Journal of Ethical Urban Living
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Introduction

We are pleased to introduce the first issue of the Journal of Ethical Urban Living (JCN). A primary goal of JEUL is to provide an open-access forum in which scholars, thinkers and workers from a wide variety of backgrounds, fields, professions and disciplines can contribute to discussions concerning complex social and legal issues created by urban living. Social policies and legal institutions have a dramatic effect on the way we are able to live our lives, from quality of water, air and food issues to employment, educational and cultural opportunities and experiences; from matters of public and private health, safety and security to the expression of justice, liberty and freedom.

Situated in Flint, MI, CCN takes seriously the role policy decisions, both historical and current, have dramatically shaped and controlled the lives of individuals living in urban settings. JEUL will bring together the work of researchers, academics and scholars as well as therapists, clinicians, policy-makers, educators and performance artists to analyze, discover and support social policies that will realize fairer, more just, and more equitable opportunities for all who live together in modern urban environments.

To ensure that the review process JEUL follows remains blind, our manuscript reviewers cannot be named but their time and efforts are appreciated. For more on the Journal of Ethical Urban Living and the Center for Cognition and Neuroethics, we invite you to visit our website at cognethic.org.
The Name Game: Testimonial Injustice against People Incarcerated at Stateville Prison

Joseph Dole

Biography
Joseph Dole has won numerous awards for his writing, including most recently a first-place award in the 2017 Columbia Journal Writing Contest. He is the author of the books A Costly American Hatred and Control Units and Supermaxes: A National Security Threat. More of his work is available at his Facebook page, https://www.facebook.com/JosephDoleIncerateratedWriter/. He is currently serving a life-without-parole sentence at Stateville Correctional Center. He spent nearly a decade of his life in isolation at the notorious Tamms Supermax Prison. He can be contacted at: Joseph Dole K84446, Stateville Correctional Center, PO Box 112, Joliet, IL 60434, USA.

Publication Details

Citation
The Name Game: Testimonial Injustice against People Incarcerated at Stateville Prison

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Abstract
This essay examines a practice at Stateville Correctional Center in which students’ last names are forcibly omitted from their published writings. The author argues that this practice constitutes testimonial injustice in Miranda Fricker’s sense. Moreover, given the conditions of the prison, this testimonial injustice has particularly detrimental consequences.

Keywords
Testimonial Injustice, Miranda Fricker, Epistemic Harm, Bias, Prisons, Incarceration

At the behest of Stateville Correctional Center’s administrators in early 2015, teachers with the Prison-Neighborhood Arts Project (P-NAP) implemented a policy of excising an incarcerated student’s last name from his writings in all P-NAP publications. While the teachers may not consider this a “big deal,” to the students it is. As one of those students, I consider this a severe form of testimonial injustice despotically inflicted upon us.

Testimonial injustices can occur when a person who is giving testimony in any form, such as speaking or writing, unjustly receives a credibility deficit in the mind of the hearer/reader based on some conscious or unconscious bias about the person’s social identity. This can come about through various avenues: racial biases, stereotypes, deliberate misinformation, or some other prejudice either harbored by the hearer/reader, or imparted upon them by a third party. Drawing on Miranda Fricker’s seminal discussion of testimonial injustice (2007), I will argue that the mutilation of an incarcerated student/writer’s name clearly fits the bill.

The Prison’s Argument for Excising Names
First, let us dispense with the administration’s unfounded claim that including the students’ full names somehow creates a threat to the safety and security of the institution. Not only does the administration refuse to explain how this creates a security threat but they are unable to point to a single instance where it created a security issue in the past. For several years, P-NAP published the students’ full names with their writings without incident.
Tellingly, in all areas not associated with P-NAP, students’ full names remain unmolested. For instance, the Illinois Department of Corrections (IDOC) policy requires all “offenders” (the IDOC’s preferred term for all incarcerated people) to wear an identification card on their lapel displaying their full name, ID number, and even their religion (the latter of which is a practice not permitted in any other state due to it being so discriminatory). A trip to the prison law library allows anyone incarcerated to look up another incarcerated person’s appellate court decisions, which not only describe the crimes they are incarcerated for in great detail but also their full name.

Incarcerated people have a First Amendment Right to write articles and books for publication, which other incarcerated people have a First Amendment Right to receive and read. The IDOC is well aware of this fact as it twice tried to prevent the publication Stateville Speaks from entering the prison. This engendered two federal civil rights lawsuits for violating people’s constitutional rights, forcing the IDOC to back down and allow Stateville Speaks into the prison. Each article, poem, or piece of art in it, as well as any other non-P-NAP publications, contain the incarcerated writers’ and artists’ full names.

Thus, it is clear that the simple act of publishing an incarcerated person’s full name with their work does not pose any threat to the safety or security of the institution in any true sense. Rather, the mutilation is done to further the true goals of Stateville’s administrators: the complete control, oppression, and ostracization from society of all of Stateville’s residents. That may sound like hyperbole, but I assure you it is not.

Systematic Oppression against Prisoners

Obviously, prisons are supposed to control people’s bodies by preventing them from escaping or committing further crimes while incarcerated. In reality, however, that is only a small part of what the IDOC is trying to control. Forget all of the rhetoric about how prisons are trying to rehabilitate people; they’re not, especially in Illinois. Prisons here are actually in the business of systematic oppression: maintaining a “criminal” underclass to keep prison bunks filled (and thereby maintain correctional job security); and controlling, in totality, society’s “lowest” class of people “prisoners.” The IDOC doesn’t just want to control people’s bodies or criminal activities. They want to control (i.e. suppress or destroy) incarcerated people’s aspirations, goals, accomplishments, reputations, relationships, and any ability to successfully reenter society.

I cannot here address the hundreds of examples, rules, regulations, etc. that clearly evidence the veracity of the above statement, as that would turn this essay into a
book.1 For now, I’ll just stick to the matter at hand: name mutilation. The name game with the P-NAP writings is yet another example of the exertion and abuse of power to oppress, violate, and discredit the powerless. It has no legitimate penological purpose. Moreover, as we’ll see below, it actually works counter to the IDOC’s professed goal of returning “offenders” to useful citizenship,2 and can only be viewed as testimonial injustice.

Testimonial injustices perpetrated upon people in prison are especially egregious because we are powerless, already occupy the lowest societal station, and have so little left. Not only are we devoid of power, but we are at the mercy of those in power on a daily, minute-by-minute basis. Every day in America, this power dynamic results in incarcerated people dying due to medical neglect, excessive force by guards, or just plain unsanitary and inhumane living conditions (Dole 2015, 135-172). We are constantly retaliated against for exercising our constitutional rights, such as I’m doing here.

“Prisoners” are unique as a class in that we are banished from society. Incarcerated people are unable to vote (except in two states, – neither of which is Illinois),3 we find

1. For instance: if an incarcerated person becomes financially successful as a writer, artist, or entrepreneur (a rarity, granted), or even receives an inheritance or simply tries to save money to facilitate his reentry into society, he will promptly be sued to recover the costs of his incarceration (Illinois General Assembly Unified Code of Corrections 730 ILCS 5/3-7-6; and 5/3-12-2); basic education at Stateville has been so underfunded and understaffed that in a prison of over 1,600 “offenders,” only a handful have been able to obtain a GED in the past 3 years; accredited college courses were, until recently, non-existent and Stateville refuses to allow staff to proctor correspondence courses making a college education impossible to obtain; non-credit courses like P-NAP and the Long-Term Offender (LTO) programs (all of which are provided by volunteers and funded by grants and donations) had their class sizes arbitrarily cut by the administration from 25 students to 15 students per class; both the regular and law libraries are so inadequately stocked and staffed they should be rechristened “moldy, out-dated, torn-up, book repositories.” The myriad rules, regulations, policies, and practices of the IDOC not only discourage but make it nearly impossible for anyone to accomplish anything positive with their time, let alone lead productive lives while in prison. Each month brings stricter limits on allowable art supplies, and confiscations of allowable items is a common occurrence; as is destruction of artwork by staff. Relationships with family and friends in society are also increasingly frustrated by the lack of email, a mailroom that takes three times as long to deliver a letter a few hundred feet, than the time it took the Pony Express to deliver one across an entire continent on horseback, and both unnecessary rules and disrespectful staff make visits unpleasant to the point that they discourage repeat visits.

2. Illinois General Assembly Unified Code of Corrections 730 ILCS 5/1-1-2 (a) and (d); Illinois Constitution of 1970, Article I, Section 11.

3. These states are Maine and Vermont. See:
almost no protection from the courts thanks to the Prison Litigation Reform Act, and we are dehumanized and demonized in the media daily. We thus suffer a credibility deficit far greater than any other single stereotype just by being labeled a “criminal.”

As Miranda Fricker notes: “Whenever there is an operation of power that depends in some significant degree upon such shared imaginative conceptions of social identity, then identity power is at work” (2007, 14). Identity power is clearly present in the testimonial injustice inflicted on those of us who are incarcerated. From a young age, society has told us all that “criminals” are “bad,” “evil,” and untrustworthy.

In fact, unlike many other groups that carry both positive and negative stereotypes (e.g. Jews are both misers and good with money; Asians are both terrible drivers and really smart), all stereotypes concerning incarcerated people are negative. Even the terms “prisoner,” “inmate,” “offender,” “criminal,” etc. are all used as pejorative or derogatory terms, and all related terms for incarcerated people carry solely negative connotations. All of these societal facts result in “prisoners,” as a group, receiving what Fricker terms “pre-emptive testimonial injustice” (2007, 130-131). This is where the hearer’s prejudice against a group (“prisoners”) means that the group is never even asked for its input, effectively silencing them.

While “offenders” are rendered powerless by numerous social and cultural practices, the IDOC, by contrast, has nearly unchecked power to institute rules for others. With society’s acquiescence, the IDOC feels little obligation to consider whether the people who will have to follow those rules can or should have to follow them. In fact, there is no mechanism for incarcerated people to receive notice of or provide any input concerning rules, prior to them being enacted. The IDOC has had a free hand for so long that it no longer even feels obliged to consider whether the rules infringe on incarcerated people’s constitutional rights, or even basic human rights. Our rights are irrelevant, because we (incarcerated people) are no longer viewed as human.

For instance, when the new warden came in, he wrote a memo prohibiting us from taking water bottles to chow or yard, without considering that this water was our only way to prevent choking, overheating, and dehydration. When this was pointed out to him and we refused to follow it, rather than rescind the rule, the prison decided, instead, that the rule just wouldn’t be enforced, for now. The mailroom staff also has been allowed, as policy, to withhold our mail (without notification) for months and


4. The Prison Litigation Reform Act is “an anti-prisoners statute which became law in 1996, [and] has made it much harder for prisoners to gain relief in federal courts” (Center for Constitutional Rights 2010, 15).
then return it to the sender, which is a violation of numerous laws and regulations. It was done to ease the mailroom staff’s workload (i.e. it takes less time if they don’t have to comply with the law) regardless of the violation of our First Amendment Rights.

Such indifference to our rights allows the IDOC to continue adding vague rule on top of vague rule, each of which is creatively interpreted by uneducated staff and combined with numerous unlawful policies and practices to generate an unchecked display of power over the imprisoned. Rules are never rescinded, and each one further curtails or extinguishes the incarcerated person’s freedoms, privileges, and/or constitutional rights.

The power dynamic between the incarcerated and incarcerator is completely one-sided. However, it’s not a mere two-party equation. The prison administration’s power over prisoners is dependent on other social agents; namely society’s acquiescence and the governor’s and legislature’s authority. Not only do prison administrations employ agential power when they act as agents of society/government, but they also coopt others (e.g. teachers, nurses, volunteers, etc.) to act as their agents to exercise that power in the rare instances when the court won’t blindly support it.

Michael Foucault notes how “Power exists only when it is put into action” (cited in Fricker 2007, 10). The coopting of P-NAP teachers by Stateville’s administrators to perpetrate testimonial injustices upon their students is a prime example of this. Stateville administrators lack the legitimate power to prohibit incarcerated people from publishing writings under their full name. However, the identity power society holds over “criminals,” combined with the use of agential power to coerce P-NAP teachers to do their bidding, brings into existence a power the administration didn’t otherwise possess. In the end, people in prison are up against a conglomerate of powers working against their interests, and they lack protections against abuse.

**The Complicity of Teachers in Testimonial Injustices**

One might wonder why teachers, who are also largely social justice activists, would so docilely commit injustices upon their students. The answer is multifaceted, and may involve even more factors than I am aware of, but here are the easily discernible ones.

First, the P-NAP teachers are constantly harassed by prison staff for their efforts to provide volunteer educational and art programs at Stateville. Administrators and guards alike despise the extremely modest bridge to the community that P-NAP offers incarcerated people through their art exhibits and outreach. Several teachers have been banned from the property altogether for the most innocuous reasons. This
Dole has left the others perpetually paranoid and on the defensive, which was the likely objective of the harassment in the first place. This paranoia has even manifested itself into P-NAP teachers concealing from their students the fact that their class work got published in an independent publication, thereby denying the students that sense of pride and accomplishment, simply because the teacher feared the reaction of Stateville’s administration. I was politely asked to destroy my copy of a publication that the publisher sent me (due to having separate pieces published in the same issue). I refused.

If you ask P-NAP teachers why they won’t challenge any of the discriminatory or counterproductive policies, they admit to being afraid of being labeled “inmate friendly.” This is a slanderous term to anyone in here other than “inmates.” That term (“inmate friendly”), and its frequent use, impart a clear indication that “inmates” are never worthy of cordial treatment, let alone friendship, and teachers and others should keep them at distance. Being labelled “inmate friendly” marks the teacher as an enemy of the administration, which reinforces the societal view that “inmate,” “prisoner,” “offender,” and “criminal” are all antonyms for “human.” In effect, the term “inmate friendly” implies that people who are labelled “inmates” must be ostracized from society; mere friendly association with them is admonished. This, in turn, furthers the goal of dehumanizing incarcerated people, so that administrators can have a free hand in oppressing them.

Second, P-NAP teachers don’t want to bite the hand that feeds them. Even those who don’t receive a paycheck from the state for teaching here often receive grants for their work, which is dependent on having access to Stateville. If they are kicked out, they lose their grants.

Third, removing their students’ names from their writings didn’t seem to register as a big deal to the teachers because the teachers aren’t being harmed personally, other than maybe incurring a credibility deficit with their incarcerated students, who may resent them for not doing the right thing. This harm is extremely negligible, however, due to the following facts: 1) society more often than not rewards people, rather than condemning them, for mistreating “criminals”; 2) students possess no power over the teachers because the students, as “prisoners” and “criminals,” occupy a far inferior social position; and 3) with hundreds of incarcerated people jockeying for relatively few class offerings, teachers will always be able to fill classes. So the students’ views and opinions of their teachers may mean very little to the teachers. This is evidenced by some teachers espousing stereotypical views of “prisoners,” failing to return students’ work, unnecessarily censoring students’ work, and carelessly altering students’ writing
in ways that include typos and illogical sentences in the final form published by the teacher.

Moreover, the teacher may actually receive an unjust credibility excess with society that outweighs any credibility deficit he or she may incur with his or her students. Think of it like this: The teacher’s full name is included with all of his or her work with P-NAP. Society awards or praises them for their work with the anonymous monsters they teach. Since the reader can’t identify the monster (writer/artist), the focus has nowhere else to go, but to return to the teacher, who then receives an inordinate amount of credit for the students’ work.

So when P-NAP teachers were told to mutilate their students’ names, they didn’t object. They didn’t even question it, let alone ask for evidence of any security threat. They just did it. In the end, society would praise them for supposedly risking life and limb to teach those anonymous, evil monsters.

**Resulting Harms of Name Mutilation**

To the incarcerated writer, forced anonymity is a big deal, for it exacerbates the numerous harms that he already suffers. Miranda Fricker “distinguish[es] a primary from a secondary aspect of the harm. The primary harm is a form of the essential harm that is definitive of epistemic injustice in the broad. In all such injustices the subject is wronged in her [/his] capacity as a knower” (Fricker 2007, 44). She notes that the secondary aspects of the harm “fall into two broad categories distinguishing a practical and an epistemic dimension of harm” (Fricker 2007, 46).

The practical dimension means the writer comes across as lacking the knowledge, education, competency, or authority required to write on the subject; or it can mean a missed opportunity due to the injustice (Fricker 2007, 46-47). The epistemic dimension of harm can manifest itself where:

> the recipient of a one-off testimonial injustice may lose confidence in his belief, or in his justification for it, so that he ceases to satisfy the conditions for knowledge; or, alternatively, someone with a background experience of persistent testimonial injustice may lose confidence in her general intellectual abilities to such an extent that she is genuinely hindered in her educational or other intellectual development. (Fricker 2007, 47-48)

The mutilation of students’ names is a testimonial injustice that possesses all dimensions and aspects of harms noted above. Moreover, each harm is directly dependent upon
or linked with another harm so that they possess a layered effect. First, the mutilation of the writer’s name denies him credit for his work. Anyone named Joe can now take credit for writing the pieces published by “Joe” in those P-NAP publications, as they are passed around. Second, without the reader being able to identify and contact the writer, it could very easily result in missed opportunities for the writer, both in terms of getting his work published and growing his audience. It could even mean a loss of income.

Here’s an example. Years ago, I was asked to keep a journal for The Anne Frank Center, USA’s “Prison Diary Project”. They asked me because they liked an essay I wrote for a prisoner writing contest, and were able to locate me because my full name was included with the essay. Excerpts from that journal were later published in The Mississippi Review, and in turn, were published in the book Hell Is a Very Small Place: Voices From Solitary Confinement, the latter of which also garnered me a monetary “honorarium,” which helped me purchase copies of legal documents and basic necessities that the IDOC now refuses to provide. Had my name been excised from that essay, the opportunity to keep the journal (both of which I won PEN Awards for) would have vanished, as would the other publishing opportunities and monetary awards. Thus, each time P-NAP conceals a writer’s identity, they potentially rob him of untold opportunities.

Third, it robs the writer of the simple joy of receiving reader responses. This harms the writer whether said feedback is positive or negative. If positive, it robs him of any praise or encouragement; if negative, it robs him of constructive criticism or the knowledge of how others view his writings, both of which provide the writer with essential information to help him improve his writing in the future. The IDOC, however, sees the goal of keeping “offenders” as cut off from the community as paramount.

Fourth, it steals even more credibility from the writer, who, as an incarcerated individual or “criminal,” is already suffering the most extreme credibility deficit imaginable. When the writer is turned into an anonymous entity, it exacerbates the credibility deficit in numerous ways. This is because, whenever the writer’s last name is stripped from an article or essay, and all the reader knows is that it was written by some prisoner named “Bob,” the reader is left with only the negative stereotypes. Those negative stereotypes of “prisoners”/“criminals” and their negative valence then instigates a negative pre-judgment about the writer’s knowledge, credibility, and motives. Thus compounding the “pre-emptive testimonial injustice” the “prisoner” already receives from society.
Moreover, forcing the writer into becoming some anonymous “prisoner X” also brings a racial stereotype with it as well where the common image of a “criminal” is of a young black male. This may result in the writer incurring a further unjust credibility deficit if the reader harbors any conscious or unconscious prejudices against African-Americans. As Fricker notes, in testimonial exchanges, readers “use social stereotypes as heuristics in their spontaneous assessments” (2007, 16-17) of the writer’s credibility. As a society, we have been conditioned by decades of tough-on-crime rhetoric to automatically view “prisoners” or “criminals” as liars, cheats, uneducated, and worthy of being despised. Without any other information about the writer, it becomes an insurmountable task to overcome such stereotypes.

For many readers, knowing the writer’s last name will not change that. However, in some instances, it can make a difference. First, the reader may have a familiarity with the writer or his body of work, which may negate the unfair credibility deficit. Without knowing the writer’s last name, however, this can’t occur. Also, knowing the writer’s full name allows the reader to research the writer’s actual credentials. (Does the writer hold a degree in the field he is writing about? Is he well-published? Who knows?). The reader is denied any other information not in the article that may be available. The less information a reader knows about the writer, the less likely he or she will be to find the writer qualified to write on the subject. Again, without the last name, the reader is left with only the negative stereotypes to make a credibility judgment. Furthermore, the reader isn’t told why the last name has been concealed. The reader may incorrectly assume that it is the writer trying to hide his own identity, which in itself may make him less credible to the reader. The reader might think, “why should I believe the writer when he won’t even reveal his name? What does he have to hide?”

All of these effects of forced anonymity further the IDOC’s goal of maximizing “offenders’” credibility deficit, so that society doesn’t ever believe them or take them seriously. This makes it much more difficult for people in prison to convey their insider knowledge of the prison system to society at large. (“Who is this anonymous ‘prisoner’ claiming that our heroic prison guards are mistreating those evil monsters? I don’t believe it?”). That, in turn, leaves guards and administrators with a freer hand to abuse people in prison.

The testimonial injustice is just one more weight wrongly placed on the incarcerator’s side of the scales of credibility between the incarcerated and the incarcerator. By possessing all of the power, and increasing the “offenders’” credibility deficit, guards and administrators obtain an unwarranted credibility excess. One of the most common tactics of oppression, or even in any debate, is to discredit your
victim or opponent, respectively. As the incarcerated person’s credibility decreases the
incarcerator’s increases in any dispute.

This exacerbates the epistemic arrogance guards already possess due to societal
misconceptions of them being protectors of society. The guards’ position of authority,
combined with a decades-long IDOC practice of routinely dehumanizing “offenders,”
never holding guards accountable for abusing people in prison, and societal
acquiescence, has left guards with a credibility excess and epistemic arrogance similar
to the example of the member of the ruling elite described by Fricker: “They render [ ]
him close-minded, dogmatic, blithely impervious to criticism, and so on” (2007, 20).
Fricker argues that this too can be a form of testimonial injustice (for the guard this
time) where the cumulative effect of those token cases of injustice have malformed the
elite person’s (guard’s) epistemic character (2007, 20-21). Here, however, while it may
have malformed their character, the guard’s credibility excess rarely ever actually results
in any negative consequences or harm to themselves in the prison environment. Rather it manifests itself in the normative perpetration of injustice on the incarcerated and, in any dispute over an issue in prison, guards benefit directly from both their unjust credibility excess and the “offenders’” credibility deficit. Their knowledge of this dynamic increases their feelings of invincibility, which also increases the incarcerateds’ risk of being abused.

Fifth, by mutilating the writers’ names, it not only prevents them from conveying insider knowledge about the prison system to society, but prevents them from effectively putting any knowledge they may have into the public domain through their P-NAP writings. That’s because, as Fricker so cogently articulates:

The influence of identity prejudice in a hearer’s credibility judgment
is an operation of identity power. For in such a case the influence
of identity prejudice is a matter of one party or parties effectively
controlling what another party does – preventing them, for instance,
from conveying knowledge – in a way that depends upon collective
conceptions of the social identities in play. (2007, 28)

As noted, society has an extremely low opinion of “prisoners’” character and intelligence. When you turn the identity of the writer solely into “prisoner X,” and he

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5. I qualify this statement by restricting it to the prison environment as it: 1) directly relates to the harm done to people in the prison; and 2) is quite possible that this epistemic arrogance negatively effects guards’ relationships with loved ones outside of the prison.
is reduced to a faceless stereotypical “criminal,” the knowledge he is trying to convey is much less effective than if the reader knew who the writer was. This effectively excludes people in prison from partaking in the national discussions on any number of societal ills or policies.

Sixth, denying the writer the ability to effectively convey his knowledge also works to dehumanize the writer further. As Fricker explains:

To be wronged in one’s capacity as a knower is to be wronged in a capacity essential to human value. When one is undermined or otherwise wronged in a capacity essential to human value, one suffers an intrinsic injustice. The form that this intrinsic injustice takes specifically in cases of testimonial injustice is that the subject is wronged in her capacity as a giver of knowledge. The capacity to give knowledge is one side of that many-sided capacity so significant in human beings: namely the capacity to reason. We are long familiar with the idea, played out by the history of philosophy in many variations that our rationality is what lends humanity its distinctive value. No wonder, then, that being insulted, undermined, or otherwise wronged in ones capacity as a giver of knowledge is something that can cut deep. No wonder too that in contexts of oppression the powerful will be sure to undermine the powerless in just that capacity, for it provides a direct route to undermining them in their very humanity. (2007, 44)

Because the insult is to a person’s values as a human, “even its least harmful instances... bear a social meaning to the effect that the subject is less than fully human” (Fricker 2007, 44). Fricker explains how it doesn’t matter if the injustice is “fairly minor,” it can still “make for a profound humiliation” (2007, 44). Moreover, “where the driving prejudicial stereotype involves the idea that the social type in question is humanly lesser the dimension of degradation qua human being is not simply symbolic; rather it is a literal part of the core epistemic insult” (2007, 44). All of this is especially true when considering the situation of incarcerated people. Society does not see “prisoners”

6. Here Fricker asks the reader to “think of the sort of racism heaped upon Tom Robinson [in To Kill A Mockingbird] – ‘all Negroes lie’.” However, in this context it’s more accurate to think of the sort of disdain heaped on prisoners and then recognize the multiplying effect of the racist stereotype of “prisoners” being young black males and all of its inherent connotations, and use that as your context for the testimonial injustice.
as intelligent or capable of reason, let alone capable of conveying knowledge. Instead, “criminals” are painted with a broad brush as all being violently psychotic, hell bent on destroying society.

The testimonial injustice of mutilating the writers’ names also has additional social meaning in that the administration is essentially punishing the writers for working towards their own rehabilitation by taking educational courses, being socially active, and accomplishing positive objectives. This punishment is imposed both with the acquiescence of society and the complicity of the P-NAP teachers. By doing so, the administration acknowledges that, contrary to their mission statement, they aren’t really trying to prepare people to successfully reenter society. It shows that the administration clearly has no respect for the incarcerated person’s efforts, capacity as a knower, or even his basic value or humanity, all of which are designed to further the goal of oppression.

Seventh, the testimonial injustice works to stunt the writer’s intellectual development. This is contrary both to the IDOC’s professed goals of rehabilitating and returning “offenders” to useful citizenship, as well as P-NAP’s goal of inspiring and nurturing intellectual growth in their students. This is because, as Fricker found:

Many definitions and conceptions of knowledge cast some sort of epistemic confidence as a condition or as part of a justification condition…, the implications for someone who meets with persistent testimonial injustice are grim: not only is he repeatedly subject to the intrinsic epistemic insult that is the primary injustice, but where this persistent intellectual undermining causes him to lose confidence in his beliefs and/or his justification for them, he literally loses knowledge. Perhaps some piece of knowledge he possesses is washed away in a one-off wave of underconfidence. Or perhaps he suffers a prolonged erosion of epistemic confidence so that he is ongoingly disadvantaged, repeatedly failing to gain items of knowledge he would otherwise have been able to gain (2007, 49).

Testimonial injustice, and the attack it makes on intellectual confidence, can change an intellectual trajectory in one fell blow, whether as a single event or, more likely as the final straw in an
ongoing experience of persistent petty intellectual underminings (2007, 51).

By denying the student/writer credit for his work and thereby subjecting him to testimonial injustices and minimizing what he can accomplish with his work, it discourages him from participating in future courses. Why bother if at any time the administration and P-NAP can implement any rule to deny him full credit for his hard work? It also discourages him from continuing to write and pursue other intellectual studies when his hard work was rewarded with injustice and a reinforcement of the societal perception of him as not fully human. This could easily be that final straw in the long series of “petty intellectual underminings” that causes him to abandon any further intellectual pursuits.

It’s hard to believe that this could be anything but an intentional design of the overall system of oppression. After all, the administration is well aware of incarcerated people’s constitutional rights, especially considering that many in the administration have backgrounds in law. As Fricker notes, “in contexts of oppression the powerful will be sure to undermine the powerless [in his or her capacity as a knower], for it provides a direct route to undermining them in their very humanity” (Fricker 2007, 44).

According to Miranda Fricker, the loss of epistemic confidence can “prevent him from developing certain intellectual virtues” such as “intellectual courage, the virtue of not backing down in one’s convictions too quickly” (Fricker 2007, 49). As she notes, “[t]his is an important feature of intellectual function” (2007, 49). This is especially true in a prison environment where strangling one’s ability to develop intellectual courage can mean an increase in one’s oppression.

The last thing the IDOC wants to see is the people they are oppressing develop intellectual courage. They much prefer “prisoners” who easily back down and never challenge authority. They rely on prisoners backing down in the face of violations of their constitutional rights, in the face of daily dehumanization, and in the face of overwhelming petty injustices. It makes it much easier on the administration when they have a free hand to abuse people in prison without any opposition from society, P-NAP, and especially the oppressed themselves. Each testimonial injustice just adds to the accumulation of other injustices and has a deleterious effect on the person experiencing them to the point where he lacks the will to stand up for himself and challenge injustice. In short, he becomes, in the eyes of the IDOC, the “perfect prisoner.”
Dole

While this may be great news for the oppressor, it is detrimental to the incarcerated person’s humanity and intellectual potential. It facilitates his transformation into a punching bag. Each unlawful or unethical act perpetrated upon him by guards or administrators that isn’t challenged encourages more of the same, increasing his victimization. As Fricker found: “The implication for persistent testimonial injustice is that the subject’s intellectual performance may be inhibited long-term, their confidence undermined, and development thwarted” (2007, 58). Nor does it matter whether it is done intentionally or inadvertently. The result is the same. If done inadvertently, an extremely unlikely proposition, however, that only reduces the perpetrators’ culpability. It doesn’t reduce the resulting harms suffered by the incarcerated individual. This is especially true when testimonial injustices are perpetrated upon people in prison, because the administration sees oppression as part of its job description, and the goal of rehabilitation was long ago relegated to the status of a fairy tale used as a façade to cover the permanent alienation of the “criminal” underclass. “Prisoners” have no escape; they are trapped in an environment where the injustices continue to compound daily.

Eighth, by denying the writer credit for his work, it also denies him his identity as a writer, one of the few identities he may have remaining to him. This is no minor injustice either. People in prison have had nearly everything imaginable taken from them; or some may argue, have forfeited nearly everything by committing a crime. Either way, they have very little of an identity left other than being a “prisoner,” which is purely negative.

Now when they are trying to develop a positive identity, the administration wants to take that away as well by mutilating their names to discourage it. This is rich in irony. Since the day of his arrest, the State and media have done nothing but slander the person’s name, and now the State wants to deny him even the ability to use his own name. If that person committed another crime while in prison, rest assured that his entire name, mug shot, etc. would be plastered all over the news – provided to the media by the administration. The newspaper articles and media reports would be available on both sides of the wall, full name included.

Miranda Fricker hits the nail on the head when she writes:

Testimonial injustice excludes the subject from trustful conversation. Thus, it marginalizes the subject in [his] participation in the very activity that steadies the mind and forges an essential aspect of identity – two processes of fundamental psychological importance.
for the individual...the prejudice working against a speaker in a given
discursive exchange may concern a category of social identity (racial,
political, sexual, religious) that is essential to his identity, essential to
who he is. Thus, we now understand better how, when this is the
case, the injustice cuts him to the quick. Not only does it undermine
him in a capacity (the capacity for knowledge) that is essential to
his value as a human being, it does so on grounds that discriminate
against him in respect of some essential feature of him as a social
being. Keeping one’s identity, in the face of such a double assault on
one’s personhood can take great courage, especially if the assault is
persistent and systematic (2007, 53-54).

For the person in prison who basically has no identity left, it is more often not about
keeping his or her identity, but overcoming an environment designed to oppress in
order to develop and maintain a positive identity. By denying him any positive identity,
you force him to be identified solely in the negative as an “offender,” “prisoner,” and
“criminal.” Fricker “do[es] not think it an exaggeration to suggest that persistent cases
of this sort of wrongful epistemic exclusion could, especially if they are also systematic,
genuinely inhibit the development of an essential aspect of a person’s identity” (2007,n
54). I tend to agree. I have witnessed firsthand the pride an incarcerated individual
takes away from receiving recognition for his work. It changes his own view of himself
from being a “prisoner” to a “published writer,” or “author,” or “award-winning artist,”
etc. This completely transforms his identity. Forcing him into anonymity by mutilating
his name (or even denying him knowledge of his accomplishments) may deny him this
transformative experience, inhibiting the development of his positive identity.

I’ve strived for many years to develop my positive identities as a writer, artist, and
activist. Society, for the most part, will never recognize any of them and will always
relegate me to having one identity – “criminal”. My identity as a father, a provider, a
son, a brother, a lover, a friend, a voter, a citizen, an employee, and even as a human
being, have all been stolen from me by my wrongful conviction and life-without-parole
sentence.

As an activist, I will continue to be retaliated against for opposing mass
incarceration from the wrong side of the wall. As an artist in prison, my work will
always be relegated to the category of “outsider art” by the art community, no matter
how skillful or successful I might one day become as an artist. Thus, my identity as a
Dole

writer is a large part of how I self-identify, and any testimonial injustices perpetrated against me to try and take that identity as well, can “cut to the quick.”

Conclusions: Questioning Power

Recently, NBA star Thabo Sefolosha was severely and unlawfully assaulted by police for challenging an officer. As usual, he, not the police officer, was charged with a crime. At the close of the trial, the Assistant District Attorney roared at the jury “Imagine a world where we are allowed to say no to an officer…that’s chaos!” See, in her world, she’s in power. Just like the prison guards and administration. Just like the police. In their minds, they should never be challenged. Each one is almost never held accountable for his or her actions either, which reinforces his or her feelings of invincibility and belief that they need not respect the rights of others.

As Miranda Fricker poignantly points out, though, “whenever power is at work, we should be ready to ask who or what is controlling whom, and why” (2007, 14). Unfortunately, in a correctional setting, it is arbitrarily portrayed that the answer is always that the prison administration is controlling the prisoners for the safety and security of society or the prison environment. The veracity of that rote answer is almost never tested.

The truth is that much of the power exerted has little to nothing to do with either safety or security. Instead, it is often done solely in furtherance of keeping “criminals” permanently and completely ostracized from society. The “why” of the above questioning of power is never asked on a micro level. Rules are never questioned, new ones are constantly implemented, and the injustices continue to accumulate, defeating any chance at accomplishing the professed goal of “corrections.”

Miranda Fricker concludes that:

Testimonial injustice may, depending on the context, exercise real social constructive power, and where such construction ensues, the primary harm of the injustice is grimly augmented – the epistemic insult is also a moment in a process of social construction that constrains who the person can be. Putting the primary harm together with the extensive secondary harms it can cause, we now have a portrait of an injustice that shows it capable of running both deep and wide in a person’s psychology and practical life. Where it is not only persistent but also systematic, testimonial injustice presents a face of oppression (2007, 58).
As noted above, incarcerated people face persistent testimonial injustice simply by being labeled an “offender,” “criminal,” etc. Add to this the innumerable instances of additional, often closely related or interdependent testimonial injustices (like name mutilation), which, while they may vary from day to day, are cumulatively persistent, and one can easily see how they clearly present a face of oppression and constrain who the “offender” can become.

Thabo Sefolosha was right in challenging an out of control cop. Maybe if more people were willing to challenge authority, there would be fewer people being murdered by police across the country; fewer people being wrongly convicted by overzealous, corrupt, and unethical prosecutors; fewer people being oppressed; and fewer people being abused and medically neglected to death in prison. Kudos to Thabo Sefolosha, and kudos to the jury that found him not guilty of the officer’s trumped up charges.

If society ever truly comes around to believing in rehabilitation again, and becomes serious about returning people who are in prison to useful citizenship, we, as a society, need to start asking: why each new rule, each exertion of power, is necessary; and how it furthers the goal of returning people to useful citizenship. We also need to acknowledge that persistently dehumanizing people, stealing their identities, and obstructing their intellectual trajectories are surefire ways to defeat that goal.

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The Effect of Consumer Expectations and Perceptions Regarding Sanitation on Access to Clean Water

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Biography
Louiza Duncker is a principal researcher at the CSIR and has a Master degree in Anthropology from the University of Pretoria. She has been involved in and managed research in rural and urban areas on social dynamics, behavioural patterns in technology use, and impact assessments through projects on gender, housing, water and sanitation, and infrastructure technologies for sustainable human settlements for 22 years. The results were implemented in a number of policies, strategies, manuals and guidelines for the water-sanitation and human settlements sectors.

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The Effect of Consumer Expectations and Perceptions Regarding Sanitation on Access to Clean Water

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Abstract
In the face of rapid urbanisation and population growth, water in urban areas is becoming more and more polluted by human activities. One of the main sources of pollution is the wash-off from areas with inadequate sanitation and open defecation practices, such as dense informal settlements in and around urban areas. Substantial work is being done in South Africa to provide access to low-water and no-water toilets in an effort to minimise wash-off and to reduce the burden on wastewater treatment works. But, the perceptions and expectations of people, whether factually correct or not, are a major barrier to the acceptance and sustainability of these facilities. Dissatisfaction with anything other than water-borne sanitation has resulted in increasing numbers of social protests, some violent – costing the country millions of dollars in loss of economic productivity and damage to infrastructure. The challenge is to address this disjuncture between what people believe and aspire to, and what is possible in providing sanitation services. The suitability of sanitation facilities and services needs to be grounded in a deep understanding of user perceptions and desires, coupled with meaningful participation and involvement in the urban planning process. Flexibility is needed from government, to integrate non-governmental and community initiatives in its planning, and to allow these initiatives to become common practices.

Keywords
Clean Water, Sanitation, User Perceptions, Appropriate Technology, Participative Decision Making

Introduction
“Water is a precondition for human existence” says UN Deputy Secretary-General, Jan Eliasson. Water is health, water is energy, water is food, water is climate, and water is equality. Sanitation is all of these, with an added dimension of dignity.

Water policies in South Africa are based upon the principles of equity, sustainability and efficiency within a resource protection approach, which supports the sustainable use of water resources in a water-scarce environment, and emphasises the need to protect fresh water sources that are under threat due to pollution and contamination. South Africa regularly experiences drought and generally deals with significant water stress. The country may face complete water scarcity within the next fifteen years.
unless its population adapts their behaviour regarding water use, specifically potable water use for sanitation.

In the face of rapid urbanisation and population growth, water in urban areas is becoming more and more polluted by human activities. This rapid urbanisation has led to extraordinary demands on water, accompanied by the disposal of equally large volumes of wastewater into rivers, lakes and the groundwater. Pollution from the wash-off in areas with inadequate sanitation and open defecation practices, such as dense informal settlements in and around urban areas, is a major contributor. Another main pollution source is from a number of wastewater treatment plants that are unable to cope with the increased volumes of wastewater from rapidly growing urban areas. This resulted in many of the country’s water resources being polluted with inadequately treated effluent, consequentially harming downstream communities and the health of people, damaging ecosystems, and increasing the burden of purifying water abstracted from rivers for drinking. The World Health Organization (WHO) recognised that, from 1990 to 2011, global efforts have helped 2.1 billion people gain access to improved drinking water, but that not all of these water sources were necessarily safe (WHO/UNICEF, 2013). Declining water quality is thus invalidating the advances made over the past twenty years in improving access to drinking water.

**Sanitation for clean drinking water**

Water and sanitation are inseparable and interdependent, the one impacts on the other. Water supply is needed for sanitation services at an acceptable level of reliability, quality and accessibility; but ineffective sanitation services leads to contamination of water resources, rendering water unfit for use.

Having safe drinking water is a human need and a right for every man, woman and child. People need clean water to maintain their health and dignity, and is essential for being able to go to work or attend school. On 30 September 2010, the UN Human Rights Council adopted, by consensus, a resolution affirming that the right to water and sanitation are human rights. The resolution adopted by the Human Rights Council took an important further step in affirming that:

The human right to safe drinking water and sanitation is derived from the right to an adequate standard of living and inextricably related to the right to the highest attainable standard of physical and mental health, as well as the right to life and human dignity. This means that for the UN, the right to water and sanitation is contained in existing human rights treaties and is therefore legally binding. The right to water and
sanitation is a human right, equal to all other human rights, which implies that it is justiciable and enforceable (SAHRC, 2014).

The Water Service Act (Act No. 108 of 1997), the principal policy regulating water service provision in South Africa, legitimises the right to sanitation that ensures an environment that is not harmful to human health and well-being by mandating that everyone has a right to basic water supply and a basic sanitation facility. To achieve this, every water services institution or authority must, in its water services development plan, provide for reasonable measures to realise these rights (South Africa, 1997). South Africa’s commitment to universal access to basic sanitation originates from the very first developmental policies of the new democratic government of 1994, including the White Paper on Reconstruction and Development (RDP), which provided government’s vision for the fundamental transformation of South Africa’s society and demonstrated the manner in which government would implement and manage processes to achieving this (South Africa, 1994). With the looming water scarcity South Africa faces in the near future, Minister Mokonyane, the minister responsible for water and sanitation has highlighted the need for an integrated water approach that entails a sustainable and holistic value chain of water supply from source to tap and from tap back to source (DWS, 2014). Large amounts of potable water go down the drain for sanitation and are essentially wasted, placing more stress on the water situation. In her budget speech on 21 May 2015 she said: “It’s not all about flushing,” in effect asking the citizens of the country to pay for services and save water by not insisting on water-borne sanitation solutions. As pressures on freshwater resources grow around the world and as new sources of supply become increasingly scarce, expensive, or politically controversial, new ways and facilities of meeting water needs for sanitation services need to be sought.

Clean drinking water is dependent on sustainable sanitation services. Provision of sustainable sanitation services is becoming more challenging as demand increases, water availability deteriorates, costs per capita escalates, and the present sanitation systems are poorly operated and maintained (Duncker & Wilkinson, 2014). Without hygienic sanitation, people (mostly children) suffer from water-related diseases and die - around 315,000 children under-five die every year from diarrhoeal diseases caused by dirty water and poor sanitation (UNICEF, 2015). An estimated 443 million school days are lost each year due to water-related diseases (https://thewaterproject.org/water-scarcity/water_stats). Government departments and municipalities have been struggling to provide adequate and sustainable water and sanitation infrastructure and services in the fast-growing formal and informal urban areas in South Africa. The mushrooming
population, combined with institutional incapacity, apply immense pressure on existing water and sanitation services infrastructure, resulting in lack of maintenance, frequent system breakdowns and social distress.

Substantial work is being done in South Africa to provide access to low-water and no-water toilets in an effort to save water, reduce the burden on wastewater treatment works and minimise wash-off, but the perceptions and expectations of people, whether factually correct or not, are a major barrier to the acceptance and sustainability of these facilities. The main challenge is that water-borne sanitation is an aspiration for the majority of South Africa’s citizens, regardless of their context (social, political, economic, environmental, institutional), or the availability of water for water-borne sanitation. Dissatisfaction with anything other than water-borne sanitation has resulted in non-use, vandalism and increasing numbers of social protests, some violent, costing the country millions of dollars in loss of economic productivity and damage to infrastructure. South Africa has experienced a series of service delivery protests in various cities and towns during the last decade. According to a 2010 survey conducted by the Community Law Centre (CLC) at the University of the Western Cape, in the 523 documented community protests that occurred between 2007 and mid-2010, at least 15% of protests complained about the lack of adequate sanitation (Van Vuuren, 2013).

**Perceptions and values**

Dissatisfaction is typically related to how a situation is perceived. The word ‘perception’ has become part of everyday language, and the importance of perceptions and their impact upon an individual’s decision making behaviour are not disputed any more. Perceptions pertaining to technology use are gaining more credibility as proof is provided by numerous studies and experiences related to technology failure due to user perceptions.

Perceptions influence and guide all behaviour, motivate or discourage all actions, and are the cornerstones of what people would be willing to take responsibility for. People’s expectations and aspirations, coupled with their real and perceived needs, are constructed over many years of their lives, and are grounded in their struggle to overcome daily and historic challenges in their efforts to improve their quality of life. Their adoption of a sanitation facility is influenced by their feelings towards it, their perceptions of it and its ability to satisfy their needs and aspirations. Their perceptions may not necessarily correspond with the technology developer’s view of what the reality is, because reality is subjective and each person’s reality is unique to them, and
is based upon their interpretation of the events and circumstances in which they find themselves, i.e., that reality is the perception of the person perceiving it. Perceptions influence attitude. An attitude is a basic ‘mind set,’ an outlook, how a person view things. Perceptions and attitudes are very much at the mercy of peer pressure, especially in today’s world of social media and the very fast pace of technology development. Perceptions change with changing circumstances, or less/more information, and are formed through feelings, beliefs, mental pictures, gut feel, the accumulation of information over time, individual or shared experiences, and the true or not true reality that applies. Perceptions and attitudes are driven and supported by values. Values can be defined as preferences for certain thoughts or actions or events. Values form the core of culture, they inform what to care about, what to strive for, and how to behave. From values arise other elements, such as etiquette, life-style, language, symbols, attitudes and behaviour (Gardenswartz and Rowe, 1987:13). According to Kriel (1992: 14) and Hoff (1990: 6) the similarity and pattern in the values of the members of the same cultural group are linked to the world view of the members of the cultural group. According to a number of authors over the last 50 years (Forde, 1954; Knudson, 1978; Macnamara, 1980; Kearny, 1984; Hoff, 1990; Mbiti, 1990; Kriel, 1992; Funk, 2001; LeBaron, 2003), the concept “world view” consists of the inherited characteristics, background experiences and life situations, understanding, values, perceptions, attitudes, ideas, assumptions and habits of the members of the same cultural group. Kriel (1992:14) explained that ‘world view’ is a system of meaningful views and understanding that come from learnt and inherited knowledge, and participative and emotional involvement in the experience and activities of the cultural group in which the individual was born and raised. Ethnic, religious, and community factors play a major role in forming values.

Any intervention, or technology, or action, or development, from outside a specific cultural group, is judged according to the prevailing values, perceptions and responsibilities underwritten by the cultural or social group. It is important to understand and consider the impact of the values of the user on the design, development and implementation of technologies, especially regarding sanitation technology as it impacts so closely with the dignity of each human being.

Perceptions of sanitation services

South Africa’s people currently expect to receive water-borne sanitation from the government and regard anything else as being sub-standard, below par, or undignified.
Unconventional sanitation technologies, i.e., non-water-borne, are seen as being foisted upon them by government and services providers without affording them the opportunity to decline or negotiate for something different.

The provision of adequate sanitation in growing urban informal settlements poses a specific sanitation challenge in South Africa. The main challenges are related to the high density of these settlements (no space for any infrastructure other than the shack/dwelling), insecurity of tenure, and complex community dynamics that make it extremely difficult to plan and construct standard sanitation infrastructure solutions in these areas. One example of complex community dynamics is the resilient superstitions or beliefs that sometimes prevent the use of non-water-borne sanitation facilities, such as the urine diversion toilet, owing to the belief that human excreta is easily accessible and could be used to bewitch a person.

Another major factor regarding informal settlements around the urban areas is that local authorities and formal political leadership structures do not recognize informal settlements that are established illegally on servitudes, state land and/or private property. The unlawfulness of settlement and the lack of formal tenure do not allow for residents to progressively realize their right of access to either water or sanitation services (Tapela, 2015), even though living in the vicinity of a progressive urban setting tends to lead to higher expectations and aspirations of the inhabitants about levels of services delivery. Informal tenants and informal settlement dwellers mostly rely on communal chemical or flush toilets located on public spaces on the outskirts of residential areas, some distance away from shacks and dwellings. Residents are compelled to walk distances of more than 100 metres to relieve themselves, even at night (Tapela, 2015). These facilities were generally misused, poorly maintained, and neither the services provider or the users took responsibility for them. But services providers have very little choice or options available in providing sanitation services in the context of these very dense informal (mostly unlawful) settlements with a mix-match of religions and cultures, where cost recovery is non-existent.

The challenge is to, in a much politicised setting, address this disjuncture between what people believe and aspire to, based on their hopes for a better life, and what is actually possible and affordable.

**Perceptions and acceptability of sanitation technology**

The general focus in the development of a technology is on the quality and the functioning of the technology, and not on the qualitative background necessary for the
technology to be used. It is generally recognised that technological appropriateness is not an intrinsic quality of any technology, but derived from the surroundings (technological, as well as sociocultural, politico-legal, economic, and environmental) in which the technology is to be utilised and the specific purpose of its application.

However, the fact that a technology works does not mean that the technology is the right one for the goal and the context in mind. Increasingly, people choose a technology because they like it and then try to fit it to their objectives, often because of interest from donors and NGOs in financing and testing new technologies that is more important than the actual applicability of the technology. The technology itself may be working perfectly but does not add any perceived value to the original context.

A number of studies conducted in South Africa have revealed that social aspirations generally drive the acceptance of sanitation technologies by users (Duncker, 2000; Duncker & Matsebe, 2004; Drangert, Duncker, Matsebe & Atukunda, 2006; Duncker, Matsebe & Austin, 2006; Matsebe, 2012). In determining the sanitation service to be provided to households in the country, individuals’ wants, expectations, desires and acceptance are considered, but the financial resources and expenditure in establishing and maintaining the service is generally the overriding decision making factor (Wilkinson & Pearce, 2012) for both services providers and users/households.

Effective technology transfer proved to be crucial in achieving the desired impact and sustainability of a technology. The use of a technology is closely linked to the context, but it is difficult to design and develop a technology that could address all contexts. The closest fit to a given context is usually the most appropriate, which includes not only the technical design and development, but also the related social aspects and the role of the technology in a given context.

When users adopt a technology, they consider many factors, such as safety, convenience, cost, status, affordability, and so on. It is not generally possible to make users accept a new technology with each factor being fulfilled completely. Kim (2015) provided the example that accuracy may be crucial in one technology, and security may be crucial in another. Acceptability of a technology is dependent on how it fits into the complex patterns of life of different levels of users. According to Kim (2015), users need to balance utility (the match between user needs and functionality), usability (ability to utilise functionality in practice), likeability (affective evaluation), and cost (both the financial costs and the social and organizational consequences of buying a product).

The suitability, or appropriateness, of a particular technology is defined by the interrelation between a technology and its context; i.e., people in their social,
cultural, economic, institutional, organisational and physical environment, and should be measured against the cultural, political, economic and environmental benefits it provides. The term ‘appropriate technology’ may also mean “sustainable technology at community level.” The concept of technology that is appropriate to its social, economic and environmental context was developed by thinkers such as Mohandas Ghandi, Fritz Schumacher (1973) and Johan van Lengen (quoted in Jequier, 1979) as a response to the problems of poverty, unemployment and inequality experienced by many in developing countries. Appropriate technology was to offer an alternative to large-scale, centralised, expert-controlled and ecologically unsound technologies. In this sense, appropriateness was considered as ‘alternative,’ meaning technologies that are not yet in general use and that are often seen as driven by environmental or ‘green’ concerns. Akubue (2000) believed that “an appropriate technology must be progressive and not retrogressive.” Appropriate technologies are also described as ‘technologies with a human face,’ in that they fit the socio-cultural, geographical, economic and environmental context of the settlement in which it is being applied (Schoeman, 2001). Appropriate technology is thus wider than just the hardware - it is the sustainable application or operation of a technology - which could be conventional, intermediate, alternative or innovative - to meet national imperatives within the local social, cultural, ethical, institutional, financial, economic and environmental requirements and constraints experienced by the authority or household responsible for the technology. As South Africa is a signatory to international agreements such as the Agenda 21, the Habitat Agenda, the Kyoto Protocol, the Johannesburg Plan of Implementation, and the Sustainable Development Goals, strong policy support and commitment exist to the wider use of technologies that are environmentally sustainable, appropriate to local conditions, improving quality of life and supportive of sustainable livelihoods.

Appropriate technology also has a gendered face. The roles and responsibilities of women, men and children are closely interlinked with their cultures and the way they grow up, the way they are brought up within their cultural environment and cultural relationships that formed the basis for their perceptions. But culture never stays stagnant, it develops and grows, it is dynamic, it changes and adapts constantly (Ember & Ember, 1988: 18 - 26). In many settlements in South Africa, women and children who are poor may spend as much as one third of their day locating, collecting and transporting water for drinking, agriculture, food production, food preparation and family hygiene, from water sources that are far from fit for use. Many studies have shown differential adoption of technologies between men and women, mainly due to their inherent and cultural gender roles in their communities. In Africa, gender roles
are still unambiguous and followed, especially in rural areas where urbanisation and exposure to different ways of doing things are not as extensive as in urban areas. Many studies showed widespread evidence of women in developing countries not being involved in the planning, design or decision making around water matters and technologies that directly involve them, because decision making is seen as a man’s role. More emphasis needs to be placed on technology development that takes into consideration the gender constraints of the users, for example women’s access to and control over resources (funds, etc), or their ability and willingness to make decisions within their cultural constraints.

Apart from gender complexities, appropriate technologies have a cultural face. This became apparent in reactions to a type of rural water collection technology in South Africa called the Roundabout Play Pumps. The pump works on the basis of attaching a playground merry-go-round to a water pump, which pumps water when children play on the merry-go-round from a borehole into a storage tank. Users access the water in the tank from a tap and excess water raised by the pump is diverted back into the ground. The pump allows children to spend more time in school and the women to dedicate more time to agriculture or other income producing activities as they are relieved of the task of going to distant streams or water sources to collect water. But, some people questioned the pump’s appropriateness because of the high price of installation, whether maintenance can be done locally, and possible social consequences of using a system that encourages children to associate pumping water with “play.” The concern was that this ‘play’ association will undermine efforts to encourage water conservation or teach children to be mindful of the environment (Peterson, 2008).

**Considering perceptions of users**

In its efforts to reach universal access to at least a basic sanitation facility for all in South Africa, the Free Basic Water and Free Basic Sanitation policies came into effect for people living below an income level of USD150 (called the ‘indigent’) through an equitable share subsidy to services providers, thus providing at least a tap within 200m of the user and a Ventilated Improved Pit (VIP) toilet. The Free Basic Water and Sanitation policies inevitably negate the demand-driven approach as services providers are opting for the cheapest solution instead of the most appropriate solution. The drive for appropriate technology could furthermore be compromised as all users would demand the highest level of service irrespective of cost-effectiveness.
and appropriateness. Although many communities have accepted the level of service provided currently, they have clearly indicated that they perceive the infrastructure and sanitation facility to be an interim measure in ultimately being provided with the highest level of service (Wilkinson and Pearce, 2012), thus water-borne sanitation.

The South African Local Government Association (SALGA) highlighted that experience in South Africa and elsewhere have demonstrated conclusively that sanitation programmes focusing exclusively on toilet facility delivery have limited and short-lived benefits (SALGA, 2008). SALGA made it very clear that user education is essential for any sanitation technology installation, regardless of whether it is urban or rural, on-site or off-site, water borne or dry sanitation. Awareness of the linkages between health, hygiene and sanitation must be emphasised, and users must be provided with information on how to keep their toilet functioning well. Unless users understand the basic requirements for operating and maintaining a hygienic toilet it is likely to malfunction and – particularly for on-site toilets - provide a powerful disincentive to being used. They emphasised that any sanitation intervention needs to be preceded by a comprehensive programme of information provision about the operating costs and requirements of different sanitation systems that targets both decision-makers and end-users of a sanitation intervention. This will enable them to assess the implications and make informed choices and decisions that are appropriate to their needs and circumstances. Where users are engaged actively in assessing their options and making informed decisions, and are given information on how to make their toilets work for them, the result is a lasting improvement in quality of life and well-being (SALGA, 2008). Local leaders and politicians have a decisive role to play shaping debate about realistic approaches to sanitation improvement, and SALGA encourages allowing them to play a more prominent role (SALGA, 2008).

A growing population, and focus on economic growth and development, necessitates ensuring water security and healthy water ecosystems that support national imperatives (DWA, 2013a). A key characteristic of the institutional vision provided by the Strategic Framework for Water Services (DWAF, 2003) is that the precise institutional form of water services provision is not specified, but is flexible, with respect to both the scale of provision and the type of service provider. A water services provider could thus be a municipality, a public utility or board (owned by local and/or national government), a community-based organisation or a private organisation that could serve one small rural community, one or more towns, a large metropolitan area, or a whole region consisting of a mix of settlement types.
Technology choice has been largely decided upon by the per capita limits linked to the different funding/revenue streams and subsidies, cost recovery, and the workability of the technology from a technical point of view. Implementing agents, together with engineering consultants, do consider alternative technologies for water and sanitation infrastructure in terms of technical, financial, institutional, social, environmental, operations and maintenance, and legal factors, but the overriding factor remains capital costs. Many case studies and reports show that several water and sanitation schemes are unable to sustain themselves due to a lack of cost recovery from consumers and/or a lack of funding for operation and maintenance of systems. This does not necessarily reflect inappropriateness of technology in a technical sense, but in every other sense it questions whether the choice of technology was appropriate and whether value for money was achieved through good governance.

According to Pillay and Ramsden (2004), good governance is a fundamental right in a democracy and it involves transparency and accountability. Good governance requires an administration that is sensitive and responsive to the needs of the people and is effective in coping with emerging challenges in society by framing and implementing appropriate laws and measures. In the last few years government water services policies and measures have been aligned to support the major focus of water legislation on equitable and sustainable access and use of water by all South Africans while sustaining the country’s water resource. The Second National Water Resources Strategy (NWRS2) that came into being states that conventional waterborne sanitation, which uses potable water to wash away human faeces, is not an efficient system in a context where fresh water is scarce and precious (DWA, 2012). It further states that ensuring a sustainable water balance requires a multitude of strategies, including water conservation and water demand management (WCWDM), further utilisation of groundwater, desalination, water re-use, rainwater harvesting and treated acid mine drainage. The water resource protection theme of the strategy emphasises the need to protect the country’s fresh water ecosystems, which are under threat because of pollution from many sources, such as poor sanitation.

Re-use of water is becoming more acceptable and feasible because of increasing water shortages, improved purification technology and decreasing treatment costs. The government is aware that direct re-use of treated wastewater may pose a risk to public health and safety, and requires that it must be managed carefully and be subject to water quality management and control. Advanced treatment technologies, sufficient operating capacity and proper monitoring of all processes and quality of potable water produced, is essential regarding re-use of water. The Department of Water and
Sanitation has requested that the performance of wastewater and effluent treatment plants nationwide be improved to meet high standards, to result in consistently good quality discharges to the environment before direct water re-use can be placed on the national water supply agenda (DWA, 2013b).

**Appropriateness of technology**

The use of a sanitation facility that is appropriate to a particular context or environment in meeting the needs of the users is of utmost significance for its sustainability. The contextual suitability of sanitation facilities needs to be grounded in a deep understanding of user perceptions and desires. Similarly, a clear understanding by citizens of how any given facility works, what it costs, and how it must be managed, maintained, repaired and cleaned is required to ensure viability and sustainability. National government supports the development and dissemination of appropriate and environmentally friendly technology in the provision of affordable and reliable water and sanitation services to all South Africans (DWA, 2012). This should assist water services authorities to examine the full suite of options available before deciding on a particular technology for delivery of water and sanitation.

Knowledge and technology transfer to industry and society are playing an increasingly important role in South Africa. However, knowledge and use are two different things. A person might know about a new technology but might not know how to use it and therefore does not adopt the technology. In the adoption of a new technology the users first need to know about the technology. Therefore, the researchers and developers need to be familiar with existing services, programmes and other media for providing information to users. Radio, television, newspapers, or magazines may be important sources of spreading information in some places. Technology needs, and the ability to use technology effectively, should be investigated continuously so that the compilation of the pool of technology reflects the current trends, needs and challenges.

Development experience and literature stress the importance of community participation at various governance levels in decisions about issues that affect them. Tapela (2015) stated that the water service delivery challenge in South Africa has a racial face and a gendered face. Many of those who continue to live with the legacy of a racially-skewed historical political economy are men, women, girls, chronically ill, disabled and young children, who were deprived of allocations of quality water services.
infrastructure during colonial and apartheid eras and who continue to grapple with inequality in water services delivery.

Participation, capacity building and training are integral to applying an appropriate technology approach to water and sanitation services delivery for it is here that the application of an appropriate technology perspective meets institutional and social development goals. Reymond, Renglii and Lüthi (2016) explain that stakeholder involvement is the art of including stakeholders in the urban planning process in order to take into account their needs, priorities and interests, to achieve consensus and to remove opposition, thus to participate. It is about defining the participation level of people in the process, from simple information sharing to consultation, collaboration or delegation, and how to best respond to their needs, for example through awareness raising, or training and capacity building. Meaningful participation, capacity building and training serve as the interface between institutional and social development and the concept of appropriate technology in the water sector.

When introducing a new or appropriate technology to the users, there is a need for patience and persistence. Service delivery is facilitated by good relationships between politicians (councillors), technical staff and beneficiaries, and it is important for all stakeholders and role players to cooperate. Trust, especially by the users, in the partnership between the settlement and the implementers, can be created through transparency and the sharing of information on budgets with the project steering committees. Emerging contractors are usually flexible and resourceful with regards to the use of local resources and should be utilised more effectively. Proper operation and maintenance plans are essential to the continued sustainability of sanitation services.

The sanitation sector needs to continue striving towards good governance in order to achieve sustainable services (de la Harpe, undated). Good governance, according to De la Harpe (undated), involves constructive co-operation between the different sectors where the result is responsible use of resources, responsible use of power, and effective and sustainable service provision. Good governance would only be achieved where all stakeholders are engaged and participate in the sanitation sector in an inclusive, transparent and accountable manner to accomplish better services free of corruption and abuse, and within the rule of law (De la Harpe, undated).

**Conclusion**

South Africa realises that improving accessibility, affordability, and accountability in the use and dignity of sanitation facilities requires not only awareness and responses
from national government, but also integrating industry, academic institutions, health professionals, non-governmental organisations, financing agencies, and the population at large in seeking solutions.

South Africa faces the daunting task of sustaining an effective urban and rural development programme. Residents in settlements have high expectations that can currently not be managed by the delivery systems of South Africa. The challenge is to focus on the capacity building of people (men and women) to sustain increasing productivity, thus reducing poverty. Projects should not be resource-driven but rather demand-driven. With the latter approach, also known as a people-centred approach, problems and needs are identified with the full participation of the community and the community is motivated to participate in all phases of projects, which then fosters a sense of ownership and responsibility. It is the overriding prerequisite for the provision of sustainable and appropriate service delivery, which in turn leads to the development of sustainable human settlements.

Moving beyond conventional approaches towards sustainable sanitation services and clean water needs to be both top-down and bottom-up. Top-down, because it is often the only way to change or improve institutions, laws and regulations; and bottom-up because little can be done without dynamic individuals, communities and private sector stakeholders who have the energy, vision and creativity to champion innovation. Flexibility is needed from government to integrate non-governmental and community initiatives in its planning and to allow these initiatives to become common practices. The Minister of Water and Sanitation emphasised in 2015 that “The principle of ‘nothing about us without us’ should serve as a constant reminder that whatever we do, … we should do it for the restoration of the dignity of our people.”

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