how the characteristics of King County and its Unincorporated Community Service Areas are fairly comparable when it comes to income, age, and racial and ethnic makeup (refer to fig. 3). For this reason, the unincorporated areas of King County could potentially inform us, to some extent, about what the trends at the larger metropolitan area level have been since the legalization of ADUs was passed in 2010.
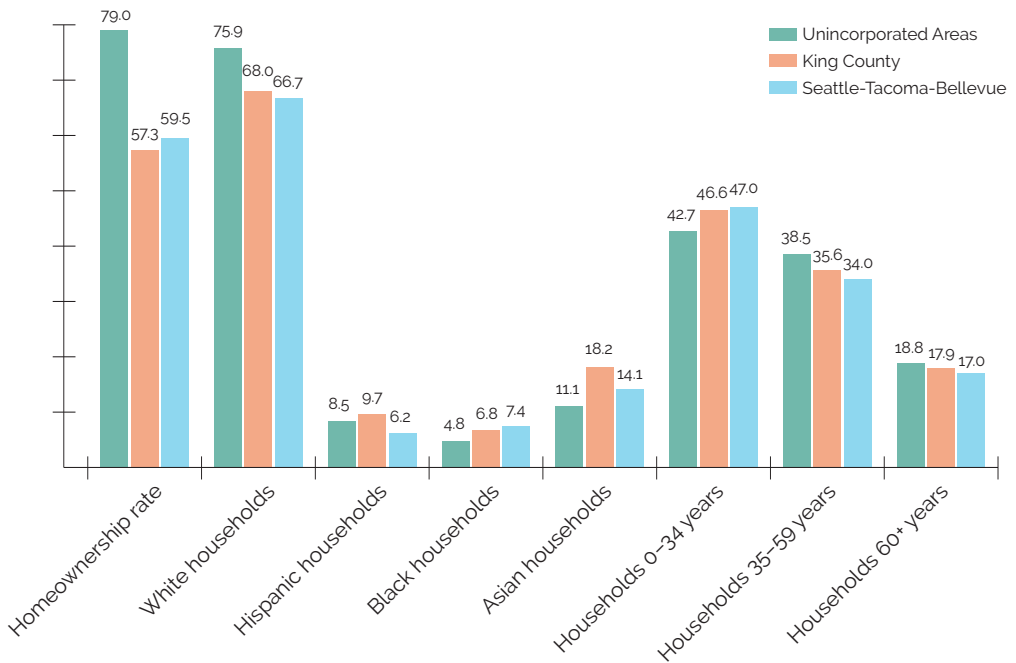
Figure 3   Households profiles: Unincorporated Areas, King County, Seattle Metropolitan Area *(Source: US Census 2010, ACS 5-year estimates 2012-2016, King County services 2009 and HUD Comprehensive Affordability Study (CHAS) 2008-2012, Unincorporated King County demographic service 2015; Image by author)*

Measuring the Correlations between Minority Household Profiles and ADU Permitting

The ADU submarket is generally harder to study, because of the strong lack of permits and zoning ordinances that could clearly inform research (Wegmann and Chapple 2012). Most ADU reports and papers typically rely on data about permits issued at multiple levels. Alternative sources include data about standard permits or violations issued in regular units, neighborhood or metropolitan surveys conducted as part of studies about

ADUs, or the systematic screening of local rental internet advertisements. The U.S. Census Components of Inventory Change, released by the U.S. Department of Housing and Urban Development (HUD) on a biannual basis, also displays national data about "shadow markets," with a major limitation in that it does not distinguish between secondary units and other "shadow market" units (Wegmann and Chapple 2012).

We base this paper on the hypothesis that there is a relationship between the location of ADUs and the concentration of certain minority households at the neighborhood level. This research relies on two datasets.[2] First, this paper takes advantage of the release of new permitting data. As a matter of fact, the local Department of Permitting and Environmental Reviews (DPER/BFSD) Planning Services Section for Permit Intake recently released permitting data collected from 2010 to 2014. The King County DPER helped narrow down the types of permits included in our dataset to the ones relative to Residential Building ADU land use permits for property in the unincorporated areas of King County. The dataset was generated using the Civic Platform Accela Land Management software, a cloud-service permitting platform which is used more and more by local governments, and has the advantage to give access to open data. Such data can be downloaded as a set of Excel records spanning three- to ten-month periods. We merged these records for the years 2010–2014, without duplicating observations. Each unit's local address was then aggregated at the ZIP code level. We obtained a total number of 54 observations.

The second dataset documents demographics (income, age, race), at the ZIP code level. American Community Survey 2010–2014 five-year estimates on race, income, and age represent averages from information collected via U.S. Census annual surveys and censuses about King County. The "Race by Individual" table's metrics on race and ethnicity, the "Economic Characteristics" table's income and benefits by households metric, the "Age and Sex" table's total age metric, no matter the sex by individual, were merged with the permitting dataset.

We renamed variables and merged some categories, specifically for income and age, for clarity. The first subgroup of independent variables included selected race categories that this study controls for (Hispanic, Black, Asian). The second subgroup included income categories labeled low-income (< $10,000–$50,000), middle-income ($50,000–$99,999), and high-income ($99,999–$200,000 or more).[3] The study controlled for the low-income and high-income categories. The third subgroup included age categories that merged the classification used by the U.S. Census[4] into three categories,

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2   Links to both datasets:
http://www.kingcounty.gov/depts/permitting-environmental-review/info/records/landuse.aspx
http://factfinder.census.gov/faces/nav/jsf/pages/community_facts.xhtml?src=bkmk

3   We based this categorization on the fact that the median household income for the Seattle-Tacoma-Bellevue Washington metro area was $78,612 in 2016 (American Community Survey 2016).

4   Under age 25, Age 25–34, Age 35–44, Age 45–54, Age 55–64, Age 65–74 and Age 75 and older.

namely "0 to 34 years," "35 to 64 years," and "64 years and older." It controlled for the "0 to 34" and "35 to 64" age categories.

To answer this question, we developed two regression models. Instead of developing an Ordinary Least Squares (OLS) multivariate regression model, we set out to develop two count regression models, which are a better fit to analyze count data. In fact, count data is often analyzed incorrectly using OLS regression models. For this reason, we went beyond the linear analysis of this data and developed a Poisson regression model and a negative binomial regression model. We considered developing a logistical regression model to analyze this dataset, in order to link our findings to the likelihood that ADU homeowners belong to the categories studied. Yet, the fact that we do not have access to individual data about demographics and income at the household level makes this impossible for now.

The number of ADU permits at the ZIP code level is the dependent variable, while the concentration of certain age, race, and income groups constitutes the set of independent variables. Table 1 summarizes the characteristics for each of these variables.

Variable	Observations	Mean	Standard Deviation	Minimum	Maximum
Number of units	54	1.2778	1.7742	0	7
Percentage of low-income households	54	35.0981	14.3277	0	64.4737
Percentage of middle-income households	54	29.1031	7.0661	0	44.4533
Percentage of high-income households	54	35.7988	17.6402	9.4118	100
Percentage of white households	54	75.8850	17.7111	29.8542	100
Percentage of Hispanic households	54	8.4537	10.3932	0	72.2
Percentage of Black households	54	4.8257	6.4770	9	26.3848
Percentage of Asian households	54	11.1139	9.9423	9	39.9257
Percentage of households aged from 0–34 years	54	42.7047	9.3752	4	61.7499
Percentage of households aged from 35–64 years	54	38.4986	5.5197	25.5802	59.3857
Percentage of households aged 65 years and older	54	18.7967	7.8581	0	54

Table 1 Descriptive summary statistics

We know from this dataset that ADUs are widespread rather than exceptional, given the location of permitted units. We performed a power analysis in order to estimate the sample size required to reach robust results. This was a preliminary step to determine if the sample size was large enough, and a useful step for the pilot study, especially when it comes to first-hand data collection. We performed a one-sample t-test with a standard significance level alpha of 0.05. We gathered that in order to reach a standard power of 0.9, the estimated required sample size would be 21 observations. Therefore, the power associated with the dataset used in this study is 0.9996, which shows that the model almost always accurately rejects the null hypothesis.

The Unexpected Potential Correlation between Permitting and Minority Households

We here compare the results for two regression models we ran in order to evaluate how ADU permitting correlates with the concentration of certain race, income, and age groups. We present these results in Tables 2.1 and 2.2.

The relationship between ADU construction permits by ZIP code and the concentration of certain race, income, and age groups is discussed in this section. All models simultaneously estimated control for collinearity. Table 2.1 presents coefficients as a difference between the logs of expected counts, while Table 2.2 presents results as incidence rate ratios, which we can obtain by exponentiating the Poisson and negative binomial regression coefficients.

In terms of race, results begin to corroborate our initial hypothesis about the link between ADU construction and the concentration of certain minority households. Both the Poisson regression model (Model 1) and the Negative binomial regression model (Model 2) underline a statistically significant positive correlation between ADU permitting and the concentration of Hispanic and Black households. These models also show a negative correlation between ADU permitting and the concentration of Asian households, but we must further analyze this sub-hypothesis since findings are not statistically significant.

While holding the other variables constant in the model, Black households are expected to have a rate of ADU permits at the ZIP code level 1.1429 or 1.1322 times greater (Model 1 and Model 2, respectively). Hispanic households are also expected to have a rate of ADU permits at the ZIP code level 1.0552 or 1.0649 times greater (Model 1 and Model 2, respectively). Meanwhile, if the percentage of Asian households at the ZIP code level were to increase by one point, their rate ratio for ADU permits would be expected to decrease by a factor of 0.9744 or 0.9784 (Model 1 and Model 2, respectively), while holding all other variables in the respective models constant.

In terms of income, findings potentially fuel what the literature says about the correlation between middle-income households and the recourse to ADU construction. Indeed, both models show that ADU permitting is negatively correlated with the concentration of low- and high-income households, and these findings are statistically significant.

Table 2.1	Model 1: Poisson Regression	Model 2: Negative Binomial Regression
Percentage of low-income households	−0.1702***	−0.1818***
	(0.0322)	(0.0493)
Percentage of high-income households	−0.0523**	−0.0639**
	(0.0206)	(0.0338)
Percentage of Hispanic households	0.0537***	0.0628**
	(0.0202)	(0.0302)
Percentage of Black households	0.1336***	0.1242***
	(0.0320)	(0.0441)
Percentage of Asian households	−0.0260	−0.2184
	(0.0210)	(0.0281)
Percentage of households aged from 0–34 years	−0.0701**	−0.0725*
	(0.0320)	(0.0420)
Percentage of households aged from 35–64 years	−0.0938*	−0.0841
	(0.0528)	(0.0699)
Constant	13.5020***	13.9723***
	(3.4417)	(5.0607)
Observations	54	54
Overall Pseudo R-squared	0.2193	0.1195

Table 2.2	Model 1: Poisson Regression	Model 2: Negative Binomial Regression
Percentage of low-income households	0.8435***	0.8338***
	(0.0272)	(0.0410)
Percentage of high-income households	0.9490**	0.9381**
	(0.0196)	(0.0317)
Percentage of Hispanic households	1.0552***	1.0649**
	(0.0213)	(0.0322)
Percentage of Black households	1.1429***	1.1322***
	(0.0366)	(0.0499)
Percentage of Asian households	0.9744	0.9784
	(0.0204)	(0.0275)
Percentage of households aged from 0–34 years	0.9323**	0.9301*
	(0.0298)	(0.0391)
Percentage of households aged from 35–64 years	0.9105*	0.9105*
	(0.0481)	(0.0481)
Constant	730838.2***	1169710***
	(2515358)	(5919554)
Observations	54	54
Overall Pseudo R-squared	0.2193	0.1195

***$p < 0.01$, **$p < 0.05$, *$p < 0.1$

Table 2   Model results.: Table 2.1 presents associated coefficients, which are translated into incidence rate ratios in Table 2.2. Constant estimates baseline odds. Standard errors in parentheses

If the percentage of low-income households at the ZIP code level were to increase by one point, their rate ratio for ADU permits would be expected to decrease by a factor of 0.8435 or 0.8338 (Model 1 and Model 2, respectively), while holding all other variables in the respective models constant. Similarly, if the percentage of high-income households at the ZIP code level were to increase by one point, their rate ratio for ADU permits would be expected to decrease by a factor of 0.9490 or 0.9381 (Model 1 and Model 2, respectively), while holding all other variables in the respective models constant.

In terms of age, findings show that ADU permitting is negatively correlated with the concentration of households aged between zero and 64 years old. Such a correlation is statistically significant, except for households aged between 35 and 64 years old in the negative binomial regression model (Model 2). This does mean that all results for this metric cannot be considered conclusive until further research is conducted.

If the percentage of households aged 34 or younger at the ZIP code level were to increase by one point, their rate ratio for ADU permits would be expected to decrease by a factor of 0.9323 or 0.9301 (Model 1 and Model 2, respectively), while holding all other variables in the respective models constant. Similarly, if the percentage of households aged between 35 and 64 at the ZIP code level were to increase by one point, their rate ratio for ADU permits would be expected to decrease by a factor of 0.9105 or 0.9194 (Model 1 and Model 2, respectively), while holding all other variables in the respective models constant.

We would ideally like to draw conclusions about how the demographic features of households affect the amount of ADU permits filed. However, several limitations of the existing data hinder our ability to do so conclusively. Therefore, while the statistical significance of most results allows to corroborate our initial hypothesis, this should only be considered a first step for further finer grain research on such correlations between ADU permitting and local households. With further data collection, the models could all do a better job of explaining the variation in ADU permits, as is evidenced by the fairly low pseudo r-squared values. We consider the statistical methods deployed to be satisfying and useful for this study, but a larger sample size collected over time could yield much more conclusive results. This is the prerequisite to transferability and replicability of results, in order to really inform the decision process of local policy-makers, and infer conclusions for localities that were not part of the study.

Conclusion

This paper is a first step toward analyzing the adequacy between ADU legalization and the long-term projects of local homeowners to transform their residential space. It inserts itself in current debates about the legalization of ADUs, by attempting to cast a new light on the profiles of households filing ADU permits in the unincorporated areas of Seattle's King County.

The focus is on unincorporated areas of King County because datasets were recently made available by the department in charge of ADU permitting. This poten-

tially informs how certain households in urban, suburban, and rural areas of this county benefitted indirectly from the legalization of ADUs in Seattle.

The models introduce potential correlations between African-American and Hispanic households and the permitting of ADUs. With more research, this might call into question preconceived notions that such legalizations benefit suburban, older, white middle-class households in the first place. We wish to insist upon—and further explore—the recourse to ADU permitting by certain minority households. These premises for further evidence could have relevance for local policy. They could justify the legalization of permits that provide alternative sources of income to certain minority households.

We mentioned how the topic of ADU legalization combines both the regulatory technologies of planning, and the incremental ways residential landscapes get to be shaped. What this paper offers is the first step for further research on the kind of households that are interested in building ADUs. If the story unfolding in Seattle's unincorporated areas is one where racially diverse homeowners might get to benefit from this new regulation, then testing the extent to which it is true, and how to further generalize this trend through policy-making, matters even more. The planning implications of this study are timely, given that the legalization of ADUs is now being adopted by more and more cities and local governments across the United States.

And with the legalization of ADUs comes the necessity to disseminate information to homeowners who would otherwise be intimidated by both permitting and construction processes. We could reach a better understanding of the mechanisms at work behind the networks of knowledge leading minority households to ADU permitting. This can be performed through interviews with households of varied profiles involved in the filing of ADU permits, participation in community meetings where this is addressed, and analysis of the topic with local decision-makers. This could, for example, potentially inform further hypotheses about whether the degree to which these racially diverse homeowners use such regulations correlates with strong traditions of local organizing, community informational channels at the neighborhood level, or spillover effects from neighboring white households.

The evidence presented in this paper cannot be considered definitive. We set out to test the robustness of the model, in order to assess the transferability of results, and underline future work to allow for stronger external validity. This shows that there needs to be further mixed-methods research applied to the overall ADU permitting cases in the unincorporated areas of King County. With more refined individual household data, a logistical regression model could further confirm our hypothesis and link our findings to the likelihood that the ADU homeowners belong to the categories studied. Alternative statistical work on this local housing market could refine the correlation between permitting, household demographics, and the physical characteristics of houses. The fact that ADUs are more legalized in suburban or core city areas, or the importance of metrics such as the age of buildings, and the overall pace of new

local constructions, can tell an even more complex story about the local households that build ADUs.

In addition, the DPER of King County must combine datasets from new legal ADU units and retroactively approved existing ADUs, allowing for a more comprehensive database. Data collection should be inventive, given the difficulty to evidence the presence of ADUs at the neighborhood level. Additional data collection can refine permitting datasets, by also assuming that permits for an additional kitchen, or a food preparation area, or bathroom facilities, can inform the construction of an ADU. Time series could eventually be performed to quantify shifts in permitting by ZIP code, in order to see where change is faster happening, once more data is collected over time. This could allow long-term research to inform the relationship between permitting and the demographic composition of neighborhoods. It could even capture whether legalized ADUs play a role in the evolution of territories, by slowing down or fastening the pace of neighborhood change.

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Design Dichotomy: Impact of Design Intervention on the Recreational Open Spaces of Urban India—A Photo Essay

DIVYA SUBRAMANIAN AND ARNAB JANA

Abstract

Well performing recreational open spaces (ROSs) are essential amenities that improve the quality of urban life in the context of rapid urbanization prevalent in developing nations. In Indian cities, the quantity and quality of recreational amenities like parks and playgrounds do not compare well with global standards. Design interventions that are undertaken while developing ROSs significantly impact their value in terms of attractiveness, accessibility, and usability. To evaluate this impact, an empirical survey of select ROSs was conducted in Mumbai, Bengaluru, and Chennai. The analysis revealed the dichotomous nature of design interventions. Multiple interventions or 'too much design' resulted in the open space losing its 'openness' and allowed only an orchestrated use of space. Whereas the lack of any intentional intervention or 'too little design' resulted in informality, which made the open space susceptible to encroachment. Using photographic evidence, this essay illustrates the dichotomous nature of design intervention affecting the use value of ROSs in urban India.

Keywords: Recreational Open Spaces, Design Interventions, Performance Evaluation, Developing Nations

Introduction

Rapid urbanization in developing countries has brought with it a plethora of inter-linked urban issues which ultimately affect quality of life. Recreational open spaces (ROSs) are state governed open spaces devoted to parks, squares, playgrounds, recreational green areas and other open areas with recreational facilities for the public. These spaces ameliorate quality of life by providing opportunities for physical activity, recreation, and social interaction, among other benefits (Konijnendijk et al. 2013). In the Indian context, well designed and well maintained recreational amenities like parks and playgrounds (refer to fig. 1) are very limited (MMR-EIS 2012).

The World Health Organization recommends a provision of at least nine square meters of green open space per person (Kuchelmeister 1998). The existing available per capita open space in many Indian cities is far less than the minimum recommendation (Ministry of Urban Development India 2014). The situation is even bleaker in the urban fringe, where development is more haphazard and there is a lack of long-term planning. The existing, yet sparse ROSs are further threatened by encroachers. This is due to poor policy implementation, lack of management and protection by the governing authorities, slum proliferation catalyzed by ever-increasing urban sprawl, lack of

affordable housing, among other factors. Undeveloped or badly-maintained ROSs also fall prey to the private construction sector, which often encroach upon the open spaces for various illegally built projects.

Figure 1   A 'good' park, well designed and well maintained *(Photo by authors)*

Development of ROSs in urban India is undertaken by stakeholders that include decision makers from governmental bodies and executors such as designers, contractors and management agencies, all funded by city budgets. The development process includes various design interventions that involve aspects of amenities, landscaping, design features, material selection, management processes, etc., which are aimed at improving the existing condition of the open space. Design intervention could be described as the process of making a design-backed decision in the existing scheme of things with the intention of improving the present condition of ROSs (Herrington and Studtmann 1998).

Method

The Sustainable Development Goals set by the United Nations aims to achieve universal access to accessible, safe, and inclusive public open spaces, with a special focus on women, children, the elderly, and people with disabilities by 2030 (UN Habitat 2015). However, there is no globally recognized methodology to assess these parameters for recreational open spaces. Many studies have investigated the impacts of design interventions using empirical observations (Mehta 2014), statistical analysis (Martinelli, Battisti, and Matzarakis 2014), landscape design assessment (Hassaan and Omar 2015), and user study methods (Sreetheran 2017). The novelty of this study lies in a city-wide cross comparison documenting the conditions of open spaces in a developing nation such as India.

To investigate if design intervention has any impact on the usability, accessibility, and inclusiveness of ROSs, an empirical study was undertaken across three Indian cities: Mumbai, Bengaluru, and Chennai. To achieve an equitable comparison of performance, only metropolitan cities with comparable population densities, budget provisions, and management structures were selected for the ROS assessment. Seventeen ROSs that included parks and playgrounds of multiple sizes were selected within each city, for a total of 51 ROSs across all cities. Some of the ROSs were in city centers; others were in suburban regions (refer to figs. 2, 3, 4). Each ROS was allotted a day of study and was studied for an hour in the morning, afternoon, and evening.
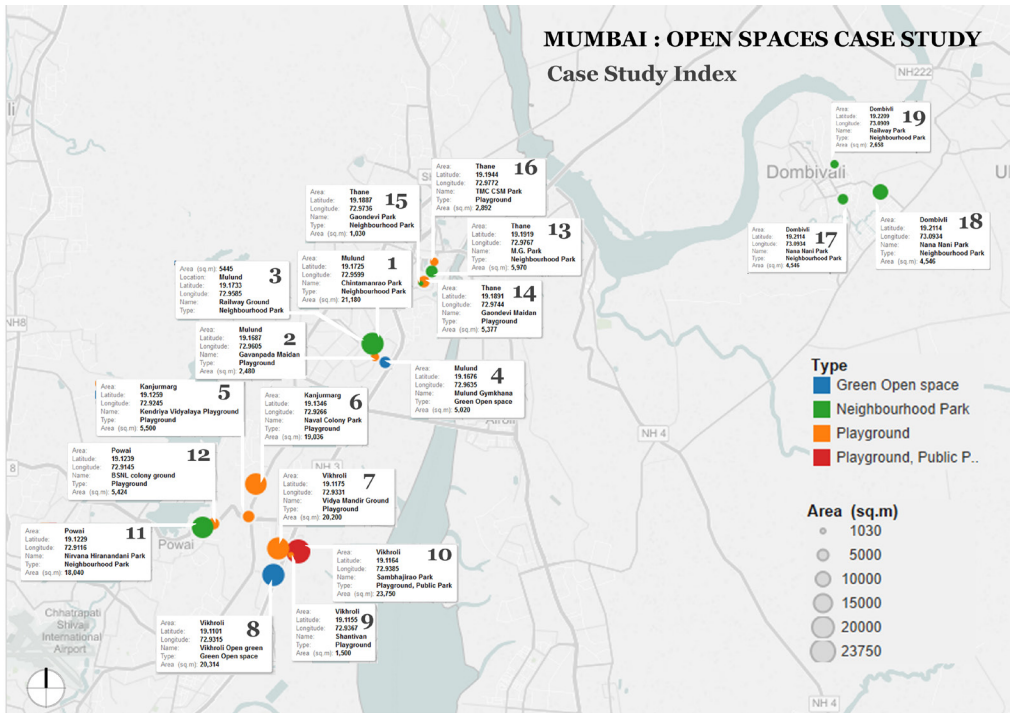
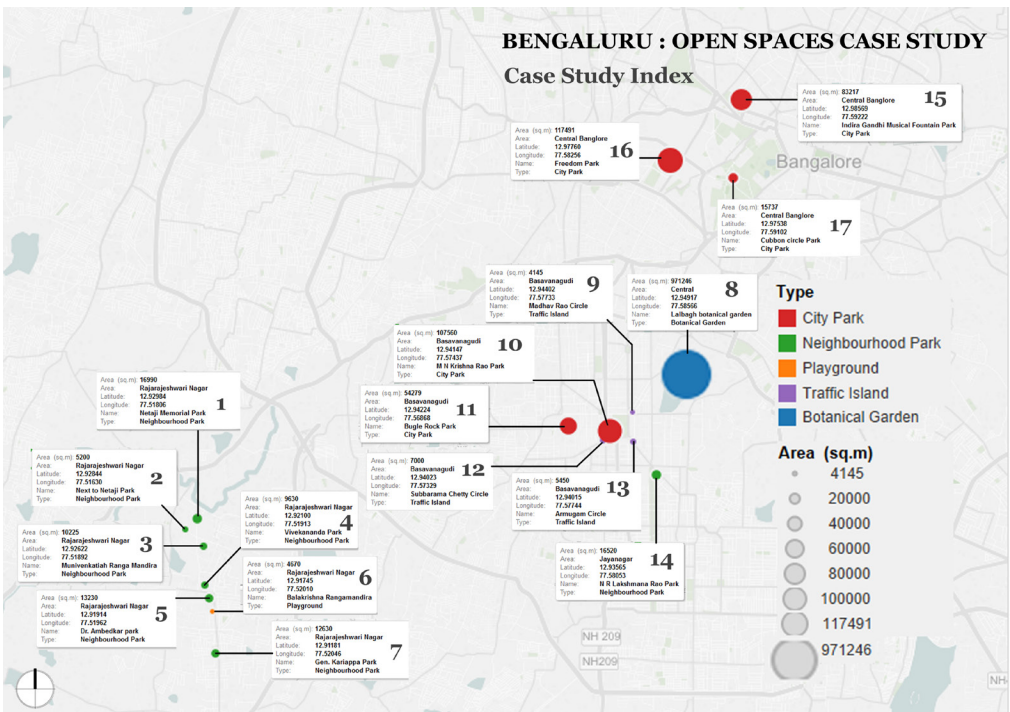**Figure 2**   Mumbai ROS study indicating location, type, and size *(Image by authors)*

Figure 3   Bengaluru ROS study indicating location, type, and size *(Image by authors)*

CHENNAI : OPEN SPACES CASE STUDY

Case Study Index

Area: Nungambakkam	**4**
Latitude: 13.05663	
Longitude: 80.24164	
Name: Independence Park	
Type: Neighbourhood Park	
Area (sq.m): 5,660	

Area: Nungambakkam	**3**
Latitude: 13.05300	
Longitude: 80.23748	
Name: Kodambakkam High Road Park	
Type: Neighbourhood Park	
Area (sq.m): 3,300	

Area: Nungambakkam	**5**
Latitude: 13.05278	
Longitude: 80.24142	
Name: Valluvar Kotam Statue Park	
Type: Neighbourhood Park	
Area (sq.m): 3,650	

Area: Kodambakkam	**1**
Latitude: 13.05201	
Longitude: 80.22546	
Name: UIC Circle Park	
Type: Neighbourhood Park	
Area (sq.m): 2,200	

Area: Nungambakkam	**6**
Latitude: 13.05227	
Longitude: 80.24169	
Name: Valluvar Kotam Signal Park	
Type: Neighbourhood Park	
Area (sq.m): 3,560	

Area: Gopalapuram	**14**
Latitude: 13.05207	
Longitude: 80.25713	
Name: Gopalapuram Playground	
Type: Playground	
Area (sq.m): 18,800	

Area: Kodambakkam	**2**
Latitude: 13.05541	
Longitude: 80.22523	
Name: Trustpuram PG	
Type: Playground	
Area (sq.m): 11,850	

Area: T Nagar	**8**
Latitude: 13.03787	
Longitude: 80.23666	
Name: Natesan Park	
Type: Neighbourhood Park	
Area (sq.m): 17,000	

Area: T Nagar	**7**
Latitude: 13.04152	
Longitude: 80.23321	
Name: Panagal Park	
Type: Neighbourhood Park	
Area (sq.m): 21,150	

Area: T Nagar	**9**
Latitude: 13.03701	
Longitude: 80.23546	
Name: PG opp. Natesan Park	
Type: Playground	
Area (sq.m): 5,300	

Area: Mylapore	**12**
Latitude: 13.03619	
Longitude: 80.26349	
Name: Nageshwara Rao Park	
Type: Neighbourhood Park	
Area (sq.m): 18,520	

Area: T Nagar	**11**
Latitude: 13.04281	
Longitude: 80.23827	
Name: RMK Grounds	
Type: Playground	
Area (sq.m): 11,800	

Area: R.A. Puram	**13**
Latitude: 13.02834	
Longitude: 80.25759	
Name: R A Puram Corporation Play Ground	
Type: Playground	
Area (sq.m): 5,490	

Area: T Nagar	**10**
Latitude: 13.04410	
Longitude: 80.23772	
Name: Jeeva Park	
Type: Neighbourhood Park	
Area (sq.m): 5,300	

Area: R.A. Puram	**15**
Latitude: 13.01927	
Longitude: 80.26231	
Name: R K Mutt Rd.Corporation Ground	
Type: Playground	
Area (sq.m): 11,106	

Type
■ Neighbourhood Park
■ Playground

Area (sq.m)
○ 2,200
○ 5,000
○ 10,000
○ 15,000
○ 21,150

Figure 4 Chennai ROS study indicating location, type, and size *(Image by authors)*

Design-based interventions like boundary profiles, lighting, paved walkways, seating, active play and kids' play areas, vegetation type, vegetation quality, open-air gymnasiums, play equipment, architectural features, water features, shading devices, and so on were observed and analyzed (refer to fig. 5). To understand the impact of these design features on usability and inclusiveness, user profiles and behavioral patterns were also observed. Amenities like toilets, drinking water fountains, maps and signage, handrails and ramps, etc. were photographed to document their presence and quality. Photographs were used as tools to analyze the impact of design interventions on ROS performance and use value.

Observation

ROSs in each of the three cities were studied and compared with a special focus on design interventions. Interventions were compared on the basis of various design parameters, which are discussed in detail below.

Boundary demarcation and signage

The emphasis on strict boundary demarcation and visual display of park details and amenities was evident in most parks and playgrounds of Chennai. This intervention ensured that the parks were protected from any encroachment. However, with a rigid demarcation between the inside and outside of open spaces, a very controlled and monitored ambience was established, which overshadowed the recreational and play aspects of the open space. In contrast, many ROSs in Mumbai, especially the play-

grounds studied, showed poor boundary demarcation (refer to fig. 6). This resulted in encroachment by informal activities like hawker proliferation and illegal parking. Most of the Bengaluru ROSs showed adequate boundary demarcations that served the purpose of defining the extent of the property while still providing a visual connection from the outside to the inside of the ROS.

Furniture, play equipment and surface treatment

Design intervention entails the provision and placement of various furniture items and equipment, along with activity-specific surface treatments that are needed for recre-

Figure 5   Open air gymnasium in a public park in Bengaluru *(Photo by authors)*

Figure 6   Mumbai playground with no boundary demarcation or signage, encroached upon by parked motorbikes and hawking *(Photo by authors)*

ational activities like walking, playing, sitting, exercising, etc. It is essential for these interventions to be backed by detailed understandings of ergonomics, biodiversity, and universal design. Haphazard provisions of these items were observed in most of the ROSs studied, irrespective of city. The parks, especially, had many movement barriers including a lack of convenient entryways, particularly for the elderly, children, and people with disabilities (refer to fig. 8).

Over-provision was observed in Chennai ROSs that were excessively paved, leaving little earthen open space available (refer to figs. 7 and 9). Land surfaces were also concretized in many of the Chennai ROSs. The vegetation quality of Chennai ROSs

Figure 7   Chennai park with heavy surface treatment and a cramped play area *(Photo by authors)*

Figure 8   Mumbai park with defunct play area seating *(Photo by authors)*

Figure 9   Chennai park with demarcated boundaries and prominent signage *(Photo by authors)*

Figure 10   Bengaluru park integrating lawns and kids' play area *(Photo by authors)*

was also poor. In some of the Mumbai ROSs, furniture placement appeared to be ad hoc and little thought seemed to be given to surface treatments. These qualities lead to poorly performing parks. Also, the safety of users across multiple age groups was compromised by lack of maintenance and barriers to movement. Such poorly maintained open spaces led to gender disparities among users; females were greatly outnumbered by men. The presence of well-maintained vegetation, including trees, flowering plants, shrubs, and lawns, greatly improved the thermal comfort experienced by users (refer to fig. 10). In certain ROSs in Bengaluru, the presence of 'vague' spaces in the layout gave users the opportunity to devise play or recreational activities instead of using predetermined play furniture that catered to kids of certain age groups. More open-air gymnasiums were provided in Bengaluru parks, which facilitated greater activity among the elderly (refer to fig. 5).

Among the playgrounds studied in the three cities, Chennai playgrounds showed maximum user turnout as the size of the open space allowed for multiple activities to function simultaneously. With the several dedicated sporting facilities, the play-

Figure 11   Playground in Bengaluru with a multipurpose stage *(Photo by authors)*

Figure 12   Mumbai park with over-provision of play equipment: 'too much' example *(Photo by authors)*

grounds were mostly used by boys between 12-24 years old. However, fewer female users were observed at these playgrounds.

Adequate lighting fixtures also allowed the playgrounds to function both day and night. Playgrounds in the Bengaluru ROSs were also of standard sizes (refer to fig. 11). Most of the playgrounds here also had a stage, which indicated their multipurpose usage. The playground surface treatment with red soil was well maintained.

The Mumbai playgrounds performed more poorly than those in the other cities. Some had ill-kept amenities and many were encroached upon by parking, which lead to proliferation of hawkers and squatters. Also, the sizes of Mumbai playgrounds were not standard and hence were unusable for many sporting activities.

ROS user and usage

Design interventions have a significant impact on user visitation and activities performed. ROSs with an over-provision of amenities like play equipment and seating were more highly used by certain age groups, namely children and the elderly. ROSs

with security guards, lights, female toilets, and boundary walls had more female visitors. Playgrounds with no place-making interventions had fewer female users, especially in the age group of 12–24 years old. Male users belonging to the same age group were most active in playgrounds. Female users aged 25–59, elderly female users, and female toddlers were most active in neighborhood parks. In parks, walking was the most prevalent activity observed, followed by sitting and socializing.

Discussion

For ROSs in urban India, holistic design and development are of utmost importance. As illustrated in this study, a well-performing open space is achieved when the provision of materials, furniture, and amenities, along with the landscape design, are well balanced. When this balance is disturbed by over-provisioning of these features, the open space loses its recreational quality and openness (refer to fig. 12). Heavy usage of man-made materials also detracts from open spaces. ROSs aid in recharging the water table, ameliorating urban air quality, sustaining a balanced microclimate, and providing contact with nature in a dense urban context. When an ROS ceases to be 'open' due to over-modification and exploitation, it may become just another built-up space that is formalized to the extent of being defunct. On the other hand, when no design interventions are undertaken, the ROS may be susceptible to urban threats of encroachment and informality (refer to fig. 12). 'Too much design,' or overdoing the intervention, and 'too little design,' where there is a dearth of any intentional intervention, are both counterproductive to the performance of ROSs in urban India. An understanding of this dichotomy of design intervention in these ROSs is, thus, a precursor to envisioning a framework specific to the Indian context that is designed to achieve the 2030 Sustainable Development Goal of providing universal, accessible, and safe public open spaces for all.

Figure 13   Mumbai playground with untreated surface, encroached upon by parking: 'too little' example *(Photo by authors)*

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