Contestations for urban space: informality and institutions of disenfranchisement in Zimbabwe—the case of Masvingo City

Chigwenya Average

Abstract Informality has been viewed as the seedbed for economic development especially in the cities of the global South and many cities have been trying to integrate this sector for economic development. The sector has been seen as the option for economic development in cities of the global South in the face of dwindling resources for economic development. However, the development and growth of informal activities in some of these cities have been stunted by institutional reforms that have taken so long to accommodate such activities. Most of the cities have acknowledged the need to integrate informality in their economies but they have remained illusioned by the neo-liberal urbanisation policies that have kept the informal activities on the periphery of the development agenda. As a result the role of informal sector in economic development in cities of the global South has not been fully realised. The study was taken to examine the institutional impediments in the growth of informal activities in the city of Masvingo, to see how the laws and policies of the city have been applied for the integration of informal sector in the main stream economy. The research found out that there are institutionalised systems that disenfranchise the informal sector in the city of Masvingo. These institutions include the planning approach and the way the city has been practicing their planning. These two institutions have been the chief disenfranchising instruments that have denied the people in the informal sector their right to the city. The research utilised a mixed methods approach to the inquiry, where both qualitative and quantitative data were used. The research found that there is space for informal integration in the city of Masvingo, but the existing regulatory framework is stifling the growth and development of the informal sector in the city of Masvingo. There is therefore need for the city to be flexible enough to embrace the realities of the city, because informality is really the new form of urbanisation in cities of the global South.

Keywords Informality · Rights to the city · Inclusivity · Economic growth · Zimbabwe

Background to the study

Cities of the global South are dynamic places where transformation is the result of political, economic, social and spatial processes. As a result of these transformations cities such as Johannesburg, Rio de Janeiro and Harare in the global South are developing to be cities of contestations, tension, complexities and encounter (Huchzermeyer 2011; Kamete 2017, 2013). They are facing growing dilemmas of unemployment,

C. Average (✉)
Department of Landscape Architecture and Urban Design, National University of Science and Technology, Cnr Cecil and Gwanda Road, Bulawayo, Zimbabwe
e-mail: chigwenyaaver@gmail.com

poverty, wage cuts, and drastic reduction of quality of social services (Huchzermeyer 2011; Houghton 2010; Montag 2009). In terms of development these cities have been grappling to attract the global finances that will spearhead developmental projects. These cities have therefore been characterised by wide spread incidences of poverty. The poor in these cities are therefore experiencing living conditions that are constantly militating against building positive livelihoods and hence negatively impacting on their quality of life (Parnell and Robinson 2012). The livelihoods of the poor are fast becoming real issues of urbanity in these cities but they are facing strong resistance from institutions that do not recognise these land uses hence they are excluded from the planning and management of cities.

This is a strong denial of the urban poor's right to the city. Right to the city according to Lefebvre (1968) is the right to appropriate urban space by the marginalised groups of the urban society. Lefebvre (1968) further argued that right to the city is only restricted to a small political and economic elite at the expense of the majority poor, who are denied the right to make an expression in the city. This denial denies the city to express itself as an *oeuvre,* which is an expression of urban life in its totality. This according to him can only be achieved when urban spaces are given use values rather that exchange values that exclude other urban space user from accessing urban space. Right to the city should therefore allow all the city inhabitance to appropriate city space and this appropriation should allow every city inhabitant to access, occupy and use urban spaces (Lefebvre 1996). Harvey (2003) further argued that right to the city should allow every city inhabitant to make a contribution to the development of the city. He argued that city life is a collective effort of all the city inhabitants through their collective activities. It is a right not to merely accept what the city authorities are giving but is a right to fight for expression of the diversity of the urban inhabitants and a demand for expression for different lifestyles by different social groups in the city (Harvey 2003; Simone 2005; Huchzermeyer 2011). The contemporary urban life is no longer a unitary life style but is composed of a diverse life styles that need expression in the city and the city authorities should strive to make shuch an expression. According to Roy (2005, 2009) urbanity is very complex nowadays which calls for a new planning theory, a theory that tries to accommodate the diversity of urban life. Informality therefore as an urban land use should find expression in cities where most city institutions are failing to recognise them. This is more so when we find out that informality is making significant contributions to economies especially of cities of the global South.

In Zimbabwean cities, the issue of informality has been exacerbated by the economic meltdown that was experienced at the turn of the century where the industrial utilization went down to as low as 6% when the country adopted the fast track land reform program that resulted in international isolation of the country. The isolation resulted in massive deindustrialisation and retrenchments in as 6% in 2009 (UN-Habitat 2010a). The accelerated inflation which peaked at 213million percent also eroded the real incomes of the people in the cities of Zimbabwe and pushed the majority of urban people in poverty (UN-Habitat 2010a). These people were no longer able to survive on one livelihood strategy so they have to diversify their livelihoods by entering into the informal sector for survival. Also coupled with the massive deindustrialisation was the massive drop of the Gross Domestic Product of the country which effective dropped by 50.3% in 2010 (UN-Habitat 2010a; Taru 2013). Unemployment peaked to over 84% meaning that the majority of people in the cities of Zimbabwe were without employment and they were surviving on the informal, sector (Chidoko 2013).

The formal sector was shrinking at a rapid pace that left a lot of people in the urban areas without livelihoods and they have to turn to informality for survival (Chidoko 2013; Kamete 2007, 2013). The majority of urban households were in poverty and to avert the situation people have to engage into informal activities for them to survive. So the increasing incidence of poverty pushed people into informality as people were searching for livelihood strategies that will avert them from poverty.

Parnell and Robinson (2012), argued that high rates of urbanization experienced in these cities of the global South are associated with a governance system that is characteristically traditional and religious which has resulted in a high prevalence of informality in their economies. Informality in the cities of the global South has been growing at an unprecedented space due to the failure of the formal sector to provide sustainable livelihood strategies (Miraftab 2009).

Many of the cities in the global South have been experiencing stagnant economic development and rapid de-industrialisation that has pushed a lot of urban people in the informal sector (Turok and MacGranahan 2013). The urban population in global South is expected to double by 2030 with Africa and Asia expected to hold the majority of these people (UN-Habitat 2010a). UN-Habitat (2010b), further argued that this rapid urbanization process is associated with increased slum dwellers, and the majority of them will be housed in the global South. It is these emerging land uses that are demanding space in the contemporary cities but they are facing stiff resistances from unreforming institutions that continue to marginalise them. The study therefore seeks to examine the institutions that are responsible for continued marginalisation of the informal sector in the city of Masvingo.

Study area

Masvingo is one of the oldest towns in Zimbabwe, which was formed as a colonial fort during the colonization of the country. The city is host to one of the world heritage site, the Great Zimbabwe ruins and this site has been playing a pivotal role in attracting tourists to the city. The city is the provincial capital of Masvingo province which is in the agro-ecological region 5, which is a region characterised by low rainfall and poor sandy soils. The map below shows Masvingo city and its environs.

Masvingo city and its environs

See Fig. 1.

The informal sector in the new urbanism

The informal sector is a worldwide urban phenomenon that as grown to be a permanent feature of urban space. The phenomenon has been facing a lot of hostility from urban local authorities as they try to plaster under all vicissitude of informality (Huchzermeyer 2011). However the informal sector has resisted all forms of oppression and has fought to exist in urban areas. To date the informal sector has become a permanent

feature of urban space and has been fighting to be recognised in the city. According to Roy (2005, 2009) urban informality is the new form of urbanism hence there is now a need for a new urban planning theory that will cater for this new form of urbanisation. Informality is now an urban reality not only in cities of the global South but also in cities of the global North, where it is contributing millions of Euros annually in their economies (Alijev 2015; Brown et al. 2014).

Earlier scholars were regarding informal sector as activities of the marginalised groups of the urban society (Rogerson 2004) but there is growing realisation that the informal sector is an urban phenomenon that has managed to strike a permanent place in the urban areas where they are making significant contribution to city's economies. In Kenya the sector has been able to produce goods that have managed to penetrate the international market (Sonobe et al. 2011). Kamete (2007) argues that the informal sector in Zimbabwe was once the economy of the country when the country was experiencing a down-ward spiral economically. This sector was the only surviving economic activity that even some of the formal institution such as the Reserve Bank of Zimbabwe was relying on the informal sector for most of its foreign currency supplies. Kamete (2013) further argues that in cities of the sub-Saharan Africa the informal sector was a major economic sector that was contributing more that 45% of their Gross Domestic Product and 75% of non-agricultural workforce.

Despite all these contributions from the informal sector the sector remains neglected by the planning systems to the extent that most of the informal activities are operating in life threatening environments (Kamete 2017). He further argued that the environments in which informal activities are operating is the highest mockery of human rights. Such planning approached are no longer in sync with demands of the 21st urbanism, which calls for a more flexible and adaptive planning that caters for all urban inhabitants (UN-Habitat 2012; Chirisa and Dumba 2011). The situation where most city authorities regard spaces occupied by the informal sector as spatial deviance is longer relevant in contemporary cities where diversity should be celebrated rather than oppressed (Kamete 2017; Sandercock 1998; Fainstein 2006).
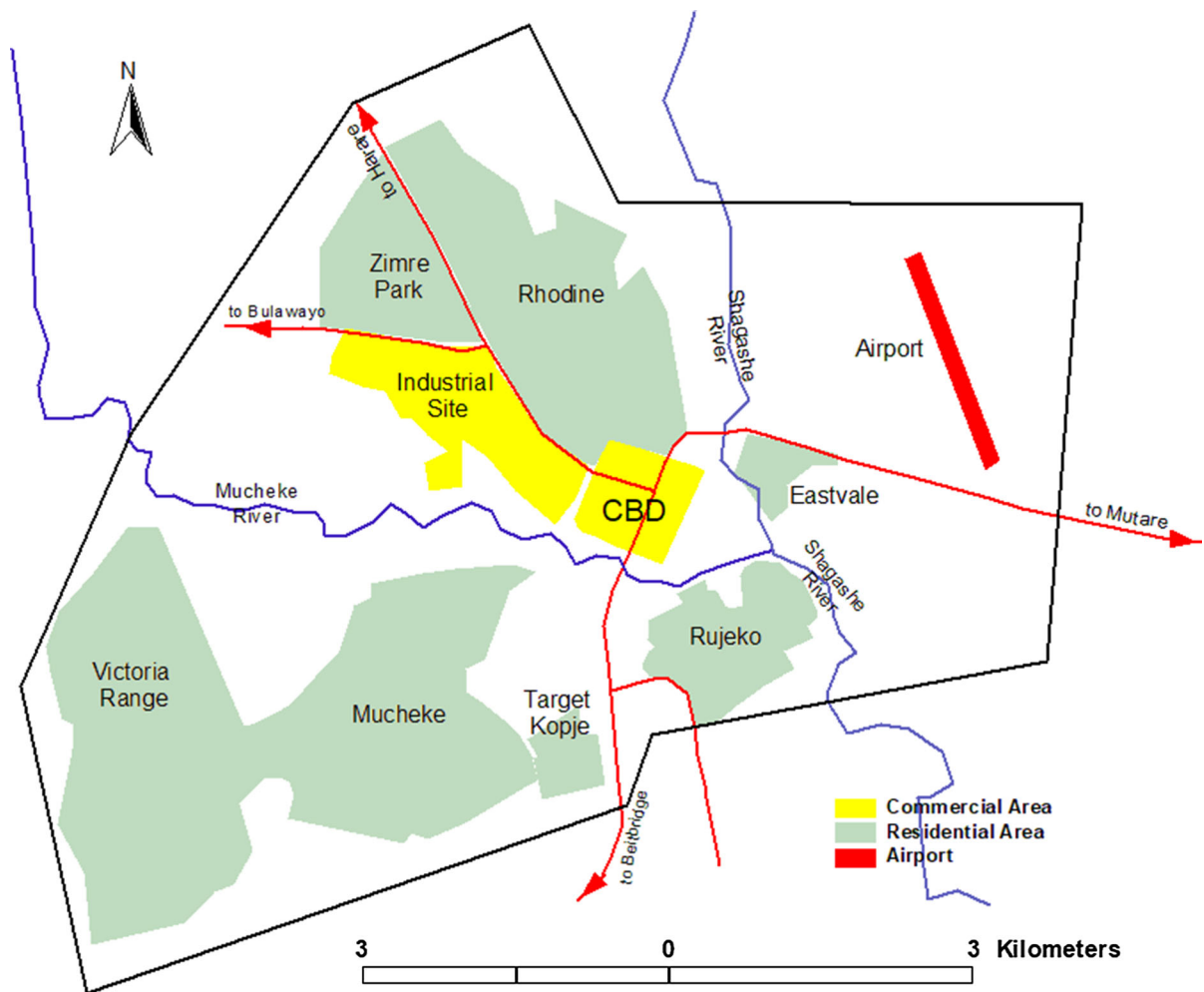
Fig. 1 Masvingo city and environs

Informality and institutions of disenfranchisement in the city of Masvingo

The informal sector in the city of Masvingo has remained stunted by the operative institutions that have failed to reform for the integration of the informal sector. The informal sector has therefore remained disenfranchised for their rights to the city because they have not been given the chance to access space in the city centre because of the operating legislative instruments that continued to marginalise activities of the informal sector. Planning for sustainable cities calls for pro-poor development initiatives where the needs of the urban poor are given special attention to try by promoting their needs and involve them in development (Chambers and Connway 1991;

Ellis 2000). Pro-poor development initiatives are those that prioritise the needs of poor in their intervention. It is when the poor are taking a lead and are at the centre of development initiatives. According to Chambers and Connway (1991) pro-poor development initiatives are those development interventions that involve the poor in such a way that the poor are the architects and engineers of development. Addressing the needs of the poor will help to bridge the gap between the poor and the rich in cities of the global South and will help to create just and inclusive cities (UN-Habitat 2010a, b; Fainstein 2006). Such integration is the basis of sustainable development (Ellis 2000). The unequal development that exists in cities of the global South is a direct result of marginalisation of the urban poor

where the development landscape is dominated by prioritising the needs of the a few elites.

The involvement of the informal sector in the city of Masvingo is still along away to go because the city does not have structures that promote the development and growth of the informal sector. The informal sector has remained outside the management of the city and they are not consulted in development of the city. Their activities have remained illegal according to the operating legislative framework. The people in the informal sector in the city of Masvingo do not believe that the city embraces the phenomenon of informality. There is a strong feeling among the people in the informal sector that the city of Masvingo is just playing leap service on issue of informality, because they just agree in principle on informality but in practice they are not taking any steps to show that they embrace the phenomenon. The city remains guided by their neo-liberal urbanisation policies that do not recognise the needs of the poor (Kamete 2013). They are determined to keep the city clean and orderly and such behaviour has resulted in marginalisation of people in the informal sector in terms of providing essential services that will make their spaces safe and liveable. The informal sector has therefore been forced to live in situations similar to detention camps where the rights of in-mates have been totally stripped (Kamete 2017). The city has failed to provide various services which include provision of working space, water, sewer, waste collection and sanitation. They have also failure to improve the deplorable and hazardous environments under which the informal sector is working.

In line with their policy to keep the city clean and orderly, the city of Masvingo is employing various tactics aimed to clean the streets of Masvingo of informal activities. One of the tactics that they have been employing and is very successful in pushing the informal sector out of the city centre is the militaristic approach in dealing with the people in the informal sector where the city council and the informal sector are always in a cat and mouse game. They council is deploying their municipal police sometimes with the help of Zimbabwe Republic Police to chase out of the city centre all informal activities. In some cases they employ very dangerous tactics such as throwing spikes to moving pirate taxis thereby exposing everybody to dangers of accidents. This militaristic approach shows that the city does not tolerate the activities of the

informal sector and such structures are put in place to maintain the streets without informal activities and such behaviour excludes other urban land users from enjoying the use rights to urban space (Harvey 2008; Lefebvre 1996). According to Sembiring and Nitvattananon (2010), informal sector in many cities are suffering from exclusionary urban policies that are seen to be against the needs of informal activities. These policies promote the needs of very few affluent and wealthy class of the city at the expense of the marginalised and the poor. Such policies are against the dictates of the rights to the city, which calls for all city inhabitants to be afforded the right to use urban space and enjoy urban services offered by the city (Lefebvre 1968, 1996; Harvey 2008, 2012).Table 1; below shows the informal sector's perceptions on how the city of Masvingo views the informality phenomenon.

The majority of the people in the informal sector converge on the notion that the city does not have any meaningful policies that can advance the development and growth of informal activities in the city. The city seems to be lagging behind in terms of embracing the issues of informality because there seems to be nothing they are offering in the city that can lead to advancement of activities of the informal sector. The demands of people in the informal sector in terms of spaces and environmental justice have not been met neither are there any steps taken towards fulfilment of these essential needs by the city of Masvingo. All this is obtaining against the background of the essential role that the informal sector is plating in economies of other cities. The informal sector is playing a critical role in cities of the global South in terms of employment creation and provision of livelihoods to millions of urban dwellers (Kamete 2013; Potts 2008; Huchzermeyer 2011). In some cities, the informal sector has been responsible for over 90% of the new

Table 1 Masvingo city's perception on informality. *Source*: Survey 2016

Perception	Percentage
City does not embrace informality	33
City just give leap service to informality	61
City embrace informality	6
Total	100

jobs created in their cities (ILO 2000; Devey et al. 2007; Jackson 2012) and in other cities the informal sector has been producing goods and services that are exported to other countries thereby generating the much needed foreign currency (Yaw 2007; Sonobe et al. 2011), In sub Saharan countries the informal sector has been contributing more than 45% of the country's Gross Domestic Product (Kamete 2013). Such important contributions demands that informal sector be embraced and provided for in urban areas. In Zimbabwe the informal sector has been regarded as the main economy of the country because the formal sector has collapsed to the extent that the informal sector is regarded as the economy of the country (Musoni 2010; Jones 2010; Potts 2008). It is estimated that the sector is generating in excess of US$7.4 annually, and employing over 1.5 million people (Government of Zimbabwe 2002). With that background, it therefore strengthens the idea that informal activities should be integrated in the mainstream economy and allowed to benefit from the services that the city is providing. It also calls for removal of all the structures that stunt the growth and development of the informal sector. Cities should be seen embracing the phenomenon not only for economic growth but for extending the democratic boundaries of the city (Harvey 2008; Lefebvre 1996). Torini (2015) argued that the needs of the poor and the marginalised people of the urban society should be acknowledged as matters of development and cities should not be agents that dissolve these desires or assimilate them into something else. They should rather be allowed to enjoy their desires and in that way the city will be celebrating the diversity of cultures in the city. The marginalised people of the city have the right to enjoy the city the way every citizen do (Harvey 2008, 2012; Lefebvre 1968, 1996).

The city of Masvingo has failed to benefit from all the potential benefits that other cities have been driving from the integration of informal sector in their economies because the city does not fully embrace the phenomena of informality. Despite the fact the informal sector is believed to be using between 80 and 90% of city's space, the city is unmoved by these prospects. Integrating informality in the mainstream economy of the city will result in giving these people their rights to the city (Harvey 2008, 2012; Lefebvre 1968, 1996) and also benefits from the economic benefits that come with this integration which include

creation of employment (Kamete 2013, 2017). Kamete (2013) observed that planning in Zimbabwe is characteristically conservative, least compromising and strongly technocratic, which therefore give it very little room of flexibility in order to integrate the upcoming livelihoods of the urban poor. It therefore denies the urban poor their rights to contribute in shaping the city according to the desires of their hearts. Denying them these rights like what is happening in the city of Masvingo is a refusal of the role that the informal sector can contribute to the economy and failure to capture economic benefits that comes with integration of informality. Rights to the city allows for all city inhabitants to have access to city space and access to city services. Failure to provide such services is travesty of justice to the marginalised people and a denial of their rights to the city (Schlosberg 2004; Jerome 2016; Devas 2001). Jerome (2016) further argued that cities should allow every citizen to move through and into public spaces because cities should reflect their demographic diversity in spaces such as city streets, parks and public squares. The people in the informal sector, like any citizens of the city of Masvingo therefore have the right to enjoy access to all city spaces and produce a living out of the city. According to Lefebvre (1996), there is no right to the city when some people are denied access to the city centre because the city centre is the place of encounter so that every citizen should have the right to access it.

The situation obtaining in the city of Masvingo where only 6% think that the city embraces the issues of informality cement the fact that the city is doing very little tangible towards promotion of development and growth of informality in the city. Their insistence on old and colonial regulatory instruments that do not recognise the activities of informality has continued to see the marginalisation of activities of the informal sector in the city. The city has been using various pieces of legislations to suppress the development and growth of informal sector. One of the pieces of the notorious piece legislation that has been used to suppress the development and growth of informal sector is the old and colonial Hawkers Licence Act. This colonial piece of legislation regards informal activities as predominantly rural traders who come to town to sell their agricultural products. This piece of legislation does not allow such activities to be carried out in the city centre and those vendors were only allowed to sell their wares only if they were issued

with a licence from the city council to carry out such activities. Without that licence all such trading activities were deemed illegal and the city authorities were empowered to confiscate these goods and arrest the vendor. With such pieces of legislations it is very difficult to think of informal integration in the city of Masvingo. The definition of informal activities in this piece of legislation continue to trivialise the activities of informal sector, because informal sector of today has grown to be the drivers of the economy (Kamete 2013, 2017).The informal sector is however a critical sector in the economies not only of the global South but also in the North where it is generating in excess of 130 million Euros annually (Gunsiliuns et al. 2011). The informal sector is no longer a sector for survivalist like other scholars want to call it (Rogerson 2004) rather it is a sector that can contribute significantly to economies of cities. They further argued that the omission of contribution of informal sector to the economy has created a statistical illusion that economies of cities of the global South are stagnant but in actual fact a lot has been contributed by the informal sector. ILO (2000) added that informal sector though once regarded as a sector for the poor and regarded as synonymous to poverty, it a sector that has exhibited a high degree of heterogeneity where both the poor and even highly profitable activities are done. There is need for reformation in the city of Masvingo in terms of their legal instruments that regulate informality in the city. However the city of Masvingo has never moved an inch to reform such instruments to reflect the new thinking towards informality. This is obtaining despite moves by the government to promote informal activities by promulgating an enabling regulatory framework in form of policy pronouncement and enactment of legislative instrument that promote informal development and growth of the informal sector. Some cities that have embraced informality are reaping a lot because this sector has been the major source of employment creation in the face of shrinking formal sector (Kamete 2013). In other cities such as cities in Ghana where the informal sector was totally embraced an economic sector, the sector has been contributing over 90% of new jobs created (Devey et al. 2007; Yaw 2007), in the sub-Saharan region the sector has been contributing more than 72% of non agricultural workforce (Devey et al. 2007). In Kenya and Uganda the informal sector has

exceeded the formal sector in terms of employment creation (Jackson 2012).

The city of Masvingo should therefore take steps to repeal some of its repressive legislations and come up with new regulatory framework that reflect the current situation in the city. For a city whose economic base is more than 80% informality, the city should surely reform and address the integration problem in the informal sector. In Harare, they have come up with a new hawker's permit that allows the informal activities to be carried out in the city centre as part of the integration programme. They have repealed the old and colonial Hawkers Licence and introduced the new Hawkers permit, which is a licence for informal sector to operate in designated spaces in the city centre. As a result the city is moving towards giving the informal sector their rights to the city as they are allowing them to be part of the development process in the city. In this way they are therefore allowing the informal sector to develop the city according to the desires of their hearts (Harvey 2008, 2012). Harvey (2012) advocated for rights to the city that allows the city inhabitants to change and innovate the city more to the liking of their hearts. He argued for dismantling of structures that promote exclusionary urbanisation processes. It is a fact and a reality that currently vendors in the city of Masvingo are no longer temporary and rural traders but they are citizens of the city who are involved in various activities that range from manufacturing, repair, service and street vendors. It therefore calls for the city to have another look on such pieces of legislation so as to create enabling environments for the operation of informal activities in the city and the integration of the sector in the mainstream economy. In this way they will be giving these people their rights to the city because there is no right to the city without rights to the city centre (Lefebvre 1996). Rights to the city are fundamental in creating social justice and its denial is an attack on the civil liberties of the affected individuals (Mitchel 2003).

The city council of Masvingo has also crafted another by-law that was meant to buttress the adopted colonial pieces legislative instruments by promulgating the Masvingo Council Vendors by-laws of 2015 which is more of a regulatory tool than a toll that promote development and growth of informal sector. It required all vendors operating in the city to be licensed by the city council and the same instrument empowers the city to confiscate and sell by public

auction all goods and items that are sold at undesignated places. The permits that were given to these informal activities did not allow these people to operate in the city centre but were given spaces that were outside the city. The most common site is the *Chitima* market, which is located outside the city close to Mucheke river. This by-law was also meant to support the Regional Town and Country Act (chpt. 29:12), which demands all urban space users to obtain a permit from the city council to operate in the city. Failure to do so, the act empowers the local authority to confiscate all the goods being traded. People in the informal sector in the city of Masvingo are therefore frequently raided by the municipality police armed with these legislative instruments. Goods confiscation and the arrests of informal people was total violation of these people's rights to the city. The city council has failed to consider the provision of the Regional Town and Country Act (chpt. 29:12) so that they create instruments that can regularise activities of the informal sector so as to allow them to operate legally. However according to section 27 of Regional Town and Country Act, local authorities can regularise all activities that are operating outside the provisions of the act. Such provisions have been ignored by the city authorities because they want to pursue the neo-liberal urbanisation policies that seek to create clean and orderly cities in an attempt to build world class cities. Such policies are however likely to result in gentrification and homogenisation of cities, which have been instruments of exclusion in cities (Mitchel 2003). The urban poor have therefore been prevented from claiming their rights to the city because of these exclusionary instruments. These exclusion policies have prevented the urban poor from participating and appropriating city space, which is a violation of their rights to the city (Munya et al. 2015). Regularising activities of the informal sector can go a long way in integrating the activities of the informal sector because it mainstreams them in the economy of the city and allow them to participate in the development of the city. Their participation should allow them to take part in decision making processes especially decisions that lead to production of urban spaces (Munya et al. 2015). The call for regularisation of activities of the informal sector is in light of the contribution the informal sector is making to the economies of cities of the global South in general, and Masvingo in particular. If the city could regularise activities of informal

sector it will iron out all the clashes and the violence that characterise the relationship between the informal sector and the city council. This regularisation can also give the city council power to plan for the informal sector and this will help to integrate activities of the informal sector in the mainstream economy and also to provide services that will improve the working environments in the informal sector. Regularisation will also allow people in the informal sector to have unallienated rights to access and use urban space (Lefebvre 1968, 1996; Harvey 2008, 2012). According to UN-Habitant (2010a) there is need for legal instruments that support the rights to the city of the urban poor.

The operating pieces of legislation in the city of Masvingo have therefore been long overtaken by events, because informality is the new form of urbanism and therefore calls for embracing of urban informality into the urban diversity and planning system should caters for this diversity (Sandercock 1998). The existing pieces of legislation are only used to criminalise the operations of informal sector and their criminalisation means that they are outside the provisioning system of the city. Such rigid city governing systems have an effective impact of restricting city inhabitants' rights to pursue their rights (Simone 2005). He further argued that rights to the city should allow cities to be used as arenas to achieve mutable aspirations to varying degrees of realisation. Cities are therefore accused of failing to create institutional structures that allow the heterogeneity of cities of today to be held together. Informal sector because of the contribution it is making to economies of cities of the global South, demands a special attention from the city authorities, to try and embrace it as new form of urbanism (Roy 2009). Roy (2009) further argued that the traditional planning systems are failing to provide for the diversity of urban societies so there is a need for a new planning theory that will reorient town planning systems so that they will plan for the urban poor and the diversity of urban society.

In South Africa the government has taken a deliberate policy to promote small enterprises by giving incentives that stimulate development and growth of informal activities (Valodia 2001; Devey et al. 2007). They have pronounced a suite of policy reforms that are aimed to develop informal activities and these measures include provision of financial assistance, advisory services and training facilities to

the informal sector. All these initiatives were done after realising that informal sector is an indispensable part of urbanisation process in contemporary cities and that the informal sector is also the solution to urban poverty. Such initiatives are therefore positive moves towards integration of informal sector in the mainstream economy. In some countries such as Ghana, Kenya and Uganda, informal sector has been well developed because the governments have been supporting the sector such that it has been developed to be a sector where people entre as a career choice (Jackson 2012). The informal sector in their cities have been supported just like the formal sector because the informal sector in these countries have been the major players in employment creation (Yaw 2007; Devey et al. 2007). In this way cities will be planning for inclusive city by catering for a wide range of urban inhabitants including the marginalised and vulnerable groups of the society. Such interventions are very critical in creating a sustainable city and are the fundamental for creating an inclusive city (UN-Habitat 2010a, b). Table 2 below shows list of instruments that are used by the city of Masvingo exclude activities of informal sector from the city centre.

The operating Town Planning Zoning system does not recognise activities of the informal sector hence they do not have space for these activities. The city centre is purely a commercial zone hence all activities that are not commercial are not supposed to in the city centre. Therefore informal activities, which do not fall under any defined land use in the zoning system, do not have space in the city centre. This therefore equips the city authorities to chase all informal activities out of the city centre. Also the environmental management system in the city does not allow activities to be carries out at places where there are no sanitary facilities and infrastructure for waste management. Therefore informal activities, which are carried out in

Table 2 Instruments used to criminalise informal activities in Masvingo. *Source*: Field survey (2016)

Hawkers License Act
Environmental laws
Town planning and zoning
Company registration requirements
Taxation regimes

streets are deemed illegal and prohibited. The company registration Act requires all operators to have a company registration certificate, which defines the name of the company and the activities that it is involved in. It also compels them to have a fixed place of operation so that they can easily access the company for taxation purposes. Therefore the question whether informal activities are legal or illegal depends on the existing regulatory instruments. ILO (2000), argued that the illegality of informal activities is a result of the non-applicability of existing regulatory systems where the operating regulatory framework has been overtaken by events to the extent that they do not reflect what is currently obtaining on the ground. Klein and Tokman (1993) added that the illegal status of informal activities is a result of inadequate legislative framework and inefficient bureaucracy that delays the legalisation of informal activities. Most of the legal systems in the city of Masvingo do not recognise the existence of informal activities because of their rigid nature hence they have taken so long to recognise the new forms of urban land uses that are coming up as a result of urbanisation of poverty. Informal activities are therefore coming up as a result of urban people responding to the increased prevalence of poverty in urban areas. Informality is therefore a new form of urban land use that has grown to become the form of urbanisation in today's' cities (Roy 2009). The systems that are regulating urban areas are therefore old, inappropriate, inadequate and inefficient to deal with the phenomenon of informality (UN-Habitat 2010a). These systems therefore need to change so that they embrace these new forms of urbanism (Chirisa and Dumba 2011).

Informality is no longer a livelihood for the marginalised neither can it be regarded as activities of low productivity or petty trading, rather informal sector is an urban reality that has proved to be the main driver of economies of cities not only in the global South but also in economies of cities of global North. According to Roy (2009), cities of today need a new planning theory that will accommodate the new forms of urban land uses especially those that are coming as a result of urbanisation of poverty. Cities can no longer afford to develop sustainably without the informal sector because informality has developed to be the form of urbanisation. The restrictive and segregatory legislative systems in cities are therefore limiting the

growth of informal activities especially in cities of the sub-Sahara Africa (Potts 2008; Kamete 2013).

The need for modernisation and development of world class cities that has been the major policy driver in development of cities in the global South has resulted in suppression of growth of informal activities in cities. There is increasing need for gentrification in these cities, which has resulted in increasing vulnerability of the urban poor because the gentrification process does not foster social mix and social cohesion in these cities (Lees 2008). In the process of gentrification of neighbourhoods the poor are more likely to suffer the brand of deprivation as the city authorities focus on creation of world class cities neglecting the needs of the poor. Cities of today therefore need to go through some legislative reformation that will create legal framework for operation of informal sector and recognition of the livelihoods of the poor. This will help cities to reflect the prevailing situations in the city. When there is such legal framework, the city authorities will be compelled by the operating legal framework to provide for such new land uses and integrate informality in their development agenda. The prevailing situations in the city of Masvingo where there is no legal instrument that support the growth and development of the informal sector paints a gloomy picture of the development and integration of informal sector in the city.

The 1996 constitutional provision of South Africa compels South African city authorities to improve the quality of life for all citizens including the informal sector. This initiative sets the tone for inclusive legislative framework that calls for embracing all the city inhabitants in its supreme legal framework. Such initiatives will auger well with the dictates of rights to the city, which call for all city inhabitants to have access to the city and its services. Rights to the city are therefore a move towards dismantling all the exclusionary social structures and practices that disenfranchise other city inhabitants of their rights to the city (Coggin and Pieterse 2012). It is a call for reformation of city and it's structures that produce urban space to produce an urban system that enables people to claim from their society resources that will allow them to meet their basic needs (Mustafa and Leitte 2002). Therefore in a society that have a legal framework that assure inclusivity, all city inhabitants will be covered so that they are protected from hazardous effects of the environment, but in situation where there are exclusive

social structures the marginalised will continue to exist outside the provisioning systems of the city. Rights to the city regard cities as centres which discharge justice, equity, democracy and development of human potentials (Marcuse 2009). However in the city of Masvingo there are still running the affairs of the city using unresponsive and rigid institutions. Such institutions rarely respond to the demands of globalisation and rapid urbanisation (Chirisa and Dumba 2011).

Contemporary cities have developed to be so diverse which makes it difficult for traditional planning systems to cater for such diversity, cities therefore need to change the way they do their business so that they catch up with the ever-changing nature of our cities. Contemporary city planning therefore needs to embrace this city diversity (Fainstein 2006; Sandercock 1998; Roy 2009). Rights to the city calls for cities to offer several claims to both individuals and social groups (Jerome 2016; Lefebvre 1996, 1968; Fainstein 2006; Simone 2005). Simone (2005) further argued that cities should be able to cater for the ever changing aspiration of the city inhabitants. However, some cities of today, whose developmental initiatives are directed by neo-liberal urbanisation policies have developed to be instruments of social disenfranchisement because of their segregatory policies. These policies are failing to provide for the urban diversity because the urban poor and other marginalised groups are not catered. In these cities small groups of urban elite communities are dominating the definition and use of urban space and it is their interests that are protected by the regulatory systems (Wilson et al. 2008). This planning system has therefore failed to reflect the diversity of urban society in these cities in terms of providing all city inhabitants with services that allows them safe living. This is not sustainable as it violets the neglected people's rights to the city (Lefebvre 1968, 1996; Harvey 2008, 2012). All city inhabitants according to the dictates of rights to the city should have unalienated rights to use urban space and enjoy city services (Lefebvre 1968, 1996; Harvey 2008). UN-Habitat (2010a), further argued that cities in the twenty-first century are faced with a lot of challenges hence they need to be pro-active in their planning so that they take care of the emerging issues such as poverty and rapid urbanisation. Cities need to create environments that work for all citizens by creating opportunities for both the urban poor and

the rich. Informality according to UN-Habitat ([2010b](#)) has been contributing significantly to the development of economies hence the planning systems in urban areas should plan to tape the vast resources that are in the informal sector for economic development. They also need to plan for the emerging land uses so that they create cities that are sustainable and inclusive. The urban poor like any other citizen need to be provided so that they live, work and play in environments that are safe and liveable. This augers well not only with human right but also with environmental justice.

Conclusion

Informality has been growing in importance in cities not only of the global South but is also giving livelihoods to urban dwellers even in the global North. It is a source employment and has been contributing significantly to the Gross Domestic Product of countries. The growing importance of the informal sector is calling for integration of the sector into the main stream economy. However in the city of Masvingo the informal sector has been on the side lines in this development trajectory for a long time and the city has not been able to tape the vast resources from the informal sector. The informal sector has not been part in the development of the city but there is a growing demand for space by people in the informal sector. This mismatch of demand and the needs of the people in the informal sector have created fertile grounds for contestations between the informal sector and the local authorities. The city of Masvingo has a lot structures that are in place to disenfranchise the people in the informal sector of their right to the city. These structural impediments include use of municipal police sometimes in conjunction with the Zimbabwe Republic police to chase people in the informal sector out of the city centre. The city's regulatory system has also been used to arm these municipal police to chase the people in the informal sector out of the city centre. Some of the pieces of legislation are very old which were borrowed from the colonial pieces of legislation and they have not been repealed up to this day to enable integration of the informal sector in the main stream economy. Some of these pieces of legislations were promulgated way back before the issues of informality were not even issues in urban areas.

Reflections in the contemporary urban areas are that informality is not a transitory issue in our urban areas but id the way of urbanisation; hence there is need for embracing such emerging urban issues.

References

Alijev, H. (2015). Post-Soviet informality: Towards theory building. *International Journal of Sociology and Social Policy, 35*(3/4), 182–198.

Brown, D., McGrananhan, G., & Dodman, J. (2014). *Urban informality and building a more inclusive*. London: Resilient and Green Economy.

Chambers, R., & Connway, G. R. (1991). Sustainable rural livelihoods: Practical concept for 21st century, IDS discussion paper 296.

Chidoko, C. (2013). An economic analysis of the determinants of entrepreneurship. The case of Masvingo. *Russian Journal of Agricultural and Socio-economic Science, 3*(15), 17–21.

Chirisa, I., & Dumba, S. (2011). Spatial planning legislation and historical and contemporary challenges in Zimbabwe; A conjectural approach. *Journal of African Studies and Development, 4*(1), 1–13.

Coggin, T., & Pieterse, M. (2012). Right and the city: An exploration of interaction between socio-economic rights and the city. *Urban Forum, 23*(3), 257–278.

Devas, N. (2001). Does the city governance matter for the poor. *International Planning Studies, 6*(4), 393–408.

Devey, R., Skiner, C., & Valodia, I. (2007). Second best? Trends and linkages in formal economy in South Africa. Development Research Unit, Working paper no. 06/12.

Ellis, F. (2000). *Rural livelihoods and diversity in developing countries*. Oxford: Oxford University Press.

Fainstein, S. S. (2006). Planning and the just city. A paper presented at a conference on searching for the just city, GSAPP, Colombia University 29 April 2006.

Government of Zimbabwe. (2002). *Small micro and medium enterprise Policy and Strategy Framework*. Harare: Government Printers.

Gunsiliuns, E., Spies, S., & Garcia-Cortes, A. (Eds.). (2011). *Recovering resources, creating opportunities, integrating the informal sector into solid waste management*. Berlin: Duetsche Gesellschaft.

Harvey, D. (2003). Debates and Development, The right to the city. *International Journal of Urban and Regional Research, 27*(4), 9–44.

Harvey, D. (2008). The right to the city. *New Left Review, 53*, 23–40.

Harvey, D. (2012). *Rebel cities, from the right to the city to urban revolution*. London: Verso Books.

Houghton, J. (2010). Negotiating the global and the local: Evaluating development through public and private partnership in Durban South Africa. *Urban Forum, 22*(1), 75–93.

Huchzermeyer, M. (2011). *Cities with slums: From informal settlement eradication to a right to the city in Africa*. Cape Town: UCT Press.

ILO. (2000). *Employment and social protection in the informal sector*. Geneva: ILO.

Jackson, T. (2012). Cross cultural management and the informal economy in Sub-Saharan Africa: Implications for organisation, employment and skills development. *The International Journal of Human Resources Management, 23*(14), 2901–2916.

Jerome, K. (2016). Seeing inclusion and the right to the city. In M. Behren, K. Culdak, W. Bkow, C. Stunck (Eds.), *Inclussive city*. Fachmedien, Wees Baden: Springer.

Jones, J. L. (2010). Nothing is straight in Zimbabwe: The rise of Kukiya-kiya economy 2000–2008. *Journal of Southern African Studies, 36*(2), 285–299.

Kamete, A. Y. (2007). Cold hearted, negligent and spineless? Planning, planners and the rejection of filth in urban Zimbabwe. *International Planning Studies, 12*(2), 153–171.

Kamete, A. Y. (2013). On handling urban informality in Southern Africa. *Geografrisken AnnalerB, Human Geography, 95*(1), 17–31.

Kamete, A. Y. (2017). Governing enclaves of informality: Unscrambling the logic of the camp in urban Zimbabwe. *GeoForum Urban Geography, 81*, 76–86. https://doi.org/10.1080/02723638.2017.1298219.

Klein, E., & Tokman, V. E. (1993). Informal sector and regulations in Ecuado and Jamaica, OECD working paper no. 80, OECD Center.

Lees, L. (2008). Gentrification and social mixing; Towards an inclusive urban renaissance. *Urban Studies, 45*(12), 2449–2474.

Lefebvre, H. (1968). *Le Droitala Ville (The right to the city)*. Paris: Antropos.

Lefebvre, H. (1996). *Writings on cities*. Cambridge: Blackwell.

Marcuse, P. (2009). From critical urban theory to right to the city: Analysis of urban trends, culture, theory. *Policy Action, City, 13*(2–3), 175–197.

Miraftab, F. (2009). Insurgent planning, situating radical planning in the global South. *Planning Theory, 8*(1), 32–50.

Mitchel, D. (2003). *The right to the city, social justice and fight for public space*. New York: Guildford.

Montag, W. (2009). War, markets: The place of the global South in the origins of neo-liberals. *Global South, 3*(1), 120–135.

Munya, A., Hussain, N. H. M., & Njuguna, M. B. (2015). Can devolution and rural capacity trigger de-urbanization? Case studies in Kenya and Malaysia respectively. *GeoJournal, 80*, 427–443. https://doi.org/10.1007/s10708-014-9559-5.

Musoni, F. (2010). Operation Murambasvina and the politics of street vending in Zimbabwe. *Journal of African Studies, 36*(2), 301–317.

Mustafa, D., & Leitte, G. (2002). Right to the city: Homage or new societal ethics? *Capitalism, Nature and Socialism, 13*(2), 58–74.

Parnell, T., & Robinson, J. (2012). Retheorising cities from the global South; Looking beyond neoliberalism. *Urban Geography, 33*(4), 593–613.

Potts, D. (2008). The urban informal sector in Sub-Saharan Africa: From bad to good (and back again). *Development Southern Africa, 25*(2), 151–162.

Rogerson, C. M. (2004). Pro-poor local economic development in post-apartheid South Africa: The Johannesburg fashion district. *International Development Planning Review, 26*(4), 401–442.

Roy, A. (2005). Urban informality, towards an epistemology of planning. *Journal of American Planning Association, 71*(2), 147–158.

Roy, A. (2009). Why India cannot plan its cities: Informality, insurgence, and the Idiom of urbanization. *Planning Theory, 8*(1), 76–87.

Sandercock, L. (1998). *Towards Cosmo polis; Planning for multicultural cities*. New York: Wiley.

Saumngweme, T., Matsvai, S., & Sakuhuni, R. (2014). Econometric analysis of employment, output and growth of the informal sector in Zimbabwe, (1985–2013). *International Journal of Economics Research, 52*, 1–9.

Schlosberg, D. (2004). Reconciling environmental justice, global movements and political theories. *Environment Politics, 13*(1), 517–540.

Sembiring, E., & Nitvattananon, T. (2010). Sustainable solid waste management; Towards inclusive society: integrating informal sector. *Resource Conservation and Recycling, 54*, 802–809.

Simone, A. (2005). Right to the city intervention. *International Journal of Post-colonial Studies, 7*(3), 321–525.

Sonobe, T., Koten, J. E., & Otsaku, K. (2011). The growth process of informal enterprises in Sub-Saharan Africa: A case study of metalworking cluster in Nairobi. *Small Business Economy, 36*, 323–335.

Taru, J. (2013). NGO projects and urban livelihoods activities: Lessons from institutionalised urban gardens in Masvingo. *Basic Research Journal of Social and Political Sciences, 2*(1), 4–11.

Torini, M. (2015). Modes of technification expertise: Urban controversies and the radicalness of planning. *Planning Theory, 14*(1), 70–89.

Turok, I., & MacGranahan, G. (2013). Urbanisation and economic growth: The arguments and evidence for Africa and Asia. *Environment and Urbanisation, 25*(2), 465–482.

UN-Habitat. (2010a). Land in support of sustainable urbanisation. In *Proceedings of third African Ministerial conference on housing and urban development, Bamako, Mali*, 22–24 November 2010.

UN-HABITAT. (2010b). Land in support of sustainable urbanization. In *Third African Ministerial conference on housing and urban development 22–24 November 2010, Bamako Mali*.

UN-Habitat. (2012). *Sustainable housing for sustainable cities, A policy framework for developing countries*. Nairobi, Kenya: UN-Habitat.

Valodia, I. (2001). Economic policy and women's Informal work in South Africa. *Development and Change, 32*, 871–892.

Wilson, S., Hutson, M., & Hujahia, M. (2008). How planning zones contribute to inequitable development, neighborhood health and environmental justice. *Environmental Justice, 1*(4), 1.

Yaw, A. D. (2007). Promoting the informal sector as source of gainful employment in developing countries: Insights from Ghana. *International Journal of Human Resources Management, 18*(6), 1063–1084.