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Engaging the 'Ungovernable': Urban Informality Issues and Insights for Planning

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ABSTRACT

Over the years, studies have noted the prevalence of urban informality in many countries in the Global South. Yet, despite its pervasiveness in poor and developing countries, urban informality has often been associated with ungovernable practices. Ungovernability, however, is never devoid of state intervention. The literature demonstrates the importance of looking into formal-informal nexus in relation to planning and policy-making. This amplifies the need to analyze how formal and informal arrangements interact to manage informal economic activities.

This paper examines the interaction of formal governance mechanisms and informal grassroots collective action initiatives as a way to grapple with urban informality. The discussion of how an informal vendor organization engages with different stakeholders demonstrates the complexity of informality as a planning and governance concern. The article thus underscores the critical role of planning, as part of governance processes, in shaping socio-spatial relations and in managing multiple arrangements, including informal economic activities, in shared urban spaces.

Keywords: Urban Planning, Informality, Governance, Collective Action

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In many cities in the Global South, massive poverty, unemployment and inequality remain as major challenges. Amid these issues, many people engage in informal economic activities, which are often outside the ambit of formal regulations. Global estimates reveal that at regional level the employment in the informal economy is 58 to 70 per cent of non-agricultural employment and the informal sectors' contribution to non-agricultural gross domestic product ranges from 25 to 50 per cent¹ (Charmes, 2012). In the Philippines, around 75 percent of Filipino workers is informally employed² (WB, 2013).

As studies reveal the magnitude and impacts of informal economic activities and their vital role in urban development, informality has generated interest among scholars and policy-makers. Yet, despite its almost ubiquitous presence in many poor and developing countries, some government officials and writers associate informality with ungovernable practices. By ungovernable, the paper refers to ideas that look at informality (and its players) as the "uncontrollable dark aspect of the cities, which have their own rules and values" (Kapsali &

² The World Bank (WB) describes informal workers as those self-employed individuals, unpaid family workers, and wage workers with no written contract, social insurance, or protection.



¹ These figures refer to the five-year period (2005-2010) regional level share of employment in the informal economy in total non-agricultural employment (Charmes, 2012). Another estimate indicates that over 70 per cent of the workforce in developing countries and around 4.3 billion persons worldwide rely on the informal economy to survive (CLEP & UNDP, 2008).

Tsavdaroglou, 2014, p. 3) and the urban apocalypse view treating it as "a wild zone of the urban imagination, a realm of irrationality beyond the reach of human agency or any realistic prospects of improvement" (Gandy, 2005, p. 38). This gloomy image of urban informality is reminiscent of De Rivero's (2001) notion of ungovernable chaotic entities characterized by a "collapse of state control over the territory and population" (p. 147)

While the idea of ungovernability is often linked to informal schemes, it is never devoid of state intervention. Scholars contend that the formal order itself is filled with informal practices (Innes, et al, 2007; Roy, 2005; Friedmann, 2005) and the State arguably has a role to play in rendering certain sectors or areas as ungovernable (Wade, 2009) and in failing to make different actors comply with laws (Charmes, 1990). For instance, the usual failure of city governments to reflect informal settlements in accepted detail indicates their reluctance to provide standard services and protection to citizens in these areas (Wade, 2009). This demonstrates what Ananya Roy calls "the power of the state derived from regulatory techniques such as 'unmapping'" (AlSayyad, 2004, p. 20).

While there maybe striking differences in what underpin the formal and informal practices, the systems do not exist in a vacuum. They even coexist in many developing countries. The ability to deal with this complex interaction remains a challenge for policy-makers and planners, especially for those who insist on the dichotomous representation of urban socio-economic ordering. The tendency to rely on formal modern procedures to manage or control informal economic activities3 reflects the state authorities ill-informed understanding of the dynamics of socio-economic, spatial and political players. The literature describes that social actors move fluidly between formal and informal zones with or without recognition of such dualistic divide.

Against this backdrop, it is important to examine how urban planning and governance arrangements have been able or unable to deal with the array of collective action initiatives undertaken by multiple actors in informality. This article analyses the interaction of formal governance mechanisms and grassroots collective actions in dealing with urban informality. It utilized document review, interviews and field observation as means of data collection.

WHY INFORMALITY IS A PLANNING AND GOVERNANCE ISSUE: A LITERATURE REVIEW

Informality Discourse

The literature presents diverse views on the definitions, causes, characteristics, and consequences of urban informality. Scholarly attention to informal economic activities is attributed in literature to Keith Hart's studies on the size, determinants and characteristics of the informal sector in Ghana (Alderslade, et al, 2006; Dierwechter, 2002). He described the "informal" as those "urban poor often engaged in petty capitalism as a substitute for the wage employment to which they were denied access" (AlSayyad, 2004, p. 10). The International Labour Officer then explained that the informal sector is characterized by its ease of entry. reliance on indigenous resources, family ownership of enterprises, small scale of operations,

³ The paper embraces Portes' (1983) description of informal economy as "the sum total of incomeproducing activities in which members of a household engage, excluding income from contractual and legally regulated employment" (p. 159). This includes activities such as direct subsistence, the production and exchange of goods or services by the self-employed, and the employment or unprotected wage labor (Portes, 1983, pp. 159-161).



labor-intensive and adapted technology, skills acquired outside the formal school system and unregulated and competitive markets (ILO, 1972).

Aside from the detailed ILO description, a number of labels, mostly with negative undertones, have been associated with informality. Some authors link informality with extra-legality (Castells & Portes, 1989, 12), illegality (Lubel, 1991) and landscapes of poverty (Roy, 2009). Others attach it to employment generation and growth (De Soto, 1989), uneven nature of capitalist development (Rakowski, 1994, cited in AlSayyad, 2004, p. 12), labor market phenomenon (Mazumdar, 1976), weak state (Lubel, 1991; Perry et al, 2007) and governance issue (De Soto, 1988; ILO, 2002; Perry et al, 2007). The heterogeneous character of informal activities and players prompted Hansen and Vaa (2004) to use the term informal economy rather than informal sector. For Cooper (1987), the 'informal sector' tag "represents the social engineers' desire to distinguish "an economic arena where legal regulations and official categories prevail and an arena where they do not" (pp. 181-182). This mental segregation of 'out-of-bounds' initiatives against modern and regulated activities resulted in the highly dualistic informal-formal paradigm, which is reflected in the ideas presented in the next section.

The Informal-Formal Puzzle

Drawing on the foregoing discussion, it has been a usual conceptual exercise to describe informality in relation with formal procedures. Concepts such as firm-centred and bazaar economies (Geertz, 1963), capitalistic and peasant forms of production (McGee, 1973), upper and lower circuits of urban economy (Santos, 1975), enumerated and un-enumerated sectors (Sethuraman, 1981) reflect the idea of urban dualism that prevails in cities. As a result, the assumed urban pattern is one where distinctions can be made between spaces used for formal and informal economic activities.

But how is this framing sustained and by what ideological underpinnings? Jenkins and Wilkinson (2002) posit that the formal institutional order of late capitalist modernity is driven by the liberal democracy discourse, which is based on the following ideals: 1) individualism as the basis of social relations, partially (and possibly decreasingly) mediated by the idea of the nuclear family as the elementary unit of social reproduction: 2) citizenship in a representative democracy administered by a constitutional state as the basis of political relations; and 3) utilitarian rationality in a system of generalised commodity production and market exchange as the basis of economic relations (Jenkins, 2001). Until now, these liberal democratic tenets influence much of policy framing and planning thinking in both developing and developed nations.

In contrast to Western rationalities, informal schemes in developing countries rely on "norms and institutions derived from indigenous or pre-colonial socio-cultural orders" (Jenkins, 2001, p. 4). In this arrangement: 1) social relations may depend more on kinship and community than the individual or nuclear family; 2) political relations may be anchored more on accepted authoritarianism or negotiated patronage than elected representation; and 3) economic relations may be based more on principles of social redistribution or reciprocity than on utilitarian exchange (Jenkins, 2001). That these informal institutions exist and are increasingly accepted as legitimate indicates its growing recognition in developing countries. What is not acknowledged, Jenkins (2001) argues, is that this basis of mental models, customs and institutions are already embedded in the cultural, socio-economic, and political conditions, and are increasingly coping with the dominant Western formal "rule of law". Jenkins (2001) contention is relevant to developing countries, where the de jure (in theory/law) rules remain hinged on Western-influenced principles while the informal schemes, which are contingent on



factors that adopt, defy or transform formal inscriptions, drive the *de facto* (in practice) arrangements in many urban centers.

While there maybe differences in what underpin the formal and informal practices, there is a degree of overlap between these systems. They even coexist in many developing countries. The ability to deal with this complex interaction remains a major challenge for policy-makers especially for those who insist on the dichotomous representation of urban socio-economic ordering. Various studies on urban informal vending illustrate this policy conundrum. In Bogotá Colombia, Hunt (2009) documents how the government implemented the so-called 'recuperation', a relocation effort meant to spatially segregate the 'dangerous', 'violent' and 'illegal' street vendors and "inculcate them with market mentalities" (p. 332). Ironically, this 'recovery' of Bogota's public space focused solely on regaining it from street vendors while ignoring the illegal invasion by cars, and private 'formal' businesses (Hunt, 2009). Another example is Johannesburg City's policy to remove traders from the streets and place them in government-provided markets with appropriate infrastructure and services as this is believed to end the negative consequences of street hawking (Hlela, 2003).

The tendency to rely on formal modern procedures to manage or purge informal economic activities reflects the state agents' ill-informed understanding of the dynamics of players involved in informality. As Jenkins (2001) points out, social actors move freely between the arenas or zones of the formal and the informal in their everyday lives - with or without conscious awareness of such division. Even the formal order itself is riddled with informality – whether in the socio-political networks that shape power or in the informal nature of occupation of formal urban areas (Jenkins, 2001).

This formal-informal dynamic is observed in many developing cities in Asia⁴, where there has always been a great degree of overlap, with individuals moving fluidly in and out of each sector as their fortunes and opportunities evolve. This connects well to an emerging perspective that views informality not as a separate sector but rather a series of transactions that link different economies and spaces to one another (Roy, 2005). Informality, Roy and AlSayyad (2004, cited in Roy, 2005) claim, indicates an organizing logic, a system of norms that governs the process of urban transformation itself. Dovey (2012) echoes this argument asserting that while the informal sector originally comes from economics that describes those that fall outside the formal economic measures, the informal and formal sectors are not separate as they have 'reciprocal relations in all economies'. Apart from moving away from the dichotomous conceptualization, this framing emphasizes the role of informal practices in urban development.

This is where Scott and Storper's (2014) attention to the urban land nexus as a site of extensive common pool assets and liabilities offers a major contribution. While Scott and Storper (2014) contend that urban agglomeration and land nexus theory⁵ underpin the urban patterns, they argue that the urban land nexus is a terrain where non-market agencies of collective action take a significant part as market principle alone is "incapable of regulating the urban commons in the

⁴ Wade (2009) observes that even cities of the North "contain pockets of informality" (p. 12).

⁵ They define agglomeration as a mechanism of sharing, matching and learning. Sharing is about the dense local inter-linkages within production systems as well as to indivisibilities that make it necessary to supply some kinds of urban services as public goods. Matching refers to the process of pairing people and jobs where large local pools of firms and workers exist. Learning is the dense formal and informal information flows (which tend to stimulate innovation) that are made possible by agglomeration and that in turn reinforce agglomeration (Scott & Storper, 2014, p. 6). Land nexus theory views urban land development as an offshoot of the contrasting processes of spontaneous urbanization and deliberate urban intervention.

interests of economic efficiency and social wellbeing" (Scott & Storper, 2014, p. 9). In relation to urban informality discourse, the acceptance of non-government and non-market drivers of collective action points to an empirical quest to examine the interaction of these actors and how this affects urbanization process and political, economic and social relations.

This recognition may likewise address the tendency of some scholars to look at urban informality (e.g. Lagos, Nigeria) as "a wild zone of the urban imagination, a realm of irrationality beyond the reach of human agency or any realistic prospects of improvement" (Gandy, 2005, p. 38) In other words, it takes an adequate understanding of mechanisms of collective action to be able to analyse the factors and forces that produce these seemingly irrational urban arrangements. These mechanisms can offer insights into how the modernist rationality of formal rules interacts and is influenced by the logics of informality.

Grassroots Collective Action and Agency

Despite the incremental changes in policies affecting informal actors, informal spaces are still generally viewed as an aberration to prescribed planning system, lying outside its ambit of control. The interaction of regulators and informal vendors, for example, is often contextual and contingent on spatial location, as urban public management is weak in peri-urban areas due to fragmentation and the absence of state institutions anchored in this transition zone (Kritsanaphan & Sajor, 2011). This is where grassroots collective actions become crucial. Ostrom (2004) explains that collective action happens when more than one individual is required to contribute to an effort in order to achieve an outcome.

One critical element in collective action concept is the exercise of human agency. For Giddens (1984) "agency concerns events of which an individual is the perpetrator, in the sense that the individual could, at any phase in a given sequence of conduct, have acted differently. Whatever happened would not have happened if that individual had not intervened" (p. 9).

Honwana (2008) offers a nuanced view of agency, one which may depict how the informals live their daily lives. Building on De Certeau's (1984) notion of strategy and tactics, Honwana (2008) coins the concepts of strategic and tactical agencies. The exercise of strategic agency demands a basis of power, mastery of the larger picture, some comprehension—of the long term consequences of their actions (Honwana, 2008). On the contrary, tactics is a calculated action taken by someone who lacks autonomy and is acting in the physical or social space of the other (De Certeau, 1984). Actors resorting to tactical agency must constantly manoeuvre events and turn them into opportunities (Honwana, 2008). This conceptual demarcation between strategic and tactical agency is essential to understanding informal actors' grassroots collective action as they navigate their way through the precarious social, political and economic conditions.

Informal Organizations' Collective Action and Political Power

Urban informal players have captured the attention of scholars interested in examining how they affect the socio-political processes in urban areas. Castells (1983) stresses the ability of informal settler groups to challenge dominant cultural values and political institutions by defying spatial patterns, demanding public services and exploring new social meanings for cities. He also emphasizes the role of local self-organization of squatter settlements in what he calls 'urban populism', as part of the larger urban movements, in exerting pressure on local politics (Castells, 1985).



Friedmann (1987) also talks about the political significance of informal actors when he mentions the 'urban proletariat' referring to those individuals who lack special skills and "are only partially in the labor market, if at all, and for this reason are excluded from most of the materials - and spiritual- benefits of the developing, participant society" (p. 28). He says that the city proletariat can become a potent political force to whatever leadership capable of gaining its confidence. This shows Friedmann's recognition of the potential strength of urban proletariat as a mere ally, rather than a distinct political force, of a stronger player.

Meanwhile, Smith (1988) explains that informality also impacts on the kind of political involvement of workers. While formal sector labor stays connected to unions, informal workers take part in political system through community organizations (Smith, 1988). However, he does not elaborate on the nature and types of activities that informal community groups initiate as part of political engagement.

This is where Bayat (2013) takes off when he investigates the politics of the urban poor in the Middle East. Bayat (2013) presents the strategies of grassroots urban actors, which he calls 'the nonmovement of the urban dispossessed'. For him, this 'nonmovement' or the 'quiet encroachment of the ordinary' represents the "discreet and prolonged ways in which the poor struggle to survive and to better their lives by quietly impinging on the propertied and powerful, and on society at large" (Bayat, 2013, pp. 14-15). For instance, when street vendors use public spaces, Bayat explains, they encroach on formal businesses and the benefits they gain through such quiet encroachment come at the expense of the state, the rich, and the powerful (AlSayyad, 2004).

Leading to the next section these forms of grassroots collective action will be captured by experiences of street vendors.

Informal Vendors, Their Conditions and Engagement with the State

McGee et al. (1970) define street vendors as "those people who offer goods or services for sale from public spaces, primarily streets and pavements". Bhowmik (2005) describes a street vendor as "a person who offers goods for sale to the public without having a permanent built-up structure from which to sell" (p. 2256). They may be stationary in the sense that they occupy space on the pavements or spaces or mobile in the sense that they move from place to place by carrying their wares on push carts or in baskets (Bhowmik, 2005). This paper adopts Bhowmik's (2005) description of street vendors.

In 2005, Bhowmik reviewed street vendors' situation in some Asian cities. She notes that in Bangladesh (Dhaka), India, Sri Lanka (Colombo), Cambodia, and South Korea (Seoul) vendors constantly experience eviction and harassment from the government. Compared with their counterparts in other countries, hawkers in Thailand (Bangkok), Singapore, Malaysia are in a relatively better condition. They are officially recognized and provided with vending spaces. For instance, authorities in Bangkok have allocated 287 demarcated sites where vendors can operate (Bhowmik, 2005).

Some studies showcase the ability of informal vendors' organizations to deal with state agencies. The experience of Mexico City vendors' encounter with the government's Departamento del Distrito Federal paints a comparatively good picture of informal associations with hawkers' organization acting as negotiators or deal-makers and as managers of social assets (Peña, 1999). In another instance, Hunt (2009) explains how Bogotá (Colombia) government's engagement with vendors takes the form of token participation. She observes that "vendor `participation' in negotiations with the state was valued not for its potential to arrive at better policy outcomes, as policy was already determined and not open to negotiation, but in and of itself for its participatory and educational quality and the legitimacy it lent the government" (Hunt, 2009, p. 339).

In the Philippines, Etimade (2004) and Recio (2010) note the presence of national laws prohibiting vending activities in public spaces such as streets, sidewalks and easements, among others. At least two Supreme Court decisions (G.R. Nos. 93654 and 97764) and a national legislation (the Metropolitan Manila Development Authority or MMDA Act) have declared street hawking as illegal. At the local level, the MMDA and the Caloocan City government have legal documents prohibiting street and sidewalk vending in Metro Manila and Caloocan City, respectively.



Figure 1: Old Manila Street Vendors **Source:**http://ikaunangpahina.wordpress.com/
2009/06/05/back-to-the-future/

However, there are national policies that support vending as a legitimate economic activity (Recio & Gomez, 2013). The Local Government Code of 1991 (Section 21) empowers local governments to regulate street use for various activities which include vending practices⁶. The Executive Order 452 (issued by former President Fidel Ramos in 1997) provides guidelines to ensure security of vendors in their working areas. There are also laws that specify rules on how street vendors and their representatives can be part of some government structures. These include the Republic Act 8425 (the Social Reform and Poverty Alleviation Act of 1997)⁷, and the Republic Act 7941 (the Party List System Act).

Given the complex national legal environment affecting informal vendors, the local situations vary across different areas. In some places, vendors have gained some political recognition, although local administrators do not provide for operational needs, hence the vendors are blamed for health risks, traffic problems, and illegal sidewalk occupation (Bhowmik, 2005). In Cebu City, Etimade (2004) documents how the power of vendors' coalition has contributed to tolerance of street hawking activity despite the presence of national and local laws prohibiting

⁷ RA 8425 (Section 3, w) defines workers in the informal sector as 'poor individuals who operate businesses that are very small in scale and are not registered with any national government agency, and to the workers in such enterprises who sell their services in exchange for subsistence level wages or other forms of compensation". This definition includes street vendors as part of the informal sector. The law also demands the creation of workers in the informal sector council (WISC), as one of the basic sectoral councils of the National Anti-Poverty Commission.



⁶ Section 21 (d) of the Code states that "any city, municipality, or barangay may, by a duly enacted ordinance, temporarily close and regulate the use of any local street, road, thoroughfare, or any other public place where shopping malls, Sunday, flea or night markets, or shopping areas may be established and where goods, merchandise, foodstuffs, commodities, or articles of commerce may be sold and dispensed to the general public".

the practice. In Caloocan City, Recio (2010) narrates the spectrum of vendors' strategies – from formal to extra-legal - in dealing with state authorities to be able to gain access to and temporary control over vending spaces. These different conditions necessitate a deeper investigation for planners wanting to introduce a more inclusive urban planning and governance.

Informality and Planning

There is an emerging trend toward a more inclusive process that reaches out to different stakeholders. This jibes well with emerging calls for planning to respond to the increasing complexity of urban spaces. Dovey (2012), for instance, points out the need to have reflexive policy that both mirrors and accommodates processes of informality.

This is the great challenge for the urban planning profession: how to move towards a model that accepts unpredictability and informality without surrender to the ravages of market-led ideology? How to plan for the eradication of poverty in a manner that does not kill the vitality, productivity and adaptability that sustains lives? (Dovey, 2012, p. 365)

Since dealing with informality is a planning dilemma, it is important to see how they relate to each other. The planning literature is replete with reference to informality. Some scholars are particularly critical of the role of planning in informal arrangements. Roy (2009) argues that informality "is not a set of unregulated activities that lies beyond the reach of planning; rather it is planning that inscribes the informal by designating some activities as authorized and others as unauthorized..." (p. 10). She notes that modernist planning is too concerned with the creation of cities that look regimented and planners should be able to differentiate functional order from purely visual order (Roy, 2005). Yiftachel (2006) laments the role of planning in the "stratification of informalities" where the 'informality of the powerful' is often whitened while other forms of informality remain indefinitely gray or are blackened (Yiftachel, 2006). These ideas indicate how planning, deliberately or otherwise, tends to exclude some informal activities from the formal processes and recognize others as acceptable.

Other authors emphasize the fluid and connected processes concerning informality and planning. Innes et al (2007) use informality to mean planning strategies that are neither prescribed nor proscribed any rules. The idea of informality, they say, connotes casual and spontaneous interactions and personal affective ties among participants and that 'planners often operate in the interface between the formal and the informal' (Innes et al, 2007). Friedmann (2005) talks about 'planning cultures' characterized by a degree of informality, which he describes as "a category of activity that results from the interweaving of the formal and informal and of the informal legal and the illegal and criminal" (p. 194). In this sense, planning practice implies straddling through the formal-informal zones and the corresponding arenas of engagements.

As an organizer of space, to borrow from Yiftachel (2006), planning is "a contested field of interacting activities by multiple actors" and not "a prerogative of professionals who act in isolation from other spheres of action" (Miraftab, 2009, p. 41). Moreover, Rakodi (2001) underscores the fact that traditional land use planning in some countries lacks legitimacy in the eyes of urban actors. She then argues that better governance arrangements need more attention in urban development analysis, policy and practice.

This is what Healey considers in looking at planning as an integral dimension of governance. Planning, Healey (2007; 1997) explains, is a governance project, which dwells on dealing with

the dilemmas of co-existence in shared spaces. By governance, she refers to "the processes by which societies, and social groups, manage their collective affairs" (Healey, 2003, p. 104). Planning exercises become interventions aimed at "framing the rules for managing co-existence in shared spaces" (Healey, 1997, p. 113), which influences how and with whom resources are generated and distributed. In this conception, planning cannot be divorced from governance praxis. The paper adopts this view of planning.

The preceding literature survey demonstrates some critical points. Firstly, the informal-formal binary lens can be traced to a Western-inclined conception of societal orderings that immensely shape the way dominant policy paradigms have evolved – from economic development agenda to political decision-making processes. Secondly, the assertion of several authors on the role of formal state apparatus in 'stratifying' informal activities (excluding some activities while accepting others) amplifies the need to look at formal procedures (e.g. planning and governance processes) as inherently part of the deepening informality. This signifies the potential of urban informality to inform and enrich the discourses on urban planning, governance and collective action. Lastly, the literature discussion conceptually situates the issues surrounding street vending as a form of urban informality.

WHAT DEEPENS INFORMALITY: ISSUES AND CONTEXTUAL CONSIDERATIONS

The Philippines continues to contend with poverty and unemployment issues. In 2012, the country's poverty incidence stood at 25.2 percent while the number of unemployed people rose to 2.9 million early this year. In its 2013 Development Report, the WB characterizes the Philippine labor market as experiencing high levels of informality with around 75 percent of Filipino workers informally employed (WB, 2013).

Aside from poverty and informality issues, the country is faced with a high level of urbanization. In 2010, the Philippines had the eighth-largest amount of built-up area and the fifth-largest urban population in the East Asian region, increasing from 17 million people in 2000 to 23 million in 2010 (WB, 2015). The average population density of the country's urban areas, 10,300 people per square kilometer in 2010, was the second highest in East Asia (WB, 2015).

The case of Manila City, the country's capital, exemplifies an immense degree of urbanization. Manila used to be a small seaport built in the twelfth century. The Spanish conquistadores invaded the area for more than 300 years, making it a trade and military hub of the then powerful empire. With the influx of migrants from provinces, its population has continued to grow. Based on the 2007 national census, Manila has about 1.7 million residents. With a population density of 43,079 per square kilometer, Manila is the second most densely populated city worldwide (Shaw, et al, undated).

Within Manila, the Spaniards chose the present-day location of Intramuros (literally means inside wall) as its enclave because of its proximity to Pasig River, a major transport route at that time. Piracy and invasion attempts always threatened the Spanish village, which prompted them to build the walls. The initially wooden compound eventually became a 1.2 square kilometer-walled city. Until the beginning of the nineteenth century, Intramuros was the city of Manila (Philippine Statistics Authority, undated).

Currently, Intramuros is home to government offices, educational institutions, religious structures and cultural edifices. These establishments create an array of socio-economic, political and cultural activities in the walled community.





Figure 2: Intramuros and Its Location in Metropolitan Manila, Philippines

The SANAMAI Narrative

Due to Intramuros' historical and cultural significance, it is now a major tourist destination in Manila. This has attracted different individuals seeking economic opportunities through any possible means. Like in many parts of Metropolitan Manila, informal hawking is a common activity in Intramuros. Street vendors in the area experienced the same problems and challenges that confront most informal players — lack of access to resources, limited income and capital, and insecure vending spaces, among others. The most pressing concern that confronted the street vendors was harassment and abuse perpetuated by a few errant legal authorities. Vendors normally shelled out PhP500 to PhP600 (\$11.6 to \$14) daily to these officials to avoid arrest or confiscation of sold goods (Revuelta, 2013, pers. comm.).

In 1993, several street vendors organized the *Samahan ng mga Nagkakaisang Manininda sa Intramuros* (SANAMAI) or United Vendors' Organization in Intramuros as a collective effort to address the harassment issue. As an independent people's organization, SANAMAI has 100 members with vending spaces located in different parts of Intramuros. During its initial years, the group worked closely with non-government organizations (NGOs) on areas such as advocacy and leadership training, basic bookkeeping, and organizational development. SANAMAI also began advocating for street vendors' rights in Intramuros and coordinated with media practitioners to draw public attention to their conditions (Indon, 2008; Nicolas, pers. comm.).

Apart from networking activities, SANAMAI instituted internal system as part of grassroots mechanisms to organize their ranks. The organization assigns designated areas within Intramuros where the vendors can sell. Its elected leaders conduct regular meetings and convene general assembly every month. In terms of resource generation, the group requires its members who sell food to pay P50.00 (\$1.16) daily as membership fee. Others contribute P30.00 (\$0.7) every day. When a member gets sick s/he can receive P5, 000.00 (\$116) as financial assistance. In case of death, a member's family will receive P10, 000.00 (\$232) from the association.

Formal Engagements and Enabling Governance Mechanisms

In 1997, President Fidel Ramos issued Executive Order 452 (Security of Registered Vendors in the Workplace) and signed into law Republic Act 8425 (The Social Reform and Poverty Alleviation Act). These two laws provided the legal basis for recognizing the rights of informal workers in the country, and gave SANAMAI the leverage to push for the legal recognition of street vending in Intramuros (Indon, 2008; Nicolas, pers. comm.).

SANAMAI, with assistance from *Katipunan ng Maraming Tinig ng mga Manggagawang Impormal* (KATINIG), a nation-wide organization of informal sector organizations, engaged the Intramuros Administration (IA) and the five Intramuros barangays⁸ in enacting local ordinances legalizing street vending in the area. The IA is Intramuros' local governing body, which is tasked to "initiate, plan, undertake and supervise the restoration, upkeep and maintenance of [the whole of] Intramuros" (Indon, 2008). The agency is also mandated to "prepare, adopt, revise and enforce such rules and regulations, implementing guidelines and standards necessary for the effective regulation of the land use and development activities in Intramuros of both the Government and private entities and for the implementation of the Intramuros Plan" (Indon, 2008).

While most street vendors are residents of Intramuros, SANAMAI members who were living outside decided to register as voters in the area to increase its leveraging power with the barangays (Dacula, pers. comm.). Between 1999 and 2000, the four barangays in Intramuros issued ordinances supporting and regulating street hawking within their respective jurisdiction. The common provisions of the local policies pertain to the following: a) designated area and vending hours; b) stall design; c) required permits and clearances; d) vendors' qualification; e) maintenance and upkeep of vending spaces; f) needed seminars and orientation sessions; and g) enforcement and penalties.

However, it proved more challenging to deal with the IA as there is periodic leadership change within the agency. Some of the former IA heads were critical of the presence of vendors in Intramuros. Nonetheless, in 2004, the administration agreed to provide a set of rules on how street vendors may conduct their business in Intramuros. The approved regulations lay down the following policies:

- Vendors shall adopt the standard stall design prepared by the IA; the stalls shall not be permanent in nature;
- Vendors are required to display at all times within their place of business their business permits, clearances, and official IA stickers;
- Ambulant vendors shall wear at all times the prescribed uniform for vendors;
- Vendors shall maintain order and cleanliness within their areas of business;
- Vendors shall conduct their business strictly within their designated areas as specified in their locational clearances (Indon, 2008).

Part of the agreement between vendors and the IA is the need to limit the number of vendors to only twenty per barangay due to limited space in Intramuros. This arrangement meant to reduce competition not only between the big businesses and the vendors but also among the street

⁹The ordinances were issued by Barangays 654 (Ordinance No. 09-99), 655 (Ordinance No. 2), 657 (Ordinance No. 15), and 658 (Ordinance No. 10-2000).



⁸ Barangay is the smallest politico-geographical unit in the Philippines. It has formal village-level government structure with elected executive and legislative officials.

hawkers. It also makes it easier for the local government to regulate and monitor the activities of the vendors.

Permits are issued by the IA upon payment of PhP1, 480 (\$34.42) to cover the registration cost, locational clearances and official stickers. Only the registered voters and residents of Intramuros are qualified to apply for vending permit which is good for one year. Each vendor also pays PhP300 (\$7) to the barangay for the business clearance (Dacula, pers. comm.).

Continuing Challenges

The legal imprimatur and institutional agreement between IA and SANAMAI has not led to any meaningful involvement of the latter in planning sessions of the government agency. SANAMAI was not part of the preparation of the long-term Intramuros Urban Plan. The IA commissioned the PROS Architects and Planners Inc., a planning consultancy group, to prepare the plan. While the planning process began in 1990/1991 - before SANAMAI was established in 1993 (Sardillo, email conversation with the author, November 24, 2014), the PROS website indicates that it was completed in 1995, two years after the formation of the vendors' organization. However, since the IA only recognized the SANAMAI in year 2000, the latter was unable to significantly participate in the planning process (Revuelta, 2015, pers. comm.)

What caused this vendors' non-participation in the planning process in spite of the legal recognition? The current IA Head provides a succinct explanation.

In the past, the paradigm for engagement with the marginalized sectors in Intramuros particularly those in the informal economy - has been around the notion of "eyesores." In this regard, the vendors are sidelined and swept to the margins. They are "twice" marginalized: first, the vendors are pushed to the sides, away from high tourist traffic; second, they are sidelined to the sidewalks. (Sardillo, email conversation with the author)

Aside from the marginalization in the planning process, the IA permit likewise proves to be arbitrary as each time there is leadership change within the agency, the vendors have to justify their presence in Intramuros and lobby for regular issuance of business license. Revuelta (2013, pers. comm.) feels that they are at the mercy of whoever heads the IA. There was even a time when one IA administrator refused to hand out locational clearances and threatened to allow the barangays to identify vendors who will be recognized.

Moreover, despite the legal recognition provided by barangay ordinances and the annual business permit from the IA. SANAMAI endured constant harassment by some local police authorities. From 2004 until 2011, SANAMAI had to shell out PhP 4,500 (\$105) to some policemen every week. After an incident that closed off one Intramuros road previously occupied by some SANAMAI members, the organization provided tara¹⁰ in the form of 'rice subsidy', which is about two (2) sacks of rice monthly, to these police personnel. SANAMAI got the money for this 'protection' scheme from its association fund (Revuelta, 2013, pers. comm.).

Sustained Collective Action Initiatives

With the continuing abuses and tenuous legal arrangement, SANAMAI continued its networking activities. In 2006, the organization partnered with the NGO Economic, Social and Cultural

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Rights-Asia (ESCR-Asia), a regional human rights organization. The ESCR-Asia provided series of capacity development sessions on human rights, paralegal strategies, mediation and conflict management, among others. It linked SANAMAI to other informal 'sub-sector groups'¹¹, NGOs and government agencies working on informal sector issues (Lao, pers. comm.). Through the ESCR-Asia, SANAMAI was able to coordinate with the Philippine National Police's Human Rights Affairs Office (PNP-HRAO) to address the extortion issue by some PNP personnel. Since SANAMAI considers the local ordinances and permits granted by the Intramuros Administration (IA) as a form of legal recognition, each time a police officer tries to collect money from its members the organization reports it to the PNP-HRAO for immediate intervention. Because of SANAMAI's resistance to engage in street–level bribery and sustained communication with the PNP-HRAO, the police harassment stopped in 2011.

In an effort to deepen SANAMAI's involvement in the broader informal sector agenda, the ESCR-Asia and KATINIG encouraged the group to become part of the Magna Carta for the Informal Sector Alliance (MAGCAISA), a loose network of people's organizations, NGOs and academic institutions with long history of working with informal workers. MAGCAISA pushes for the passage of Magna Carta for Workers in the Informal Economy.

With regard to addressing economic issues, SANAMAI, through the ESCR-Asia, tied up with Matrix Community and Management Advisors, Inc., an organization that trains grassroots associations on self-help financial systems (Lao, pers. comm.). It also participated in the Street Food Kulinarya, a training on street food handling, sanitation, and effective customer service (Revuelta, 2014, pers. comm.). This was undertaken by government agencies such as the IA, the Department of Tourism, Department of Social Welfare and Development, with support from the United States Agency for International Development. Apart from culinary concerns, the activity provided an overview on tourism and gender development.

Alongside these partnership initiatives, SANAMAI sustains its 'good relations' with Intramuros barangay officials through mundane yet calculated schemes such as donating funds for barangay fiesta activities and constant informal dialogues.

Current Conditions and Prospects for Engagement

In 2013, a new leader began heading the IA. With this change in leadership came a fresh perspective on engaging the street vendors. The current IA Head plans to democratize the spaces in Intramuros. This means making the walled community more inclusive for meaningful human activities. In this vision, the IA sees vendors as important partners.

We recognize that the vendors are our partners in the redevelopment of Intramuros. And their social inclusion aligns perfectly well with our aim to pedestrianize (as much as we can of) Intramuros. In that pedestrianized Intramuros, we aim to reclaim the streets for pedestrian use, and to situate the vendors front and center as micro-entrepreneurs. (Sardillo, email conversation with the author)

The SANAMAI recognizes this significant shift in how they are viewed by the IA. For Revuelta (2015, pers.comm.), the new IA Head listens to vendors' concerns and this makes them feel they are important players in Intramuros.

¹¹ Some Philippine NGOs further classify the informal sector into several sub-sectoral groups such as street vendors, small transport operators, home-based workers, on-call domestic workers, seasonal farmers and fishers and non-corporate construction workers, among others.



The prospect for a more strategic collaboration between the IA and SANAMAI is manifested in how the new leader reaches out to the vendors through formal and informal dialogues. In one of their meetings, they discuss some plans on how the IA can assist the vendors. Some proposed steps include a) upgrading/redesigning of vending stalls; b) bringing in of chefs to upgrade the vendors' culinary fare; c) possible partnerships with Hapinoy or other NGOs that assist micro, small, and medium enterprises; and d) identifying needed trainings that may be relevant to SANAMAI and its members (Sardillo, email conversation with the author). SANAMAI welcomes this set of plans and is hopeful for a more enduring relationship with the IA (Revuelta, 2015, pers. comm.).

WHY PLANNING IS RELEVANT TO INFORMALITY: DISCUSSION AND ANALYSIS

Informal Group's Collective Action

The multiple ways by which SANAMAI seeks to respond to their issues enable the informal vendors to exhaust diverse modes of governance engagement. To illustrate, since the offshoot of both national and local legislations remains a feeble legal recognition, SANAMAI and its partner NGOs created alternative democratic spaces to engage other government agencies that can be more responsive to their plight. The organization's partnership with the PNP-HRAO demonstrates its capacity to resort to multiple arenas of engagement. This relates to the author's (Recio, 2010) earlier contention that the failure of usual government mechanisms to respond to informal sector needs encourages, if not forces, the latter to resort to other terrains of struggle.

Further, the spectrum of SANAMAI's activities relates to Honwana's strategic and tactical agencies. Its involvement in national (MAGCAISA) and local (barangays) legislations constitutes an attempt to achieve a more strategic type of agency. The lobbying acts, for instance, may result in a situation where there are laws that allow informal vendors to strengthen their basis of power and knowledge of the long term consequences of their actions in the form of political and economic gains (Honwana, 2008). At the same time, the group's relationship with abusive policemen as well as the schemes to build rapport with barangay officials is part of calculated actions aimed at manipulating events to turn them into opportunities. This array of interventions characterizes tactical agency utilizing practical experiences and skills.

The Role of Non-Government Organizations (NGOs)

The SANAMAI's story shows the value of sustained partnership with NGOs. It captures the roles that NGOs play in deepening the informal actors' sense of agency and in creating opportunities for the latter's participation in political processes. NGOs serve as active social/policy entrepreneurs (Bornstein, 2003) who are able to straddle through the divergent worlds of government and civil society. In SANAMAI case, ESCR-Asia provided the vendors with series of training activities that introduce them to human rights, para-legalism and mediation, among others. These are forms of technical knowledge that expand SANAMAI's competency base. ESCR-Asia also assisted in documenting SANAMAI issues and democratic activities, which constitute practical knowledge.

In policy-making arena, KATINIG and ESCR-Asia acted as social/policy entrepreneurs. They are able to move ideas that motivate grassroots leaders and produce policy champions within the government. By being the 'bridge', NGOs are also able to strengthen informal players' 'tactical agency' and broaden the spaces for 'strategic agency'. These are crucial steps that

reinforce the need to recognize NGOs as 'critical urban planning agents' (De Souza, 2006)¹² and facilitators of radical planning practices¹³, which could offer alternative planning approaches. This means recognizing the ability of NGOs to influence socio-political relations that shape the spatial contours in urban areas.

Planning and Governance Imperatives

A thoughtful assessment of the shaky legal arrangement unveils a fragile aspect of formal democratic processes, which has to do with its (in)ability to respond to democratically expressed concerns and preferences (Friedman, 2002). In other words, one major challenge lies in the capacity of grassroots collective action and citizen participation in formal governance processes to ensure that its influence on formal political decisions is enforced. As Friedman (2002) frames it, citizens have the right to choose but not to see their choices acted upon. In Intramuros, vendors got involved in a series of democratic negotiations and entered into formal agreements but were unable to secure that legal instrument is implemented.

Another concern pertains to the failure of the past IA leaders to engage SANAMAI in the planning processes. This reflects two planning concerns. One, the non-participation of informal vendors may stem from the usual reliance on formal sector-oriented approach in dealing with informality. As discussed in the literature review section, this framing illustrates state agents' poor understanding of what deepens informality and how players straddle between the 'formal-informal' divide. This method frequently fails to comprehend the complex factors and forces that drive informality. Second, it demonstrates the tendency to resort to expert-driven rationalist model in designing a planning process. This technique, which often focuses too much on stateled procedures and too little on involving other major stakeholders, may result in a master plan that is owned by the lead government agency and ignored by other important actors.

In addition, the unreliability of vending permit due to leadership change in IA, and the subsequent shifting policy approaches, reveals how an institutional concern imperils the informal organization's initiative to take part in mainstream formal processes. In other words, the vagaries in formal institutions ironically render the political and economic status of informal actors insecure.

How then should urban planners, in-charge of finding viable options to manage informality, address these legal constraints and democratic paradoxes?

This is where Healey's (1997) conception of planning as a governance practice to manage coexistence in shared spaces becomes critical. With this framing, planners must be able to transcend legal impediments and flimsy policies that lead to institutional ambivalence towards informality. In an earlier investigation of the policy environment affecting the informal vendors in

¹³ Shatkin (2002), for instance, discusses how community organizers working for NGOs involved in urban housing issues played the role of 'radical planners' who represent the interests of marginalized people in pushing for an alternative to state-led modernist urban development



¹² Building on the experience of peoples' organizations in Porto Alegre Brazil, De Souza (2006) explains that social movements act as 'critical urban planning agents' when they not only criticize state-led planning but also actively develop and, to some extent, implement solutions independent of the state agencies. In both Brazilian and Philippine contexts, social movements consist of grassroots organizations and civil society groups such as NGOs, among others, that contribute to social change by engaging in socio-economic and political processes.

the Philippines, the author reveals the complexity of contradicting laws and programs that lead to bureaucratic indifference to legitimate concerns of street hawkers.¹⁴

Beyond the legalistic approach to informal actors, there is a need to revisit Western-inspired planning paradigms, which often lack an adequate understanding of the economic, socio-spatial and political relations in the urban Global South¹⁵. There is a need to comprehend how mechanisms for collective action as a way to deal with multiple arrangements in common spaces operate and to identify the drivers of these arrangements. This entails looking at the prospects and limits of the current engagement spaces where informal and formal players are expected to interact. An appreciation of how existing structures may constrain certain gains from democratic formal processes and informal practices can inform planners' desire to deal with informality.

As the literature illustrates, it is important for planning to avoid promoting what Yiftachel (2006) calls stratification of informalities where the informality of the powerful is usually whitened or recognized as legitimate while other forms of informality remain indefinitely gray or blackened. In the case of informal vending, planners should be able to address how structural forces such as economic, cultural and political conditions either push or entice workers to embrace informality. They should be able to address how power relations and institutional responses may contribute to planning processes that stratify informality.

In a formal economy-oriented model, some policies primarily rely on Western-influenced market rationalities without considering the implications of social relations and cultural practices in many urban informal zones. Planners should therefore explore alternative models that go beyond the usual binary perspective and highly rational-modernist technique. This calls for an approach that looks at engagement with informal arrangements as part of what Healey (2007) terms collaborative governance¹⁶ and relational planning. Relational planning "is situated within the evolving, complex, socio-spatial interactions through which life in urban areas is experienced... As an activity of governance, it is concerned with how the relations of collective action create momentum to shape governance interventions" (Healey, 2007, p. 11).

This relational framing can guide the IA in its plan to democratize the spaces in Intramuros. Sustaining an open and regular communication with the vendors and other players in the area is a major step towards a constructive engagement and an inclusive planning process¹⁷ which the present IA Head appears to facilitate. This engagement may take numerous forms such as informal meetings, formal consultations and planning sessions with different actors.

In pursuing a more inclusive process that is sensitive to grassroots collective action, it is crucial to look at how unequal socio-economic and political opportunities shape the power relations of various stakeholders. As Healey (1997) cautions,

¹⁷ To be able to do have a more active interrelationship with partners, Healey (1991) urges planners to go beyond their 'technical' role and act as 'intermediator' by getting involved in interactive knowledge exchange or 'social learning process' (Friedmann, 1987) with multiple interested parties.



¹⁴ For a discussion on policies affecting informal hawkers, readers are referred to Recio (2010).

¹⁵ This is similar to Watson's (2009) observation that "planning systems in many parts of the global South are increasingly seen as inadequate and often inappropriate" (p. 2260).

¹⁶ Healey (1997) describes it as an engagement where "formal institutions have a role in providing a hard infrastructure of a structure of challenges, to constrain and modify dominant centres of power, and a soft structure of relational building through which sufficient consensus building and mutual learning can occur to develop social, intellectual, and political capital to promote coordination and the flow of knowledge and competence among the various social relations co-existing within places" (p. 200).

The[se] multiple dimensions of potential social division, and the inequalities that are generated through them, raise enormous problems for efforts in managing co-existence in shared spaces, as the potential social diversity is substantial. Consultative strategies for developing local policy often flounder on conflicts of interest, the power of dominant interests or the realization that those actively involved in a consultative process in fact represent a minority interest. (Healey, 1997, p. 118)

Another challenge is how to continue the inclusive partnership when another administrator takes over the IA leadership. This can be addressed by institutionalizing the participatory planning processes, which recognize street hawkers as viable partners in governing shared urban spaces in Intramuros.

Indeed, the capacity of planning as a governance mechanism that engages urban informal economic players such as street vendors lies in the manner by which it is able to deal with how actors carry out different arrangements in shared urban spaces. It requires a keen knowledge of and a nuanced engagement with the evolving socio-spatial interactions arising from various mechanisms of governance processes and grassroots collective action. For planning to be more responsive to evolving complex relations in urban informality, it is necessary to go beyond traditional models and explore emerging ideas that integrate the collaborative and relational aspects of planning as a key dimension of governance processes.

CONCLUSION

In the face of persistent poverty and inequality, the search for a process that can effectively engage 'informal' actors in a relational manner becomes even more critical. Planning, as a practice-oriented field, is faced with this challenge. As a normative discipline, it should consider democratic and social justice principles in dealing with informality. It should be able to grapple with evolving realities and power relations that shape the structures and processes in shared and contested urban spaces.

This article shows the dynamic discourse on how informality interacts with formal processes. The literature review provides a rich description of the evolution of the debate on formal-informal interface. The discussion on the concepts of planning, governance and collective action as they relate to informal vendors in different contexts offers a broader perspective on informal arrangements initiated by grassroots organizations.

The SANAMAI case underscores the complexity of informality as a planning and governance concern. On the one hand, it shows the importance of a grassroots organization's ability to define and articulate the needs of informal vendors and engage with different government agencies as well as civil society groups. On the other, while the usual government response demonstrates the reliance of formal processes on a dualistic approach to informality, the narrative indicates a prospect for a more inclusive process as a way to engage informal economic players. This is what the current IA leadership seems to pursue. The challenge is how to sustain this arrangement as part of a planning framework in an environment that has been accustomed to a dichotomous framing of formal and informal processes.



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Figure 1: http://ikaunangpahina.wordpress.com/2009/06/05/back-to-the-future/ (Retrieved last 07 March 2015) Figure 2: https://garymlarsen.files.wordpress.com/2013/06/intramuros manila.jpg (Retrieved last 23 September 2014) and http://en.wikipedia.org/wiki/Manila#mediaviewer/File:Ph_locator_ncr_manila.png [Retrieved last 08 March 2015)

