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# Overcoming the disjunctures: competing discourses on informal settlements in South Africa

Informal settlements are an undeniable feature of developing cities. Activists, governments, community groups, academics, artists, international funders, built-environment professionals and entrepreneurs all find the challenge of informality an important project and intriguing frontier for practical and conceptual intervention. This paper unpacks four discourses which frame understandings of informal settlements and how they should be addressed. Technology and design discourses, institutional discourses, rights-based discourses and structural discourses all come to bear on the framing of the debate and the propositions for change. Within the sector, the various actors and stakeholders continually struggle to acknowledge the contributions of other discourses. This paper unpacks these discourses and identifies the possible contributions and limitations each has to offer. The paper draws on empirical evidence from South Africa, providing insights relevant both to and beyond this context. In conclusion, it is argued that a generous, multi-scale, interdisciplinary discourse is needed in South Africa and beyond.

**Keywords:** informal settlements, housing policy, South Africa, discourse, urban development

## Introduction

Informality and informal settlements are a core theme in the study of cities, in particular those which might be termed developing, from-the-South, Third World or post-colonial (Oldfield and Parnell, 2014). While ‘planet-of-the-slums’ pessimism is becoming increasingly passé in academic and policy circles, few would argue that living conditions are satisfactory and change unnecessary (Bunnell and Harris, 2012; Pieterse, 2008; Gilbert, 2009). The variety of those interested in the pursuit of change in this arena is wide. Activists, governments, community groups, academics, artists, international funders, built-environment professionals and entrepreneurs all find the ‘challenge of the slums’ (to reference UN-Habitat’s 2003 volume) an interesting and useful project. While benign or malicious neglect may have characterised colonial approaches to slums (Parsons, 1997; Arimah, 2010), urban authorities in developing cities are now bombarded with products, ‘best-practice’ guides, plans and policy statements aiming to support upgrading informal settlements.

South Africa is no exception to the growing interest in informal settlements. South Africa has a large sector dedicated to this work. What is striking, however, is the chasms and battles evident in a sector undoubtedly working towards the common goal of improving living conditions for the urban poor. In local fora, discussions on informal

settlements quickly become hostile. From tender processes to public dialogues, from blogs to organisational newsletters, divisions are quickly drawn and territories staked. While alliances have been built within the sector, this has been the exception, rather than the rule. Similarly, these alliances have been fragile, linked to particular cases, funding streams or projects.

In an effort to explain this conflict, I identify four prominent discourses evident in the informal settlement sector in South Africa. ‘Discourse’ can be defined as ‘an ensemble of ideas, concepts and categories through which meaning is given to social and physical phenomena, and which is produced and reproduced through an identifiable set of practices’ (Hajer, 2005, 300). The discourses unpacked in this paper include technological and design, institutional, rights-based and structural.

This sort of classification, a reduction of deeply complex ideas into categories, is always stylised and choosing the right terminology can be difficult (i.e. camps, groups, perspectives, entry points, approaches etc.). The risk of oversimplification is inevitable as the reality on the ground shows entanglements and overlap – rather than binary categorisation. However, the grounded construction of such groups sheds light on the ways in which the problem of informal settlements, and by extension the appropriate responses, are understood by different stakeholders in the South African context. Here I argue that, despite the limitations of each approach, different discourses offer a valuable contribution to the challenge of informal settlements.

For South Africa, the possibility of a more generous, multi-scale and interdisciplinary approach, which embraces both alignment and dissonance, can aid in the production of a viable alternative to the inertia of the status quo. Since these discourses are linked to a conceptual training ground of sorts, they represent both global debates as and local contextualities. In this sense, how these discourses are produced is unique to the South African context, while the discursive categories have broader resonance in the many contexts where informality and informal settlements are of critical concern.

The insights unpacked in this paper are drawn from a research programme which ran from 2012 to 2016 focused on sustainable human settlement challenges in South African cities, convened and managed by the author. Under the broad banner of the ACC CityLab Programme (see Anderson et al., 2013; Pieterse, 2013), the Lab sought to produce grounded and relevant knowledge on urgent issues in the fields of housing and human settlements in South African towns and cities. One of the focus areas of the Lab was to understand how different actors and institutions understand informal settlement and, by extension, frame the possibility of change. Drawing on data collected through this process, I used thematic coding to analyse personal notes from interviews, conferences, workshops and informal discussions, as well as policy documents, NGO publications and academic work (with a focus on South African-based academics).

## Defining informal settlements

It is important to get some clarity, however fuzzy, on what is meant by informal settlements in the international and South African contexts. According to international convention, informal settlements are areas where shelters have been built on land that the occupants cannot legally claim, or that they occupy illegally, and/or when the shelter developed does not comply with planning and building regulations (United Nations, 1997). Squatter settlements are a particular type of informal settlement wherein people have occupied the land illegally. In this sense, informal and squatter settlements can be seen as a particular type of slum, and most of the informal settlements in South Africa are also squatter settlements (Gilbert, 2009). However, as both the terms ‘slum’ and ‘squatter’ have negative connotations, in South Africa the term ‘informal settlement’ is used (Huchzermeyer, 2014). Excluded from this definition and the discussion below are other forms of informal housing prominent in South African cities, such as illegally occupied buildings (‘hijacked buildings’) and backyard shacks which are constructed and let by owners of formal housing units (Lemanski, 2009; Rubin, 2011).

The South African 2011 Census found that 9 per cent of the population lived in shacks which were not located in backyards of formal units (in shorthand this is written ‘SNIBY’). While this data does not allow for the assessment of the underlying land ownership (thus deductions should be made for ‘site and service schemes’ and other areas where land ownership may be held legally), it is likely the closest estimate available for the proportion of households living in informal settlements. In major metropolitan areas, the proportion of households living in SNIBY tend to be higher, e.g. 12 per cent in eThekweni (Durban), 14 per cent in Ekurhuleni and 13 per cent in Cape Town.

## Upgrading policy in South Africa

For over two decades, the South African government has sought to address the shortage of housing believed to be underpinning the growth of informal settlements (as well as backyard dwellings and overcrowding). The predominant approach has been through the relocation of households to ‘greenfield’ housing projects. In the early 1990s, these developments were ‘site-and-service’ projects, not unlike the model propelled by the World Bank a decade or so earlier. With the advent of democracy and the formation of the National Housing Subsidy System (a key pillar of the now defunct Reconstruction and Development Programme), it was decided that a basic unit should also be provided. The state set to work to meet an ambitious target of providing one million houses in the first five years.

As the state, aided by private-sector delivery agents, marched forward with this mandate, the prospect of using housing instruments to create a more integrated city

became increasingly impossible (Harrison et al., 2008). Cheap and poorly serviced land on the outskirts of cities allowed for developers to maximise the subsidy amount, perpetuating the spatial fragmentation of South African cities. Recognising this challenge, the state sought to implement a 'paradigm shift' in 2004. The Breaking New Ground policy document was released which advocated for densification, integrated development and the in situ upgrading of informal settlements (National Department of Housing, 2004; Tomlinson, 2006). Despite these changes and a number of notable projects, the prominent response to informal settlements has been through the provision of basic services (portable toilets, water taps, etc.) and the eventual relocation of all or most of the households to greenfield developments (Cirolia et al., 2016; Huchzermeyer, 2011; Meth, 2013). The recent nationally driven shift towards mega-projects, pushed by Minister Sisulu, reinforces this long-standing approach to informal settlements.

Despite the delivery of millions of housing units (the national government claims over four million, but this is doubtful), the challenge of informal settlements persists.<sup>1</sup> In Cape Town, for example, the 2011 Census showed an increase in the absolute number and percentage of households living in informal settlements over a ten-year period. Many organisations have taken on the challenge. From government departments to design firms, from activist organisations to the academy, there is active debate as to the best way to address informal settlements. The following section outlines four of the competing perspectives within the current informal-settlement debates.

## **Four competing discourses on upgrading informal settlements**

The following section unpacks four discourses operating within the upgrading debates. Each of these perspectives frames the problem, and by extension the response, in very different terms.

### **Technological and design discourses**

Technological and design interventions generally start from a design challenge or puzzle (e.g. shacks are too hot or cold, informal settlements flood in the winter, there are fires in informal areas, densities are too high, etc.). The response is necessarily a suggested physical or material intervention aimed at addressing the problem. From here, prototypes, pilots and spatial plans are constructed. These become tools for demonstrating value and possibility.

<sup>1</sup> In the 2017 Budget Vote Speech given by the human settlements minister, she claims that almost 4.5 million houses and subsidies have been delivered. It is unclear how this is being counted. See <http://www.gov.za/speeches/minister-lindiwe-sisulu-human-settlements-dept-budget-vote-201718-18-may-2017-0000>.

Technologies and designs aimed at addressing the inadequacies of informal-settlement living conditions pervade South African debates. The overwhelming attention given to the technological and design approach is, in part, driven by the funding opportunities available in South Africa. Technologies – particularly ones with tangible products and outputs – are perpetually popular among global and local funding institutions and business schools (the well-known informal-settlement fire alert system being a good example). This attention is also driven by the attractiveness of ‘solutions’, a term which suggests that problems related to informal settlement can be solved, or fixed, with the right technology, design or product. Contests (such as the Better Living Challenge, Gates’s Reinvent the Toilet Challenge (awarded to the University of KwaZulu-Natal (UKZN)) or the Global Design Competition of the Tygerberg Partnership) are a routine part of these design debates. They celebrate the expertise of ‘the professionals’ and technical innovations.

From the design perspective, South African cities, and the communities which live in them, are playgrounds for experimentation. They are seen as an opportunity for international and local practitioners to explore new terrains, contexts and even markets (for their goods and services). Engineers, industrial designers, architects, urban designers and city planners increasingly seek to apply their professional skills to development challenges. Few universities in the country have failed to create field projects and studios which plan, design and even construct solutions to informal settlement challenges. The [in]formal Studio (Johannesburg) and the Integration Syndicate (Cape Town) are but two examples of the vibrant interface between architects, universities and informal settlements.

The intersection between design language and informal settlements, however, extends beyond the academy. Notably, Violence Prevention through Urban Upgrading (VPUU), which focuses on design-led informal-settlement improvements, has come to be a flagship response to informal settlements in South Africa and within global policy-mobility arenas. Similarly, the manoeuvre of many organisations historically interested in the complexities of politics and institutions (such as the Development Action Group, the African Centre for Cities, the Community Organisation Research Centre) into more complex design and architectural language is also not an accident. Interviews with various NGOs reflect a desire to leverage (and critique) the momentum surrounding the discourses of the ‘creative city’ and the ‘design city’, grounding new work in material articulations of informal-settlement development.

Within the design and technology debates, the challenge of informal settlements is often presented as a challenge of housing. Efforts to design more sustainable, modular, affordable and green shelters and housing units are a particularly important staple (Cirolia, 2014). The Butterfly House (Elemental Housing Solutions), the Empower-shack (Ikhayalami and ETH), the GreenShack (Touching the Earth Lightly) and the I-Shack (University of Stellenbosch) are leading examples of socio-technical innova-

tions in the field of housing which aim to improve the housing structure. As Cirolia (2014) discusses, these interventions tend to look towards immediate (but still temporary) solutions. The goal is to produce a more liveable, safe and 'green' unit which addresses the substantive issues with informal-settlement living.

On the fringes of the design approach, attempts to bring discussions of power and governance into this debate are bubbling. There are gestures towards critical design and radical spatial agency (Schneider and Till, 2009), which are often wrapped up in deeper conversations about participation and justice (Pieterse and Van Donk, 2014). Rejection of the more environmentally determinist and technology-focused approaches form the basis of this critical rethink. Drawing lessons from South America, Pieterse and Van Donk (2014) argue that, for design to be usefully applied to upgrading and housing issues, it must both address issues of democratic (community) decision-making and be institutionalised beyond once-off experiments, both of which are easier said than done.

### Institutional discourses

As Fox (2014) points out, institutional explanations for informal settlements are currently 'in vogue'. These arguments are supported by decades of research on the impacts of inappropriate regulation, dysfunctional land markets and constrained public investment on the development of informal settlements. The current institutional debates in the field of informal settlements in South Africa largely take two forms. The first is to see informal settlements as a by-product of institutional 'capacity constraints'. The second approach focuses on undoing and reconfiguring institutions to produce more just outcomes.

The focus on capacity and resources is particularly popular amongst bureaucrats and policy makers – those in the business of lobbying for resources or excusing poor performance (McLennan, 2007). In 2012, in a capacity-building workshop, the head of Western Cape Human Settlements Department shouted at municipal implementers from across the province, 'You said you did not have capacity [to reach the delivery targets of the department], and so we gave you trainings and more money, now why can you not deliver?' (author's notes). The responses include ploughing money into departments and putting in place increasingly stringent compliance systems. Some examples of this line of thinking are the endless efforts to 'turn around' local government, streamlining and modification of processes which allow for faster delivery (such as the delivery of serviced sites instead of full units), and increased investment in anti-land-invasion teams and units with the intention of preventing new land and building occupations. The logic here is that more of the same is exactly what is needed.

Concern for institutional reconfiguration, in contrast to the above, is predicated on a much broader definition of the 'institution'. It is focused on using institutional

change to challenge the status quo, though it is always up for debate whether in fact these efforts challenge or reinforce the fundamental logics of the system. Moreover, it requires, as Chipkin argued in a 2013 panel on the developmental state in South Africa, an ethical and political concern which is missing from the more technocratic 'state-as-machine' analogies. Institutions include not only the technicalities and bureaucracies, but also the broader governance frameworks which are complex and reproductive forces in the making of injustices and inadequacy in the city (Pieterse, 2013; Isandla Institute and CORC, 2011; Miraftab, 2003). From this perspective, tinkering with the complex structures and designs of government and governance, especially at the interface of informality, requires slow, steady and often quite mundane interventions (Pieterse, 2008).

The institution of the market is particularly important; as Huchzermeyer argues (2008, 34) 'slums do not come about in isolation of the wider land and housing market and its distortions, and likewise cannot be reduced without correcting distortions in this wider market'. Whether these interventions can be drawn from neoclassical economic arguments (e.g. CDE, 2013) or whether the market dynamics which underpin them must be analysed 'on their own terms' (e.g. Marx, 2009) remains up for debate. Moreover, it requires innovations which can translate that which may be inherently political (concerned with the allocation of resources and contested power relationships) into tools, instruments, incentives and decision-making processes. Some recent examples come from the South African Treasury and include the (now-stalled) municipal housing accreditation process, the development of new and more flexible urban grants (such as the Urban Settlements Development Grant) and further efforts to incentivise integration through new planning tools like the Built Environment Performance Plans (BEPPs). Within the NGO sphere, innovations in terms of the management and registration of informal land rights (Eglin and Kenyon, 2016) and the training and accreditation of informal 'local' builders (see the recent work of the Development Action Group) are examples wherein the traditional institutions, in this case the formal construction sector and the Deeds Registry, are also challenged.

In navigating these two approaches, housing departments in local government are particularly conflicted institutional players and perfect examples of the deeply political nature of institutional design and decision making. While many departments have 'embraced informality' in policy discourse as a necessary and inevitable part of the post-apartheid city, their responsibility to service such settlements (even those on private land) leads to aggressive prevention strategies. This creates a conflict. In a job advertisement for a senior field officer in the City of Cape Town, the criteria included '5 years' relevant experience in law enforcement or community facilitation'; three out of the four listed tasks involved the eviction of people and demolition of shacks from illegally occupied land. The last listed task included reference to community engagement, presumably for those deemed legitimate informal

settlements. This case demonstrates some of the tensions within departments as they grapple with shifting institutional landscapes, the outcome of which is not always progressive.

The institutional approach links questions of informality to urbanisation processes, providing analysis which is distinctly concerned with cities and how they develop. State officials interviewed in the Western Cape Rural Development Department tended to blame weak rural institutions and a lack of rural development efforts for the growth of informal settlements in South African cities. In workshops and other fora, officials commonly lament recent migration to cities. The material and institutional development of rural areas is often presented as the key to stemming urban growth. The celebration of cities is equally premised on a belief that the reform of urban institutions – from building standards (Huchzermeyer, 2011) to land governance (Napier et al., 2013) is central to addressing informal settlements (Parnell and Robinson, 2012). The institutional approach is, in this sense, fundamentally concerned with the drivers of informal settlement production and what can be done, in particular by the state, to address this.

### Rights-based discourses

Rights-based approaches are predicated on an assertion of basic human rights. The signature of rights-based approaches globally is that they use ‘thinking about human rights as the scaffolding of development policy ... [which has a] legal foundation, internationally, regionally, and at national level’ (ODI, 1999, 1). Underpinning the agenda is the belief that ‘access for all’ is the grandest imperative, the implications of which fall primarily on the state (Coggin and Pieterse, 2012; Mutua, 1997).

Given the progressive bill of rights outlined in South Africa’s Constitution, it is not surprising that rights-based frameworks and discourses are commonly deployed in South African informal-settlement debates (Ballard et al., 2005; Bradlow et al., 2011). There is a focus on national-level constitutional rights and the assurance that these are awarded to individuals. In this context, the right to housing is seen as linked to a number of other rights, such as that of public participation, human dignity, prevention of illegal evictions and access to social amenities and services (Tissington, 2011). For many who use the lens of rights and dignity, the problem of informal settlement is a problem of housing and service provision, a surmountable problem which could be resolved if the state would spend more time delivering its constitutional mandate and less time evicting or ignoring the poor (Bond and Tait, 1997). The No Land! No House! No Vote! and the Reclaim the City campaigns, among others, reflect the sentiment that the South African state can and should be responsible for the plight of the poor (Amin and Cirolia, 2017).

South Africa’s housing subsidy programme, which has explicitly sought to eradi-



cate informality through the direct provision of free housing, has shaped the perception of the fulfilment of the right to housing (Charlton and Kihato, 2006; Huchzermeyer, 2004). Bond and Tait (1997, 33) note that, as per the first Housing White Paper, 'housing (not a shack) is considered a basic human right'. While many academics argue for the impossibility of providing housing for all, Parnell (2013, n.p.) argues that 'outside of academia, expectations of the state persist, even (especially) in informal areas of the city'. Among some NGOs and many rights-based activists, anything less than the delivery of the 'full package' – 100 per cent subsidised site and house in a well-located area – is seen as the state shirking its responsibility to provide for the poor and behaving illegitimately, the blame for which is often placed on particular politicians and decision-makers. The 'toilet wars' of 2011 and the more recent 'poo protesting' are clear examples of a refusal to accept incremental or 'alternative' infrastructure (McFarlane and Silver, 2017). These movements, and many local communities, demand full-flush toilets on a one-unit-per-house basis and reject temporary or partial investments, such as unenclosed or chemical toilets (Robins, 2014). On social networks and in public fora, the question 'Where is the house I have been promised?' and 'An "improved" shack!?' reverberate with disbelief, betrayal and frustration. Within these debates, there is often a focus on 'empty promises' made by political parties and politicians.

A number of court cases highlight the power of social and economic-rights language and legal action (Overy, 2012). For example, in 2014, the Human Rights Commission declared sanitation conditions in Cape Town's informal settlements unconstitutional. In 2009, civil society group, Abahlali baseMjondolo (AbM), with the support of legal NGOs, won a landmark case declaring section 16 of KwaZulu-Natal's Elimination and Prevention of Re-emergence of Slums Act (2007) unconstitutional. However, lawyers tend to divide themselves between those who implore the courts to define 'minimum core content' in terms of the realisation of rights and those who welcome the courts' retreat, allowing the political process to negotiate these standards (Friedman, 2014).

Many professionals and community groups who deploy rights-based discourses and tactics argue that legal approaches are but one tool to address questions of dignity and justice (Clark and Tissington, 2016; Huchzermeyer, 2003; Cousins, 1997). For this reason, a number of social movements borne out of a rights-based strategy initiated by local rights-based champion Zackie Achmat, such as the Social Justice Coalition (SJC) and Ndifuna Ukwazi (NU), have in the past expressed the desire for less legalistic and aggressive approaches. Despite shifting the battle grounds from the courts to the Web (Robins, 2014), their tactics continue to reinforce a 'watchdog' role and adversarial relationships between their members and the state. For example, following the launch of a series of critical websites in 2015, the mayor used her budget speech to lash back, arguing that 'the poor of [Cape Town] are lucky that this government

cares about their lives and their health and that their fate is not in the hands of a reckless bunch of media addicts' (De Lille, 2015). These interactions suggest that rights-based organisations continue to have adversarial relationships with the state, despite expressed intentions to the contrary. In recent years, the Ndifuna Ukwazi Law Centre has revived the litigation-focused approach to evictions (the basis of the famous Grootboom judgment), leading to a series of cases surrounding inner-city housing for the poor and mitigating any earlier attempt at cooperation with the state.

The right-to-the-city and urban-citizenship discourses sit at the fringes of the rights-based debates. These approaches have more in common with institutional approaches than legalistic rights-based readings (Parnell and Pieterse, 2010; Huchzermeyer, 2011; Coggin and Pieterse, 2012). Notwithstanding this overlap, the right to the city, deployed in various dialogues and platforms, works to galvanise the rights language and make less fuzzy the conceptual and practical implications of non-individual and non-state-centred rights (Duminy and Watson, 2011; Isandla Institute and CORC, 2011). Unlike the socio-economic-rights debates, where the state might be seen as a provider, in these spaces the state is but one actor in the fulfilment of this vision of universal access and collective empowerment.

### Structural discourses

In academic debates on urban development, political-economy scholars have strongly emerged as bastions of the persevering importance of capitalism as the 'context of contexts' (Brenner et al., 2011). Capitalism and the structure of the economy are still, they argue, the most prominent force behind the experienced injustices of cities, and local variation continues to be subject to the wider relations of labour and capital. This framing has a long history in South African scholarship and has come to bear on current analyses of informal settlements and housing (see Skuse and Cousins, 2007; Parnell and Robinson, 2012). This form of analysis depicts informal settlements as a symptom of the crisis of capitalism. Analyses tend to focus not on the particular contexts of the settlements in question, but rather on the drivers of their production across time and scale. Fanon appears to be of particular use to many authors exploring the issues of shack-dweller mobilisation and social movements from this perspective (see Gibson, 2009; Hart, 2013; Pithouse, 2008).

The extreme of this position sees all 'top-down' intervention by the state (or international funders and NGOs) into informal settlements as a form of pacification, techno-managerial, band-aid, neoliberal tendency, ultimately stalling the revolution which is festering and gaining momentum in and through neglect and injustice (Pithouse, 2008). Even rights-based actions, such as litigation, and 'issue-based movements' can be interpreted as reinforcing the status quo and failing to fundamentally target the problems with the system (Pithouse, 2008). The structural perspective largely sees the

state apparatus as hamstrung by capitalist logics and the status quo (Pithouse, 2005). Hart's (2013) casting of the state housing programme, the Second Economy Studies and free basic water policy (all recognised as ostensibly pro-poor) as part of larger neoliberal projects offers insight into this framing, in particular how welfarist intervention is understood. As Hart suggests, the state (particularly local government) has little ability to fight the overpowering capitalist logics and can only work to increasingly control and restrict the poor; in some interpretations, the same is true of social movements. In a 2017 lecture at the Cape Institute for Architecture, Erik Swyngedouw – in what he proposed was a Rancierian perspective – noted that issue-based NGOs and CBOs, such as those fighting for housing or upgrading, are in fact reinforcing the status quo and not contributing to real political equality.

Despite having little faith in the state as a source of social change, one of the key forces in reconfiguring the structures of oppression (particularly capitalism and globalisation) is 'real' democratic practices. This tends to be focused on what is seen to be organised community and 'grass-roots' activism, and a rejection of NGO- or state-led participation processes. Against this backdrop, the surge of disparate and disorganised 'service delivery protests' in informal settlements is met with a combination of enthusiasm and scepticism (Nyar and Wray, 2012; Alexander, 2010). Some argue that these protests can activate 'citizenship' and radical democratic practices at the local level (Pithouse, 2013; von Holdt et al., 2011). Sacks (2014, 122) writes that the Sweet Home community in Cape Town can 'recognize that sustained protests and controversial forms of civil disobedience are the only way they are able to force the City to engage with them'. Others are more sceptical, arguing that these events, despite being important and political acts of claim-staking, correspond with a shrinkage of organised civil-society membership and the activism necessary to build a sustained force against the capitalist system, a lament which is more common in the activist and academic domains (Hart, 2013; Pieterse, 2013).

## Discussion and conclusion

Each perspective presented here represents a very different framing of the challenge of informal settlements. I would like to suggest that each of these entry points offers a valuable and distinct contribution to our understanding of informal settlements. I would also like to show how each has its limitations and blind spots.

Starting with the weaknesses, each approach has gaps which hinder its ability to tell a full and complete story of change and the contours of informality. The underlying assumption behind the majority of design approaches is that informal settlements are 'underdeveloped' because of a lack of technological designs and interventions. The technological entry point, therefore, tends to be devoid of an understanding of the drivers of urban outcomes (Robins, 2014). Discussing 'green urbanism', Swilling

(2011, 78) echoes these sentiments, arguing that successes in the field of environmental design, for example, ‘resulted in the taming of its vision so that it can be turned into grand-scale “techno-fixes” divorced from the realities of social process, culture and power’. In a provocative lecture entitled ‘Design can’t save the city’, Pieterse urged designers to move beyond tinkering with the visible ‘patterns’ of the city, and focus on the logics and drivers which underpin their production (Cirolia, 2014). The rights-based approach – particularly in the South African case – tends to be highly reactive and avoids prescription as to both the ‘what’ and the ‘how’ of rights fulfilment (Skuse and Cousins, 2007). The legal tools and discourse which focus primarily on the state are more a means to an end, since they cannot stand alone from broader claims, goals and demands in terms of universality and even morality. The institutional approach tends to be technocratic, uncritical of the broader systems and structures. Without a clear and progressive (or even utopian) vision, the interventions of institutions tend to contradict each other, causing tensions and ignoring both macro processes and micro needs. Finally, the structural approach, while having incredible explanatory power, tends to be disconnected from the experience of people on the ground. Too far away to rally the masses needed to validate its underpinning ideology, it fails to connect to the grounded processes and the real and immediate needs of those it seeks to liberate, creating ‘analysis paralysis’.

Despite these weaknesses, each approach also has clear strengths which complement the other discourses. The technical or design approach has a number of distinct attributes. First, in a context where imagination is limited, it allows for the exploration, in material terms, of possibilities yet to be fully developed. In this sense it allows for the ‘speculative’ to be trialled and discussed in real and tangible ways. By focussing on the details of the ‘how’, possibilities for different ways of doing and thinking are made possible. Institutional framings move from the project to the programme level, seeking to intervene in and respond to patterns of informality through deeper manipulations of the drivers which underpin them. Institutional framings confront, in the most direct way, the complexity and inconsistencies of the state. Less concerned with the ‘how’, the rights-based approach is deeply concerned with justice and, more immediately, universal access. It is the only entry point which begins with the individuals (i.e. the people) who live in informal settlements as the subject of both analysis and intervention. Finally, the structural approach grapples with questions of the broader context and underlying structures of informality. The framing links the local experiences of informal settlements into scaled processes, such as capitalism and globalisation, in terms of both disenfranchisement and resistance. Despite the economic framing of the problem, the power of people operating in organised resistance is heralded as the force which will eventually lead to change.

This comparison has highlighted the necessity of overcoming the disjunctures among these discourses. Each discourse is useful but not sufficient. It is, therefore,

essential to produce discourses of informality which move between scales, linking micro projects to meso institutions to macro structural developments, including processes which operate with, against and beyond the state. This is not to say that no attempts have been made to build these connections. While there is fragmentation, there are also many cases where efforts are being made to conceptually and practically connect pieces of the puzzle and bring these fragmented discourses together, some of which were discussed earlier in this paper. Expanding on and learning from these cross-perspective experiments are essential tasks.

The case of South Africa has been drawn upon to illustrate this discussion of the varying discourses of informality. However, the findings are not unique. These discourses – and their disjunctures – are linked to conceptual and ideological frameworks with global and international trajectories. In other contexts, similar disjunctures between discourses are evident. Huchzermeyer (2008), writing on Kenya, and Fernandes (2007), writing on Brazil, are two authors who offer insights into these tensions in their work. However, the ways in which these discourses play out are always unique and context-specific. As this paper has shown, the complexity of conceptualising and addressing informal settlements requires robust practical and conceptual work, and the drawing together of multiple discourses, rather than the privileging of one.

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## References

- Alexander, P. (2010) 'Rebellion of the poor: South Africa's service delivery protests – a preliminary analysis', *Review of African Political Economy*, 37(123), 25–40.
- Amin, A., and Cirolia, L. R. (2017) 'Politics/matter: governing Cape Town's informal settlements', *Urban Studies*, doi: 0042098017694133.
- Anderson, P. M. L., Brown-Luthango, M., Cartwright, A., Farouk, I. and Smit, W. (2013) 'Brokering communities of knowledge and practice: Reflections on the African Centre for Cities' CityLab programme', *Cities*, 32, 1–10.

- Arimah, B. C. (2010) 'The face of urban poverty: explaining the prevalence of slums in developing countries' (Working Paper No. 2010.30), World Institute for Development Economics Research.
- Ballard, R., Habib, A., Valodia, I. and Zuern, E. (2005) 'Globalization, marginalization and contemporary social movements in South Africa', *African Affairs*, 104(417), 615–34.
- Bond, P. and Tait, A. (1997) 'The failure of housing policy in post-apartheid South Africa', *Urban Forum*, 8(1), 19–41.
- Bradlow, B., Bolnick, J. and Shearing, C. (2011) 'Housing, institutions, money: the failures and promise of human settlements policy and practice in South Africa', *Environment and Urbanization*, 23(1), 267–75.
- Brenner, N., Madden, D. J. and Wachsmuth, D. (2011) 'Assemblage urbanism and the challenges of critical urban theory', *City*, 15(2), 225–40.
- Bunnell, T. and Harris, A. (2012) 'Re-viewing informality: perspectives from urban Asia', *International Development Planning Review*, 34(4), 339–48.
- CDE (Centre for Development and Enterprise) (2013) 'Building African cities that work', <http://www.cde.org.za/wp-content/uploads/2014/03/Paul%20Collier%20February.pdf> (accessed 13 October 2017).
- Charlton, S. and Kihato, C. (2006) 'Reaching the poor? An analysis of the influences on the evolution of South Africa's housing programme', in U. Pillay, R. Tomlinson and J. Du Toit (eds), *Democracy and delivery: urban policy in South Africa*, Cape Town, HSRC Press, 252–82.
- Cirolia, L. R. (2014) 'The architect can't save the slum: reflections on design fix housing solutions', *SLUMLab*, 9, 113–14.
- Cirolia, L. R., Görgens, T., van Donk, M., Smit, W. and Drimie, S. (eds) (2016) *Pursuing a partnership-based approach to incremental informal settlement upgrading in South Africa*, Cape Town, University of Cape Town Press.
- Clark, M. and Tissington, K. (2016) 'Courts as a site of struggle for informal settlement upgrading in South Africa', in Cirolia et al. (eds), 376–91.
- Coggin, T. and Pieterse, M. (2012) 'Rights and the city: an exploration of the interaction between socio-economic rights and the city', *Urban Forum*, 23(3), 257–78.
- Cousins, B. (1997) 'How do rights become real? Formal and informal institutions in South Africa's land reform', *IDS Bulletin*, 28(4), 59–68.
- De Lille, P. (2015) Budget speech by the city's executive mayor, Patricia De Lille, at the full Council meeting, 29 May 2015, <http://www.capetown.gov.za/en/MediaReleases/Pages/BUDGETSPEECHBYTHECITYSEXECUTIVEMAYORPATRICIADELILLEAT-THEFULLCOUNCILMEETINGON29MAY2015.aspx> (accessed 10 January 2016).
- Duminy, J. and Watson, V. (2011) 'The 'Right to the City' – political slogan or useful concept?' African Centre for Cities/CUBES South African City Studies Conference, 7–9 September.
- Eglin, R. and Kenyon, M. (2016) 'Between a shack and an RDP house: managed land settlement', in Cirolia et al. (eds), 392–407.
- Fernandes, E. (2007) 'Constructing the "right to the city" in Brazil', *Social & Legal Studies*, 16(2), 201–19.
- Fox, S. (2014) 'The political economy of slums: theory and evidence from sub-Saharan Africa', *World Development*, 54, 191–203.

- Friedman, S. (2014) 'Can South Africa's courts help the fight for social justice?', <http://www.sacsis.org.za/site/article/2111> (accessed 13 October 2017).
- Gibson, N. (2009) 'Fanonian practices and the politics of space in post-apartheid South Africa: the challenge of the Shack Dwellers Movement (Abahlali baseMjondolo)', Colloque de Frantz Fanon, Algiers, 7 July.
- Gilbert, A. (2009) 'Extreme thinking about slums and slum dwellers: a critique', *SAIS Review of International Affairs*, 29(1), 35–48.
- Hajer, M. (2005) 'Coalitions, practices, and meaning in environmental politics: from acid rain to BSE', in D. Howarth and J. Torfing (eds) *Discourse theory in European politics*, London, Palgrave Macmillan, 297–315.
- Harrison, P., Todes, A. and Watson, V. (2008) *Planning and transformation: learning from the post-apartheid experience*. Royal Town Planning Institute Series. Abingdon, Routledge.
- Hart, G. (2013) *Rethinking the South African crisis: nationalism, populism, hegemony*, Athens, University of Georgia Press.
- Huchzermeyer, M. (2003) 'Housing rights in South Africa: invasions, evictions, the media, and the courts in the cases of Grootboom, Alexandra, and Bredell', *Urban Forum*, 14(1), 80–107.
- Huchzermeyer, M. (2004) 'From "contravention of laws" to "lack of rights": redefining the problem of informal settlements in South Africa', *Habitat International*, 28(3), 333–47.
- Huchzermeyer, M. (2008) 'Slum upgrading in Nairobi within the housing and basic services market: a housing rights concern', *Journal of Asian and African Studies*, 43(1), 19–39.
- Huchzermeyer, M. (2011) *Cities with slums: from informal settlement eradication to the right to the city in Africa*, Cape Town, UCT Press.
- Huchzermeyer, M. (2014) 'Troubling continuities: use and utility of the term "slum"', in S. Oldfield and S. Parnell (eds), 86–97.
- Isandla Institute and CORC (2011) 'The right to the city in a South African context', National Roundtable, <http://isandla.org.za/publications/149/> (accessed 13 October 2017).
- Lemanski, C. (2009) 'Augmented informality: South Africa's backyard dwellings as a by-product of formal housing policies', *Habitat International*, 33(4), 472–84.
- McFarlane, C. and Silver, J. (2017) 'The poolitical city: "seeing sanitation" and making the urban political in Cape Town', *Antipode*, 49(1), 125–48.
- McLennan, A. M. (2007) 'Unmasking delivery: revealing the politics', *Progress in Development Studies*, 7(1), 5–20.
- Marx, C. (2009) 'Conceptualising the potential of informal land markets to reduce urban poverty', *International Development Planning Review*, 31(4), 335–53.
- Meth, P. (2013) 'Millennium development goals and urban informal settlements: unintended consequences', *International Development Planning Review*, 35(1), v–xiii.
- Miraftab, F. (2003) 'The perils of participatory discourse: housing policy in post-apartheid South Africa', *Journal of Planning Education and Research*, 22(3), 226–39.
- Mutua, M. (1997) 'Hope and despair for a new South Africa: the limits of rights discourse', *Harvard Human Rights Journal*, 10(1), 63–114.
- Napier, M., Berrisford, S., Kihato, C. W., McGaffin, R. and Royston, L. (2013) *Trading places: accessing land in African cities*, Somerset West, African Minds.
- National Department of Housing (2004) *Breaking new ground. A comprehensive plan for the development of sustainable human settlements*. Pretoria.

- Nyar, A. and Wray, C. (2012) 'Understanding protest action: some data collection challenges for South Africa', *Transformation: Critical Perspectives on Southern Africa*, 80(1), 22–43.
- ODI (Overseas Development Institute) (1999) *What can we do with a rights-based approach to development?* (Briefing paper 3), <https://www.odi.org/sites/odi.org.uk/files/odi-assets/publications-opinion-files/2614.pdf> (accessed 12 October 2017).
- Oldfield, S. and Parnell, S. (2014) 'From the South', in S. Oldfield and S. Parnell (eds) *The Routledge handbook on cities of the global south*, London, Routledge, 1–4.
- Overy, N. (2012) 'The Social Justice Coalition and access to basic sanitation in informal settlements in Cape Town, South Africa (November 2012)', International Budget Partnership Impact Case Study, Study No. 1, [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2333670](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2333670) (accessed 13 October 2017).
- Parnell, S. and Pieterse, E. (2010) 'The "right to the city": institutional imperatives of a developmental state', *International Journal of Urban and Regional Research*, 34(1), 146–62.
- Parnell, S. and Robinson, J. (2012) '(Re)theorizing cities from the global South: looking beyond neoliberalism', *Urban Geography*, 33(4), 593–617.
- Parnell, S. (2013) *Inclusionary approaches to urban planning: lessons in poverty reduction from South Africa*, <http://citiesgeographylse.net/wp-content/uploads/2013/09/LSE-ParnellOct22102013.pdf> (accessed 12 October 2017).
- Parsons, T. (1997) "'Kibra is our blood": the Sudanese military legacy in Nairobi's Kibera location, 1902–1968', *International Journal of African Historical Studies*, 30(1), 87–122.
- Pieterse, E. (2008) *City futures: confronting the crisis of urban development*, London, Zed Books.
- Pieterse, E. (2013) 'City/university interplays amidst complexity', *Territorio*, 66, 26–32.
- Pieterse, E. and van Donk, M. (2014) 'Citizenship, design activism and institutionalising informal settlement upgrading', in South African Cities Network, *From housing to human settlements: perspectives on South African cities*, Johannesburg: South African Cities Network, 149–72.
- Pithouse, R. (2005) 'The explosive alliance', *CLR James Journal*, 11(1), 44–78.
- Pithouse, R. (2008) 'A politics of the poor: shack dwellers' struggles in Durban', *Journal of Asian and African Studies*, 43(1), 63–94.
- Pithouse, R. (2013) 'Conjunctural remarks on the political significance of "the local"', *Thesis Eleven*, 115(1), 95–111.
- Robins, S. (2014) 'The 2011 Toilet Wars in South Africa: justice and transition between the exceptional and the everyday after apartheid', *Development and Change*, 45(3), 479–501.
- Rubin, M. (2011) 'Perceptions of corruption in the South African housing allocation and delivery programme: what it may mean for accessing the state', *Journal of Asian and African Studies*, 46(5), 479–90.
- Sacks, J. (2014) 'Sweet home: a preliminary investigation into the socio-political character of recent road blockades by protesting shack dwellers in South Africa', *Journal of Asian and African Studies*, 49(1), 115–25.
- Schneider, T. and Till, J. (2009) 'Beyond discourse: notes on spatial agency', *Footprint*, 3(1), 97–112.
- Skuse, A. and Cousins, T. (2007) 'Spaces of resistance: informal settlement, communication and community organisation in a Cape Town township', *Urban Studies*, 44(5–6), 979–95.



- Swilling, M. (2011) 'Reconceptualising urbanism, ecology and networked infrastructures', *Social Dynamics*, 37(1), 78–95.
- Tissington, K. (2011) *A resource guide to housing in South Africa 1994–2010*, Johannesburg, Socio-economic Rights Institute of South Africa.
- Tomlinson, M. (2006) 'From "quantity" to "quality": restructuring South Africa's housing policy ten years after', *International Development Planning Review*, 28(1), 85–104.
- UN-Habitat (2003) *Global report on human settlements: the challenge of slums*, Nairobi.
- United Nations (1997) 'Glossary of environment statistics' (Studies in Methods, Series F, No. 67), United Nations Department for Economic and Social Information and Policy Analysis, Statistics Division.
- Von Holdt, K., Langa, M., Molapo, S., Mogapi, N., Ngubeni, K., Dlamini, J. and Kirsten, A. (2011) 'The smoke that calls: insurgent citizenship, collective violence and the struggle for a place in the new South Africa: eight case studies of community protest and xenophobic violence', Centre for the Study of Violence and Reconciliation (CSVR) & Society, Work and Development Institute (SWOP).