

Governance and Agency in Poor Communities: A Lo'Glo'cal Approach

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ABSTRACT

Global environmental change has created a new urgency for the development of governance systems to deal with the associated challenges. In so doing, effective governance systems must include actors from all levels of society, especially those actors most vulnerable to changes in the global environment.

So far, the global poor have suffered from misguided and inadequate development due to governance systems that overlook their potential contribution. While they are most vulnerable to global environmental changes, they are the least represented in governance processes, both at global and local levels. Local strength, in responding to threats and vulnerability, rarely translates to a global movement that improves the lives of poor communities the world over.

This paper seeks to gain a better understanding of how best to build on the existing capacities of the poor and strengthen their participation in governance processes. It will examine how governance systems can be used to enhance poor communities use of global networks of knowledge and increase their ability to strengthen themselves locally.

Building on a growing body of literature (Appadurai, 2000; 2001; 2004) and drawing upon a recent case study of a devastating fire in an informal settlement in Cape Town, South Africa, one of the many serious risks that poor communities face is examined. In this instance, by accessing an international knowledge network of poor communities, they were able to form collaborative partnerships with local government and become directly involved in the reconstruction of their own settlement. This was done by drawing upon lessons learnt, from this network, by communities as far away as Pakistan and Chile.

Based on these findings, under the right conditions, poor communities often hold the best solutions to their own development. Drawing on these experiences of linking local knowledge to a national and global level, has increased the ability of poor communities to cope with vulnerability and to help steer their own development path.

In so doing, a lo'glo'cal approach is necessary. This is when poor communities can draw their strength by mobilising their knowledge and capacities from international networks, in order to link the local with the global and back to the local again. By engaging in such a process it will strengthen their ability to engage equally in governance processes which will further enhance their own development.

Introduction

The frequency of flood events - particularly linked to climate change - and their impacts on the lives of those living in risk-prone areas continues to grow in prevalence and size everywhere. Settlements located in flood prone areas present clear risks to health and livelihoods but may also point to other socio-political challenges that sabotage residents' safety and wellbeing. For example, Mukheiber and Ziervogel (2007:5) point to municipal adaptation planning and how it often fails to respond to local level adaptation needs, resulting in increased vulnerability. In the city of Cape Town, the authors point to the need for increased stakeholder and institutional engagement, to ensure equity and sustainability, despite often complex institutional arrangements between the city and its inhabitants. Studies in water supply (for the poor) in Cape Town, have also identified institutional planning discrepancies as key barriers to water supply in the context of a variable and changing climate in an expanding city (Ziervogel et al. 2007). The first people to suffer these consequences are the poor, who are usually constrained to living in risk-prone areas, ecosystems, and for their future persistence (Midgley et al. 2005:i).

Community participation and social partnerships between public and private bodies have been offered as a solution to the risk management debacle (Coates et al. 2001), but despite significant investments in capacity building, Southern Africa's regional mitigation capabilities against (socio-economic and climate) risks remain low. Theoretical and academic debates around this have grown and with it concepts such as 'social capital', 'social exclusion' and 'governance' (ibid: 1), pointing to institutional coherence as the main source of persistent risk.

This paper uses a city scale empirical case study of urban fire management in the City of Cape Town to explore the institutional context in which actors are currently managing fire events and the extent to which they draw on other stakeholders' knowledge and capacities to reduce local level vulnerability to fire. This paper seeks to gain a better understanding of how best to build on the existing capacities of the poor and strengthen their participation in governance processes. It will examine how governance systems can be used to enhance poor community's use

of global networks of knowledge and increase their ability to strengthen themselves locally.

An understanding of these factors will draw on the strengths of stakeholders, particularly the poor, by drawing on their knowledge and capacities from international networks, in order to link the local with the global and back to the local again, a term we refer to as '*lo'glo'cal*'. By engaging in such a process will strengthen the poor's capacity to engage equally in governance processes and address factors that impede risk management, which itself will enhance their own development adaptation. The paper draws on new nodal governance literature and by reviewing the current insitutional setting demonstrate opportunities for a collaborative response to fire risk in urban areas.

An Overview: A Nodal Perspective of Governance

Richardson and Allegrante (2000) in Lasker et al. note the 'need *for* partnerships in finding global solutions because most of the problems we will face in the 21st century will require multi-sectoral, multidisciplinary, and multi-component efforts. Based on this idea scholars have argued and demonstrated that the state is no longer the only provider of governance but is now just one of many actors involved. Furthermore, in developing this argument, Burris et al (2008:6) highlight two critiques of state-centred governance, that:

- the 'old' institutions of traditional governance (state governance) are no longer working well; and
- the principle reason for this is that social systems have become too complex, diverse and particular for centralised, top-down governance approaches to offer sustainable solutions.

Wood and Shearing (2007) and Ostrom (2001), amongst others, have argued for the importance of 'polycentric governance'. In polycentric governance, multiple agencies, - or nodes - govern through a variety of forms of power, largely for their own interest and with far reaching collective impacts (Joerges, Sand and Teubner 2004; Slaughter 2004 in Hein et al., 2009). This paper therefore adopts the definition of governance as 'the management of the course of events in a social system' (Burris et al, 2005:30).

According to Hajer and Wagenaar (2003) the idea of governance has emerged as a response to the new reality of the 'network society' in which we live. Castells (2000) contributes extensively on this subject in his exploration of the 'Information Age' while emphasising that:

"Networks constitute the new social morphology of our societies and the diffusion of network logic substantially modifies the operation and outcomes in processes of production, experience, power and culture. (Castells 1996: 468 in Hajer and Wagenaar, 2003)

The most fundamental aspect of networks is that they emphasize that old-fashioned institutions struggle to manage complex networks capable of rapid reconfiguration. Here the workings of social systems (which they view as "outcome generating systems") are too complex to be fully understood. The authors view governance in such systems as having a nodal character (Burriss et al. (2008), Burriss et al. (2005), Hayek, 1960). The authors define nodes as 'institutions with a set of technologies, mentalities and resources that mobilize capacity of members to manage the course of events (Burriss et al, 2005).' Nodes are essential sites of governance while the interaction between groups of nodes is known as nodal assemblages .

Nodal governance elaborates on network theory to explore the ways in which actors (nodes) act and operate within a social system and interact within networks. It is in these nodes that technologies, mentalities and resources are housed and where knowledge is mobilized (Hatfield-Dodds et al. 2007, Burriss et al. 2005:33). Networks provide pathways in systems through which information is shared and processed. These nodal arrangements regulate other nodes and in doing so may facilitate the emergence of shared norms (Burriss et al. 2005).

Nodal government arrangements are particularly common in enhancing political and economic outcomes; with governments often looking to nodal arrangements for new opportunities for public service delivery while the private sector uses them to secure business opportunities. Such partnerships focus attention on problems relevant to the community, helping them document and communicate their responses and strengthen capacity through partnerships, to gain support of

other nodes that might block or promote their plans (Lasker et al. 2001) and even provide opportunities for mutual learning (Burris et al. 2005, Bovaird 2004).

However, it is important to stress the complex nature of governance that there is no single approach in planning and managing a particular issue. Shearing (2009) makes reference to the complexity of governance - with its explicit and non-explicit aspects - as a phenomenon requiring a nodal perspective. Therefore our focus in nodal governance should be on these complex assemblages, in order to better govern society .

The difficulty in realizing the future benefits of nodal connections has raised several analytical and policy questions, such as how return on investment may be maximized - what we need to know and do to take full advantage of networks and whether networks are indeed better than single agent efforts in realising desired common goals (Lasker et al., 2001). To begin to address these issues it is useful to refer to the characteristics of sustainable nodal governance.

'New Environmental Governance': Theory of Nodal Perspective on Governance

Much of the nodal governance architecture is growing and its features continue to change and develop (Gunningham 2009, Holley 2008). Notwithstanding this, several authors do agree on key characteristics of nodal governance based on components of the framework considered to counter the shortcomings of conventional governance.

Gunningham (2009:25) refers to this framework as 'New Environmental Governance (NEG)', "[This] NEG enterprise involves collaboration between a diversity of private, public and non-government stakeholders who, acting together towards commonly agreed (or mutually negotiated) goals, hope to achieve more collectively, than individually. The framework relies heavily on participatory dialogue and deliberation, devolved decision-making, flexibility rather than uniformity, inclusiveness, transparency and institutionalized consensus-building practices (op cit)". Similarly, in his thesis on NEG, Holley (2008) points to four crucial characteristics:

1. *Collaboration;*
2. *Participatory and deliberative aspirations;*
3. *Adaptability and learning; and*
4. *'New' forms of accountability.*

Burris et al. (2005:31-32) characterize nodal governance by “a plurality of actors (states, corporations, the World Trade Organization, ‘civil society’, criminal and terrorist gangs etc.), forming more or less interconnected governance networks; a plurality of mechanisms (force, persuasion, economic pressure etc); and rapid adaptive change.” Collaborative arrangements have also been described as transformative, in that some people and organizations change when exposed to partners with differing assumptions and ways of working (Mayo 1997 in Lasker et al. 2001:185). Lobel (2004) describes the organizing principles of a new policy model, consisting of increased participation of non-state actors, public/private collaboration, diversity and competition, decentralization and subsidiarity, integration of policy domains, flexibility and non-coerciveness (“soft law”), adaptability and learning, and finally, legal orchestration. Bovaird (2004:210-211), adds to this list transparency, ethical and honest behavior, the ability to compete, leadership and sustainability.

What is common about these characteristics is that they provide an account of how a governing order emerges from the operation of highly complex systems (Burris et al. 2005:34). It follows that in making this judgment, the context of the problem has to be taken into account as is true of all evaluations. For this paper we focus on four main characteristics, how they are conceptualized and their perceived advantages over the traditional regulatory framework; particularly in making sense of the poor’s agency in negotiating the regulation and change in key areas of their lives – in the case of this paper, housing.

1. *Collaboration (shared norms)*

To realize the desired outcomes of the collective, a certain set of 'rules of operation' and 'rules of law' have to be enforced to guide actor's decisions, behaviors and the exercise of authority between nodes. These are often guided by norms, which Hatfield-Dodds (2007:3) define as "...shared attitudes, values and cultural traditions which are maintained and transmitted by a wide variety of positive and negative rewards and they include esteem, access to resources, social support, and risk sharing arrangements.

The logic of collaboration in governance is historically framed by how partners (and those choosing not to collaborate) perceive their self-interest, itself determined by how they are held to account (Rochlin et al, 2008). Shearing and Wood (2003: 405) point to the importance of acknowledging that 'every empirical form of governance is a human invention...occurring as a product of actions of a variety of constituencies in response to perceived challenges and new objectives in their world'.

Furthermore, collaboration is seen as an instrument able to deal with complex issues which market based instruments and government led interventions cannot solve alone. This is largely due to the unbalanced demand on centralized knowledge that traditionally dictates standards for the collective (Holley 2008). For example, a variety of non-state actors may assume administrative, regulatory, managerial and mediating functions previously undertaken by the state (Gunningham 2009: 25).

Appadurai (2004) refers to this strengthening of capacity as an integral part of culture but warns that a shared culture cannot be equated to consensus. Collaborative governance therefore does not translate to the buy in of all stakeholders.

2. Adaptability (or fluidity)

Collaborative governance frameworks assume that all actors in the collectivity wish to be satisfied and work within the boundaries of the collaboration to realize this. According to Hayek (1973) in Burris et al. (2005: 36), the achievement of this satisfaction depends on the degree to which individuals have made adaptations to maximize their ability to tap into and coordinate the knowledge and capacity of

the collectivity. These adaptations include rules, principles, habits customs, traditions and values; all of which can collectively be seen as forms of regulation.

Given the complexity of relationships between actors in collective governance, the idea of 'adaptive' management was introduced by Holling (1978) as a critique of science and its basis on centralized expert management practices that gave too little attention to the complexity and uncertainty of ecosystem processes (Hatfield-Dodds 2007:2). Over time, this approach has led to a theory of system dynamics and regime phases in ecological systems and interdependent social-ecological systems – with explicit attention on the role and dynamics of governance arrangements (ibid). Holling's work intersects with that of Ostrom (1992) on the social dynamics of natural resource management. Ostrom's study of traditional land management arrangements challenges the idea of the tragedy of the commons¹ citing numerous examples of locally evolved institutional arrangements that have sustained common pool resources while identifying the principle institutional arrangements that enable adaptive governance (Hatfield-Dodds et al. 2007:2)

3. Participation (collective capital)

Participation offers an opportunity for all actors to participate in decision-making and has become largely synonymous with democracy. In the governance context, participation in particular focuses on the inclusion of non-government actors (such as community organizations, voluntary organizations and NGOs) offering them an opportunity to engage in decision-making.

Equally valuable is how such involvement can focus attention of partnerships on problems important to nodes, helps them communicate and document how their actions address their priorities, and gain the support of other agents and institutions (Lasker et al. 2001:186). In other words, building collective/social capital.

¹ A popular article describing how the actions of multiple individuals' self interest can lead to the destruction of a shared limited resource. See: Hardin, G. (1968) The Tragedy of the Commons. *Science*, Vol. 162(3859): 1243-1248.

Appadurai refers to the case of the poor in India where, through global collaborative partnerships, they have cultivated a 'voice' to express their views and get results skewed to their own welfare in the political debates surrounding wealth and welfare across societies (Appadurai 2004: 63).

Rather than relying on representative democracy, participation is an attempt to ensure nodal interests, allowing them increased control over issues important to their particular node, than simply the broad interests of the collective (Holley 2008). This understanding relates to Bourdeiu's 'habitus', that seeks to capture human being's conception of phenomena as those actions which reflect their purposes, desires and understanding of the world, but who nevertheless belong to the world and reflect their inherence in what they do (Crossley 2005); for example freedom and agency (see Appadurai 2004).

4. New forms of Accountability

Traditionally, elected officials and their appointees are accountable to citizens for governmental performance. With the new understanding(s) and practise of governance has come a shift in the levels and ways in which agents are held to account by the public against their associated expectations. Furthermore, given the multiplicity and dynamic nature of multi-stakeholder collaboration, a single principle would be too simplistic. Accountability in a collaboration is therefore likely to take on various forms (horizontal and vertical) depending on their respective sectors or groups.

Also, traditional accountability approaches may lack the flexibility needed for the elements of adaptation and learning to take place. Propositions for reforms to traditional forms of accountability have included 'peer review' processes, mutual accountability between collaborators, and third party certification or internal procedural roles for industry.

Holley (2008) draws a distinction between accountability approaches based on process or performance. Collaborative governance frameworks are best suited for performance based accountability to give collaborators and regulated actors the flexibility to decide how best to meet desired outcomes.

The discussion on the common characteristics of nodal governance provides a useful framework for understanding nodal perspectives on governance. The four characteristics above are arguably the core features of nodal governance. It shows how nodal governance provides an alternative means of governance that can deliver positive and effective benefits for a collective, often beyond the reach of either unilateral business or government actions.

Despite its potential as an effective regulatory approach, Holley (2008) and Gunningham (2009) indicate that nodal governance has received little interrogation in practice. This has raised numerous questions including when and how successful collaboration can be achieved through nodal governance, how collaborative arrangements can be sustained, the impact of individual aspirations on the sustainability of the nodal arrangement and issues around alternative forms of accountability. In his thesis, Holley (2008) responds to some of these issues to contribute to the gap between theory and practice by examining the conditions under which 'good' NEG can be achieved.

Governance and Agency of the Poor: Relationships and Assemblages

Global changes in the 21st century point indicate that people and things are part of complex and interacting assemblages (as outlined above). Thus, the social and physical realms are closely interconnected. As Latour (2005) argues, human beings have been living within a mentality that has imagined the world of people and things as fundamentally separate. The results of this thinking can be seen mainly in earth systems – the interface between human and earth systems – where environmental services have declined drastically in the recent past, particularly since the Industrial Revolution, because a result of the ways in which human beings have exploited the environment. The result has largely been the rise of very 'insecure' environments that struggle to support life as they used to.

At the heart of this loss of security has been the human costs associated with climate impacts that compromise the livelihoods of the earth's population; particularly the poor. For the purposes of this discussion, this phenomenon around security and earth systems is to be understood as an environmental security problem. Shearing (2009) asserts that, this problem as it turns out is a

security governance problem. In thinking about the current changes in climate and other related global social phenomena such as the economy, we ought to consciously govern the way that we as humans engage with earth systems.

Sen (1999) has engaged some of these ideas around human and earth systems governance in the context of welfare and economics, concluding that issues of freedom, dignity, and moral well-being are at the heart of these social changes. Furthermore, this has widened our conceptions of how human beings – particularly the poor – engage their own futures. Therefore our ideas of governance and agency of poor people has its starting point in the capabilities approach (Appadurai 2004:63) whose key question is: "How can we strengthen the voice of the poor to have and to cultivate 'voice'? This question is useful in understanding how (poor) people have come to manage and plan the flow of events, in particular social systems addressing their needs.

One of the principal ways in which we engage earth systems, is through economic activity (Shearing 2009). The current economy is highly extractive and wasteful, being built on a broad assumption of endless and infinite growth, and based on natural resources.

In response to the impacts of these misguided assumptions, poor people across the globe are engaging and organizing themselves into transnational advocacy networks, associations of grassroots NGO's, and are in the process of internationalizing themselves, thus creating networks of globalisation from below (Appadurai, 2004: 40).

Slum or Shack Dwellers International (SDI) (discussed below) has become one such platform for poor people to manage and plan the flow of events to address issues that concern them, by changing their terms of recognition.

Taylor (1997) first termed the concept 'terms of recognition' by highlighting the demand for recognition as the most fundamental aspect in politics. He argues that recognition is linked to the idea of 'identity' that designates something like an understanding of who we are, of our fundamental defining characteristics as human beings (Taylor, 1997: 98). Similarly, Shearing (2009) distinguishes between 'symbolic' and 'behavioral' order'. Symbolic ordering is where we present

ourselves as being modern (as opposed to what it really is); while behavioral order is a detailed order where people create a multitude of connections that make up their world.

Contemporary governance arrangements such as those demonstrated in institutions like SDI, point to the growth of a behavioral order. The poor are particularly useful to explore as a node, being deeply embedded with other nodes with loose boundaries and few divides between them and other nodes. The case of SDI demonstrates how the poor can and have influenced events to address key needs through their relationships with other nodes.

Fire risk in the Informal settlement areas of South Africa

In South Africa, the risk of fire and flooding in informal settlements has become common-place, particularly in the winter months when occupants rely on paraffin stoves, or even open fires, to warm their shacks. If knocked over, these stoves spread fire rapidly. An enumeration survey, recently undertaken in Joe Slovo by CORC, revealed that 82% of the settlement inhabitants had experienced a fire incident since moving to the settlement. A recent report by *Abahlali baseMjondolo* Movement (2008) reported that between 2001 and 2005, a total of 1003 people died in shack fires in South Africa. It also showed that shack fires are the second single deadliest type of fire after bush fires, and make up 25.7%, a quarter of all fires in South Africa.

Case Study : Joe Slovo re-blocking project

The framework outlined above has introduced nodal governance as an approach to engaging multiple stakeholders – particularly those previously excluded - in addressing development challenges. The core stakeholders in this case study includes SDI, iKhayalami, the residents of Joe Slovo, and the City of Cape Town's department of Disaster Risk Management.

Using a case study of a fire in the informal settlement of Joe Slovo in Cape Town, South Africa, we analyse the ways in which characteristics of the above framework

led to a more positive outcome for the informal residents of the Joe Slovo township.

The analysis looks at Shack Dwellers International, an international network of poor communities seeking local development solutions by sharing lessons learnt from its global community of the poor. We present the local context and outline events that led to the redevelopment process following the fire in Joe Slovo. The events are then linked to the four characteristics of new environmental governance and how they effected a change from the standard response to fire incidences by the City of Cape Town.

Shack Dwellers International (SDI) / Community Organisation Resource Centre (CORC)

SDI is a global network aimed at strengthening poor communities' own capacity to develop through the sharing of knowledge; nationally and internationally. What is unique about this movement is that it veered away from the traditional concept of NGO's, those run by typically Western, middle class people - and their ideals - who, by nature, are 'poorly placed to determine priorities for a movement of the urban poor.'

This framework ensures poor communities remain in the driving seat while professionals support through the provision of advice and guidance and regular exchanges aimed at helping communities learn from each other. In South Africa, SDI is represented locally by CORC,- an NGO linked to a number of domestic organisations seeking specific technical and social solutions for poor communities.

iKhayalami

One organisation supporting CORC is a housing solutions provider, Ikhayalami. iKhayalami's primary aim is to "design and manufacture very cheap housing solutions that are easy to transport and quick to erect in response to emergencies. iKhayalami also conducts research on "cost effective alternative and appropriate

technologies” to improve the quality and sustainability of structures and broader design of settlements.²

Much of iKhayalami’s knowledge is drawn from Hogar de Cristo, an NGO that has worked with poor communities in the *favelas*³ of Chile since the 1960s. Hogar de Cristo successfully negotiated a housing model where residents are consulted about their preferred housing models. The NGO advocates for in-situ housing rather than relocating residents to new developments often far from where they live. This process initially developed in Thailand and commonly referred to as ‘re-blocking’⁴ has proven to be cost effective in comparison to the traditional brick-and-mortar housing structures (Boonyabancha, 2005).

iKhayalami has therefore used this approach in resettlement design and blocking out initiatives in South Africa. One of the sites in which this approach has been used is in the Joe Slovo settlement area.

The Joe Slovo community

Joe Slovo is an informal settlement in Cape Town first populated in 1992. It has since grown rapidly due to urban in-migration. To address the issue of housing in Cape Town, the ‘N2 Gateway housing project’ was launched by government to replace the shacks in Joe Slovo with formal housing. The project was initiated by Dr Lindiwe Sisulu, then Minister for Housing (April 2004-May 2009), who described it as the “biggest housing project ever undertaken by any Government”, with an aim of building 25,000 housing units.

The community of Joe Slovo opposed this development, as it called for their relocation, and while promising to deliver new shelters to 70% of the inhabitants, it would also require that they have steady incomes to cover the costs associated

² Available online at www.ikhayalami.org.za. Accessed on 12th October 2009.

³ A favela (Brazilian Portuguese for *slum*) is the generally used term for a shanty town in many South American countries.

⁴ The reorganization of informal settlement areas so that shacks are simply no longer erected haphazardly, but are constructed in rows, back-to-back, with narrow pathways in-between

with maintaining their new homes. The Joe Slovo residents commenced what turned out to be a 15 year battle against National Government, taking the case to South Africa's Constitutional Court where, in July 2009, they were awarded access to 70% of the remaining undeveloped land.

Disaster Risk Management (City of Cape Town)

In Cape Town, emergency and crisis response is managed by Disaster Risk Management (DRM), a City of Cape Town (CCT) department whose role is to 'identify, prevent or reduce the occurrence of disasters'.⁵

Disaster Risk Management is responsible for all emergencies around Cape Town, from fires and floods through to oil spills and serious traffic accidents. Following large-scale emergencies, DRM representatives are dispatched to identify and quantify the scale of disaster and level of response required. They then liaise with the various departments of government, to coordinate the response and clean up operation where necessary.

The primary response to fire events in informal settlement areas is the provision of emergency fire kits. These are intended to support households that have lost their shelters and to help kick-start their rebuilding process. In Cape Town, a long standing logistical arrangement between the Provincial government and City means that while Province define and fund these emergency kits, the CCT is responsible for tendering and distributing them.

Distribution is usually a swift process, with the kits being delivered and handed out at the earliest possible opportunity, usually by the company holding the tender but overseen by DRM. To facilitate the process, DRM manage a list of residents, linked to the City Department for Informal Housing, to ensure that only households, listed as residing in the affected areas, receive material. Meanwhile, temporary accommodation is usually provided in nearby community halls for those affected. DRM limits its responsibilities to the provision of food, blankets and very basic building materials. As a result they are usually offsite within two to

⁵ <http://www.capegateway.gov.za/eng/directories/facilities/167612/167597> . Accessed on 25th October 2009.

three days, depending on the scale of the disaster, leaving little room for consultation with other stakeholders.

Context: Fire prevalence in informal South Africa

In South Africa, the risk of fire and flooding in informal settlements has become common-place, particularly in winter when occupants rely on paraffin stoves, or even open fires, to warm their shacks. If knocked over, these stoves spread fire rapidly. An enumeration survey, recently undertaken in Joe Slovo by CORC, revealed that 82% of the settlement inhabitants had experienced a fire incident since moving to the settlement (CORC and Joe Slovo Task Team, 2009). A recent report by *Abahlali baseMjondolo* Movement (2008) reported that between 2001 and 2005, a total of 1003 people died in shack fires in South Africa. It also showed that shack fires are the second single deadliest type of fire after bush fires, and makes up 25.7%, a quarter of all fires in South Africa.

CAPE TOWN ON FIRE NO MORE

On March 9, 2009 a fire swept through the informal settlement of Joe Slovo, razing 512 shacks and leaving more than 2,000 people homeless.

Over the previous year, the community leadership of Joe Slovo had began engaging with iKhayalami on the concept of blocking out. To achieve the aim of developing the settlement in which fires would be more controllable, to give way for the upgrade of key municipal services, and make it safer for residents in their fight for tenure - mapping and enumeration exercises were conducted.

In the past residents rushed to rebuild their shelters as a way of reclaiming their previously occupied land. With blocking out in mind, the settlers took part in the new design and planning of their area. iKhayalami persuaded the City to temporarily halt its distribution of material so as to slow down the rate of rebuilding in the affected section. Settlers were introduced to the idea of 'blocking out'¹, and its implications - primarily on the size of their shacks (many would have to downsize their shacks to a standard 15m², in order to be resettled into the available space). - iKhayalami acted as a broker in these negotiations and offered additional material as an incentive for settlers to participate in the blocking out process.

The result was the community led construction of 125 solid shelters ordered neatly and in rows.

Methodology

Data for the case study was obtained by using the data triangulation method. Moran-Ellis et al. (2006) explained data triangulation as the potential for 'knowing more' about a phenomenon through the use of different research methods in one empirical investigation. The study draws on data generated semi structured

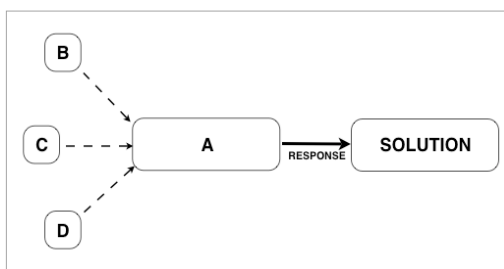
interviews, participant observation, and discussion forums⁶ (these are community forums) largely conducted by CORC. The community forums have been most useful for data access as they involved the collective participation of government departments, informal settlers, NGOs and academic institutions around the issues of fire and flooding in the city's informal settlement areas. These forums were held over a period of three months and were hosted by the affected communities. This study is part of an ongoing programme in the City of Cape Town⁷.

Analysis and Discussion

The events of the Joe Slovo fire, and subsequent blocking out are analysed in relation to the theoretical framework outlined for nodal governance and new environmental governance. This analysis will begin with a brief introduction of two forms of responses, the 'linear' and 'matrix', before going into an analysis of Joe Slovo and the nature of the way in which a more inclusive and representative solution was reached in regards to housing in the settlement.

For the purposes of this paper, the conventional and proposed way in which solutions can be identified will be outlined. They will be termed the 'linear' and 'matrix' response respectively.

'Linear' Response

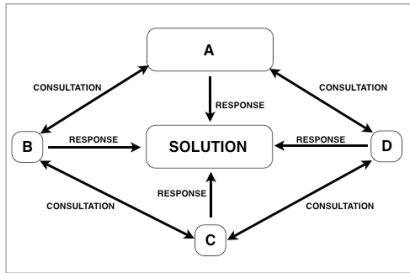


In conventional, risk linear responses, one stakeholder (A) - usually dominant - commands the decision making process. As ultimate gatekeeper, that stakeholder unilaterally makes response decisions to achieve a desired outcome or solution.

⁶ A series of People Dialogue Forums that aims to bring together a wide range of settlement representatives with a common interest in, in-situ Informal Settlement Upgrading. Government officials and international speakers from SDI network are invited as speakers and respondents at these forums.

⁷ We acknowledge that the findings of this paper may be too limited to draw broad conclusions but can be used to point to an alternative method of risk management.

While influenced by third party stakeholders (B, C and D), the links of influence are often weak and informal, if at all.



'Matrix' Response

The matrix encourages the dominant stakeholder (A) to collaborate with other stakeholders (B, C and D), each with a vested interest in the final solution.

All stakeholders have proportionate involvement, each contributing values (physical or social) which other collaborators may lack. By consulting with each other, they are likely to address more concerns as each party will be involved in the overall response.

Collaboration

Given actions by nodes are almost universally regulated by 'rules of operation' and 'law' – from both internal and external sources - often results in limitations on the flexibility, and effectiveness, of responses. While rules apply equally for matrix as for linear responses, the latter is often content to be bound by these 'rules'. The nature of the matrix encourages constant jostling between nodes, challenging and opposing 'rules' not in the overall aim of the objective.

This highlights the reality that nodal objectives between nodes rarely align within the broader response. With the matrix, failure to recognise these nodal objectives can result in weaker solutions but by successfully managing stakeholders (Shearing and Wood, 2003) and acknowledging the individual strengths and weaknesses they bring to a network can also strengthen a response considerably.

In Joe Slovo, the blocking out process highlighted each nodes unique strengths in that government had the resources, iKhayalami the expertise of blocking out and the community the desire and access to improve their settlement.

Participatory and deliberative aspirations

Participation in governance processes suggests that those possessing a quality or resource to help solve problems, or conflicts, must be 'entitled' to participate.

(Gbikpi & Grote, 2001). This draws a sharp distinction between the top-down linear approach and the nodal matrix. While the former, by its nature, does not actively promote participation, a result of its 'rules of operation', the latter encourages broad based participation as a key component to identify solutions.

However, participation cannot be taken for granted and for its success, needs to be managed, in some cases coerced, upon the network - and occasionally - individual nodes. This often requires a participating node to adopt a gatekeeper role, helping to negotiate access for other nodes not initially involved.

Involving the Joe Slovo community in the planning process supported the governments aims of reducing wastage of infrastructure (and capital expenditure) as it integrated the communities actual needs into the planning process. This in turn has reduced the risk of vandalism as the community have a greater sense of ownership of the re-blocked area.

Adaptability and learning

The idea that all actors in a collective wish to be satisfied and work within the boundaries of a collaboration, to realize their desired objectives has been discussed alongside the need for adaptability. The role of regulation is key, both in linear or matrix responses. However, the linear response, by its top-down nature, acts contrary to ideas of collaboration and collective decision making.

Regulation is not simply confined to legal characteristics, but resides within social processes, market dynamics, and environmental constraints. In this way regulation dictates many of the ways in which nodes respond to situations. In the matrix, the nature of regulated nodes requires a high degree of adaptability, as individual nodal regulations may cause conflict. Each node must be willing and empowered to engage and adapt, to satisfy as many of the various forms of regulation governing the solution finding process.

For some nodes, this is easier than others as informal regulations are often more adaptable than formal regulations, such as those that control government. In Joe Slovo, iKhayalami played a highly adaptive role, by creating a platform for

discussion, acting as an intermediary between the community and government, partly because it was the least regulated of the nodes.

For government, adaptability is their greatest challenge as departments are strictly confined by their rules of operation and objectives. iKhayalami managed this rigidity by offering its own building material to supplement the government's pre-defined kit and incentivise the community to participate. Although initially withdrawn, once the community realised the benefits, including improved material and settlement layout, they became more responsive to participating.

New forms of accountability

Accountability is important in nodal collaboration for role setting and definition. Accountability also makes sense of the impact of the highly defined roles and mandates, often limiting collective responses. For example, by their mandate, DRM, is limited to deal with disasters only, and are not required to manage any reconstruction or development projects, a role assigned to the department for informal settlements within the City. Furthermore, DRM is a small unit relative to the number of risk incidences that they are required to respond to, and as a result the time they can physically spend in any one site is limited, again encouraging swift autocratic interventions that overlook the potential opportunities that could stem from collaborative governance.

One of the most important comparisons between the current response and that seen in Joe Slovo is that the latter focuses on long-term viability rather than temporal solutions. This stems from Hogar de Cristo's vision that poor countries should prioritise the housing crisis given that millions still live exposed to the harsh weather elements and lack basic levels of security. Blocking out, however rudimentary, attempts to address these issues.

In Joe Slovo, iKhayalami's played a role that was both regulatory and mediatory. This ensured that government participated in the partnership and most importantly, delivered what the community needed.

iKhayalami and the leadership of Joe Slovo drew on their relationship to amicably negotiate and co-ordinate roles to achieve blocking out. The two were able to tap

into their individual knowledge and capacities and collectively use these towards the blocking out. Thus, accountability for the success of the project no longer lay with government alone but was now shared.

CONCLUSION

The case of the Joe Slovo blocking out project draws on the challenges faced by many municipal and city risk management departments. In order to reduce fire risk and vulnerability in informal settlements, shack dwellers' knowledge and capacity have to be prioritised rather than focusing on long standing and entrenched practice(s) by government. Collaborating between nodes is not only important for finding sustainable solutions but can also be used as a tool for mobilizing the poor while reshaping institutional arrangements that cause risk.

This paper has outlined how nodal capacity can be built (as in the matrix response) to meet a very urgent priority, that is to address the vulnerability of the poor and build resilience in the city's fire management while at the same time responding realities of global climate change.

Numerous comparisons can be made between the conventional response by the City and this unusual yet successful example of blocking out in Joe Slovo. Firstly, while the former is a top-down response by government, aimed at maximising delivery time, the latter is a more collaborative approach engaging social processes (negotiation and conflict resolution) and using incentivisation to foster development processes.

One of the key attributes of success in Joe Slovo was the role of iKhayalami whose involvement helped increase productivity and ensuring construction costs were kept low and increasing the number of units they could supplement with their material. Community consultation and support were also vital through all stages of the process, leading to greater satisfaction in the finished shelter and a more cohesive community.

In the long term, the benefits for Joe Slovo are a stronger, more inclusive community. This has evolved alongside increased physical and social security as improved shelter quality protects people from exposure to fire and other security

risks, in turn reducing illness, increasing their productive capacity, and ultimately their dependence on government.

References

- Abahlali baseMjondolo, (2008). A Big Devil in the Jondolos : A report on Shack Fires, Available online: http://abahlali.org/files/Big_Devil_Politics_of_Shack_Fire.pdf, accessed on 23 October 2009.
- Appadurai, A. (2004). The Capacity to Aspire: Culture and the Terms of Recognition, in V. Roa & M. Walton, (eds). *Culture and Public Action*, California: Stanford University Press.
- Boonyabancha, S. (2005). Baan Mankong: Going to Scale with “Slum” and Squatter Upgrading in Thailand, *Environment and Urbanization*, Vol. 17 (1): 21-46.
- Bovaird, P. (2004) Public–Private Partnerships: from Contested Concepts to Prevalent Practice, *International Review of Administrative Sciences*, Vol. 70 (2):199-215.
- Burris, S., Drahos, P. & Shearing, C. (2005). Nodal Governance, *Australian Journal of Legal Philosophy*, Vol. 30: 30-58.
- Burris, S., Kempa, M. & Shearing, C. (2008). Changes in Governance: A Cross-Disciplinary Review of Current Scholarship, *Akron Law Review*, Vol. 41 (1): 1-66.
- Castells, M. (2000). Materials for an Exploratory Theory of Networked Society, *British Journal of Sociology*, Vol. 51 (1): 5-24.
- Coates, A., Farnsworth, K., & Zulauf, M. (2001). Social Exclusion and Inclusion: Partnerships for neighbourhood regeneration in London. *Social Science Research Papers*, London South Bank University
- Community Organisation Resource Centre and the Joe Slovo Task Team (2009) Available online: www.sdinet.co.za/static/upload/pdf/JSenumeration.pdf, accessed on 20th October 2009.
- Crossley, N. (2005) *Key Concepts in Critical Social Theory*. Sage Publications. London.

Gbikpi, B. & Grote, J. R. (2001). From Democratic Government to Participatory Governance, in J.R. Grote & B. Gbikpi (eds). *Participatory Governance: Political and Societal Implications*. Opladen: Leske & Budrich.

Gunningham, N. (2009). Environmental Law, Regulation and Governance: Shifting Architectures, *Journal of Environmental Law*, Vol. 21 (2): 179-212.

Hajer, M. & Wagenaar, H. (2003). Introduction, in M. A. Hajer & H. Wagenaar (eds) *Deliberative Policy Analysis Understanding Governance in the Network Society*, United Kingdom: Cambridge University Press.

Hatfield Dodds, S. (2007), The Economic Impacts of Deep Cuts to Australia's Greenhouse Emissions, *ECOS Issue 134*, pp. 12–15, CSIRO, January 2007.

Holley, C. (2008). *New Environmental Governance*, Unpublished, Doctoral Dissertation, Australian National University.

Holling, C.S. (1978). *Adaptive Environmental Assessment and Management*. London: John Wiley & Sons.

Lasker, R.D., Weiss, E. S. & Miller, R. (2001). Partnership Synergy: A Practical Framework for Studying and Strengthening the Collaborative Advantage, *The Milbank Quarterly*, Vol. 79 (2): 179-205.

Latour, B. (2005). *Reassembling the Social: An Introduction to Actor Network Theory*, Oxford: Oxford University Press.

Lobel, O. (2004) The Renew Deal: The Fall of Regulation and the Rise of Governance in Contemporary Legal Thought, *Minnesota Law Review*, Vol. 89: 342-470.

Midgley, G.F., Bond, W.J., and Woodward, F.I. (2005). The Global Distribution of Ecosystems in a World without Fire. *New Phytologist*, Vol. 165(2): 525-537.

Moran-Ellis, J., Alexander, V. D., Cronin, A., Dickinson, M., Fielding, J., Sleney, J. & Thomas, H. (2006). Triangulation and Integration: Processes, Claims and Implications, *Qualitative Research*, Vol. 6 (1): 45-59.

Mukheibir, P. & Ziervogel, G. (2007) Developing a Municipal Adaptation Plan (MAP) for climate change: the city of Cape Town. *Environment and Urbanization*, Vol. 19 (1), 143-158.

Ostrom, E. (2001). Vulnerability and Polycentric Governance Systems, *Newsletter of the International Human Dimensions Programme on Global Environmental Change*, No. 3, Available online: http://www.ihdp.uni-bonn.de/html/publications/update/update01_03/IHDPUpdate01_03_ostrom.html accessed on 2 November 2009.

Richardson, W. C. & Allegrante, J. P. (2000). Shaping the Future of Health through Global Partnerships. In C.E. Koop, C.E. Pearson, and M.R. Schwarz (eds). *Critical Issues in Global Health*, San Francisco: Jossey-Bass.

Rochlin, S., Zadek, S., Forstater, M. (2008) *Governing Collaboration: Making Partnerships Accountable for Delivering Development. Accountability*, London: Belmont Press.

Sen, A. (1999). *Development as Freedom*, New York: Random House

Shearing, C. & Wood, J. (2003). Nodal governance, Democracy and the New 'Denizens', *Journal of Law and Society*, Vol. 30(3): 400-419.

Shearing, C. (2009). *From Nodal to Exchange Theory*, Talk Presented at Stellenbosch University on 19 October 2009.

Taylor, C. (1997). The Politics of Recognition, in A. Heble, D. Palmateer Pennee & T. Struthers (eds). *New Contexts for Canadian Criticism*, Canada: Broadview Press.

Wood, J. & Shearing, C. (2007). *Imagining Security*. Cullompton: Willan Publishing.

Ziervogel, G., et al (2007). Developing a Municipal Adaptation Plan (MAP) for Climate Change: the City of Cape Town, *Environment and Urbanisation*, Vol. 19(1):143-15

Websites

<http://www.capegateway.gov.za/eng/directories/facilities/167612/167597>, Accessed on 25 October 2009.