Informality in the New Urban Agenda:
From the Aspirational Policies of Integration to a Politics of Constructive Engagement

Arabella Fraser, Research Fellow, Overseas Development Institute, London

Inclusion is one of the critical hallmarks of the New Urban Agenda, and is nowhere more pressing than the inclusion of informal settlements and informal economic activities into wider urban systems. Broadly framed as settlement and activities which are not recognised by the state or do not meet state regulations, informality has been described as the new normality of urban life under rapid urbanisation, but is also on the increase in other urban contexts.

As the relevant documents of the New Urban Agenda refer to informality, the same critique as pertains to urban development more broadly applies – that it represents an all-encompassing wash of aspirations and measures, but little by way of guidance as to prioritisation or operationalisation. However, this should not overlook the fact that contained within the Agenda text there are important acknowledgements that will set the tone for urban development debates going forward. The most critical is the over-arching emphasis on the integration of informal settlements and economic activities. This includes explicit reference to policies to prevent eviction and support for multiple forms of land and housing development (such as the recognition of rental as important to the livelihoods of low-income groups, collective tenure and support to incremental and self-build housing), underpinned by data and mapping co-generated with urban citizens – although the text is less strong on policies for incorporating informal economic activities. The message of integration reflects shifts in intellectual thinking around urban informality and its form and role in urban development, away from conceptions of dysfunction and survivalism to a recognition of how informal systems work alongside and within formal systems. In essence, the New Urban Agenda aligns with a better established theoretical paradigm for public policy that works 'with the grain' of livelihoods and settlement patterns and activities to improve living standards whilst acknowledging the need for public regulation through interventions such as land use planning and public space provision. In practice, however, dispossession, stigmatisation and denial too often characterise 'formal' responses to 'informal' systems, as the violent and large-scale evictions of residents of informal settlements in Lagos in 2016 and 2017 exemplifies.

The framing of the very term 'informality' is also important to setting the compass for the policies and practices that follow. Unlike earlier documents in the run-up to the final Agenda and Quito Implementation Plan, in the final NUA documents there is a careful separation of wording between 'slums' and informal settlement. This is critical if one is to understand how informality overlaps with poverty, but is politically constructed at the interface of decision-making around planning, land use and economic development (Roy 2009). However, the language of the NUA reflects continued binaries of formal or informal settlement, or formal and informal economy. While nuancing here could become an unwieldy task for a large, global document, it is important to recognise that people 'tread the tightrope' between formal and informal, and that policy innovation can often come through working at this interface. In addition, where informality is solely equated with a place of residence or form of livelihoods strategy, the political dimensions of informality – and the informal practices embedded in planning itself – may be neglected.

Overall, the aspirational emphasis on policies for integration creates an opportunity for much-needed constructive engagement with urban informality. But could this opening more strongly leverage just, sustainable outcomes for the urban poor and vulnerable? The tension here, I argue, lies in how far the NUA can prompt engagement with the deeply political nature of operationalising such policies. Beyond the NUA, I suggest three political arenas in which any constructive engagement will need to

take place: first, the politics of negotiation and accommodation; second, the politics of planning and, third, the politics of partnership.

The starting point is Roy's view that informality results from a politics of negotiation – and I suggest accommodation – over both resources and legitimacy. This may be an oppositional process of negotiation between informal dwellers and the state (as in Roy 2009) or one in which a 'positive hybridity' emerges (see Song 2016). Where positive outcomes do emerge, there is a need for science to articulate what negotiation and accommodation processes work, and what drives them, drawing out insights for policy learning from the flexible, experimental, and often informal arrangements by municipal governments that have supported informal, urban dwellers to improve their livelihoods and cope with shocks and uncertainty. To take two cases from Latin America – Bogota and Lima – municipal governments intervening to upgrade infrastructure and reduce environmental risk in the city's informal settlements have done so over a long period of time during which they continuously adjusted the regulatory frameworks governing intervention. A particular feature of both interventions was the acknowledgement of 'rights of possession' as a resolution to the need to recognise and compensate informal land tenure (Criqui 2015, Fraser 2017). The complexity of 'working out' solutions on the ground to facilitate change necessitated a pragmatic approach. However, the process in both cases has been neither linear nor even. Bogota's programme for managing environmental risks through upgrading and resettlement, for example, involved both gradually reducing the barriers to access to the programme for some social groups, whilst hardening the criteria for exclusion for others by declaring further occupation of risk zones illegal (Fraser 2017). This question of the environmental limits to development further raises the question of who is to decide what the limits are, and how knowledge is negotiated between different actors with different interests and weightings on ecosystem protection, livelihoods support or the cultural values attached to living in particular places.

A sole focus on adjustments in normative and policy frameworks – and the politics that attends them – does not acknowledge, however, the embedded informal politics of planning itself. In her analysis of 'infrastructure urbanism' in Lima and Delhi, Criqui stresses how in Delhi, by comparison to Lima, it is the absence of statutory rules that has shaped urbanisation practices. The politics of different court orders, and changing authorities and elected politicians holds sway (Criqui 2015). Such a politics is not uniform, with important consequences. For example, the differential treatment of wealthy and poor informal areas by the state leads to the development of infrastructural protection in wealthy areas that create new risks for poorer communities (Romero-Lankao et al. 2014).

The focus on negotiation and the practices of planning puts more emphasis on top-down led processes of engagement than bottom-up solutions. A growing body of evidence points to an important role for organised civil society based in informal settlements, when enabled to engage with the state and external agencies (the activities of Slum Dweller's International (SDI) being key in this regard – see Dodman and Mitlin 2013). There is a need to understand the politics that have made such linkages possible in particular contexts, and again for science to articulate the learning for policy. In Solo, Indonesia, for example, workers' associations brokered more constructive engagement between informal minibus drivers and the municipal government, in lieu of direct engagement, levelling inequalities of power, defining shared interests and building trust and co-operation. A continual process of mutual learning and innovation was vital (Song 2016).

A common thread in the cases of Solo, Bogota and other cases is that such engagement was predicated on a decentralised governance system which allowed for municipal leadership and commitment. Such pre-conditions are acknowledged through the emphasis in the NUA on fiscal and administrative decentralisation to tackle urban problems. The possibility for participatory efforts may only be sustained, however, by an active democratic politics which supports the ability of an informed,

mobilised and active civil society to work both constructively and antagonistically with municipal governments (Song 2016).

In sum, if the NUA is to guide concrete development pathways towards more just and sustainable solutions to urban informality, the aspirational policies of inclusion encapsulated in the NUA need complementing with a realistic look at the politics of constructive engagement, its pre-conditions, domains, and its possibilities. Science has a key role to play in drawing out the learning from historic and present processes of engagement to guide the implementation of flexible, context-appropriate policies. The tension between aspiration and politics, however, is very real – the global urgency to address the scale and speed of urban change contrasts often unfavourably with a slow, pragmatic and messy way of working out solutions at local scale, the durability of which is often unknown.

References

Criqui, L. (2015) 'Infrastructure urbanism: Roadmaps for servicing unplanned urbanisation in emerging cities.' *Habitat International.* 47: 93-102.

Dodman, D. & D. Mitlin (2013) 'Challenges for community-based adaptation: discovering the potential for transformation.' *Journal of International Development*. 25: 640-659.

Fraser, A. (2017) 'The Missing Politics of Urban Vulnerability: The State and the Co-production of Climate Risk.' *Environment and Planning A*. Published online: September 28 2017 https://doi.org/10.1177/0308518X17732341.

Romero-Lankao, P., S. Hughes, H.Qin, J. Hardoy, A. Rosas-Huerta, R. Borquez, & A. Lampis 2014. 'Scale, urban risk and adaptation capacity in neighbourhoods of Latin America cities.' *Habitat International*, **42**, 224-235, DOI: 10.1016/j.habitatint.2013.12.008.

Roy, A. (2009) 'Why India cannot plan its cities: informality, insurgence and the idiom of urbanization.' *Planning Theory*. Vol 8 (1): 76-87.

Song, L. (2016) Planning with urban informality: a case for inclusion, co-production and re-iteration. *International Development Planning Review.* 38 (4): 359 – 381.