

Practices of subjectivity: the informal economies and the subaltern rebellion

Pietro Saitta

*Department of Cognitive Sciences, Psychology, Education and Cultural Studies,
University of Messina, Messina, Italy*

Abstract

Purpose – The purpose of this paper is to explore the links between “informal economies” and the concept of “resistance.” The author argues that the petty illegalities of the dominated and subaltern classes should be seen in their connections to the illegalism of the élites and the state. Within this framework, the informal economy is seen as both the outcome of a set of material conditions aiming at the subordinated inclusion of entire classes of citizens, and the mark of the willingness by these same subalterns to evade the bonds imposed on them by the legislations and the social hierarchies.

Design/methodology/approach – A review of the ethnographical and socio-economical literature on the issue of informality, accompanied by *ex-post* reflections on pertinent studies conducted in the past by the researcher.

Findings – Against the dominant public rhetoric, the informal economy is here seen as a particular space of enactment by the dominated and subalterns aimed at self-producing paradoxical forms of inclusion within social contexts characterized by barriers to access integration within mainstream society. It is argued that in consideration of the power relations that structure the “field,” researchers themselves become part of the struggle counterpoising individuals and institutions, and should thus make a choice among the clashing parties.

Originality/value – The paper draws on a vast body of literature that appears to go in the same direction. However, it radicalizes the instances proposed by previous authors and studies, and draws conclusions concerning the nature of the object and the ethics of research, that are opposed to the prevalent approaches to the subject.

Keywords Neoliberalism, Resistance, Informal economy, Subjectivity, Legal pluralism

Paper type Conceptual paper

Resistance and informality

The aim of this paper is to investigate the connection between “informal economies” and “resistance.” At the center of the analysis there will be, above all, those informal and not too profitable activities that characterize the lower classes and segments of the urban population – the same that grapples with periodical campaigns of law and order, and experience stigma and incarceration. On the basis of mainly ethnographical information, it is possible to say that petty kinds of informal economies – especially, but not only, those small illegal activities related to public space and streets, such as the vending of counterfeited goods, food, and also soft drugs (all of them, ultimately, at the center of periodical campaigns that aim at providing a type of city characterized by the Disneyfied ideals of “security” and “cleanliness”) – are part of a wider struggle between individuals and social classes with different powers and status, within the worlds of life and production. This paper also suggests that these struggles are not only a means for acquiring the necessary resources for subsistence, but that they are essentially a political practice, a form



of strategic interaction that often involves real conflict, either between society and state or between classes.

An example of the first case is the conflictual relationship between illegal immigrants and governments, and of the second, the difficult relationship between the workers and employers involved in “dirty jobs” with a high turnover. In short, as suggested by the seminal works of Hobsbawm (1959) and Scott (1985), the view expressed here is that the informal economy should be seen within the framework of “subaltern rebellion” struggles of low intensity and visibility. In this context, and following Gramsci (1971, p. 52), subaltern stands clearly for dominated groups. That is, those groups of people excluded from the possibility of “writing history,” and determining the effects of public discourse, wisdom and policy on themselves. Yet, those groups whose chances of having an impact and revenge on the social organization normally lie either in the occasional revolt (the *jacquerie* being the most known and criticized example of such rebellion in historiography), or in a number of invisible (informal) activities aimed at reducing the impact of inequality linked to the action of the state within the normal functioning of economic relationships (resistance) – especially, but not only, under capitalism.

First, it is worth noting that both these expressions – “informal economy” and “resistance” – present various problems as far as their definition and meaning is concerned. Beyond the many criticisms implicit in the idea, the term “resist,” as it is commonly used in most international literature on sociology and anthropology, is problematic in that its etymology implies the idea of “staying still or standing firm[1]” and therefore, by implication, it underlines the static nature of social processes. Here, however, we intend resistance to mean more specifically “moving forward” rather than “staying still.” A liberation movement does not generally aim to become ensnared by the oppressive regime that generated it in the first place, in the same way as economic migrants do not envisage being sucked into the same conditions of poverty and deprivation that led them to leave their home in the first place. In this sense, it would be better to talk about “evasion” or “escape” from an order rather than resistance to it.

Then, a generic use of the word “resistance” implies reducing the scope of the dynamics at work, by narrowing the meaning to a simple clash of wills. Although it may only be partial, this often implicit way of looking at a question by reducing its scope is based on the idea that sometimes conflict that takes place in the field being studied is not really aimed at upsetting existing relations, but at simply keeping things the way they are (Ortner, 1995, p. 175). For example, the majority of illegal parking attendants or similar unauthorized workers are unlikely to contest the actions of traffic wardens or local councils who are intent on “re-establishing legality” because they want to overturn a system whose inequalities force them to live on the survival line, but just so they can guarantee themselves the minimum income necessary to live on.

Of course, as often happens during a theoretical study, these are only ideals and simplifications and we cannot exclude the possibility that the different actions might come together at some point, and the “fugitives,” who are intent on making their escape from a social structure that places them in a position of subalternity, will eventually have to renounce their ambitions, either for good or for a while, thus becoming “resistant” and people whose main activity is guaranteeing themselves a subsistence-level income. Or perhaps these “resisters” and “individualist” fugitives will start to organize themselves into groups (e.g. the *sans papiers* movement in France, or the “organized unemployed” in Naples)[2], and create social movements involved in the silent or open invasion of public space, asserting their rights and challenging the establishment they hold responsible for their marginal status.

But as Bayat (1997) says, even the “resisters,” however disorganized and separate, have the appearance of a “movement,” involved “in the quiet encroachment of the ordinary.”

More precisely, they are a movement of practice, a “social non-movement,” in which politics is recognized as being an everyday action not just moved by conscience, but by structure. And again, if disobedience is just one of the political techniques involved in dissidence (Sharp, 2011), how is it possible not to give an implicit political value to non-cooperative actions designed to get around restrictions put in place by regulations that are considered as suffocating and unfair?

On the other hand, the use of the expression “informal economy” is no less problematic and often creates a great deal of uncertainty. It appears to be both an all-encompassing term – which includes all forms of deviance or violations of the rules – as well as a way of indicating very different cases, which may include legal or semi-legal activities, but in any case unauthorized ones, including the sale of counterfeit goods, prostitution, dual employment, etc. (Losby *et al.*, 2002). Moreover, under the umbrella of informal we can find both those activities that relegate the individuals involved in them to a marginal position, giving them just enough for a life of subsistence, and at the other extreme, those that generate substantial earnings.

Also, formal and informal, legal and illegal tend to become blurred and difficult to distinguish. It is not surprising then, that in the words of Hansen and Vaa (2004, p. 8), the informal economy is an “interface,” or rather “a surface that forms a common boundary between two parts or areas, or a point of communication between two different systems.” In fact, the wealthier sections of the urban population also appear to be involved in illegal or irregular activities which can offer opportunities for making a quick profit; and their employees, on the other hand, are often highly exploited and work in conditions where there are no legal guarantees or any form of security (Portes and Castells, 1989; Marcelli *et al.*, 1999).

The rigid dualism of the original models – for example the early approaches of Lewis (1954), the ILO (1972) and Hart (1973) – that underlines the opposition between legal and illegal, and is embedded in the imaginary and perhaps also in policy, does not represent the reality of the situation. For example, the case of the Italian fight against counterfeiting and street vendors is based on the assumption of a rigid division between the legal production of luxury goods and counterfeiting. This hypothesis deliberately ignores the fact that the number of informal contracts granted to small manufacturing businesses (especially those producing clothing and leather goods) by luxury goods producers is growing, and it therefore ignores the existence of a continuum between undeclared and official work, market and commercialization, that is linked to productivity cycles, and which makes it impossible to talk about counterfeiting (Palidda, 2013).

However, we should not be too quick to discard old conceptualizations and logic divisions before noting that – as Hart (1973) and Scott (1998) observe – to the regime of informality belong all those activities that policy makers exclude from their definitions of reality, and are aimed at evading the state’s projects and schemes of territorial legibility pursued through the use of maps, fiscal control, civil registries and the development of biometric technologies. That is, notions and uses of the word informality are interesting descriptors of institutional and societal logics and cultures.

It is also useful to underline that these logic divisions, especially in the case of subordinate relationships, are not always as simple as the opposition between “rich” and “poor.” For example, if it is true that in the field of subcontracting, the “bosses” are often exploiters ready to forgo salaries and safety procedures, it is also true that their circumstances are often far from easy, and are characterized by high levels of dependence on and susceptibility to banks, other contractors, suppliers, tax authorities, etc. (Saitta, 2013). This raises further questions concerning both the relationship of the informal economy with the notion of resistance, and the discourses of order produced by institutions: what does it mean to be “the strongest” in these interactions? How can we interpret the relationship between the different networks of dependence and subalternity which characterize everyday conflicts? In what way does formality protect people? And, conversely, in what way does informality make the actors

involved only more vulnerable, and exposed to different threats over the course of their biographical trajectories – in spite of a temporary reprieve from shortages and pressures of different kinds?

Finally, it is important to highlight that much of these reflections have matured within a specific context – the Southern Italian one – and that they implicitly reflect situations, policies, and debates that are located in a specific corner of Europe. Some countries within the same continent and elsewhere might find themselves at a later stage of their governmental process of deviance. However, the possibility of applying notions and concepts developed elsewhere – in the western metropolis as well as in the post-colonial environments that produced much of the literature on which this essay draws – makes me think that, in spite of (self-)representations, there are several communalities between countries, and that different experiences are shaped and characterized by similar drives, pressures, legislative “fashions,” vested interests, and class stratifications that allow a certain degree of generalization. A globalized world as we know it is in fact a polarized model of society, based on modes of production and dependence that, far from making instances and functions homogeneous in each country, produce nevertheless common ways of perceiving security and insecurity, equality and inequality, and also common methods of dealing with such sentiments and material situations due to the circulation of ideas, transnational institutional pressures to conformity, political tools, and people (the elites as well as the lumpenproletariat).

As to the structure of this paper, the next section provides an analysis of the dynamic relations between informal practices and legal systems – that is, social and legal changes in a context driven by economic interests. Over the course of the following section, such a nexus will be deepened and analyzed within the neoliberal (or late-liberal) context of the present days and cities, with examples drawn from a large body of literature on the urban, the economic and crime. Later, an analysis of the postmodern notions of autonomy, subjectivity and resistance, and their links to the issues of informality and social control will be provided. Finally, a concluding commentary and synthesis of my findings will be proposed.

Public order and legal change

Over and above its criminal nature or the way in which it originates, informality is a political, symbolical and rhetorical process that creates reactions, arrests, and various forms of political and civil activism. Rudolph Giuliani’s “Zero tolerance” policies in New York in the 1990s, for example, were emblematic of the government’s fight against so-called forms of “incivility,” from illegal sales to any other form of irregular street activity (Wacquant, 2010; Duneier, 2001). The number of arrests carried out during those years was, as we know, extreme (Jacobson, 2005). But Mayor Giuliani’s policies were aimed at producing a sanitized urban environment that served the interests of commercial chains, leisure entrepreneurs, and real estate owners. This type of public order management in the interests of economics soon became the example for a large number of states and cities both in Europe and elsewhere.

Over the last decade these motives – particularly on issues related to security – have become an integral part of both right and left wing policies. This discourse has also given rise to various forms of “civil” mobilization: committees, movements and patrols made up of citizens who are generally reluctant to be involved in mobilization, but are nevertheless sensitive to the call of the “race war” and opposition to the hordes (Foucault, 2003; Delanty and Kumar, 2006).

The informal economy, then, belongs as much to the political and social political realm, as it does to the economic realm and the realm of penalties. If we return to and broaden a classic motif in the sociology of law, such as “legal pluralism,” which aims to investigate the mutual relationship between normative production and society, we could also state that informality is part of a “war,” as old as regulation itself, between “organized law” and “unorganized law,” and that the former, “in its reflected schematism can never entirely express unorganized law which

is more dynamic and richer in content” (Gurvitch, 2001, p. 222). In general, the history of sovereignty is, after all, only the history of a war against the customs and the non-formalized codes that ruled social relations and competed with the interests of an emergent new powerful class – not necessarily a history of rationality. But only if any kind of formalism is excluded, and there is an opening toward “legal polycentricity” (Petersen and Zahle, 1995) by which law is basically spread across society, can the informal become a space for the public authorities to learn and carry out regulatory reform (Rios, 2014; Mukhija and Loukaitou-Sideris, 2014, p. 7). These authors find that it is not uncommon for informal solutions to be more rational and efficient in the ways they are organized, provide services and utilize spaces, than officially regulated ones, or at least how these might be if they were properly set up. And because often they are not insecure, for example regarding hygiene (although, naturally, there are many cases to the contrary), the study of these activities (which are a response to the social needs of the people who use them, as well as to the entrepreneurs who organize them) could well help the legislator to see existing regulations in a new light and to purge them of the many irrationalities they commonly present.

From this point of view, the informal economy can also be seen as an “experimental field,” a social space in which to apply new and different forms of management of disorder that are more suited to the changing needs of the élite. If we looked back, we would see, for example, that the appearance of the modern prison between the seventeenth and eighteenth centuries, the sudden criminalization of certain practices (peddling, counterfeiting, etc.), the changes in the taxation system or the application of liberal principles to “developing” economies are just some of the tactics that were introduced at different times during the evolution of political systems, and that were implemented to deal with different types of informality or with the new characteristics of old and consolidated irregular practices in the context of current economic changes (Foucault, 2004).

However, this way of describing the phenomenon is still limiting, as it continues to depict informality in essentially dualistic terms: on the one hand, the state and the élite and, on the other, the “resisters” (the poor, marginal people, etc.). But a real subversion of terms should include the authority in the group of subjects who produce deviance and informality, starting from the observation that the legislative and fiscal processes are some of the channels which fuel such behaviors (Frey, 1989; Johnson *et al.*, 1998; Wintrobe, 2001).

Shapland (2009) has observed that the countries more likely to experience a higher growth in the irregular economy are those in which there is a high taxation of services and products, accompanied by the widespread use of subcontracting and outsourcing of work, together with inefficient regulation and low levels of controls. Similarly, Vande Walle (2008) has discussed what happens when regular businesses enter a substantially informal market, like the ones produced by the Free Trade Zone, or those special economic areas where there are no commercial barriers and bureaucracy is reduced, created by states and supranational entities to promote business in depressed areas. Designed specifically to make underdeveloped areas more dynamic, they rapidly became free zones also as far as exploitation and guaranteeing workers’ rights were concerned, with the complicity of the authorities that helped set them up. Free zones, therefore, become those areas that, in the name of the development imperative, accept and formalize the otherwise deviant instances of the economic “élites” – both producers and traders – who feel the weight of the fiscal pressure, and that, subsequently, in their everyday practice produce informality as a way to escape impositions. However, if such zones are the “injection rooms” of late-liberalism, aimed at reducing the harm stemming from fiscal losses and favoring “development,” they are not victimless mechanisms. If Vande Walle is right, in fact, workers are, as always in such a context of the progressive weakening of guarantees related to labor, the victims of the complex intertwining of state (legislation, objectives, enforcements etc.) and private enterprise, within a milieu characterized by deep asymmetries in favor of the powerful.

The same intertwining, after all, that we see in action in the streets of the European city (certainly, the Italian one), and that is generally aimed at hitting the most visible and weakest rings of a long chain of production and commercialization of goods, counterfeited or not: the vendors. For example, according to the figures provided by the Italian Department of Prison Administration (DAP), only 6 percent of the inmates are imprisoned for economic and fiscal crimes (mostly, for fraudulent bankruptcy)[3]. In the light of these observations, how can we therefore ignore the fact that informality is also a space in which, beyond exploitation and violation, there are different types of arbitrariness? A space where, not so much the elite, but the “street-level bureaucrats” (Lipsky, 1980), or simple law enforcers, officiously carry out their duties in the way they believe to be best, most convenient, and which reflects their ideology (Bacon, 2013). An ideology, moreover, reflects a common wisdom and a whole tranche of feelings that are produced elsewhere, mostly in the higher ranks of society and government. That is, in the same lieu where vested interests meet through the legitimate practices of political representation and lobbying, and the laws and the regulations are made. Laws, finally, are applied by the control agencies with a certain degree of freedom, thus adding further interests and objectives to those already present in the field. When faced with trafficking, officers might decide to overlook any misdemeanors, either out of simple kindness and humanity or in exchange for money or useful information, or they may feel it necessary to do their duty by harassing, beating or mistreating in the name of the law they themselves represent (Smith and Gray, 1983; Waddington, 1999; Fassin, 2013; Goffman, 2014).

In any case, the role of the state in creating deviance is not limited to legislation and the way rules are applied. Any transformation of the terms of the discourse, rather, should aim to shed light on the links between the institutions and narrow business circles. In fact, tenders for the building of infrastructure or providing services, contracts and subcontracts, the organization of so-called “big events” (sports events, religious ceremonies, etc.) or disaster management are all sectors where, historically, public and private interests meet, and often clash, and are resolved in ways that are not always in the public interest (Klein, 2007). Again, the history of Italy in the matter of disasters – for example, the massive earthquakes of Campania in 1980 and L’Aquila in 2009 – [4] or infrastructures – for example, the infamous speedway Salerno-Reggio Calabria, started in 1964 and still partially unfinished[5] – is one such case of frequent convergence of bureaucracy, patronage, political economy, rhetoric on modernity, and organized crime that did not seem to work in the general interest. It was a complex of events and related policies, moreover, which did not only affect labor, but also public health and security in broader parts of the country (Palidda, 2016). In this context, to focus only on the heinous crimes of the underclasses (i.e. the soldiers of the mafias, their killings, and the emulative behaviors of the many who aspired to join the legions of organized crime) which were the outcome of decades of such intertwining of political and economic levels would be rather myopic and formalistic.

In this respect if, over the last few decades, the social sciences have voyeuristically observed the poor, supporting what are fundamentally either paternalistic or conservative visions of social organization (Wacquant, 2009), it seems to us that the appropriate step should rather be to make a close investigation of the public powers, so as to de-structure both the elite’s order of discourse and their notions of legitimacy, legality, and underdevelopment. The study of the informality and resistance of the people who happen to be on the lowest rungs of the hierarchical ladder, then, should not be a way of dissecting the “culture of poverty” (Lewis, 1966), but a way of exposing the links and the parasitic or reciprocal relationships between the “city and its shadows,” that is, the official and the unofficial, the well-to-do and the thugs (Dal Lago and Quadrelli, 2003).

Informality and neoliberalism

In short, what stems from the previous sections is that a discussion of the informal economy at a given time should insert such objects within the organizational, political and ideological framework active in the considered moment. For such reasons, as well as being a form of resistance and evasion from power, informality should also be seen a sign of the state's inability – or perhaps lack of will – to bring some classes of citizens into its sphere of influence and protection (Shapland, 2009). This statement is embedded in the framework of “neoliberalism,” which emerged toward the end of the 1970s with the aim of promoting an agenda that was more focused on global and domestic market relations. To summarize rapidly what the reader already knows perfectly well, this movement considers market freedom as a model and even a substitute for political freedom. Neoliberalism is an attempt to extend the range of market logic, by applying it as an organizing principle for all the other social and political relations. It is also an attempt to mobilize the state to the benefit of the market and to give it the appearance of a “quasi-market.” Contrary to classic liberalism, in fact, neoliberalism does not perceive the market as the natural result of human relationships, but as something that needs to be actively constructed; in the same way, the behavior that is compatible with this type of market needs to be learned, and then extended to other areas (Soss *et al.*, 2011, 20 *passim*). Moreover, this occurrence would be a precursor to political and social changes, which range from the democratization of nations to the emergence of a new ethic based on individual empowerment and the substantial privatization of social provision (through the liberalization of these services, allowing the “private social” to supply them, and an economic assessment of the services provided).

Liberalizations are therefore fundamental instruments for extending markets, market behaviors, and compatible systems. Some critics, however, have noted that in practical terms, “actually existing neoliberalism” (Brenner and Theodore, 2002) has indeed produced results that are quite different from what was expected. To begin with, the introduction of neoliberal policies has certainly not produced an increase in equality; in many countries free trade has not stimulated growth, but seems, actually, to have reduced it, whilst employment has become more sensitive to market contractions, going down for long periods of time and then going up at others, and in these latter phases actually getting worse in terms of working conditions and the related social guarantees (Gilbert, 2004, 39 *passim*).

Also, as observed by Farinella (2013), from the 1970s onwards, international capitalism has had to face a series of recurring crises that have been overcome by injecting increasing doses of informality into the system. As we know, since the 1980s, the European and American labor markets witnessed a growing erosion of the guarantees related to labor – what Beck (2000, p. 1) has called the “Brazilianization of the West.” In this perspective, short-term contracts, destandardization of labor, cuts to public administration, flexibility, and the possibility given to firms to proceed with massive dismissals of individuals or groups of workers are some among many examples of the changes in the structural organization of labor, in the public ethos, and the rhetoric of work. With important differences from country to country, the whole of the policies aimed at dismantling the set of guarantees emerging from the Second World War has contributed to polarize wealth, increase inequality and precarity, halt social mobility, and project many of the European societies into unprecedented levels of occupational insecurity (at least since the 1940s). Paradoxically, such processes of “destandardization” have formalized the existing informality, and, at the same time, have produced new informality. It is also undeniable that from the beginning of the 1980s the central and decentralized levels of the economic system – the center and the periphery – have undergone some important transformations, and have become more intertwined and dependent. One of the most significant aspects noted by Farinella (2013, p. 97) relates to the increased importance of elements such as: reciprocity, aimed at introducing intangible resources into the economic cycle; relationality, which ensures that

individual skills become a “collective good” which can help to improve competitiveness in territories; and flexibility, or the ability to adapt to production needs. In the opinion of the author, and following Castel (1995) and Sennett (1998), people become “subjectivity at work” (either “deflated” or “inflated”), exposed to the “corrosion of character,” and to higher rates of substitutability and, therefore, occupational blackmail. Further emphasis on the “cognitive” and “intangible” side of capitalism also implies the fact that the shift toward the tertiary sector and services brings with it a growing polarization and wide diffusion of “bad jobs” – especially if compared to expectations concerning study, types of occupation, social mobility, stability, wages, medical care, and retirement, which characterized previous cohorts of workers and aspiring workers in post-war societies (Turner, 1992; Bertaux and Thompson, 2009). While people’s mentality has certainly changed, and there is today a broader acceptance of precarity than in the past, such change implies chiefly an ethos, a life style, and a re-organization of economic structures sought and imposed by the elites rather than the workers (Ho, 2009). Moreover, as many other researchers have noted, flexibility can then easily turn into informality and exploitation. The ambiguous nature of informality, like that of development and underdevelopment, mostly derives from the fact that it is a discursive-instrumental practice used to qualify bio-political arrangements where it is not the human content that matters, but the form they assume and the effects of reality they produce. Just as the production of criminality was useful to the calculations of the dominant classes, so the production of informality has been useful in alleviating pressure on the social services and the costs of welfare (Farinella, 2013, p. 96).

In those countries where development was seen as a cogent imperative – including European nations like Italy, which have grappled since their foundation with extensive depressed areas – irregular jobs and informality were widely tolerated, and seen as a way to favor growth and the circulation of incomes among the lower classes. Irregular workers, moreover, do not receive the dole and other similar transfers for unemployed persons, and this allowed the national social security mechanisms dramatic reduction in costs. In Southern Europe, families became the main social safety net, and the savings of older generations have helped younger cohorts to navigate the crisis and the shortage of regular jobs (Mingione, 2001; Morlicchio, 2011). Likewise, in addition to the institutional savings on the dole and related measures, the injection of irregular immigrants in the irregular labor market – especially in agriculture and construction – has guaranteed the possibility of dismissing people and limiting the costs of injuries at work, and reducing medical expenditure for injured workers to virtually zero (except for immediate care right after the incident, if the worker goes to hospital) (Ribas-Mateos, 2005).

To complete the picture, one should add the usefulness and importance of political patronage in determining such a structure and social organization – something that has guaranteed for decades the reproduction of the system, its social stratification and the consolidation of irregular labor markets. This is without taking into account how, over the course of the years and with the massive arrival of immigrants, these dynamics have translated into the securitization of public space – even in the face of an objective reduction in violent crime, for the sake of consensus, to suppress any form of revolt in the public space, and, above all, to produce a docile and invisible reserve labor force to be underpaid, dismissed at the best convenience of the entrepreneurs, and at no costs for the states.

In the light of what has been observed, we might still be tempted to think of part of the population as “marginal” (Alsayyad, 2004, p. 9). More particularly, the less qualified members of the national and immigrant work force (habitual offenders, illegal immigrants, and unskilled nationals) would, from this point of view, form a surplus that cannot be included, unless in terms either of extremely precarious occupation or detention. Notwithstanding that, this does not mean that we can assert that the subjects on the lowest rungs of the ladder of informality are all marginal, but rather, that they are integrated in a

subaltern way. They are, in other words, absolutely necessary to production and even to the consumption of material and immaterial goods (e.g. security and related services), but it should be possible to dismiss them as and when required.

On this particular type of integration, Hobbs (1988, p. 117) makes an observation about the huge suburban, ultra-working class area of East London during the 1970s and 1980s, where the resident population felt a strong physical and symbolic proximity to the capitalist heart of the city, and began to use the language and ethics of business, adapting it to their daily lives and using it to find their way around the changes brought about by the new capitalism. "The culture that emerges is essentially entrepreneurial since the particular economic structure of East London has needed generations of individuals to acquire and internalize the essential characteristics of entrepreneurship, while continuing to operate in line with capitalism" (Hobbs, 1988).

As Merton (1968, p. 212) had already observed in his strain theory, those groups situated at the margins of capitalism are transformed and integrated by capitalism itself up to the point that the differences with regard to values and goals are residual and "resistance," if there is any, is mostly about means – in other words the symbolic and material obstacles that prevent them from reaching their goals, which might be consumer goods, leisure time and available economic resources.

Despite the continued use of the expression marginality, more or less up to the present, subaltern inclusion was already a theme in literature from the late 1970s onwards, when a series of studies about developing countries – amongst which Perlman's (1976) on Brazil, with its already explicit title – began suggesting that "marginality is a myth" and, as we have already said, that the urban poor and disenfranchised in general are, on the contrary, fully integrated into society, but in such a way as to be economically exploited, politically repressed, socially stigmatized and culturally excluded (Bayat, 2000, p. 539; Alsayyad, 2004, p. 9). This is a situation that would increasingly become the same in the global north and south and which, from the beginning of the 1970s, would lead to a reduction in social spending to the benefit of penal class and prison policies, which would in turn lead to what we can call a situation of "hyperincarceration" (Wacquant, 2010): to that mass phenomenon, albeit extremely selective in terms of class and race, which deals with issues such as subordinate inclusion and excessive workforce mainly in terms of detention[6].

Incidentally, one may also notice that this is a combination of elements that brings about a strange cognitive short-circuit, caused by the demolition of time and space. In less abstract terms, if the arguments used to deconstruct the myth of marginality are constructs designed to explain the situation in a "third world" country such as Brazil in the 1960s and 1970s, and if the idea of a relationship between prison sentences and work comes about within the framework of early capitalism (Rusche and Kirchheimer, 2009), the European and the American present seems, on the one hand, to cancel out the differences between the areas, and on the other, to turn back the clock to the eighteenth century and the origins of the modern penitentiary question, with its concern with labor, dangerous classes, race, and punishment. Indeed, this is something that Stoler and Cooper (1997) and Mezzadra (2005) have already observed when talking about colonies as the "laboratories of modernity" so that we see a retroaction from the periphery toward the center, and the process of colonization and stratification of social relations in the western capitalist democracies[7].

Autonomy, subject, and resistance

In analytical terms, an issue that emerges from the previous section relates to the forms of reaction and adjustment, openly oppositional or "tactic," generated by the neoliberal transformations of policies in the matters of labor, mobility, crime, and welfare. Another issue concerns the emergence of the "willing subject" meant here as the process that leads individuals "to believe" and "to build" – that is, to build themselves as thinking subjects,

“constituted in the datum”, inserted within structures of opportunities, and “practical” in their being in the world (Deleuze, 1991).

Moreover, to use, as I did above, a Mertonian perspective to interpret informal practices in the neoliberal context means above all to suggest that the social response to neoliberalism moves from the level of a collective and open mobilization to an individual and covert one (Merton, 1968, 212 *passim*). In other words, it is plausible that today, even more than when Merton wrote, the “struggle” against the new social order is conducted by “innovators” that do not employ organized and collective forms of mobilization to claim their right to exist, nor affirm alternative values (even though, clearly, this does not mean that classic and collective practices do not exist any longer). It is also possible to argue that, in the case of these actors, their practices outmarch ideology, even though this does not imply that they do not have political visions, or that such visions cannot compete with the hegemonic ones. However, at a superficial level, one notices certain paradoxes that only an emic knowledge of the meanings conferred by the subalterns to their actions can explain. In other words, to develop an analysis it is necessary to leave out normative approaches to the subject matter and deploy perspectives entirely centered on the actors, their processes of signification, and their intimate ways of assessing the surrounding world.

Returning to the problem of those reactions that reflect changes in the control apparatus and that the reorganization of social relations has generated among the most vulnerable segments of the population, the simple and neutral point for my reflection is that “where there is power, there is resistance, and yet, or rather, consequently, this resistance is never in a position of exteriority in relation to power” (Foucault, 1984, pp. 94-95). Within this framework, one should remark again that power is not exercised by the state only – it is rather “microphysical” and scattered. In more direct terms, if the neoliberal order sketches a new system of social relations, such changes will determine new forms of adaptation, and these adaptations will be connected to the new design of society and will depend on it, up to the extent that they will partially reproduce it, even when they are meant to be a critical response to it.

The informal economy, therefore, can be a practice of reproduction, resistance, and emancipation from many types of force or coercion, situated on the borders between public and private authorities. As part of this discourse, we can translate the expression “autonomy” as generally meaning the individual or collective (as in families, small or large communities) desire for self-determination and the freedom to pursue objectives either from a directly personal point of view, or from the point of view of a reference group. Objectives are fixed within the limits and possibilities set either by their own or an external social system, but that are influential nonetheless (let us think of the role of international relations and the imposition of restrictions on migration to Europe from underdeveloped countries). Other objectives may overstep these limits, although still be strongly conditioned by them, as might be the case for those wishing to escape from an over-enclosed or traditional environment. “Subjectivity,” the process of emersion of the individual will, then, appears as negotiation that is either successful or a failure, that is achieved to some extent or rejected, of moments when the self is at stake: a self portrayed both in the relationship the individual has with himself or herself, and at the same time, with his or her reference group (Mead, 1972, 273 *passim*). This process evidently includes integration and belonging, as well as disaffiliation and alienation: the chance not to do, as well as the chance to do; hence the chance to violate certain rules because they are considered alien to one’s own values and wishes, or because, despite considering them valid, they are secondary to another, more morally binding stake.

From the many possible examples illustrating this is perhaps the extreme case of the Congolese street children, who are involved in any and all types of trafficking and irregular activities, and who, in their definition of themselves as *niama*, or animals, express their pride in their hard won autonomy and freedom from orphanages or abusive families (Hendriks *et al.*, 2013).

In line with this argument, and to use another extreme example, female sex work can, in certain circumstances, be considered a manifestation of opposition to male or family domination and a way of getting round structural limitations (Pateman, 1999). If the dominant tendency in politics and common discourse is to see the question of immigrant prostitution within the framework of human trafficking, a great deal of literature shows, on the contrary, how the organizations involved in aiding and abetting exploitation (not just through prostitution, but male and female work in general) are just an answer to the entrenched position taken up by the European states, and the need for mobility for economic, political, or simply expressive reasons.

Within the framework of aiding and abetting clandestine immigration, even when this takes place within a regime of strong personal debt or even coercion, the decision to be involved in trafficking[8] has some varied and ambivalent resistance values that are also extremely problematical. First, it expresses resistance to international and migration policies, and can be seen as a direct challenge to state border closures. Second, it is a common response by both genders to the need to make a rapid accumulation of capital to re-invest in their native country. Finally, it may be, as in the case of other types of migration, albeit with great relativity and depending on personal and individual characteristics, a need to escape from a patriarchal order, or at least from the family, and perhaps even a personal desire to see the world (similar to a western concept of tourism, or experiencing the world) (Agustin, 2007)[9].

In her ethnography on prostitution in England, Day (2007, p. 76) also – and she has always been fairly prudent about using the term resistance in previous work – compares market (prostitution) and state (repression and social services), collocating prostitution in a sort of middle ground between the public and private spheres. In this way, the author is suggesting that prostitution is an activity in the informal economy which produces conflict with many other areas of life, but that has important connections to the theme of female autonomy. Yet, there are similarities here with the study made by Bourgois and Schonberg (2009, p. 51) on a community of homeless drug addicts, where for Tina, one of the protagonists, sexual exchange is a way of gaining independence and escaping the abuse she suffered at the hands of her family of origin.

On a different level, for the “1.5 generation” immigrants of Mazara del Vallo studied by Saitta (2010), “entrepreneurship” (although not very remunerative, and consisting mostly of activities such as music, craftsmanship and drug dealing) is connected with pride and the self-esteem of the actors involved in their capability to elude low salaries and the exploitative forms of labor in services, construction, and agriculture.

For Holston (2007), the illegal selling and buying of land and housing in Saõ Paolo, in the context of a dramatic disjunction between democracy and equality, has been one of the paradoxical tools through which some of the disenfranchised of the Brazilian metropolis have experienced access to house property and to citizenship – this latter meant as a participatory process that uses both illegality and the interstices of the law as a way to claim old and new rights.

Finally, between the late 1970s and the early 2000, when the arrival of Ikea determined an acceleration of urban processes which had remained latent for about three decades, for the Southern-American food entrepreneurs of Red Hook, Brooklyn, studied by Zukin (2010, 170 *passim*), illegality, beyond being a way of self-subsistence, represented for the vendors as well as for their customers, a way to produce a “Latin” space and to intervene from “the below” into the requalification of a sub-urban space abandoned by public authority, and denied to the fruition of citizens.

In sum, far from representing only a space of exercise of illegality, which shows a paradoxical conformity to dominant values, or a “material” setting connected either to subsistence or to the satisfaction of secondary needs, the informal economy is a complex realm

related to the self and to ambitions that are both individual and collective. It is a practice in which, besides forms of structural and symbolic violence are also found instances of liberation from a plurality of bonds connected to market access and the free circulation of people, as well as to the expression of the self. This does not take into account that the informal economy and practices can also play public functions, related to the positive rewriting and revitalization of spaces abandoned by the authority. Finally, informality appears as an implicitly political and conflictive (“resistential”) space, for it challenges public powers from a plurality of angles and rejects social stratifications imposed by regulation.

Conclusion

In an enlightening book about the informal city, which will guide us toward our conclusions, Laguerre (1994, p. 24) observes that “informal practices provide a corridor for the protection of the self against regulatory structures.” This is, however, an optimistic point of view which does not take into account the fact that informality can also be a trap. It may, in fact, represent the space in which exploitation practices reproduce those found in the formal sector, with no indication of resistance and freedom. However, despite the risks, informality certainly implies the possibility of a liberation “not so much against a certain class or group but against forms of power which deny the individuality of the subject” (Laguerre, 1994, p. 2). More especially, though, “its meanings [of informality] can be constructed in terms of both its genealogy and its relations to the contextual condition of the formal system” (Laguerre, 1994).

This means, amongst other things, that some activities are informal because there are no rules to regulate them, while others are informal precisely because there are laws which create the conditions for this to happen, or that expressly try to prevent them from emerging.

Laguerre (1994, p. 7) also defines informality as a framework for action, which requires: the existence of a place where the work can be carried out (a house, street, shop and, today, simply the internet); actors, whose actions are wholly or partially informal; a formal system which can be distinguished from other systems, making them informal by definition; the intention to evade or avoid tax systems and regulations by necessity, either as a way of refusing to submit to impositions or for ideological reasons.

It is important, nevertheless, not to see informality only as a form of conflict, because the presence of limited degrees of informality appears to be crucial, also, to formal organizations, whether they are socio-political or economic. Economic relationships, as well as those that are merely “relational” between individuals and internal areas of official organizations, almost always present minimal degrees of irregularity, which are necessary to the smooth running of the system, to release tension, or to signal the fact that it is really impossible to control every single function.

In any case, informality is, above all else, a social construction, sensitive to changes in legislation and to the behaviors and “functions” in use at the time. What is illegal at one moment can be perfectly legal at another, which can mean that entire sectors emerge and are regularized. Wallerstein (1976, p. 58), moreover, has clearly shown how capitalist forms of production have led to the informalization of traditional domestic economic activities. Indigenous economic activities in the colonies have suffered the same fate. This process has determined, both in the country of origin and in the colonies, the informalization and criminalization of minorities. From this point of view, the “genealogy of the informal system cannot be understood outside the framework of the genealogy of the formal system” (Laguerre, 1994, p. 17).

As we have repeatedly observed, the informal seems to be strictly related to the formal. On a collective level, the communities that are defined as informal by the dominant groups are, in a certain sense, produced by them in order to manage the resident groups’ relationships with the formal institutions. The tolerance shown by the powers toward these

informal spaces is a sign of their evident or latent functionality. Precisely “because it is so much linked to formal space, informal space is not only a social construction, but also a social phenomenon” (Laguerre, 1994, p. 42). This phenomenon, which arises from the desire to subjugate, produces instead reactions, emotions and knowledge which, in opposing the force that created it, develop a non-cooperative relationship.

As Scott (1990, 108 *passim*) put it, the informal space tends to become the expression of a “dissident culture”: a culture that is not actually so different from the dominant one, but different enough to not resemble it, and also to generate in those who belong a range of negative feelings that are largely caused by the awareness of their position and options in society. And it is here that the informal space becomes a space for subaltern “politics,” expressed through different languages, styles, ideas, passions, and above all, practices, that are either partially or radically different from the dominant ones, and that appear as the only viable solution to the problem of making ends meet and guaranteeing the right to life and joy.

Finally, if all this is plausible, a parallel risk to the one recognized by critics of the concept of resistance might be to define as romantic all those narratives that do not use the language, expectations and ideologies of the institutions to describe biographical details and meanings, but try instead both to use and legitimate the language of problematic individuals, adopting their interpretive categories to narrate and explain the ways in which subalterns act, using their own wisdom to rewrite the world in the name of re-appropriation and “robbery.” It is at this point, then, that informality becomes, so to say, a total social fact – that is, a specific element of a culture that has implications throughout society with regard to all the spheres that compose it (Mauss, 1990). And the very same act of writing becomes thus “political,” “subversive” and “partisan,” forcing the investigator to make a choice: writing either in the interest of one of the parties, or another.

Notes

1. At least according to the Etymological Dictionary of the Italian Language by Ottorino Pianigiani. The same origins are also clear in the French and English variations of resistance. And the same meaning is to be found in the German word *widerstehen*. My thanks to Silvia Pitzalis for encouraging me to think about the etymology and the inconsistencies in the use of the term “resistance” in the social science literature.
2. On the *sans papier* and organized unemployed see, respectively Simone (2002) and Basso (1981).
3. www.ristretti.it/commenti/2013/febbraio/pdf1/statistiche_dicembre.pdf (accessed January 20, 2016).
4. For an extended discussion of these events and others which have occurred in modern Italian history, see the many essays collected in Saitta (2015).
5. On the story of this strategic and yet troubled infrastructure, connecting the south of Italy to the rest of the country, see D’Antone (2008) and Mangano (2013).
6. Although “hyperincarceration” is a tag apt to describe the Northern American situation, the 2015 Penal Reform International’s report indicates that, currently, there are more than ten million prisoners in the world, and that there are huge differences between countries. However, the report also outlines that the prison population is growing in all five continents, and that “In the last 15 years the estimated world prison population has increased by some 25-30 per cent but at the same time the world population has risen by over 20 per cent. The world prison population rate has risen by about six per cent from 136 per 100,000 of the world population to the current rate of 144” (Penal Reform International, 2015, p. 8). In addition, the English-speaking countries lead the charts – the USA being the biggest “incarcerator” in the world.
7. See Milanovic (2012) for some data on the scale of global economic inequality.

8. Trafficking, not simply people “smuggling,” a term which is in my view a rhetorical device useful for introducing the difficult and contradictory idea that one can be both exploited and consensual.
9. Agustin, who is the author of a widely contested book, gives a long list of authoritative essays that all express vastly different views from the dominant ones regarding the problem of trafficking. A problem, moreover, that should also be seen through the anthropological framework of the myth of white slavery. On this, see Morin (1982).

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About the author

Pietro Saitta is a Senior Lecturer and Researcher in Sociology at the University of Messina (Italy). He has worked in several national and international teaching and research institutions in Europe and the USA. He is the author of several books and essays, and his interests include urban studies, environment and criminology. Pietro Saitta can be contacted at: pisait@gmail.com

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