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Humanism, creativity and rights: invoking Henri Lefebvre's right to the city in the tension presented by informal settlements in South Africa today

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Abstract:
The reality of informal settlements and other forms of unauthorized low income dwelling in South African cities, and the frustrations that manifest in street blockades or targeted disruptions to the functioning of the city, are evidence of deep rooted exclusions that signal urgent attention to the realization of city rights. While our socio-economic rights framework is a liberal one, the 'right to the city' as coined by the French sociologist/philosopher Henri Lefebvre in the late 1960s stems from a Marxist humanism. The literature that considers the relevance of Lefebvre's 'right to the city' for the urban condition of the 21st century largely emanates from and speaks to urban struggles in the First World or so-called 'global north'. At the same time, a prominent shack dwellers' movement in South Africa invokes an explicitly Lefebvrian right to the city in its urban struggles over the past eight years. In this lecture, I discuss key aspects of Lefebvre's 'right to the city', in part contested, in relation to the field of tension that represents informal settlements in cities such as Johannesburg today and the social movements that have emerged from this tension. I focus in particular on Lefebvre's humanist concept of a right to the 'oeuvre' or 'creative work' in relation to that of 'inhabiting'. These are less explored dimensions of Lefebvre's right to the city, but of central relevance for an engagement with informal settlements and for constructive mobilization around the South African urban condition today.

> 'The need for a new city to emerge out of our present dysfunctional and unjust urban condition is just as urgent now as it was in Lefebvre's time' (Iveson, 2013:955--DIY)

Introduction

Informal settlements and other forms of unauthorised low income dwellings in South African cities, and the struggles that are fought in their defense, are evidence of deep rooted exclusions that signal urgent attention to the realization of city rights. In this lecture, I will expand on the context of informal settlements in South African cities today, before introducing demands for city rights as a bridge to Henri Lefebvre's work on the right to the city. I will discuss Lefebvre's approach, and then home in on humanism, creativity and 'to inhabit', before turning to his arguments on urban form and habitat. I then discuss the notion of rights and finally explore concrete proposals emanating from Lefebvre's right to the city as implemented in France and Brazil, which may inform how we treat informal settlements today.

1. The context of informal settlements in South Africa today

Johannesburg (with neighbouring Ekurhuleni) is ranked the world's most unequal city (UN-Habitat, 2013). Persistently high levels of planned segregation underpin this inequality, with increasingly the gating and fortification of commercially produced residential developments, contrasted by low density housing estates funded by the state. Physical exclusions and the costs of mobility, in addition to barriers in what has been termed a two-tier economy (World Bank, 2013) constrain local economies, livelihoods and socialization. With no formal viable alternative, economically poor households defy and remake the planned city from below, through 'informal' means. They have found a foothold in un-used and seemingly discarded places, setting up shack settlements as well as trading stalls, at times regularized or authorized post facto if only through court orders, but still subject to repressive measures as witnessed in recent unlawful anti-land invasion measures in Durban (General Council of the Bar of South Africa, 2013) and inner city street trader expulsions in Johannesburg (Tolsi and Nxumalo, 2013).

The dominant official policy or political discourse addressing the reality of South African cities today is that of developmentalism – a reliance on economic growth for the resources needed to redress, or to subsidise and satisfy basic needs (Edeghji, 2010). Metropolitan governments, as a consequence, are under pressure to contribute to the national economy by creating the conditions to attract foreign direct investment, competing for prominence as global or regional hubs. City governments are centrally concerned with attracting and sustaining global investors. Johannesburg's urban competitiveness strategy, criticized for singularity of purpose and therefore exclusion (Bremner, 2004), has since been refined to embrace the poor and in particular to absorb urbanization (City of Johannesburg, 2006, 2011). At least in text, the strategy has a human face. Despite speaking to social concerns, and while requiring state investment (more so for the infrastructure demanded by global investment than for satisfaction of basic needs), such strategies follow tenets of what has been referred to as urban neoliberalism, creating the conditions for the globalised market to flourish (Shin and López-Morales, 2011).

For Johannesburg, and for Gauteng's city region, the adoption of urban competitiveness, as Greenberg (2010:108) suggests, may be 'a defensive response by the state in the face of the growing power of transnational capital, rather than the proactive, visionary stance that it is often presented as'. For Lefebvre (1996/1968:127), such 'rationality' which was already rearing its head in the late 1960s, acknowledges the city 'only as an instrument and a means'. Whether this rationality is adopted proactively or defensively, the result today is an intensifying uneven competition over scarce urban land and access to strategic, convenient and profitable location, along with a dependency on a well policed private property regime.

City governance for urban competitiveness is concerned with managing not only access to urban land but also the mobility of people, expending resources to attract and hold on to a class that will service global investment (Turok, 2004). Despite current city strategies' undertakings to absorb the poor and ensure African World Class Cities for All (City of Johannesburg, 2006:83) evidence suggests efforts, if not political strategies, not to attract (or allow entry to) the poor or those superfluous to this economy (Huchzermeyer, 2011). Anti-land invasion measures (outsourced to private security firms by several South African municipalities

(Huchzermeyer, 2011)), paralleled by anti-street trading measures (Tosli and Nxumalo, 2013) motivated on the need to ensure sustainable, competitive and livable cities (SAFM, 2013), play a key role in practicing unwelcome towards the poor. The result, if not purpose, is to build and maintain class-based privilege, or elitism to use a more politically imbued term. Those having to resort to informal means of living and making a living in South African cities, do so under considerable tension.

Across South Africa active informal settlement eradication coupled with land invasion control has repressed ordinary people's attempts to defy the exclusionary formal city. Johannesburg now has more than double the number of back yard shacks than shacks in informal settlements. A further one fifth of the number of households in informal settlements is estimated to be living in informal occupation of inner city buildings, largely hidden and often in worse conditions than in informal settlements or back yard shacks (Ahmed, 2013). All this adds up to 36% of the city's households living in unauthorized residential arrangements. Very few new informal settlements have been permitted to form since 2000 suggesting increasing pressure on existing shack settlements. In South Africa evictions of economically poor households saw an increase from the late 1990s, a plight brought to public attention through the Grootboom case in Cape Town with a ruling the Constitutional Court in 2000, and the much publicized Bredell eviction on the East Rand in 2001. Evictions in this period resulted in the formation of 'new' social movements, such as the Anti-Eviction Campaign in 2000, the Landless People's Movement in 2001 (Ballard, Habib, Valoodia and Zuern, 2006) and Abahlali baseMjondolo in 2005 (Pithouse, 2008). Of these, Abahlali, while also inspired by the radical humanism of Frantz Fanon (Gibson, 2011; Zikode, 2011), has become the most vocal in calling for a right to the city, through protests, press releases, statements and public lectures (Abahlali baseMjondolo, 2010; 2013), with solidarity from right to the city movements in cities such as New York. The state has considered the activities of these movements as criminal, often treating them with violence and repression. Campaigns against police brutality are staged alongside increasingly frequent protests against corruption, broken promises, delays in service delivery and barriers to meaningful participation in decision making. The daily experience of over a third of the city's households of having to contradict the official logic of the city draws urgent attention to the inadequacy of city rights.

2. Demands for rights to the city

In South Africa, as in many former colonial countries, a struggle for a right to the city in literal terms formed an integral part of the fight against colonialism and apartheid. Pithouse (2013:333) writes about '[a] long history of popular struggle for a right to the city' in South Africa. Already in the 1940s, write Nieftagodien and Gaule (2012:12), 'direct action by poor black people could force the authorities to respond to their demands'. The incomplete victory over urban repression, the continuity of anti-urban and exclusionary forces, and for South Africa the inability of the state to overcome the highest urban inequality on the globe, mark the postcolonial urban condition, necessitating a renewed or continued struggle for rights to the city.

While in South Africa and in many colonies in the 1940s, 50s and 60s the demand for a right to the city informed an evident struggle from below, unrelated to this Henri Lefebvre challenged dominant scholarly and political thinking in France by articulating and theorizing a 'right to the city' in the late 1960s [1]. Translated into English only from 1996 (and still only in part), his ideas on the right to the city are now much debated and contested (e.g. Purcell, 2002; Walsh, 2013), many argue trivialized and corrupted (Mayer, 2009; Souza, 2010; Gibson, 2011), but also applied in a variety of campaigns for a right to the city across the globe (Mayer, 2009). While the right to the city literature on urban struggles in the north is largely theoretically based on aspects of Lefebvre's writing (e.g. Purcell, 2002; Kuymulu, 2013), the more recent adoption of the right to the city discourse in the Anglophone Third World (though with exceptions), tends to apply the right to the city merely as a slogan or term, taking its meaning for granted (e.g. Patel, Baptist and d'Cruz, 2012; Bhan, 2009). The ambiguity in use of the concept has led some to consciously avoid reference to the 'right to the city' altogether (Benit-Gbaffou and Oldfield, forthcoming).

Given recent use of the slogan 'right to the city' by international agencies such as UN-Habitat (Brown, 2013) as well as the South African national Department of Human Settlements (2010) and a number of local organisations[2], I would like to take us back to Lefebvre's own writing. I will explore ways in which Lefebvre, though writing from a postwar European context, provides fitting but largely ignored concepts for an engagement with informal settlements and for constructive mobilization around the South African urban condition today.

Lefebvre must be understood as a Marxist scholar, but one who stretched boundaries and therefore was contested from many sides. In 1958 the French Communist Party expelled Lefebvre due to his opposition to authoritarianism; the Communist Party also frowned on his interest in the everyday (Smith, 2003). Having focused first on everyday life in rural settings, 'by the mid-1960s [Lefebvre] turned his attention to the urban everyday' (Smith, 2003:ix), a concept that informed his thinking on the right to the city and subsequent work on *The Urban Revolution* (Lefebvre, 2003/1970), as well as *The Production of Space* (Lefebvre, 1991/1974). Lefebvre's interest in everyday life is an interest in 'contradictory lived experience'; the everyday, in which consumption is central, is understood to play a critical role in the survival or endurance of capitalism, capitalism having deepened in urban everyday life as part of its post-colonial expansion (Kipfer, 2002:118,127,132)[3].

Marxism up to the 1970s had a tendency (though with exceptions) of avoiding any engagement with an urban future. In the *Housing Question* written in 1872, Engels proclaimed that '[t]o speculate as to how a future society would organise the distribution of food and dwellings leads

[1] This formed part of his larger work on the production of space, which spanned six books (Stanek, 2011:25).
[2] Isandla Institute (see Görgens and van Donk, 2012), Development Action Group (DAG) (see DAG, 2010).
[3] Both continuity and evolution of thought is evident through these books. As his work was not translated into English chronologically nor in its totality, its impact has been piecemeal in the Anglophone urban theory and action.

directly to *utopia*' (Engels, 1935/1887:101)[4]. In the late 1980s Lefebvre (1996/1986:205) notes 'Engels speaks of housing but very little of the city', and

> 'Marx himself never sought to reflect on the city. There are texts on the rural-urban relationship, but there is nothing on the city. He was far from thinking that the following century, our century would be that of the globalization of the city and of massive urbanization ' (ibid.).

Criticising the later influence of the Chicago School, Lefebvre (ibid.) also traces its anti-urban influence through the Soviet, Chinese and Cuban revolutions. In the capitalist west, Marxists tended to associate the promotion of urban alternatives with reform, which itself was seen as an impediment to a more far-reaching revolution of the Soviet kind (Bodenschatz, 1987)[5]. Marxists also 'rejected the notion that the urban represented a specific social realm' as Neil Smith (2003:x) explains, whereas the social sciences at the time of Lefebvre's writing applied a 'technocratic' frame 'according to the impress of liberal policy requirements'. While pioneering the urban within Marxism, Lefebvre considered his contribution to Marxism to be his incorporation of the everyday (Kofman and Lebas, 1996), which we will see articulated in his ideas on the 'right to the city' in particular through the concepts of habitat and inhabiting, and the importance of the lived experience and space.

3. Lefebvre's approach

In Marxist tradition, Lefebvre applies a dialectic approach, using opposing arguments, or contradictions. Kofman and Lebas (1996:10) explain Lefebve's dialectical approach as one that is more open than that of Marx, 'bringing together the conflictual and contradictory, and linking theory and practice', also revealing 'the continual movement between' terms. In this sense, he also 'criticized static binary modes' (one could use the example of the often criticized binary formal/informal employed in the term 'informal settlements' or 'informal trade'), suggesting instead triads, upon which dialectical thought could be brought to bear (ibid.)[6]. Lefebvre (2003/1970) explains the importance of the dialectic approach at a time when there is a reluctance to analyse contradictions and instead a favour for 'logical thought' and 'nothing but coherence'. His criticism of 'urbanism as a body of doctrine' is that 'it evacuates dialectical thought … in other words internal contradictions, both old and new' (Lefebvre, 2003/1970:171).

In his dialectical approach, Lefebvre notes that mass housing provides a freedom (that of 'independent life') which no one would disagree should be granted to each individual, but, he argues, at the same time, this is 'appropriated by the state for strategic purposes' (Lefebvre, 1971/1968:151). He criticizes the dormitory character of modern housing provision (ibid.). He

[4] All emphases in the quotes are in the original.
[5] Lefebvre (1991/1974:383) himself refers to 'the ironclad distinction between "reform" and "revolution" which is 'overwhelmed' by 'the quest for' alternative urban space or 'counter-space'.
[6] In *The Production of Space*, the 'triad' of perceived, conceived and lived space is a central theme; that is the contrast between the spatial practice of daily routines, space as represented by planners and other professionals, and space as made sense of and imagined by inhabitants (Lefebvre, 1991/1974:39).

predicts that the 'consequences of "massification" [may] simply become overwhelming' with the result that 'faintly outlined rights will be swept away' (ibid.:152). Having replaced 'slums' which were on 'the lowest possible *threshold of tolerability*', mass housing was reaching 'the lowest possible *threshold of sociability*' (Lefebvre, 1991/1974:316). Lefebvre, whose work evolved from one publication to the next[7], initially refers to the need, 'soon', to reformulate the freedoms related to housing 'as the *freedom of the city*' (Lefebvre, 1971/1968, emphasis in the original). In the same work (*Everday Life in the Modern World*) he posits that the 'urban experience and in particular the struggle for the city (for its preservation and restoration, for the *freedom of the city*) provide the setting and objectives for a number of revolutionary actions' (Lefebvre, 1971/1968:205).

Lefebvre later articulates a 'right to the city' as 'a superior form of rights: right to freedom, to individualization in socialization, to habitat and to inhabit' (Lefebvre, 1996/1968:173). Further, the much quoted line: '[t]he right to the *oeuvre*, to participation and *appropriation* (clearly distinct from the right to property) are implied in the right to the city' (ibid.:174). But his conception of a right to the city cannot be limited to just three dimensions. Lefebvre also refers to the 'right to urban life, to renewed centrality, to places of encounter and exchange, to life rhythms and time uses, enabling the complete *usage* of these moments and places' (ibid.:179). He identifies this right to the city as a right 'in the making' (ibid.:179), thus an open concept for future generations to take forward[8].

Lefebvre not only dared, as a Marxist, to take seriously the everyday and use this to draw normative attention to the urban future, while challenging the social sciences likewise to embrace urban society and the everyday; in his concept of a right to the city he also incorporated and stretched two liberal notions: humanism and rights. On both fronts he is criticized by Marxists.

4. Humanism, creativity and 'to inhabit'

Lefebvre calls for an 'effort to reach out towards a new humanism, a new praxis, another man, that of urban society' (Lefebvre, 1996/1968:150). Lefebvre sets this 'new humanism' apart from the 'old classical and liberal humanism' which 'wishes to build to the "human scale"', drawing its 'idealism … from agrarian models', and obsessed with or devoted to form and aesthetics (Lefebvre, 1996/1968:83). In a recent article, Grindon (2013:209) shows how Lefebvre engages with the language of liberal humanism, but 'employing Marxist theory critically to make use of and open up central categories in humanist thought: of subject, creative labour and art'. In

[7] With one book having followed so closely on the next it is not always evident what was written first, also due to publication delays.

[8] Mitchell and Heyden (2009:616) highlight the 'capaciousness' or wide scope of Lefebvre's right to the city.

Lefebvre's conception of a right the city, Marxist humanism is translated into the *oeuvre*, the creative as opposed to productive (or profit-motivated) work (Lefebvre, 1996/1968)[9].

Lefebvre's engagement with people's desire for creative work and incorporation of this into his conceptualization of a right to the city has lent him the label of 'romantic', particularly by Marxist scholars[10]. Thus, while Lefebvre is criticized by some, Gavin Grindon explains that he is recognized for his 'Marxist leveraging of the humanist terms of poetry, creativity and man' (Grindon, 2013:217) into a 'revolutionary romanticism' (ibid.:219). This has involved a 'sustained engagement with the role of the aesthetic in social change' (Grindon, 2013:208). Lefebvre continued this emphasis in *The Production of Space*, which he published in French in 1974. There he articulates 'a "revolution of space" (subsuming the "urban revolution"), in which he foresees 'great inventiveness and creativity' (Lefebvre, 1991/1974:419).

Lefebvre drew the term 'poetry' or the Greek word '*poiesis*' into his discourse on expression through housing and the city (Grindon, 2013:210). In Greek, this term 'originally referred to making or creation, and only with its transmission into Latin did this become limited to literary creation' (Grindon, 2013:210). For Lefebvre, '*poiesis*' therefore refers to the creation of '*ourvres*' or creative work (ibid). Developing a conceptual triangle, Lefebvre closely associates home, language and poetry, aligning this to urban reality, discourse and poetry; 'The "human being" … cannot do anything but inhabit as poet. If we do not provide him with … the possibility of inhabiting poetically or even inventing a poetry, he will create it as best he can' (Lefebvre, 2003/1970:82). Exceptions that Lefebvre provides do not stem from material poverty, but from excessive commodification, 'exchange having abolished use or overdetermined it' (ibid.:83). Thus for Lefebvre '[t]he logic of the market' has 'suppressed the city as *oeuvre*', by reducing urban qualities to exchange (Kofman and Lebas, 2003:19).

In Lefebvre's notion of the right to the city, one finds a fluid continuity between his use of the terms *oeuvre*, appropriation, to inhabit, use value, urban society, centrality, complexity and difference. Each is used to explain the other, and each has an opposite. Neil Smith (2003:xxi) helps us see these opposites not as binaries, but as 'exaggerated opposites' with the purpose of forcing 'the dialectic forward'. The *oeuvre* is contrasted by products (created for exchange) (Lefebvre, 1996/1968:75); appropriation of space is contrasted by spatial domination (Lefebvre, 1991/1974:164); to inhabit is contrasted by the habitat (planned and delivered, devoid of any participation by the occupant) (Lefebvre, 1996/1968:76, drawing on Heidegger); use value is contrasted by 'exchange value' (Lefebvre, 19996/1967:75); urban reality by industrial reality (Lefebvre, 1996/1968:70); centrality by dispersion (Lefebvre, 2001/1970:125), complexity by reduction (Lefebvre, 1991/1974:105), and 'differences' by 'homogeneity' (Lefebvre, 196/1968:127). Neither exists without its opposite, yet what Lefebvre criticizes is the dominance of the latter over the former.

[9] Earlier translators of Lefebvre's subsequent book *The Production of Space* use the English word 'work' instead of 'oeuvre' (Lefebvre, 1991/1974:73).
[10] Castells in his early writing (Smith, 2003), and recently Walsh (2013).

The French city at his time of writing is dominated by products and exchange value, and by 'two orders of urgency', on the one hand leading to the planned and mass-produced habitats marked by dispersion, repetition and uniformity, and on the other hand 'industrial organization and global planning' (Lefebvre, 1996/1967:177), thus 'passing over the city and the urban' (ibid.:123). Combined, products, industrial organisation, habitat, dispersion, reduction and uniformity do not bring about cities. Therefore, what needs to be invoked is a right to the city as an *oeuvre*, to the process of appropriation and inhabiting, to urban society marked by encounter, centralities, complexity and difference.

Lefebvre (2003/1970:125) accepts that there can be no equality in a city; he contrasts the segregation or dispersion of contemporary urbanism with the hierarchy (in essence inequality) created by centrality. However (and this is misunderstood in the right to the city literature – e.g. Walsh, 2013), Lefebvre does not simply equate centrality with the physical centre of a town or city. 'Virtually, anything is possible anywhere', argues Lefebvre (2003/1970:130). 'A crowd can gather, objects can pile up, a festival unfold, an event – terrifying or pleasant – can occur. This is why urban space is so fascinating: centrality is always possible' (ibid.). And so Lefebvre imagines '[a] space taken over by the ephemeral. So that every place becomes multifunctional, polyvalent, transfunctional, with an incessant turnover of functions; where groups take control of spaces for expressive actions and constructions, which are soon destroyed' (ibid.: 130-131)[11].

Informal or shack settlements make a compelling example. The images I show here are of Isiqalo in Philippi, Cape Town, an informal settlement that emerged over several months, as the potential for quarrying of building sand from this site was being exhausted. A quarry turned multifunctional – part quarry, part home, crèche, market, place of expression, place of encounter. It has had no tenure security and since inception has been directly under eviction threats. A defense against eviction in this case by the Socio-Economic Rights Institute of South Africa (SERI) and the Legal Resources Centre (LRC) – (Gamble, 2013) became (though not consciously so) a defense for the right to the city in a particular Lefebvrian sense of centrality.

While Lefebvre does engage with informal settlements, and I'll return to that below, in his discussion of the emergence or creation of centrality of the ephemeral kind, he uses a very different illustration. What he refers to as an 'admirable example' is a large exhibition space in Montreal: 'An ephemeral city rose up from a transformed site, a magnificent city, where everydayness was absorbed in festival…' (Lefebvre (2003/1970:130).

Lefebvre embraces the temporal or ephemeral, which resonates with what has been labeled 'informal' in cities like Johannesburg. However, he is very clear that '[t]he *right to the city* cannot be conceived of as a simple visiting right' (Lefebvre, 1996/1968:158), i.e. something temporary. This can be interpreted to speak to the informal in a different way, emphasizing the need not to treat self-made and self-managed settlements as something to be wiped out in future, removed, relocated[12]. But when considering the inappropriateness of mere 'visiting

[11] Later Lefebvre (1991/1974:332) reinforces this point by writing that 'centrality is moveable'.

[12] Lefebvre (2003/1970:109) uses the term 'deported'.

rights' to the city, Lefebvre (1996/1968:158) resorts to the example of the short term enjoyment of city rights by tourists who have a nostalgia for the traditional city imbued with art and monuments (and not those forcefully or economically excluded from a permanent residence and livelihood in the city).

But, Lefebvre uses the example of tourism to illustrate more. He contrasts the 'contemplative passivity' that involves consuming 'signs, displays, products and even works of art … of past ages' (as middle class tourist do) with 'creative activity' (Lefebvre, 1971/1968:196).

Throughout, Lefebvre takes issue with a 'reductive process' whether in the acts of passive consumption (as in tourism) or in the 'praxis', the professional identification of urban problems and the definition of solutions (Lefebvre, 1971/1968:196). He warns of the potential 'abuse of reductionism' (Lefebvre, 1991/1974:106). He asks 'to whom should we delegate power and the representation of practical and social life?' (Lefebvre, 2003/1970:188), or '[w]ho has the right to synthesis?' (Lefebvre, 1996/1968:132), to distilling what is important and what should be left out in representations of the city on which plans, strategies and budgets are based.

5. Urban form and habitat

Lefebvre associates the term 'urbanization' less with quantitative growth of cities than with 'development' and 'social life', in contrast to 'industrialization' which he associated with 'growth' and 'economic production' (Lefebvre, 1996/1967:70). David Harvey (1991:439) explains that 'in Lefebvre's thought', 'urbanization and the production of space are interlinked'. Thus Lefebvre refers to a 'paradox' when urbanization (the expansion of the urban fabric) occurs in the dominant suburban form, 'de-urbanized', devoid of social life (Lefebvre, 1996/1968:78), commodified, primarily serving speculation (ibid.:79). Here the term 'habitat' applies. However, the concept of habitat (as opposed to inhabiting), Lefebvre (1996/1968:79) argues, is 'brought to its purest form by a State bureaucracy', when 'public and semi-public initiatives' are driven by 'simply the goal of providing as quickly as possible at the least cost, the greatest possible number of housing units'. South African cities have ample examples of such habitats, something the South African planning literature, including previous inaugural lectures in this School, has raised concern about [RDP mass housing] (Harrison, 2002; Todes, 2009). While Lefebvre nevertheless acknowledges small margins 'of initiative and freedom to *inhabit*' in these estates – the freedom to choose one's fence and design one's garden (Lefebvre, 1996/1968:79) – he argues that 'never has the relationship of the "human being" with the world … experienced such profound misery as during the reign of habitat and so-called "urbanistic" rationality' (Lefebvre, 2003/1970:83).

In a very simplistic way one could argue along the lines of John Turner's 'housing as a verb' (Turner, 1972), that habitat is the noun and inhabit the process, the verb, inscribing dweller involvement. However, '[f]or Lefebvre, it was not the home, but the city, which expressed and symbolized a person's being and consciousness' (Kofman and Lebas, 1996:7-8).

Lefebvre's 'to inhabit', as opposite of 'habitat', invokes in us images such as the Isiqalo settlement. Lefebvre (1996/1968:79) refers to: 'the notion of inhabit, that is the plasticity of space, its modeling and the appropriation by groups and individuals of the conditions of their existence'. In later writing, Lefebvre (1991/1974:165) explains the 'highest expression' of appropriation 'is the work of art'; thus '[a]n appropriated space [and we may think of Isiqalo] *resembles* a work of art'. The work of art is key to Lefebvre's definition of the city, 'a place where different groups can meet, where they may be in conflict but also form alliances, and where they participate in a collective *oeuvre*' (Lefebvre, 1996/1986:207).

Evoking in us very recent images of government campaigns against informal settlements and street traders, dominance over appropriated space, destruction of collective works of art, Lefebvre (1996/1968:79) talks of planning practice that has 'set itself against the city and the urban to eradicate them'. Later Lefebvre uses the term 'negative appropriation', particularly in relation to spatial prohibitions inscribed in space, and partly underpinned by law (Lefebvre, 1991/1974:319, cited in Butler, 2009). As South African cities have witnessed for over a century, the victims of shack and informal trading prohibitions and demolitions have no choice but to reconstruct their structures 'illegally', if not in the same places then elsewhere. In later writing, Lefebvre (1991/1974:168) provides us with the fitting concept of 'a reappropriation which can call but a temporary halt to domination'[13].

While Lefebvre (1996/1968:180) suggests that the 'precious deposit', the 'sense of the *oeuvre*' can be found in philosophy and in art, he also acknowledges that the '*urban* [that is the oeuvre, the practice of inhabiting, moments of centrality and difference] … survives in the fissures of planned and programmed order' (ibid.:129). This allows us to assume that if Lefebvre had written today, from a country like South Africa, far surpassing the 'violent contrasts between wealth and poverty' which he wrote about in the 1960s (Lefebvre, 1996/1968:67), he might have more directly referred to informal settlements as a deposit of 'the sense of the *oeuvre*'. In *The Production of Space*, published in French seven years after *The Right to the City*, Lefebvre does venture in this direction: He writes that in '[t]he vast shanty towns of Latin America … [a]ppropriation of a remarkably high order is found' (Lefebvre, 1991/1974:373, 374)[14]. These settlements, though marked by real inadequacies, 'manifest in social life far more intense than the bourgeois districts of the cities' (ibid.:373). However, 'social life' in these settlements 'only survives inasmuch as it fights in self-defence and goes on the attack in the course of class struggle in its modern forms' (ibid). Lefebvre refers to a 'nervous admiration' which the effective ordering of these spaces, with 'spontaneous architecture and planning' elicit (ibid.:374). Adding to our understanding of the tension in which these shack settlements exist, Lefebvre suggests that this 'extraordinary *spatial duality*' will persist and weaken 'dominated space' (ibid.).

[13] Footnote: Lefebvre (1991/1974:168)) refers to unsuccessful 'communitarian experiments' of the late 1960s and early 1970s, groups taking up residence in places that were designed for other uses.
[14] Shields (1999:183) mentions that Lefebvre at some point visited and stayed in Brazilian *favelas*.

Pointing us in the direction of a dialectic on urban informality, which I've previously attempted to conceptualise as a field of tension (Huchzermeyer, 2011:72), Lefebvre (1996/1968:125) describes how dispossessed rural peasants, 'eager for change', are pushed 'towards the cities', to shantytowns that become 'the (inadequate) mediator[s] between town and country', offering 'a substitute of urban life, miserable yet intense'. And if these miserable but intense places are sanitized or replaced from above by habitats, '[t]he satisfaction of basic needs is unable to kill the disaffection of fundamental desires (or of the fundamental desire)' captured in the right to the city (Lefebvre, 1996/1968:129).

6. **The notion of rights**

Bearing in mind that the 'rights discourse' is 'deeply embedded in the liberal capitalist tradition' (Kuymulu, 2013:927), what then does Lefebvre invoke when framing his complex dialectic on the city first as a 'struggle' and a 'freedom' and later as a 'right'? No doubt, the notion of a right highlights the indispensable, while also implying a claim or entitlement. This in turn focuses the collective effort to confront the urban contradictions that Lefebvre articulates. He identifies a necessary progression from 'aspirations faintly tinted with assertiveness', from 'values' to 'facts' and to these being 'acknowledged as rights', until 'social recognition becomes inevitable' (Lefebvre, 1971/1968:152). This means that with the growing interest globally today in the 'right to the city' as coined by Lefebvre (and in contexts such as South Africa continuing longstanding struggles for city rights), and with the collective drafting of World Charter on the Right to the City (International Alliance of Inhabitants, 2005), a stage of growing social recognition could be acknowledged (but this should also be steered back to Lefebvre's key concepts, rather than being dismissed as a mere fashion).

As already mentioned, Lefebvre understood the right to the city 'as a superior form of rights' (1996/1968:173, 174). While some authors grapple with the vagueness of rights in Lefebvre's right to the city (Attoh, 2011), Harvey (2008) understands the right to the city as a human right, but one of a different type, 'far more than the individual liberty to access urban resources: it is a right to change ourselves by changing the city. It is, moreover, a common rather than an individual right since this transformation inevitably depends upon the exercise of a collective power to reshape the processes of urbanization' (ibid.:23). The context today in which Harvey refers to the right to the city as a human right is one in which, as O'Connell (2011:537) explains, 'the neoliberal worldview is … antagonistic to the recognition and protection of socio-economic rights at a foundational level', thus undermining the liberal-capitalist post-war human rights regime for which the UN was established and which achieved a certain level of social recognition globally. The volatility of our human rights framework is evident in the fact that the UN's own Millennium Development Goals initiative has been antagonistic to socio-economic rights, reluctant to articulate duties for the state and eager to avoid political implications (Nelson, 2007).

There is a position on the left that is uncomfortable with 'the deployment' of a rights discourse, be this through the right to the city, as this may subvert 'the social antagonisms at the heart of capitalism' by turning them into 'demands for recognition from capital itself' (Walsh, 2013:407).

Calling for the right to the city in a Lefebvrian sense requires consciousnesss of this danger, as was carefully articulated, for instance, by the social movement Abahlali baseMjondolo, when engaging pro bono lawyers in an effort to overturn the KwaZulu-Natal Elimination and Prevention of Re-emergence of Slums Bill of 2006 and Act of 2007. With its focus on what is 'close and real to the people', Abahlali baseMjondolo (2007:2) took care 'not to let the enemy's approaches and language dominate us'. The KZN Slums Act, which unconstitutionally increased the state's powers to evict, was, in a Lefebvrian sense, an instrument for the domination of space (ultimately in favour of deepening the reach of capitalism in the everyday), an instrument for negative appropriation, and for preventing even temporary re-appropriation.

Despite success in the court, Abahlali at the same time experienced the state and ruling party's determination at spatial domination (as a political strategy) on two fronts. Firstly through a violent late night attack on its base in the Kennedy Road informal settlement in Durban and immediate establishment of an ANC base (Chance, 2010; Huchzermeyer, 2011:220-22; Pithouse, 2013:342-344). Secondly, the City and Provincial governments immediately abandoned the in situ upgrading plans Abahlali had negotiated for several of the settlements it represented, promising instead the delivery of individual freestanding mass housing to the remaining residents of Kennedy Road informal settlement. The authorities have since resorted back to in situ upgrading for Kennedy Road, but the exclusive channeling of development through the party, appears deliberately intended to weaken the movement. In this context of violent repression, Abahlali baseMjondolo (2010:1) argue that 'if there is a "right to the city", it is a very difficult right to actually get'. The movement also speaks of the 'very high price' it is paying 'to access any meaningful and broader idea of our right to the city' (ibid.). Facing a resurgence of violent repression in 2013, Abahlali recently issued a press statement announcing protest action with a series of demands summarized as 'our right to the city is not negotiable', linking this directly to dignity and participation in democracy (Abahlali baseMjondolo, 2013). Further: 'our crime has been to speak truth to power… to insist that everyone counts… to insist on our right to the cities' (ibid.). Already in 2006, invoking the right to synthesis, Abahlali's president S'bu Zikode stated 'our lives are the ignored truth of this society' (Zikode, 2008:119). Today, on 12 November 2013, Zikode (2013) writes in *The Guardian* newspaper in the UK, '[w]hen Abahlali baseMjondolo members take our place in cities we take it humbly, but firmly'.

The Abahlali case on the KZN Slums Act culminating in the Constitutional Court in 2009, along with others that reached the same Court from organized shack dwellers in the same year, dealt with the right not to be evicted, not to be relocated from places of centrality to the periphery and the right to be meaningfully engaged in decision making in relation to housing or Lefebvre's concept of 'habitat' (Huchzermeyer, 2011). This litigation can be summarised as being merely in defense of the erosion of incomplete rights to the city, thus speaking to the state's duty to respect and protect rather than its duty to promote rights (ibid.). While these cases did not engage the court directly on issues of creativity, the process of inhabiting, or the collective *oeuvre*, they were in defense of appropriation, of an existence 'in the fissures of planned and programmed order' (Lefebvre, 1996/1968:129), against the domination of space through the imposition of a uniform habitat with minimal scope for the process of inhabiting. The legal arguments were carefully crafted in solidarity with organized shack dweller groups. No doubt

an increase in 'social recognition' of the complete meaning of the right to the city could result in far more litigation taking on the growing contradictions or tensions within which informal settlements find themselves in South African cities today.

7. Concrete proposals

A much referred to position in Lefebvre's work on the right to the city is that this right can only be brought about by 'groups, social classes and class fractions capable of revolutionary initiative' (Lefebvre, 1996/1968:154). A dominant notion in the literature is that the right has to be asserted from below, by social movements (Harvey, 2008; Mayer, 2009). Indeed, calling for a reversal of roles Lefebvre argues: 'Only the taking in charge by the working class of planning and its political agenda can profoundly modify social life and open another era: that of socialism in neo-capitalist countries' (Lefebvre, 1996/1968:179)[15]. However, Lefebvre is typically open-ended on the question: who can bring about a right to the city?.

While Lefebvre argues that the right to the city must be asserted from below, he does remind us of a historic era in which the city was the *oeuvre* of 'certain historical and social "agents"' (Lefebvre, 1996/1968:103). In the western Middle Ages, these agents were 'merchants and bankers' who 'acted to promote exchange and generalize it, to extend the domain of exchange value; and yet for them the city was much more use value than exchange value. These merchants… loved their cities like a work of art and adorned them with every kind of works of art' (ibid.:101-102). In such cities use dominated over profit (ibid.:102).

Thus Lefebvre writes, '[t]he pressure of the working class has been and remains necessary (but not sufficient) for the recognition of these rights, for their entry into customs, for their inscription into codes which are still incomplete' (Lefebvre, 1996/1968:157). He implies that authorities need 'a sense and a taste of the *oeuvre*, especially in architecture and urban design' (Lefebvre, 1996/1968:75). 'Urbanism' (as a profession) should 'try to model space as a work of art' (Lefebvre, 2003/1970:180). The 'sense of the *oeuvre*' must be shared also by ordinary people, or else 'urban consciousness will vanish' (Lefebvre, 1996/1968:77). In this sense, Gilbert and Dikeç (2008:261) suggest that the right to the city may be understood as 'a new societal ethics'.

Beyond this broad conscientisation that is necessary, Lefebvre also engages with approaches to urban strategy. He calls for 'a reversal of the conventional way of looking at things' (Lefebvre, 2003/1970:139). At his time of writing, the central concern in urban strategies was to optimize industrialization (ibid.) – today it is the optimization of urban competitiveness. Strategies,

[15] Footnote: Lefebvre's own concern in the late 1980s, almost twenty years after having first written on the right to the city, was 'the passivity of people': 'the city is changing around them and they accept it, internalize it and bear the consequences' (Lefebvre, 1996/1989:210). He associates this passivity in part with people's attachment to property, projecting that 'private ownership of land and property … will continue to grow more powerful' (ibid.); at the same time, he witnesses, though with uncertainty, 'a renewed interest in the urban' (ibid.).

Lefebvre argues, should not be based on the need for such optimization and then to manage the consequences (ibid.). Lefebvre gives a central role to the '*critique of the everyday*' (ibid.), of 'a social environment of sophisticated exploitation and carefully controlled passivity' (ibid.:140). 'In showing how people live, the critique of everyday life builds an indictment of the strategies that lead to that result' (ibid.). Noting the 'clumsy and unenlightened efforts to formulate and resolve some of the problems of urban society' (ibid), Lefebvre instead alerts us to the possibility that 'full knowledge momentarily focused on a problematic becomes *political*' and that knowledge and the political be combined into urban strategy (ibid.:141). This leads him to three points: firstly, that the 'urban problematic' must be introduced into 'political life by moving it into the foreground'; secondly, that 'urban self-management' [in contrast to mere participation (Lefebvre, 1996/1978:145)] be promoted both in industry (with implications for 'markets and the control of investments'), and in 'urban life'; and thirdly, that 'a contractual system of a "right to the city"' be 'enlarged, transformed, [and] concretized' – 'the right not to be excluded from centrality and its movement' (ibid.:150).

Drawing on a much wider reading of Lefebvre's work, beyond his urban texts and those translated into English, Elden (2004:226) explains the direct connection in Lefebvre's conception of self-management (in French auto-gestion, also meaning self-government), and direct democracy, 'moving beyond "mere representation"', with knowledge and control being central[16]. Within this, a 'reformulated understanding of citizenship … would include rethinking of rights' forming 'a basis for a reorientation of the state' (ibid.).

In France, where Lefebvre's urban texts were read as they came off the press, and in countries closely aligned intellectually such as in Brazil[17], it is precisely these pointers for urban strategy that found their way into municipal policies and programmes (and in Brazil into municipal laws) through the opposition left taking control of individual municipalities (in France in the 1970s, in Brazil in the course of the political opening in the 1980s). In both countries, the left promoted democratic participation and self-management (in Brazil *auto-gestaõ* and *mutiraõ*) (Souza, 2003, Rolnik and Cymbalista, 2003; Kofman and Lebas, 1996). In France 'a renewed sense of urbanity' was drawn from Lefebvre, with interventions such as 'the introduction of centrality into the peripheral zones and the transformation of suburbs into real cities'. In France, a 1988 Policy on the City drew on Lefebvre's writing (Kofman and Lebas, 1996:36). A French Ministry of the City which was created in 1991, and its first minister would refer to Lefebvre's 1968 book *Right to the City* (ibid.). Fernandes (2007) shows how a wide range of Lefebvre's writing accessible to Brazilian scholars, social movements and politicians, inspired the Movement for Urban Reform and, through this, urban policy and law in the 1980s and 1990s, until inscription into the City Statute in 2001 (and the formation of a Ministry of Cities in 2003 (Fernandes, 2006)). Fernandes (2007) shows that despite real advances, this is, however, only, a beginning to overcoming Brazil's urban contradictions manifested in the informal production of space.

[16] Perhaps a hint of this is in the concept of people-driven development articulated in the election manifesto of the ANC Alliance in 1994 (ANC, 1994), which soon disappeared from the political discourse.

[17] Many French academics and urban professionals studied in France and therefore directly exposed to intellectual debates in France.

Conclusion

Lefebvre's right to the city provides us with both analytical tools and concrete approaches with which to confront the informal settlement situation in South African cities today. Analytically, Lefebvre recommends taking the lived experience (and those living) in informal settlements seriously. He calls for the recognition of the contradictions that bring about informal means of living, and of the deepening of these contradictions. This also entails recognition and valuing of the urban life and form that emerges outside of, inspite of or under threat of the spatial prohibitions of the state. Lefebvre suggests these be understood as processes of political domination, which in turn explain the incompleteness of city rights and their ongoing erosion, as well as the struggles necessary for accessing any right to appropriation, to inhabit, to the creation of centralities and collective works of art. A broad societal ethic on the right to the city, as has been adopted by the social movement Abahlali baseMjondolo, must seek to assert the collective oeuvre over the state's strategic drives for urban competitiveness, through concrete demands for self-management and direct democracy.

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