

Addressing Sub-Standard Settlements

WP3 Settlement Fieldwork Report

Coordinator Einar Braathen



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Foreword

One of the aims of the research project “Change2Sustain: Urban Opportunities – Urban Growth and The Sustainability Challenge” [Chance2Sustain] is to understand better to what extent, and how, citizens and governments mobilize, operate and co-operate to reduce urban inequalities. Hence a work package (WP3) deals with policies and politics to address urban inequality. Focal points are the ‘slums’, or what we prefer to define as sub-standard or informal settlements, in metropolitan areas.

Case studies in four countries – India, South Africa, Brazil and Peru - try to answer a variety of questions: Which roles do poor people networks and civil society organizations play in order to upgrade sub-standard settlements and make them survive? What are the contents of government policies towards sub-standard settlements? Are these policies responses to social mobilizations? Do they cause demobilization or increased mobilization? Do the policies result in sustainable improvements of sub-standard settlements and in reduced socio-spatial segregation in the cities?

A conceptual and methodological framework for the studies was elaborated in 2010. A group of highly committed and skilled researchers have carried out fieldwork in the selected cities and settlements in 2011 and 2012. This publication compiles the fieldwork reports. The next steps are to develop the analysis of the settlement cases within the context of each city and country, and finally to compare the findings from the settlement cases across the cities and countries.

The research teams want to thank everyone – in particular the informants - who made the fieldwork possible.

The authors of each report will welcome questions and comments.

Einar Braathen

Senior researcher, Norwegian Institute for Urban and Regional Research.

Settlement Fieldwork Report

Delhi, India

By Véronique Dupont¹ and Tara Saharan²
with the assistance of M.M. Shankare Gowda

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1 Research fellow with the Institute of Research for Development (IRD : *Institut de Recherche pour le Développement*), UMR “Development & Societies” ; associated researcher to the Centre for Indian and South Asian Studies (CEIAS – CNRS/EHESS), Paris. Email: veronique.dupont@ird.fr

2 PhD Candidate, University of Amsterdam. Email: tsaharan@gmail.com

PART I³

1

Introduction and Abstracts of the Case Studies

The ambition to develop large Indian metropolises into “global cities”⁴ has led to major restructuring of their urban space. As a capital city, Delhi has always received particular attention from governments and town planners; as the country showcase its image has been enhanced. More recently, urban renewal operations and major infrastructure works, including the extension of the metro railway, got boosted by the preparation for the 2010 Commonwealth Games. The implementation of these projects and “beautification” operations were associated with large-scale slum demolitions (Dupont, 2011a & 2011b), illustrated here by the case of **Rajendar Nagar slum**.

In addition, following urban reforms in India in the 1990s and the induction of the private sector as developer and builder, as promoted in the *Master Plan for Delhi 2021*, significant real estate developments affect now urban land reclaimed from spaces situated in the capital proper, and not only in its peripheral towns as observed initially. These spaces under transformation include reclaimed built-up areas such as slums and mill lands, as well as controversial constructions in ecologically sensitive zones, such as in the Delhi Ridge natural forest (as illustrated by the Tehkhand residential project linked to the aborted rehabilitation plan for **V.P. Singh Camp**), and in the Yamuna river floodplain (such as the Commonwealth Games Village Complex).

Experiences in addressing sub-standard settlements in India have further to be understood in the context of the new national policy for *Slum-Free City Planning* launched in 2010, and in Delhi, in the context of the strategy of in-situ slum

rehabilitation initiated recently by the Delhi Development Authority (DDA) with the involvement of private builders. This will be illustrated here by the case of **Kathputli Colony**, a squatter settlement identified in 2008 by DDA to implement the first project of that kind in the capital.

The first settlement case –**Kathputli Colony**– thus documents the initial steps of implementation of an in-situ slum rehabilitation project under public-private partnership, along with its associated difficulties, as well as the way in which the concerned residents have been –or not– consulted. One major problem and source of delay at the outset was to find vacant land for the temporary transfer of the slum families, in a context of hostile reactions from neighbouring residents and traders’ associations. Within the affected communities, other issues include the lack of accurate information about the project especially at the early stage, and the lack of transparency regarding the list of eligible families and the financial conditionality to access a rehabilitation flat. Mobilization in the settlement to defend the residents’ interest vis-à-vis the town planning authority and the builder took time to start off and remained at a rather low-scale. This can be explained by a combination of factors: the initial low level of awareness, the lack of unity among the residents with multiple factors of division (social, regional, cultural, economic, professional and political), and the lack of a unifying and strong leadership. The role of the two main NGOs working in this settlement tended in the beginning to curb the residents’ capacity for self-mobilization; moreover, the acute conflict between these two organisations aggravated the divisions within the settlement and engendered information control practices. The resulting situation jeopardized the possibility of a fair and representative consultation process and affected negatively the negotiating power of the residents’ community.

The second case study –**Rajendar Nagar Slum and Motia Khan Municipal Shelter for the homeless**– illustrates first of all the consequences of the construction of a mega-project, such as the metro railway, on informal settlements. The affected slum families were rendered homeless following the demolition of their settlement in year 2000 and their exclusion from the resettlement scheme. The case

3 Part I was written by Véronique Dupont; and Section 2 draws from Dupont (2011c).

4 We refer here to the global city model, which was originally proposed by John Friedmann’s (1986) and Saskia Sassen’s (1991) in order to identify cities that are strategic sites in the new world economy, with decisive international functions on a global scale. Whether Indian metropolises do or do not qualify as “global cities” as per Friedmann’s and Sassen’s or more appropriate criteria, the ambition of the political and planning authorities to transform them according to that perceived model has tangible effects and drawbacks, as denounced more generally by Robinson (2006) for cities of the South. For a discussion in the case of Delhi, see Dupont (2011a).

study then focuses on the mobilization campaign for the right to shelter of the homeless, which was triggered off in the context of “beautification” operations during the preparation for the 2010 Commonwealth Games. The forced eviction of the same group of families from a temporary night shelter in winter (December) 2009, its dramatic consequences, and the ensuing protests provide an instance of scaling-up campaign and allows us: 1) to analyse the interplay of actors –a coalition of civil society organisations, the media, and the courts of justice– that contributed to the success of this mobilization, while recognizing the challenges in the long run; 2) to tackle broader issues regarding the right to the city of homeless people. Besides, the resettlement conditions of these homeless families in a municipal building demonstrates that creating a dependency on voluntary organisations’ assistance does not provide a sustainable solution to homelessness and cannot be a substitute to a proper rehabilitation policy taking into account both housing needs and livelihood opportunities. Furthermore, this case study questions the modalities of mobilization by grass-root organisations and spaces for participation and contestation.

The third settlement case, **V.P. Singh Camp**, a squatter settlement in the southern periphery of Delhi, provides an example of past successful mobilization against an attempt

of eviction in 1989-91, thanks to the support of the then Prime Minister, which contrasts with the absence of reaction at the settlement level when DDA launched its rehabilitation project in 2006, and the present lack of social mobilization to improve the housing and environmental conditions in the settlement. The factors lending explanation to this recent situation include: the heterogeneity of the settlement in terms of housing conditions and access to basic facilities as well as socio-economic characteristics of its residents, which contributes to their lack of solidarity; the lack of common leadership in the settlement; the lack of transparency regarding public intervention; and the local leaders’ use of knowledge for cultivating power and personal interests at the expenses of the common cause of development. Moreover, after the in-situ rehabilitation project under public-private partnership was stalled in 2009 for lack of environmental clearance, no urgent issue is likely to unite the residents and trigger a mobilization campaign at present.

Before detailing the settlement cases, the broader context and policy background in relation to slums are expounded, followed by the presentation the methodology applied for the case studies.

2

Background and Context

Indian cities, especially the largest ones, are faced with an acute shortage in adequate housing which has resulted in the growth of sub-standard and illegal settlements – designated in policy documents as slums or squatter settlements, whose residents accounted for 26% to 55% of the urban population at the beginning of the millennium, depending on the definition of ‘slum’ (Annex 1). Since the 1990s, the implementation of urban projects, especially infrastructure expansion, urban renewal projects, and “beautification” operations, in line with the ideals of globalising cities, have resulted in many demolitions of poor or unauthorised settlements and forced evictions, which increased the numbers of homeless people.

a. Policy Background

Since the late 1980s, urban and housing policies in India, including more recent national programmes such as the Jawaharlal Nehru National Urban Renewal Mission (JNNURM, launched in December 2005) and the Rajiv Awas Yojana (RAY

or *Slum-Free City Planning*, initiated in 2010) evidence a major shift in the role of the state, from being a provider of housing and amenities to being an enabler, through the promotion of public-private partnerships, the reliance on market mechanisms and the use of land as a resource.

Although the National Urban Housing and Habitat Policies, or RAY, provide the general agenda and main directives, under the Constitution of India and the federal system of government⁵ the states are assigned responsibility for land administration and land reforms, including urban development. Therefore each state needs to adopt the acts passed by the parliament and is free to frame its own laws and urban policies, including slum policies, except with regard to land owned by central government agencies. The National Capital Territory (NCT) of Delhi is a specific case: the central government retains the control on land, police,

5 India is a federal constitutional republic with a parliamentary democracy consisting of 28 states and seven Union Territories.

and law and order. Thus, the Delhi Development Authority (DDA), the agency responsible for monitoring the planned development of the capital city, is under the purview of the central government.

Slums and Squatter Settlements: historical and legislative background

Just after Independence (1947), the proliferation of slums in the capital city was considered a major issue. The Parliament enacted the Slum Areas (Improvement and Clearance) Act of 1956, a pioneering law that included measures for improving the old housing stock in certain cases, and demolition of dilapidated buildings in others. The Act was first implemented in Delhi and extended to other states. It was not conceived to address the issue of illegal settlements, and “although [its] purpose was to improve the housing conditions, it has frequently been interpreted as giving licenses to demolition and eviction” (HLRN-HIC, 2004: 7). The attempt to prevent the proliferation of squatter settlements also led to the enactment of specific laws and court judgements treating the latter as illegal encroachments⁶ and a cognizable offence. The Slum Areas Act also introduced a distinction between the notified and non-notified slums, likely to generate a new line of exclusion for the provision of basic services.

Under the Constitution of India, the right to shelter is indirectly recognised as a fundamental right, which springs from the right to residence under Article 19(1)(e) and the right to life under Article 21. Until the 1990s, the courts often passed stay orders that prevented forced evictions of slum dwellers (Ahuja, 1997) or passed judgements showing some understanding for the living condition of the poor and the responsibilities of municipal authorities, that summoned the latter to provide civic services to slum dwellers (Ghertner 2008). Reversing a span of progressive judgments, the Supreme Court and high courts have later passed a number of anti-poor sentences in the 2000s, especially in Delhi (Kothari et al, 2006: 43, Dupont and Ramanathan 2008, Ghertner 2008). Nonetheless, views that are more favourable to the right to shelter for the poor reappeared in some recent judgments.

6 As per the Delhi Urban Shelter Improvement Board, the slum areas are those that are notified under the Slum Areas (Improvement and Clearance) Act of 1956 – “Buildings and/or areas that are considered to be unfit for human habitation were declared as the slum areas under Section 3 of the Act. As such, they are considered to be legal structures and are eligible for benefits under the Act. The squatters of Jhuggi Jhompri Clusters settlements on the other hand are considered as an encroachment on public or private lands”. (<http://delhishelter.nic.in>)

Main ad-hoc strategies regarding slums implemented till date

Faced with the extent and persistence of sub-standard and squatter settlements, the governments and town authorities have implemented various types of *ad hoc* interventions: provision of basic services as part of larger poverty alleviation programmes; resettlement on alternative sites, with housing or merely site-and-service programmes; and in-situ rehabilitation. These programmes may be initiated and funded by the central government or the state government, or sponsored by international organisations. However, these strategies concerned only a section of the slum dwellers, whereas many others among those termed squatters were evicted without any compensation; thus they addressed only the symptoms of housing poverty without touching the roots of the problem.

Rajiv Awas Yojana or the new strategy for Slum-Free City Planning (initiated in 2010)

The central approach of the new strategy for *Slum-Free City Planning* is to redress the shortage of urban land, amenities and shelter that lead to the creation of slums. Its plan of action comprises two parts: the upgrading or resettlement of existing slums along with property rights; and actions to prevent the emergence of new slums, including reservation of land and housing for the urban poor. This “new deal for the urban poor” (Mathur, 2009) involves a more comprehensive approach than the previous strategies, and further advocates strong community involvement; but the way in which it would be implemented remains to be seen. Although rental housing is envisaged, the focus on home ownership and its financial modalities raise concerns: the contribution and monthly instalments to pay back loans, which are expected from the slum families may eventually result in excluding the poorest from the programmes, with a capture of the housing schemes by higher income groups.

Strategies implemented in Delhi regarding squatter settlements

○ *Environmental Improvement of Urban Slums*

The improvement of the living conditions in the existing slums through the provision of basic services was initially a response of town authorities to sanitation and public health concerns. In 1972, the Central Government launched the Environmental Improvement of Urban Slums scheme, aimed at providing basic infrastructure in zones officially notified as slums. Other schemes with similar or more comprehensive objectives followed, influenced in particular

by the Urban Basic Services Scheme for the Urban Poor initiated by UNICEF worldwide in the 1980s. More recently, the provision of 'Basic Services to the Urban Poor', with a focus on slums, is also part of the agenda of the JNNURM. This pragmatic, although short term, approach – improving the living conditions of slum dwellers where they are based rather than relocating or re-housing them – does not, however, guarantee them rights of occupancy, nor does it protect them from demolitions and evictions if the land-owning agency comes up with projects of “better public” utility on occupied sites, as in Delhi.

○ *Site-and-Service Programmes and other resettlement schemes*

The removal of squatter settlements –called *jhuggi-jhompri* clusters in Delhi– is in principle limited to untenable sites or when land is required for projects of public utility. In 'site and service' programmes, displaced families have been allotted plots in relocation sites theoretically provided with basic infrastructure, where they had to build their own dwelling. Secure land tenure is granted under the form of leasehold or license with restrictive conditions. Relocation in resettlement colonies without rehousing was the approach favoured by the Delhi authorities from the late 1950s till 2009 to deal with squatter settlements. It nonetheless required a financial contribution from eligible families (INR 7500 –US\$ 167– in the 1990s and 2000s). Moreover, the size of the plots was considerably reduced, from 80 sq.m. in the first scheme of 1960, to 18 sq. m. and even 12.5 sq. m. in the 1990s and the 2000s, which resulted in the recreation of over-crowded settlements. Lately, in 2010, the Government of Delhi modified its policy for the relocation of slum dwellers, with a shift towards the allotment of flats instead of plots. The Master Plan for Delhi 2021 (DDA, 2007) acknowledges the limitations of the site and service approach (as developed below), and envisages a new strategy of in-situ rehabilitation.

The impact of resettlement programmes on slum eradication has been seriously limited by the eligibility criterion referring to a cut-off date of arrival in the settlement. Despite adjustments of this date in the long run, this principle has caused the eviction of large numbers of slum families without any compensation. The financial conditionalities, as well as dysfunctions and malpractices in the implementation of the programmes, have further increased the number of excluded families (Dupont 2010). The list of eligibility conditions to access flats under the modified relocation and rehabilitation scheme for slum and *jhuggi-jhompri* dwellers in Delhi is again likely to exclude a significant proportion of families: the Delhi Urban Shelter Improvement Board (DUSIB) estimates that, in the list of 16 *jhuggi-jhompri* clusters identified for priority relocation, only 40% of the families would be eligible for allotment of

flats, hence leaving a large majority of dwellers without resettlement⁷.

Resettlement programmes most often entail relocation in remote peripheral zones. The long distances between the new sites and the previous ones negatively affect the access to employment and social networks, and more generally access to the city resources and opportunities, while urban services and social facilities in the relocation sites remain deficient (Koshla and Jha, 2005; Menon-Sen and Bhan, 2008). As a result, many allotted plots were resold by the families who could not afford the process of resettlement and its adverse impact on livelihoods, or were grasped by unscrupulous real estate agents.

○ *The extent of slum demolition, and forced eviction without resettlement*

According to DUSIB estimates, there would be 685 squatter settlements housing a population of around 2 million in 2011, accounting for 12% of the population of Delhi urban agglomeration (i.e.16 million without its ring towns), whereas in 1998 the population of squatter settlements was estimated at around 3 million, scattered in about 1100 clusters of varied sizes, and accounting for about 27% of the population of the city at that time⁸. The results of the last Census indeed reveal a considerable slowing down of the population growth from 2001 to 2011 in the inner districts of the Territory of Delhi, including absolute decrease in population in New Delhi District and Central District, which is attributed primarily to the large-scale slum demolitions (Joshi, 2011: 49).

It remains however difficult to assess the exact numbers of evicted slum families excluded from the resettlement programmes. In 2004-2006, demolition of slums affected dramatically the embankments of the Yamuna river (causing the eviction of more than 40,000 households in 2004 alone)⁹, in connection with the redevelopment of the river-front and the construction of the athletes' Village for the

7 Source: DUSIB website: <http://delhishelter.nic.in>. The percentage of eligible families is mentioned in the minutes of the fifth Meeting of the DUSIB, held on 19th December 2011.

8 Source: Slum and Jhuggi-Jhompri Department, Municipal Corporation of Delhi (MCD).

9 See: OMCT/HIC-HLRN Joint Urgent Action Appeal, “Over 300,000 people to be forcefully evicted from Yamuna Pushta in Delhi: 40,000 homes demolished so far”, Case IND-FE050504 (Delhi, Geneva, Cairo, 5 May 2004). The estimate was reported by the NGO Hazard Centre; although it is difficult to assess the real figures, this indicates the extent of the demolitions which took place within a few months in 2004.

2010 Commonwealth Games. Researcher Ghertner calculated approximately that from 1997 to 2007 “close to a million slum dwellers have been displaced” (Ghertner 2010: 202). These figures can be confronted to the official statistics of squatter families relocated from 1990-91 till 2008 under the *jhuggi-jhompri* resettlement scheme, namely around 65,000 families over the entire period, accounting for about 325,000 people¹⁰. Furthermore, the 2010 Commonwealth Games were preceded by a span of “last-minute demolitions” carried out without resettlement (HLRN-HIC, 2011). Forced evictions and exclusion from the resettlement scheme will be exemplified by the case story of the demolished **Rajendar Nagar slum cluster** and their residents rendered homeless.

○ *In-Situ Rehabilitation*

In-situ up-grading or rehabilitation has been an approach recommended in several national policy documents, including the current strategy. In Delhi, the three-pronged strategy implemented from 1990-91 to 2010 by the Government for dealing with squatter settlements included, in addition to (i) environmental improvement of slums and (ii) relocation of squatters in resettlement colonies, (iii) in-situ up-gradation for the *jhuggi-jhompri* clusters whose “encroached land pockets [were] not required by the concerned land owning agencies for another 15 to 20 years for any project implementation” (GNCTD, 1999). However, this option was undertaken only in a very few cases. This amounted in fact to a more comprehensive version of the environment improvement scheme, without any regularisation of tenure for the slum dwellers, and cannot be compared to the in-situ rehabilitation schemes implemented in Mumbai since the 1990s.

Nonetheless, new in-situ rehabilitation projects inspired by the “Mumbai model” (as it is often referred to in the media), namely that will entail the construction of multi-storeyed buildings through private-public partnership, using land as a resource and according to the principle of cost recovery, are in the pipeline. Concretely, only part of the land occupied by the slum is used to re-house its residents, the rest is cleared for residential or commercial development to be sold on the open market. This follows the new strategy recommended in the Master Plan for Delhi 2021 (DDA 2007: Section 4.2.3.1), and is in line with the new national slum policy. This new strategy provides an alternative to the requirement of large amount of lands for site and services developments. The expectation is that “vertical projects” will unlock the land stock occupied by slums. In 2008, DDA identified 21 slum clusters for in-situ rehabilitation, projecting the construction of about 37,000

dwelling units to that end. The first pilot project planned in 2006 in Tekhand (south of Delhi) has been stalled due to the lack of environmental clearance (see the case of V.P. Singh Camp); the second one, in Kathputli Colony is detailed in the settlement study. These two pioneering projects (for Delhi) in the field of slum rehabilitation were presented by the DDA and the Delhi government as a model for further housing projects for the economically weaker sections.

The government responses to homelessness

Although homelessness is not a new phenomenon in Delhi, the number of homeless people has increased dramatically during the last decade: by 68% between 2000 and 2008, due mostly to massive slum clearance without adequate resettlement (IGSSS, 2012). NGOs working with homeless estimate that their current population is around 150,000.

The first government programme of Night Shelters for the homeless was initiated in 1985. From the 1990s till 2010, it was operated by the Slum wing, under the Municipal Corporation of Delhi; it is now part of the DUSIB under the Government of Delhi. The scheme consists of operating night shelters located in areas of homeless concentrations, to provide facilities for night stay including toilets, blankets and jute mats at nominal charges. In December 2009, before the mobilization campaign for the homeless, there were only 12 night shelters in buildings run by the Municipality – and 64 in 2012. There has been in addition a scheme of temporary night shelters in winter to protect homeless people from cold. This scheme was resumed in 2002 following the pressure of some NGOs on Delhi government: the Revenue Department provides tents under emergency relief, and NGOs manage these shelters. Importantly, the current Master Plan for Delhi, which is a mandatory document, stipulates for the first time a ratio of one night shelter to be provided for 100,000 population.

Lastly, in 2008, the Delhi government launched “Mission Convergence”, a new flagship programme to reach the poor through a single window system, that includes Homeless Resource Centres run by NGOs. Under this Mission, a comprehensive survey of the homeless was conducted (GNCTD-UNDP, 2011), which was also conceived as a tool to provide identity cards to the homeless and link this exercise with enrolment in the project of Unique Identification number¹¹. However, the biometric

10 Source: Slum and Jhuggi-Jhompri Department, Municipal Corporation of Delhi (MCD).

11 See: *Social Inclusion and Aadhaar: Introduction & Concept Paper*. Unique Identification Authority of India, 30 April 2012. URL: http://uidai.gov.in/images/concept_paper_social_inclusion.pdf (accessed 12.07.2012)

identification implied by this operation faced practical feasibility difficulties as well as controversies. While there was a consensus among civil society organizations and the homeless to recognize the lack of legal identity and residence proof as a major problem, the enrolment of the homeless in this project raised a series of criticisms (Ramanathan, 2010).

b. Governance System

The specific status of Delhi as the National Capital and Union Territory

Delhi is both the seat of the Central Government as well as the government of the National Capital Territory (NCT) of Delhi. The status of Delhi as the national capital explains the direct purview of the Central Government on the urban development of its Territory, through the Delhi Development Authority (DDA) established in 1957 under the Union Ministry of Urban Development. Even after the NCT acquired the status of a quasi state in 1991, the Central Government retained the control on land; furthermore, it never allowed the World Bank to interfere in land and slum matters. DDA is the authority in charge of land development, including the preparation and implementation of the Master Plan for Delhi (a legal document). The designation of the DDA as the housing agency for Delhi in 1967, including for social housing, strengthened DDA control on slum affairs. There was a Slum Wing in charge of the implementation of programmes for slums and squatter settlements, which was alternatively under the purview of the Municipal Corporation of Delhi (MCD) from 1956 to 1967, of the DDA from 1967 to 1991 (with some intermediary transfers back and forth from DDA to MCD), before returning to the MCD where it was identified as the Slum and Jhuggi-Jhopri Department. In 2010, this Department was replaced by a new “Delhi Urban Shelter Improvement Board” (DUSIB), now under the purview of the Government of Delhi.

The monopoly of the DDA on land acquisition and development in Delhi explains that large-scale programmes of squatters’ relocation were possible and represented till 2009 the prevailing strategy to eradicate slums. Furthermore, as the land occupied by squatter settlements in Delhi is essentially public, with DDA land alone accounting for a large majority, the role of the DDA and till recently of the MCD in slum treatment was reinforced: these administrations have been players as land owning agencies, policy makers, and implementers. Since 2010, the Government of Delhi and DUSIB replaced the Municipal Corporation in its role of implementing programmes for slums and homeless.

Three local authorities are also responsible for urban services in their respective jurisdiction, including in slum areas and resettlement colonies: the Municipal Corporation of Delhi, with an elected municipal council, that covers most of the urban and rural areas of the Territory; the New Delhi Municipal Council, that includes the area of the new capital built by the British; and the Cantonment Board, under the Ministry of Defence.

This specific situation has resulted in a great complexity for managing urban affairs, with “issues of multiple authorities, overlapping jurisdictions, and diffused accountability” (GNCTD, 2006: Foreword by the Chief Minister).

Other actors of the scene of urban governance in Delhi regarding slum policies and homelessness

- *The private sector:* The induction of the private sector in slum redevelopment in Delhi is recent. Nonetheless, since the mid-2000s private-public partnership has become part of the urban development strategy, and is promoted both by the DDA and the Government of Delhi. DDA has consequently launched pioneering projects of rehabilitation and construction of dwelling units through public-private partnership. Yet, till date, DUSIB has not inducted private builders in its resettlement programmes in blocks of flats, constructed by the Delhi State Infrastructure Development Corporation, with a financial contribution of the Central government under JNNURM.

- *The courts of Justice:* India has an independent judiciary system, and the courts have emerged as a major actor in urban governance, especially through the Public Interest Litigation (PIL) procedure. In many cases, especially in the 2000s, the intervention of the courts in Delhi was a response to petitioners representing the interests of industrialists or resident welfare associations, more generally of upper and middle-income groups, who put forward environmental and sanitation considerations, or the “nuisance” factor, through PIL and asked for the removal of neighbouring slums.

- *The non governmental organizations (NGOs):* There have been several attempts to involve NGOs in the implementation of slum resettlement schemes, the first one dating back to the 1990s. Since 2000 the *Bhagidari* policy— or partnership with stakeholders – has become the dominant paradigm and leitmotiv of the Delhi Chief Minister. Although initially the *Bhagidari* policy targeted only the authorised colonies with registered resident welfare associations, and therefore de facto excluded squatter settlements, it also influenced public interventions

in slums. Thus, new schemes inducting NGOs in the field of slum policy were initiated, with a focus on service delivery. Noteworthy, the programme “Mission Convergence”, launched in 2008 to reach the most deprived sections of the society, relies on “public-private-community partnership” with the active involvement of NGOs. Other recent attempts aimed at enhancing NGOs and community participation in slums and resettlement colonies, such as the *Sanjha Prayas* programme – working with poor communities (2009-10, under *Bhagidari*), or pilot projects of socio-economic survey and in-situ upgrading in slum pockets (under DUSIB), were discontinued after a couple of years. In fact, many of the schemes launched over the last two decades suffered from a lack of sustainability. Besides, it would be questionable to interpret the examples of NGOs’ involvement as forms of true social mobilization. These could be seen as part of a cooptation process by the government, interpreted by some activists as a strategy to control the opposition groups and make the NGOs do the work as part of the government policy, with the expected effect of silencing the NGOs.

c. Politics and Power in the City: The Strength of CSOs under Question

We do find in Delhi mobilizations by NGOs, workers’ unions or forums of various people organizations. The types of actions and protests against slum demolitions and inadequate resettlement include public meetings, rallies, sit-in, repel of the demolition squads, petitions, legal actions, awareness campaigns, capacity building among affected people, etc. Yet, NGOs and human right movements in Delhi, in spite of some local successes and general outcries denouncing the large-scale slum demolitions, including the brutality of the eviction process, have not altered the implementation of slum clearance. On the whole, even the impact of empowerment campaigns proved to be limited; it failed to reach many slum dwellers who remained ignorant of their rights during the eviction and resettlement process or helpless to assert them (Dupont, 2010). Despite a certain degree of mobilization by CSOs, there is a lack of efficient root-based organisation among the slum dwellers.

The lack of mass mobilization and significant impact of NGOs’ actions, as far as slum demolition is concerned, may be explained by a combination of several factors. At the outset, the various attempts of mobilization initiated by different CSOs in Delhi have been not only sporadic, but also fragmented. Despite the existence of coalitions and forums, these are not organised into a unified and coordinated strong social movement. Local leadership in slum settlements remains split along political, regional,

social and religious lines, which proved to be a hindrance for contributing to a larger movement. Then, slum dwellers’ movements have gradually lost the support of middle-class political cadres and members, as “the middle-class becomes increasingly co-opted into the globalization agenda” (Kumar, 2008: 91). At the same time, the mainstream media do not highlight slum dwellers’ protests; more generally they do not provide much support to slum dwellers’ issues or may even report those in a biased manner. Kumar (2008: 87) identified two other reasons for the lack of powerful urban movement in Delhi: “The battle for survival keeps even the immediate sufferers away from movements as their time is invested in the search for a livelihood and mobilizing resources for survival.” Secondly, mobilizations carried by NGOs are seldom able to go beyond a certain stage, above all “because of their failure to locate the issues of discontent within the structural dynamics of society” and “the larger political context” (ibid: 85, 92). In addition, the preparation to host the 2010 Commonwealth Games provided a particular context where slum clearance for infrastructure works and “beautification” were prioritized, whereas the protests by slum dwellers were marginalised, if not delegitimised, in the agenda of showcasing the capital city and building its image before the world.

To conclude, one may suggest that, what we have observed till now in Delhi in the context of slum demolitions and related protests, are more often forms of resilience rather than (organised) resistance (as per Katz’s distinction)¹². Yet, CSOs working in the field of homelessness prove to be better organised, and managed to lead a successful mobilization campaign, as analysed in the case of Rajendar Nagar.

12 Sparke (2008: 2) notes that Cindi Katz “contrasts resistance that involves oppositional consciousness and achieves emancipatory change, with forms of *reworking* that alter the organization but not the polarization of power relations, with forms of resilience that enable people to survive without really changing the circumstances that make such survival so hard”.

3

Methodology

a. The Selection of Settlement Cases

At the first stage we identified four settlements in Delhi, in order to represent different types of sub-standard settlements and residential situations: two squatter settlements (Kathputli Colony and V.P. Singh Camp), a planned resettlement colony for previously evicted slum dwellers (Savda Ghevra), and a cluster of homeless families living in a municipal shelter (Rajendar Nagar slum & Motia Khan municipal shelter). This pre-selection also took into account critical issues in policies and politics addressing substandard settlements, namely:

- at the national level the new policy for “slum-free city planning”, reflected in Delhi by the recently adopted strategy of in-situ slum rehabilitation, meant to replace site and service relocation programme: thus, V.P. Singh Camp and Kathputli Colony were the selected sites for the two pioneer DDA projects of that kind;
- homelessness aggravated by slum clearance policy without proper rehabilitation or resettlement (Rajendar Nagar slum & Motia Khan shelter);
- the enduring issue of sub-standard infrastructure and services in resettlement colonies (Savda Ghevra).

Furthermore, the linkages with other Chance2Sustain research areas were considered. Regarding issues related to large-scale urban projects:

- Savda Ghevra resettlement colony houses thousands of slum dwellers who were evicted following the demolition of their settlements for the implementation of real estate development and large infrastructure projects, especially transport infrastructure along the banks of the Yamuna River and the expansion of the international airport.
- The families staying in Motia Khan municipal shelter were rendered houseless following the demolition of their slum (a squatter settlement) for the construction of a metro line, and again evicted for beautification operations during the preparation for the Commonwealth Games.
- The Kathputli Colony in-situ rehabilitation project also includes new real estate development.

Regarding environmental issues: In Savda Ghevra, one major issue is the access to potable water.

Finally, consideration was given to the kind of mobilisation around critical issues:

- Kathputli Colony provides an example of on-going mobilization around the issue of rehabilitation;
- V.P. Singh Camp illustrates a past mobilization against demolition;
- Rajendar Nagar demolished slum & Motia Khan municipal shelter provides an instance of successful mobilization and scaling-up campaign for the right to shelter of homeless people;
- Savda Ghevra resettlement colony provides an instance of NGO intervention along with community participation for a critical assessment of water supply and needs.

A settlement profile following the guidelines detailed in the Conceptual and methodological framework to address issues of sub-standard settlements (Braathen & al., 2011) was prepared for each of the four settlements; information to that end was collected and compiled by M.M. Shankare Gowda in October 2010. The location of the settlements in Delhi is shown on Map 1 in Annex 2. Map 2 and 3 in Annex 3 situate the settlements on the maps showing, respectively, the percentage of slum population and the multiple deprivation index per ward in Delhi, based on the 2001 census data.

Eventually, we did not pursue further research in Savda Ghevra resettlement colony; nonetheless, Malgorzata Huzarska, a master student in Human geography of the University of Amsterdam (under the supervision of Karin Pfeffer) took this settlement as her case study on “water governance, water situation and its implications on the livelihood” of the residents, focusing on issues more relevant for environmental issues and participatory spatial knowledge (Huzarska, 2012).

b. Methods Applied to Collect Data

For the case studies of Kathputli Colony (KC) and Rajendar Nagar demolished slum/Motia Khan municipal shelter (RN/MK) a series of in-depth interviews with the various stakeholders were conducted in 2011 and 2012¹³,

13 All interviews in Hindi or in Kannada (RN/MK case) with the residents and local leaders were conducted and transcribed into English by M.M. Shankare Gowda ; the researcher (Véronique Dupont) also attended some of these interviews, and conducted the interviews in English with other stakeholders.

including residents and local leaders (altogether 25 interviews in KC; and for RN/MK case 7 individual interviews and a focus group interview with another 9 residents), CBOs representatives and activists, elected politicians, government officers, private builders and consultants. We followed the guidelines provided in the Conceptual and methodological framework (Braathen & al., 2011), with necessary adjustments to take into account each specific context. These interviews were completed by follow-up visits in the settlements, attending of public meetings, press reviews and the collection of various secondary data and reports, including an examination of official documents related to court cases (for RN/MK). Details about the interviews, dates, their main contents and other information collected, profile of respondents, etc. are provided in Annexes 4, 5, and 6.

For the case study of V.P. Singh Camp, qualitative interviews with 30 residents were conducted in 2011 by Tara Saharan as part of her Master thesis which focussed on the various needs of the residents of this slum (Saharan, 2011). Although the interviews did not strictly follow the common guidelines, the information collected was re-analysed to contribute to some of the main questions addressed in the other settlement case studies.

The residents interviewed in each settlement were selected in order to represent various age groups, men as well as women, and the various communities and/or occupational groups. In Kathputli Colony and V.P. Singh Camp, attention was also given to the spatial spread of the sample, and to the degree of consolidation/precariousness of the housing unit.

PART II

THE SETTLEMENT CASES

4

Settlement Case 1: Kathputli Colony – An In-Situ Rehabilitation Project in (Slow) Progress¹⁴

1.1 Settlement profile

a. Location

Kathputli Colony (KC) is a four-decade old squatter settlement spread over 5.22 hectares in a rather centrally located area, near Shadipur (bus) Depot and the eponym metro station, about 8 km west from the central business district of Connaught Place. It is well connected to the rest of the city by all means of transport. The larger zone around this settlement is characterized by a combination of residential housing for lower and middle income groups and, to the north, an industrial area undergoing major transformations following the closure of old mills and the redevelopment of the reclaimed brown fields into an upper-end and high-rise condominium and an IT park¹⁵.

b. Origin of the Settlement and Present Population

Kathputli Colony is named after its residents of puppeteers who, along with other nomadic folk artists from Rajasthan, settled in this locality in the late 1960s, which was in those days “a stretch of wilderness forming an unfrequented fringe of West Delhi” (Sandal, 1985: 48). Gradually other street performers and craftsmen from Rajasthan, as well as folk artists of other regions –from Uttar Pradesh, Andhra Pradesh, and Haryana especially– who used to live in precarious conditions in different parts of the city moved into this settlement, thus known as the “artists’ colony”. Other non-artist migrants from Uttar Pradesh, Bihar, Maharashtra, Gujarat also settled there due to the

availability of vacant land, coming directly from their villages or from other places in Delhi.

Today KC houses around 3000 households or 14000-15000 people. The Rajasthani constitute a large majority of the population, occupying the major portion of the settlement; they belong mainly to the Bhat community of traditional artists, listed as a backward caste. The population of the colony is highly divided, on the basis of religion (Hindus, Muslims, and a small minority of neo-Buddhists from Maharashtra corresponding to a converted group of ex-untouchables), caste, geographical origin and occupation (the artists and the rest, mainly unskilled labourers). These different criteria combine to form sub-groups, to which has to be added a group of leprosy families. The resulting social segmentation translates into spatial segregation, with distinct sections of the settlement corresponding to different communities (Bouifrou 2008, corroborated by our field observations). Thus, 12 active local leaders –or *pradhans* – could be identified.

In the mid-1990s, the condition of the residents of KC was described as follows by a consultant who conducted an experience of community participatory for a water supply and drainage project in this settlement: “The problems in Kathputli Colony are typical of those faced in similar settlements all over developing countries: malnutrition, high infant mortality, low literacy levels, child marriages, high rate of alcoholism, indebtedness, poor housing and a lack of basic services and amenities” (Marulanda, 1996: 6). Reports of NGOs working in KC¹⁶, interviews with their project directors¹⁷ and field observations confirmed the relevance of this description till today. We could further complete the above list by

14 This settlement case report was written by Véronique Dupont, with the assistance of Shankare Gowda for field work and field reports, as well as press review.

15 See the DLF project ‘Capital Greens’ and ‘DLF Tower’ on Shivaji Marg : <http://www.capitalgreensdlf.in/> (last accessed on 10 August 2011).

16 Annual Reports 2009 and 2010 of Kalakar Trust, downloaded from its website : <http://kalakartrust.org/>

17 Interviews with the Project director of Kalakar Trust on 25-11-2011, and interview with the director of CURE on 30-03-2012.



adding high incidence of health problems, drug abuse, high school drop-out ratio, prostitution, low level of women empowerment, and irregular income especially among the artists.

c. Housing

Kathputli Colony is considered as an illegal slum, a squatter settlement on land belonging to the DDA. This implies for its residents the lack of security of tenure and thus a risk of eviction. The settlement is not planned, and apart from one main street that passes through it, the layout of the area is like a web of narrow lanes. Over time the settlement has expanded horizontally with the arrival of new groups of dwellers, and vertically with the addition of one story to some of the reinforced structures (GF + 1) to respond to families' expansion. Most of the individual houses are now fully or partly consolidated structures built with bricks and mortar. Nonetheless, more precarious hutments made with mud, plastic or jute sheets and wooden poles and planks are also found. The dwelling units are generally small and congested, without proper sanitation facilities and ventilation. Some of them look like dilapidated shanties. Yet, the dwellings have usually electricity connections: before the privatisation of the distribution system in 2006, the slum families benefited from a government scheme providing free electricity (for one bulb or electricity point per family), but there were also illegal connections; now the residents have individual meters and thus electricity bills to pay. In this colony, the proportion of tenants is not very significant, and most the houses are occupied by their owners, who built themselves their *jhuggis* (hutments), and generally upgraded it overtime.

The settlement is densely populated, with only a few trees and not much open public space. The land-use pattern is essentially residential; nonetheless there are convenience shops along the main street, and some economic activities are carried out at home such as the making of puppets, toys and other crafts items. The courtyards of the houses, and terrace roofs if any, are also used by the artist families to rehearsal. Poultry, pigs, goats and sheep are raised in the locality.

d. Infrastructure & Services

Except for the single main street which passes inside the colony, the rest of the streets and lanes are in a bad state. Although at some places cement, stones and bricks were used, it would require repairing works (sometimes undertaken by the residents). There are around 50 to 60

street-lights in the colony, maintained by a private company¹⁸, under a public private partnership.

The drainage system is in very bad conditions: open drains, although cemented, are most often clogged and overflowing due to the lack proper maintenance. Municipal employees are supposed to clean the drains once in a week or so. In principle too municipal sweepers have to clean the streets and remove the garbage. Yet, since streets and open space are used to dump the garbage, heaps of garbage, pigs and stray dogs, flies and mosquitoes buzzing all around, stink from the open drains, are a common sight and experience when walking in the many criss-crossing pathways of the colony.

Regarding water supply, the Municipal Corporation has laid down pipelines feeding public taps, and water is supplied free of cost for the residents by the Delhi Jal [water] Board. However this supply is erratic and the poor quality of the pipelines entails mixing with drain water, leading to health problems. Moreover, water connection in the settlement is not evenly distributed, and some pockets are left out or water supply does not reach the taps due to deficiencies in the system. In some parts of the colony the residents have drawn individual water connections; these are illegal but tolerated by the authorities. In addition, four bore wells were built over the years, sponsored by the elected politicians (Members of the state Legislative Assembly) of the constituency on the budget of their Local Area Development Scheme; another tube well was installed by one the main NGOs working in the colony. Some residents also fetch water from a neighbouring locality.

The settlement is not equipped with underground sewage connected to the municipal sewage system. An insignificant proportion of houses have individual toilets with disposable pits; the residents depend essentially on public toilets. Four toilet blocks were built by the Municipal Corporation, only one of them, located just outside the colony, is connected to the sewage system. All together, there are around 100 toilet seats (for a population of around 14,000 to 15,000 people), including separate toilets for women. The maintenance is taken up by different private contractors, who charge one rupee per visit. Yet the maintenance is on the whole not good (except from one toilet block), some toilets are broken or unusable, and the cumulated fees are expensive for some families. Thus, people also use open areas at the fringe of the settlement to defecate, and small children frequently use open drains inside the settlement. This situation has further contributed to the unhygienic environment of the settlement.

18 In this area of Delhi, electricity is distributed by North Delhi Power Limited, recently renamed Tata Power Delhi Distribution Limited.

Health care facilities in the settlement are provided only by NGOs: some health workers visit the colony frequently, and the Kalakar Trust operates one dispensary. Similarly, in the settlement itself, there is no government school (primary and secondary government schools are located in the adjoining “legal” localities); informal schooling facilities are provided by NGOs. The Kalakar Trust runs a primary school providing non-formal education with vocational training for artist children.

e. Identification and Description of the Relevant Actors

Different actors played a significant role in the present development of the colony, as well as in the on-going mobilization around the in-situ rehabilitation project; the presentation of some of them further help to understand the past political story of the settlement.

Among the residents of the settlement, the main individual actors with a larger impact on the communities are the local leaders or *pradhans*. As mentioned above, 12 active *pradhans* could be identified in KC, representing various communities living in distinct blocks of the settlement, and among them: the president of the Bhule Bisre Kalakar Samiti (the Cooperative of Forgotten and Neglected Artists, created in 1977 – renamed the Bhoole Bisre Kalakar Cooperative Industrial Production Society), representing the Rajasthani artist community and supporter of the NGO Saarthi; and, the only woman (a widow) *pradhan* among the local leaders, member of the Mahilla Congress (the women wing of the Indian National Congress party), representing a rebel faction among the Rajasthani community and supporter of the NGO Kalakar Trust. There are also a couple of politicians affiliated to national parties, but their role as individual actors has not been significant, as the level of political awareness and political mobilisation in the colony is low, owing to the division of the settlement population along caste, religion, geographical origins and profession.

Relevant external actors include NGOs, politicians, public agencies, private builders and consultants.

Two NGOs promoting the traditional artists and artisans have been particularly active in KC, namely Saarthi (founded in 1989) and the Kalakar [artist in Hindi] Trust (founded in 1992). Other NGOs have also worked in the settlement but only for some specific projects, or they target specifically disadvantaged communities (such as an ex-untouchable caste, or lepers). Besides, resident welfare associations from the localities identified by DDA to set up the transit camp for the KC residents during the construction of their

rehabilitation flats also played a role, as their mobilised *against* the transfer of the slum families.

The pertinent elected local politicians comprise: the local councillor; the Member of the Legislative Assembly (MLA) of the constituency where KC is located, who is a member of the Indian National Congress Party (presently the ruling party in Delhi, as well as at the national level as part of the United Progressive Alliance); and the MLA of the constituency where the transit camp is located, also affiliated to the Congress Party. The Member of the Parliament (MP) of the New Delhi constituency, Ajay Maken, affiliated to the Congress Party, is another significant actor at a higher level, not only in his capacity of MP as KC falls in his constitution, but furthermore as the Union Ministry of State for Urban Development (2006-2009) when the rehabilitation project was launched, and since October 2012 as the Union Cabinet Minister, Housing and Urban Poverty Alleviation.

Among the public agencies, the Delhi Development Authority (DDA, under the Union ministry of urban development) is the chief actor: this is the land-owning agency of this settlement, and the implementing agency of the in-situ rehabilitation project. The Delhi Urban Shelter Improvement Board (under the Delhi government) has provided the policy guidelines for implementation of resettlement and rehabilitation scheme for squatter settlements, which should be followed by DDA.

The main private actor is the builder who was awarded by DDA the contract for the KC in-situ rehabilitation project, namely Raheja Developers. Finally, one should mention the private consultant who was awarded by DDA the feasibility study for KC project, including the socio-economic household survey and the detailed project report.

1.2 History of Critical Issues and Struggles in the Settlement

The first attempt of self-organization by the street performers settled in Shadipur (KC) in order to better defend their own interests dates back to 1976, and was triggered by an outsider, “an Indian designer named Rajiv Sethi (...) who had booked some of their acts for industrial shows in Delhi”, and suggested them to form a cooperative. Thus, a group of 35 artists founded the Bhule Bisre Kalakar Samiti –the Cooperative of Forgotten and Neglected Artists, which was “at last awarded official recognition as a cooperative” in 1978 (Sandal, 1958: 49-50). Yet, meanwhile, the residents of KC had to face another

predicament: in July 1977 their huts were demolished as part of a slum clearance drive.

“A protest led by newspapers and cultural agencies prompted the authorities to transfer them by truck to small plots of land in Sultanpuri [a resettlement colony], in a distant part of Delhi. But, says one performer, “people who sought our performances had got accustomed to looking for us at Shadipur. Nobody wanted to go all the way to Sultanpuri to find us”. Stealing themselves [by renouncing to their allotted plots], they trickled back to Shadipur, set up their tents and built a new their mud houses. (*ibid*: 50).

Rajiv Sethi also initiated two in-situ housing projects for the artists of KC.

“In 1979, Sethi sought out renowned Egyptian architect Hassan Fathy, author of *Architecture for the Poor*. They came up with a proposed layout, but the cooperative members balked; the plan didn’t take into account individual ways of cooking in their courtyards, sleeping and socializing, they complained. ‘I realized then that we had to involved them’, says Sethi.’ (*ibid*: 50)

Thus, the conception of the second project followed a participatory method:

“With funding help from the *Times of India* and the Vastu Shilpa Foundation, a team of young architects and sociologists worked closely with the people at Shadipur. The resulting plan calls for the families to build their own homes in styles reflecting their village traditions, while the overall neighbourhood layout of paths and communal areas is derived from how the group actually interacts”. (*ibid*: 50)

The ensuing in-situ pilot project for habitat and cultural complex, with low cost indigenous building skills and sustainable technology, was submitted in the mid-1980s to the government; it was designed for the 350 artist families settled in KC at that time. This model village, named Anandgram (the village of joy) however never materialized, despite the promise of the then Prime Minister Rajiv Gandhi to regularise the settlement (Bouifrou 2008), and the in principle agreement of DDA to allot the land in-situ to the artist families. The reason quoted by the artist cooperative’s patron was the interference of some politicians who wanted to include in the housing project other groups of non-artist people, for the benefice of vote banks. Since they refused this “arrangement”, the project never came out¹⁹.

Nevertheless, the support to the artists of KC has continued till date through an NGO founded in 1989 by Rajiv Sethi, namely *Sarathi* – “Friend of artists in need”. The NGO was active to promote the craftsmen and artists of the colony, and sending the latter abroad to perform for international festivals and other shows. The Kathputli artists were thus often called the “Cultural ambassadors of India”²⁰ and have become “globalized” (Bouifrou 2008). The personal connections of their patron and renowned designer helped the artists’ promotion and also to highlight the problems of KC among the political establishment, including at the highest level. Yet, no success was achieved in terms of land regularisation and alternative housing project. In fact, this NGO and its followers have been demanding allotment of land for the artist community in the present site, and refused resettlement in alternative sites proposed earlier by DDA.

A second NGO, created in 1992 to uplift the low-income traditional artists, namely the Kalakar Trust, established itself in KC: the Trust set up a dispensary and a primary school with performing art and crafts classes for the artists children. In addition to the artists’ promotion (in a way similar to the first NGO), the Trust extended its work and impact in the settlement through various activities such as adult literacy classes, income generation activities, assistance for marketing handicrafts, saving and credit schemes, implementation of a water and sanitation project (Marulanda, 1996).

Eventually, competition and rivalries developed between these two NGOs working in the same field, and with the same community: “As a result the community is divided into two main groups which, from time to time, associate with one or the other of these two NGOs” (Marulanda, 1996: 6). The conclusions drawn from a participatory experience for a water supply and drainage project implemented in KC in the mid-1990s appear still valid today, namely: “The conflicts between the two NGOs (...) have indirectly motivated the divisions within the community and disturbed participation in various stage of the process of settlement improvement” (*ibid*: 10). In the context of the DDA in-situ rehabilitation project, mutual mistrust between these two NGOs have intensified and proved to have a negative impact on the mobilization capacity of the residents and the efficiency of their collective action.

19 Interview with an associate of Rajiv Sethi at the Asian Heritage Foundation, on 17-11-2011.

20 See for instance: H.G. Gera, “Cultural ambassadors of India”, *The Tribune*, 18-05-2002.

1.3 Overview of the ‘Case Story’

The main issue for mobilization in KC is the on-going project of in-situ rehabilitation undertaken by DDA, in partnership with a private builder. It is presented as “a benchmark for many such projects to follow to make Delhi a slum free state”²¹. The project was advertised in the media in February 2009, when the Union Ministry of State for Urban Development, Ajay Maken, laid the foundation stone for a 14-storied complex of 2800 two-room flats of 25 sq.m for the slum dwellers. The private firm which was eventually awarded the development contract in October 2009, namely Raheja Developers, was allotted the 5.22 hectares of land for an amount considered much below the actual market rate (for INR 61.1 million). The developer will have to use 60% of the land cleared from the slum to build and deliver free of cost to DDA the blocks of flats along with mandatory amenities (community centre, school, health centre, convenient shopping, playing ground). On the remaining 40% of the land that can be used for real-estate and commercial development for sale at the market rate, and thus will make the investment profitable, the firm has an ambitious plan for a high-end 54-storied residential tower that would be the tallest building in Delhi, as well as a commercial complex. To that end the Indian developer formed a joint venture with Arabtec Construction, the Dubai-based construction company that built the world’s tallest tower, the Burj Khalifa.

Given the size of the plot, fully and densely occupied, the rehabilitation project requires the transfer of the families to a transit camp before the construction work can start. The private firm has also to take in charge the construction of this camp. A first site was identified by DDA for the relocation, on reclaimed mill land (Swatantra Bharat Mills) near the colony. However, this option faced the opposition of the Supreme Court as the land was meant to be maintained as a green area after the closure of the mills. The second transit site identified was a large tract of empty land owned by DDA, in Basai Darapur, about 2 kms from the Colony. There, the project of transit camp faced the opposition of the neighbouring localities, whose residents claimed that DDA had earlier proposed to build a community centre with a park and other amenities. A federation of local Resident Welfare Associations and traders took out a procession in November 2009, demanding that DDA looked for an alternate site, which they eventually had to do. DDA confront similar protests by the residents in Ashok Vihar, where another possible site was subsequently identified. The next nearby proposed site, a vast sport ground (Ramjas Sport Grounds) also owned by DDA, faced again opposition

by the residents of the vicinity: the local Patel Nagar Welfare Foundation filed a petition in the Delhi High Court to safeguard their sport activities. The residents’ objections were dismissed by the Court in July 2011; yet, to avoid further legal complications and delays, DDA preferred to shift the site to a farther location, in Anand Parbath, on an unclaimed land partly used as a dumping ground, a rocky, undulating and hilly terrain where the construction work for the transit camp has eventually started and should be completed by the first months of 2013. The families will be accommodated in rows of prefabricated one-room tenements, with collective bathing and toilet facilities.

Before examining the reaction and mobilisation of the residents in KC, the mobilisation of civil society organizations against the location of the transit camp in their neighbourhoods, and thus against the interests of the slum dwellers, moreover with successful outcomes, deserved to be mentioned.

1.4 Social Mobilization in the Settlement in Reaction to Public Intervention

The choice of Kathpulti Colony by DDA to launch its strategy of in-situ rehabilitation under private-public partnership may be explained by the specific history and patronage of this “artists’ colony”. The two NGOs active in promoting the artists of KC have good connections with the highest level of the political establishment; some of the artists during their tours and performances had the opportunity of interacting directly with politicians, including former Prime Ministers. These “Cultural Ambassadors of India” and their patrons had thus the occasion to push their demand for better housing, although no project of rehabilitation could materialise till now. The present public intervention and the response of the KC residents may be better understood in this context. Thus, initially, the artists, especially the Rajasthani community, thought that the rehabilitation project would be only for them; the other communities were not invited to the discussions regarding the project, they feared to be excluded and eventually became proactive to get information and follow-up the project.

a. First Reactions and Concerns about the Rehabilitation Project

The current rehabilitation project initially met mixed reactions among the residents. While some sections considered it as a good opportunity, others remained sceptical.

21 Source : www.rahejabuilders.com (last accessed in January 2012).

Table 1.1: Time line of events for the Kathputli Colony (KC) in-situ rehabilitation project

February 2007	Notification of the Master Plan for Delhi 2021 that envisages in-situ rehabilitation for slum dwellers, in block of flats built under public-private partnership.
2008	DDA identified 21 squatter settlements for in-situ rehabilitation, including KC.
June-July 2008	The private consultant appointed by DDA conducted a door-to-door socio-economic survey in KC, with the help of Kalakar Trust, and submitted a detail project report for the rehabilitation of the slum to DDA, for 2800 households.
August 2008	DDA floated a tender for “the prequalification of developers on public private partnership” for in-situ rehabilitation of 3 J.J. clusters, including KC.
February 2009	Union Ministry of State for Urban Development & Member of Parliament Ajay Maken laid the foundation stone for a 14-storied housing complex of 2800 dwelling units in KC. Posters of the project prepared by the consultant were displayed outside in the settlement.
October 2009	Raheja Developers was awarded the development contract for the KC in-situ rehabilitation project.
2009	The first site identified by DDA for the transit camp in Swatantra Bharat Mills has to be dropped for lack of environmental clearance
November 2009	At Basai Darapur, the second site identified for the transit camp, a federation of local residents welfare association took out a procession against the relocation of the KC dwellers, demanding that DDA looks for an alternate site –which they did.
Around end 2009	A model flat was constructed by the builder in the premises of Kalakar Trust school. Following a public meeting organised in KC by the other NGO, the head of the latter, along with a group of artists from the colony and representatives of the media insisted to visit the model flat; their entrance was denied and lead to a clash between the two NGOs.
February 2010	The president of the Bhoole Bisre Kalakar Cooperative Industrial Production Society submitted a Right To Information (RTI) application to DDA, to get information on the KC in-situ rehabilitation project. DDA replied in October 2010.
Around March 2010	The NGO Sarthi invited a famous actress and activist from Mumbai– to a meeting in KC to discuss the experience of slum rehabilitation in Mumbai. The meeting was followed by attempt of the attending crowd and media to visit the model flat in the Kalakar Trust school premises, which lead to a new confrontation between the two NGOs and eventually the Kalakar Trust withdrew from its active involvement in the implementation of the rehabilitation project.
July 2010	After a group of KC residents (supporters of the NGO Sarthi) contested the first survey carried out by the private consultant, DDA conducted another survey in KC to identify the number of eligible households (including verification of identity and residence proof, house numbering, and residents’ photographs taken in front of their house): 2800 households were listed.
July 2011	The Patel Nagar Welfare Foundation, representing the interests of the residents of this locality, had filed a petition in the Delhi High Court to object to the transit camp on the Ramjas Sport Grounds: their objections were dismissed by the court.
Around Aug. 2011	Formation of a pradhan committee in KC including the 12 local leaders, for better representation and coordination with DDA and the builder.
Oct. – Dec. 2011	Levelling of the land on the site eventually approved for the transit camp, in Anand Parvat, and starting of the construction of 800 pre-fabricated transit units.

**Table 1.1 continuing:** Time line of events for the Kathputli Colony (KC) in-situ rehabilitation project

Nov. 2011 – Jan. 2012	DDA conducted (through private contractor) a door-to-door videography of all eligible families of KC and confirmed the figure of 2800 eligible families.
17 Dec., 2011	News report in Nav Baharat Times (Hindi newspaper) announcing the shifting of 800 families to the transit camp in 3-4 months time (whereas 2800 families have been surveyed).
21 Dec. 2011	Meeting called in KC by the residents to get clarifications from DDA and the builder. Residents declared that they should be shifted all together or would refuse to move.
December end, 2011	About 30-40 people from KC met Ajay Maken (currently Minister and Member of Parliament, Congress Party, New Delhi constituency) at his residence regarding the same issue. DDA eventually accepted the residents' demand to be shifted all together to the transit camp.
20 April 2012	After the Municipal Elections were over, DDA demolished some temporary shelters located on a hillock just adjoining the Anand Parbat transit camp.
May 2012–Sept. 2012	Levelling of the land of this hillock for the extension of the transit camp and construction of the remaining temporary dwelling to accommodate all the 2800 families of KC.
May 2012	Meeting organised in KC by DDA and the North Delhi Power Limited (private firm in charge of electricity distribution in this area) to discuss the tariff structure of electricity in the transit camp. The residents' assembly expressed strongly their demand for being provided electricity free of cost. [The final outcome remains to be seen]
July 2012	Minister & Member of Parliament Ajay Maken visited KC to interact with the residents.
15 Aug. 2012	The Cooperative of Forgotten and Neglected Artists invited Minister Ajay Maken and the local MLA for a public function in KC on the occasion of the Independence Day.
Oct. 2012	The pradhans sent a letter to the DDA to provide them at least three month-prior notice before shifting all the families to the Transit Camp
Early 2013	The transit camp should be completed and ready for the transfer of the families.
2013-14	Once the site in KC is cleared from the present settlement, the construction for the rehabilitation flats is scheduled to be completed within 2 years.

Among the craftsmen and performing artists who form a major group in this settlement, some fear that living in a flat in a multi-storeyed building will affect their professional activity, as they are not sure to be provided with space for the same. Others would prefer to be provided with a plot of land, on which they could build incremental housing to meet the needs of their expanding families. Women are on the whole more supportive than the men of the rehabilitation project in flats, as they are those who suffer the most from the lack of basic facilities in the present settlement (especially toilets, bathrooms and individual water connection). Yet, many residents fear that if relocated on a transit site, they would not be allowed to move back to their initial area and get a flat.

In fact, there has been a lack of accurate knowledge about the project, and a lack of transparency regarding the

communities that would be the beneficiaries of the housing project (only the artists or all the communities) and the list of eligible families. Two major issues were not yet clarified by the DDA, namely the eligibility criteria to access a flat in the re-housing scheme, and its financial conditionality. Regarding eligibility criteria, it is generally agreed that only those families with valid identity and residence proof will be entitled to a rehabilitation flat; however, there is a lack of precision on what type of document are accepted as "valid" proof (voter identity card, ration card²², others?) and whether a cut-off date of arrival in the settlement will be

22 These are cards that provide access to ration shops – i.e. shops selling staple food items and other basic necessities at rates subsidised by the State, which, in fact, serve as identity cards.



applied or not. Regarding financial conditionality, whereas politicians have promised “free housing for the poor” to the residents, and many among them believe so, some local leaders think that the beneficiary families will have to contribute their share (whose amount is also uncertain). Indeed, allotment of flats free of cost to the slum dwellers would contradict the guidelines of DUSIB that DDA is also supposed to take into account.

There was also a controversy around the number of households in the settlement: while the announced rehabilitation scheme comprises 2800 dwelling units on the basis of a contested household survey conducted in 2008 by a private consultant, some local leaders claimed a population of more than 3000 families in KC (some even claim 10,000 households). This led DDA to conduct another identification survey in 2010 and confirmed this figure: 2800 households were listed, but the list has not been publicised, which continued to nourish the scepticism of some residents. Other residents argued that joint families with married children should not be counted as single households for the purpose of rehabilitation in flats – an issue which does not seem to have been dealt with consistently during the identification survey, depending on the housing arrangement of the family.

Altogether, these uncertainties and controversies have engendered anxieties about being included in the re-housing scheme and apprehensions, as well as mistrust among the residents. Initially, the residents were also worried about the conditions in the transit camp. However, after the construction started there and they were able to visit the site, given the present housing and environmental conditions in the settlement, on the whole the residents are eventually satisfied with accommodations and services provided to them. Yet, electricity charges in the transit camp remains an issue.

b. Phases of Mobilisation

The process of mobilization in KC evolved along with the mode of consultation. In the first phase, from 2008 till roughly the end of 2009, the consultation procedure was mediated by one NGO working with the artists, the Kalakar Trust. The latter acted as the chief interlocutor and intermediary with DDA and the builder: this NGO assisted the consultant appointed by DDA to conduct the first socio-economic survey, public information meetings were held in its school premises, its executive staff organised appointments between the local leaders and DDA officers, the sample flat was built in the school premises. According to the *pradhan* allied to this NGO, the Trust’s founder “worked hard to bring this rehabilitation project to the

Colony”; the outcome and privileged contacts between DDA and the Trust could be explained by its patron’s personal connections at the highest level of the political establishment.

However, the Kalakar Trust’s strategic role in this preparatory phase of the project was challenged by the other NGO, as was also its legitimacy in representing the entire community. The acute conflict between the two NGOs led to direct altercation in the settlement (see Table 1.1), in which the Kalakar Trust’s staff was abused by the supporters of the other NGO. Subsequently, the Kalakar Trust withdrew gradually from its role of mediator and intermediary with DDA. Yet, the lady *pradhan* who is associated to the Kalakar Trust, although contested among her own community – the Rajasthani artists –, has remained a main interlocutor for DDA and the builder; she goes and meets DDA officers as well as the local MLA (affiliated like her to the Congress Party), and has been playing the role of the spoke-woman for the entire settlement.

During this confrontational phase, the other NGO, Sarthi, submitted a Right to Information (RTI) application to DDA in the name of one local leader (the president of the Bhoole Bisre Kalar Cooperative Industrial Production Society) to obtain direct information on the rehabilitation project. This was a response to the lack of accurate information about the project felt by the residents, and a way to bypass the privileged position of the Kalakar Trust. However, the replies provided eight months later by DDA (hence after a much longer delay than the 30-day period stipulated in the RTI Act, 2005) left many questions unanswered, especially regarding the eligibility criteria and the financial conditionality for the eligible families.

To some extent, the withdrawal of the initially pro-active NGO created a situation that pushed the local leaders in the settlement to organise themselves and become more self-reliant. In fact, the residents of the colony, including the artists who benefited from the support of one NGO or the other for their professional activities, have been often quite critical about the capacity of these two NGOs to help them for the housing project, despite their earlier promises. Another significant factor that explains the local leaders’ involvement is the attitude of the Rajasthani artists’ community. Initially, they excluded the other communities from the meetings regarding the rehabilitation project, using intimidation practices. In reaction, the leaders of the other communities started to coordinate among themselves to ensure that no community would be left out from the project. This eventually led, around mid-2011, to the formation of a *pradhan* committee comprising the 12 local leaders (including the two rival leaders of the Rajasthani community). This committee resolved to fight for the right

of all the families having proof of residence in KC to get flats in the housing project; and further agreed that the *pradhans* should not take possession of their flats unless every entitled family gets one. Since then, the leaders have regular internal meetings, and they interact directly with the DDA, whereas Kalakar Trust does not take part anymore in the public meetings organised on issues regarding the rehabilitation project.

In December 2011, an article published in a Hindi newspaper triggered a more vigorous mobilization (whereas English newspapers had little or no impact in the settlement). Through this article, the residents learnt that 800 families “only” out of a total of 2800 surveyed families would be shifted to the transit camp within 3-4 month time. As a response, the local leaders called a meeting in the Colony a few days later to get clarifications from DDA and the builder. This meeting gave the residents the opportunity to articulate their main demands as follows: firstly, all the 2800 families should be transferred altogether to the transit camp, and not in two or three shifts (as they feared that some sections might be eventually excluded from the rehabilitation project); secondly, an official written proof such as an allotment letter for a flat in the housing project should be given to each family before they vacate the settlement—otherwise they will refuse to leave. In addition, in the following days, about 30-40 people from the colony met Minister Ajay Maken (currently Minister and Member of Parliament, Congress Party, New Delhi constituency) at his residence to press for the same demands. Other demands were formulated on the occasion of further exchanges or public meetings, namely: the resettlement process should respect the community grouping in the transit camp, and separate blocks of flats should be provided in the final housing project for each community; and electricity in the transit camp should be provided free of cost. The first demand was eventually accepted by the DDA, as no partial shifting of the families took place as initially planned. As for the other demands, although accepted verbally in principle—or at least for consideration—the outcomes remain to be seen.

c. Forms & Methods of Mobilization, Spaces of Consultation and Engagement

The above demands were expressed in public meetings which took place in the settlement itself, sometimes with a lot of shouting; some meetings were organised by the residents’ leaders who called officials from DDA – a kind of “negotiated space” (Baud and Nainan, 2008), others were organised by DDA – clearly “invited spaces” (Cornwall, 2002) (see Table 1.1). Interestingly, these spaces for

potential consultation of the residents were perceived very differently according to the local leaders. While some claimed that “*DDA and the builder have consulted us many times in the last few months*”, or noted (with regret for other forms of consultation) – “*it is only in the meetings that we are consulted*”, others were more sceptical – “*DDA listens to us but who knows how far our demands are considered?*” or affirmed that “*Nobody consulted us to know our requirements.*” These contrasting views echo the various positions of the leaders vis-à-vis the NGO that initially controlled the dissemination of the information about the project and the consultation process with DDA; they also reflect the discrimination of some communities in the settlement, and reveal the lack of a systematic consultation procedure that would ensure that all the groups of residents are taken into consideration.

Some leaders further stressed the need for a proactive way to get information, put forward their demands and pressure the authorities to ensure the proper implementation of the project, by initiating themselves the meetings with DDA; as one of them observed: “*Poor people have to ask the government, not that government will ask us what we want*”. In addition, some local leaders on their own initiative also go and meet the concerned members of the government or politicians at their places to further press their demands; they also invited the latter to visit the Colony, such as on the occasion of the Independence Day (in August 2012). Thus, there is a clear strategy of looking for the patronage of influential persons among the political establishment and government circle.

On the other hand, the anxiety about the rehabilitation project did not trigger any public protest *outside* the settlement –such as street demonstration or sit-in. There was a fear that this would lead to violence and police repression, based on the experience of other slum dwellers’ protests, some of which were violently suppressed by the police. Engaging with the authorities was presented as the only possible option. Thus, as per Miraftab’s distinction between “invited” and “invented” space of participation²³, we could suggest that mobilization in KC has so far resorted preferentially to invited and negotiated space of engagement, while confrontational, invented, spaces have been avoided.

23 « “Invited spaces are defined as the ones occupied by those grassroots and their allied non-governmental organizations that are legitimized by donors and government interventions. “Invented” spaces are those, also occupied by the grassroots and claimed by their collective action, but directly confronting the authorities and the status quo” » (Miraftab, 2004: 1).



d. Obstacles to the Scaling-Up of Mobilization

The process of mobilization regarding the rehabilitation project in KC took time to start off, and remained till now at a rather low-scale. The lack of widespread information about the project, especially in the first phase, contributed to the low level of awareness. Yet, the main obstacle to an efficient mobilization has been the lack of unity in the settlement and the lack of a unifying and strong leadership. The KC residents appear indeed divided along regional, caste, religious as well as professional lines, with different political affiliations, and a multiplicity of local leaders to represent them. Caste prejudices especially remain very strong. Moreover, several residents are suspicious about their own leaders, accused them of suppressing information, in particular to the unfriendly families, and view them as serving their selfish interests first. On the top of it, the acute conflict between the two main NGOs working in the settlement, that culminated around issues related to the rehabilitation project, added another partition line among the residents, especially within the majority Rajasthani community. Although the patrons of these two NGOs have very good connections with the political establishment at the highest level, their personal rivalries prevented the residents from the possibility of using these connections efficiently for the larger collective interests of the entire settlement. Admittedly, the 12 local leaders eventually realised the need to come together in order to better defend the residents' interests vis-à-vis the DDA and the builder; yet the lack of consensual and strong community-based organization jeopardized the possibility of a fair and representative consultation process and affected their negotiating power.

The mobilization process inside the Colony does not challenge one basic principle of the resettlement and rehabilitation programmes implemented in Delhi (and other Indian cities), namely only those families having a valid proof of identity and residence in the settlement will be eligible for rehabilitation—although, as underlined above, DDA has not clarified the exact criteria of eligibility. Nonetheless, the local leaders do not show any concern for the families, even among their own community, who do not have ration card or other valid documents: *“They will have to find their own arrangement. We cannot do anything for them”*. In other words, the demands put forward by the leaders reflect the interests of the residents who are better established, with a *de facto* acceptance of the government slum policy. The demands were not articulated in terms of right to housing for all slum dwellers, even at the limited scale of their settlement.

There was also no attempt to establish contacts with other slum dwellers who will be affected by similar rehabilitation projects in Delhi. The local leaders did not feel the need for such larger movement – they consider their mobilization as an internal matter to the colony. Consequently, there was no scaling-up of the issues beyond the settlement. The lack of unity among the residents of KC appears once again as a hindrance to a larger mobilization: as enunciated by a lucid resident – *“When there is no unity among us, what is the point of having any discussion with other jhuggi dwellers?”* Another obstacle, corroborating previous studies (Kumar, 2008), is the lack of time to devote for a larger collective movement, as *“We have to work and look after our own families”*; *“We are poor and cannot afford to waste time”*. The absence of solidarity feeling for other slum dwellers was further illustrated by a recent episode. The construction of the transit camp in order to resettle the KC families entailed the demolition of another squatter settlement of recently installed temporary shelters; that was however not a matter of concern for the residents of KC. In the competition for urban space, selfish interests prevail over collective class-based interests and a broader socio-political vision.

1.5 Concluding Remarks

The first –and still going-on– project of slum *in-situ* rehabilitation implemented in Delhi under public-private partnership has been suffering from recurring delays, and thus does not allow yet a complete assessment. Nonetheless, in view precisely of its very slow progress, the prospect of this new strategy for providing a comprehensive, large-scale and sustainable solution to the problem of lack of housing for the urban poor is questionable. The lack of transparency regarding the project implementation, as well as the lack of a proper consultation procedure and involvement of the affected communities (despite the stated policy principles), is also a matter of concern. Another set of issues emanates from conflicting uses of space and divergent interests between the various stakeholders. Thus the hostile reaction of certain sections of the society vis-à-vis slum dwellers compounded the difficulties to find a site for the transit camp, in addition to the constraints of availability of public land in the vicinity of the slum. Within the settlement, manifold divisions among the residents have hindered their organization capacity and hence their negotiating power to push their cause. This case of tardy and limited mobilization also shows that the pro-active role of NGOs may in fact curb the residents' capacity for self-mobilization.

5

Settlement Case 2: Rajendar Nagar Slum & Motia Khan Municipal Shelter for the Homeless²⁴

Slum clearance for the capital city's redevelopment and beautification, but without adequate rehabilitation, has often resulted in pushing unwanted settlements further out of the city's physical and economic spaces, or throwing their dwellers on the streets, without solving the issues of suitable shelter for the poor (Dupont, 2008). This is exemplified by the case of a cluster of families evicted from Rajendra Nagar slum and rendered homeless.

2.1 Overview of the Case Story: Chronology of Main Events

From Karnataka to Delhi

Most of the families who used to live in the Rajendra Nagar slum cluster and are now temporarily resettled in the Motia Khan municipal night shelter (i.e. about 125 families corresponding to about 350 people) hail from northern Karnataka. Most of them belong to the caste of Vadaru, a scheduled caste traditionally specialized in stone breaking, and are illiterate. They came to Delhi in search of better livelihoods; many of them arrived about 30 years ago, chased by poverty and food scarcity. In Delhi, they took up casual jobs such as stone breakers on construction sites, petty street sellers, or rickshaw pullers. Living on the pavement, moving from one place to the other according to work opportunities, has been a common experience. In 1982, they finally set up their *jhuggis* (huts) in a vacant plot in Rajendar Nagar, as advised by a local politician. Noteworthy, this place remained unclaimed, for human bones were found while digging the area after a petrol pump was removed.

First eviction from Rajendra Nagar slum

In 2000, the construction of a metro line disrupted the life of this community and their efforts to build a place for themselves in the city. Not only was their

settlement demolished, but also they were excluded from the resettlement scheme. This first process of forced eviction shows how the slum dwellers were deprived from their entitlement to a relocation plot and thus rendered houseless due to a combination of several factors. From the slum dwellers' side, we found the lack of financial resources to pay the required fees, credulity who made them rely on unscrupulous agents to whom they gave their original proofs of identity and residence, but also lack of unity, organisation and mobilisation within the community. On the other side, there were manipulation and fraudulent practices by a nexus of property dealers, corrupted municipal officers and the police who resorted to violence.

Second eviction from IARI roundabout temporary shelter

Rendered houseless and impoverished by the losses they incurred in the process of forced eviction, the families from Rajendra Nagar slum resumed their life of urban nomads, moving from one place to the other according to job opportunities, and from one street corner to the other, as chased by the police. Nonetheless, a group of families had established a very precarious camp, on the IARI roundabout open space (on Pusa Road), in the vicinity of their former settlement. Though they were violently expelled by the police in June 2009, they were back to the same place in winter and could take shelter in tents put up temporarily by the Delhi government under emergency relief to protect homeless people from the cold weather. Yet, the Municipal Corporation of Delhi ignored this public relief scheme and on 22 December 2009 a municipal squad destroyed the tents, forcibly evicted the homeless people and took away all their belongings. The stated reason for the demolition was to grow grass on the roundabout as part of the beautification drive in view of the October 2010 Commonwealth Games, although this place was not in the proximity nor on the way of any of the Games' venues. The consequences of this demolition were dramatic, as two homeless persons died from cold.

This eviction shows how an international event was used by the Municipality of Delhi as a pretext for the beautification of the landscape of the capital as well as for its "social" cleansing, with the priority given to a "green agenda" over

²⁴ This settlement case report was written by Véronique Dupont, with the assistance of M.M. Shankare Gowda for field work and field reports, as well as press review. It draws on Dupont (2012).

a “brown agenda”. It also reveals the complete lack of coordination between the State Government that put temporary shelters for homeless and the Municipal Corporation that destroyed one of those a few weeks later.

Temporary resettlement in Motia Khan night shelter

The forced eviction of homeless people in winter and the ensuing deaths from cold triggered a protest movement and the *suo moto* intervention of the judiciary in January 2010²⁵. This resulted in a judgement of the Delhi High Court ordering the Municipal Corporation of Delhi to provide a temporary shelter to the evicted families, until a permanent solution is found. Thus, the affected homeless families were resettled in a municipal building – the Motia Khan night shelter, where they still stay (in November 2012) with the support of NGOs and charitable organisations.

The analysis of the sequence of events in the mobilisation campaign allows us not only to show the respective role of different actors in this specific movement, but also to highlight the interactions between several types of actors on the scene of urban governance, namely: the state government and the municipal corporation –and the lack of coordination between their respective programmes and actions; civil societies organisations (CSOs), including human right movements, NGOs and grass-root organisations working with homeless; the courts of justice (the High Court of Delhi and the Supreme Court of India); and the media. This is examined in the next section.

2.2 A Successful Mobilization and Scaling-Up Campaign?

a. Outcomes of the Campaign

On the one hand, this exemplary story can be considered as a successful mobilisation and scaling-up campaign that reached much beyond the case of the demolition of one temporary night shelter, as it addressed the larger issues of forced evictions of homeless people, lack of adequate shelter, and right to life and right to food for people dying in the street because of lack of shelter. Thus, aside from the resettlement of the 125 or so evicted homeless families, the campaign had additional outcomes.

Many more night shelters for homeless people were opened in Delhi following the advocacy by housing rights organisations and other CSOs, and the directions of the Delhi High Court²⁶ as well as of the Supreme Court²⁷ in January 2010 itself. The Master Plan for Delhi 2021, which stipulates that “One night shelter shall be provided for 1 lakh [100,000] population” (DDA 2007: section 4.3) was used as a reference. Thus, about 90 new night shelters were set up in Delhi within less than one month, 52 opened in government buildings and others as temporary shelters in tents, and more later. As a result, the situation in terms of number of night shelters was unprecedented in Delhi, and unparalleled as compared to other Indian cities.

Moreover, the issue of lack of shelter for homeless in Indian cities was brought to the Supreme Court under an on-going Public Interest Litigation (PIL) on the right to food²⁸, and broadened to all major cities of India. Hence, the Supreme Court asked to each state to submit a report on the situation of homeless and night shelters in all their major cities (with population above 500,000) with the view that night shelters should be provided in the ratio of at least one per 100,000 population (as per the ratio stipulated in the Master Plan for Delhi 2021)²⁹. The scope of shelters for homeless was also broadened following the Courts’ instructions, on the basis of reports submitted by CSOs: from providing night shelters in winter, to 24-hour shelters with adequate facilities, running throughout the year.

More recently, the recommendations in March 2012 of the working group on urban poverty at the National Advisory Council (a government think-tank under the Prime Minister’s Office) for a national programme for shelters and other services for the urban homeless³⁰ can be considered

25 High Court of Delhi, Writ Petition (Civil) No 29 of 2010, Court on its Own Motion versus Government of National Capital Territory of Delhi [Govt. of NCT Delhi] and others.

26 High Court of Delhi, WP(C) No 29 of 2010, Order dated 13 January 2010.

27 Supreme Court of India, section PIL, Writ Petition (Civil) No 196 of 2001, People Union’s for Civil Liberties [PUCL] versus Union of India & others, order dated 20 January 2010.

28 Supreme Court of India, section PIL, WP (C) No 196 of 2001, PUCL vs Union of India & others.

29 Supreme Court of India, WP(C) (Civil) No 196 of 2001, Order dated 5 May 2010.

30 “National Programme for Shelters and Other Services for the Urban Homeless”. Recommendations of National Advisory Council + Explanatory Note. National Advisory Council (Government of India, Prime Minister’s office), Working Group on Urban Poverty (Convener: Shri Harsh Mander), Communication to the Government on 14 March 2012. URL: <http://nac.nic.in/up.htm> & <http://nac.nic.in/communication.htm> (last accessed on 12-07-2012)

as an indirect outcome of the campaign (as explained below). The proceedings of this working group, already filtered through the press in January³¹, is not unrelated to the announcement by the President of India in her address to the Parliament on 12th of March 2012 of a new scheme called the National Programme for the Urban Homeless “that would help create a network of composite shelters in the urban local bodies, with adequate provision for housing and food for the destitute”.

In a different sphere, the mobilization of the CSOs for the IARI round-about eviction case reached out beyond this initial focus. The success of this specific campaign also boosted the larger movement for the homeless. For instance, the various issues of urban homelessness were taken up on a national level through the organisation of a “National City Makers Caravan” that aimed at sensitising the government authorities, the media, and the general public to those concerns, as well as collecting data about the conditions of the homeless in various states, including with respect to the directive of the Supreme Court regarding the provision of night shelters. This five-month long caravan covered 22 states across India from August 2010 to January 2011, and contributed to spread awareness about the rights of the homeless and to create a network of concerned CSOs³². At the same time, a very significant semantic evolution marked the 2010 campaign for the urban homeless: from ‘homeless people’ – a descriptive term –, to ‘homeless citizens’ – with and underlying stress on rights and entitlements, and finally to ‘City Makers’ – which asserts their “significant constructive role in a city’s development”, “because they are the real builders of the city”³³. That probably reflects “a shift from entitlement citizenship to activism’s citizenship”³⁴ in the mobilization campaign for the urban homeless. Altogether, the outcomes of this larger campaign can be definitely considered as an achievement in terms of empowerment and increased visibility of the urban homeless.

31 “NAC [National Advisory Council] draws plan for shelter for over 3 lakh urban homeless”. Times of India, 17 January 2012.

32 See: “Caravan for homeless”, Civil Society News, February 2011, and the report on the website of the NGO IGSSS, which organised this campaign: <http://www.igsss.org/campaign/national-city-makers-caravan/10.html> (last accessed on 14-07-2012)

33 See the website of the NGO IGSSS, which promoted the designation “City Makers”: <http://www.igsss.org/urban-poverty-homelessness-india.php> (last accessed 14-07-2012)

34 I borrow this idea and phrasing to Vyjayanti Rao (talk on “Cities and citizenships – new political subjectivities”, Paris, CEIAS, 12-06-2012).

b. Factors of Success

The success and scaling-up of this mobilization campaign can be explained by the conjunction of several factors. The first one is the combined action of various CSOs, including NGOs, human rights movements, grass root organizations, and individual activists who had been working in the field of homelessness for more than ten years, and put together their respective strengths and field of expertise within a coalition, Shaheer Adhikar Manch: Begharon Ke Liye (SAM-BKL) – the Urban Right Forum for the Homeless, formed in September 2008, and counting now more than 30 organizations and activists. All the previous years of work with and for the homeless, as well as the efforts for coordinating various initiatives, had certainly made the ground possible for an efficient and quick mobilisation.

This coalition had established good contacts with the media, which publicized the case and raised the issues. In a press conference organised on the 4th of January 2010, the coalition denounced the inadequacy of the number of night shelters provided by the concerned government departments and the non compliance with the norms stipulated in the Delhi Master Plan, the lack of comprehensive government policy to address the root cause of homelessness; they condemned the destruction of the homeless shelter despite bitter cold conditions – that led to a first death, of a 35 year-old homeless from cold – and more generally the human rights violation of homeless. This timely press conference played a very important role to spread the news through the media, and in fact it is after reading reports in the newspapers that a judge of the High Court of Delhi issued the *suo moto* notice to the Municipal Corporation of Delhi. Subsequent press conferences organised by the coalition helped maintaining the sensitization of the media and hence of the general public.

In addition, some members of the coalition had also good contacts with the judiciary, which promptly took action to protect the homeless, and then monitored the proper implementation of its orders through regular hearings. As a former special rapporteur on adequate housing at the United Nations Human Rights Council, one coalition member sent a long letter to the Judge who initiated the *suo moto* case, to alert him not only on the case of demolition of the temporary night shelter, but also on the larger context of forced eviction of homeless people, lack of adequate shelter, and the non respect by the Indian government of its international commitments with regards to human rights³⁵. The matter was also

35 Source: Letter from Miloon Kothari, former United Nations Special Rapporteur on Adequate Housing, to Honourable Justice A.P. Shah, Chief Justice, Delhi High Court, dated 10 January 2010.

brought to the attention of the apex court through another member of the coalition who was also a special commissioner of the Supreme Court in the public interest litigation on the Right to Food. In their report sent to the Supreme Court of India, the commissioners evidenced the links between the lack of shelter for people living on the streets and the threat on their fundamental right to life: malnutrition and hunger were thus put as “the underlying causes making people susceptible to extreme weather conditions”³⁶. This first report ended with a list of proposals to “ensure state accountability for the food and shelter rights of the homeless people in the state of Delhi”³⁷. This initiative led to an order of the Supreme Court to the Government of Delhi and Municipal authorities to provide shelters to homeless people in the capital³⁸, and later on to similar directives applying to other states and major cities of India³⁹. It is worth noting that the two commissioners who alerted the Supreme Court are also members of the working group on urban poverty at the National Advisory Council, mentioned above for its proposal of a national programme for the urban homeless, which allowed the campaign to scale-up further.

The intervention of the High Court of Delhi and the Supreme Court were decisive: but without the support of the judicial power, the mobilisation by the civil society organisations would not have translated so quickly into actions taken up by the concerned government departments. Moreover, both the courts continued to monitor their orders regarding the provision of adequate shelters for the homeless. Thus, in December 2011 the Supreme Court instructed the governments of Delhi and of other states: “You should not allow even a single person to die this winter from the freezing cold”⁴⁰.

In Delhi, the CSOs (through their coalition, the Urban Right Forum for the homeless) played an active role in providing support and information (including reports with action plan and recommendations for the Delhi’s homeless⁴¹) to the Delhi High Court for its *suo moto* case, which is still continuing. Further more, they used the space provided by the regular hearings of the Court to bring to the fore a range of issues related to the condition of homeless that were not restricted to the sole case of the IARI round about shelter demolition, but included other cases of forced evictions, as well as maintenance of the night shelters and lack of proper facilities, police brutalities, etc⁴². Thus, the CSOs have maintained the pressure on the concerned government departments through the Courts’ rooms, giving the preference to this “pleading” space to express their voice and promote the cause of the homeless, whereas other invited spaces for participation provided by the government proved to be no longer effective (such as the Joint Apex Committee for the Homeless established in 2002) or controversial (the public-community partnership under Mission Convergence). At the same time, the courts of justice have asserted themselves as inescapable and compelling actors in the governance of homelessness issues, directing the executive wing (the Delhi Government along with its departments and boards) to proceed as per their orders.

In short, the success of this campaign for the homeless ensues from the combination of the long-term structural work at the grass root level and the timely reaction and mobilization of various connected actors in different spheres (civil society, media, justice) and at different institutional levels (High Court of Delhi, Supreme Court of India), in order to attain tangible achievements.

36 Source: Letter from Dr N.C. Saxena, Commissioner and Harsh Mander, Special Commissioner of the Supreme Court in the case People Union’s for Civil Liberties versus Union of India & others Writ Petition (Civil) No 196. Of 2001, to The Honourable Supreme Court of India, dated 13 January 2010, Subject: Relief for homeless people living on the streets of Delhi, in the context of cold wave related deaths.

37 Source: *Ibid.*

38 Supreme Court of India, WP (C) No 196 of 2001, order dated 20 January 2010.

39 Supreme Court of India, WP (C) No 196 of 2001, order dated 5 May 2010.

40 Quoted in: “Homeless in Delhi”, by Antara Dev Sen, *Asian Age*, 24-12-2011.

41 Letter from Miloon Kothari, former United Nations Special Rapporteur on Adequate Housing, to Honourable Justice A.P. Shah, Chief Justice, Delhi High Court, dated 10 January 2010; SAM: BKL, Recommendations towards protecting the human rights of Delhi’s homeless (8 p.), Submitted to the High Court of Delhi in February 2010. In addition, the preliminary report of the 2008 survey conducted by IGSSS (Tingal and Pandey, 2008) was used by the petitioners’ advocate as a support in the document submitted to the Supreme Court in February 2010 in the right to food case (Supreme Court of India WP(C) No 196 of 2001).

42 See the interim orders of the High Court of Delhi on the case available at: http://delhihighcourt.nic.in/dhc_case_status_oj_list.asp?pno=528490

2.3 Main Challenges: The Sustainability of the Campaign Outcomes

The commitment of certain public agencies under question

However, recent developments in the situation of the homeless in Delhi question the sustainability of the outcomes as well as the commitment of the government departments implementing the night shelter scheme.

During winter 2010-2011, following the court orders, there were altogether 148 night shelters functioning, including 64 permanent ones and 84 temporary, having a total capacity of around 12,500 people- to be compared to a total homeless population estimated at around 150,000 (thus a capacity covering less than 10% of the potential needs). But, by December 2011, despite the previous court's order to run the night shelters through the year, the Delhi Urban Shelter Improvement Board (DUSIB) had closed 21 of its permanent shelters and most of the temporary shelters, arguing the lack of attendance—a situation which may be explained by inadequate location, and poor conditions in the shelters—especially lack of proper hygiene. The closure of night shelters led again to the intervention of the Delhi High Court, that directed on 12 December 2011 the Shelter Board to reopen all the shelters immediately.

There are also other issues than the mere number of shelters for the homeless:

- There is a lack of adequate amenities provided in the night shelters, especially in the temporary ones. Moreover, the lack of fire-resistant materials used for temporary night shelters resulted in 16 of them lost to fires in 2010-11. In addition, the location of some shelters was inadequate, namely in areas where there was no concentration of homeless people.
- For operating and maintaining the temporary night shelters, the DUSIB had inducted the services of some NGOs: but, NGOs did not receive their funds for several months in 2011, which resulted in the closure of shelters. Some of the NGOs inducted to run the night shelters also lacked experience in this field. This underlines the limitation of the participation of civil society organizations in government schemes: as observed also in the field of slum rehabilitation and resettlement, NGOs may lack the necessary strengths and skills to endorse increased responsibilities transferred to them by the government, and the smaller organisations are destabilised when the

release of public funds is not regular. Moreover, a certain competition and divergences of views (regarding especially the Unique Identification number project) that have emerged among the various CSOs working with homeless people are likely to be detrimental to the future outcomes of the broader movement.

Other incidents raise concerns, such as new demolition of temporary night shelters by DDA and the Railways. These recurrent examples again highlight the lack of coordination among government agencies, compounded in the case of the capital city by the multiplicity of authorities, at the expenses of the cause of the homeless.

At a higher level, in May 2012, DDA recommended to amend clause 4.3 of the Master Plan for Delhi 2021 with regard to the ratio of homeless shelter reported to the total population, and to change it from one shelter per 100,000 population to only one shelter to 500,000 population⁴³. If approved by the Union Ministry of Urban Development and implemented, this amendment would reduce the stipulated number of shelters from 150 to just 30. This would indicate a serious regression in the public policy addressing homelessness in Delhi.

In another domain, the flaws in the counting exercise of homeless in Delhi as part of the 2011 Census of the population, question the commitment of the government in tackling the issues of homelessness. The NGOs which followed up the enumerators in the field exposed the shortcomings of the process and denounced blatant omissions and errors in a press conference and press release: "*Census of homeless citizens in Delhi—a farce; final numbers will not be accepted*"⁴⁴. Activists rightly expressed their concern that grossly under-estimated figures of the homeless would affect the planning of shelters, as well as long-term housing policies, and considered this as "a case of wilful neglect by the authorities"⁴⁵.

What the courts orders reveal

We have underlined above the positive role of the Delhi High Court and the Supreme Court in monitoring the provision of proper shelter for homeless and other related

43 Recommendation of the Master Plan Management Action Committee, approved by a DDA meeting on 15 May 2012.

44 *Shaheri Adhikar Manch: Begharon Ke Liye* (SAM-BKL) Press release, 05-03-2011.

45 Source : SAM-BKL Press conference in New Delhi & Press release, 05-03-2012.

issues. Yet, a thorough reading of the interim orders of the Court also evidence dysfunction, slackness and disregard of the state government and civic bodies, especially regarding the provision of adequate amenities in the shelters, as well as the persisting lack of coordination among different public agencies⁴⁶.

Furthermore, all statements by the courts are not supportive of the homeless cause. Thus, in a recent Supreme Court judgement (dated February 23, 2012) regarding the Ramlila Maidan incident of June 2011, where after an anti-corruption rally lead by the spiritual leader Baba Ram Dev his assembled followers were woken up and chased at night by the police, we find a rather hostile statement for the homeless. This judgement included a long development on the right to sleep, and sleep as a fundamental and basic requirement for life⁴⁷.

“An individual is entitled to sleep as comfortably and as freely as he breathes. Sleep is essential for a human being to maintain the delicate balance of health necessary for its very existence and survival. Sleep is, therefore, a fundamental and basic requirement without which the existence of life itself would be in peril. To disturb sleep, therefore, would amount to torture which is now accepted as a violation of human right” (para. 38).

Yet, a previous paragraph of the judgement specifically excludes the homeless from the benefice of the right to sleep and from the entitlement of not being disturbed during sleep:

“... I am definitely not dealing herein with the rights of homeless persons who may claim right to sleep on footpath or public premises but restrict the case only to the extent as under that circumstances a sleeping person may be disturbed” (para. 27).

Such discriminatory observation against the homeless was brought to the fore and denounced during a national consultation on homeless issues organised in Delhi by one NGO of the coalition for the homeless⁴⁸. The consultation

rightly denounced the restriction of the judgment as amounting to disempowering the homeless from a fundamental right, and hence as not considering them as equal to other citizens of the country.

Risk of misrepresentation in media reports

Regarding the media, notwithstanding their decisive role in the mobilisation campaign for the homeless at its initial stage, at time their reports may distort the facts and misrepresent the action of the NGOs and CBOs involved in this field, and thus harm the endeavours of the latter. For instance, in July 2011, several articles in the press and electronic media denounced the dismal conditions of the temporary shelters for the homeless in Delhi, and attributed this to the “poor NGO upkeep”⁴⁹. However, the coalition for the homeless clarified in its press release dated July 21, 2011⁵⁰, whereas it was true that the provision of essential services was at fault in temporary shelters, the NGOs were not responsible for this situation, which was in fact “the result of the chronic failure of the Delhi government to comply with Court orders and provide adequate services”; “the Delhi government has also failed to pay NGOs money for the salaries of their caretakers since March 2011”. As testified by the interim orders of the High Court of Delhi, the NGOs were indeed not hold responsible for the poor conditions of the shelter, and the Court further directed the Delhi government to release the funds to the NGOs⁵¹. In short, the media attention on homeless issues over the last three years is not sufficient to support the movement; the media need also to report responsibly⁵².

The living conditions of the resettled families

Coming back to the case of the evicted homeless families, some other challenging issues deserve attention. An examination of the living conditions of the families resettled in the Motia Khan municipal shelter demonstrates that creating a dependency on voluntary organisations’ assistance does not provide a sustainable solution. It

46 See : http://delhihighcourt.nic.in/dhc_case_status_oj_list.asp?pno=528490

47 Supreme Court of India, Suo Motto Writ Petition (CRL) No 122 of 2011, in relation to Ramlila Maidan Incident dated 4/5.06.2011, vs Home Secretary, Union of India & others. Judgement dated 23 Feb. 2012.

48 “Making Delhi a caring city: Review and way forward”, National Consultation organised by the Indo-Global Social Service Society in Delhi, on 13 March 2012. During the consultation, this judgement was brought to the fore by Usha Ramanathan.

49 For instance : “HC [High Court] raps NGOs for poor upkeep of night shelters for homeless”, *Times of India*, 21 July 2011.

50 Shari Adhikar Manch : Begharon Ke Liye (SAM :BKL), “Coalition for the homeless alarmed over inaccurate and biased media report”, Press Release, 21 July 2011.

51 High Court of Delhi, WP(C) No 29 of 2010, Court on its Own Motion versus Govt. of NCT Delhi & others, Order dated 20 July 2011.

52 “Shari Adhikar Manch: Begharon Ke Liye urgently calls upon the media to report responsibly” (SAM: BKL, Press Release, 21 July 2011).

cannot be a substitute to a proper rehabilitation policy going beyond the sole issue of shelter, namely including measures not only to address housing needs but also to address the issues of access to basic amenities, fare price shops, health care, education, vocational training, etc. and, most importantly, livelihood opportunities, in addition to voting rights.

Such considerations may extend to the situation of homeless in general: thus, a holistic approach to homelessness should encompass: the provision of adequate night shelters, as an emergency and humanitarian measure to address the immediate need for shelter and avoid further impoverishment of the homeless; and a proper housing policy, providing a range of various housing options. This also implies to avoid forced eviction of slum dwellers that leads to homelessness, and when displacement of population cannot be avoided, to insure adequate resettlement and rehabilitation. Moreover, the provision of shelter cannot be a substitute to poverty alleviation policies addressing the roots of the problem and encompassing both rural and urban areas and their linkages.

2.4 Mobilization by Civil Society Organisations: Issues of Representation and Participation

The scrutiny of the concrete modalities of mobilization by civil society organisations, including by grass-root organisations working with homeless, raises challenging questions on community participation and representation, such as: Who is informed and consulted in the community? Whose voices are heard? Who speaks in the name of whom?

At the community level (the group of 125 or so evicted families), in-depth interviews and focus-group discussions revealed that information is not spread equally among all the members, although they form a relatively small and homogeneous group; consequently all members are not on an equal footing in the participation process. Women in particular appeared to be less informed, as summarized by the following types of reply *“I am a woman, so nobody tells me”, “Ask the pradhan”*. The selection of a local leader within the community, to be their representative and intermediary with CSOs, is not the result of a democratic election procedure, but rather reflects the internal power relations, in addition to some pragmatic considerations. Therefore, the *pradhan’s* role of speaking in the name of his community also involves silencing some dissent voices.

A related issue, at least in the IARI round-about eviction case, is the “verticalization” of the process of information flow and consultation. Thus, during its mobilization campaign, the coalition of CSOs relied basically on the sole community-based organisation for reaching directly the affected families, and this CBO interacted with the community first of all through the *pradhan* and another male member. The information flow from top to bottom (for example reporting the outcomes of the court hearings to the concerned families) as well as, on the other way, bottom-up consultations (for instance to identify the most adequate place to resettle the evicted families) therefore go through these two representatives, and at the outset through the *pradhan*. Hence, in the absence of a systematic “horizontal” procedure to inform and/or consult all the community members (such as general meetings organized by the *pradhan*), some individuals are not informed properly, and/or have the impression that they were not consulted, and that they *“just followed”* others.

Within the coalition of CSOs, the level of participation of some members may be limited by their unequal capacities. Mastering or not the English language is certainly such a discriminatory factor. Thus, the hearings in the High Court of Delhi and the Supreme Court are conducted in English and not in Hindi, which prevents the representatives of the homeless grass-root organisation (or other concerned houseless people who may attend too) from understanding them directly, or even to request the judge to allow them to speak, as the procedure allows it and was indeed used on occasion by other NGOs representatives. In meetings between CSOs representatives and high-ranking government officers, discussions held at times in English similarly restrain the active participation of the homeless’ representative. The use of English (and even more judicial English) appears then as an obstacle to deepening participation. On the other hand, assembly meetings and informal public hearings on homelessness issues, organised commonly by NGOs or CBOs, provide more open spaces for participation and contestation, with a direct mode of representation, and where the use of Hindi allows the homeless women and men to express themselves at the tribune without intermediaries.

2.5 Concluding Remarks

The scrutiny of an apparently successful mobilisation and scaling-up campaign for the right to shelter of homeless people calls for a more qualified assessment in terms of outcomes. To sum up, despite the active engagement of some community based organizations and the continuing intervention of the courts, the achievements regarding the

cause of the homeless are still fragile, not yet sustainable, and subject to setback or even regression.

At another level, the review of the public schemes for the homeless in Delhi and the modalities of mobilisation highlighted different spaces of participation for the CSOs in homelessness issues. Following Miraftab's (2004) distinction between "invited" and "invented" spaces of citizenship, spaces provided by the government, such as the public-community partnership initiated under Mission Convergence, are clearly invited spaces, whereas press conferences, public hearing and meetings or demonstrations organized by the CSOs would qualify as "invented" spaces. Nonetheless, in the mobilization case examined here, a third and very significant type of space emerged, that I called the "pleading" space, namely the courts' rooms used by the CSOs to advocate their cause, in a confrontational manner vis-à-vis the state institutions, but within the codified structure of the judiciary system.

The controversy over the Unique Identification project that arose among CSOs participating to the Mission Convergence scheme for the homeless touches a deeper

demarcation line that divides the CSOs and activists working with the homeless (and the urban poor); it also points to the limits of the public-community partnership. For some, who feel comfortable within the invited space provided by the government, time has come to cooperate with the government, and they believe that working closely with the government will help make the latter aware of the problems on the ground and understand better the grassroots' perspective. In contrast, others fear that by getting closely associated with the government, NGOs may lose their genuine position; they will not be in a position to oppose the government policy and decision anymore, even if those are not serving the interests of the people that the NGOs claim to defend. In other words, there is a risk that the distance between the CSOs and the state disappears in public-community partnership, with the result that the cause of the people may be lost. Eventually, co-optation of NGOs in the implementation of government schemes would be a way of silencing the dissent voices. Those activists, who are critical of the benefice of participation in invited spaces, rather put forward the benefice of confrontational interactions with the state.

6

Settlement Case 3: V.P. Singh Camp - Past Successful Struggle and Stalled Rehabilitation Plan⁵³

3.1 Settlement Profile

V. P. Singh Camp is located in the southern periphery of Delhi. It is in proximity to the Mehrauli-Badarpur Highway on the southern side and Ma Anand Mayee Marg on its western edge. The settlement is surrounded by the Indian Container Depot, a closed cement factory and landfill area on the north and the Railway Colony (housing railway's employees) on the east. The industrial area of Okhla and the business district of Nehru Place are within a radius of eight kilometres from the settlement. Badarpur metro station is at an approximate distance of two kilometres from the site.

The precarious nature of the settlement makes it extremely challenging to determine the exact population; however, it is roughly estimated that there were approximately 6000-7000 residents in 2011, of which 3992

were registered on the 2009 voter's list. The majority of people in the settlement were Hindus followed by Muslims with a few Christian families also living in the area. Scheduled castes (former untouchable castes) formed the majority among the Hindus, with a few exceptions of upper-caste households. In terms of employment, the residents are engaged in informal as well formal sectors of the economy. Many are working at the adjoining Container Depot or the nearby industrial zone of Okhla. Few also serve as railway employees with the government of India. Some work as daily labourers in Nehru Place, Badarpur as well as Faridabad. There is a large income disparity among the residents: some of the households have a monthly income of Indian rupees (INR) 45,000 (USD 998) whereas few others survive merely at INR 3,000 (USD 66).

V.P. Singh Camp is designated as a *jhuggi jhompri* cluster, and considered as an illegal slum or "squatter" settlement; none of the residents had any formal or legal tenure. The Delhi Development Authority is the land owning agency; however, since the settlement and the adjoining vacant

⁵³ This settlement case report was written by Tara Saharan, and draws on Saharan (2011 & 2012).

scrubland are located in the protected Delhi Ridge, any development in this area requires the clearance of the Ministry of Environment and Forest.

The majority of houses are individual units lacking toilet facility, although some parts have housing with courtyards, as well as attached toilets. Most of the people in V.P. Singh Camp live in a structure which was self-made, but some families are residing as tenants paying rents to the owner of the structure. The typology of housing in the settlement (as per the type of construction material used) ranged from permanent, semi-permanent to temporary in nature. In the majority of the cases, a single room has multiple uses such as living room, bedroom, kitchen, dining room etc. The rooms are so dark that artificial light is needed even during the day-time. Fresh air is lacking in the houses as the rooms were built back to back, with only a small ventilator as a source of air circulation.

There are small private so-called “clinics” in V. P. Singh Camp providing homeopathic, allopathic as well as traditional treatments. However, none of these medical centres are frequented by any professional doctors or health staff. On a temporary basis, the Health Department of the Government of Delhi, in association with the Municipal Councillor, organizes health camps with consultations free of cost for the residents, as precautionary measures to combat diseases such as malaria, typhoid, etc. Earlier, one NGO also used to run a mobile medical clinic. However, there are no permanent health centres in the settlement. Residents may go the dispensary situated in the adjoining Railway Colony, and for serious matters they have to go as far as Safdarjung Hospital or the All-India Institute of Medical Sciences (at around 17 kms from the site) for treatment or any emergency.

In terms of infrastructure, the settlement is well facilitated with water supply and electricity but has serious deficits in the areas of sanitation, roads, sewage and waste disposal in particular. The Municipal Corporation of Delhi provides water free of cost. The six tube-wells provided by the corporation are connected to several public water points in the settlement. Residents get water for a period of eight hours on daily-basis. The tube-wells are managed and operated by the community so they have the flexibility to access water any time of the day. However, due to the topography of the area and location of water points, some public water taps get water round the clock whereas some others suffer with the scarcity of the same. At present, electric supply to the individual dwelling units in the settlement is provided by a private company, namely BSES Rajdhani Power limited. Wood, liquefied petroleum gas and kerosene are the other sources of energy used by the residents for the purpose of cooking.

The hutments are densely located in an organic manner leading to severe shortage of access roads in the settlement. Meandering narrow lanes leads to residential units. These entry routes are insufficient for relief vehicles to access the dwellings in emergency. Most of the narrow lanes converge in a small public square or end up in the main arterial road of the settlement. Likewise, there is a serious lack of sewage system in the settlement. For the purpose of waste collection and disposal, the Municipal Corporation has provided garbage bins and workers to clean it. Despite this, the garbage is scattered all over the place. There are some garbage collection points, but most of them are overflowing. There is a dry drain in the area that is filled with solid waste. People also tend to throw the waste either in front of their houses or the neighbouring open areas, creating a very unhygienic environment.

Temporary convenient shops are common in the settlement, but there is a lack of any organized area for shopping. A commercial bank is located close to the Container Depot. There is limited open space in the settlement except for the public square, the community centre and narrow passages with dwellings on either side. These spaces serve as a recreation area for the residents. An open area with a concrete platform serves as a community centre commonly known as Ramlila Maidan. The settlement has many religious structures such as temples and mosque.

3.2 History of Critical Issues and Struggles in the Settlement

The origin of the settlement is dated back to the seventies. Migrant population from the neighbouring states of Delhi, such as Uttar Pradesh and Bihar were one of the first settlers of the area. They primarily served in the Indian railways in the informal jobs of porters and track maintenance workers. This also explains the proximity of the settlement to the formal residential colony for railway employees presently abutting the settlement. In the 1980s, the settlement was known as “Graheen Kalyaan Samiti” which can be literally translated into – “Homeless Welfare Society”. Over the years, the population of the settlement grew. During 1989-91 with the political party ‘Janata Dal’ at power in the centre, the Delhi Development Authority (DDA) made an attempt to evict the people from their present location. In turn, the residents met the then Prime Minister of the country – Mr. V. P. Singh and apprised him with their situation. He not only stalled the demolition but also undertook improvement steps for people in the form

Table 3.1: Time-line showing the crucial events in the history of V.P. Singh Camp

Year	Crucial events
Early 1970s	The settlement was formed.
1980s	Settlement grew and came to be known as “Graheen Kalyan Samiti” or Homeless Welfare Society”
1989-1991	Delhi Development Authority tried to evict the residents. Intervention by the Prime Minister Mr. V. P. Singh, who stalled the eviction. Thereafter the settlement came to be known as V.P. Singh Camp.
2002	Expansion of Container Depot; and eviction and relocation of 529 households to the resettlement colony of Madanpur Khadar.
2006	Delhi Development Authority inviting bids for a rehabilitation housing project under public private partnership, i.e. a joint venture scheme to re-house the residents in-situ in addition to the high income housing as a compensation for the developer. Bid won by DLF Ltd and later sold to India Bulls.
2009	The project was stalled due to lack of environmental clearance.

of issuing ration cards, making provision for water and electric supply to the area, etc. To mark their gratitude, the residents renamed the settlement, and it came to be known as “V. P. Singh Camp” thereafter.

In 2002, the Indian Container Depot abutting the settlement, needed land to expand its activities. For the same, 529 households bordering the depot were evicted and relocated to the resettlement colony of Madanpur Khadar. Although a part of the settlement was relocated for the expansion needs of the depot, the rest of the slum remained intact.

Further in 2006, the DDA invited bids by private real estate developers for the construction of 3,500 tenements for the re-housing of slum dwellers in five-storey apartment blocks, known as the Tehkhand project. This was an ambitious public-private partnership, where along with the housing the developer was required to make provisions for physical infrastructure and basic social facilities. The developer was allowed to build 750 high-income apartments for free sale as compensation on vacant land adjoining the settlement. The real estate company DLF (Delhi Land & Finance Ltd) won the bid for the allotted 14.3 hectares of land (including the present settlement) at a price of Rupees 450.01 crore (USD 85 million) and sold its share to India Bulls later. However, the project was stalled in 2009 as it failed to get the clearance from the Ministry of Environment and Forest; the site falls in the protected Delhi Ridge, but DDA sold the land for residential purpose before getting the mandatory authorisations for such development. The matter has escalated into a legal issue between the different parties involved and the future of the project will now depend on the verdict of the Delhi High Court. As shown by Dupont (2011b: 20), “this case

reveals the lack of coordination among public agencies as well as the lack of proper articulation between housing policies and environment protection or – seen from another angle, it exemplifies the pressure of real estate development on the green belt”.

3.3 The Ubiquitous Role of Politics in the Settlement

Delhi has witnessed many eviction drives in the name of development. V. P. Singh Camp is one of the few settlements which was successful in resisting against such processes. This was primarily done through the interventional of political leader V. P. Singh who was holding the highest public post at that time, serving as the Prime Minister of the country. Since then, political leaders at the local as well as national levels have strong links with the settlement. Candidates from various national parties such as BJP (Bhartiya Janta Party), INC (Indian National Congress), and Janata Dal, etc. have support from the area.

The settlement has several local leaders. These leaders identify potential supports (voters) in the settlement and team up with the contesting councillors or Members of the Legislative Assembly. The lack of unity at the local level is evidence that these leaders are pursuing opportunistic politics for personal gain rather than the public good. During the elections, the patrons (contestng candidates) provide money, liquor, clothes and promises for development to the local leaders who further convey it to the potential voters. The patrons rely on the local leaders who act as brokers to get the votes. The main concern of

the political leaders is winning the elections, which can be easily negotiated through the brokers. The cause of development is lost in personal interest of the actors. This also happens because the local leaders keep shifting their political affiliations and they do not develop ideology but opportunity based relations. This constituency (known earlier as Badarpur constituency, later divided into Okhla and Tughlagabad) is predominantly dominated by the Gujjar community and the politics in V. P. Singh Camp revolves around several Gujjar politicians.

Apart from a community-based organization (CBO) called the Samudayak Vikas Samiti (Community Development Committee), and which is a cultural group organizing plays during the festive seasons, no NGO or other CBO is actively involved in the development of this settlement.

3.4 Main Issues and (Lack of) Social Mobilization in the Settlement Today

a. Main Issues

Some of the residents of V. P. Singh Camp live in well-consolidated dwelling units but many live in temporary dilapidated structures, which makes housing a pressing issue for them. Irrespective of the state of housing, all through the settlement the tenure of land is one of the major threats to the well-being of its population. Lack of security of tenure places the residents in a precarious situation exposing them to the threat of eviction. Any development in the city or the local area such as the Commonwealth Games held in 2010 or the housing project planned in the adjacent plot of land initiates rumours of eviction. Lack of any information from the government induces long periods of insecurity for the residents.

There is no school or child day care facility in the settlement. This discourages some of the households from sending their children away for education, as this would entail additional commuting cost in terms of money and time. Lack of education further leads to unemployment of the youths in the settlement fostering delinquencies in the area. Many of the youths are laundering their time gambling and engaging in petty thefts. Many youngsters prey to drugs and alcohol, due to lack of guidance.

Deficits in infrastructure related to waste disposal, water, drainage, road, and recreation parks are obvious in the settlement. The waste is thrown in the open areas surrounding the settlement. Unattended garbage is visible

in various pockets of the area. Many of the families whose houses are facing these unattended waste dumps are at a high risk of health hazards.

Water is not a scarce utility in the settlement. Unlike many high-income residential areas of Delhi, this informal settlement enjoys an abundant supply of water, which the community monitors as well as operates. Unfortunately, some pockets of the settlement face a problem of inadequate water supply due to the contour of the area. This has led to fights and quarrels among the residents on a daily basis. Also, the water shortages in the common toilets have forced its residents to defecate in the open areas surrounding the settlement. This creates an insecure environment for women, as going out to relieve in the dark is dangerous. In addition, the unattended human waste creates an unhygienic environment breeding insects and foul smell. The open drains or merely water running through the natural channels is another reason for poor health of the residents. As these drains are the ideal places for breeding of insects and mosquitoes leading to all kinds of diseases in the area.

Majority of the residents fall victims to some sort of the illness or other. There are some quacks operating in the area with a serious lack of any registered medical facilities. In a case of emergency, lack of health facility in or around the settlement makes it an urgent priority for the development of the area.

Security of the residents especially women is another significant cause for concern. Although V. P. Singh Camp is a close-knit settlement, people from different parts of the country speaking a variety of languages have settled here. Usually, people from the same region of origin reside in proximity to each other. This creates several pockets of small islands within the settlement. A woman from one area is usually exposed to lewd remarks and eve teasing from men residing in a different part of the settlement. In addition, the unorganized parking of trucks, operated by the adjacent container depot, blocks the main access to the settlement. This creates difficulty for vehicles and people to access the settlement usually in the dark.

b. Factors Hindering Social Mobilization

Presently there are no urgent issues of mobilization. In spite of the above discussion of the various issues, none of them serve important enough for mobilization since the settlement has a high level of disparity among its residents. Not every resident living in V.P. Singh Camp faces similar challenges. This discourages the privileged

from taking up the issues, and the disadvantaged are unable to voice their opinions.

The settlement is divided based on caste, religion, region of origin, language, etc and each specific community has a local leader. As a result, there are many leaders in the settlement who have their own political affiliations. The politicians also find this to their benefit, and they make sure that the settlement remains divided as this makes the negotiation process easy during the election to gain votes. There is a lack of common leadership in the settlement. The division of the residents in the settlements along ethnicity, caste, religion or political party-based lines proves to be a clear obstacle to mobilization at the settlement level.

Lack of knowledge is another obstacle to mobilization. The local leaders are better informed than the other residents due to their political affiliations. They further use this information for protecting their supporters in case of any unforeseen situation. Although the local leaders are the 'carriers' of information, they usually keep it to themselves and publicly act as ignorant like the rest of the residents. The knowledge of the latest policies and access to the elected representatives bestow power in the hands of local leaders. The lack of transparency and use of knowledge for cultivating power creates many small isolated islands, which rarely work together for community mobilization.

3.5 Conclusions

From the utilitarian perspective (Olson, 1977), it can be simply said that not everyone in the settlement is convinced that the cost of mobilization is equivalent to the collective effort. This is due to the fact that although the settlement is designated as a slum, many parts of the same have a decent level of housing and basic amenities. In addition, the social heterogeneity in terms of region of migration, caste and religious affiliation contributes to the lack of solidarity among the actors.

The resourceful actors such as the elected politicians and local leaders use their knowledge strategically for asserting their position and power in the settlement. The power of the resourceful actors is maintained by limiting the knowledge on the latest development in the area within a circle of restricted actors, as it was observed with regards to the DDA rehabilitation project. The various communities in the settlement with their own local leader create small pockets that are in collision rather than integration with each other. These colliding pockets and the politics of power prohibit the flow of knowledge; this situation explains the absence of reaction at the settlement level when DDA launched its project, and contributes to the present lack of mobilization.

Two decades back, the same settlement was not only able to stir an agitation against the state but also retain their rights to the city. The residents felt solidarity irrespective of all their differences; lack of legal tenure and eviction was a central and urgent issue of concern for all. The former Prime Minister V.P. Singh was a pro-poor leader and a resourceful actor who turned the movement into a success. At present, due to shifting alliances of the local leaders there is a lack of unified resourceful actor, as well as any urgent cause of concern. The issues at hand either have long term implications such as health and education, or affect unevenly different sections of the residents, such as water supply and sanitation. The urgency for action is missing and contributes to the lack of mobilization among the actors. The absence of any grass-root organization, which could play a role in social mobilization, is an additional hindering factor. The movement also declined because it was dependent on the charismatic leadership of V.P. Singh.

From the case of V.P. Singh Camp it can be concluded that solidarity, heterogeneity, lack of transparency, use of knowledge to cultivate power and urgency are core issues for mobilization in urban social movements at micro-level. The role of resourceful actors is eminent for reaching a goal, but those who believe in the cause and principle and not in any short-term benefits. However, such a charisma can also be a limitation. The actor centric movement will depend highly on the actor and will end with him.

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Settlement Field Report

Chennai, India

By Véronique Dupont⁵⁴ and R. Dhanalakshmi⁵⁵

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54 Research fellow with the Institute of Research for Development (IRD : *Institut de Recherche pour le Développement*), UMR “Development & Societies” ; associated researcher to the Centre for Indian and South Asian Studies (CEIAS – CNRS/EHESS), Paris. Email: veronique.dupont@ird.fr

55 Researcher, School of Planning and Architecture, New Delhi. Email: dhana.jvks@gmail.com

PART I

1 Introduction and Abstracts of the Case Studies

Since the turn of the century, the urban and economic development of Chennai has been impacted by “sector-specific corridors along road infrastructures, with heavy investments (...) as a means to attract investment at the national and international level” (Varrel, 2010: 26). Among those, the IT Corridor, located in South Chennai along the Old Mahabalipuram Road (see Maps 1 & 2 in Annexes 3 & 4), has been selected as the case study for the Work Package 2 (Large-scale economic and infrastructure projects) under the Chance2Sustain project. The IT corridor area further provides interesting sites for issues pertaining to sub-standard settlements (WP3), as the development of the corridor has been associated with land speculation, the extension of the Mass Rapid Transport System, and “beautification” operations, especially along the Buckingham Canal that flows parallel to the IT corridor, in short transformations that usually entail slum evictions. In addition, the larger resettlement colonies built in Chennai since the 2000s for evicted slum families –and the December 2004 Tsunami victims– are also located in the IT corridor zone.

The case study of Arignar Anna Nagar, an “objectionable slum” located along the Buckingham Canal in the IT Corridor, exemplifies the impact of public interventions that have affected the squatter settlements in this zone, as well as the ensuing social mobilization. The lack of basic services, proper roads and social infrastructure in these settlements has pushed the residents to pursue their endeavours for getting better civic amenities, with however

still limited improvements. The other major issue is the lack of security of tenure. In 2002, a large demolition drive was carried out in a series of settlements (including Arignar Anna Nagar) in order to facilitate desilting and widening of the Canal: 2300 families were evicted from the first rows of dwellings established along the canal and relocated in the resettlement colony of Kannagi Nagar, although the flats were not ready for habitation. The eviction was reported in the media as “a swift, low-resistance operation”. Although prior collective action against the evictions (including signature campaign, road blockage and rally) was organized by the Communist Party, it had no effect. Despite impending threat of new evictions targeting the remaining sections of the squatter settlements, most residents seem to accept the “inevitability” of their future relocation. Several factors limiting social mobilization were evidenced by this case study: the lack of accurate information regarding the date of eviction; the weak social organizational structure in the settlement; the divide between owners and tenants having diverging interests; the poverty of these dwellers who cannot afford to spend time and loose money in long-lasting collective action; and the geographical marginalization of the settlement, out of the reach of some major mobilization movements for workers and slum dwellers in the city.

Before detailing this settlement case, the broader context and policy background in relation to slums in Chennai are expounded, followed by the presentation of the methodology adopted.

2 Background and Context

The policy background at the national level (including main strategies implemented regarding slums and squatter settlements, and the new strategy for Slum-Free City Planning – Rajiv Awas Yojana) was already presented for the Delhi settlement cases. Therefore, we focus in this report on the background and context in the State of Tamil Nadu and its capital, Chennai (known as Madras till 1996).

a. Slum Population in Chennai

As per the Census data and definition (see Annex 1, Box 1), the slum population in Chennai was 820,000 people in 2001, accounting for 19% of the city population (within the Municipal Corporation limits) at that time⁵⁶.

⁵⁶ The results of the 2011 census on slums were not published at the time of writing this report.

Baud et al.'s study of deprivation mapping in Chennai, also based on 2001 census data within the limits of the then Municipal Corporation, showed that the hotspots of poverty were found at that time in the old industrial northern areas of the city, built between 1900 and 1940 (Baud & al. 2009: 9). These areas had also a high percentage of people living in slums.

The 2003-04 survey of slums undertaken by a private consultant for the Tamil Nadu Slum Clearance Board (TNSCB) and the Tamil Nadu Urban Infrastructure Financial Services limited (TNUIFS)⁵⁷ listed 242 'undeveloped'⁵⁸ slums within the limits of Chennai Municipal Corporation, housing around 72,000 families or 330,000 people, accounting for less than 10% of the city population. A large majority (65%) of these settlements were located on government land. Noteworthy, out of these 242 identified slums, 122 (41,683 families) were categorized as 'objectionable' slums⁵⁹, which comprised a majority of squatter settlements located along water ways (73 slums housing 29,144 families), the rest being located along road margins, railways, and the seashore. Within the metropolitan area (but outside Chennai Municipal Corporation), 202 undeveloped slums were identified, out of which 90 located in objectionable areas, mostly squatter settlements along waterways and informal settlements along the seashore. However, this survey underestimated the actual number of undeveloped slums: during field work conducted in 2011 and 2012, we identified in the metropolitan area twenty-year-old (or more) objectionable squatter settlements along the Buckingham Canal (such as Arignar Anna Nagar selected for our case study), which were not listed and mapped in the 2003-04 survey.

57 See in the list of references and documents: TNSCB & TNUIFS 2005 and 2006.

58 'Undeveloped' slums are differentiated from 'developed' slums, i.e. slums identified in a previous survey conducted in 1986-87, and which were since then developed and/or improved through development schemes and initiatives.

59 As per the Chennai Metropolitan Authority, "the slums situated on river margins, road margins, seashore and places required for public purposes are categorized as objectionable slums". Source: Chennai Metropolitan Development Authority, "Shelter", p. 147. URL: http://www.google.co.in/url?sa=t&rct=j&q=&esrc=s&source=web&cd=9&ved=0CFwQFjAI&url=http%3A%2F%2Fwww.cmdachennai.gov.in%2FVolume3_English_PDF%2FVol3_Chapter06_Shelter.pdf&ei=ZKSsUOj8G4urrAeX8oHoBQ&usg=AFQjCNEEzGedP8vGn8c9RI58VapSwIC87Q (last accessed 20-11-2012)

b. Policy Background

Policies toward slums

The Tamil Nadu Slum Areas (Improvement and Clearance) Act, 1971 was modelled on the national Slum Areas (Improvement and Clearance) Act of 1956, which was first implemented in Delhi (See Annex 1, Boxes 2 & 3 for the definition of a slum area under these Acts). However, the policies of the Dravidian parties which came in power in Tamil Nadu in 1967 "sharply diverged from the national housing policy. While central government housing policy began to emphasise the role of the state as a facilitator of housing rather than a builder the DMK [Dravida Munnetra Kazhagam] housing policies focused on state construction of housing, explicitly limited evictions, and created a public discourse that allowed groups of political adept squatters to consolidate their hold on public land" (Raman, 2011: 75). The initial populist orientation of the Tamil Nadu Slum Clearance Board (TNSCB), created in 1971, is reflected in its motto: "God we shall see in the smile of the poor", which is still said to underlie the strategies "to improve the environs of the slums and the living standards of the urban slum families" (Government of Tamil Nadu, 2012: 18). The stated goals of the board at the time of its inception were "to fully clear the city of slum within seven years, to prevent new slums from taking shape, and to provide basic amenities for slum-dwellers until their huts could be cleared and replaced with tenements" (Raman, 2011: 76). Three main broad strategies have been implemented by the TNSCB:

1. *In situ* Development – whereby the basic infrastructure/ amenities like water supply, road and sanitation facilities are made available in the slums on site.
2. *In situ* Reconstruction – the dwelling units (multi-storied tenements) are constructed at the same location without any relocation of inhabitants.
3. Rehabilitation and Resettlement - provision of houses at alternative locations along with infrastructure, livelihood programmes with a holistic approach.

TNSCB has been one of the pioneer agencies to construct *in situ* houses for the slum dwellers. However, in the recent past, TNSCB states that it is facing issues in implementing *in situ* development as well as reconstruction schemes because of lack of adequate open space in the urban areas for planned housing initiatives." (PUCL, 2010: 12).

The intervention of the World Bank in Chennai has in fact strongly impacted the implementation of policies toward slums in the city, as analysed by Nitya Raman (2011) in her paper "The board and the bank" (2011), that provides a good summary of the changing scenario:

“Arguing that the initial years of the Tamil Nadu Slum Clearance Board were dominated by the priorities of the then ruling party, the Dravida Munnetra Kazhagam, whose government created it in 1971, this paper points out that shelter policies in the state had a formal orientation away from eviction and resettlement and towards in situ tenement construction, alongside an informal tendency to protect and reward those groups of the urban poor that the party was trying to court for votes. This arrangement was affected by the World Bank’s entry into the domain of urban-sector funding in 1975, which, despite stiff resistance from the implementing agencies, eventually managed to change the focus of local policies and to a great extent delink the TNSCB from political influence. The effects of this can be seen in the TNSCB’s current housing policies.” (...) Thus, “by 2000, the TNSCB was almost exclusively involved in building large-scale tenement clusters on the outskirts of Chennai to house slum-dwellers evicted and relocated from central areas of the city.” (*ibid*, 2011: 74)

The two large resettlement complexes which were established in the years 2000s in the southern periphery of Chennai, outside the limits of the Municipal Corporation at that time, namely Kannagi Nagar and Semmenchery resettlement Colonies, are an illustration of the above policy shift; they house today around 16,000 and 6,800 households respectively (see Map 2 in Annex 3 for location, and the Settlement Profiles of these two colonies in Annexes 5 & 6). Another resettlement complex in multi-storeyed buildings, namely the Perumbakkam scheme, located near Semmenchery, is under construction, with funding from the Jawaharlal Nehru National Urban Renewal Mission. This large-scale complex was initially planned for a total capacity of 20,000 tenements, in order to resettle residents of slums located on objectionable land. The first phase of around 6000 tenements is nearing completion.

Infrastructure projects and slum evictions

The construction of “world-class infrastructure” in Indian metropolises is generally associated with slum demolition and population displacement. Chennai is not an exception, and some urban transport infrastructure projects⁶⁰ deserve mention in this regard: the Mass Rapid Transport System (MRTS), that started in the 1990s and is still under completion (phase 3); the Chennai Metro Rail project (partly underground, partly elevated), launched in 2007; the Chennai High Speed Circular Transportation Corridors,

an integrated project planned in the Second Master Plan for Chennai Metropolitan Area (published in 2008- CMDA, 2008); and the Chennai Port–Maduravoyal 19km Expressway, a project announced in late 2009 and which is expected to displace 12,000 squatter families from the banks of the Cooum river (Coelho & Raman, 2010).

The restoration of water bodies in Chennai: environmental ‘concerns’, beautification and slum clearance drive⁶¹

In addition, several restoration projects of waterways, canals and riverbanks were launched in Chennai since the 2000s, with further adverse impact on traditional and informal habitat. The beautification plans of the Marina beach also entailed conflicts between the State and the fishermen, whose traditional villages (*kuppams*) were treated as slums –squatter settlements on the beach, therefore under the threat of eviction (Arabindoo, 2011). Noteworthy, some of these projects of waterways restoration cum beautification intersect with other infrastructure projects, such as in the case of the Cooum river (Coelho & Raman, 2010). Another case in point is the construction of the MRTS in the stretch that runs along the Buckingham Canal, at the beginning of the IT Corridor. The IT Corridor project itself also envisaged the beautification of the Buckingham Canal, including water quality management, beautification of MRTS pillars, and landscaping and agriculture – this last component necessitating the removal of “encroachment” (see Annex 4 for photos of the project, and Malmarugam & Narayan, 2006). Thus, as analysed by Karen Coelho and Nithya Raman (2010: 19) “beautification, restoration and development serve as metonyms for slum clearance”.

The restoration projects of Chennai’s waterways and water bodies gained momentum under the Jawaharlal Nehru National Urban Renewal Mission (a Centre Government sponsored programme launched in December 2005): the conservation measures included cleaning up, dredging and desilting, widening of canals, strengthening of lake bunds.... These projects were also aimed at preventing floods. A complementary project was the restoration of the Adyar river estuary and its transformation into an ecopark⁶². Under the national inland waterways project launched in 2008, it was further planned to revive the Buckingham Canal as a navigation channel for efficient

60 See also the “City Profile of Chennai” prepared by Varrel et al. (2010) for the India Country Report under Chance2Sustain project.

61 This section draws from the “City Profile of Chennai” (Varrel et al., 2010), and other cited sources.

62 Arabindoo, Pushpa. “Constructed ecologies, imagined communities: The politics of Adyar Poonga in Chennai”, Talk at the Centre for South Asian Studies, Paris, 9.12.2011.

and cost-effective transportation, with in addition a ferry service to be started on an experimental basis to exploit the tourism potential⁶³. These various projects and plans insist on the need to protect the waterways and water bodies from encroachments, and to evict the existing “encroachments”, including settlements established for decades, and whose dwellers are now considered as “polluters”. The implementation of these projects would cause altogether the eviction of around 35,000 slum households and among them around 15,354 households settled along the Buckingham Canal (some evictions were already carried out)⁶⁴.

In early March 2012, newspapers announced that the eviction of encroachments along the water ways and roads margins would start in April, and listed the canals (including the Buckingham Canal) that would be cleared and “improved” after the relocation of their “encroachments”⁶⁵. However, one month later, the same newspaper reported “the Chennai Corporation has suspended biometric identification of thousand of slum residents along 16 canals in the city, following stiff opposition from AIADMK⁶⁶ councillors. (...) AIADMK councillors opposed it, alleging that the list prepared by the previous DMK-led council had failed to include many actual beneficiaries”⁶⁷, and on the other hand included some bogus entries (the identification process being the first step to prepare the resettlement of the affected families). The biometric identification resumed in June, with however new interruptions for the same

reasons in another zone⁶⁸. This illustrates the interference of party politics in slum matters, here a factor of delay for the original eviction and resettlement plans of the TNSCB.

c. Governance System⁶⁹

Chennai city & Municipal Corporation, Chennai Metropolitan Area & Chennai Metropolitan Development Authority

Chennai is the oldest municipal corporation in India, created in 1688 by the British. Its limits were extended lastly in 2011, in order to integrate 42 local bodies. The expanded Corporation comprises now 200 wards, an increase of 45 wards. The area under the Corporation subsequently increased from 174 sq. km to 426 sq. km.

The Chennai Metropolitan Area (CMA) was first delimited in 1967 to face demographic growth and urban expansion; and it has not changed since 1978. It is the fourth largest metropolitan area in India, designed at a very early stage. The Madras Metropolitan Development Authority (now Chennai Metropolitan Development Authority -CMDA) was set up as an ad hoc body in 1972 and became statutory in 1975 (under the Tamil Nadu Town and Country Planning Act, 1971).

Whereas Chennai Municipal Corporation (CMC) has an elected body, the CMDA is only an administrative structure. It is controlled by State-level politicians and civil servants, and does not have an elected board. The Municipal Corporation and local bodies within the metropolitan area (municipalities, town *panchayats*, village *panchayats*) are in charge of maintaining roads, pedestrian ways, streetlights, waste collection and management, micro-drainage, and parks under their respective jurisdiction.

State and parastatal agencies: Regarding housing and slums, two boards administrated by the State government require mention: the Tamil Nadu Housing Board (TNHB), created in 1961 in order to manage all government housing construction projects in the state; and the Tamil Nadu Slum Clearance Board (TNSCB), created in 1971 by the DMK Chief Minister as an agency separate from the TNHB, in order to deal specifically with the problem of slums. The omnipresence of the state-level agencies in Chennai has been recently reinforced by the burgeoning of new

63 See: “Buckingham Canal to be revived with waterway plan”, by Ajitha Karthikeyan, *Time of India*, Chennai, 11-06-2008; “Buckingham Canal to be made navigable again”, by Ajitha Karthikeyan, *Time of India*, Chennai, 10-12-2008.

The Buckingham Canal was constructed by the British in 1806 as a salt water navigation canal aimed at connecting the natural backwaters along the coast between Tamil Nadu and Andhra Pradesh. With a total length of 420 kms it was once a major channel for trade and industry between these two regions.

64 Source : PUCL (2010), based on Pre-feasibility study on the proposed road alignment along water courses of Chennai – Final report prepared by Tamil Nadu Urban Infrastructure Financial Services Limited & Division of Transportation Engineering, College of Engineering, Anna University.

65 “Eviction along the canals, on roads to begin in April”, Aloysius Xavier Lopez, *The Hindu*, 7.03.2012.

66 AIADMK (*All India Anna Dravida Munnetra Kazhagam*) is the ruling party at the level of both the Municipal Corporation and the State since 2011.

67 “Identification of slum residents suspended”, Aloysius Xavier Lopez, *The Hindu*, 30.04.2012.

68 “Biometric identification of slum dwellers resumes”, *The Hindu*, 7-06-2012; “Smart cards work now suspended in city’s north”, *The Hindu*, 4.07.2012.

69 This section draws from the “City Profile of Chennai” (Varrel & al. 2010) that was nevertheless updated.

parastatal agencies and special purpose vehicles, which bypass two or more agencies, such as: the Tamil Nadu Urban Infrastructure Financial Services Limited; the Tamil Nadu Road Development Corporation (TNRDC); and the Chennai Rivers Restoration Trust.

Role of the World Bank and the private sector in slum programmes: In contrast to the situation in Delhi, the intervention of the World Bank has deeply influenced the orientation and implementation of slum policies in Chennai, as explained above. In fact, in the mid-1970s, “Chennai was one of the bank’s first urban-sector projects” in India, and seen as a “testing ground” for the new theory of market deregulation, privatisation of municipal services, affordability, cost recovery and replicability (Raman, 2011: 77; Pugh, 1990). Yet, whereas the private sector has been involved in slum resettlement and rehabilitation projects in Mumbai since the 1990s and its role is now promoted by the Delhi Development Authority for new in-situ rehabilitation projects, in Chennai, the resettlement complexes for evicted slum dwellers have been developed and built by the public sector –the TNSCB.

d. Politics and Power in the City

Party politics: At the State level, either the Dravidian party Dravida Munnetra Kazhagam (DMK) or its secessionist outgrowth *All India Anna Dravida Munnetra Kazhagam* (AIADMK – or ADMK) have alternated to form governments since 1967, promoting a regionalist and populist agenda. The last elections in 2011 were marked by the return of the ADMK in power and of Ms J. Jayalalitha as the Chief Minister for the third time. Madras/Chennai has been traditionally a stronghold for the DMK. However, the situation was also reversed at the last municipal elections of October 2011, as the ADMK won a large majority of the seats (168 out of 200).

Civil society associations among the poor and collective action: “from collapse to co-production”⁷⁰: Two published papers by Karen Coelho and T. Venkat (2009) and K. Coelho and Nithya Raman (2010) provide an illuminating analysis of the evolution of collective action among slum dwellers. The paragraphs below are a combined edited and abridged version of the relevant portions in these two papers (Coelho and Venkat, 2009: 362-366; Coelho and Raman, 2010: 23).

70 As per Coelho and Venkat’s terms (2009: 362). These authors defined collective action “as involving mass-based or membership-based mobilisations, thus excluding NGOs which typically represent a corporate rather than a collective structure: constituted by a board or trust, and run by an executive staff of paid employees” (ibid: 367).

A brief historical review of collective action among the urban poor in Chennai indicates profound shifts in its character since what is widely regarded as its heyday in the 1970s and 1980s, when the city witnessed intense struggles by the urban poor around the three axes of land rights, housing and basic amenities. The central strategy in these struggles was to resist evictions, demand *pattas* (legal titles) and retain hold of squatted land in the city. The struggles brought together a cross-section of groups who were active in slum-based mobilisation at the time, including autonomous movements of slum-dwellers such as *Pennurimai Iyakkam* and Madras Slum People’s Organisation, NGOs such as Centre for Development Madras (CEDMA) and Madras Christian Council for Social Services (MCCSS), and advocacy groups like Human Rights Foundation and the National Campaign for Housing Rights. Despite differences in approach and minor hostilities and turf wars, groups banded together at the points of struggle. Battles were waged both on the streets and in courtrooms: public interest litigation cases (PILs) were filed in the Supreme Court, and massive rallies and demonstrations held in the city. A widespread and relatively stable local base was provided for these struggles through *sangams* or action committees established in each slum by NGOs or movements. Youth *sangams* associated with different political parties were sometimes incorporated into the struggle platforms.

The 1990s saw a gradual weakening and eventual collapse of slum-based, struggle-oriented collective action against evictions, resulting from a convergence of several interconnected trends. The hardening stance of state agencies towards squatting in the inner city and the strenuous outreach and persuasion efforts by the trained social workers of the TNSCB’s Community Development Wing resulted in relocation becoming an acceptable option among slum dwellers in the 1980s. The growth of the state-sponsored self-help group (SHG) movement in slums, mediated through non-governmental organisations (NGOs), fostered relations of patronage and cooptation between the state and NGOs and between NGOs and slum associations. Gradual changes in the occupancy of slums, a strengthening grip of divisive party politics in slum communities, and the gentrification of TNSCB tenements, combined with the state’s persuasive tactics, weakened the cohesion needed to stand up to eviction drives. Organised and large-scale opposition to evictions is now rarely evidenced, and movements like Unorganised Workers’ Federation and *Pennurimai Iyakkam*, which continue to fight evictions, remain in the minority.

Slum-based mobilisation continues to face intractable challenges for two major reasons: one is political party

control in slums. Attempts to organise slum-dwellers outside the ambit of party politics have thus in recent years been largely unsuccessful. A second challenge is the pervasive monetisation of the urban poor. Money has increasingly become crucial to slum mobilization—any attempt to bring people to meetings has to be accompanied with cash payments and a meal.

The space left by the collapse of struggle-oriented collective action among the urban poor was filled over time by a range of collectivities of varying types. Two of the most common are the self-help groups (SHG) and the Resident Welfare Associations (RWA).

SHGs are among the most ubiquitous social phenomena of the last two decades in Tamil Nadu and Chennai. By the late 1990s, the TNSCB's Community Development wing had begun increasingly to turn to women's SHGs to participate in resettlement schemes and welfare programmes. All slum improvement programmes, from health to solid waste management, are now channelled through SHGs, with attempts to federate them into Community Development Societies.

Aside from RWAs formed in connection with Slum Clearance Board Housing Schemes, associations or *sangams* in slum areas were established by local units of political parties or by powerful local leaders. Their main efforts centre on issues of land and property rights. According to association leaders, the major ongoing *raison d'être* of the associations was to obtain *pattas* for all members. The tactics of slum-based *sangams* have shifted markedly over the years, according to their own

accounts. Most had abandoned agitational modes of demand-making in favour of persuasion and negotiation. Almost all had come to the conclusion that confrontational strategies rarely brought results, and that negotiations were the best way to get their demands met.

Analysed through the lenses of spaces for participation and mobilisation which were used by the slum dwellers, there has been a clear shift over time from resorting to confrontational, "invented spaces", defined by Miraftab as those spaces "occupied by the grassroots and claimed by their collective action, but directly confronting the authorities and the status quo", to operating through "invited spaces", defined as "the ones occupied by those grassroots and their allied non-governmental organizations that are legitimized by donors and government interventions" (Miraftab, 2004: 1).

Nevertheless, two recently published reports evidence the activism of some organisations in denouncing the human rights violations in relation to slum eviction and resettlement, namely:

- a report on the public hearing organised on 6 January 2010 by the Chennai Slum Dwellers' Rights Movement and CSOs, focussing on "Slum evictions for implementation of infrastructure development in Chennai",
- the fact finding report of the People's Union for Civil Liberties on forced eviction and rehabilitation of slum dwellers in Chennai, with a focus on resettlement in Kannagi Nagar and Semmenchery (PUCL, 2010).

3 Methodology

a. The Selection of Settlement Cases

In accordance with the case-study choice made for Chance2Sustain WP2 (Large-Scale economic and infrastructure projects) in Chennai, we selected cases of sub-settlements in the I.T. corridor. At the first stage we identified two categories of settlement, the squatters settlements under the threat of eviction, and the resettlement colonies for evicted slum families, and we further selected three localities:

- the two large-scale resettlement complexes which were developed by the TNSCB in the zone of the IT corridor, namely **Kannagi Nagar** (known also as

Okkiyam Thoraipakkam and occupied since 2000) and **Semmenchery** (occupied since 2006) – see Map 2 in Annex 3. The main issue in these resettlement colonies has been the access to adequate amenities and resources, including livelihood opportunities due to their location on the outskirts (especially in the case of Semmenchery);

- the squatter settlements located along the Buckingham Canal, in the section which flows parallel to the IT Corridor, south of Thiruvanmiyur MRTS station (see Map 2 in Annex 3), and is affected by restoration and beautification plans. Since slum dwelling stretches along at least 7 kms, we further focussed on a restricted locality. Following

reconnaissance field visits in November 2011 and informal interviews aimed at tracing mobilisation drive among the slum dwellers, we finally selected a settlement called **Arignar Anna Nagar** in Neelankarai former Panchayat – also identified in this report as the Canal Bank Road squatter settlement.

A settlement profile for each of these three settlements was prepared, following the guidelines detailed in the Conceptual and methodological framework to address issues of sub-standard settlements (Braathen et al., 2011); information to that end was collected and compiled by Dhanalakshmi in December 2011, and completed for the case of Arignar Anna Nagar in February 2012.

Meetings and discussions with research scholars (from different institutions) working in Chennai convinced us that the resettlement colonies of Semmenchery and Kannagi Nagar were already well researched, although the findings of these on-going studies are yet to be published. In addition, a master student from the University of Amsterdam, Clare Cummings, has also conducted fieldwork in Kannagi Nagar and her findings are available in her master thesis (2012) focussing on *Contesting the Governance of slum resettlement. Power, interests and relations in the resettlement and rehabilitation of slum dwellers in Chennai*. The findings of these studies will be used as second hand information.

To avoid replication of work already done by others, and aim rather to add an original contribution, we eventually decided to concentrate on a less researched area for an in-depth case study in Chennai, namely the Buckingham Canal Bank Road squatter settlements. Their location along a waterway further provides relevant linkages with the Chance2Sustain research theme on environmental issues.

Nevertheless, the detailed settlement profiles collected for the two resettlement colonies in the IT corridor area will be very useful to compare the living conditions in the squatter settlements and in the resettlement colonies. Moreover, many families evicted from the Canal Bank Road and resettled in Kannagi Nagar eventually came back to their initial locality. The settlement profiles of Kannagi Nagar and Semmenchery resettlement colonies are included in Annexes 5 and 6; the settlement profile of Arignar Anna Nagar is detailed in Part II.

b. Methods Applied to Collect and Analyze Data

For the case study of Canal Bank Road squatter settlements, a series of in-depth interviews with various

stakeholders were conducted in February-March 2012, and then in November 2012, following the guidelines provided in the Conceptual and methodological framework (Braathen, Dupont, Jordhus-Lier, 2011), and the related generic interview guide⁷¹. This comprised the following:

- In-depth interviews with residents of Arignar Anna Nagar, covering three different situations: present residents not yet evicted from the canal banks, previous residents relocated in Kannagi Nagar, and returnees from this resettlement colony – which should help us better understand the flaws and limitations of the resettlement project. In selecting the respondents, special attention was also given to the spatial spread of the sample, since the threat of eviction and living conditions are linked with the location of the house. In-depth interviews were conducted during daytime, and mainly with the wives of the household heads, as they were more available than their husbands for long interviews. Interviews were conducted in Tamil, not recorded, and transcribed directly into English.
- Interviews of activists involved in issues of slum evictions and relocation.
- Interviews with government officials in the Tamil Nadu Slum Clearance Board, who granted us a large access to information, including statistical data and maps.
- The interview solicited from a local politician, the former president of the Panchayat, affiliated to the party now in the opposition, met a refusal, possibly because of the recent change of government and ruling party, and thus the fear of investigation in land issues.
- Interview with the newly elected Municipal councillor of Neelankarai.

These interviews were completed by a press review and the collection of secondary data and reports (see References). Further details about the interviews, their main contents and other information collected, the profile of the respondents, etc. are given in Annex 7. The purpose of the second round of interviews conducted in November 2012, including with some respondents already interviewed ten months earlier, was to probe points or investigate specific questions emerging from the preliminary analysis, and also to follow up the reaction of the residents and activists to the pressing threat of eviction of the slum dwellers located on objectionable land along waterways.

⁷¹ All the interviews were conducted by the two (or one of the two) researchers and authors of this report.

PART II

THE SETTLEMENT CASE⁷²

4

Squatter Settlements along the Buckingham Canal in the IT Corridor Zone

The Case of Arignar Anna Nagar – Canal Bank Road

1. Settlement Profile

a. Geographic Location and Location in Urban Poverty Map

Arignar Anna Nagar (AAN) is part of the Canal Bank Road – or Canal Puram – squatter settlements located along the section of the Buckingham Canal that flows in the IT corridor zone, i.e. south of Thiruvanmiyur MRTS station, between Old Mahabalipuram Road (OMR- renamed Rajiv Gandhi Salai) on the West and East Coast Road on the East (see Map 2 in Annex 3). Arignar Anna Nagar stretches along 1,5 km on both side of the canal, in Neelankarai area, a former *Panchayat* integrated in the Chennai Municipal Corporation (Zone XV) since November 2011. The stretch on the eastern side of the canal is included in the ward no 192 and the stretch on the western side of the canal is included in the ward no 193 of Zone XV.

Due to its location outside the boundaries of the Chennai Municipal Corporation till very recently, AAN and adjoining Canal Bank Road squatter settlements were not covered by the deprivation mapping exercise carried out by Baud et al (2009) in Chennai. Moreover slums located in Neelankarai were missed out by the 2003-04 slum survey although the Metropolitan Area outside the Corporation area was also covered (TNSCB & TNUIFS, 2006).

b. Population

The population of AAN is difficult to assess; it may be estimated roughly that around 1500–2000 households are living in this locality. People who settled there are mostly Tamils, some natives of Chennai but more often migrants from other districts of Tamil Nadu, and coming from other

places of the city. The first settlers arrived 30-35 years. The most recent settlers include migrants from North India, bachelors working in the nearby industrial area, staying as tenants. People belong mainly to backward classes or scheduled castes (i.e. former untouchable castes), mostly Hindu, with nevertheless a notable Christian community and also Muslims. Commonly found occupations include, for men, construction workers, auto-rickshaw and car drivers, security guards, unskilled industrial workers, street vendors, and for women, domestic servants. Some young women (still unmarried) were reported to work in the electronic industry and in call centres.

c. Housing and Layout

Arignar Anna Nagar is considered as a squatter settlement, in the category of ‘objectionable’ slums due to its location on the banks of the Canal, on land, which is the property of the Public Works Department. This implies that the inhabitants have no security of tenure. Earlier settlers could just occupy the land free of cost, but successive settlers had to “buy” it from the then politicians and local real estate dealers or landlords who controlled the area; they got a document called “B-memo” notice for this transaction. They also used to pay property taxes to the former *Panchayat*. Whereas some dwellers believe that such documents will help them prove their ownership on the land, or even consider the B-memo notice as a land title, this “notice” is in fact a “statement showing the details of unauthorised encroachments on Government lands, the use of which is regulated by village *panchayat*”.⁷³

⁷² This part of the report is based primarily on information collected during our fieldwork (see Annex 7 for the details) and other quoted sources.

⁷³ Source: The Tamil Nadu Panchayat (Restriction and Control to Regulate the use of Poramboke in Ryotwari Tracts) Rules, 2000. [“Poramboke” land means village or government land set apart as common land for the whole community, and on which private construction is not authorized.]

The land being on the canal bank, it was marshy and low lying, thus the place had to be filled with heavy earthen materials to lay the foundation for houses and the residents spent quite some money on this. Yet, the settlement is still prone to flooding. In the beginning, the dwellers built small huts, with thatched roof and mud floor, which were improved and consolidated over time. Since most of them could not afford to spend on labour charges, they managed to build their houses using their own family labour. Now, one can find many *pucca* (concrete) houses, more in the inner streets, including some with one additional floor. Most of the houses comprise a provision for tenant occupancy in the same premises with a common courtyard or alley. The land-use in this settlement is essentially residential, apart from a few convenience shops concentrated around the main bridge. Over time, the area had spread out and comprised two or three rows of houses along each side of the canal, linked by one bridge built by the government, plus a small pedestrian bridge built by the residents. During the 2002 eviction, the first row of houses on each side of the canal was demolished for desilting and widening the canal.

d. Infrastructure & Services

This settlement is characterized by an acute deficit in basic infrastructure and services. First of all, the connectivity of this locality with the rest of the city is bad, as the residents need to walk to the main roads – East Coast Road or Old Mahabalipuram Road (OMR) – to avail public transports, which means around 20mn walk minimum, depending on the location of their house, and at least one hour walk to access the nearest MRTS station in Tiruvanmiyur. To improve the access to OMR (the IT Corridor), the residents located on the eastern side of the canal had financed themselves the construction of a pedestrian bridge five years ago. Auto-rickshaws are reluctant to come till inside the settlement because of the bad state of the roads. Apart from a couple of cemented streets, the rest are earthen roads or lanes, which become extremely muddy during the raining season, or even flooded. The residents expected road improvement – one of their main demands – after the inclusion of the area in the Municipal Corporation, yet no upgrading work has been carried out so far.

Although the Panchayat had installed an overhead tank and public taps, the water supplied is not potable, and people have to buy bottled water for drinking and cooking. Moreover, water from public taps is supplied at the best twice in a week for a couple of hours, and in some sections of the settlement once every ten days for 2-3 hours, a situation which requires individual storage

arrangements. Besides, there is no drainage system and no sewage system in the settlement, and no public convenience. Some houses are equipped with septic tanks, but the houses located just along the canal have connected their individual toilets (if any) with a pipe and outlet directly into the canal. Since all houses are not equipped with individual toilets, open spaces are also used for defecation. When the area was under the jurisdiction of the Panchayat, there was no system of garbage collection, and the garbage has been dumped all along the canal or thrown into the water. The integration of the settlement within the limits of the Municipal Corporation in November 2011 implies, in principle, the availability of municipal services. During interviews conducted in February and November 2012, some residents mentioned that a Municipal truck did come to collect the garbage, but only a couple of times.

As a result of these combined deficiencies, the area is highly unsanitary. The canal has become an open drain filled with polluted water and dumped garbage, a breeding place for mosquitoes and other insects. In addition to individual toilet outlets and sewage outlets, industrial effluents and water from Perungudi Sewage Treatment Plant are also released into this canal. People complained that the sewage water is not treated properly. Those living close to the canal suffer from the constant stinking air, mosquito menace, and health problems, especially skin diseases. The present situation contrasts sharply with the memory of the first settlers, 30-35 years ago, at a time when the canal water was salty but clean: they used the water for purposes other than cooking and drinking, and they could play and swim in the canal.

The situation in the settlement is better in terms of electricity supply. The houses have electricity connections that were regularised by the Tamil Nadu Electricity Board in 2004-5 (providing a deposit of INR 4,500). There are also streets lights, but not everywhere: on the road along the canal on the eastern side, street lights were removed in 2002 at the time of the demolition of the first row of houses. It shows how the demolitions have also affected civic amenities, making the living conditions of the remaining dwellers more difficult.

The settlement is further deprived of any social infrastructure such as schools, crèches, Integrated Child Development Service, primary health centre or dispensary. The nearest government Primary Health Centre is located in Okkiyam Thuraipakkam, but this facility is not commonly used by all. In the settlement itself, only a couple of private doctors operate. As for schools, there are found in the neighbouring 'legal' localities.

To sum up, the spatial location of this settlement, on the outskirts of the city, has gone along a lack of access to proper urban amenities. Nonetheless, one year after the integration of this area in the Municipal Corporation, our last field visits (in November 2012) proved that some improvements are under way, as shown by the installation of water tankers and streetlights.

2. Identification and Description of the Relevant Actors

The remarkable feature about the social organization in this settlement is the lack of local representative and of community based organization. Thus, there is no leader representing the entire locality, and no leader either who would represent smaller distinct communities. Furthermore, there is no resident welfare association, and no Christian association. It was reported by one respondent that an organization called the “Canal Bank Dwellers Protection Committee” was set up by a resident of Arignar Anna Nagar in 2008: money (details not known) was collected but not used for public purpose, and the organization is not functioning anymore. In fact we could not trace the founder of this committee, and none of the other residents interviewed was aware of its creation. Only Self Help Groups (SHG) were found: the majority of the women in AAN are members of SHGs but they are engaged merely in money lending activities among the group members and do not seem to be involved in any other income generating activities or livelihood programmes. Nonetheless, a group of around 35 young people in AAN are members of the Democratic Youth Federation of India (DYFI), and they have played an active role to address certain issues in the settlement. DYFI is politically linked to the Communist Party of India (Marxist) –CPI(M)–, and the DYFI wing of this area takes part in Blood Donation Camps and other meetings organized by the Party. Although NGOs are commonly found working in poor urban areas such as those squatter settlements, no NGO could be traced in Arignar Anna Nagar.

The relevant external actors, who matter to understand the past and present development of this settlement, include the following.

Elected politicians:

- The president of Neelankarai Panchayat was the main elected local figure until the extension of the limit of the Chennai Municipal Corporation in November 2011 and the integration of this former Panchayat in Zone XV of the Municipal Corporation. Till then, the

Panchayat had the responsibilities (among others) of looking after streetlights, construction and repair works of the roads, of providing water and sanitation facilities, and of collecting local taxes. Thus, the residents of AAN used to go to the Panchayat office for any complaint; some of them would also approach a ward member living in the vicinity of AAN and who was affiliated, like the latest Panchayat president, to the DMK party (in the opposition since the 2011 elections). Now, the provision of basic amenities is under the responsibility of the Municipal Corporation, and the municipal councillors of the recently created wards 192 and 193 in Zone XV are the two local representatives who receive the grievances of the inhabitants of their respective ward.

Political parties:

- Communist Party of India (Marxist) – CPI(M)– is supportive to the residents of the Canal Bank Squatter Settlements. The Party operates in the settlement through young people who are members of the affiliated Democratic Youth Federation of India (DYFI), or through residents who are members of the Centre of India Trade Union (CITU) – the trade union attached to the Party.
- On the other hand, volunteers of the two main parties in Tamil Nadu (AIADMK and DMK) have not been active in this specific settlement.

Public institutional actors:

- The Tamil Nadu Slum Clearance Board, in charge of the implementation of the slum resettlement programmes and the development of the resettlement colonies.
- The Public Works Department (PWD), that owns the land along the canal, which is encroached upon by squatter settlements. Since 2009, if the land-owning agency wants to reclaim land occupied by slums, it has the responsibility of identifying the slum families eligible for resettlement, and of conducting the eviction process⁷⁴.

Actors under public-private partnership:

- The Tamil Nadu Road Development Corporation (TNRDC) in partnership with Information Technology Expressway Limited (ITEL) for the development of the IT corridor expressway and adjoining areas, including the canal banks.

⁷⁴ Interview with the Chief Community Development Officer at the TNSCB, on 24.02.2012.

3. Overview of the ‘Case Story’

The following table summarises the time line of relevant events for the Canal Bank Road squatter settlements, including Arignar Anna Nagar (AAN), as well as the broader context of slum resettlement and rehabilitation policies in Chennai.

1971	Creation of the Tamil Nadu Slum Clearance Board (TNSCB)
c. 1975	Entry of the World Bank in the domain of urban-sector funding
2000	Kannagi Nagar resettlement colony, developed by TNSCB, receives the first groups of relocated slum families.
2002, July-August	<ul style="list-style-type: none"> – Road blockage and demonstration to the Secretariat (seat of the State Government) to protest against slum eviction along the Buckingham Canal. – Demolition of squatter settlements along the Buckingham Canal (in the IT Corridor area, from Lattice Bridge southward) to facilitate desilting and widening of the Canal: about 2300 families evicted, including almost 500 from AAN. Evicted families were resettled in Kannagi Nagar.
2004, Dec.	The tsunami hit Chennai, leaving 131 dead and thousands shelter-less
2006	Semmenchery resettlement colony, developed by TNSCB, receives the first groups of Tsunami affected families and relocated slum families
2008	Publication of the <i>Second Master Plan for Chennai Metropolitan Area, 2026</i> , that promotes a vision of Chennai Metropolitan Area development in specialized corridors, including the IT Corridor on the Old Mahabalipuram Road.
2008	Under the national inland waterways project, plan floated to revive the Buckingham Canal as a navigation channel for efficient and cost-effective transportation.
2011, April & May	Elections for the State Legislative Assembly (on 13 April): defeat of then ruling party, the DMK, and return to power of the AIADMK, with Ms J. Jayalalitha as the Chief Minister of Tamil Nadu for the 3rd time (on 16 May).
2011, October	Municipal elections in Chennai, the AIADMK won a large majority of the seats, putting an end to the domination of DMK in the city.
2011, November	Extension of the limits of Chennai Municipal Corporation, including thereafter the former jurisdiction of Neelankarai Panchayat (and AAN).
2012, February	The CPI(M) publicized the demands for better amenities for the residents of Neelankarai canal bank area as part of a banner campaign for the Party state-wise conference. However, the large banner displayed near the main bridge in AAN was hardly noticed by the residents.
2012, March	Announcement of the eviction of squatter settlements along the water ways (including Buckingham Canal) and road margins, to start next April.
2012, April-August	The Municipal Corporation started the biometric identification of slum residents along 16 canals in the city (first step to prepare the resettlement of the families); however the process had to be suspended in some zones, following stiff opposition from AIADMK councillors contesting the validity of the list of beneficiary slum families prepared under the previous DMK government.
2012, Nov.	The original eviction and resettlement plans of the TNSCB regarding slum dwellers located along canals have subsequently being delayed.

4. Critical Issues and Social Mobilisation in the Settlement

a. Issue of Eviction and Related Mobilisation: From Limited Protest to Acceptance

One major issue for the dwellers of the canal bank squatter settlements has always been the lack of security of tenure and subsequent threat of eviction, although all of them were initially not really aware of it. As mentioned above, some residents were under the impression that the “B memo notice” that they got when they “bought” the land from private realtors and the property taxes that they used to pay to the village Panchayat were a proof of their landed property. But such illegal transactions and subsequent returns for the Panchayat rather suggest connivance between land grabbers and local politicians. Other settlers were informed of the risk of eviction when they bought their plot, but they did not take it seriously as many others were also buying land at that time and, in any case, they could not afford to buy land anywhere else in an authorised residential colony. Residents who settled in Arignar Anna Nagar in the early years mentioned that they were warned against occupying this area, and were instructed to vacate the places by some officials. They used to vacate and be away for sometime, and again returned to the same places. This was a regular happening at that time. But there was no strict action taken by the public authorities to evict the settlers away. So gradually, the settlement extended and most of the houses were consolidated.

The situation had radically changed by the 2000s, when plans to restore the waterways of Chennai were on the anvil. By that time the width of the Buckingham Canal had shrunk considerably. To allow the desilting of the canal as part of the flood alleviation programme, the Ministry for Public Works declared in July 2002 that about 5000 houses had to be removed along the Buckingham Canal⁷⁵. Subsequently, from the last week of July to the first week of August, about 2300 families were evicted from the canal banks, in the IT corridor zone, from Lattice Bridge southward, including almost 500 from AAN⁷⁶. The remaining families were to be evicted within the following months. For an operation of that scale, officials of the Public Works

Department, the slum Clearance Board, the Revenue Department and the police were mobilised⁷⁷. Evicted families were relocated in Kannagi Nagar resettlement colony, although the flats there were not ready for habitation: there were soiled, with clogged toilets, and without power and water supply.

The eviction was described in the press as “a swift, low-resistance operation”⁷⁸, which was confirmed by our interviews in AAN. Evicted residents explained that they cooperated with the government officers when the latter came to survey them, took their photos and distributed tokens for allotment, as they were afraid of losing their entitlement to a flat and become houseless if they opposed. The large deployment of police force was another deterrent factor. In fact, families to be displaced were informed of the exact date of eviction at best one week before, and some realized it only on the eve of the eviction when they got their allotment tokens. According to some residents, the government planned the demolitions in such a way that people had no time to organise a protest.

Yet, the lack of resistance in the settlements at the time of eviction did not mean the lack of prior collective action to protest against it. Although residents were informed at the last moment of the exact date of eviction, for the last five years there were oral warnings through the Panchayat that the settlements in the area would be demolished for the “beautification” of the canal. After each new threat, residents reacted by meeting officials (Collector, the revenue officer...), or submitting petitions to the Chief Minister. For instance, a signature campaign conducted through the All India Democratic Women Association (affiliated to CPI(M)) collected 5000 signatures from the Canal Bank settlements’ dwellers. Before the 2002 eviction, a road blockage was organised in a big road junction, and later a rally to the Secretariat (seat of the State Government) to give representations to the Chief Minister (the demonstrators were however not allowed to enter the premises). Slum dwellers from all the settlements along the Canal participated in this rally (around 750-1000 people)⁷⁹. The main demands were: no eviction, provision of all civic amenities, and ownership rights with proper land titles. However, this protest had no effect and ironically the actual demolition in AAN took place on the same day, when the slum dwellers were on their way to the Secretariat. This demonstration was organized by the CPI(M), but all other

75 “Evicted slum dwellers shifted to Okkiyam Thoraipakkam”, Feroze Ahmed. *The Hindu*, 31.07.2002

76 The exact number of evicted families from Arignar Anna Nagar is not known; 500 is a rough estimate taking into account the information provided by different respondents.

77 “Eviction of slum families along Buckingham Canal completed”, T. Ramakrishnan, *The Hindu*, 09.08.2002.

78 “Evicted slum dwellers shifted to Okkiyam Thoraipakkam”, *ibid*.

79 Source: Interview with the General Secretary of CITU for Sholinganalur industrial area.

political parties participated. The CPI(M) also helped the evicted families to get their allotment tokens (in case they missed the distribution, or for any other difficulty) as well as during their resettlement process in Kannagi Nagar.

Following this major demolition drive nobody could ignore the pending threat of future evictions, especially after PWD officials came to make some measurements in the settlement and marked the limits of the areas, which would be demolished in future on both banks of the canal. Another reminder of the transformations at work in this area is the construction of a wall all along the canal, for flood control, but also to protect its banks from new encroachments and garbage dumping, as part of a “beautification” plan in which squatter settlements will not find a place. Yet, most of the residents of Arignar Anna Nagar seem to accept the fact that, being on government land, they will be relocated one day to a resettlement colony that may not be to their liking. But they also know that a flat in Chennai is an asset and a prospective profitable good (as irregular transactions of flats in resettlement colonies are a common practice).

b. Struggle for Better Civic Amenities⁸⁰: Continuous Endeavours

Since the inception of this settlement, its residents had to make repeated representations to the Neelankarai Panchayat president in order to get gradually more facilities (such as water, electricity, roads). Nevertheless, the services obtained were not without counterpart, given that the Panchayat used to collect money for property taxes, although the land squatted upon is the property of the PWD or *poramboke* land on which private constructions are not authorized. After the evictions started and they realized that their house would be demolished one day, the residents stopped paying property taxes. It seems that the Panchayat had taken advantage of the precarious situation of the slum dwellers. The latter now hope that the inclusion of Neelankarai in the Municipal Corporation will have a positive impact on the provision of civic amenities and services in the settlement, and they address their demands to the municipal councillor of their respective ward.

It is also only after repeated representations that the Government built a bridge across the canal in AAN, which

is used by small vehicles. As for the second bridge, a small pedestrian one, its construction resulted from the efforts of the DYFI members who collected INR 60,000 from 1500 people in the area. They had tried too to get this second bridge built by the Government, but as it was delayed endlessly they decided to carry out this project on their own. This indicates that the residents could organize themselves at times of necessity and achieve some results.

The DYFI members had further approached the TNSCB to put forward their demands for social services in the settlement such as government schools or Integrated Child Development Service. They were told that they have to approach the District Collector’s office for this purpose, which is in Kancheepuram. They went there in August 2011 and represented their problems, including a pressing demand for better roads. The collector promised that he would visit the Canal Bank Road settlement in two days but so far did not come, and nothing has improved. Yet, they could not follow up and push for their cause by going back there, as Kanchipuram is 76kms away from Chennai, and they simply cannot afford to lose one-day wage and in addition pay for transport and food. Hence, the residents’ efforts of mobilization have been barred by their economic conditions.

In their endeavour to improve the living conditions in their settlement, the DYFI members get support from the Communist Party. For instance, in February 2012, the CPI(M) publicized the demands for better civic amenities and services for the residents of Neelankarai area as part of a banner campaign for the Party state-wise conference. The patronage of the communist party is also a way for the DYFI members of AAN to scale-up their demand: they take part actively in party activities and try to address their problems to the government during the meetings held by the party.

c. The Limits to Social Mobilization in Canal Bank Road Squatter Settlement

Several factors limiting social mobilization in this squatter settlement are evidenced by the above description of attempts at collective action. A first obstacle to efficient mobilization in the context of risk of eviction is the lack of accurate information⁸¹ regarding the date of eviction. Some

80 This section does not address the issue of lack of adequate amenities in Kannagi Nagar after the resettlement of the evicted families and their related struggles, but rather focuses on AAN squatter settlement. For information regarding the situation in Kannagi Nagar, see Annex 5: Settlement Profile of Kannagi Nagar Resettlement Colony.

81 Some evicted families resettled in Kannagi Nagar also complained about the lack of adequate information regarding the conditions of allotment in the resettlement colony, in particular about the required money deposit to get a flat allotted.

respondents among the affected slum dwellers even interpret the lack of prior notification sufficiently in advance as a deliberate government strategy, to prevent people to organise a protest.

A second obstacle stems from the weak social organizational structure of the settlement. We already mentioned the lack of local leader to represent the residents of the locality; on the whole, the residents of AAN are not organised among themselves to represent their demands and defend their own interests. The only active organisation working in the settlement at a collective level, for the larger residents' interest, is the DYFI, under the political patronage of the Communist Party. Yet, the level of political awareness seems low, and many residents were not aware of DYFI and CPI(M) activism in the locality, thus its impact remain limited. For instance, those residents who participated to the rally carried out before the 2002 evictions were not necessarily aware that it was organized by the Communist Party. More recently, our interviews showed that the large CPI(M) banner displayed in February 2012 near the main bridge in AAN, to publicize the demands for better civic amenities and service for the residents of Neelankarai, was hardly noticed by the residents⁸².

The possibility of a common position and united collective action to respond to the risk of eviction and resettlement is further hindered by a major divide among the residents of the Canal Bank Road squatter settlements, namely the divide between the house owners and the tenants (whose presence is very significant). Whereas the former suffer heavy losses with the demolition of their house and the wiping out of all the investments made toward improving their habitat and local environment (in addition to the initial cost of the plot), the latter are only winners in a resettlement programme as they have no loss of fixed asset and gain a flat under a highly subsidized hire-and-purchase scheme⁸³ (a unique opportunity for them to improve their residential status). In the government resettlement programmes of slum dwellers, tenants are not excluded providing they can prove their identity and residence with a ration card⁸⁴ or voter card. Yet, on the ground, this usually generates struggles between the house owners and their tenants, with owners trying to grab more

allotments by baring the tenants to claim their entitlements, or with fierce negotiations between the two parties where the tenants eventually need to pay compensation to their house owners to be able to claim their allotment. Nonetheless, interviews in AAN revealed that there were also few good-hearted owners who helped their tenants, because of their long time relationship, to get allotments in Kannagi Nagar without demanding any money. Even though, it remains difficult to expect co-operation and to organize mobilization among slum residents divided into two groups, the owners and the tenants, with strong diverging interests.

In addition, in these squatter settlements, poverty proves to constitute another structural factor that limits the possibility of mobilization campaigns in a sustainable way, as also observed in the slums of Delhi. In other words, poor people cannot afford to spend time and thus loose money in long-lasting collective action for common causes.

Finally, the location of the Canal Bank Road squatter settlements, on the fringe of the city, has also an impact on the mobilisation capacity of their dwellers. The geographical marginalisation of these settlements may explain to some extent that they remained out of the reach of NGOs and of some major mobilisation movements for workers and slum dwellers, which have a greater impact in the old industrial northern areas of the city. Furthermore, the impression (that emerged from our interviews) of resignation faced with the risk of eviction, and of acceptance of the resettlement option, is better understood when one takes into account the location of the resettlement colonies as compared to the location of the Canal Bank Road squatter settlements: for the dwellers along the Buckingham Canal (in the IT Corridor zone), Kannagi Nagar resettlement colony is not so far, so the displacement is less significant than for slum dwellers from inner parts of the city⁸⁵.

5. Conclusions

The transformations at work in the IT Corridor zone, including “cleaning” and “beautification” of the Buckingham Canal, have entailed in 2002 a large demolition drive of squatter settlements located along the canal. Notwithstanding some –unsuccessful– collective protests

82 It is true that the banner was displayed at the time of the Chief Minister's 60th birthday, when huge banners and hoardings were put all over the place, including near this bridge.

83 The monthly instalments were initially Rs 150 for 20 years, recently revised to Rs 250.

84 These are cards that provide access to ration shops (i.e. shops selling staple food items and other basic necessities at rates subsidised by the State), and which, in fact, serve as identity cards.

85 If Semmenchery and Perumbakkam resettlement colonies are much farther southward in the IT corridor, the comparative distance of displacement (and subsequent impact) remains much more important for slum dwellers living and working in the inner parts of the city than for the slum dwellers of Arignar Anna Nagar.

against the foreseen evictions, the eviction operation itself encountered low-resistance on the site. Furthermore, the impending threat of new eviction is by and large met with acceptance, as the affected residents consider their relocation as inevitable, although they remain very critical of the living conditions in the resettlement colony. Yet, the location of the resettlement colonies, in the same fringe area as their present settlement, makes the displacement comparatively less disruptive than for dwellers from inner city slums.

This case study evidenced a combination of factors limiting social mobilization, such as the lack of accurate information about the eviction schedule, weak social organizational structure, precarious economic conditions, divergence of interests between house owners and tenants. It also showed that the geographical marginalization of the

settlement, on the outskirts of the city, not only aggravated its deprivation in terms of access to urban services and infrastructure, but also entailed its marginalization vis-à-vis the main mobilisation movements for workers and slum dwellers. In addition, we should also consider the coping strategies deployed by the affected families in the highly constrained context of the removal of “objectionable slums” along the waterways in the city. If the eviction is seen as inevitable, efforts are better focussed on getting some compensation in the form of a resettlement flat, an asset and a prospective profitable good that they may resell for immediate or future monetary benefice. As per this rationale, it is no surprise that the recent agitation triggered by the launching of the biometric identification survey of slum dwellers along other canals in the city, did not attempt to oppose the announced eviction, but centred on the list of beneficiaries for the resettlement scheme.

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Settlement Field Report

Durban, South Africa

By Catherine Sutherland and Sibongile Buthelezi

with the assistance of Vicky Sim, Silas Ngetar, Kim Geesink, Claudia Meyer,
Bonang Lewis, Laura Stoorvogel, David Jordhus-Lier and Fatima Moola

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PART I

1 Introduction

The typology of sub-standard housing in Durban and South Africa characterises the history of the country pre- and post-apartheid. *Township housing*, which was mass produced in townships on the periphery of cities to house non-white urban residents during the apartheid era, forms one type of sub-standard housing. *Peri-urban housing* is located in rural or ex-homeland areas on the periphery of the city. This form of housing reflects the strong relationship between rural and urban life for many urban residents who live rural 'lifestyles', but are connected to urban centres for work. Low cost housing, or *RDP housing*⁸⁶, that was delivered at scale post 1994, and which comprises of a standardised model of one small house per plot with access to water, electricity and sanitation is dominant in the periphery of the city, and in some spaces within the urban fabric where re-development has taken place. *Informal settlements* are located on marginal spaces within the city where people seeking the right to live in the city through their own action, have been able to gain a foothold in the city and establish a settlement. These informal settlements have insecure tenure and very low levels of services.

Inequality in housing has a clear spatial dimension with most sub-standard housing being found on the periphery of the city, or on marginalised sites where informal settlers have taken land in close proximity to urban opportunities. Although the South African government's housing policy appears progressive, the interpretation and implementation of the legislation and policy that has been developed post 1994 has in many instances been repressive, particularly in the manner in which informal settlements have been conceptualised and treated.

South Africa has a rich history of collective action and social movements which were motivated by the struggle against apartheid. The ANC state post 1994 actively set out to demobilise civil society (Ballard et al, 2005; Pithouse, 2009; Huchzermeyer, 2011) which is now strongly evident

in the multiple crises South Africa and the ANC are currently facing. Concerns about the suppression of civil society by the state are increasing and there are many who argue that civil society needs to be strengthened and mobilised in South Africa. The demobilisation of society has been done to depoliticise oppositional civil society forces (Ballard et al, 2005; Pithouse, 2009; Huchzermeyer, 2011). Although South Africa has one of the highest levels of social protest in the world, it is evident that ordinary citizens, or the social movements that represent them, find it extremely hard to challenge the state around the issue of basic rights. However, the research undertaken for Chance2Sustain reveals that the state is not an homogenous entity and that there are differences in the state between the three tiers of government, namely national, provincial and local government, and within in the state, particularly at the local level, as the case of the Chance2Sustain research on the Water and Sanitation Unit in the city shows. Here, a deliberate effort has been made by officials to engage with ordinary citizens and to treat them as partners in the development of water solutions for the city.

This field report presents the research undertaken in Durban to explore social mobilisation in sub-standard housing in South Africa. It first presents the history of housing policy in South Africa and then it critically reviews social mobilisation in the context of a state that has progressive legislation, but which does not actively support or open up democratic spaces for engagement. Finally it presents the data collected on the five case studies undertaken for this research. These include Cornubia, a large scale planned 'mega-housing' project; Ocean Drive In, an informal settlement; and Magwaveni, which contains mixed low cost and informal housing, all of which are located in the north of the city; Russia in Ngcolosi, which is a peri-urban settlement and a mixed peri-urban and low cost housing settlement in the Outer West, which has not been identified as a result of the need for respondents to remain anonymous. The location of these case study areas is presented in Annex 1.

86 RDP housing is the housing model developed as part of the Reconstruction and Development Programme

2

Background and Context

South Africa cities are impacted upon by the legacy of apartheid and the inability of the state and private sector to meet the current demand for employment, housing, services and facilities as rapid urbanisation continues. In 1994 the ANC government inherited segregated and unequal cities with large housing backlogs. At this time there was an urban housing backlog of 1.5 million units with 18% of all urban households living in informal settlements, backyard shacks or overcrowded formal housing with no formal security of tenure (GoRSA, 1995, cited in Patel, 2011). Housing therefore became a core focus of the Reconstruction and Development Programme (RDP) with the newly elected state committing itself to building one million houses within five years.

The post-apartheid housing deal was negotiated at the National Housing Forum in 1993 with business competing with the ANC, trade union and civil society agenda over the most appropriate way to deliver housing (Charlton, 2009; Huchzermeyer, 2008; Pithouse, 2009). The housing programme that was adopted was aligned with both the business model of a capital subsidy-driven individual freehold site-and-service approach and a politically led state-built rental model based on the European social democratic approach (Pithouse, 2009). The final decision was that the state would deliver, on a large scale, state-built starter houses using the site-and-service model. The capital subsidy was a standardised amount per household allocated to a developer for expenditure on a standardised plot with a small house and a basic level of infrastructure (Huchzermeyer, 2011). These houses became known as RDP houses as a result of the housing programme being based on the national Reconstruction and Development Programme's basic needs approach (Huchzermeyer, 2011). However Bond (2000) argues that the top-down delivery of housing through private developers, the one-size-fits-all standardised capital subsidy funding, the commodification of housing and the small size of the houses was not aligned with the progressive principles of the RDP but rather with the neo-liberal principles of the macro-economic policy of growth and redistribution that had been adopted by the state (GEAR policy). So as to achieve the goal of large scale housing delivery the new national Department of Housing, renamed the Department of Human Settlements in 2009, and a National Housing Subsidy system, were established as part of government restructuring post 1994.

Post-apartheid South Africa has one of the highest levels of low cost housing delivery in the world. As Charlton (2009, p 302) states:

“the United Nations confirmed that South Africa’s record of providing houses to the poor is unprecedented in the history of housing delivery throughout the world’ (BuaNews, 2003). Nevertheless, while its significance is unquestioned, the nature of the housing programme’s impact is more opaque”.

The houses vary depending on provincial standards but the national Department of Housing (now Department of Human Settlements) requires at least 30 square metres of floor space as a minimum standard and the provision of water through at least a standpipe in the yard of the house. The goal of this programme was large scale housing delivery which resulted in the technocratic reduction by the state, and much of civil society, of the urban question to a housing question, with a focus on number of units delivered (Pithouse, 2009). Housing was to be delivered on a sustainable basis at the rate of “350 000 units per annum until the housing backlog was overcome” (NDoH, 2000:5, cited in Charlton, 2009). However Charlton (2009) argues that delivery was not the only goal of the state’s housing programme. She suggests that from a national perspective five related objectives are apparent in the housing programme: to demonstrate delivery to an expectant post-democracy constituency; to contribute to the economy⁸⁷; to contribute to poverty alleviation; to establish housing markets and to develop urban citizenship through the creation of a democratic and integrated society (Rust, 2003, cited in Charlton, 2009).

Although large numbers of houses have been transferred to the poor these houses are often of sub-standard quality, small, and hence do not offer privacy or dignity, and are located on the periphery of cities, reinforcing the spatial legacy of apartheid and they have not produced integrated and sustainable neighbourhoods which offer a range of social facilities (Pithouse, 2009; Charlton, 2009). People have complained that “Mandela’s houses are half the size of Verwoerd’s⁸⁸” (Charlton & Kihato, 2006: 267). Due to their peripheral location these housing projects are isolated from social services and livelihood opportunities and they

87 The Housing Code notes that housing practices should also ‘reinforce the wider economic impact and benefits derived from effective and adequate housing provision in the domestic economy’ (NDoH, 2000:11).

88 Nelson Mandela was the first ANC President of South Africa post 1994 and Hendrik Verwoerd was the Prime Minister of South Africa from 1958 to 1966. He is considered to be the mastermind of apartheid policies and plans.

perpetuate urban sprawl. The RDP houses form only one part of the housing stock that houses the poor in South African cities. However, the housing subsidy system and the determination by the state to pursue this model for housing the poor in South African cities has led to the widespread view by politicians, government officials and communities, that informal settlements are temporary phenomena in the South African urban landscape that will be replaced by formal housing. This thinking about the place of informal or shack settlements in the South African landscape has been perpetuated and supported by the global discourse of 'slum free cities' and hence the eradication of slums, as argued for by the Millennium Development goals (MDG) and UNHabitat (Huchzermeyer, 2011). The eradication of 'slums', was, and still is the dominant discourse of the ANC government post 1994. Huchzermeyer (2011) states that informal settlement eradication was legitimised and became the political focus in South Africa both as a result of it 'addressing' the legitimate goal of poverty eradication and the eradication of the housing backlog and its alignment with the UN and Cities Alliances slogan of 'Cities Without Slums'.

However the elimination of slums has not been achieved as housing delivery has not met or contained the housing backlog and hence all South African cities contain a range of sub-standard and informal settlements. Although the dominant view of the government has been the 'eradication of slums', there have been considerable shifts at a national, provincial and municipal level in the way in which the issue of informal settlements has been addressed. The South African response to the housing question has shifted post-apartheid from large scale housing delivery and the eradication of informal settlements (1994-2004), to informal settlement in-situ upgrading in some locations through the Breaking New Ground Policy (2004-2007), back to informal settlement eradication (2007-2010) and now to an approach that acknowledges that informal settlements are here to stay and hence should be upgraded, were possible, as part of the provision of housing in South African cities (post 2010). According to Huchzermeyer (2011) this shift was partly inspired in 2010 by a surprise announcement by President Zuma that 400 000 informal settlement units would be upgraded as a new housing target. The National Upgrading Support Programme was tasked with finding the best way to achieve this new target and compiling the necessary procedures and budgets. However, it appears that only settlements on land considered suitable for standardised low cost township development will be considered in this programme. The rest of the informal settlements that have struggled against re-location continue to be impacted by the surveillance and control measures adopted by the state through their security led approach to prevent the occupation of land by the urban poor (Huchzermeyer, 2011).

The shift in thinking around informal housing has occurred as a result of changes in the position of national government to meeting housing and service needs, the response of municipalities to the challenges they face in meeting the shelter and service needs of their citizens and due to pressure placed on the state by consultants, NGOs and civil society. Since 2000 the Anti-Eviction Campaign in Cape Town, the Landless People's Movement in Johannesburg and AbahlalibaseMjondolo (ABM) in Durban have contested forced removals and evictions as well as the technical approach to urban development (Pithouse, 2009). According to Huchzermeyer (2011) since 2006 a wide range of actors, from consultants, NGOs, think tanks and donor funded initiatives to municipal officials have called for informal settlement upgrading to be intensified in the country to deal with the urgent need for basic services, and interim improvements to address issues of human rights, dignity and health conditions. What is noticeable however is that the voice of informal settlers on the ground, through social mobilisation, has not been strongly heard in these debates. Slum Dwellers International (SDI) has established an Informal Settlements Network to engage with the state, however the success of this network has been limited (Huchzermeyer, 2011). This has been counterbalanced by continual targets being set by the state for informal settlement eradication and the support of legislation at the provincial level for slum evictions and removals, with targets set for 2014, in line with the national goal of a 'nation free of slums' (City of Johannesburg, 2010b: 39. 1, cited in Huchzermeyer, 2011). In 2010 the upgrading agenda received a considerable boost through a presidential announcement which set a new target to upgrade 400 000 households through in-situ upgrading. The housing question in South Africa is therefore a continual site of political struggle between repressive and transformative policy (Huchzermeyer and Karam, 2006).

Although government had difficulties in keeping to its promise of housing the nation, it did manage to deliver one million houses in a six-year period. To date, more than 2.7 million ownership houses have been provided by the government to poor, low-income households in South Africa. Thus, given the considerable volume of housing supply by the South African government, it can be argued that the housing policy is largely based on welfare principles rather than on those of neoliberalism (Venter and Marais, 2010). However by 2009 the state recognized that the 1.3% of the national budget dedicated for housing via the subsidy model would have to be significantly increased if there was to be any chance of reducing the housing backlog. The large number of houses built post-apartheid has not led to a decline in the number of people living in informal settlements and

large numbers of people do not have access to adequate housing and basic services, which is now considered to be a failure on the part of the state to address poverty and deal with inequality.

In situ upgrading of informal settlements has therefore become a strategy to deal with the housing question. The South African housing policy promotes in situ upgrading and it requires that the state “exhaust all possibilities for permanently securing and improving an existing informal settlement before resorting to alternatives that involve relocation” (Huchzermeyer, 2011, p 244). However as Huchzermeyer (2011) argues decisions by the state around upgrading projects and the relocation or demolition of informal settlements, or their replacement in situ by standardised housing are not only technical decisions. She stated that in many cases

“the local or even central political order perceives an organised struggle for self-definition or emancipation in the ‘development’ process, for in situ upgrading and against externally defined relocation projects, when articulated from within informal settlements, as a threat. Voices from within informal settlements have often unleashed intensified attempts at forcing relocation” (Huchzermeyer, 2011, p 244).

This is also reflected in the way legislation has been changed to ensure the process of eviction suits the interests of the state, to criminalise informal settlers and their survival strategies in the city, to intensify the control of land invasions and to “divide informal settlements into desired/ suitable and undesired/ unsuitable categories, and to treat in situ upgrading not as a right (with exceptions) but as an exception: (Huchzermeyer, 2011, p 244).

3 Legal and Policy Framework

The Constitution of South Africa (1996) and the Reconstruction and Development Programme formed the framework for the development for the White Paper on Housing (1994). Sections 26 (1) and (2) of the South African Constitution state that:

- (1) Everyone has the right to have access to adequate housing;
- (2) The state must take reasonable legislative and other measures, within its available resources, to achieve the progressive realisation of this right

which ensures a qualified right to housing and protection against arbitrary eviction. Poor households were therefore protected against illegal and unfair eviction with the repeal of both the Prevention of Illegal Squatting Act No. 51 of 1951 with all its amendments, and the Slums Act No. 76 of 1979. The White Paper on Housing led to the promulgation of the Housing Act No. 107 of 1997 which refers to ‘slum elimination’ as a long term goal as part of the complex process of achieving adequate housing in South Africa. These two Acts were replaced by The Prevention of Illegal Eviction from and Unlawful Occupation of Land Act (no. 19 of 1998), known as the PIE Act, which reflect the principles of Section 26 of the Constitution. The PIE Act applies to everyone who occupies land without ‘the express or tacit consent of the owner or the person in charge’ (Section 1). The PIE Act makes the eviction of an unlawful occupier, unless the eviction is authorised by an order of the court and complies with a number of procedural requirements, illegal.

In 2000 a comprehensive National Housing Code was issued to guide the housing process. The government’s goal, as set out in the Housing Code in 2000, is the provision of 350,000 houses per annum until the housing backlog is overcome. Currently about 200,000 are being built annually. Broad principles of housing policy include people centered delivery and partnerships; skills transfer and economic empowerment; fairness and equity; choice; quality and affordability; innovation; transparency, accountability and monitoring; and sustainability and fiscal affordability.

Given that the Constitution of the Republic of South Africa (1996, Section 26) states that everyone has the right to access adequate housing, it is therefore the government’s duty to take reasonable legislative and other measures, within its available resources, to achieve the progressive realization of this right. Both the RDP policy and the White Paper on Housing (Department of Housing, 1994) state that all citizens in South Africa have equal rights of access to housing. Given the country’s socio-economic context the state committed itself to meeting the needs of all its citizens, with a focus on redistribution to the poor. South Africa’s housing policy was therefore rooted in a social welfare approach, however tension arose as a result of the states shift to GEAR, the neo-liberal policy that has shaped development in South Africa over the past 18 years and the influence of the World Bank’s neo-liberal principles on housing provision (Venter and Marais, 2010). The ability of the government to provide

housing has therefore been curtailed in part by the GEAR policy, which aims to reduce inflation and government expenditure, thereby limiting expenditure on social needs. Access to financing also remains a major challenge to low cost housing development as in 1994, 70% of South Africa's population was unable to afford finance and the banking system has not been able to address the issue of loans to poor people for housing in South Africa.

Challenges against housing policy and informal evictions by civil society began with social protest but in a number of high profile cases that have set precedence for the future, these challenges have taken the legal route and have been presented both in the High Court and to the Constitutional Court. In 2000 in a case which became known as the 'Grootboom ruling' Justice Yacoob argued that post-apartheid South African housing policy was not meeting the qualified right to housing as protected in the Bill of Rights and hence the then Minister of Housing agreed to review the policy in light of these shortcomings (Huchzermeyer, 2011). This ruling achieved international recognition and the country was congratulated for defending socio-economic rights, however evictions continued to take place across the country (Huchzermeyer, 2011).

The challenge of eradicating informal housing, which the Department of Housing had adopted as a core objective, was based on the MDGs of 2000 and the political vision, both globally and in South Africa, of 'shack-free cities'. The difficulty of addressing this challenge, the Grootboom ruling and the pressure from civil society organisations to halt evictions led to the official acceptance by the state in 2004 that the housing policy would have to be reviewed and would need to adopt a more sensitive approach to informal housing (Huchzermeyer, 2011; Charlton and Kihato, 2006; Huchzermeyer, 2006). This led to the development of the 2004 Breaking New Ground Policy.

The Breaking New Ground Policy (BNG, 2004) is a progressive policy framework that recommends and makes financial provision for participatory and collective in-situ upgrades. The new funding instrument for informal settlement upgrading under the BNG was organised around area-based subsidies, according to the actual cost of upgrading an entire settlement community, rather than the previous model of standardised and individualised capital subsidies allocated per household.

The BNG did therefore address one of the core problems around low cost housing in South Africa in that it declared a shift from 'conflict and neglect' to the integration of settlements "into the broader urban fabric to overcome spatial, social and economic exclusion via a phased insitu upgrading approach" (Department of Housing, 2004, 12).

It promoted the densification of housing to reduce urban sprawl and enable public transport and it focused on the provision of social facilities. Another innovative aspect of the policy was that it proposed a social housing component (20% of the housing units) in any new large scale middle to upper income housing development. However, the application of this idea has created other forms of segregation as middle income neighbourhoods attempt to secure themselves in relation to the social housing located adjacent to them.

Under the BNG a municipality was able to plan an in situ upgrade rather than the replacement of an informal settlement by formal standardized housing and apply for funding for land, land regularization, and the introduction of services and provision of basic social and economic facilities and it made provisions for community participation and empowerment (Huchzermeyer, 2006). However at a political level, Minister Lindiwe Sisulu never aligned herself with the progressive approach of the policy and rather focused on the demands of the FIFA World Cup 2010 and the demands for increasing the housing subsidy as promoted by the Federation of the Urban Poor (South Africa and Nigeria) (FEDUP) which was backed by Slum Dwellers International (Huchzermeyer, 2011). The Upgrading of Informal Settlements programme therefore received very little attention and support and was only promoted through rights-based action from within civil society. The BNG policy has therefore not been implemented successfully as a result of the limited political will and bureaucratic support for the new innovative policy. What was more concerning was that the policy was accompanied by a discourse of slum eradication (Charlton and Kihato, 2006). In KwaZulu-Natal, the Department of Housing's Strategic Plan for 2004-2007 ignored almost all of the innovations in BNG, and listed the aspiration of 'eradicating slums' in the province by 2010 as the first of its strategic objectives (Pithouse, 2009). This resulted in the passing of a slums Act in KwaZulu-Natal in 2007 known as the *Elimination & Prevention of Re-emergence of Slums Act*. According to the MEC at the time, Mike Mabuayakhulu, this Act was not about 'forced evictions' but rather was the Province's attempt to address the UN's MDGs (Huchzermeyer, 2011). The ANC conference at Polokwane in December 2007 resolved to extend the Act nationally despite opposition from shack dwellers movements and human rights organisations (Pithouse, 2009). The discourse of 'slum elimination' is that it makes shacks, which are nothing more than the self built housing solution of the poor, appear as if they are a threat to society (Pithouse (2009).

According to Pithouse (2009) the contradiction between state action and the more progressive law and policy has been caused by key people in the national political elite

who have promoted a discourse about 'clearing' and 'eradicating' slums as part of their anti-poor machinery. This has had a significant influence on state officials and civil society undermining the progressive approach of formal policy and law to which the state is committed in principle (Pithouse, 2009). Pithouse (2009) argues that the capturing of the country's development agenda by the local elite has further entrenched this anti-poor position.

However, the recognition by the national government and municipalities that formal housing cannot be provided at rate and scale required and that RDP housing was failing to meet the development needs of the poor led to a shift in focus in 2009 towards informal settlement regularization and upgrading at national level. For example in Durban negotiations between (ABM) and the eThekweni Municipality led to the signing of an agreement that three informal settlements would be upgraded in situ within the inner urban core and that a further fourteen settlements would obtain basic services in line with the principles of the BNG.

However: informal settlements still remain contested spaces that are treated with ambivalence. The inability of the state to provide basic lifesaving services to shack settlements such as electricity, toilets, sufficient water, fire hydrants is now considered to be a major failure on the part of the post-apartheid state (Pithouse, 2009). As a result of the recognition of the need to upgrade informal settlement the state set the target of upgrading 400 000 shacks by 2014 which was translated down to the local level in eThekweni to 38 100 shacks at a cost of R190 million per annum.

There is also continual debate and struggle over how to achieve the new national objectives at the local level of regularizing and upgrading settlements. Ethekweni Municipality has developed an innovative approach to tackle this problem which has been implemented in the city since 2011. The goal of eThekweni's Interim Services Approach is to rapidly deliver to as many settlements as possible a basic set of interim services as opposed to providing a high level of services to only a small number of selected settlements. The services include water standpipes, communal ablution blocks provided in two containers with male and female toilets, showers, hand-basins and wash-troughs and a local care-taker. Settlements will also obtain basic road access, footpaths and related storm water drainage, solid waste removal and emergency access and electricity on pre-paid basis. Settlements that would be eligible for such services are only settlements earmarked for upgrade which will occur after three years and settlements that are larger than 50 households so as to keep abortive costs as low as possible. The roll out of interim services through a renewed commitment to

informal settlement upgrading, both in eThekweni and elsewhere, represents an important advancement towards the targets of the MDG. However according to Huchzermeyer (2011, p 245)

"the new urgency of the interim services rollout has largely prevented any bottom-up definition of what might be considered appropriate levels and forms of interim services, and any consideration of whether communities could be involved in their implementation".

There is also concern that the roll out of these interim services, where they occur, will postpone decisions about permanent recognition and upgrading and so they will become a stop-gap that does not prompt long term change or the possibility of permanence through in situ upgrading (Huchzermeyer, 2011).

Summary

There have been some shifts in the approach to the delivery of housing and the development of sustainable neighbourhoods for the poor in South Africa over the past 18 years, however the RDP housing model and the elimination of informal settlements has remained dominant. The delivery of housing in terms of units delivered was highly successful post 1994 but there are strong concerns that the model adopted of a one house per plot, subsidized, standardised RDP house has not adequately addressed poverty and built sustainable neighbourhoods for the poor. This is because the location and quality of the housing is poor, settlements lack social facilities and there has been limited development of integrated neighbourhoods, housing backlogs are increasing (Charlton, 2009; Huchzermeyer, 2011). It is also common in South Africa that people who are allocated RDP houses abandon these and move back to informal settlements as the cost of living in these housing projects are too high. There has also been corruption in the allocation of houses and the building contracts awarded and the attempts at rational planning on the part of municipal officials has been completely distorted by local party political interests (Sokomani, 2007, cited in Pithouse, 2009; COHRE, 2008; Pithouse, 2009).

Another challenge in the post-apartheid housing programme has been the way which informal settlements have been constructed in the mind of the nation. Throughout the past 18 years the dominant discourse around informal settlements has been one of 'clearing and elimination'. This discourse has been supported by the MDGs and by UN Habitat and the Cities Alliance's call for 'slum free cities'. It has also been legitimized by the poverty

alleviation discourse of South Africa, as the elimination of slums is considered to be part of the machinery to end poverty. Although legislation protects people from unlawful eviction and the state is compelled to exhaust all reasonable options before evicting or clearing informal settlements, in reality this has not been the case and evictions continue across the country. Successful challenges by civil society and NGOs have impacted on the way in which informal settlements are treated but they have not resulted in a significant shift in thinking about slums in South African cities. Huchzermeyer's (2011) book *'Cities with 'Slums'. From informal settlement eradication to a right to the city in Africa'* argues that a radical shift is required in how slums are conceptualized, framed and dealt with in South African cities. The failure of the state to eradicate slums and to address the housing backlog has led to the recognition at

the national and local level that slums are here to stay, and that interim services programmes and in situ upgrades that do not take the form of replacement by standardized housing will need to be implemented. However there is considerable debate about how to move forward on this challenging task. The eThekweni Municipality has gone some way in addressing the informal settlement challenge in the city and this research will reflect on this process.

According to Huchzermeyer (2011) the tendency of the government to profile and support single high profile pilot projects such as N2 Gateway and Cornubia continues to legitimize the ongoing repressive treatment of informal settlements. The state should rather focus its attention on reform in policy and implementation.

4

Social Mobilisation around Housing in South Africa

Post 1994 South Africa inherited a well-established and robust network of civil society organisations, NGOs and CBOs that had struggled successfully against apartheid. However, the strategy of the ANC post 1994 was to gradually demobilise civil society, particularly the more radical and popular movements, so as to ensure that a national and liberal bourgeois democracy could become embedded in South Africa's transition to democracy (McKinley, 2004; Neocosmos, 2007, cited in Huchzermeyer, 2011). This move was legitimised by the need for the ANC's own broad base constituency to take "a transitional back seat to a whole host of powerful social and economic forces, both national and international, whose fundamental interests are inimical to revolutionary political and socio-economic transformation" (McKinley, 2004, p 2). By the mid-1990s the majority of community based organisations that had struggled against apartheid and poor living conditions were "swallowed up the by the ANC and, to a lesser extent by its Alliance partners" (McKinley, 2004, p 2). According to Huchzermeyer (2011, p 148) in the case of ANC aligned shack settlements each local organisation had to reconstitute itself as a 'Development Committee' affiliated to and under control of the ANC aligned South African National Civics Organisation (SANCO). In the period between the unbanning of the ANC in 1990 and the first democratic election in 1994 SANCO had argued for the democratisation and de-commodification of state housing but after 1994 SANCO not only abandoned these positions but also sought to become a shareholder in the privatized commodification of essential services (Huchzermeyer, 2004).

The ANC since 1994 has argued for social movements to become part of and accept the institutional democratic framework that had been established as the means to change both the state and society. Social movements were therefore required to act within state structures and hence become part of the institutionalised politics desired by the ruling party. The practical manifestation of this is represented in the structures that were established for local citizens to communicate with the state. Given the focus of this research it is important to outline the structures that were put in place at local government level to ensure developmental local government. According to Tshishonga (2012) the broader agenda of democratising, restructuring and decentralising decision-making was to be achieved through the formation of the participatory ward system in South Africa. Ward committees were established as part of the structures and mechanisms of the state at local government level to ensure participatory local decision making in integrated development planning and municipal service delivery. Municipalities were tasked with engaging with citizens through ward committees which are "institutionalised mechanisms aimed at enhancing groups within the community to find sustainable ways to meet their social, economic and material needs and improve the quality of their lives" (WPLG, 1998, 37, cited in Tshishonga, 2012). The ward committees are legislated and established through the Municipal Structures Act (1998) and they are considered to be any form of structure, channel, development forum and residents association for local

democracy and participation that is re-constituted to form the ward committee as stipulated in the Municipal Structures Act (1998) (Davids, 2005; Tshishonga, 2012). They are not the only mechanism for citizens to engage with the state, but they have become the dominant model as this research will show.

According to legislation, ward committees should be made up of representatives of a particular ward who represent the interests of that ward. Most ward committees contain sub-ward committees, or Branch Executive Committees, that represent specific local communities. These sub-committees report to the ward committee and to the councillor. Ward committees were put in place to ensure an institutionalised channel of engagement and communication between the municipality and its citizens (van der Walldt, 2007). Through the sub-ward committee and the ward committees, community members have the opportunity of raising issues and problems that affect their lives with the ward councillor who then reports to the municipality. These ward committees are therefore the 'invited spaces' through which individuals can express their concerns (Miraftab, 2009). They are advisory committees that are drawn from civil society to assist the councillor with democratic decision making by raising issues and providing input on projects and plans for the ward.

As a result of dissatisfaction with the ward system, social movements in urban and rural communities began to rise up in the mid 1990s to challenge water and electricity cut-offs, forced removals, housing evictions and the lack of access to land. However, not only did these social groups challenge the state on the material living conditions but they also sought to challenge state policy (McKinley, 2004). These social movements achieved mass mobilisation as opposed to the representative politics of pressure groups and NGOs. The rise of these movements reflected the divide, which was both ideological and organisational, between the traditional social movements that supported the state and its neo-liberalism agenda, and those that believed in a non-capitalist future for South Africa, based on RDP principles (Desai, 2004, cited in McKinley, 2004; Pithouse, 2009). In response to this challenge the ANC very quickly embarked on a campaign to reduce the power and influence of these activists which resulted in a widening of the political and class divisions that define South African today, with its clear fault lines between the ANC and the anti-capitalist forces on its left (McKinley, 2004). However from 2004 popular protests began to intensify in the country urgently challenging the state to address the concerns of the poor in the country (Pithouse, 2009). Social protests continue to form part of the South African landscape with South Africa, at a rate of 10 000 protests a

year⁸⁹, having the highest number of social protests recorded in the world (Pilger, 2008, cited in Pithouse, 2009). These protests, which took the form of blockaded streets, burning tyres and the overturning rubbish bins were considered to be municipal revolts and they tended to be focused on municipal party councillors (Huchzermeyer, 2011). However, all though they inspired each other in their struggles, they did not have any overarching or connected organisational structure (Huchzermeyer, 2011).

Social mobilisation around housing occurs through the service protests that are a frequent reminder that citizens are not satisfied with the state's response to the housing and service challenges the country faces and through protests against the eviction and relocation of informal settlements. There have been a number of high profile cases that have been taken to the High Court and the Constitutional Court that have halted the eviction of informal settlers (Huchzermeyer, 2011). The Landless Peoples Movement in Johannesburg, the Anti-Eviction Campaign in Cape Town and ABM in Durban have continued to struggle for the rights of informal settlers through a range of strategies. FEDUP and Shack Dwellers International (SDI) have aligned themselves with the state, working in partnership with the state to broker new housing deals and to influence policy. SDI remains non-political and deeply embedded in the institutions that social movements seek to challenge (Huchzermeyer, 2011). The state and SDI in Durban for example portray ABM as a protest movement, with SDI advancing its agenda by positioning itself as a constructive deal maker (Huchzermeyer, 2011) even though ABM was negotiating with the state in 2008 to ensure that interim services were provided to 14 informal settlements as opposed to formal housing being provided for an elite few (Huchzermeyer, 2011). The Project Preparation Trust (PPT), a progressive project management team acted as the intermediary in this process, providing evidence that communities and the state can engage meaningfully in collaborative processes that ensure sustainable outcomes (Huchzermeyer, 2011).

However, poor people in South African continue to be dismissed by the state and broader civil society as a result of a lack of participatory decision making (PPT, 2012). According to Huchzermeyer (2004) progressive long term support for community organisations is required. Bond (2010, p 27) challenges those

"committed to a different society, economy, and city ... to combine requisite humility, based on the limited gains that social movements have won so far (in many cases matched by the worsening of regular defeats) with the

89 Based on 2006 statistics

soaring ambitions required to match the scale of the systemic crisis and the extent of social protest”.

Huchzermeyer (2011, p 15) states that the “majority of informal settlement and right- to-the- city struggles across South Africa and other African countries are still fought without legal, social movement or progressive NGO and academic support of any kind”. As Hunter (2010) argues the real struggles happen through the energy and commitment of thousands of individuals in informal settlements whose daily struggles and ways of finding a place in the city individually and collectively shape urban space, often against all odds. The complex relations, innovation, humanity and political action of these urban residents as they are expressed in informal settlements need to be recognised as part of the struggle for the right to the city. Often the continual threats of relocation, consistent hostility and the undermining of their place in the city prevent these settlements from developing and progressing into neighbourhoods that provide improved living environments (Hunter, 2010).

Social movements in informal settlements are difficult to sustain due to power struggles and political competition, the power of councillors in controlling and shaping the resistance and organisation that is tolerated in the informal settlement and as a result of NGOs providing unequal support to ensure that their own interests are met (Huchzermeyer, 2011). The lack of the most basic resources also undermines people’s ability to participate consistently and over the long term in the struggle to secure better housing. The top down approach of the ANC and its control of communities through the ward structures that have been put in place plays a critical role in demobilising civil society. ABM’s challenge against the Slums Act in KwaZulu-Natal presents a good example of just how difficult it is for social movements in informal housing to secure rights to the city. The following statement by ABM reflects that the

“road from the shacks to this court has never been an easy one. It takes a very strong shack dwellers organisation to stand firm for what we believe is right for the future of our cities. It takes a very humble, democratic and a caring government to understand the will of its citizens. A caring government would rather engage its citizens than turn them into its rivals. We believe that there was no need in the first place for the Slums Act. The only need was for the Department of Housing to table its worries to the shack dwellers themselves... AbahlalibaseMjondolo are determined to be part of the solution of any problem associated with the lives and communities of our members (AbahlalibaseMjondolo, 2009, cited in Huchzermeyer, 2011).

According to Huchzermeyer (2011) just prior to the long awaited ruling in the Slums Act in the Court, ABM’s offices in the Kennedy Road informal settlement were violently attacked as were ABM members in their homes. Over 1000 people fled the settlement (Chance, 2010, cited in Huchzermeyer, 2011) and an ANC branch was immediately established in the offices that had been used by ABM. Twelve members of ABM were arrested by the state and after a long drawn out trial that were finally acquitted on 18 July 2011. This attack on the Kennedy Road community and its shack dwellers movement triggered a massive outpouring of civil support both in South African and internationally (Buccus, 2009, cited in Huchzermeyer, 2011). While this attack and suppression of ABM was taking place organisations continued to challenge the KwaZulu-Natal Slums Act that was being replicated in other provinces. The coalescence of social movements peaked at the time of the Constitutional Court hearing of the Slums Act but it became evident that far more would be required from civil society and its organisations if things were really to change (Huchzermeyer, 2011).

The Harry Gwala case also reflects the tensions between the state and social movements around housing in South Africa. The chairperson of the Harry Gwala Civic Committee was arrested in June 2010 with the community arguing that the real reason for his arrest was the ward councillor’s dislike of the popularity of his civic committee. The committee had successfully achieved a court ruling which required that the state consider and investigate the suitability of upgrading the informal settlement (Huchzermeyer, 2011). However, in both cases described here what is evident is the state’s resistance to change, the hard handed and top down way in which it deals with those that challenge it, and the way in which it makes minimum concessions that enables it to pursue its goal of the elimination of informal settlements. However as Huchzermeyer (2011, p 242) suggests “the Harry Gwala Civic Committee’s struggle over seven years for the informal settlement to be recognised and improved, as much as ABM’s struggle against the KZN Slums Act, is an important claim for a right to the city”.

According to Escobar (1992) the rationality of development with its basic needs discourse has undermined the ability of social movements and the academics and researchers that support them to find ways about thinking and talking about needs and how to achieve them that challenge the approach of rendering such problems ‘technical’. The struggle over the right to the city has to redefine development and the political processes that enable it, through collective action that allows for deliberation that challenges the well-established discourses that have emerged globally, and in South Africa, about sub-

standard housing or slums in cities. The relatively progressive legal framework in post-apartheid South Africa has favoured, and even invited, rights-based approaches to political mobilisation around housing. However, the

interpretation of this legislation and its application on the ground does not always reflect that a rights based approach has been honoured.

5 Sub-standard Housing in eThekweni Municipality

eThekweni Municipality has a population of approximately 3.6 million people, which is one third of the population of the province of KwaZulu-Natal. The population is expected to increase to 4 million people by 2020 (eThekweni Municipality, 2012). Currently there are 150 000 people moving in to the city each year, in need of housing, employment and basic services (McLeod, 26/10/2012). The city has a very young population with the majority being comprised of the 15-34 year age group. The city has a prominently African population (71%), followed by the Indian community (19%), white community (8%) and coloured community (2%) (eThekweni Municipality, 2012). The majority of the people in the city live in the central urban core (36% of the population) and the north region (32% of population). The city has high levels of poverty with 41.8% of the population subject to conditions associated with poverty and low diversity in the economy and hence the city faces significant socio-economic challenges (eThekweni Municipality, 2012).

Inequality in the city is reflected in the spatial geography of the city (see Figure 1). Townships and informal settlements on the periphery of the urban core have the highest densities, while the rural areas on the periphery, which contain peri-urban housing have lower densities. All of these areas have low levels of resources and high employment rates, low household income, poor levels of education and little access to areas of opportunity. People therefore have to commute to gain access to employment opportunities. Many of the informal settlements in Durban have developed in close proximity to where people work in an attempt to reduce household costs by reducing transport

costs. This issue becomes important when informal settlements are relocated to new sites that are distance from the original location of the settlement and often forms the basis of resistance to a proposed move.

The vision of the eThekweni Municipality is that “By 2030 eThekweni will be Africa’s most caring and liveable city”. The mission statement of the eThekweni Housing Unit is to:

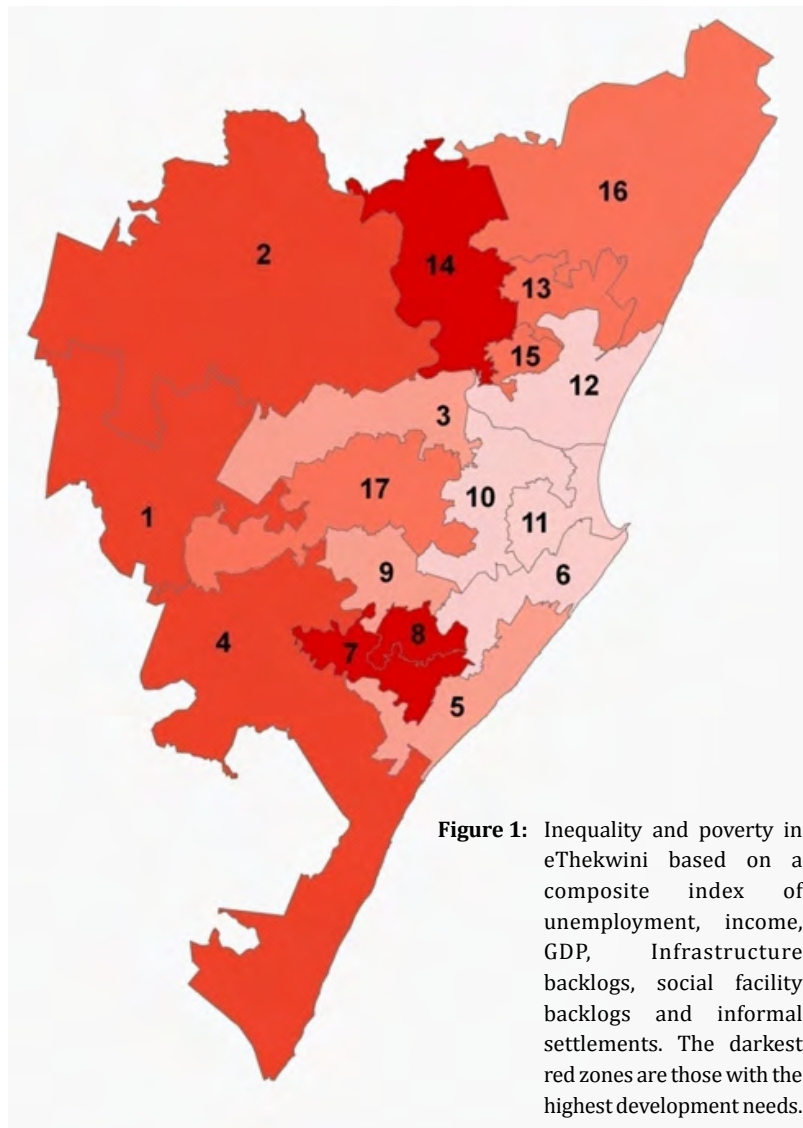


Figure 1: Inequality and poverty in eThekweni based on a composite index of unemployment, income, GDP, Infrastructure backlogs, social facility backlogs and informal settlements. The darkest red zones are those with the highest development needs.

facilitate and actively participate in housing delivery and the creation of sustainable human settlements in the eThekweni Municipality area with a view to ensuring that all citizens of Durban have access to a housing opportunity which includes secure tenure, basic services and support in achieving incremental housing improvement in living environments with requisite social, economic and physical infrastructure.

The majority of residents (86%) in the eThekweni Municipality are considered to be urban while 14% are considered to be rural. However, these patterns may change as new urban residents moving in to the city are most likely to find a foothold in the city in the periphery which promotes a particular form of urban growth. According to the 2012/2013 SDF (eThekweni, 2012) there are approximately 946 000 households in the city which are divided as follows:

Table 1: Types of households in eThekweni (Source: eThekweni, 2012)

Type	Sub Type	Households
Formal	Houses	414,357
	Flats	110,225
	Sub Total	524,582
Informal	Single Dwelling ("Shack")	265,542
	Backyard	48,975
	Formal Informal	3,096
	Sub Total	317,613
Rural	Cluster ("Umuzi")	70,317
	Single Dwelling	26,949
	Formal Informal (Formal houses in rural areas)	6,449
	Sub Total	103,715
Total		945,910

Table 1 reveals that 55.4% of dwellings in the Municipality are formal, 33.5% are informal and 10.9% are rural. Over one million people in the city live in informal conditions which represents 60% of the housing backlog. Informal settlements in the city range in size from a few dwellings to 14 000 dwellings. Water, sanitation and refuse removal services are either provided or planned for roll out in these settlements. Illegal electrical connections are widespread, which causes safety issues and disrupts supply to formal residents. Interim services are being rolled out to 166 prioritised informal settlements which are settlements that are on the Municipality's housing plan, but which cannot be provided with full services and low income housing in the short term. Settlements which are destined for relocation are therefore not included.

The formal housing market has not provided housing to meet a wide range of needs in eThekweni, as in the rest of South Africa, The formal market most significantly has failed to address the needs of the poor and hence the focus of public housing has been on the low income group. Free standing houses have been provided through the RDP housing model, some state owned rental stock has been

transferred and hostels have been upgraded. Most of the housing developed by the state and the private sector has been within the Urban Development Line (UDL).

The demand for rural housing on the urban periphery is continuing to grow. Traditional dwellings have been considered to be inadequate in terms of shelter and services, however, many now argue that traditional homesteads offer a better quality of life and hence are a better housing solution than standardised subsidised RDP houses (see case study 4). The demand in these areas is for the provision of services as people continue to take responsibility for their own top structures. The Water and Sanitation Unit's rural sanitation programme and Eskom's electrification programme have resulted in significant improvements in services in these areas. These areas qualify for rural service standards as they are outside of the Urban Development Line. The Rural Programme applies outside of the Urban Development Line, in areas that are largely still owned by the Ingonyama Trust and hence are governed by the Tribal Authority. In these areas land tenure takes the form of a long term lease and land acquisition is done through formal agreement with the induna or Councillor of the area.



Table 2: Types of households in eThekweni (Source: eThekweni, 2012)

Housing Sub-markets in eThekweni Municipality	
Low-income Housing (also known as Housing for the Poor or Pro-poor Housing)	Informal, traditional, rental or individual ownership of serviced or un-serviced dwelling units by low-income households with incomes under R 3,500 p.m. Single sex hostels are also part of the low-income market.
Affordable Housing	Rental or individual ownership tenure over fully serviced dwelling units by households with incomes from R 3,500 to R 15,000 p.m. It includes the so-called “Gap market”, of households who earn from R 7,500 to R 15,000 p.m. The term ‘gap’ derives from the absence of subsidies for these households, the virtual absence of available housing stock, and the thin availability of bond finance.
Mid-market and Up-market Housing (also known as Upper-middle Income Housing or Upper Income Housing)	Rental or individual ownership tenure over fully serviced dwelling units by households with incomes over R 15,000 p.m.
Social Housing	Subsidised rental tenure over fully serviced dwelling units for households with incomes from R 1,500 to R 7,500 p.m. There are differing views as to whether social housing is a housing program or a housing market. In this document, the term is used for the housing program that addresses the low-income and affordable rental markets.

The eThekweni Housing Unit’s major housing programme is the Informal Settlement programme. According to the SDF 2012/2013 (eThekweni, 2012) the policy of the city and its Housing Unit is to upgrade informal settlements wherever possible and to only relocate residents if upgrading is impossible for health, safety or technical reasons. The upgrading of settlements includes the provision of social and economic amenities and the integration of these settlements into the broader urban fabric to enhance sustainability.

The eThekweni Municipality (2012) states that it has

“made eliminating backlogs in basic service delivery a priority and strides have been made by the Municipality in addressing the service delivery backlog. In the area of water delivery, 91% of our households have water available within 200m of their dwelling. With respect to sanitation, 75% of the eThekweni households have access to at least the minimum level of sanitation. The figure for electricity service connections increases annually and currently there is a 98% coverage. Refuse collection from the kerbside is a service offered to 100% of households, which means all homes, both within formal and informal areas, have a once-a-week collection. All businesses have a customised refuse removal service. The housing backlog as a proportion of

current demand has decreased over the past financial years and the backlog is currently 364 493. The upgrading of unsurfaced to surfaced roads remains a huge challenge and requires a budget in the billions to address. Priority has been given to roads that serve as public transport routes or those serving development nodes”.

The challenge of informal settlements in the city is significant as there are over 350 000 people living in these settlements and this number will increase as urbanisation continues. Informal settlements have high densities within the urban core, with those in the periphery and the west having lower densities. Urban informal settlements (see Figure 2) form the main focus of the city’s housing programme given their large share of the backlog and the recognition that for now, they form an important part of the city’s housing stock. Upgrades, relocations, interim services and the development of greenfield projects all form part of the strategy for dealing with these settlements. Dense peri-urban and informal settlements that are located along the Urban Development Line will be considered for interim services. According to the SDF 2012/2013 (eThekweni, 2012) interim services are provided to settlements earmarked for upgrade which will not be addressed via the housing programme in the short term. The package of services will include water, sanitation (communal ablutions, UD scheme, Dewats system), roads,



footpaths, stormwater controls and electricity. Depending on the location and density of settlements, the full package of services may be altered or reduced. The interim services roll out is beginning to emerge as a core programme which

may overtake the housing delivery programme in term of its reach, as it will benefit higher numbers of households. The interim services approach is supported by both National and Provincial Departments of Human Settlements.

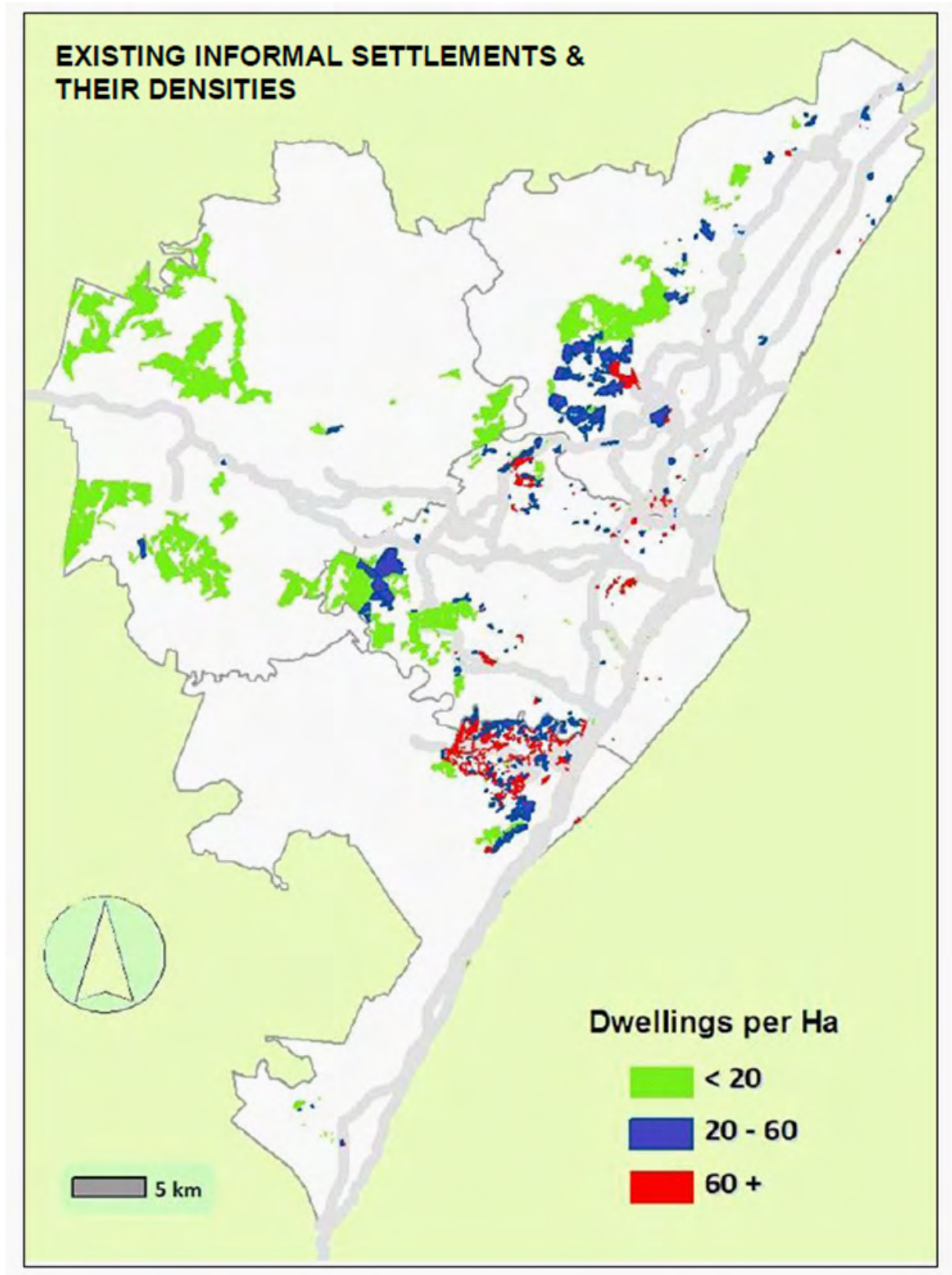


Figure 2: Informal settlements in eThekweni and their density (Source: eThekweni, 2012)

Housing demand will also be addressed through greenfields development which currently includes the development of 120 000 sites on 6000 hectares of land at 20 dwellings per hectare (eThekweni, 2012). Greenfields developments require affordable and well located land which is in short supply in the city. In upgrading projects greenfield sites need to be chosen that are in close proximity to the informal settlement to be re-located. The city aims

to increase the density of housing so as to reduce the amount of land required for meeting the housing demand and to ensure that urban sprawl and the inefficiencies it creates is curtailed. According to the SDF (eThekweni, 2012) land availability and land demand for low income housing has been addressed to an extent in the Housing Unit's Strategic Housing Framework. According to the Housing Unit (eThekweni, 2012) the main challenges for acquiring

COMBINED BASIC SERVICE BACKLOGS SUMMARY

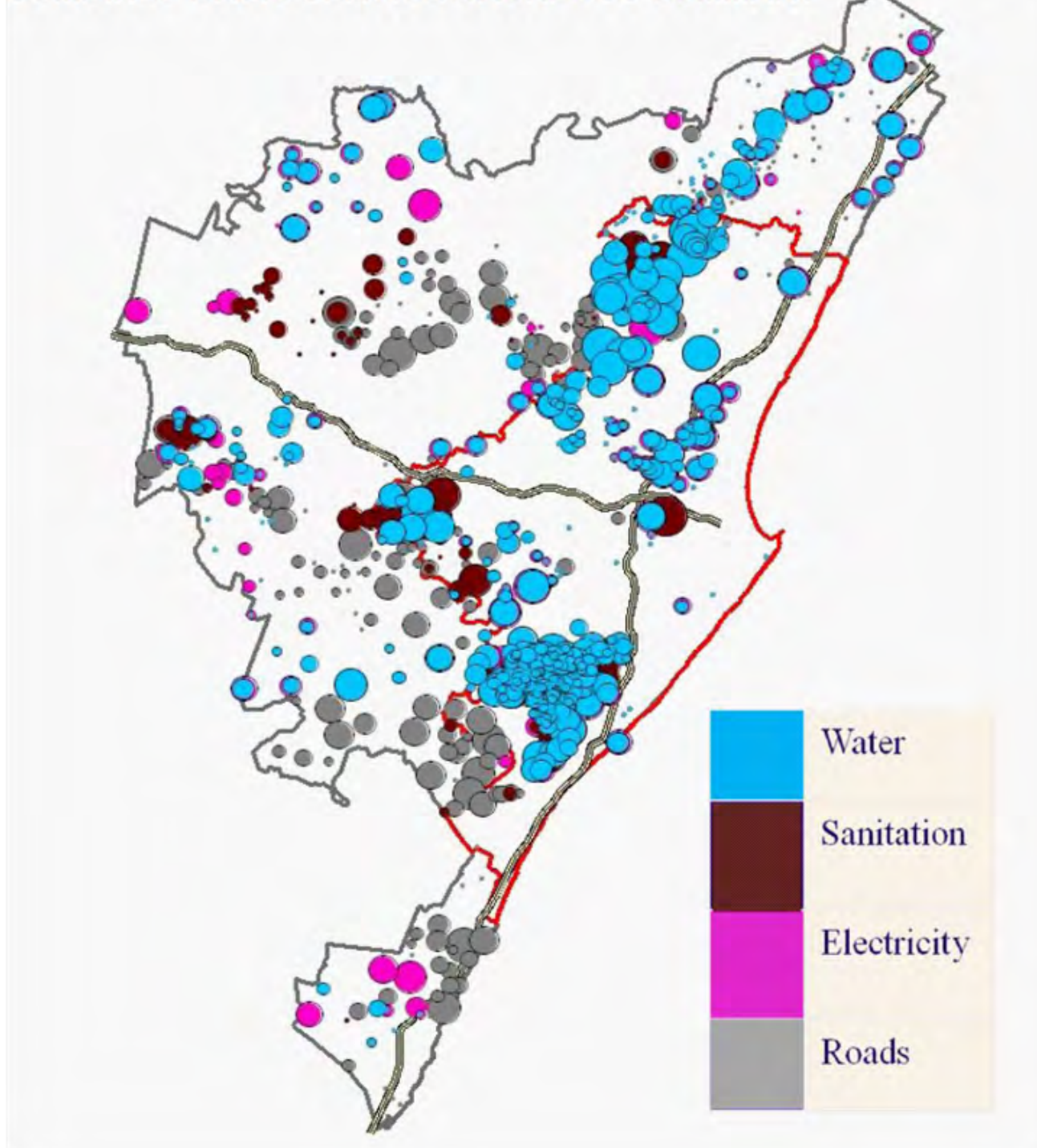


Figure 3: Informal settlements in eThekweni and their density (Source: eThekweni, 2012)

land are poor geo-technical conditions, high land values, competing land uses, environmental restrictions, land claims, conflicting interests especially with adjoining communities and the problem of negotiating land acquisition when there is mixed land ownership. The shift away from individual subsidies to funding that supports the upgrading of an entire area has removed the issue of the capping of finance available to purchase land but budgets and programmes for land acquisition have not as yet been established (eThekweni, 2012). Municipal land is often used for housing but well located municipal land is competed for by a wide range of uses and hence is not often allocated to housing. In most cases the acquisition of land is extremely slow unless it bought from the private sector.

In 2011 the Housing Units's Sector Plan was approved by Council which reveals the prioritisation of projects over a planned five year period. However, the delivery targets of housing in the city (13 000 in 2011 and 8500 in 2012) have not been achieved (eThekweni, 2012). Regulatory obstacles, most notably those triggered by Environmental Impact Assessments that delay projects, and town planning requirements for township establishment which often require rezoning, are cited as one of the reasons why housing targets are not being met. The lack of availability of well-located land, due to high cost and competition from other uses, is another obstacle to the delivery of housing. Densification is considered to be critical to the future of the

city but this implies that construction costs of top structures will be higher and also there are negative perceptions around a new form of housing that does not include a single house on a single plot. The problem of both the provision of bulk and local infrastructure restricts housing development. Previously housing was developed on the periphery without adequate consideration being given to the cost of providing bulk and local infrastructure in these areas. However, the infrastructure backlogs that were created from developing outside the urban edge (UDL) have led to a shift in policy towards focusing development around what is possible and efficient, in terms of housing and services, within and outside of the urban edge. According to the SDF 2012/2013 (eThekweni, 2012) development beyond the 'infrastructure/services edge' is outstripping current infrastructure capacity budgets, causing delays and inappropriate development.

Figure 3 reveals the spatial pattern of service backlogs in the city. This map shows how the highest levels of service backlogs occur along the urban edge or the urban development line, which overlaps with the location of informal settlements. The lack of services in the periphery, is also evident. The periphery is characterised as consisting of rural areas and hence these areas fall under the rural services programme. They therefore receive different levels of services to those located in the urban core.

6

Methodology

6.1 The Selection of Settlement Cases

In the first stage of the project we identified the northern region of the eThekweni Municipality as the main case study area for the Chance2Sustain Research. We then focused on finding a range of settlements that would reflect the different housing typologies in Durban and South Africa. We had decided to work in WardA⁹⁰, 8,58, 59 and Ward 62 and as these wards contained a mix of housing types. Wards 58, 59 and 62 are located in close proximity to the new DubeTradeport and Cornubia, which are the two mega-projects selected for the Chance2Sustain research. However, as the research progressed and we explored the linkages between the work packages we decided to extend our research area to include two

settlements from Ward A and Ward 8 in the Outer West of the city.

The Cornubia development, which is a national Presidential lead housing project was selected as the first strategic case study as it enabled us to investigate the relations between the different actors in the city around housing projects. It was also a good point of departure as Cornubia is both a housing project and a 'mega-project', being developed through a public-private partnership with national government support. The N2 Gateway project which is the focus of the Cape Town case study for work package three is also managed by the Housing Development Agency (HAD) and is a multi-government, mega-project.

A range of informal settlements, RDP housing projects and peri-urban settlements have been chosen for more detailed research as they represent the different types of sub-standard settlements in eThekweni. Ocean Drive In is a

90 This Ward is not identified as the data collected in this ward is sensitive.

well-established informal settlement with a long history that is due to be relocated to a formal housing project Hammonds Farm, Magwaveni contains a mix of RDP or low cost houses and informal settlements, Russia in Ngcolosi is a peri-urban settlement and the community in the Outer West contains a mix of RDP and peri-urban housing.

The informal settlement of Ocean Drive In was identified through a newspaper article that had been written by a community member on the plight of people living in the settlement and it has become the main settlement case study for WP3 as it reflects so many of the questions being asked in Chance2Sustain. The second settlement that was chosen was Magwaveni in Hambanathi. Magwaveni has a mix of both RDP and informal housing and is located adjacent to the old established township of Hambanathi. A meeting was held with the Voluntary Community Members (VCM) committee of Ward 62 and they suggested that we focus on Magwaveni because of its development needs⁹¹. Russia in Ngcolosi was selected as a result of the relationships we have with community members and because it contains different types of water provision systems. The final settlement in the Outer West was selected as a result of our previous knowledge of this area.

The selection of these settlements took in to account the spatial organisation of the city which reflects its apartheid legacy, most notably the close proximity of the homeland of KwaZulu to the city of Durban, and the spatial restructuring of the city through the Municipal Systems Act (2000). This has resulted in the development of an urban core and a less developed urban and peri-urban periphery with new nodal development, such as the DubeTradeport, occurring in this less developed space. The choice of settlements reflect the different housing typologies, the trajectory of housing policy in South Africa post 1994, and the way in which the spatial geography is used as a rationale for differential service provision. It also enables us to explore the issue of informal settlement in-situ upgrades and the relocation of informal settlements to formal subsidised housing and the ongoing issue of sub-standard infrastructure and service provision.

Furthermore, the linkages with other Chance2Sustain research areas were considered. Ocean Drive In has been impacted in both positive and negative ways by the development of DubeTradeport. It is a settlement that has never been mapped and hence a process to develop and capture the spatial knowledge in the settlement was

established which resulted in the first map of the settlement being produced. All the settlements reflect the extent to which ordinary citizens can engage with the state through different ways of mobilising or interacting with the state. They all provide insight in to the way in which the water policies of the Water and Sanitation Unit are played out in local spaces and they reveal the vulnerability of people in relation to water and sanitation issues.

The conceptual and methodological framework to address issues of sub-standard settlements (Braathen et al., 2011) was used to guide the collection of data on each settlement and to form a settlement profile. This data was collected by Catherine Sutherland, Sibongile Buthelezi, Silas Njoya, Dianne Scott and Fatima Moolla using both primary and secondary research from April 2012 to October 2012⁹². This data was supplemented by data collected by Laura Stoorvogel, Kim Geesink, Claudia Meyer, and Bonang Lewis all from the University of Amsterdam. The location of the settlements is shown in Annex 1.

6.2 Methods Applied to Collect Data

The guidelines provided in the conceptual and methodological framework (Braathen et al., 2011) were used to guide the research, however these guidelines were adapted to take into account each specific context. Interviews with officials and councillors from the Municipality have provided both qualitative and quantitative data for the study. A review and analysis of city presentations and reports as well as the ward data for the city have provided the context for these studies.

Research in RDP, informal and peri-urban settlements in South Africa has to be undertaken with the permission of the ward committee and the ward councillor or other recognised community representatives. Trust also needs to be established with communities before they will engage with researchers about their lives and their living conditions. A range of approaches were adopted in securing access to the various settlements. In Ocean Drive In we contacted the councillor once we had seen the newspaper article about the settlement. The councillor directed us to members of the ward committee who met with us in March 2012. We explained the EU project to the committee and asked them to present our ideas to their community and to ask their permission for us to work in Ocean Drive In. We returned to the community two weeks later in April 2012 and were granted permission to start conducting research. In May

91 Research on Magwaveni is still underway and it will form the focus of Bonang Lewis's research for her Masters which is to be undertaken between October 2012 and February 2013..

92 The data collection process is ongoing in all settlements.

2012 we visited the community with members of the EU project from the University of Amsterdam, as part of the country workshop. This meeting provided further support for the project.

The research is being conducted at a politically sensitive time in the community as the Ocean Drive In residents have been told over the past two years that they will be moved to Hammond Farms, a low cost housing project about 30 km's inland from the current site of the settlement. In April the Municipality had visited the settlement to check and record the housing numbers, which are painted on the doors of the houses and which give people rights to the housing list, and in this case a formal home in Hammonds Farm. In July 2012 the independent group in the settlement organised a protest around the allocation of houses in Hammonds Farm to people other than those living in Ocean Drive In at the same time that we started our community mapping work. The day after the protest community members began to cover their house numbers with blankets to prevent us from doing the community mapping. We were then called to a community meeting with the councillor on Sunday 8 July 2012 to explain to the community what we were doing and to once again get their support for our project. The councillor was present at this meeting and after explaining the purpose of our work we were given permission to continue with our research.

In Russia and the other settlement in the Outer West, we have worked with community members with whom we have a relationship and in the more detailed research that follows we will discuss our research with the ward committee. Permission to conduct pilot research in Magwaveni has been given by the VCM and the personal assistant to the Councillor. Once more detailed research is undertaken in November 2012 contact will be made with the ward committee.

Focus groups, semi-structured interviews and surveys were conducted in the different settlements. The residents interviewed in each settlement were selected from different age groups and from different occupational groups. Focus groups were held separately for men and women and in Ocean Drive In the initial maps were produced by groups that contained either men or women. Focus groups were conducted in isiZulu and the surveys were done in isiZulu and translated in to English. Interviews were conducted in both isiZulu and English.

A wide range of research methods were used in Ocean Drive In. A series of four focus groups (6 members in each group) were conducted with community members and two surveys were completed in the settlement: one on water governance and the other on e-governance with 30 randomly selected community members for each survey. A community map has been produced for the Ocean Drive In settlement using GIS and this has formed part of the action research undertaken. Informal interviews and engagements with the community, as well as meetings around the research and the production of the maps, have provided valuable data on the settlement. Follow-up visits in the settlements, attending of public meetings, press reviews and the collection of various secondary data and reports, including an examination of official documents provided additional data.

Focus groups and interviews as well as the e-governance and water survey have been undertaken in the Outer West. This research was undertaken by Cathy Sutherland, Sibongile Buthelezi. Laura Stoorvogel, Kim Geesink, Bonang Lewis and Claudia Meyer's Master research formed part of the data collected even though these interviews did not always follow the common guidelines.

PART II THE SETTLEMENT CASES

7

Settlement Case 1: Cornubia: A Large Scale Housing Investment in the North

This case study was presented at the EADI Conference in York, 2011 and hence the abstract is presented here as a reflection of the research that was undertaken on this large scale development, that is one of the Presidential lead projects for large scale housing delivery (see Annex 1). The full paper is available on the Chance2Sustain website: Sutherland, C, Sim, V, Scott, D and Robbins, G (2011) The urban politics of a large scale housing investment: The case of the Cornubia housing project in Durban, South Africa, EADI Conference, York, 2011.

Abstract

Large scale housing investments, which reflect both megaprojects and the need to address sub-standard housing in South African cities, emerged as a new approach in the 'Building New Ground' Plan which was launched in 2004 to address housing backlogs in South Africa. Two large scale housing projects, N2 Gateway in Cape Town (City of Cape Town) and Cornubia in Durban (eThekweni Municipality) were identified as lead projects for this new approach to housing the 'poor'. This paper focuses on the politics and history of the Cornubia housing project in Durban. It adopts the theoretical ideas developed by Henri Lefebvre and others on territory and the spatial articulations of state power (Brenner, 2004; Elden, 2004; Brenner and Elden, 2009) as a framework to explore the discourses and knowledge produced by different actors, who have shaped the Cornubia project, and hence have produced space. This framework is extended in this paper to reveal not only the power of the state over space, but also that of the private sector, consultants and civil society. The paper reflects on how shifts in space and time have resulted in divisions and entanglements between the different actors and their interests, as they have attempted to dominate territory as a means of shaping the future of the city.

The Cornubia land holdings are 7km south of the new King Shaka International Airport. The area is of a considerable size and was originally owned by the Tongaat Hulett Group as part of its extensive sugar cane lands in the northern area of eThekweni. Moreland Developments (the developmental arm of the sugar giant) initially conceptualised a mixed use development for the site in 2004, when it 'identified the potential to release a vast portion of sugar cane land for urban development'. Intensive negotiations with the eThekweni Municipality ensued, with the Municipality determined to ensure a mix of residential opportunities across the income spectrum. The negotiations entered the political arena in November 2005 when the eThekweni Mayor, Obed Mlaba, councillors and officials met on the site to 'unveil' the plans for an integrated mixed income community of 15 000 to 20 000 families housed in homes ranging from R50 000 to R500 000 in value (The Mercury, 2005). The development was touted by the municipal Housing Department Head and Moreland Developments as being strategically positioned to contribute to the consolidation and integration of the area, and to include commercial, light industrial and social facilities in addition to housing. The plan aligned with the National Housing Minister's requirement introduced in 2004 that all new developments include 20% low-cost housing (Sunday Tribune, 2005). The Mayor stated that the plans presented a way to address the housing backlog and support integrated urban development in the north development corridor. The development of the King Shaka airport and the focus on development in the northern corridor of the city has added a new dimension to the development of Cornubia. This paper reflects on the discourses of different actors and the knowledge they produce to reveal the politics of this large scale housing project as it has been conceptualized and shaped over space and time.

8

Settlement Case 2: Ocean Drive In: An Informal Settlement

Settlement Profile

a. Location

Ocean Drive In is located in Ward 58 in the northern zone of Durban (see Annex 1). It is situated in close proximity to the new DubeTradeport. The settlement is located on agricultural land within an area of sugar cane on a steep slope. Prior to the development of the new airport within the DubeTradeport, the land occupied by Ocean Drive In was an 'ordinary piece' of land with limited demand. However, as a result of its close proximity to DubeTradeport, its perceived value has increased significantly. According to community members, the Ocean Drive In community will be moved to Hammonds Farm, a low cost housing project, as a result of the land being sold for development associated with DubeTradeport. The community benefits from DubeTradeport as people from the community work at the airport, albeit that most of this work is insecure contract work, but they are significantly impacted by the noise of the planes that fly directly overhead. Many people fear that their houses will fall down as the aeroplanes do cause the houses to shake at certain times.

The settlement is divided into four sections, with section A being located on relatively flat land but the rest of the sections being located on a steep slope (Section B) or at the base of the slope (Section C). Section D comprises the houses on the top of the slope that were the old 'Indian houses' and the shacks that were built around them. Ocean Drive In is positioned between the M4 freeway and the N2 national road and is less than 3 km from the coast. The residents value its proximity to the coast as they enjoy fishing, walking on the beach and swimming. It is therefore located in the prime coastal development corridor of the north zone of the city. It is well connected to the city as it is on a prime transport route serviced by mini-bus taxis. However being located near the new airport, it is approximately 42 km from the CBD of Durban. The area surrounding the settlement contains a mix of land uses including agricultural land (sugar cane), small coastal settlements such as Westbrook and Tongaat Beach, residential housing for low middle and high income groups, DubeTradeport and its newly established industrial zones, and the town of Tongaat (see Annex 1). The land is owned by a private land owner who lives outside of South Africa.

b. Origin of the Settlement and Present Population

Ocean Drive In has been in existence since at least 1972. In 1976 there were between 20 and 30 people living in the settlement. The settlement was initially developed by a man who belonged to the IFP. He and his family were killed when their house was burned as a result of political violence in 1985. He sold sites to people for R25 and had advertised that there was land available on a small poster on the road. In 1981 the settlement was still very small. The larger settlement developed in 1987 which makes it at least 25 years old. One 56 year old man that participated in the focus groups stated that he had lived his entire life in the settlement. The site is called Ocean Drive In as it developed on an old movie drive-in site and hence has some formal buildings within which people currently live. There are also a few formal houses on the ridge that form part of the settlement. These are known as the 'Indian houses'. At the time of the development of the settlement the site consisted of a few Indian homes with market gardens. It was surrounded by sugar cane fields which provided employment to some of the Indian residents, the other residents there had market gardens. According to the residents of Ocean Drive In, the settlement was developed when African workers in the market gardens and on the sugar cane fields began to live in and adjacent to what they called the 'Indian houses'. Some of the Indian residents left the area when African people began to build shacks around their houses. In the late 1980s the Indian market gardeners were chased away from this area during the political struggles and violence and African residents took over the area. The settlement is now home to approximately 1452 residents and contains 710 structures, 696 of which are informal houses.

The oldest residents of Ocean Drive In bought their land from an IFP headman who had established the settlement. Some of the residents 'took' houses and land from the Indian residents, by chasing them out, during the political violence of the late 1980s. The area had been an IFP stronghold and sites were obtained from the headman of the settlement for R25, a bottle of whiskey and a case of beer. In 1985 the leader of the settlement, his wife and his three year old child were burned in their home as a political attack against the IFP, and the ANC then took control of the settlement. However, the IFP ANC conflict continued. More recently residents have bought their houses from other

people in the settlement or they have been passed on to them by their families. Many of the people in the settlement rent their houses. Most people have lived in the settlement for over ten years. The settlement is home to African people and there are no other race groups represented in this community. There are a large number of Xhosa residents in the settlement, approximately 90%, who have moved to Durban from the Eastern Cape, or were working on the Tongaat-Hulett estate in the 1980s⁹³, and they make up the majority of the residents of the settlement. The settlement is controlled by the ANC but there residents who belong to other political parties (approximately 10%). The Councillor of the settlement is from the ANC and the ward committee is an ANC ward committee (Ward 58). The DA councillor in the area is a representative councillor and he actively engages with members of the Ocean Drive In community.

There have been many violent struggles over control of the settlement since its establishment. These struggles have been between the IFP and ANC, and between men who have exercised power over the settlement and factions within the community that have resisted this form of violent control. IFP ANC conflicts in the settlement began in 1985 and then re-emerged in 1999-2003 and again in 2006-2007, with some of these struggles being focused on Xhosa residents being chased out of the settlement. In 2007 Ocean Drive In was considered a very dangerous place to live, with people in the community obeying a 6 pm self-imposed curfew. The leaders of this conflict were neutralised in 2007 and since then there has been relative stability in the settlement. The political conflict in the settlement has left deep scars and pain in the psyche of its residents.

The community in Ocean Drive In faces many of the same challenges as informal settlers in the rest of Durban. Residents live in poor housing due to the 'temporary' nature of the settlement as a result of its pending relocation to Hammonds Farm. The settlement has five water points, four provided by the Municipality and one that the community installed themselves by paying a plumber to connect a tap point in the settlement. There is no electricity in the settlement and sanitation is provided by pit latrines, many of which are no longer functional. The numbered pit latrines were installed by the Municipality in 2002. Many residents go to the toilet in the surrounding cane fields which in many areas lies above the settlement. In this way the environment is currently managing the sanitation problem of the settlement, however this does represent a health risk and women and children cannot go in to the cane fields at night. The pathways that connect the different areas of the settlement increase vulnerability as they fill up with

wastewater, sewage and rainwater and cause flooding in houses. They become un-navigable and unhealthy routeways, particularly after the rain. The houses in section C that are at the base of the slope experience the most difficult conditions as they are flooded by the water and waste that moves down the slope. This is also the most crowded section. Houses have collapsed in this section and in other sections as a result of the damage caused by flooding.

Unemployment in the settlement is high, however people work in the surrounding coastal area and hence their work is in close proximity to where they live. Many residents in the informal settlement rely on income from lodgers who pay rent to supplement their income. Lodgers pay approximately R120 rent per month for a one room shack attached to the main house. The income of residents in the settlement is low. More detailed research on income patterns in the settlement will be conducted in 2013 now that trust has been established in the settlement.

There are high levels of illness and mortality in the settlement which is caused by TB and the HIV/Aids pandemic. Fire is also a serious problem in the settlement and has led to the death of one community member during the period of this research.

c. Housing

Ocean Drive In is an informal settlement located on land belonging to a private landowner. The community were told for many years by the Housing Unit of the Municipality that they will be moving to a formal housing project Hammonds Farm. However the community has had numerous promises made to them about when they will move, including two dates during the past year and they had begun to doubt that they would move. The reason given to the sub-ward committee about the delay in the move was that the Municipality was waiting for water meters to be installed before the move could take place. In 2010 residents in Ocean Drive In were allocated house numbers by the Allocations Unit of Informal Settlement Management. This means that they are registered with the Housing Unit of the Municipality and have rights to a new formal house in Hammonds Farm. There are 1800 units in Hammonds Farm and all the residents of Ocean Drive In will move to this settlement. Not all the residents of Ocean Drive In are registered as some did not want to register as they do not want to move, some do not register as they did not believe that the move would take place and so they did not want to waste money going to register and some residents' houses were not numbered as a result of an error in the numbering system process. The community will move as a whole even though some residents are very willing to

93 Originally workers on the sugar cane fields of Tongaat-Hulett lived on the estate in labourer's housing.

move, while others are unsure and have reservations about the move. The first phase of the move will include 279 households. For those that have lived in Ocean Drive In for over twenty years, the promise of a formal house is appealing, however they are also concerned about leaving a place that is so familiar and which has become home.

The real challenge at Ocean Drive In at present is the transitory nature of the settlement due to the impending move. Residents have not been significantly upgrading their houses or the spaces they use as they expect to move. The Municipality has not added any services to the settlement as these would be considered to be a waste of resources given the future of the settlement. The Municipality's Protection Services, under Informal Settlement Management, demolishes any shacks that are built in the settlement as soon as they appear. The community understand that no new shacks will be tolerated in the settlement and make this very clear in all interviews. In one case a resident was re-building his house after a storm and his house was demolished by the Municipality as it was deemed that he was erecting a new shack. In other cases residents that tried to move from Section C to Section A had their new shacks demolished, even though they were members of the community. The erection of any new shacks in the area is closely monitored and controlled.

The settlement has an open space adjacent to the community hall which is made of corrugated iron, which is also next to one of the main taps. Ocean Drive In has five churches which play an important role in the community, and a crèche. There is enough space in section A and D for community members to have a yard, which increases their living space, but these yards are much smaller and disappear in some cases in the crowded sections of section B and C.

The settlement is impacted upon by the airport as it is in the direct flight path. The aeroplanes fly very low over Ocean Drive In and residents reported that noise studies were conducted in their settlement and the 'white' people had told them that their children would go deaf from the noise of the aeroplanes. The noise is very bad and in meetings and interviews we have held in the settlement we have had to stop talking to allow the planes to pass over. People are also very concerned that the shaking caused by the planes will cause the houses to fall down. The men in the focus group were particularly concerned as they stated that they would not be able to protect their women and children from the impact of the planes especially if they crashed. The impact of the noise of the planes is particularly bad at night, especially when the cargo planes fly over.

Residents have also indicated that since the airport has been developed rental of housing in the area has increased

significantly. Prior to the development of DubeTradeport rentals were R50 and now they are R150 to R200. They also state that food prices have increased as a result of the airport. Many of the residents have reported that the reason they will have to move away from Ocean Drive In is because of the development of the new airport.

By October 2012 many of the residents had begun to doubt that they would be moving to Hammonds Farm as a result of all the broken promises and the lack of contact they have with the Housing Unit. The Housing Unit had indicated that the move would take place within six weeks of the 15 September and by the end of October the residents were still in Ocean Drive In when the community map and GIS map (see work package four) was presented to them on 28 October 2012. Residents had also been promised that they would move in April and then again by 7 July 2012. On the 8 July 2012 the independent group organised a protest on main road adjacent to the settlement to show their discontent at not having been moved. On 4 November the community were called to a meeting and were informed that the move would begin on 7 November, 2012. On the 7th of November, 15 residents packed up their belongings and moved to Hammonds Farm. This was the start of the relocation. As people packed up and moved out of their houses their shacks were raised to the ground by officials from the Municipality. The research team has followed the first two weeks of the move and a great deal has been learnt from this process. However, this cannot be included in this research report as this very important event took place as this report was being produced.

d. Infrastructure & Services

The main road in to the settlement is in relatively good condition. However inside the settlement the narrow pathways that connect the houses and the sections are in bad condition. Residents have installed their own drain pipes along these paths to divert water from their houses but these do not all connect up and they end up diverting water from one house, only to increase the flow in to another house that has not installed their own system of managing water. This causes considerable conflict in the settlement. There is no electricity in the settlement and there are five tap points, four of which have been provided by the Municipality and one which have been installed by the community (see work package 4). People do not complain about access to water although they say after peak use the flow of the water from the taps is often reduced to a trickle. However, they do find it difficult to walk with their water buckets to their homes and they also have stated that there are long queues in the morning to get water. The community has pit latrines many of which

are not functional with most members of the community using the surrounding sugar cane land as a toilet.

Waste is removed from the settlement by a private contractor but many residents do not place their waste in bags and bring it up to Section A for it to be collected. Residents are also concerned as the contractor does not take the waste to the landfill but rather takes it to the top of the slope above Section D and burns it and the smoke regularly blows back over the settlement. Tyres are also frequently burnt by an outside person who dumps them above the settlement and this toxic smoke blows over the settlement. The settlement has a serious waste problem with piles of waste being found in close proximity to most houses. Some community members suggest that this problem is caused by other community members that do not care about waste and its impacts in the settlement. One community member organises clean ups but he has indicated that no sooner as he has cleaned up and the waste re-appears.

Health care facilities in the settlement are provided by a mobile clinic and community health care workers, that live in the settlement and that have been appointed by the social development unit of the Municipality to take care of the very ill, especially those affected by HIV/Aids and TB. There is no government school in the settlement with primary and secondary government schools being located in the adjoining formal areas

e. Identification and Description of the Relevant Actors

Different actors have shaped Ocean Drive In informal settlement over the period of its development, as well as the community's response to the relocation to Hammonds Farm. Currently the sub-ward committee of the ANC Ward Committee for Ward 58 is the dominant community organisation in the settlement. The sub-ward committee reports to the Councillor who has also played a main role in the settlement although he is based in Waterloo low cost housing project. The sub-ward committee has six members and it consists of both male and female members. All members of the committee were selected by the councillor. The community has a committee called the Illegal Court or Policing Forum which resolves disputes in the community and this is headed by a man who holds a high status in the community. He appears to play a similar role to the induna in peri-urban communities, although his position of authority is not obtained in the same way. He resolves conflicts, deals with policing matters, provides people with support at times of disaster and distributes food parcels etc that arrive in the community.

There is also an independent committee that has emerged in the settlement but the action of this committee is quickly curtailed by the councillor as this committee is not aligned with the ANC. Churches play a very important role in the community. There is a Community Health Based Care Committee in the community which is made up of state sponsored care givers who help those that are ill and support them in taking their treatment for HIV/Aids. The Councillor's office in Waterloo provides many of the formal documents that Ocean Drive In residents require such as letters to prove they live in the area for employment, letters that provide them with permission to fix up their houses, support after a disaster such as a fire and

There are no NGOs that operate in the community and ABM is not welcome in the community. The organisation did pay a visit to the settlement in 2009 but the councillor and other community members indicated that ABM would divide the community and hence they were not allowed to continue with their engagement in the community. Some residents have indicated that they would like to talk to members of ABM as they may have good ideas about how to solve problems in informal settlements. Residents of Ocean Drive In meet with residents from the other five informal settlements that are located along the coastal belt in close proximity to them, namely Sea Tide, La Mercy, Lungelani, Shayamoyo and Pholani, and they do have joint meetings with the Councillor around issues such as why there are no jobs given to people that live in informal settlements in their area. Many people believe that the councillors control access to employment. The residents from the settlements and their committees work jointly to try and challenge the government. This network of informal settlements appears to be important in terms of challenges made on the state in seeking solutions to problems.

Crawford High School which is a private school on the upper boundary of Ocean Drive In donates food and clothing to the community and there are churches from the surrounding area that bring food in to the community on a regular basis. The churches and other charity groups contact the head of the policing committee, who is considered to be the induna of the settlement, when they want to distribute food parcels and clothing, as well as medicines.

The Housing Unit is responsible for the relocation of the community to Hammonds Farm and they have followed the processes as set out in the Informal Settlement Programme of the Municipality. The Water and Sanitation Unit has installed the taps and monitors the water situation in the community. Waste management in the Municipality removes the waste through a sub-contractor.

f. Critical Issues and Social Mobilisation

Ocean Drive In was established through a violent struggle for land. The critical struggles in the settlement post 1980 were focused on access to services. In the early 1990s a group of 11 people went to the Municipality in Tongaat to demand access to water. Previously the community had managed to access water through the connections they made to the formal water points on the land around the Indian houses and had also extended the use of electricity. According to one resident they were stealing the services, but then in 1994 when free water became available the community agreed to stop 'stealing water'. As a result of the group of 11 women going to Tongaat taps were installed in the community. However, this protest which was led by members of the ANC was curtailed by the IFP at the time. Ward 58 was an IFP ward and this Councillor attempted to prevent the Municipality installing taps in the area. More recently the illegal electrical connections were removed and access to water in the settlement was improved through the provision of water points by the Water and Sanitation Unit.

The most critical issue facing the settlement is the re-location of the community to Hammonds Farm. The community has been waiting to move since 2010 and there was still uncertainty about the move until the end of October 2012. Residents of Ocean Drive In are very concerned that their houses will be given to someone else from another area, as this happens frequently in housing allocations in South Africa. There have been two major protests in the community since 2010 and a number of protests that the community called 'strikes'. In the case of the major protests both have involved residents blockading the Watson Highway that runs adjacent to the settlement. Burning tyres and toyi-toying have drawn attention to the protests.

In the beginning of the year there was a strike where community members from all the informal settlements marched to the airport to protest against the lack of jobs for local people, but they were stopped by the airport police. In March 2012 there was a 'strike' where community members walked to the Councillor's offices in Waterloo to protest about the allocation of houses and the delay in the move. When there are protests around employment, residents from all the communities march together. When there are particular housing protests within settlements, community members from other settlements join in to offer support.

The major protest on 8 July 2012 was quickly stopped by the Councillor and the police, as it had been organised by the independent committee, a separate political

organisation in the community. Even though it had been organised by the Independent Committee members of the ANC and the DA also participated in the protest. The Councillor organised for a taxi to take a group of residents to Hammonds Farm to see the houses that had been built and to show them that there was no one living in them. The following Sunday the Councillor held a meeting to explain the situation to the community. There was a very strong ANC presence in the meeting. ANC membership cards were checked during the meeting. The meeting was a formal meeting that opened in prayer. The Councillor explained why there were delays in moving to Hammonds Farm but guaranteed that the houses for residents of Ocean Drive In had not been taken by anyone.

Subsequent to this protest the community has continued to wait for the decision that they are to be moved to Hammonds Farm. They have requested information from the ward committee but they have not mobilised again to challenge the delay in the move. The spaces of consultation on the community are 'invited' spaces. Many community members use the opportunity of our meetings, interviews and informal discussions to raise the issue of the move, but they merely discuss this with us and amongst themselves. There is a strong sense that they must just wait, but they are concerned about the impacts the lack of moving is having on the community. These spaces take the form of 'invented spaces' of engagement as community members use different opportunities in the day to day lives to discuss their concerns. They accept that they have to work through their sub-ward committee to have their issues raised with the Councillor and the Councillor is held responsible and considered to hold the power. They have very little direct engagement with the Municipality as municipal officials only ever discuss matters with the ward committee when they come to the settlement. This reinforces the perception that has been found elsewhere that councillors are responsible for and hold the key to development and jobs. Councillors are not responsible, the Municipality is, but this perception has been created and councillors reinforce it as it gives them power.

Many residents in Ocean Drive stated that they do not protest as they are scared of the police and the tear gas. Many residents stated that it is better to talk than to organise protests and become violent. Others indicated that they have to work through the ward committee and hence they do not protest unless the ward committee organises a protest. Residents also felt that it was very hard to challenge the ANC and hence they did not organise protests, they rather just accepted their situation as they felt there is very little they can do to change it given the power base of the ANC. They also stated that if they raised issues with the Councillor and he did not respond there was

nothing they could do. Community members also indicated that the community is divided politically and hence collective action is difficult to organise. Engagement with informal settlers from the other settlements in the area appears to unite people around common issues and interests and then political issues seem to be less apparent.

Residents commented that they valued having the opportunity to discuss community matters in the research focus groups as they indicated that they were seldom given the opportunity to debate their future. The community mapping exercise which is presented in work package four (see Annex 4) has also been important to the community. Residents of Ocean Drive In have told us that there are

many instances where the councillor or city officials remind them that they are 'not on the map', and therefore 'they do not exist'. One person said that she could not believe that they had put a local government elections polling station in Ocean Drive In when they were always told that 'they did not exist, they are not on the map'. She stated that 'if we exist enough to have a polling station to get ANC votes' then we have a right to be acknowledged in the city. The community have responded very positively to the community based GIS map as they and their house numbers are now on the 'map'. The Housing Unit has indicated that Ocean Drive In does it exist at a broad scale on 'the map', however, they do not have a detailed map of the settlement.

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Settlement Case 3: Magwaveni: Formal and Informal Housing Settlement in the North

Magwaveni settlement contains both formal RDP housing and informal housing in an area adjacent to Hambanathi township (see Annex 1). The Voluntary Community Members indicated that the research for Chance2Sustain in Ward 62 should be conducted in Magwaveni, as it contains all the issues in sub-standard housing in one area. Community members report their concerns to the Councillor's office in Tongaat, where a list of all those in informal housing is kept. The process of reporting concerns is very similar to Ocean Drive In, however, the community in this area benefit from the presence and support of the efficient administrator of the Councillor's office. Community members in Magwaveni are also not allowed to add on to their houses or fix them unless they have a letter from the ward committee and the

councillor. All new shacks are demolished. Protection Services, which falls under Informal Settlements Management within the Municipality is responsible for removing the shacks. They have monitoring officers who regularly visit and monitor the sites (Buthelezi, perscomm, 22/11/2012). The list of informal houses is a written list in the Councillor's office and all decisions relating to the sale or upgrading of shacks is recorded on and managed through information on this list.

Research in Magwaveni is still to be undertaken by Bonang Lewis, a Masters student from University of Amsterdam that is doing her research in South Africa from October 2012 to February 2013.

Settlement Case 4: Russia, Ngcolosi: Peri-urban Housing in the Outer West

Settlement Profile

a. Location

The rural areas of the eThekweni Municipality play a significant role in the future planning of housing and services in the city. The majority of the rural areas are located in the north-west and the south-west of the city. These areas have a distinct geo-spatial form which includes a hilly and steep terrain and dispersed settlement patterns on communal land under the Ingonyama Trust, with traditional dwellings (eThekweni, 2012). Almost 50% of the Outer West is controlled by traditional authorities and it also contains large areas of the protected metropolitan open space system which is critical to the environmental functioning of the city. Russia, a small peri-urban settlement within Ngcolosi, provides insight into the quality of life of residents in rural, peri-urban settlements (see Annex 1). Current thinking suggests that people living in peri-urban settlements that are in close proximity to the urban core are better off than those living in informal settlements and perhaps even RDP housing developments. This is because they have more space around their homesteads which offers many benefits, such as space for the environment to manage service related problems, to garden and to add on as families expand. However, many of these areas have rapidly begun to densify and this is evident in images taken of these areas in 2007 and 2011 (see Annex 2). Russia, is a small peri-urban settlement, within the larger rural settlement of Ngcolosi, on the slopes of the hilly rural area of the Outer West. It is located 15 kilometres from the centre of Hillcrest above the Inanda Dam.

b. Origin of the Settlement and Present Population

Ngcolosi and Russia developed as rural areas during the apartheid era. These areas all fell within the homeland of KwaZulu and contained more dense rural settlement as African people tried to move as close as possible to the white urban area of Durban. People in these communities were not allowed to live in the city as a result of the Group Areas Act (1950) and yet they worked in and obtained other resources and services from the city. According to the 2001 Census, Ngcolosi has a population of 20 166 with a density of 421.02 people per km². There are 3 944 households in

the area with a density of 82.34 per km². The area has more women (53.05%) than men (46.97%) which reflects that there are a high number of female headed households in the area. The population in the area is African with the majority being Zulu (98.48%).

c. Housing, Infrastructure and Services

The housing in Russia consists of traditional homesteads, or umuzi. People live together in extended family groups and with houses being built around the main homestead. Houses vary from traditional houses to formal brick houses. Residents in Russia have access to electricity, phone lines, water (full water provision. 8x25l a day grey tanks and restricted flow meters) and sanitation services in the form of pit latrines and urine diversion toilets which they call gobiqolo⁹⁴. The urine diversion toilets were put in to the settlement in 2004. However, most people do not use these toilets and have chosen to build their own pit latrines, which they move when they are full. They state that it is too hard to follow all the rules that are required to use the urine diversion toilets properly and they do not like disposing of the solid faecal matter from the back of the toilet. Many people reserve the use of these toilets for special visitors. Waste is removed from the area.

Many of the roads in the area are sand roads and the topography is steep and so access to the houses down small narrow roads that provide access to a few houses, usually at the end of a cul-de-sac, is very difficult during and after rain. However, the main road was upgraded in the mid 2000s and this had been of great benefit to the community as it meant that taxis could travel much closer to people's houses. Taxis service the area but they do not venture down the narrow side roads and so people need to walk to the main roads for transport. This is problematic when ambulances or other forms of transport need to access the houses when people become very ill.

94 The Urine Diversion toilets are known as gobiqolo, which means crouching, because of the body shape made by the men that came from the Municipality to dig the holes for the toilets.

d. Identification and Description of the Relevant Actors

The main actors in the area are the Traditional authority including the inkosi and the indunas. The Councillor in the area appears to be less dominant than in other areas and community members indicated that they seldom meet with the councillor as he does not help them. If they have meetings to discuss community issues then the Councillor turns it in to a political meeting. One resident indicated that she no longer goes to community meetings as all they do there is discuss politics. Community members are not aware of who the ward committee is but they know there is a group of people that support the Councillor and help him to do his work. They have recently engaged with the councillor over the building of RDP houses in the area. The most vulnerable and unsafe houses will be replaced first.

The municipal officials play a role in the area through the services they offer at the Sizekala Centre and the responses they provide to residents when they phone in to report a service problem. Residents indicated that the Municipality did respond to calls and did fix problems once they were reported.

There are a limited number of community-based organisations in Russia. Most women belong to stokvels but they only discuss their personal problems and money issues that these meetings. They do not discuss community issues. Churches play a significant role in this community and they provide a great deal of support to people across a broad range of issues.

e. Critical Issues and Social Mobilisation

The initial research conducted on housing and social mobilisation in Russia indicates that most residents are satisfied with their level of services and housing in the area. A range of services are provided to residents in this area including water, electricity and waste removal. Pit latrines, which are in some areas managed and cleaned by the city, are the dominant form of sanitation in the area. Urine diversion toilets have been introduced in the peripheral rural areas of the city with mixed response from communities (see work package four). As mentioned above urine diversion toilets were installed in the area in 2004 but people do not use them. Community members indicate that they travel to the Sizekala Centre, the municipal call centre, in Pinetown when they have problems with their services or if they need to deal with matters related to their service bills. They also can obtain letters that serve as a

proof of residence or application forms for a change in services at this centre. They therefore interact directly with the Municipality, which is very different to the residents of informal settlements in the city. Some residents indicate that the Municipality does respond to their service calls, while others say that they report faults but the Municipality does not come to fix these problems.

The roles of the councillor and the induna are clearly defined by the community. They state that the councillor is responsible for development while the induna deals with disputes and the allocation of land. If they wish to build new houses on their land, or sell a piece of their land they hold a meeting with the induna, who discusses all the issues with all those concerned, and then provides permission for a new house to be built. This process is far more participatory and supportive as community members can provide reasons to the induna for why they wish to change the housing on their land. It is far more of a negotiated decision.

Residents indicated that they do not go to the Councillor when they have a problem as he is too busy and hence will not be able to address their problem. They tend to solve problems on their own and have very little interaction with the Councillor or the ward committee. This is very different to the situation in Ocean Drive In. However, in the past few months community members have had a much more positive response to the councillor as they seem him delivering RDP houses and providing jobs for people as a result of the building of houses.

The community recently organised a protest and a march to the Councillor's house over the issue of the allocation of jobs in the RDP housing project. Community members were unhappy about how the jobs were being distributed and said they were only being allocated to friends and family of the councillor. They threw litter and waste at his house in protest and the police arrived to stop the protest. The councillor has since improved the allocation of jobs linked to the RDP housing project to members of the local community. Some community members did not agree with the protest as they felt it undermined the councillor and that people should rather talk than protest. In this case the induna was called in to address the people over the protest.

When asked if life had changed in their community since 1994 residents stated that it had changed a great deal and that they now had water, electricity and roads. They appreciated the increased level of development. Unfortunately this area, which used to be very safe, is now experiencing a crime wave which is partly attributed to the drug problems associated with whoonga, a new township drug.

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Settlement Case 5: Low Cost Housing and Peri-urban Housing on the Periphery of the City: The Outer West

Research has been conducted on this settlement by Laura Stoorvogel from the University of Amsterdam and further research in this area is still being undertaken.

Settlement Profile

a. Location

This settlement is located on the periphery of the city in a region that is defined as being rural. The area has not been identified as a result of the sensitivity of the data collected. This area is rural in character and contains both RDP and traditional housing. It is located near to the industrial area of Hammarsdale and the N3 freeway.

b. Origin of the Settlement and Present Population

The settlement originally formed part of the rural area of the KwaZulu homeland and hence falls under the Ingonyama Trust. The land in this area prior to 1950 formed part of two farms which held little value to 'white farmers' as they were situated close to areas that were occupied by Africans. These farms were therefore sold or leased to African farmers and hence in this area Africans were able to own land. During the 1940s there was considerable industrial expansion in Durban which required a large labour force. African and Indian workers could not live in the city as a result of controls and pass laws and hence they located themselves on the periphery, in for example the rural areas of the present Outer West. By 1950 this area was home to a small number of African residents however this soon changed when racial segregation and the Group Areas Act (1950) were enacted as a result of the new apartheid regime (Kramer, 2007). The rural areas on the edge of the city began to grow as African and Indian people were evicted from within the city, and as new migrants move to the city to find work. These rural areas were not part of 'white' South Africa, but were located within the homeland of KwaZulu. Large areas of the Outer West, as it is currently known, were located within the homeland area and were close to the border industries of Hammarsdale, which had developed in KwaZulu as a result of incentives provided by the national government to develop employment for Africans within the

homeland areas, so as to discourage them from moving to the cities. Seven thousand African squatters lived in the area surrounding Hammarsdale in order to access employment, but when they were expelled to make way for a new township, housing was built for only 2000 of these squatters (Kramer, 2007). Thus, 5000 squatters were evicted, having no legal rights to a home, leaving them with no other option other than to rebuild their shanties on the slopes of the Outer West area (Kramer, 2007). The Camperdown District, of which this settlement was a part, was home to 27 246 Africans in 1946, which increased to 72 353 Africans in 1970 (Kramer, 2007).

The area therefore had a large population with very few economic opportunities and social services. Agriculture was limited due to the high density of housing and poverty levels were high. In the 1980s there was a second large wave of immigration in to this area as people fled the ANC-IFP violence in other areas. A large number of families were also relocated to this area as a result of the building of the Inanda Dam. There was a strong IFP presence in this area during the 1980s and this defined the politics of the area. Tension and violence between the ANC and IFP was intense with both groups becoming more and more organised as the struggles between the ANC and IFP increased in this area. It was therefore impossible to be politically neutral and residents had to choose a side and then face the wrath of the other side and their violent tactics. By 1989 the ANC had succeeded in becoming dominant in the area, although many lives had been lost in the process. However just prior to the elections in 1994 violence once again surfaced in this area with more intense fighting between the IFP and the ANC (Kramer, 2007). Violence is still prevalent in this region as it had begun normalised. According to Kramer (2007) residents in the this region of the Outer West describe their settlement as 'violent', 'no trust', 'no tolerance', 'no democracy', 'unemployment', 'low rate of development', 'high crime rate', 'no-go areas', 'no patience', 'misunderstandings' and 'HIV/AIDS' (Kramer 2007).

c. Housing, Infrastructure and Services

The housing in this settlement is predominantly traditional (95%) with some informal housing (4%) and a very small proportion of formal housing (1%).

Unemployment levels in the area are high (36%). Residents in this area have a similar level of services to residents living in Ngqolosi although not all have access to electricity. Residents live in dispersed homesteads and the ward has a population of almost 40 000 people housed in approximately 7000 households. The research was undertaken in a settlement area that forms part of this ward with relatively dense levels of traditional housing and some formal RDP housing.

d. Identification and Description of the Relevant Actors

The main actors in the area are the Traditional Authority, which includes the inkosi and the indunas and the councillor from the Ward System. The area was under the authority of inkosis from the Cele family until 1969. When the inkosidied in 1969 he was replaced by local councillors who came together in a Community Authority to replace the chieftainship (Kramer, 2007). These councillors were not elected but appointed by the Magistrate and almost all of them were landowners, local shops owners or involved in other businesses. Together, they formed a political and economic elite in the area. One of their main tasks was to exercise control over the community and to report crimes to the police or Magistrate in Camperdown. In 1989, the violence between Inkatha and ANC affiliates caused all Inkatha councillors to be either killed or escape from the area, thus leaving a power vacuum. They were replaced by 'block committees'. These committees became a regular form of control; about ten men from a block came together to deal with issues regarding their block and choosing one representative per block that together with other block representatives came together to regulate issues that concerned the area as a whole. This system replaced the governing of the area by a traditional leader (Kramer, 2007).

Currently, in the new democracy, this system has been replaced with the ward councillor system. A ward councillor and an additional councillor are elected in the local government elections to represent each ward in the eThekweni (Durban) Municipality Council. At the moment this means that this area is largely in the hands of the ANC party, with an extremely small minority voting for IFP. Inkosis and indunas remain as part of the traditional leadership system, and they serve as an important channel through which communities can raise issues. In many instances the induna will resolve the conflict.

e. Critical Issues and Social Mobilisation

The violent history of this area has defined many of the critical issues that have emerged and it has shaped the nature of social mobilisation that has taken place. The residents that were interviewed indicated that there are only been two moments of collective action: one to challenge the location of the police station which was successful as the police station was moved and a second to challenge high water bills which revealed that residents were paying levies on water directly to a previous Councillor for his personal benefit. This issue was resolved by the councillor coming to the end of his term and because at this time free water was provided by the city.

In the past residents raised their concerns with the induna who reported to the inkosi, if he or she was unable to solve the problem. If the inkosi could not resolve the issue then he would report to the police. Most community members that were interviewed indicated that there was very little collective action in the area both in the past and currently as issues were reported through the traditional system and more recently they have to be reported through the ward committee. People did not feel that they were free to participate in any social action. However, they did reflect on the intensity of the political violence between the ANC and the IFP in their area in the 1980s and early 1990s.

There are a number of community based groups that residents of the area belong to. These include churches, political parties, stokvels, burial societies, and sports and craft clubs. Churches play the most important role in the community and provide both spiritual and material support. Many women are involved in stokvels which are important savings clubs in the community. Residents also belong to the ANC party, however the reasons for joining differ. Some joined because they believe in the ANC, others joined because this area is an ANC area, while some indicated that they only joined the ANC as they said you could not get a job or access to resources unless you were part of the ANC. Most of the residents acknowledged that the ANC had brought development to the area in the form of employment opportunities, services and infrastructure and argued that the ANC was a very important actor in the area. Residents indicated that they did not need to protest as the ANC had brought development to the area and they had electricity, water, flushing toilets and roads. However some residents indicated that they would like to join a community organisation but that there were no organisations operating in the area. As a result of being unemployed many residents felt disempowered and unable to participate in or start a community based organisation.

The community has never had a rich history of collective action and thus does not reflect a legacy of joint action and solidarity. This is also reflected in the answers of respondents about the struggle for democracy, as discussed with regard to political and human rights action, which showed that almost none of the respondents was aware of what the apartheid struggle was about and certainly the younger generation did not feel a sense of pride when talking about the struggle their parents and grandparents delivered. However, although most respondents were not active participants in any organization, all of them reported that the existence of neighbourhood based organizations was of great importance to the community. This means that the organizations are important in the present, in helping them bringing development or providing support of some kind.

Evidence from the research suggests that younger people participate less than their parents in collective action in the community. Many older people stated that young people engage in these issues differently but still felt that young people of today are far less active in community organisations than their parents, even though they acknowledge the benefits their parents receive from being part of these organisations.

There are strong concerns in the community that the councillor is not doing anything to help the people. Residents had held a meeting but they did not raise this issue there, rather they spoke about in small groups afterwards. Residents do not feel able to raise this matter in a broader grouping and rather discuss it amongst themselves. However, this situation is compounded by the fact that many residents believe that 'bringing development' is the main task of the councillor. They will wait for him to address their grievances because this is his job, rather than taking matters in to their own hands. By placing the responsibility on the councillor for bringing development they seem to give away the responsibility for their own situation.

Residents in the area are very concerned about corruption, which they associate with the ward councillor. This issue was raised mainly by the youth. According to residents they are forced to join the ANC or they will not be helped by their councillor. Other respondents talk about how the councillor will always favour relatives and friends when distributing houses or jobs, or he will sell houses for money, denying the community he represents access to these houses. Community members also speak about how the councillor was not properly elected, and that they voted for someone else, but that this is not the same person as their councillor. Respondents claim that the councillor will do anything to get the votes, but does not deliver on his promises, and that the councillor usually moves out of the community to a higher income area once he is elected and has the position and so he no longer lives in the area.

Community members are also scared to participate in any form of social protest as they fear the power of the councillor and they are scared that they will be attacked at night if they voice their opinion. Residents are also very fearful of the police and the teargas if they take part in social protest. They also feel that social protest, raising concerns or attending meetings does not lead to any change and so they feel that it is not worth complaining about anything as they are given promises of development but then nothing ever changes. People therefore grow weary and so no longer raise their concerns.

One of the reasons residents also do not actively change their circumstances is that they do not know which government entity is responsible for which type of development or service. There is a great deal of uncertainty or lack of knowledge when it comes to service delivery responsibility. Not knowing who is responsible for what services will not only make it difficult for citizens to claim such services from the appropriate service provider, but it will also lead to blaming the wrong institution or actor for poor performance.

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Conclusion

This report has presented the data collected from the five settlements that have formed the case studies of this research. The report first provided a context for this data by describing the development of sub-standard housing in South Africa and Durban in particular. It also presented a brief review of the literature on social mobilisation in the country, reflecting the concerns that many have that the ANC government has actively demobilised civil society since 1994. The report has also highlighted the power and importance of the ward system which provides the channel through which ordinary people communicate with the state.

The results presented here reveal a complex picture of participation and social mobilisation in sub-standard settlements in Durban. Five case studies have been conducted that represent the different housing typologies. These cases present a diverse picture of life in sub-standard settlements in the city. A few main themes emerge from the data and this report will tentatively draw out some main conclusions, however further analysis and the completion of the next phase of research are required before firm trends can be identified. The research has also revealed that there are many different 'truths' that emerge when conducting research on issues that are embedded in a highly politicised and contested terrain. Politicians, city officials, community representatives and ordinary people have produced the knowledge that is presented in this report. Each actor, or set of actors, will construct the world according to the frame, role or interests they ascribe to and they will construct and use discourses to ensure that their experiences or views are taken in to account. The research has produced many detailed 'stories' that reveal the relations between different actors in the production of 'housing' or 'neighbourhoods' in Durban. However, there is coherence in the many stories and how they relate to the historical and policy context of housing in South Africa and social mobilisation around the 'right to the city', revealing patterns about how space in the city is being negotiated and produced.

The range of sub-standard housing types offers different opportunities, with peri-urban residents who have access to basic services, appearing to be able to secure the highest quality of life while informal settlers, particularly those without access to interim services, suffering the lowest quality of life in the city. Communities and ordinary citizens appear to have very little 'formal' voice, other than in the 'invited spaces' of the state, which are very carefully controlled. Perhaps what is most striking is how community based organisations, that used to be prevalent in

townships, peri-urban settlements and informal communities, appear to have been collapsed in to the ward committees, so that there is very little 'other' representation. The Traditional Authority system and the role of the induna, in places where there are such leaders, remain important. These leaders often tend to be the only other form of committee or leadership outside of the ward committee, other than the health committees that are state funded and have been put in place as part of the primary health care programme of National government and in response to the HIV/Aids crisis.

The research has explored the nature and form of social mobilisation in poor communities in Durban. Based on the data collected thus far the report concludes that social mobilisation in the city is both marvellous and mundane (Whitehead, 2005; Sutherland, 2012). The research has revealed that there are 'marvellous' protests which bring streets to a standstill and require the police to arrive to quieten those who challenge the state through 'invented' spaces (Miraftab, 2009). However, given the high level of social protest elsewhere in the country, these types of social protest appear to be relatively limited and are quickly controlled and diverted towards negotiation when they appear. Many people are fearful of participating in any form of social action as a result of the power of the councillors, their supporters and the police. However, there are others (mostly the young) that are eager to protest and will take to the streets, in groupings that defy political boundaries, to be heard. Residents tend to accept the ward system and its structure of community members being required to report through the ward committee to the Councillor, however, they do not always believe that this system addresses their concerns. In peri-urban areas, sub-ward committees, or Branch Executive Committees, are not as visible or accessible as in informal settlements. Communities attribute development in their area to the ANC and to their councillor, but they no longer feel that their concerns are heard. In all communities residents state that they report issues to the ward committee and/or the Councillor but that the councillor is too busy, or is focused on serving his or her own interests, and so little is achieved. They indicate that councillors act as gatekeepers, particularly where employment opportunities are concerned. Communities also feel that the responsibility of development falls firmly on the shoulders of the Councillor, however in peri-urban areas communities argue that they need to look after themselves and secure their own development as the Councillor will not do it for them. This reveals that there is a misunderstanding at the community

level about the role and responsibilities of politicians and city officials. The Municipality is responsible for delivering housing and services, however, communities believe it is the Councillor who makes this possible. In peri-urban areas the induna is an important leader who deals with disputes and conflicts in the community, while in informal settlements self-appointed leaders and their 'policing committees' perform a similar function.

Social mobilisation in communities therefore becomes 'mundane', it is ordinary and part of the everyday lived world's of residents. Residents mobilise around issues that affect them in 'mundane' ways by navigating their way through the challenges they face each day. They find solutions to problems that become an expression of community resistance or action, such as installing pit latrines in their yards when the gobiqolo toilets do not suit their needs, or using the sugar cane fields when the state provided toilets become dysfunctional or socially unacceptable to use. They access water from those that have an unlimited free supply, such as residents in RDP housing that cross the road to the interim services block in an informal settlement to do their washing, or they buy water from their neighbours. They create new pathways through the systems designed to govern them, in many cases accepting the system they have and waiting patiently for things to happen, while still engaging with each other around the struggles they face and the goals they hope to achieve.

Collectively they design new technologies to deal with services that are passed on to them, at times with little consultation. In Ocean Drive In residents use the tops of plastic cooldrink bottles to open the water taps, which stops the water being polluted by their hands. These lids are left on the water taps to be used by the community and many households have their own to deal with the water system installed in their community, which has a shut off tap to prevent the loss of water. When people collectively

organise themselves around the ordinary, everyday 'lived world' challenges that shape their lives, then they become part of the social mobilisation that is re-ordering the city.

This point is reinforced by Huchzermeyer (2011) who states that if we are to break new ground nationally and shift away from the anti-poor national housing agenda then great courage and effort will be required from ordinary people on the ground. The communities represented in this report have all already shown huge commitment and courage in fighting for their right to the city through the ways in which they have struggled and innovated to obtain some level of housing and services that meets their needs. Many of these struggles have been mundane, rather than marvellous, but they have succeeded in moving people forward. However many of them continue to live in very difficult and challenging circumstances which undermine their dignity and their right to a basic quality of life. The control of ordinary people by the state and the demobilisation of civil society mean that the housing challenge in South Africa, particularly in informal settlements is not being adequately and fairly addressed. Pithouse (forthcoming, cited in Huchzermeyer, 2012) argues that the

"politics of the future are likely to depend on ... principled forms of commitment, on more integrated forms of coordination, on more resistant forms of defence: This requires, beyond the 'political economy of informality' which Roy (2004, 312) calls for, a commitment to using theoretically and empirically based analyses and insights in a pragmatic and at times uncomfortable way".

It is hoped that the analysis and further development of the data presented in this report will at least be able to contribute to these important debates and hence to the construction of knowledge that will enable and support change in the housing policy in South Africa.

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Settlement Field Report

Cape Town, South Africa

By David Jordhus-Lier, Pamela Tsolekile and AthiniMelane

with the assistance of Dianne Scott, Berit Aasen,
Sibongile Buthelezi, Siri Bjerkreim Hellevik

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PART I

1 Introduction

This report presents the two settlement cases – Europe informal settlement and Joe Slovo informal settlement – which form the Cape Town contribution to the comparative research on sub-standard settlements under Work Package 3 (WP3) in the Chance2Sustain Project.

Both case settlements are located on the Cape Flats, a 40km plain which is located on the periphery of the Cape Town metropolitan area and where most of the population lives in townships and informal settlements. Europe and Joe Slovo are situated along the N2 highway stretching from the city centre, via Cape Town International Airport, to the South Coast. The highway offers good access to the city and hence it is an attractive corridor to live in close proximity to.

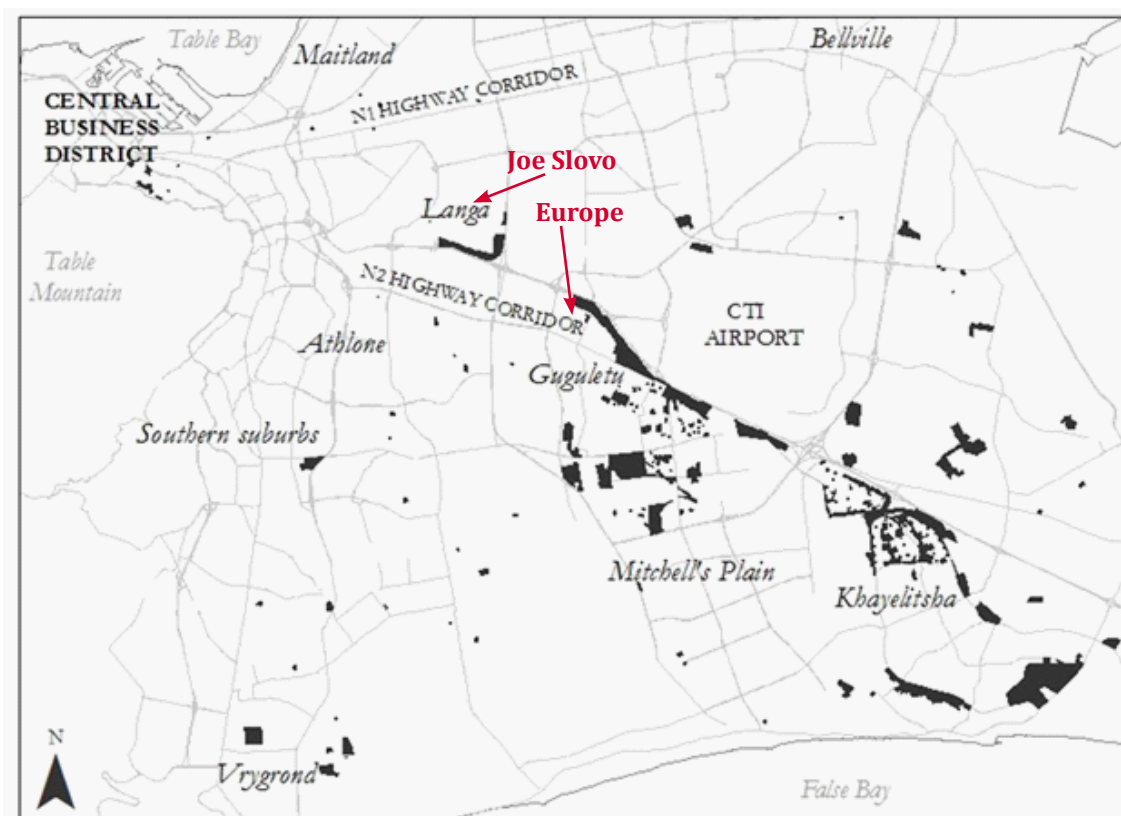
In part because both settlements were highly visible from the N2 highway and their location is *between* the airport and the city centre, these settlements were among

the initial target areas of the above-mentioned N2 Gateway Housing Project, which was launched in 2004. Since the launch of this contested project, the fate of these two settlements has followed very different trajectories. Hence, they provide a context in which to study the limitations of a mega-project approach to informal settlement upgrading. Similarly, they also show how people living in informal settlements in present-day Cape Town face a lack of credible alternatives to upgrading, and that in situ approaches face a complex local politics which hinder their realization.

Public interventions, conflict issues and outcomes

With the launch of a new housing policy in 2004, “Breaking New Ground”, the informal settlements located along the highway N2 were to become part of a pilot project involving national, provincial and local government.

Figure 1: Informal settlements on the Cape Flats



Source: Lier (2009).

Beautification of the tourist route in front of the 2010 World Cup was part of the motivation for this project. Expectations of formal housing were high both among informal settlement dwellers and other people in adjacent neighbourhoods when the N2 Gateway project was launched. In the 8 years that followed, the project has not only been marred by conflicts between different government agencies and private sector actors, but by community resistance in many shapes and forms. This report discusses the contested issues of eligibility, relocation and participation. At present, the dwellers in one of the two settlements are divided between relocated dwellers, dwellers eligible for a formal house, and people still living in the informal settlement resisting to be relocated. In the other settlement, a series of factors meant that the whole area was deemed unsuitable for the N2 Gateway Project. Instead, the community has made some attempts to pursue an in-situ upgrading model. But this has proved problematic. At present, there has not been any significant upgrading of services or top structures, and formal engagement with authorities has been put on hold. The report examines the reasons for this demobilisation. Internal and external civil society organisations have engaged in the community politics of both settlements. Therefore, we also discuss some of the wider dynamics which shape the politics of informal settlement upgrading in Cape Town.

Methodology

The two settlements were selected due to their relation, in different ways, to the N2 Gateway Project. This meant that research questions under both WP2 and WP3 could be explored through empirical investigation. Moreover, there had been some form of community mobilization in both cases, which were in line with the selection criteria of WP3. Neither of the cases were communities where the research team had previous research experience, and no C2S team members are permanently located in Cape Town. This meant that securing access has been a time-consuming exercise. David Jordhus-Lier from NIBR has conducted research with assistance and input from different people, notably independent researchers Pamela Tsolekile and AthiniMelane

(now deceased), as well as Prof. Dianne Scott from the UKZN team and senior researcher Berit Aasen at NIBR.

Work conducted by the African Centre for Cities and the School of Architecture, Planning and Geometrics (both at University of Cape Town), and NGOs such as Development Action Group (Cape Town) and Centre on Housing Rights and Evictions (Switzerland), have provided valuable secondary sources for this settlement study.

The researchers involved have spent time trying to secure access to these settlements under difficult circumstances: mistrust, “research fatigue” and politicization of local associational life has characterized these settlements. Generating primary data has therefore been a time-consuming task, starting in April 2010 and with a planned finalization of data collection only in December 2012. Moreover, we have in several situations been denied access, resulting in coverage of respondents which have been less than hoped for. This relates particularly to resident interviews. While interviews with residents can only be conducted with prior acceptance from community leadership, contestations over who are in fact legitimate leaders, and fear of retaliation from people with authority, means that the qualitative data collected has to be treated with caution and analysed in close cooperation with a local research consultant. While most leadership interviews have been conducted in English, access to ordinary informal settlement dwellers could only be achieved through interviews and focus groups in isiXhosa. Therefore interview guides and transcriptions had to be translated between English and isiXhosa.

Empirical sources

This report is based on 36 individual and group interviews with representatives from community leaders and residents, civil society organization representatives, local politicians, project staff, City of Cape Town management and independent consultants and experts. References in the text are simply using the “Code” title, indicating that we have drawn on personal communication with the person in question.

Table 1: Codified interview list 2011-2012

CODE	ORGANISATION	RESEARCHER	DATE	PLACE
CSO representative 1	<i>Residents' Committee of Joe Slovo Phase I</i>	Dianne Scott; David Jordhus-Lier	31 March 2011	Observatory
CSO representative 2	<i>Informal Settlements Network</i>	Dianne Scott; David Jordhus-Lier	2 April 2011	Observatory

CODE	ORGANISATION	RESEARCHER	DATE	PLACE
CSO representative 23	<i>CORC</i>	David Jordhus-Lier	6 April 2011	Mowbray
CSO representative 3	<i>SAMWU</i>	David Jordhus-Lier	6 April 2011	Athlone
Consultant 1	<i>Independent consultant</i>	Dianne Scott; David Jordhus-Lier	7 April 2011	V&A Waterfront
CoCT senior management 1 and 2	<i>PBDM, Spatial management and urban design</i>	Dianne Scott; David Jordhus-Lier	7 April 2011	Civic Centre
CoCT senior management 3, 4 and 5	<i>CoCT</i>	Dianne Scott; David Jordhus-Lier	7 April 2011	Civic Centre
CSO representative 4, 5 and 6	<i>Delft Integrated Forum, Symphony Way Anti-Eviction Campaign</i>	David Jordhus-Lier; AthiniMelane	11 April 2011	Mowbray
CSO representative 7	<i>Former ward committee leader, Europe informal settlement</i>	David Jordhus-Lier; AthiniMelane	12 April 2011	Europe informal settlement
CSO representative 8	<i>SANCO Langa</i>	David Jordhus-Lier; AthiniMelane	13 April 2011	Langa
CSO representative 9	<i>Gugulethu Backyarders', SMI secretariat</i>	David Jordhus-Lier; AthiniMelane	13 April 2011	Salt River
ANC councillor 1	<i>Proportional representation (ANC)</i>	David Jordhus-Lier; AthiniMelane	14 April 2011	Langa
Community Liaison Officer 1	<i>N2 Gateway Phase III, Joe Slovo</i>	David Jordhus-Lier; AthiniMelane	14 April 2011	Langa
CSO representative 10	<i>Informal Settlements Network</i>	David Jordhus-Lier; AthiniMelane	15 April 2011	Gugulethu
CSO representative 11	<i>Western Cape Anti-Eviction Campaign</i>	David Jordhus-Lier; AthiniMelane	15 April 2011	Gugulethu
CSO representative 12	<i>Abahlalibase Mjondolo Western Cape</i>	AthiniMelane	20 April 2011	Khayelitsha
Consultant 2	<i>Independent consultant</i>	David Jordhus-Lier	25 April 2011	Newlands
CSO representative 13	<i>Western Cape Anti-Eviction Campaign</i>	AthiniMelane	October 2011	Khayelitsha
CSO representative 14	<i>Social Justice Coalition</i>	AthiniMelane	17 October 2011	Khayelitsha
CSO representative 15	<i>Western Cape Anti-Eviction Campaign</i>	AthiniMelane	21 October 2011	Khayelitsha
CSO representative 7	<i>Europe informal settlement</i>	AthiniMelane	12 October 2011	Sheffield Road Community Hall
Consultant 1	<i>Independent consultant</i>	David Jordhus-Lier, Siri B Hellevik, Berit Aasen	26 January 2012	
CSO representative 24	<i>CORC</i>	David Jordhus-Lier, Siri B Hellevik, Berit Aasen, Pamela Tsolekile	26 January 2012	Mowbray
CoCT senior management 5 and 6	<i>Director of Urbanisation; Informal Settlements Department CoCT</i>	David Jordhus-Lier, Siri B Hellevik, Berit Aasen	27 January 2012	Civic Centre, Cape Town

CODE	ORGANISATION	RESEARCHER	DATE	PLACE
Provincial government representative 1	<i>Head Engineer, WC Provincial Government</i>	David Jordhus-Lier, Siri B Hellevik, Berit Aasen	27 January 2012	Provincial Government, Cape Town
CoCT management 1 and 2	<i>Informal Settlements Department CoCT</i>	David Jordhus-Lier, Siri B Hellevik, Berit Aasen	30 January 2012	Civic Centre, Cape Town
CoCT management 3	<i>Head of Informal Settlements Unit, Water & Sanitation Dept, CoCT</i>	David Jordhus-Lier, Siri B Hellevik, Berit Aasen	30 January 2012	Durban Street, Bellville
CSO representative 16	<i>Social Justice Coalition</i>	David Jordhus-Lier, Siri B Hellevik, Berit Aasen	31 January 2012	Grand Daddy Hotel, Cape Town
CSO representative 17	<i>Community leader; Europe informal settlement</i>	David Jordhus-Lier; Pamela Tsolekile	2 February 2012	CORC, Mowbray
CSO representatives, 7, 10, 17, 18	<i>Former and present community leaders; Europe informal settlement</i>	David Jordhus-Lier, Berit Aasen, Pamela Tsolekile	3 February 2012	Community hall, Europe informal settlement
CSO representatives 18, 19, 20, 21 and 22	<i>Executive branch of Joe Slovo Residents' Association</i>	David Jordhus-Lier; Pamela Tsolekile	14 November 2012	Pamela's house, Langa
Attorney 1	<i>Attorney, Chennels Albertyn</i>	David Jordhus-Lier	16 November 2012	Phone interview
CSO representative 2	<i>Head of ISN, member of Joe Slovo Task Team</i>	David Jordhus-Lier; Pamela Tsolekile	17 November 2012	Joe Slovo, Zone 32
University staff 1	<i>School of Architecture, Planning and Geomatics, UCT</i>	David Jordhus-Lier	19 November 2012	Gardener's Cottage
CoCT management 4	<i>Head of Anti-Land Invasion Unit</i>	David Jordhus-Lier	20 November 2012	ALIU offices, Durbanville

2 Background and Context

Informal settlement upgrading in South Africa must be understood in a particular context, both policy-wise – as policies have shifted, developed and become more sophisticated since the 1990s – and in an governance context – local government's mandate has been fundamentally transformed since apartheid, influencing its capacity to engage in settlement issues and its ability to coordinate its activities with others (be it other tiers of government or other actors in society).

National policies

Since the ANC government won South Africa's first democratic elections in 1994, they have been committed to an ambitious agenda of delivering houses to millions of

people. The government claims to have built 2.3 million housing units since 1994. In the 2000s, however, it became clear that the thousands of *informal settlements* spread out in city peripheries were not simply representing a "housing backlog". Rather, they were expressions of a profound urbanisation process based on rural-urban migration and linkages and population growth, but tarred by the legacy of racial segregation and a fundamental mismatch between available land for poor people and economic opportunities.

In the Western Cape Province, a ZAR 1.4 billion 'special integrated presidential project' known as the *Integrated Services Land Project* (ISLP) became the key vehicle for housing policies in the late 1990s. A representative involved in the management of ISLP claims that the project was important in developing new approaches to

housing: community participation was built into the implementation process, a lot of available 'green fields' land was used for housing purposes, upgrading of informal settlements was done *in situ* (interview, G Adlard 07.04.2011). Still, ISLP was unable to reduce the number of informal settlements. Informal settlement dwellers were offered formal housing, but other people were waiting to inhabit their shacks. The emergence of informal settlements might in itself be said to represent one of the shortcomings of the RDP approach: by prioritising the construction of formal housing people's need to be close to employment opportunities and social networks are overlooked (Huchzermeyer 2006).

The efforts to roll-out formal housing in the 1990s delivered more than 2 million houses, but the policies were also flawed in allocating land on the outskirts of the city, with poor infrastructure. Recognising these problems, narrow formal housing policies gradually gave way to a more holistic focus on 'human settlements' in the 2000s. In 2004, a new National Housing Policy was presented by NDoH: *Breaking New Ground* (BNG) (Department of Housing 2004), which was an attempt to see the issue of housing in relation to building settlements with infrastructure, access to jobs, basic and social services.

A part of BNG was the *Upgrading Informal Settlements Programme* (UISP), which represented a move towards a more socially embedded, incrementalist approach to informal settlement upgrading (Huchzermeyer 2006: 58). It had a (i) focus on *in-situ* upgrading; (ii) new measures for acquiring and rehabilitating *well-located* urban land; (iii) increased *flexibility* in planning; (iv) provision of social services and economic amenities; (v) increased community participation and community-based grants. A national UISP has been established in all provinces, with the aim of eventually upgrading informal settlements that meet certain criteria in the country. It is worth noting that the use of the term "eradicating" has been discarded in favour of "upgrading" of settlements. Since 2010, a National Upgrading Support Programme (NUSP) has been put in place with World Bank and Cities Alliance support, to strengthen capacities and learning for those involved in the UISP across the country (Consultant 1).

Policy development in Cape Town

In 2004, the City of Cape Town launched their Framework for Upgrading Informal Settlements. The first Phase in this framework was the Emergency Servicing of Informal Settlements (ESIS), launched in early 2004 (Graham 2006). ESIS focused on providing basic water, sanitation and waste removal services to all informal settlements at high speed,

pushed by the strong involvement of ANC Mayor NomaindiaMfeketo. While roll-out was achieved there were a number of problems with this approach. Capital investments were made at the expense of maintenance of existing structures, the long-term sustainability of such an approach was circumscribed by a lack of political support for upgrading (opposed to formal housing), a general lack of community support and involvement threatened roll-out and there was a need for politicians not to let a technical-bureaucratic approach remain dominant in the roll-out phase (Graham 2006). BNG also impacted on informal settlement upgrading in Cape Town through its pilot project N2 Gateway⁹⁵, also initiated in 2004 (Smit 2008) (see separate section under Joe Slovo below).

Given the volatile, dynamic and vulnerable nature of informal settlements, it is a fundamental challenge for planners (who historically shaped the barriers *against* informal settlements) to adopt sufficiently flexible approaches to these settlements. Senior managers in relevant departments state that when they try to use conventional approaches to planning and regulation of these areas – introducing issues of tenure, zoning, land use controls and formalization – they straight away 'start losing the communities' (Interview J vdWesthuizen, 07.04.2011). A sensitive timing and an incremental approach is therefore required: support to informal housing is followed by introduction of basic services, then upgrading of these services, and only at this point is it fruitful to start bringing housing subsidies and land regulation to the table (Interview N Walker, 07.04.2011). Ultimately, planning is implementing regulations based on the policies adopted by the CoCT at any given time. Since 2001, metropolitan council have had to formulate Integrated Development Plans (IDPs) which are supposed to be used as tools for consolidating policies of various departments of local government with overall objectives and input from citizens.

CoCT has also aligned its policies with the Provincial Housing Department's Sustainable Human Settlements Strategy (*Isidima*) (Smit 2008; Sutherland et al. 2010 unpublished). This has put an emphasis on delivering housing opportunities *through a mixture of tenure types* for poor households – thereby creating socio-economically integrated communities with adequate access to social and economic opportunities in well-located and safe urban areas (Sutherland et al. 2010 unpublished). While national and provincial government are drivers in the policy

95 This paragraph is taken from Jordhus-Lier, D (2011). "Local contestation around a flagship urban housing project: N2 Gateway and the Joe Slovo community in Cape Town", Paper to be presented at *EADI-DSA 2011 Conference 19-22 September in York, UK*.

formulation process, the municipalities are “required to act as developers” depending on capacity.

Another new initiative is the Violence Prevention through Urban Upgrading (VPUU) in the large Khayelitshatownship on the Cape Flats. The project has financial backing from the World Bank and the German Development Bank, and uses a methodology which is firmly community-driven and settlements-oriented in that it focuses on social services and community planning of built environment to combat violence in informal settlements (CoCT senior management 4).

The approach most relevant for this study, however, stems from the South African SDI Alliance⁹⁶. Based on a CSO partnership between national and global support NGOs and local networks of informal settlement dwellers, the SDI Alliance have initiated a set of *local government partnerships* where managers and technical staff from CoCT meet with community representatives and NGOs to plan and project upgrading in selected settlements since May 2009. At present there are 15-20 partnership projects across the city (CSO representative 23) focusing on re-blocking, new building materials, ablution blocks and other facilities. The community input in this model can be characterized as very strong, with capacity-building and knowledge-generation through local residents and their involvement in *enumerations* (household surveys) and *exchanges* (inter-settlement dialogues).⁹⁷ The partnership meetings in this model are therefore encounters where different forms of knowledge (local, embedded vs expert, technical) are brought in contact with each other and there communication flows relatively freely (observation from meeting 04.05.2011; CSO representative 10).

The present governance structure for the servicing and upgrading of informal settlements is divided between two directorates in the City of Cape Town: the Directorate for Human Settlements and the Directorate for Utilities. The former has an Informal Settlements Department which is responsible for the planning, management and upgrading of informal settlements. Crucially, the Informal Settlements Unit also has an Anti-Land Invasion Unit (ALIU) with a 24/7

service monitoring and protecting vacant and unoccupied government-owned land, such as road reserves (. When people illegally occupy land, the ALIU responds rapidly by demolishing make-shift structures and removing people from the land. It claims a 100 percent success rate.

The Directorate for Utilities, on the other hand, is perhaps the part of the city administration which is most directly engaging with informal settlements on a regular basis, as they are extending and maintaining service delivery in these areas. The Water and Sanitation department has its own Informal Settlements Unit with engineers and fieldworkers, supported by almost 70 “community workers” involved in reporting and fixing infrastructure (pers.comm., G Jefferies 30.01.2012).

Changing governance dynamics

Since 1994, the South African state under the ANC has evolved towards centralization of political power at the scale of the nation-state and in relation to the presidency, but this has been coupled with forms of decentralization and a transformation of local government which has increased the capacity and expectations of local government bodies to play a developmental role. Local government was only established as a separate tier of government in 1996, and represented during apartheid a fragmented map of racially segregated authorities with unequal mandates and resources. Since the late 1990s, municipalities have been entrusted with a driving role in reducing inequalities and poverty in South Africa through the notion of Developmental Local Government (Millstein 2008). DLG was to consolidate economic, political social and environmental objectives in the local governance and planning, and can be seen as an attempt to marry the basic needs focus of the RDP and the economic principles of the GEAR plan (Beall et al. 2002). Along with a focus on poverty reduction and local growth strategies, there is a strong emphasis on participation and local democracy. For metropolitan municipalities, the Integrated Development Plan (IDP) has become the main tool for consolidating the principles of DLG concrete and consistent spatial, social and economic policies. IDPs are to be developed “in discussion with citizens”, but this “rhetorical enthusiasm for participation is not matched by practice” (Friedmann 2006: 2, 8). In South Africa, like elsewhere, the capacity of resourceful, affluent groups to participate in such forums is higher than that of workers and the poor (although the bureaucratic capacities of trade unions represent a middle position in this spectrum). Based on the experience of IDPs and HIV/AIDS mobilization, Friedmann(2006) argues that structured participation forums represent a governance approach which does not create meaningful participation by the poor.

96 Slum Dwellers’ International (SDI) is a global NGO with their headquarters in Cape Town. Together with a national NGO, the *Community Organisation Resource Centre* (CORC), they act as support organisations for two movements with their main base in informal settlements: ISN and the Federation of the Urban Poor (FEDUP, previously the Homeless People’s Federation).

97 See also SA SDI Alliance web site for resources and information: <http://www.sasdialliance.org.za/map/> downloaded 11 May 2011.

Under the City Council of Cape Town there are 111 local wards organised in 24 geographically separate *subcouncils*. Through municipal elections, each ward elects a ward councillor to sit in the City Council. In addition 110 councillors are elected through proportional representation (Councillor 1), based on their party's performance in the municipal election. Below the level of local government, participatory democracy was given a new dimension in January 2005 when a system of *ward committees* was established at a sublocal level (Millstein 2008). The ward councillor, a nominated PR councillor and junior city councillor meets with representatives of registered community-based organisations (CBOs), to assist the ward councillor in identifying needs, channelling demands and being "the most direct link between a community and the structures of Council"⁹⁸. These area based committees are supposed to offer people a way to directly influence municipal planning and budgeting (Putu 2006). Complementing these structures are initiatives such as the 2006 Mayoral Listening Campaign in Cape Town, which invited citizens to send a message directly to the Mayor on which issues were most pressing in their neighbourhoods.⁹⁹ Nevertheless, and in spite of these formal democratic

channels, Millstein (2008: 1) notes that "political spaces for citizen participation are limited and affected by complex and contradictory intergovernmental relations, and tendencies towards centralisation of political power". In other words, South Africa has been struggling to realise substantive democratisation.

Politics and power

It should also be noted that Cape Town represents an interesting city in the South African political landscape due to its character as a bastion for the political opposition, the Democratic Alliance (DA). Since then, the DA has taken power of Cape Town (in 2006) and the Western Cape Provincial Government (since 2009). The DA has ruled the city since 2006 through different political coalitions. As the four-year electoral cycle is interspersed with mid-term floor-crossing windows where elected representatives are allowed to change party allegiance, the City of Cape Town has seen several regime changes since the late 1990s. This has created a shifting and unstable political situation, and has – together with a deep-seated organizational restructuring process in the same period – arguably led to a level of political paralysis at a city level. Within the Cape Town metropolitan area this is represented by racialised electoral geography, as the DA and its present allies the Independent Democrats (ID) are historically stronger in white and coloured communities, and the ANC maintaining a strong grip on black communities. Moreover, the N2 Gateway Project was launched in 2004 – at a time when local, provincial and national government were all under ANC control – and has become a prestige project for the ANC party.

98 The City of Cape Town website: "Subcouncils > Wards". Accessed 14 March 2012 from www.capetown.gov.za/en/subcouncils/Pages/Wards.aspx

99 Not surprisingly, amongst the 9834 submissions received, concerns about basic services such as solid waste (5.9 per cent), electricity (3.5 per cent) and water (2.8 per cent) were all among the 12 most frequent issues raised by citizens. Source: CoCT (2006). *Mayor's Listening Campaign: Analysis of submissions received City of Cape Town: 1-3*.

3

Settlement Profiles

Before giving an in-depth account of the politics of the two settlement cases, some basic data is presented in Table 2 below. Some similarities have already been noted above, such as relative proximity to the city centre, their post-apartheid history (relatively recent settlements in a Chance2Sustain comparative perspective). Also worth noting is their young population and the significant share of female-led households.

The informal settlements along the N2 highway are amongst the most vulnerable settlements in the entire Cape Town metropolitan area, plagued by poverty and highly exposed to man-made and natural hazards. Locating

these settlements within a 'poverty map' can be done in different ways according to different socio-economic and socio-spatial indicators. By using 2006 census data at a ward level, we can locate the wards in which the informal settlements Joe Slovo (ward 52) and Kanana/Barcelona/Europe (ward 40) form the majority population, in an overall "poverty mapping" of Cape Town. The case settlements are drawn from ward structures ranking 91st and 97th of the 106 wards as far as the overall socio-economic index is concerned, with ward 52 being particularly low in the income index (rank 103/106), and ward 40 similarly on unemployment (rank 105/106). Both score relatively better on education.

Table 2: Case study profiles for Europe and Joe Slovo informal settlements

	Europe informal settlement	Joe Slovo informal settlement
Subcouncil	14	15
Service delivery district	<i>Cape Flats</i>	Table Bay
Ward	40	52
Age of settlement	<20 years	17 years
Population/households	4413/1409	7946/2748
Housing characteristics	<i>Irregular dwellings on City-owned land</i>	Informal residential units, with new housing construction under way
Infrastructure	<i>No individual toilet blocks, 361 bucket system, 40 chemical toilets, 10 pit latrines (9 pp toilet)</i>	No individual toilet blocks, 896 community toilet blocks (9 pp toilet)
Main mode of transport	<i>Taxi (41%)</i>	Train (57%)
% population under 18	41 %	35 %
% of population attending school	27 %	31 %
% female-led households	41 %	38 %
% employed community members	30 %	32 %
% of households having experienced fire	7 %	64 %
% of households having experienced floods	82 %	62 %
% of structures less than 10m²	21 %	44 %

Source: CORC Enumeration reports (CORC 2009; CORC 2010)

Table 3: Relative deprivation in Wards 40 and 52 in 2001.

	% adults (20+) with highest qualification < Matric	% of economically active unemployed	% households earning < R19300 pa	% of labour force in unskilled occupations	Socio-economic status Index
WARD 40	72,54	57,75	68,49	36,81	58,90
(rank)	(62/106)	(105/106)	(90/106)	(95/106)	(91/106)
WARD 52	76,96	54,05	81,51	41,77	63,57
(rank)	(73/106)	(96/106)	(103/106)	(86/106)	(97/106)
City total	62,03	29,38	39,00	21,46	37,97

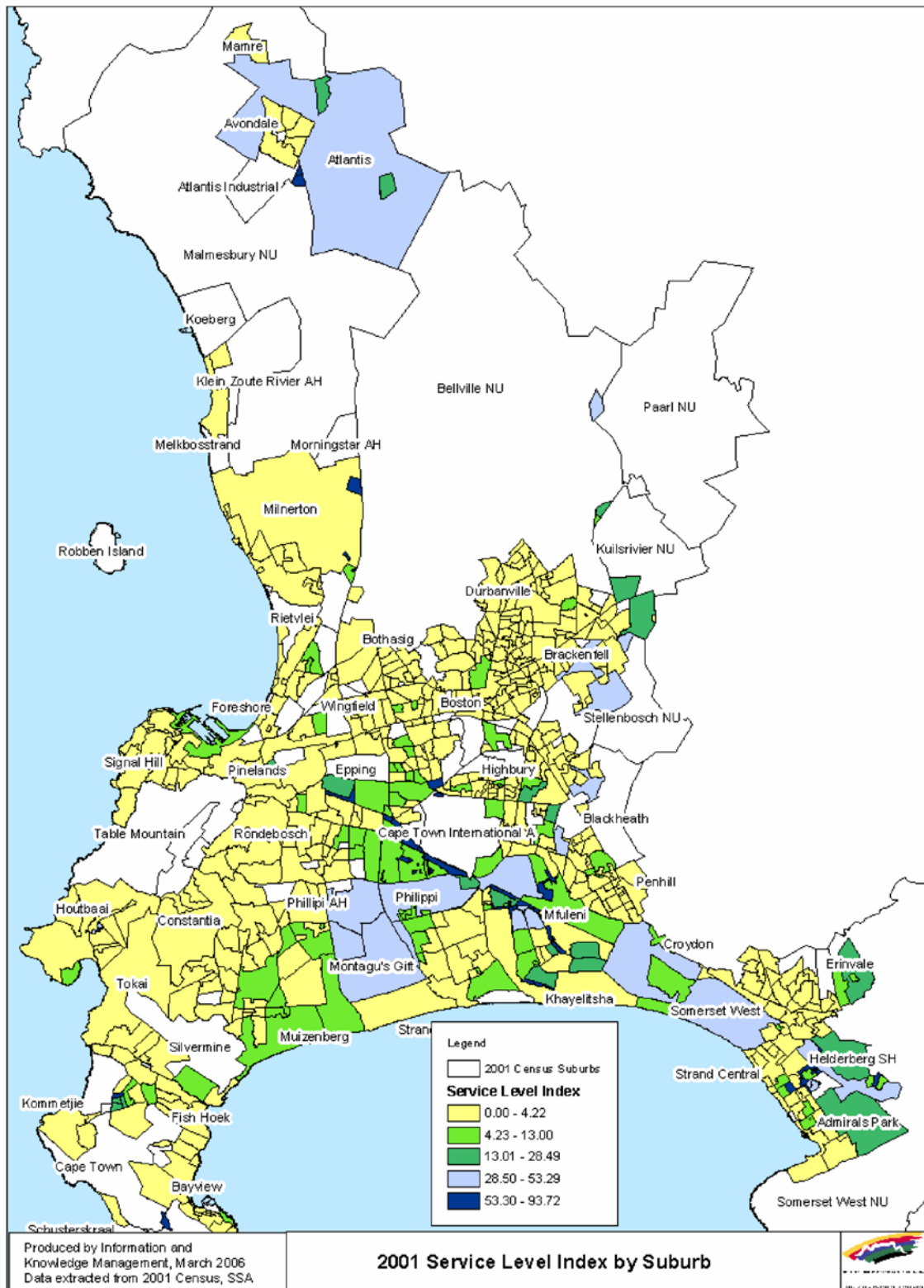
Source: City of Cape Town statistics (2001)



When we look at maps using 2001 census data for service levels and socio-economic status, two things becomes evident: i) the areas with most informal settlements also represent the most deprived areas in these poverty maps, and ii) in terms of distance from the

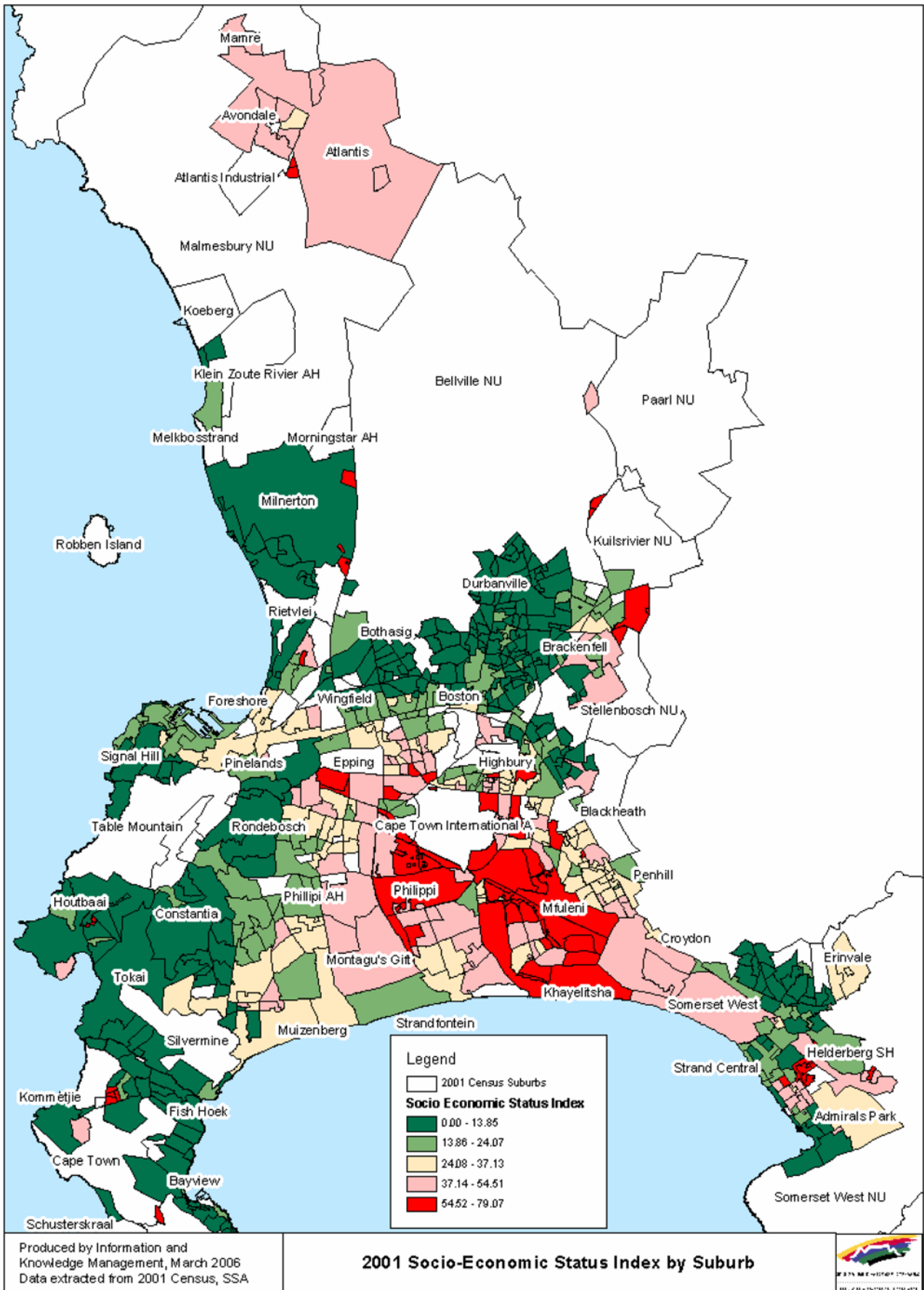
city core, both case settlements are in relative proximity to economic opportunities. This makes them attractive in relative terms, and means residents are likely to resist relocation on these grounds.

Figure 2a: Deprivation maps of Cape Town in 2001.



Source: City of Cape Town website (2001).

Figure 2b: Deprivation maps of Cape Town in 2001.



Source: City of Cape Town website (2001).

PART II

THE SETTLEMENT CASES

4

Settlement Case 1: Joe Slovo Informal Settlement

Joe Slovo forms an outer band surrounding Langa township, the oldest black township in Cape Town with a history back to the 1920s. Joe Slovo informal settlement was established in the periphery of the Langa township in 1990-91, by backyard dwellers in Langa and migrants looking for jobs (Eppel 2007). The settlement soon came to be seen as a place of migrants, meaning they were not entitled to housing in the same way as Langa dwellers with a longer residential history in the city. By 2001, informal settlement dwelling constituted the largest residential category in Langa township (Eppel 2007). Of informal settlements of a certain size, Joe Slovo is the one located closest to the city centre and therefore, in relative terms, is a very attractive place to move to for poor job seekers. Electricity, communal toilets and waterborne sewerage was installed by the City of Cape Town in 2003 (Huchzermeyer 2011). In a survey of three informal settlements conducted by the City of Cape Town in 2004, Joe Slovo comes out as the best off on a series of social indicators, such as health, income and infrastructure (CoCT 2005).

Key Actors Involved in the N2 Gateway Project

Conceived as a megaproject, the N2 Gateway project brought all three tiers of government into joint operation. It is also an interesting case of the government's upgrading policy for informal settlements, as it targeted the populous and highly visible informal settlements surrounding the N2 highway which stretches from the Cape Town CBD, via the international airport, all along the south coast to Eastern Cape. The project aimed to address the huge housing backlog and the sprawl of informal housing through providing 22,000 mixed and high-density housing opportunities for groups formerly marginalized in the housing market (COHRE 2009). The implementation was severely hampered by a series of tensions: between various target groups, between social movements and authorities, between contractors and between spheres of government. The release of funds was also slower than anticipated

(AGSA 2008). Smit(2008)notes that the project ran into fundamental problems, including: (i) flawed inter-governmental cooperation, (ii) significant delays, (iii) budget overruns and (iv) lack of community participation. By 2011, the current project manager the Housing Development Agency argues they have delivered 15,000 houses. However, many of these houses are not yet inhabited due to conflicts between stakeholders; the housing offered by the project has benefited a higher income bracket than initially envisaged; thousands of informal settlement dwellers have been relocated to Temporary Relocation Areas (TRAs) with bleak prospects for their immediate future; and various phases of the project have been met legal barriers since 2007.

While several settlements along the N2 highway were identified for formal upgrading through the N2 Gateway project, the first phases took place in Joe Slovo, from 2005 and onwards. It is evident that the development of the megaproject and its relationship to the Joe Slovo informal settlement (and others) represents an incredibly complex picture. It is therefore worth trying to establish the main actors – organisations, institutions and movements – which have shaped these developments.

Government actors and subsidiaries.

The state's involvement in the N2 Gateway project was extremely complex. As mentioned, the project was from the inception a joint initiative by three spheres of government: National Ministry of Housing (now Department of Human Settlements), the Western Cape Provincial Government and the City of Cape Town. ANC politicians based at all three political scales acted, at various points in time, as protagonists for the project: most importantly, Housing Minister LindiweSisulu, MEC¹⁰⁰ for Local Government and Housing Marius Fransman (later replaced by Richard Dyantyi) and then Mayor of Cape Town, NomaindiaMfeketo. Together they formed a steering committee known as the M3. The City

100 Member of the Executive Council, Provincial Government.

of Cape Town was initially tasked with being the “main implementation agency” with support from provincial and national government. This signaled a move away from the historical anchoring of housing delivery at the scale of provincial government, and an expanded developmental role for local government. However, after the political shift in the Cape Town metropolitan municipality in the March 2006 municipal elections, the role of the City of Cape Town in this ANC flagship project became deeply strained (in the 2009 general elections, the DA also won a majority in the Western Cape Province). In June 2006, the City of Cape Town was removed from the M3 and freed of their implementation role in the project with the exception of services for which “they are constitutionally responsible” (NDoH quoted in Smit 2008: 11). The contested unfolding of the N2 Gateway project in selected informal settlements took place alongside¹⁰¹ other efforts by the City of Cape Town to upgrade its growing number of informal settlements (Graham 2006; Adlard 2008). Through various programmes and often in partnership with other NGOs, CoCT were trying to develop in situ approaches to upgrading which included a stronger emphasis on community participation than was the case in the N2 mega-project (Aasen and Jordhus-Lier 2012).

The relationship between these three actors has since been influenced by party politics, with a recent development towards normalization or consolidation signaled by the dialogue and joint appearances of the Minister of Human Settlements Tokyo Sexwale (ANC) and WC Premier Helen Zille (DA). Speaking to Western Cape Province’s chief engineer on the N2 Gateway Project, there has been a difficult relationship between provincial and local government due to what he sees as the excessive bureaucracy of the latter (Provincial government representative 1). As Province is leading the construction of the megaproject, local government is responsible for services after the houses have been inhabited. But preparing for this takeover has been difficult. In his view, the City’s insistence on services being built according to a 25 year standard is too expensive.

Subcontractors.

In 2005, the national agency Thubelisha Homes were appointed as project manager and implementing agent of the N2 Gateway (Smit 2008; de Satge et al. 2009). The role of Thubelisha was intensely contested in the years that followed. The Auditor-General stated that the

101 In the case of site rehabilitation for N2 Gateway Phase 1, the megaproject was developed in collaboration with CoCT’s existing Upgrading of Informal Settlements Programme (UISP) for service extension.

appointment of Thubelisha was done in spite an insufficient costing plan, a low rank in the evaluation of the tender and a lack of formal contract. A separate contract with a company under the name of Cyberia Technologies was signed for Phase 1 of the project, although this was also fraught with problems.

In 2009, the Housing Development Agency (HDA) took over the project manager role, and claimed that it had improved the competence of the management team and strengthened institutional ties and community participation in the process. HDA is a public entity under the Minister of Human Settlements, and is in charge of other housing megaprojects in eThekweni/Durban (see *Cornubiadescription* in Durban report by Sutherland et al. this volume) and Nelson Mandela Bay Metro (*Zanemvula*). HDA is in charge of Phase 3, which in contrast to the first two phases is an in situ upgrade based on the national Upgrading of Informal Settlements (UISP) programme (Constitutional Court Affidavit 2008).

Developers and financiers.

In addition to numerous state and public sector actors, the project was relying on financing and other services from the private sector. The role of developer was awarded to the Sobambisana Consortium after a tender process which was concluded in 14 February 2005. The consortium consisted of six companies: AslaDevco, AslaMagwebu, Citrine, Khayaletu Projects, KCBDC, and Power Developments (Mail & Guardian 2005). In addition, Thubelisha used BKS Engineers and Management as contractors to perform the workshop process listing and selecting applicants. In Phase 2, which to a large degree consisted of bonded housing for a middle-income bracket (ZAR3,500-7,000 per month), government authorities also engaged in a partnership with First National Bank (FNB) to provide bonds worth about ZAR600 million for 3000 houses. By 2010, however, only 43 of 3000 prospective owners had been approved, and the land on which the houses were constructed had not yet been transferred to FNB. At the time of research in April 2011, hundreds of bonded houses in Joe Slovo and Delft were not yet inhabited, even though they seemed completed (or near completed).

Local CSOs.

A number of civil society organization played a part in the politics of the project; some very issue-specific, others more political, in their approach. The *Joe Slovo Residents’ Association* predates the N2 Gateway. It organized people at settlement-level, thus acting as an umbrella for the

various street committees in the settlement. After the shack fire they established the *Joe Slovo Task Team*, which mobilized directly in relation to the planned relocations (CSO representative 2). The Task Team has evolved into a potent actor, and is represented on the Project Steering Committee (PSC) of the N2 Gateway (Joe Slovo site) (CSO representative 2). Once Phase 1 was completed and when tenants started moving in, a *Residents' Committee of Joe Slovo Phase 1* was established to function as a representative organ for the community and the many concerns residents had in relation to housing quality and communication with the developer (CSO representative 1). There is also a SANCO branch in Langa which covers the Joe Slovo settlement and a Langa Development Forum which is represented in the PSC (CSO representative 8). The tension between backyarders, who tend to have a longer history in Cape Town and are sometimes referred to as 'borners', and informal settlement dwellers is also played out in the organizational landscape. *Langa Backyarders' Association* and *Gugulethu Backyarders' Association* were both mobilizing for their constituencies to be included in the selection of benefactors (CSO representative 9).

Social movements.

Community mobilization in Joe Slovo has also involved creating networks beyond the settlement. Early on the Joe Slovo Task Team was supported by social movements like *Abahlalibase Mjondolo* and the *Western Cape Anti-Eviction Campaign* (CSO representatives 11 and 12). These are loosely organized, but highly mobilized, networks which have made their mark on housing politics in Cape Town and other South African cities throughout the last 10 years. The Task Team has later engaged in another city-wide network, the *Informal Settlements Network (ISN)* (CSO representatives 2 and 10). The willingness of some local civil society organizations to draw support from NGOs, meant that the civil society involvement in the project became very heterogeneous. Therefore, it might be useful to distinguish between the local organizations involved in the project as representatives of the community, on the one hand, and supportive organizations from beyond the community, on the other.

Supportive non-governmental organisations (NGOs).

Informal Settlements Network (ISN) is part of what is known as the *South African SDI Alliance*. This nation-wide alliance is in turn part of the *Slum Dwellers' International (SDI)*; a global NGO who happens to have their headquarters in Cape Town. Together with a national NGO, the

Community Organisation Resource Centre (CORC), this network acts as support for two movements with their main base in informal settlements: the above-mentioned ISN, as well as the women's saving alliance Federation of the Urban Poor (FEDUP, previously the Homeless People's Federation) (Swilling 2008). Other NGOs and supporters have also played critical roles at critical times in the project. Legal NGOs such as the Legal Resources Centre (LRC), the Centre for Housing Rights and Evictions (COHRE) and the Community Law Centre (CLC) have all provided the community with documentation, argumentation and representation during the legal processes which dates back to September 2007 (e.g. Constitutional Court Affidavit 2008; COHRE 2009). The Development Action Group (DAG) is an NGO involved in housing projects, action research and knowledge-generation particularly in relation to informal settlements. DAG has also been a key provider of knowledge and analysis, both in relation to the legal, planning and political aspects of the project (DAC 2004; DAG 2007; DAG 2009). Through the work done by these supportive NGOs, and their efforts to document developments, researchers have access to data detailing the political developments of the project which holds a higher reliability than solely relying on witness reports taken from memory would do.

Local political structures.

So far, we have made little mention of the formal political system in and beyond the Joe Slovo settlement. Given that the City of Cape Town was sidelined during critical phases of the project, the role of local political structures such as ward councillors and ward committees has been relatively limited. Councillors are not represented on the Steering Committee (ANC councillor 1). This being said, respondents refer to promises made by local ANC councillors and the Mayor in the inception phase about housing allocation (CSO representative 8, see also Eppel 2007). A prospective ward councillor we interviewed, however, stated that he would make an investigation into the N2 Gateway Phase 1 a main priority if elected (ANC councillor 1).

Critical Issues Shaping Community Responses

The Joe Slovo settlement represents a fascinating case study of mobilizing and community response to large-scale developments. Most of the "critical issues" identified are therefore directly related to the allocation of housing and relocation of people in relation to this project.

Relocation.

Most of the housing projects under the N2 Gateway project involved construction on occupied land (informal settlements), and the issue of relocation was therefore contested from the beginning. When the initial plans for the N2 Gateway project were presented in September 2004, some necessary relocations were announced to near-by locations (DAG 2007). These plans were resisted by industrial and residential associations in the area, however, and the January 2005 shack fire suddenly required quick solutions to the relocation 'problem' (DAG 2007). According to a DAG (2009: 8) submission to a public committee, "the City of Cape Town and the National Ministry of Housing used the tragedy as an opportunity to de-densify the settlement". In the wake of the fire, 2000 units were set up in a Temporary Relocation Area (TRA) in Delft, in addition to 500 in a TRA in Langa. By 2009, a provincial government report estimates that approximately half of 2748 households had been relocated to TRAs and houses in Delft (Western Cape Department of Housing 2009).

The relocations to Delft were experienced as hugely problematic for the former Joe Slovo residents (pers. comm. with various respondents, see also DAG 2007; COHRE 2009):

- Delft is located on the outskirts of the city;
- As a result, relocated people experienced a sharp increase in transportation costs and were often unable to keep their income-generating activities;
- Joe Slovo children went to schools in Langa, and Delft schools were full;
- Delft was perceived as a crime-ridden area;
- The TRAs offered substandard housing.

In addition, poor people in Cape Town view the establishment of TRAs with deep skepticism as they have seen allegedly temporary relocations in the past (e.g. in Happy Valley, Stellenbosch) become de facto permanent settlements due to lack of government action. Resistance against evictions and relocations is arguably the cause which has created the highest state of mobilization of communities in Cape Town in the post-apartheid era (Stokke and Oldfield 2004; Miraftab and Wills 2005). It is also around eviction orders which the Joe Slovo/N2 Gateway contestations entered the legal system.

Selection process.

Another issue that has persistently been the source of conflict has been: Who will get a house? This comes as no

surprise, given that approximately 400,000 families have expressed demand for improved housing in the city (CoCT 2007). Therefore, the 22,000 units promised at the inception of the N2 Gateway project were attractive for prospective residents from different areas and income brackets. Running parallel to the project implementation has been a debate relating to which parts of the housing market should benefit from the development. The Breaking New Ground policy wanted to create mixed residential areas which would bridge the so-called primary and secondary housing markets (known as 'gap housing') (Department of Housing 2004). Social movements like the Western Cape Anti-Eviction Campaign and AbahlalibaseMjondolo demanded a "scrapping of the rental system" (pers. comm. CSO representative 11), and that N2 Gateway would prioritize RDP houses (meaning fully-subsidized units). From the plans of the project, it was clear that fully-subsidized units would be built side by side with rental and bonded units. Hence N2 Gateway created expectations amongst informal settlement dwellers, backyard dwellers and other groups in search of better housing. One should be careful about generalizing about conflict lines, but it became clear that many different groups made claims of entitlement and priority. In some cases, these claims gave rise to tensions between people belonging to porous and overlapping, yet symbolically powerful, categories: 'borners' versus 'migrants', backyarders versus informal settlement dwellers, Delft residents versus Langa residents, Xhosa versus Afrikaans-speaking, ANC versus DA supporters and so on (various CSO representatives, see also Eppel 2007).

The best example of this is how N2 Gateway developments in Joe Slovo and Delft have operated with contested 'ratios' of allocation to different communities. In Phase 1 (Joe Slovo), for example, it was initially decided by Western Cape Provincial Government that the selection of applicants would include 70 per cent of beneficiaries from informal settlements in Joe Slovo, whereas 30 per cent would be drawn from backyarders in Langa (Tonkin 2008). According to several interviewees, this ratio was not based on consultation with local communities in Langa (CSO representative 8). Backyard dwellers in other adjacent communities had also built up expectations early in the process: as leaflets had been distributed informing them of possibilities for housing through the N2 Gateway project in Joe Slovo and other planned sites. The established 70:30 ratio was questioned after the 2005 shack fire, the housing minister promised the fire victims priority in the N2 Gateway allocation process (Legassick 2008). It was yet again reaffirmed as the eviction orders reached the legal system by a Constitutional Court ruling in June 2009.

A 2009 COHRE report describes a similar ratio being suggested for the N2 Gateway houses built in Delft (see map above), where 70 per cent would be allocated to former Joe Slovo residents and the remaining 30 per cent to backyarders in Delft. The low share of Delft allocations was met by opposition and disbelief by Delft residents, as well as from the DA (Democratic Alliance) and by officials in the City of Cape Town. This perceived injustice also led a DA councillor to encourage 1600 backyarders in Delft to illegally occupy N2 Gateway houses before completion (COHRE 2009). Discursive constructions of unfair treatment based on race and language were mobilized and are still alive in relation to the project in Delft (CSO representatives 4 and 6).

Eligibility criteria.

The identification of target groups had to be accompanied by an individual application process where people would qualify for housing allocation. Phase 1 was a complex of rental units. As the phase unfolded, calls for applications were distributed and a series of selection workshops with prospective tenants conducted. It soon became clear that low-income people who thought they would be eligible for a flat were excluded from the process. Given that the first phase was a rental housing development, most informal settlement dwellers from Joe Slovo were unable to register due to their low and unstable income. Moreover, the applicants that did register soon found out that the rental level they initially had been envisaged would be raised considerably and many backyard dwellers with some form of low-income employment consequently withdrew their applications. The final selection of applicants who moved into the 705 units of Phase 1 in 2006 were therefore of a different income category than originally planned, and not in accordance with the 70:30 ratio described above. The Auditor-General directed stark criticism to the developers for non-compliance with the selection requirements of the business plan (AGSA 2008). At various stages of the planning process, people had been assured by politicians and officials that being a fire victim or a backyarder was an important criteria for selection, but the 'affordability criterion' became more and more important as the final selection drew closer (CSO representative 1). Subletting is very common among inhabitants of the N2 Gateway houses, particularly in the Delft section of the project where a WC representative estimates that 30% of houses are being sublet (Provincial government representative 1).

Quality of housing.

Protests also related to the quality of housing, although this was an issue mainly concerning the 705 households

who were selected for Phase 1. Residents who moved into new flats perceived them to be of sub-standard quality. In particular this related to poor quality building materials, faulty plumbing systems and security issues. A representative of the Residents' Committee of Phase 1 said that the flats had no place to hang curtains, nor were they allowed attaching anything to the walls. Soon after, they discovered the floors were so porous that high heels would leave marks in the floor. Then, more serious faults started to emerge, as structural cracks in the walls appeared and the plumbing system collapsed in many flats – leading to sewage leaks and mould. Another important problem was that door locks were not unique, allowing N2 Gateway tenants to open other flats than their own – resulting in theft, rape charges and deep mistrust. A point which was made by the Residents' Committee was how local labourers were irregularly paid, and chose to reduce the cement ratio in the construction process in order to sell cement privately (CSO representative 1). The Auditor-General report pointed out "various physical shortcomings" and health hazards in the quality of the Phase 1 units (AGSA 2008).

Lack of communication.

An issue which seemed to be a consistent source of frustration throughout the project implementation (and planning) was the low level of open communication with communities. It has already been noted that right from the outset housing minister Lindiwe Sisulu, the driving force behind the megaproject, had consciously chosen to limit consultation for the sake of rapid delivery. Several of the community and CSO representatives we spoke to lamented the fact that Lindiwe Sisulu had not sat down to talk with the Joe Slovo residents, but rather limited her presence to a few selected high-profile appearances. The lack of consultation was also strongly lamented by residents of Phase 1, who claimed that they had not been properly consulted about their contracts and the state of their flats. They also complained about the lack of communication between the developer and the residents once they had moved into the complex, even though severe construction and security faults were discovered (. CSO representative 1). Lack of communication throughout the project was coupled with occasional visits and exchanges by leading politicians who served to raise expectations by promising houses to particular groups, such as the fire victims of the 2005 shack fire (Councillor 1). According to the provincial head engineer, community involvement in the N2 Gateway project in Joe Slovo has been very superficial. There are consultation mechanisms, but these are merely used to delay messages and to inform, much less as a vehicle for community input into decision-making (Provincial government representative 1).

Use of local casual labour.

Local communities look to large-scale infrastructural projects as a source of two kinds of resources: the possibility of securing a house, and the access to income opportunities through opportunities for employment. The expectation that housing projects also will benefit local communities through income-generating activities and skills development, is now firmly entrenched in South Africa (Millstein and Jordhus-Lier 2012). The high levels of unemployment have led the government to develop labour-intensive development strategies such as the Expanded Public Works Programme (EPWP), which emphasis using local labour in public infrastructure projects. The contribution of ‘sweat equity’ as a form of participation in housing projects has also become common practice in housing projects. While this might provide the only hope of income for many people affected by large-scale interventions like the N2 Gateway project, it also presents local civil society dynamics with some challenges. Firstly, it tends to reduce the role of popular participation in development to the input of casual labour. Secondly, the scramble for casual work also tends to fuel inter-community disputes and entrench a ‘territorialisation of interests’ in poor communities (Millstein and Jordhus-Lier 2012).

As a part of the contractual arrangements, each contractor has to allocate 3% of the project funds to community interaction (Provincial government representative 1). One common way of doing so is to employ a Community Liaison Officer. In the N2 Gateway project Phase 3, the construction companies ASLA and

Power Construction have both employed Community Liaison Officers (CLOs) who are meant to function as middlemen between the developers and the local community (Community Liaison Officer 1). While a CLO potentially is an important platform for local consultation, there is also a risk that the CLO’s role is reduced to labour broker (Millstein 2008).

Understanding Community Responses to the N2 Gateway Project

Interventions such as the N2 Gateway project often lead to spontaneous protest. They can also spur collective organisation to engage directly with the planning and implementation of the project. An understanding of CSO networks in relation to large-scale interventions therefore needs to simultaneously take account of existing organizational structures, responses to the interventions, and the mechanisms of participation/consultation provided for by the project. Using the now well-used imaginary of invented/invited spaces (e.g. MirafTAB and Wills 2005), it is clear that an account of local mobilization around the N2 Gateway project must include both organized forms of *engagement* and *protest*, on the one hand, and even individual’s disengagement and apathy that may hinder such expressions, on the other. The timeline below summarizes the main milestones of the project and the acts of community resistance they were accompanied by:

Table 4: Types of households in eThekweni (Source: eThekweni, 2012)

August 2004	Breaking New Ground housing policy launched by the National Department of Housing
September 2004	N2 Gateway plans are presented to the Joe Slovo residents through the local media
15 January 2005	Shack fire in Joe Slovo renders 12000 people homeless
13 February 2005	Thubelisha Homes, a national agency, is appointed as project managers of N2 Gateway
14 February 2005	Sobambisana Consortium wins the call for proposals and becomes developers of N2 Gateway Phase 1
June 2006	The City of Cape Town is removed from its implementing role in the N2 Gateway project
June 2006	N2 Gateway Phase 2 is launched
September 2006	People move into N2 Gateway Phase 1 in Joe Slovo
November 2006	Residents of Phase 1 form a committee

Table 4, continuation: Types of households in eThekweni (Source: eThekweni, 2012)

July 2007	Phase 1 residents march to Parliament
July 2007	Rent boycott in Phase 1
3 August 2007	Joe Slovo informal settlement residents march to Parliament to protest planned forced removals
10 September 2007	Joe Slovo Task Team, AbahlalibaseMjondolo and WC Anti-Eviction Campaign with residents occupy N2 highway
20 September 2007	Thubelisha secures an eviction order of Joe Slovo residents from Cape High Court
12 December 2007	Postponed hearing of the case in Cape High Court, after a series of community complaints
2007-2008	Delft residents occupy unfinished N2 Gateway houses in Delft
February 2008	Cape High court orders eviction of Delft occupants of N2 Gateway houses
March 2008	Cape High court orders eviction of Joe Slovo informal settlement dwellers in preparation for Phase 2
August 2008	Hearing of the Joe Slovo case in the Constitutional Court
1 April 2009	HDA takes over the management of N2 Gateway Project from Thubelisha
May 2009	The Informal Settlements Network (ISN) is launched in Western Cape
May 2009	The Auditor-General releases a critical report on the N2 Gateway Project
June 2009	Phase 1 residents march to the Premier's office to demand changes in the project's management
10 June 2009	Constitutional Court orders a negotiated relocation in the case of <i>Residents, Joe Slovo Community Western Cape v Thubelisha Homes and Others</i>
1 March 2011	N2 Gateway Phase 3 construction of 2886 units in Joe Slovo begins
31 March 2011	Constitutional Court discharged its own eviction order of Joe Slovo informal settlement dwellers due to 'exceptional circumstances'
August 2012	First 300 residents move into Phase 3 of Joe Slovo. 2,600 units planned.

Source: adapted from Jordhus-Lier (2011)

While expressions of collective protest might be short-lived, they might also evolve into durable organisations which go through learning processes, networking and develop their working methods in sophisticated ways (Ballard et al. 2006). But such organisations seldom appear in an associational vacuum. In most urban communities in South Africa, there are various forms of organisations, including street committees, branches of the South African National Civics Organisation (SANCO) or other political

structures. In addition, despite the democratic deficit which seems endemic to megaprojects, they nevertheless often contain some form of consultation mechanisms (however superficial). In the N2 Gateway project in Joe Slovo, this is embodied in the Project Steering Committee (PSC), bringing together representatives of the community and the HDA. Such strategies might change in relation to how state policy spaces shifts from authoritarian to democratic (Stokke and Lier 2008; Sutherland et al. 2011). In addition, we have



through this research been eager to include into our analysis how knowledge – local, tacit knowledge and expert knowledge of various forms – travel in encounters between communities, decision-makers and implementing agents (Baud et al. 2011). The responses from Joe Slovo residents were many, most of which were never collectively

expressed. If we choose to narrow our scope to the organized forms of community response, it is clear that they play out across a spectrum where levels of engagement (with authorities and implementing agencies) and levels of mobilization (of local popular constituencies) have varied:

Table 5: Dimensions of mobilization in Joe Slovo

High level of collective mobilization	Protests, occupations, blockade	Community-driven planning
Low level of collective mobilization	Apathy, vandalism, patronage	Legal process
	Dis-engagement	Engagement

Confrontational phase.

When Joe Slovo residents first learned of the N2 Gateway project plans it led to demands for detailed information about the development plans and housing models. But the fire in January 2005 triggered a new set of responses from the community. Fire victims were told that they could not re-erect their shacks on the fire site as it had been designated a N2 Gateway development site. This clearly entailed relocation, in one form or another, and the need arose for an organization which would formulate residents’ concerns about *where* people going to be relocated to and *who* was going to be relocated. During this phase, residents who were not affected by the fire were *also* encouraged by Thubelisha to relocate (CSO representative 2). The community resisted these plans, and this was the immediate trigger for the establishment of the Task Team. The way the Task Team describe their interaction with authorities and the implementing agent during Phase 1 is as a series of “more than 20 meetings” with authorities (CSO representative 2). They demanded to see the plans and allocation criteriatio make sure it included the residents of Joe Slovo. The Task Team went through some interesting changes in the early phase. From being a male exclusive committee in the beginning they decided to actively use women both as representatives in the Task Team and as networking and mobilizing agents (CSO representative 2). After a period of consultation, the organized community structures decided it had not led to an accommodation of the residents’ concerns, and they *decided to change to more militant methods* of action – as “action speaks louder than words” (CSO representative 12).

The blockade of the N2 Gateway on 10 September 2007 – where community members blocked the main highway

into town for several hours during the night and early hours of the day marks a climax in the state of community mobilization although it also divided opinion. It led to some critical media coverage and a heated public exchange of words between the Minister of Housing and the Joe Slovo residents and their sympathizers (Makinana and Phaliso 2007; Legassick 2008). The form of action was symbolic: just as the N2 Gateway project had targeted the settlements surrounding the highway due to their visibility in this main portal into the city centre, so did the Joe Slovo residents use this ‘strategic location’ to make their protest seen and heard. The blockade was followed by a series of demonstrations in 2007, which perhaps can be seen as ending the most ‘confrontational phase’ of politics in the Joe Slovo case.

Legal process.

In the same period as they created a high level of popular mobilization, the organized community was also *getting to know the legal system*: for example, in the wake of the protests, eight Joe Slovo residents were charged with public violence (Legassick 2008). More importantly, however, Thubelisha and national/provincial government sought to get an eviction order from Cape High Court for the area targeted for housing developments. Judge John Hlophe ruled in favour of the applicants, and ordered an eviction on 10 March 2008 (Cape High Court 2008). The Task Team established relationships to different NGOs and lawyers during this period who could offer them legal expertise. The legal process shaped the form of mobilization, in the sense that over time the community protests had to give way to technical legal matters. Some activists claimed that the community at this point failed to maintain mobilization and entered a lull (CSO representative 9). But the shift from a

protest phase to a legal phase was not clear-cut: when Judge Hlophe ordered eviction, community members protested outside the High Court.

Lawyers affiliated to the Joe Slovo community applied to the South African Constitutional Court to appeal against the High Court order. The ConCourt(2009) handed five judgments on 10 June 2009, which had an impact on community mobilization in more than one way. Firstly, in spite of internal differences between judges, it upheld the eviction order from the High Court. Secondly, it prescribed in detail the circumstances under which such a relation should take place. This included “meaningful engagement” with the community (de Satge et al. 2009). This was interpreted as a victory for the Joe Slovo residents, but it also required that the community prioritized engagement over protest in their relationship to the state and the developers. Thirdly, it stated that 70 per cent of the houses should be reserved for former Joe Slovo residents. This would mean that Phase 3 would have to prioritise low-income families in a different way than the rental housing of Phase 1 and the bonded housing of Phase 2 had done. Fourthly, the ConCourt specified the time frame, transport arrangements and standards of temporary accommodation which the state and the developer had to offer those relocated. In sum, the requirements of the ConCourt were seemingly too specific and too demanding for Thubelisha and the state departments. This was also in a phase where the management of the project shifted from Thubelisha, leading to a period of instability. Consequently, little had been accomplished by 2011 both in terms of relocation and meaningful engagement, in fact so little had been done from the authorities’ side that the ConCourt discharged their own eviction order of 31 March 2011 on the grounds that the failure to comply with the 2009 judgment had created “exceptional circumstances” sufficient to discharge (ConCourt 2011). This was celebrated as a huge victory by the Joe Slovo settlement dwellers (CSO representative 2).

Knowledge-generation and engagement strategies.

The mobilization of communities in the Joe Slovo informal settlement also generated another form of politics beyond the highly visible street protests and resistance through legal processes. Emerging through the CSO network was a new approach favouring engagement and knowledge-generation as a means of mobilization. This approach was employed less in relation to the N2 Gateway project than to other upgrading initiatives in the area, however. These efforts to create arenas for engagement with local authorities and knowledge sharing date back to (at least) 2004, when Joe Slovo residents together with the NGO Community

Organisation Resources Centre (CORC) approached the authorities to conduct surveys and joint planning with residents. This never materialized because a private contractor was chosen as the preferred agent. In the wake of the fire and the protests in 2005-2007 the relationship between CORC and its affiliates and the Joe Slovo community remained cautious. CORC representative Bolnick(undated) writes that hostility and skepticism was directed towards NGOs during this confrontational phase, and they were seen as a threat to the autonomy of the community.

However, following smaller fires in the shack settlements in 2008 and 2009 there was a renewed engagement between the Joe Slovo Task Team and the CORC affiliates and City of Cape Town officials. The leadership in the Joe Slovo Task Team became less involved with social movements such as AbahlalibaseMjondolo and the Anti-Eviction Campaign, and took part in establishing the Informal Settlements Network (ISN). The ISN is part and parcel of the South Africa SDI Alliance. In April 2009, the Joe Slovo residents got involved in surveying the settlement (*enumeration*), a tool for generating independent and community-driven information. What was crucial about the enumeration exercise is that it was conducted by community members “in sharp contra-distinction to other information-gathering efforts in the settlement, where external actors, linked and sponsored by the state, were suspected of hidden agendas” (Enumerator cited in Baptist and Bolnick 2012: 63). They also constructed a community hall funded by an external donor. Parallel to the enumeration, the community with support from CORC and FEDUP started to re-block an area of the settlement, and engaged CoCT in constructing an ablution block in one zone (Baptist and Bolnick 2012; Bolnick undated). It seems that fires and floods have provided the pretext for the Joe Slovo community turning to the SDI method. Interestingly, Baptist and Bolnick describe the fires as ‘opportunities’, ‘catalysts’ and “open[ing] up significant amounts of space” for community-driven development.

Huchzermeyer (2011) presents a different account of the SDI Alliance’s engagement in Joe Slovo. She argues that SDI’s role shifted from a critic to a collaborator, and that the latter role included “facilitating the unpopular relocations *through* an ‘enumeration process’” (Huchzermeyer 2011: 145, my emphasis). She characterises the enumeration process as “intended to share information about pending developments or unavoidable relocations, empower ordinary residents and facilitate the organisation of communities” (Huchzermeyer 2011: 146). She labels the SDI alliance’s stance as ‘near-defeatist’, and goes on to explain how this involvement coincided with an internal crisis in the SDI Alliance. Huchzermeyer does not explicitly explain how relocations are conducted *through* enumeration

– which is quite contradictory to statements made by these organisations’ representatives in interviews under this research project (various CSO representatives). It is important to note that the issue of NGO interventions in slum dweller movements is a very politicised

Leadership in the Joe Slovo community got involved in the scaling-up of informal settlement politics – the chairperson of the Task Team became vice-president of the ISN – and has been on *exchanges* with other settlements in the city and in other cities/countries. During this phase, there has also been a certain level of engagement with the local community in direct relation to the N2 Gateway project Phase 3, with Community Liaison Officers functioning as the link between the developers and the community (Community Liaison Officer 1).

Politics of entitlement and allocation.

While many in the settlement, and prominent leaders in particular, have embraced the SDI method, there are

pockets of resistance to this form of engagement. The suspicion with which informal settlement dwellers often treat state-led data collection, as it is seen as facilitating eviction, is sometimes also attached to the SDI method, despite their representatives claiming it represents an alternative to this. Even in Joe Slovo, where enumerations received strong support by community members, a small section of the settlement withheld information due to suspicion (Baptist and Bolnick 2012).

As the construction of Phase 3 began, the politics in the settlement of Joe Slovo changed into struggle over casual construction jobs, housing entitlements, and co-determination. The Joe Slovo Task Team, set up by request of the N2 Gateway Project, became the dominant organization for those who wanted to exert influence or claim a stake in the process. But as it became clear that the development would not include everybody, some residents who felt excluded or marginalized turned to the Joe Slovo Residents’ Association to voice their complaints. As Phase 3 neared completion in 2012, the rivalry between these two organizations became hostile.

5

Settlement Case 2: Europe Informal Settlement

Europe is located as the third of four connected settlements forming several kilometers of informal settlements on the south side of the N2 between the city and the airport. Europe is a part of the predominantly black Gugulethutownship south of the N2. People started erecting shacks on a municipal landfill site to form the informal settlements Kanana, Barcelona, Europe and Vukuzenzele more than 20 years ago.

Key Actors

In a fashion typical for informal settlements across South Africa, the Europe settlement is tightly, albeit informally, organised by its own community members and “led by a committee which oversees all issues concerning their settlement” (CORC 2010: 5). Under the leadership committee, there are several street committees with which the ISN representatives engage to ensure communication channels between decision-

makers and residents: “We work with community’s street committees. We also host regular public meeting seeking mandate and giving report emanating from our engagements with the City of Cape Town” (CSO representative 7). SANCO is regarded as non-functional in Europe. They are seen by Europe residents as preoccupied with the formal settlements of the ward, in the Gugulethutownship.

Critical Issues Causing Community Concerns

The Europe informal settlement dwellers experience many problems in addition to poverty (see Table 2). Documented by CORC’s evaluation report and corroborated by interviews with residents and leaders, they are particularly concerned with issues of service delivery and environmental hazards:

Methane.

As it is located on top of a former landfill site (Old Nyanga Refuse Dump; 1956-1987), the ground on which their shacks are erected is unstable with a significant production of methane gases stemming from the buried waste (Dayaram et al. 2011).

Flooding.

The landfill site creates a ridge covered by an uncoordinated and increasingly dense cluster of shacks without proper drainage systems. Consequently as many as 82 percent of Europe households have experienced floods. These occur annually and force families to leave their homes which require draining and frequent maintenance (CSO representative 7).

Waste collection.

Moreover, service systems are very poor, with litter and waste in the streets or in improvised collection points, causing health hazards for the population. The City have outsourced waste collection in Europe to a private company, resulting in poor quality of the service, according to a former community leader (CSO representative 7): “the City issues tenders to people who don’t know our area, then worsen the situation by hiring people from outside the area, who are also clueless about our environmental needs in terms of dealing with solid waste.” When community members complain to the councillor regarding these clean-up projects, “she arrogantly informs that after signing the contracts with contractors, it is out of her hands” (CSO representative 7). The community leader contrasts this experience with another private company who were in close communication with community members through a seven-year period, which meant that local concerns were heard and the community was “dirt-free” (CSO representative 7).

Toilets.

As in informal settlements elsewhere, there are no individualized toilets, and the population has to rely on the bucket system and chemical toilets. Out of 896 toilets, 190 were non-functional at the time of enumeration due to vandalism and lack of maintenance (CORC 2010). There are no ablution facilities in the settlement, making cleaning yourself after visiting the toilet a difficult exercise.

Water.

There are 18 standpipe water taps in the Europe settlement (Dayaram et al. 2011), and they were all functional at the time of enumeration (CORC 2010). Nobody pays for water or sanitation services in the settlement (CORC 2010).

Relocation.

Even though there are divided opinions on the possibilities of upgrading the informal settlement on the landfill sites, several representatives of provincial and local government seem to argue that upgrading is unrealistic. In the opinion of the informal settlement dwellers, however, relocation is not an option. One former community leader claimed that housing officials had identified areas in Kraaifontein, Atlantis and Delft as potential relocation sites. Residents feel these place are so remote, they would lose any chance of finding employment. They also have a very negative impression of the service levels in the TRAs. Community residents justify in-situ upgrading on their 20 years history in the area; their access to schools, hospitals, libraries and other amenities; public transport accessibility; and the increased cost of living that would be the result of relocation.

Local Civil Society and the “SDI Method”

In the late 2000s, the community leadership in Europe and adjacent Barcelona got actively involved in the Informal Settlements Network, a network of organisations based in informal settlements which is supported by organisations such as Community Organisation Resource Centre (CORC) (both part of the South African SDI Alliance). Slum Dwellers’ International (SDI) is a global network of CBOs which started in South Africa in 1996, but has since spread to 33 countries and has a very strong presence in India. SDI has developed a holistic method towards slum dwelling, and supports a methodology of change which combines individual agency, collective organisation and strategic engagement with authorities. Their approach to slum upgrading provides a contrast to formalization policies and large-scale housing developments, and favours incremental approaches with a high degree of participation and local learning. While SDI claims to be a bottom-up organisation, the “SDI method” is increasingly being exported to new locations, and is there a constant negotiation between top-down policy transfer and bottom-up community engagement. Consequently, the SDI method plays out quite differently in different communities and is sometimes contested.

Through protagonists who were both community leaders and activists in ISN, they managed to facilitate several efforts focusing on upgrading, advocacy and community participation. Alongside efforts such as women's savings groups, the ISN/CORC initiative conducted the following projects:

Enumeration.

Volunteers from the community, supported by the community leadership and CORC conducted a community-led census and survey of households in Europe, concluded on 10 October 2010, focusing on household details, income, employment, housing, disaster, migration and health. CORC Enumeration reports are regarded as highly valid and useful contrast to official statistics. It is also something which creates a feeling of ownership for community members about the knowledge of their own living spaces.

Partnership meetings with local government.

CORC and the City of Cape Town (CoCT) agreed to include Europe informal settlement as one of their pilot projects (other such pilots took place in Stellenbosch, Ekurhuleni, Johannesburg and Durban). Representatives of the organisations and of relevant departments in local government get together on a monthly basis through partnership planning meetings to discuss strategy. There are also regular partnership project meetings where representatives from the actual communities meet with field workers and officials from water and sanitation, electricity and solid waste (interview B Kohler, 6 April 2011).

The SDI method certainly involves a structured form of engagement with local authorities. Through the SA SDI Alliance, the community is also brought into contact with a fund which supports projects and the private sector through a top structure upgrading project, IkhayaLami.

Community planning exercise.

Another spin-off from the ISN involvement was a community planning exercise in Europe informal settlement. This involved community representatives, CORC facilitators and planning students from the UCT Planning and Urban Development Department at UCT. Community members who took the initiative to get Europe involved in community planning exercises explained that areas like the informal settlements on the "N2 strip" have no proper plans, and that this is one of the main problems (CSO representative 11). Initiated by a former community leader in the

settlement, planning students engaged with the community through three phases of interaction: i) six weeks of community interaction and research, followed by ii) three weeks of desk study by the students and a perusal of legislative documentation and, finally, iii) four weeks of design. The result was several reports produced by students documenting and mapping the physical, environmental and social make-up of the settlement. While this meeting between students and residents led to an increased understanding of the planning challenges of informal settlements, the plans did not lead to any concrete action – possibly failing expectations raised throughout the process. Moreover, a CORC facilitator reflecting on this experience admits that the design Phase involved insufficient community involvement which in turn reduced the residents' sense of ownership in relation to the community plan. An ISN representative explains that women are the main drivers of community-driven development in Cape Town. Men seem more reluctant to participate in the meetings, and prefer to get straight to the practical tasks which require their manpower (CSO representative 11).

It seems clear that a handful of protagonists based in the Europe informal settlement have been instrumental in trying to anchor the SDI method with the local population. These people offer their time and resources, but they might also benefit from such an engagement through positions, knowledge, influence and power. Illustratively, an ISN representative from Europe informal settlement explained how he spontaneously decided to get involved in a particular issue while driving by a part of the settlement:

"I then consulted with their leadership and found out that they were ostracized in a development that will directly affect them. [...] I then went ahead and requested the developers to hand me their layouts for the development. I found out that the layout provide for only 70 units to be built to relocate the resident. Clearly by the number of people families living in Lwazi Park, those units were inadequate. What was going to happen to the rest of the people." (CSO representative 11)

CORC also embarked on a drainage project in Europe settlement parallel to the students' involvement, where a small individually-based community investment (in the order of ZAR5-15 per household) was to be supported by investment by a Community Upgrading Financing Facility (CUFF). However, after consultative meetings with community members, insufficient "buy-in" by residents who did not feel that they would benefit, meant that the community did not manage to raise money or support from the entire community. The plans eventually fell through.

Engagement with politicians.

Despite structured engagements with city officials and bureaucrats built into their method, representatives of various parts of the SDI family, including locally based ISN representatives in Europe, are all very skeptical about involved politicians, even at a local level:

“We never involve the mayor, they always come to our communities with empty promises [...] Even councillors are clueless and often distant when it comes to our community issues. At the time I was a member of the sub-council, for me it was clear as how the informal settlement issues were never prioritised.” (CSO representative 11)

Demobilization and resisting external interference.

At the time of research in early 2012, it became clear that the different initiatives of ISN and CORC had not fulfilled their potential. With the exceptions of a small pilot project of alternative toilets in Barcelona/Europe and a revised plan for reblocking and relocation of a small informal settlement adjacent to Europe, the interaction with NGOs, planners and city officials in Europe has not yet led to any concrete improvements of the built environment in the N2 strip. It has however, shown how some protagonists have been able to establish communication channels with decision-makers and access the expertise required to implement upgrading under favourable conditions. There seems to have been at least two important conditions lacking in the case of Europe.

Firstly, there has been a general assumption among policy-makers and planners that the physical state of the land makes Europe and the other settlements on the N2 strip unsuitable for upgrading. While there are certainly different opinions on this matter in local and provincial government, it might have acted as a factor creating less active involvement from the authorities’ point of view. Secondly, and even more importantly, community dynamics in Europe have not been favourable to external interventions. Different groups and political organisations

have tried to establish positions of power within each of the settlements along N2 strip. When community leaders engaging in ISN and CORC initiatives enjoyed access to decision-making forums and local positions of authority through such engagements, criticising and resisting the ‘SDI method’ represented one way of delegitimising these leaders for others with leadership aspirations. From anecdotal evidence observed in meetings with protagonists in the ISN, another big problem has been that many community members have not seen the direct benefit of particular plans (such as drainage plans) (CSO representative 24). This can be read as a failure to build sufficiently strong trust in beforehand, which in turn can be explained by the relatively unstable social base of informal settlements – many people have been moving in and out, and none have stayed in the Joe Slovo location for more than 20 years. It can also be attributed to a lack of communication during these interactions. The fact that many community members have failed to differ between the actions of the Anti-Land Invasion Unit (ALIU) and the interaction with ISN and the Informal Settlements Department through the Project Partnership Meetings testifies to a high degree of mistrust and miscommunication. Admittedly, the ALIU is organised under the Informal Settlements Department, which goes some way in explaining why people have associated the exchange of information with the department with the demolition of shacks by the ALIU.

This last point leads us to an analytical lesson to be learned. The sharing and inclusion of local knowledge is often assumed to be something which is lacking in urban governance, and that the inclusion of such knowledge will empower local populations and make interventions more sensitive to their needs and concerns. However, when communities are sceptical towards such information exchange, it might be because they believe sharing knowledge about their livelihoods and settlements can be used to their disadvantage. This implies that one should pay more attention to the establishment of accountability and trust in such exchanges. Likewise, the resistance towards community planning and engagement with authorities by some fractions in the settlements shows us how important an analysis of power is to understand the processes behind mobilisation and demobilisation in the case of upgrading in Europe informal settlement.

6

Conclusion

In this conclusion I will briefly discuss the main similarities and differences between the experiences of upgrading initiatives in Europe and Joes Slovo, as well as try to give an assessment of the outcomes of community mobilisation in each case.

As is clear from the above accounts the main difference between the Joe Slovo and Europe cases is the fact that the former did become a target for a national housing pilot project (a 'mega-project' as far as social housing projects are concerned) and the latter did not. This has resulted in a fundamental transformation of the Joe Slovo settlement, offering a new and improved housing situation for some of the settlement's residents. The relocation of residents, on the other hand, and the fact that those not allowed to return to Joe Slovo face a future in a temporary relocation area far away, have created a divided community.

Lack of action also puts stress on community relations, as evidenced by the developments in Europe settlement. Here, a hesitant technical and political community regarding the settlement as unsuitable for upgrading, left the settlement dwellers with no place in the mega-project. While many refused to abandon the idea of in situ upgrading, the relationship between this settlement and the SDI/CORC/ISN network failed to deliver on its initial promise. Mistrust and rivalry between community leaders are partly responsible for the frustration and demobilization which left pilot projects and community plans unexplored. Also, a lack of commitment from local government officers, planning students and other "experts" have likely played a role.

A difficult question which begs asking after observing the politics of upgrading in Joe Slovo and Europe in the 2000s, is: does community knowledge matter? Are the knowledge and the lived experiences of informal settlement dwellers – as documented in enumerations or as shared through partnership meetings – taken seriously by decision-makers? Influence and co-determination within the N2 Gateway Project was limited, as shown above. But that does not mean it was non-existent. Through the Task Team, community members were consulted on technical issues,

and some community members were (through community liaison officers) offered casual construction jobs on the Phase 3 development. But this involvement was not unproblematic and created divisions between residents who would be allocated a house, and those who were facing relocation.

Another way of measuring this is whether enumerations and other community-generated knowledge are actively incorporated by managers and technical experts in local or provincial government. Evidence is not equivocal on this issue. Huchzermeyer(2011), for instance, makes the point that even if SDI/CORC/ISN argued that enumerations were informing CoCT policy, the author could not find evidence that city managers had any awareness of such enumerations. In our own research, however, we found that the lead engineer in Provincial Government in charge of developing Phase 3 of N2 Gateway was using socio-economic assessment reports from the CORC enumerations which were triangulated with other official statistics. Another example of visible outcome is the active use of community-generated knowledge in the affidavits presented to the Constitutional Court, where the expectations generated in the population relating to eligibility and in-situ upgrading were documented and used as evidence that the basis of the eviction order was wrong.

Overall, however, we argue that the communities' ability to cooperate and use their own knowledge of their settlement to constructively (not purely defensively) contribute to an in situ development of their own neighbourhoods has been minimal. While in the Joe Slovo case, this can be attributed to the expediency and top-down implementation of the N2 Gateway Project, the case was almost the opposite in Europe informal settlement. Here, it was the lack of action and visible results that created frustration. Leadership in the community failed to unite behind a community development plan, as divisions between those involved in the SDI/CORC/ISN and other leaders led pilots and community plan initiatives to fizzle out.

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Settlement Field Report

Salvador, Brazil

By Denise Vitale and Katiane Lucia Zapei

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Abstract

This case study concerns the Old Centre of Salvador, the capital of the state of Bahia, in the Northeast of Brazil. This area is known by its rich historical and architectural complex since symbolic references safeguard traditional and contemporary cultural goods of Salvador, which are expressed in different properties like convents, churches, heritage buildings, museums, foundations, cinemas, theaters, libraries, archives, etc.. But it is also remembered by numerous government interventions that try, since the 60s, protect the architectural site of degradation.

These interventions were implemented by different government bodies, different ideologies and were manipulated in different ways regarding the time period, the focus of action, or dialogue with the local community. Among the actions taken are the creation of entities and government agencies aimed at protecting the area, conducting various researches not only with local residents, but also visitors, the enactment of laws and decrees outlining protection area, plus a number of significant plans and programs aimed at recovery of the area.

The different government interventions had as a central point of action the development of tourism and the recovery of cultural and leisure equipment, replacing the usage profile housing. To make this possible a significant number of families were removed from their homes, and in some

cases relocated and compensated with values expressed not in fact not even the value of the material. This relocation process was called by the prosecution in a Lawsuit filed against the state government and Conder as “social cleaning.”

The development model adopted by the plan, actions and instruments for its implementation led to a series of conflicts with the population. The history of physical and legal violence repercutated intensively, because families did not have forums where they could complain of the low values of the indemnities and transparency of government actions. Only in 2002 it was formed the Association of Residents and Friends of the Historic Center – AMACH, which helped to give visibility to actions of violence and disrespect to which residents of the focal areas of recovery were being subject.

The struggle of the residents of the Old Centre of Salvador still continues. While some seek justice in the value paid for the houses, others fight for the right to continue to live in that place. However, the idea of using the space for housing does not seem to be a priority for the State, for despite having agreed with the construction of affordable housing in the area and have obtained funding for it, so far failed to come up with the buildings.

PART I

1 Introduction

The objective of this research is to analyze the popular mobilization of the communities of the Old Centre of Salvador (*Centro Antigo de Salvador: CAS*), an area subject to numerous interventions by local government since the 1960s. Our focus here is on the popular movement's trajectory of organization and struggles, especially the attempts to defend the right to residence in the region under study.

The Historic Centre of Salvador (*Centro Histórico de Salvador: CHS*), an area listed by the National Institute of Historic and Artistic Heritage (IPHAN) in 1984, referred to as the Polygon and recognized by UNESCO as a World Heritage Site in 1985, forms part of the Traditional Centre of Salvador, located in a part of the city called Cidade Alta. This space corresponds to the founding core, the place where the city's first buildings were constructed in the 17th century, including the churches, manor houses, monuments and colonial buildings of the Pelourinho with investments from large rural landowners (Braga & Santos 2009).

The listed area covers 78.28 hectares and extends from the Sodré district and the Convent of Santa Tereza/ Museum of Sacred Art in the south to Santo Antonio, along with Carmo and its Fortress, in the north; from the geological fault of the Montanha, which faces the Bay of All Saints, in the west, to the valley of the Tripas River, or Baixa dos Sapateiros, in the east (Fernandes 2006, cited in Mourad 2011: 73).

The word Pelourinho, 'Whipping Post' – historically used to identify a monument and a relatively small central space of the area now encompassed by the CHS, but emblematic as a symbolic landmark of the domination of the slaves – is today widely used by the city's inhabitants

as a popular synonym for the Historic Centre of Salvador (Opinion Survey Report, p. 09). The Historic Centre of Salvador (CHS) is included in the site referred to as the Old Centre (CAS), which corresponds to an area of 7 km² and along with the CHS includes another eleven districts of Bahia's capital: Centro, Barris, Tororó, Nazaré, Saúde, Barbalho, Macaúbas, part of the Liberdade Spur, Santo Antônio and Comércio, as shown in Map 1. This site includes the Historic Centre but also the Municipal Strict Protection Area and the Adjacent Area to the latter, as defined by Municipal Law no. 3.289/83 (ERCAS).

The term Old Centre of Salvador (CAS) is now used to refer to a new space of intervention, which by aiming to promote the sustainability of the city's historic area complements the delimitation of the Historic Centre (CHS) which has the Pelourinho as its biggest reference point (Gordilho 2009: 7). During the last four decades, several plans and actions were conducted by the government in order to recover the area, by changing its profile to a touristic rather than residential place. As a consequence, many conflicts have taken place, especially regarding housing. The field research reveals that managing conflicts of interest remains a challenge, including, for example, in relation to the social housing directive where resources are guaranteed but activities are paralyzed. The paralysation of the housing initiatives provoked widespread scepticism among the population concerning the actions of the public authorities. When asked about the difficulties of implementing the last Plan, many interviewees related the interruption of works, intra-governmental conflicts (no coordination of guidelines and actions between departments), party political interests, lack of political will and lack of interest in the housing issue.

2 Methodology

The main goal of this research is to analyze the construction of associativism, its capacity to mobilize the local population and its relation to public authorities in the city of Salvador. This aim in mind, following the case study

model, the Old Centre of Salvador was chosen as the primary location for the analysis of these phenomena, both because of the existence of a megaproject for the region, and because of the historical trajectory of the last few

decades in which the region has been repeatedly subject to government intervention.

The research was therefore conducted using the following sources: book, articles, theses and dissertations on the transformations of Salvador and on the urban and housing interventions in the Old Centre of Salvador; documents produced by the government and by civil society organizations; interviews with civil society actors and with managers and specialists; and participant observation at some events, seminars and meetings.

Reflecting the fact that the Old Centre of Salvador has been subject to urban and housing projects for more than half a century, a specialized literature on the topic exists, which contributes to understanding the current project in the light of the area's historical trajectory. The reading of these studies, as well as the interviews conducted with

their respective authors, has helped illuminate the paths to be followed, especially in relation to the selection of other authors to be interviewed.

Fifteen interviews were conducted from a group including community associations, cultural associations, commercial associations, NGOs, specialists and government. This field research looked to prioritize leaders and associations cited by the specialists, managers and residents as the most active and involved in the region's struggles and mobilizations. The questionnaire used to residents and associations aimed to extract a contemporary portrait from the interviewees, though informed by their historical trajectory as residents and citizens. For specialists and managers the research was conducted following a different questionnaire, which regarded an analytical approach of the settlement and its participatory dynamics.

3 Background and Context

The first initiative from the municipal government, according to Cardoso (2010: 65) took place in the mid 1980s through the project denominated the Integrated Municipal Administrative Centre (CAMI), whose objective was the relocation of 12 departments and organs of the local government in the CHS, aiming to reverse its emptying. The project included plans for the restoration of some buildings intended for the installation of public services only. It did not propose actions for recuperating the CHS as a whole.

The interest of the municipal public authority in the recuperation of the CHS intensified from 1986 onwards during the administration of the mayor Mario Kertz, when the Special Program for the Recuperation of Salvador's Historic Sites (PERSH) was created. The aim of this program was to recuperate the traditional role of the city centre as a point for the local population to meet, work, live and engage in leisure activities and preserve the urban architectural, scenic and cultural heritage. Among the initiatives linked to the program we can note the creation of the Pelourinho Historic Park (PHP), a conceptual innovation that argued for the notion of an urban 'constructed park' made up of buildings and urbanized public spaces.

Analyzing the program, Cardoso (2010: 67) calls attention to its innovative nature, introducing new reference points for the universe of cultural preservation of the CHS, such as: the utilization of new building technologies; the

stimulation of private sector investment in the recuperation of historic buildings through partnerships with the public sector; and the inclusion in the process of elaborating the building recuperation plan and projects of some of the big names from Brazilian architecture, such as the architect Lina Bo Bardi. However its actions remained one-off initiatives limited to a few isolated sites and monuments.

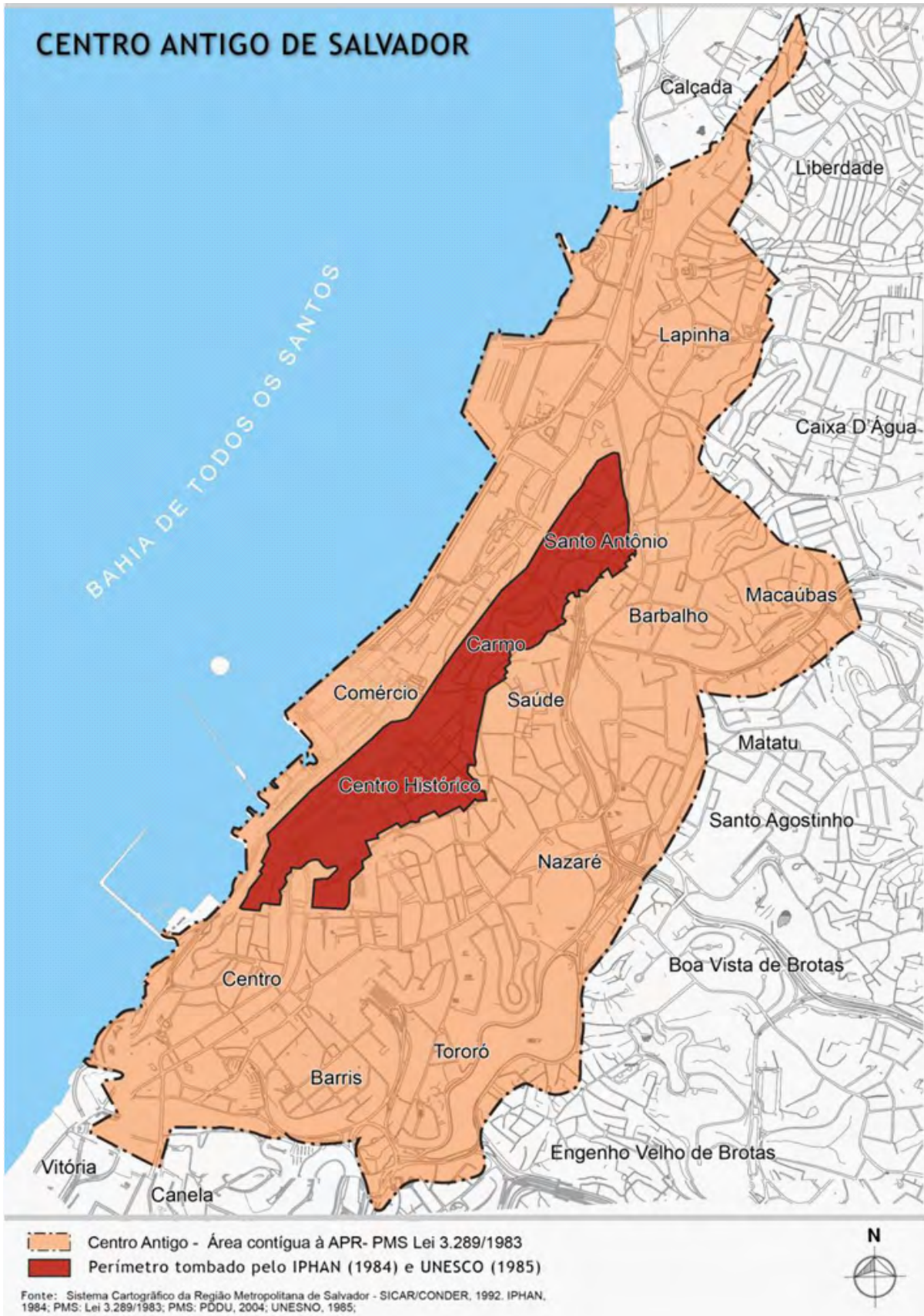
In 1990 the state government put into practice the Recuperation Program for the Historic Centre of Salvador. This program stood out from the sheer quantity of works and financial resources involved rather than the development of innovative methodologies in terms of the public policies and urban projects that were implemented (Cardoso 2010: 67). Hence the recuperation of the city's Historic Centre seemed to be an important alternative for the increase in tourist activities in Salvador.

The essence of intervention was based on the transformation of much of the recuperated area into an 'open air shopping,' specifically targeted at meeting tourist demand with the concentration of consumer, leisure and cultural activities in a zone with strong historical and scenic appeal.

However to achieve this objective, the State invested in disappropriation or loan agreements with the owners of buildings that were restored and later made available for the businesses responsible for the implantation of the

intended space. The program took as its baseline the Term of References elaborated by the Bahia Artistic and Cultural Heritage Institute and covered an area of approximately 12

hectares – precisely the most deteriorated region with the most examples of colonial and baroque architecture (Fernandes 2006, cited in Mourad 2011: 77).



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The plan was divided into seven stages, each corresponding to an area of intervention, and involved urban measures based around the zoning of entire blocks whose recuperation involved almost a thousand buildings, basic sanitation of the zone (water, sewage, electricity, telephone and internet cables, etc.) and the registration of a total of almost 4,000 inhabitants (Pinheiro 2008: 16).

The region formed by the Old Centre, which during this decade was used primarily for housing, became the target for a renovation policy based around its use for tourism with policies aimed at valorising cultural and leisure facilities (Andrade, Monteiro & Sombini 2012). Mourad (2011: 79) argues that these interventions ignored the original meaning of the urban environmental heritage, promoting the banalization of culture through the construction of authentic scenes/shows. The government's premise was to alter the sociocultural profile of the Old Centre. This end in mind, the program coordinated a policy combining consumerism, leisure and culture in a unique historical environment, aiming to replace the inhabitants (following the logic of gentrification) and stimulating visits from tourist and upper middle class consumers (Mourad 2011 :96).

This brief analysis of public investments in the Old Central of Salvador shows the emphasis on improvements to the CHS in detriment to other areas of the city. This special attention can be seen in the account given by Bittencourt (2011: 45) which highlights that in 1991 alone more than 20 plans and initiatives were elaborated with the aim of reversing the Historic Centre's state of abandonment.

The Old Centre as a whole and the Historic Centre in particular was not perceived or treated as a residential area. Rather it was prioritized as a cultural space and a tourist destination. This is clear when we observe the investments in the housing area, or even those in infrastructure. It can also be perceived in the directing of financial investments, as well as in government action. Although the latter had assumed different postures over time with the option sometimes being to reverse those works that failed to "match the decor" and at other times to invite them to work

closely with the State, the fact is that little or nothing was invested with the objective of meeting the needs of the population living in the Old Centre of Salvador.

This also becomes evident when we analyze the state's behaviour and the allocation of funds to the housing sector. This subject was only given more emphasis in the 7th Stage of the Revitalization Project for the Historic

Centre of Salvador, begun in 2000 and executed by CONDER (Bahia State Urban Development Company), with the plans covering 130 buildings, including the reformation of 316 housing units, though only 103 of these would be allocated to long-term residents of the area. In addition 60 stores and 8 monuments would be built in 8 blocks (Bittencourt 2011: 6).

Timeline of main events

1968	Michel Parent's report (France – UNESCO), describing the degraded conditions of the historical buildings of Pelourinho.
1968	Creation of the Artistic and Cultural Foundation of Bahia – FPACBa.
1969	Registration of Pelourinho's residents.
1969	Municipal law defining Protection Zones (Decreto municipal nº 3.712).
1978	State government's proposal of "Valorization of the Historical Centre of Salvador"(FPACBA and Conder).
1978	State Law n.3.660/78, regulating the heritage list of cultural goods.
1984	Centro Histórico de Salvador (CHS) é tombado pelo Instituto do Patrimônio Histórico e Artístico Nacional – IPHAN
1985	Historical Centre of Salvador (CHS) is recognized by UNESCO as Patrimony of Humanity.
1986	Special Program of Recuperation of the Historical Places of Salvador is launched by the City Hall.
1988	Creation of the Historical Park of Pelourinho.
1990	The Program of Recuperation of the Historical Centre of Salvador is launched by the Government of Bahia, which was divided into seven stages.
1992 - 1993	Implementation of the first two stages of the Program.
1992 - 1994	Implementation of the third stage of the Program.
1995	Implementation of the fourth stage of the Program.
1996	Implementation of the fifth stage of the Program.
1997 - 2006	Implementation of the sixth stage of the Program.
2002	Creation of the Association of Residents and Friends of the Historical Centre – AMACH
2002	The Public State Prosecutor's Office filed a Lawsuit against the State Government arguing that the relocation process was a "social cleaning".
2006	The seventh stage is started.



2007	The Bahia State government created a Bureau of Reference for the Old Centre of Salvador - ERCAS (Decreto Estadual n. 10.478).
2008	Brazilian federal government, Bahia state government and UNESCO signed a project of international technical cooperation for implementing the sustainable rehabilitation of the Old Centre of Salvador.
2008 -2010	Prevision for building a plan of Sustainable Rehabilitation of the Old Centre of Salvador
2008 - 2009	Four meetings of the Thematic Groups took place. More than 600 people of civil society, government and private sector took place.
2010	Publication of the Participatory Plan of Rehabilitation of the Old Centre of Salvador
2010 – 2014	Prevision for the implementation of the Rehabilitation Plan of the Old Centre of Salvador

PART II

THE SETTLEMENT CASE

4

The Case of the Old Centre of Salvador: Conflicts and Sociopolitical Dynamics

The central theme of this 7th stage – housing – was the one which presented the largest field of conflict and negotiation among the different revitalization stages (Bittencourt 2011: 56), since as well as involving the social right to housing, the works were marked by an absence of dialogue between the public authorities and the community, the threat to relocate residents in districts far from the city centre, the low amounts offered as assistance for moving home, the strategy of replacing the area's population, bringing in middle class sectors such as public employees and professionals, and finally the impossibility for the original residents to remain in the Historic Centre.

In Bittencourt's view (2011: 63) the first media adverts explaining the revitalization of the Historic Centre implicitly contained a conception that the people who lived there were incompatible – whether because of their morality, lifestyle, income or culture – with the new proposal for using the area announced as a product of reform, thereby contradicting the discourse initially formulated during the phase of presenting and justifying the project to funding bodies. The cost of the works, the new value attributed by the project to the areas streets, the potential rise in property values, the planning for the arrival of potential 'new' residents, were all elements that appeared as the project unfolded that went against the more direct interests of the residents already living in the area.

The choice of these development models generated a series of conflicts with the local population, which saw itself excluded from the investments and from the space itself. Bittencourt (2011: p.55) writes that the data divulged by IPAC on clearance of the buildings of their occupants and the implementation of the building work, all the residents and traders from the area were registered and offered three options: compensation in money on the agreement to leave the area; definitive relocation (move to a specially recuperated building, paying rent with a legally valid contract); and provisional relocation, an option available to owners of deteriorated buildings who could remain provisionally residing in the reformed building until returning to their own property. The author in question

emphasizes that, according to the IPAC's data, the large majority of residents opted for compensation.

The value of the compensations was widely questioned due to the low sums paid. Rocha (2001, cited in Bittencourt 2011: 71) argues that the compensations proposed by the Bahia State Urban Development Company (CONDER) were risible, ranging from R\$ 1,300 to R\$ 1,900 only. As well as the low amounts offered, the government ruled that the compensations would only be paid to residents who could prove their ownership through documents, leaving the rest to choose between relocating to houses situated in Coutos (43 km from the centre) or receiving assistance towards relocation (an amount paid to help with moving costs, on average R\$ 1,000).

In Bittencourt's evaluation (2011: 70-71) the government failed to present all the possibilities to which the residents had right, such as alternatives for staying in the area, recognition of adverse possession laws (many families had been there for more than 20 years) and transparency concerning payment of the compensation, while pointing out that relocation of residents to areas far from the city was a breach of the rights implicitly contained in the Statute of the City.

Urban, Housing and Service Characteristics

The Old Centre of Salvador (CAS), corresponding to an area of 7 km², includes the Historic Centre of Salvador – an area listed by the National Institute of Historic and Artistic Heritage (IPHAN) in 1984 and recognized by UNESCO as a World Heritage Site in 1985 – but also includes the Municipal Strict Protection Area and the Adjacent Area to the latter, as defined by Municipal Law no. 3.289/83, (ERCAS), thereby encompassing another ten districts of the Bahian capital: Centro, Barris, Tororó, Nazaré, Saúde, Barbalho, Macaúbas, part of the Liberdade Spur, Santo Antônio and Comércio.

The population of the CAS is 79,776 with 8,255 of these people living in the CHS, according to the data divulged in the Rehabilitation Plan for the Old Centre of Salvador (2010: 21). The area in question is notable for its preservation of traditional and contemporary symbolic reference points of the Bahian capital, expressed in different constructions like convents, churches, heritage buildings, museums, foundations, cinemas, theatres, libraries, archives, and so forth. According to Guerra & Gonzalez (2010: 166) the CAS, since its foundation in the mid 16th century, polarized the local port, commercial, administrative and service activities, especially in the regions of Comércio/Calçada (Lower City) and Avenida Sete de Setembro/Praça Castro Alves/Praça Municipal (Upper City).

The privileged position of easy access to the port provided favourable conditions for economic development in the CAS. However with the passing of time new urban spaces emerged, particularly as a result of 20th century urban reform: the opening of avenues and new districts; the relocation of the Administrative Centre of Bahia to an 16 km away from the Old Centre of Salvador; the privatization of an enormous quantity of public land, which stimulated the emergence of a new economic centre (Iguatemi/Paralela/Tancredo Neves) and the industrialization of the metropolitan region, leading to the development of neighbouring municipalities such as Camaçari and Lauro de Freitas. The outcome of these changes was the relocation of the Old Centre's economic role to other areas of the municipality and the surrounding region.

Currently the Old Centre is still home to various types of services, provided by both the formal economy (street stores, personal and administrative services, tourism, entertainment, shopping centres, healthcare, telecommunications, universities) and the informal economy (street vendors), almost always targeted at lower income consumers (Infocultura 2008: 2).

Despite the creation of new economic cycles, the Old Centre continues to perform an important role in the city's life, especially for middle and lower income consumers. Here the most prominent areas are Joana Angélica and Sete de Setembro Avenues, which traditionally sell popular items, men's and women's clothing, household appliances, cosmetics, home products and accessories, shoe shops, bookstores, stationery stores and shopping centres, all of which continue to attract middle and lower class consumers. As well as trade, these areas offer a wide variety of services, including college entry courses, schools, health clinics, and small business offices, especially those of lawyers and accountants, which help to maintain the dynamism of the local economy.

Informal commerce is significant not only because of the vast diversity of products offered, but also because of the number of people involved in the activity and its strategic location – on the routes connecting the traditional commercial district and the Rua do Coqueiro.

The Old Centre also shows distinct commercial patterns depending on the region that is being analyzed. Since while in some areas, as cited above, trade in popular articles and specialized services predominant, especially those aimed at local residents from lower income sectors, other regions of the CAS target their commercial activity to cater for the demands of the tourist sector, principally those located within the perimeter of the area listed by IPHAN and UNESCO: the Historic Centre, Santo Antonio and Carmo.

According to Queiroz (2010, p. 184) “[...] in the heart of the Historic Centre the activities are focused on the outside public [...]” In these locations there is a strong concentration of souvenir and craftwork stores, along with hotels and restaurants. However, it is notable that while these spaces display a concern to cater for tourists, there is also a disinterest in providing basic services such as pharmacies, supermarkets and bakeries to the population living in this region, which can be verified in the interviews given by some residents.

Cultural tourism is an important element for the economy of the Old Centre of Salvador. The monuments implanted between the 16th and 19th centuries have bequeathed the CAS region with a valuable architectural heritage. The latter includes museums, convents, churches, monuments, antique shops, libraries, etc. For Queiroz, the CAS comprises the area of the city with the largest number of cultural facilities and the greatest attraction for those interested in cultural tourism (2010: 196).

Also located in the Old Centre are a series of public organs and entities such as the Rui Barbosa Forum, the Council Chamber, and the Bahia Geographic and Historical Institute, as well as important private organizations like the Bahia Section of the Brazilian Bar Association.

Describing the public spaces and road system, Souza (2009: 20) observes that the hill tops of the Old Centre of Salvador are basically interlinked by steep roads and flights of steps, and mechanized systems such as the Lacerda Lift and the Taboão, Pilar and Gonçalves-Sé cable cars, as well as the Américo Simas Tunnel. Following the schema adopted by PDDU/2004 and 2008, the local roadways can be classified into five kinds: Arterial roads I and II, with higher traffic flows, basically located in the valley areas; Collector roads I and II, mostly in the hill areas; and local roads, narrower and with less traffic.

As Souza points out (2009: 21), there are no expressways. There is, however, a project currently under development, the Via Portuária, which traverses the northern boundary of the CAS polygon, as well as the underground and overhead sections of the subway, now being concluded, in the area around the Rui Barbosa Forum and Fonte Nova Stadium.

There are few public spaces for exclusive use by pedestrians. In the busier roads there is a mixture of vehicles and pedestrians with narrow sidewalks, very often taken over by street vendors or irregularly parked vehicles. It is worth emphasizing that the urban access and mobility conditions in the CAS area are poor in general.

The urban public transport system for the region formed by the Old Centre of Salvador is composed of bus terminals – Lapa, Barroquinha, Franca and Aquidabã – and by cable cars linking the Lower City and Upper City, including the future subway stations. These bus terminals play an important role not only in terms of accessibility to the Old Centre, but also in the economic strengthening of the region due to the number of people who visit or pass through it each day. At Lapa Station alone, the largest junction station in the Bahian capital, around 460,000 people pass through daily coming from all zones of the city and the main municipalities in the Salvador Metropolitan Region (Infocultura 2011: 18).

However the fact that the region centralizes these terminals does not guarantee adequate public transport in the different regions of the Old Centre of Salvador, whether because of the inefficiency of the system, or because of the characteristics of the locale. This is the case, for example, of the Historic Centre – the area listed by IPHAN – which lacks a public transport system on its streets. In the majority of these areas vehicle circulation is restricted, meaning that journeys must be covered on foot by tourists and residents alike. The absent or poor provision of public transport and parking have a negative impact on the number of visits to the location by Salvador’s own residents according to a study entitled “The image of the Historic Centre of Salvador for the city’s residents” (2009: 12).

In terms of land division, according to Souza (2009: 21), the first rules and regulations for individual lots date from the Municipal Tax Laws, issued in 1920 and 1926, when lots were found only within the boundaries of the CAS. These introduced the first regulations on the localization of housing for the lower income population, and also point to rules concerning the “division of blocks and lots” for land ownership in the city, already with some indications to future urban legislation.

From this period onwards there is a perceptible effort by public authorities to stimulate the construction of low-income salubrious housing on common land for rent, which can be seen in some areas of the CAS, in particular the Calçada and Liberdade districts. According to the IBGE census data (2000), the most populous sectors of the Old Centre are the Liberdade, Soledade, Barbalho, Saúde and Tororó districts, while the lowest residential levels are in the CHS. There is a predominance of permanent individual homes¹⁰², especially in the CAS, while in the CHS, collective domestic units predominate.¹⁰³ Notably in the Comercio district there is greater evidence of improvised individual dwellings¹⁰⁴ on the slopes.

In terms of the classification of occupied dwellings, permanent privately-owned homes predominate in the CAS, in the region surrounding the CHS, followed by rented homes, which are concentrated more in the Centro, Saúde, Nazaré and Lapinha districts, and finally, to a lesser extent, leasehold. In the CHS, the ‘other condition’ grouping appears more frequently, perhaps as a result of informal occupations.

In terms of the classification of permanent private dwellings by type of residence, we can note a predominance in practically three regions: to the south of the CHS, in the Centro, Barris and Nazaré districts, there are more apartments; to the north of the CAS, houses are predominant; and in the CHS and its immediate surroundings, in the neighbourhood of the Taboão district and the area between Baixa do Sapateiro and Campo da Pólvora, there are a higher number of rented rooms, as well as in the Comércio district, in the locality of Conceição da Praia, with slum tenements and bedsit apartments notoriously frequent in these areas.

102 Following the IBGE’s definition, permanent home refers to dwellings built exclusive for habitation and, at the time of the census, intended for use as housing by one or more people.

103 Following the IBGE’s definition, collective home refers to an institution or establishment where the relations between the people resident or working there are governed by administrative rules, such as hotels, motels, camping sites, pensions, prisons, detention centres, barracks, military posts, asylums, orphanages, convents, hospitals and inpatient clinics, workers lodgings, student halls and so on.

104 Referring to dwellings located in buildings (shops, factories, etc.) not exclusively used for housing, or locations deemed unsuitable for accommodation that, on the date of reference, were occupied by residents. Buildings under construction, tents, sheds, carriages, trailers, caves, stables, barns, etc., that were being used as accommodation on the date of reference were also classified as improvised individual dwellings.

Sociopolitical Problems and Conflicts

Numerous problems affect the Old Centre of Salvador, therefore, including the maintenance of heritage buildings, abandoned buildings, public safety, transit, accessibility, absence of parking, urban cleanliness, poverty-stricken areas, drug trafficking, prostitution and so on.

The extensive range of social problems, as well as the tourist appeal of the locale, have made the Old Centre of Salvador a target for government initiatives with the adoption of distinct policies, directions and investments over the years. Much of the area forming the Old Centre of Salvador (CAS) is subject to protective legislation, especially at federal level and to a lesser extent at state level. Among the protected areas, we can highlight the polygon that defines the Historic Centre of Salvador (Cardoso 2010: 61).

According to Cardoso (2010: 63), urban policies, which looked to revalue the various areas covered by federal and state heritage preservation orders, privileged especially those situated in the area around the Pelourinho and Terreiro de Jesus, whether because of their historical and scenic importance, their interest as tourist sites or the advanced state of deterioration to which they had been subjected over the last five decades.

At the end of the 1960s the first initiatives were made by the government authorities to implement public policies congruent with the preservation of isolated monumental buildings. These policies were probably an attempt to respond to the report by Michel Parent (1968) describing the architectural degradation of the Pelourinho. Dating from this period is the creation of the Bahia Artistic and Cultural Heritage Foundation (FPACBa, today the IPAC), which conducted various studies, the most prominent being the socioeconomic survey of the Pelourinho (1969), with the objective of recuperating the area for use as a cultural and tourist centre.

According to Mourad (2011: 72), tourism has become the new imperative model for heritage preservation policies and for conservation and restoration criteria. Adopting this guideline, the Bahia Artistic and Cultural Heritage Foundation in 1969 elaborated the general Plan for the recuperation of the Pelourinho area, the first of a series of projects to adapt the preserved area of the centre for tourist use and to revitalize the service sector (Sant'Anna 2004, cited in Mourad 2011: 66).

Cardoso (2010: 64) adds that FPACBa, also known as the Pelourinho Foundation, worked, albeit timidly, to promote

the social and economic development of the population living in the area. Using funds channelled by the state government, the Pelourinho Foundation created schools, a crèche, a police station and a health clinic, and took the lead in implementing educational programs, staff training and even the tasks of street cleaning and traffic control. Its initiatives seem to have released the institutions effectively responsible for these areas, such as the municipal and state departments, from their obligations and contributed to some extent to the dissociation of the urban development project for the CHS from the other development projects for the city of Salvador and their metropolitan area.

The Actions and the Building of a Local Civil Society

Looking to expose the problems inherent to the 7th stage of revitalization of the Historic Centre and mobilize in defence of housing rights and the 'fight' for those families who lived in the townhouses due for 'revitalization' to be allowed to stay, a collective organization was created in July 2001 formed by residents affected by the 7th Stage of Revitalization, denominated the Association of Residents and Friends of the Historic Centre (AMACH). This entity therefore effectively represented the interests of the residents in relations with the official bodies and specialists responsible for the 'intervention' (revitalization) project of the area (Bittencourt 2011: 14).

AMACH received support and contributions from voluntary lawyers, members of parliament, civil society entities, student groups, the Public Prosecutor's Office, grassroots organizations, universities, the Centre of Studies and Social Action (CEAS), Brazilian and international researchers, sectors of the media, and so on. With the support of these 'Friends,' the association intensified the resources invested in access to the media, forged a path for the legal negotiations, interacted with other similar experiences of intervention in Salvador, promoted contact with the UN, fomented political training and the translation of technical documents into accessible everyday language, produced award-winning videos and documentaries, and secured funding towards its activities (Bittencourt 2011: 80).

According to Bittencourt (2011: 102), AMACH demanded the right for fair negotiations or to stay in the buildings in the case of a specific government intervention, but did not amount to a social movement that questioned the forms in which the government acted in the lower income districts in the face of urban expansion and the implementation of its urban policies. Hence its struggle was localized in time and space. As well as the absence of

an awareness or idea of being a social movement, various internal aspects hindered the association's work: the educational level of the population affected by the 7th Stage was very low, which made understanding the issues and access to information more difficult, income was low and any amount could seem to be a fortune initially, people had little spare time available to take part in the association's activities, individual interests were the priority for many of those involved, there were serious questions concerning involvement in drug trafficking, families who did anything to gain a higher amount of financial help towards moving costs, etc.

The motivation among residents to take part in AMACH's activities was greater at the time of the announcement of the 7th Stage (2001-2002). However demobilization of the residents in terms of their participation in the association occurred after the start of negotiations, between 2003 and 2004, when time and commitment were required despite any real chance of victory, even partial. Hence there was a fall in resident participation in AMACH's actions, a fact that was transformed when the first victories began to appear, leading to consolidation of a more representative group to participate in 2005 and 2006 (Bittencourt 2011: 94).

It is important to emphasize that although AMACH became a symbol of the fight for housing rights and resistance to the 7th Stage of Revitalization, the Old Centre of Salvador possesses a large number of organizations. According to a survey conducted by the Reference Office of the Old Centre, there are 250 organizations working in a wide variety of areas: defence of social rights, religion, art and culture, professional associations, and so on.¹⁰⁵

The first official records of these organizations, according to the survey, data from the 1960s. The study also informs that the Historic Centre of Salvador is home to a large number of institutions (92). Despite the high figures, not all the organizations listed are active and much of the data collected may be out-of-date. This was evident in the unsuccessful attempts to contact them, as well as indications given by local leaders during the field interviews.

Regarding the variable scale of operation, the survey revealed that the CSOs located in CAS are exactly engaged with social issues related to the needs and demands of the

area. The interviews confirmed this information. The leaders heard recorded institutional performance in different areas, but all focused on meeting the demands of the population of CAS. Besides, according to the survey, the 250 organizations do not have a single axis of action. The actions are broad and affect different areas, such as: Education, Religion, Culture, Tourism, Communication, Environment, Human Rights, Gender Issues agrarian, Citizenship and Mobilisation, Health, Drugs, International Relations, Employment and Income Generation, Community Organizing, Social Work, Ethnic Groups, Credit and Microcredit. Among these, education (78%) and culture (76.8%) are the most recurring. In turn, tourism appears at the lowest among this group of developing organizations (1.2%). This data presents a counterpoint in relation to State interventions performed in this space when the touristic aspects received more attention at the expense of social care needs.

The financial sustainability of this group of organizations has the support of various organizations and institutions, such as governmental entities ball Federal, State and Local, national and international private companies, public companies, non-governmental organizations, national and international tuition fee of membership, events, donations from individuals, marketing products, rents, projects and programs and international organizations. The survey revealed that the source of funds that hold a greater number of entities is the tuition of members (45.6%). During the field research with local leaders, it was observed heterogeneity in the management model adopted by organizations of CAS. While some show a more pronounced bias professional, other organizations follow different paths being maintained solely by the financial resources of its members through payment of tuition or donations from individuals. Others, in turn, the maintenance organization's financial performance is possible thanks to the leased property.

Another aspect perceptible through the interviews with some of the leaders from the Old Centre is that there is no sustained relation of cooperation between the organizations active in the region. In some accounts a degree of bad feeling between them was evident, caused principally by the fact that while some organizations had achieved a comfortable position in terms of recognition and funding, others remained forgotten and surviving from one-off donations and individual investment from their own leaders.

The campaign for housing and better living conditions for the population resident in the Old Centre was insufficient to unite organizations that, at least in principle, fought for the same institutional mission. Consequently

105 SEFAZ/PMS, Pesquisa de Entidades e Negócios Culturais/Equipamentos Culturais SUPROCULT/SECULT, Programa de Sustentabilidade Ambiental do CAS (ERCAS), Organizações sem fins lucrativos UFBA, OCEB (2007), OCEB (2009), Site do Governo do Estado (www.pelourinho.ba.gov.br), SESOL/SETRE, *In loco, durante o trabalho de campo.*

the strain in the relations between these organizations does not seem to be derived from ideological differences but from the tools and behaviours adopted by each institution to achieve its social objectives and to survive and keep the entity's doors open.

In terms of the State's view of these entities, irrespective of these weaknesses, the large majority of the institutions that we studied were invited to take part in the plenary sessions held by the Reference Office of the Old Centre of Salvador (ERCAS). Just two institutions among those interviewed indicated that they had not been invited. The first¹⁰⁶ explained the absence of the invitation as being due to the organization's lack of activity at that particular moment, though it noted that the current members of the directorate had been invited and had participated as residents. The second entity,¹⁰⁷ for its part, manifested its discontent at not being invited and explained this oversight by the fact that it has a close relation with political parties from the opposition.

During the interviews it was also observed that, though invited, some institutions¹⁰⁸ decided not to take part in the plenary sessions. Their absence was explained as due to exhaustion and disbelief in the work of the public authorities.

Preliminary Conclusions

The data gathered during the construction of the present study shows that the investments made in the Old Centre of Salvador, especially in the Historic Centre, were aimed towards enhancing the cultural and tourist profile of the locality, that is, they were essentially intended to make the place interesting economically rather than from a social point of view. However, although the evidence shows that this intervention took place in a different form to elsewhere in the city, it is worth emphasizing that this difference resulted from the sums invested and the large number of plans and actions directed at the Old Centre, rather than any real difference in relation to the project that had been designed and executed for the city as a whole by public administrators over the years.

The logic of property speculation and the hotel sector – in other words, the logic of capital – did not just invade the alleys and hillsides of the Old Centre, but the four corners of the city of Salvador, a fact expressly registered

in the Master Plan for the Urban Development of Salvador, which abandoned the dimensions of a city project when it ignored many of the social ills affecting the poorer sections of the population in favour of the interests of a narrow and select group. Nascimento (2008: 189-190) writes that the proposals incorporated in the Master Plan for Salvador were those that favoured City Hall's relation with the capital, as in the case of sanitation and low-cost housing, which, though very much of public interest, receive funding from the federal government and multilateral financing institutions and involve works that do not allow any real improvement in housing conditions and employment for part of the population, but do benefit the civil construction industry.

As Mourad (2011: 205) states, the private sector is interested in intervening in the city for commercial reasons, boosting its insertion in the circuit of attractive urban and tourist centres. Consequently, the natural, cultural and historic heritage is used by private enterprise and the public authorities as a justification for increasing Salvador's competitiveness as a tourist destination and obtaining a prominent position in the hierarchy of competing cities at regional, national and international level. This potential has translated into opportunities to attract or justify huge real estate projects directed at investments in hotel accommodation and spaces for events and conventions, as well as luxury housing developments. However these have been developed through projects conceived in a socially excluding form.

It is very true that the instruments used to achieve these results in favour of capital have altered over recent years. During the Recuperation Program for the Historic Centre of Salvador a democratic and participatory methodology was applied to the PDDU. However, far from meaning a democratic radicalization of Salvador's political class, the dynamics of participation incorporated into the PDDU process and the CAS Restoration Plan assumed a merely formal and rhetorical function, contributing little to changing the local political culture. Following Nascimento (2008: 206), the PDDU did not constitute an educational experience of participation capable of stimulating citizen involvement in the management of public assets, as can be observed in the holding of the plenary sessions in inaccessible locations at inconvenient times with little divulgation. Moreover the participatory principle is completely ignored by government actions such as the approval of the Land Use and Occupation Planning Law (LOUOS) in a session of the Local Council held on the 29th December 2011 without any prior public hearings. This fact led the Bahia Public Prosecutor's Office to file a Direct Action of Unconstitutionality, alleging that the amendments altered the PDDU.

106 Historic Centre Security Council.

107 Olodum.

108 Mestre Bimba Capoeira Group.

The interviews with civil society in the CAS, for their part, revealed a disbelief and distrust in the participatory process since the proposals and definitions resulting from the Restoration Plan were not implemented. The failure to implement the Plan's definitions, as well the local government's failure to meet its responsibilities, have led some authors to question whether it is possible to speak of megainvestment for the Old Centre of Salvador or just of a megaproject.

The discourse of stimulating participation and social diversity thus proves to be empty (Mourad 2011: 205). Mourad writes of a depoliticization of discourse in practice:

the absence of debate on the impacts of housing production through the opening of new urban frontiers and how this affects the old centre; the control and privatization of urban and residential space by private companies; the total absence of debate on the legal instruments that should be used in the case of the buildings restored in the old centre – no mention of collective ownership or social rent, nor of receiving a share of revenue from the added value generated, among other issues. Hence the quality and potential of participatory democratic possibilities depend on their centrality in the wider political debate of the cities, which has still yet to materialize in the political context of Salvador.

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Settlement Field Report

Rio de Janeiro, Brazil

By Einar Braathen¹⁰⁹, Timo Bartholl¹¹⁰,
Ana Carolina Christovão¹¹¹ and Valéria Pinheiro¹¹²

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109 Team leader. Senior researcher, Norwegian Institute for Urban and Regional Research (NIBR). Email: einar.braathen@nibr.no

110 Phd student, Dept. of Human Geography, Universidade Federal Fluminense

111 Researcher, Instituto de Pesquisa e Planejamento Urbano e Regional (IPPUR), Universidade Federal do Rio de Janeiro.

112 Master student, Instituto de Pesquisa e Planejamento Urbano e Regional (IPPUR), Universidade Federal do Rio de Janeiro

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PART I

1 Introduction

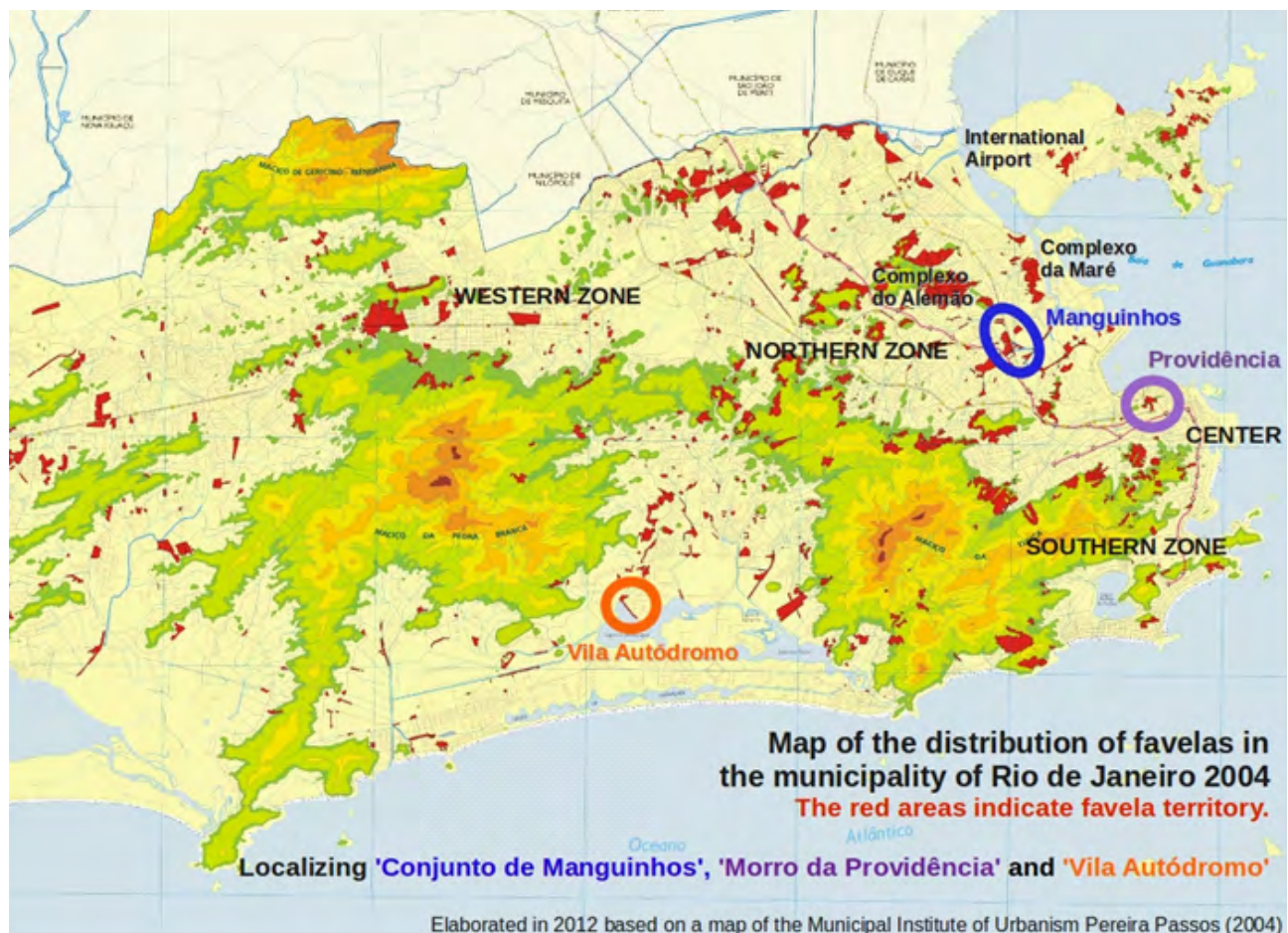
According to the data provided by the 2010 Census conducted by the Brazilian Institute of Geography and Statistics (IBGE), 22% of Rio de Janeiro's population live in 'subnormal settlements' or slum areas – the *favelas*. In the entire metropolitan region there are 1,702,073 people living in slum areas, which shows the high concentration of favelas in the city of Rio de Janeiro. However, not all the households in the favelas are poor, and there are many clusters of poor households located outside the favelas.

Urban poverty is spread out in the whole metropolitan area of Rio de Janeiro. Different to most cities, Rio de Janeiro presents a close proximity between rich and poor neighborhoods. Historically, the favelas originated on the steep hillsides (*morros*) that are a common aspect of Rio de

Janeiro's topography. The difficulties to build proper infrastructure on those areas made them less appealing for the development of real estate projects. Gradually, the contrast between poor and the rich areas of the city was popularly consolidated in the dichotomy '*favela x asfalto*' (slum vs pavement) - in a reference to the fact that most slums did not have paved (asfalted) streets.

Despite the fact that slums are present virtually everywhere in Rio de Janeiro, it is possible to distinguish a spatial organization of socio-economic conditions in the city. The traditionally rich areas in which upper and middle classes live are the south zone (*Zona Sul* with e.g. Botafogo, Copacabana, Ipanema), the beach area of the west zone (*Zona Oeste* with e.g. São Conrado and Barra de Tijuca), and

Figure 1: Distribution of *favelas* in Rio de Janeiro and location of the three settlements selected for case studies.



areas of the north zones (*Zona Norte*) close to the downtown (e.g. Vila Isabel and Tijuca). The inland parts of the west zone, areas of the north zone far away from downtown, and the *Baixada Fluminense* are typically areas in which lower middle classes and poor families live.

Looking at the history of the urban development of the city, the favelas were an organic result of the patchy urbanization process of the city. Following the consolidation of new middle-class neighborhoods, the favelas were providers of cheap and near-by available labor force. The inhabitants of favelas would have different types of menial jobs in richer areas (from housemaids and cooks to doormen, waiters, and many others), while conveniently living close to their employers. As a result, wages could be kept relatively low and investments in infra-structure in other areas of the city indefinitely postponed.

This report presents three case studies. While some residents in the focused settlements have objections against adopting the sometimes derogatory term *favela* in their case,¹¹⁴ they share three main characteristics: Firstly, their populations are much poorer than their upper middle class neighborhoods. Secondly, the property and tenure rights of their residents have not been duly recognized by the public authorities. The settlements have at most a semi-legal status. There is little or no regular urban infra-structure, secured by the public authorities. Thus they are what we define as ‘sub-standard settlements’, reflecting the deep socio-spatial inequality in the city. Thirdly, recent government programs and decisions intervene directly into the daily life and future of the settlements, implying removal and/or resettlement for a large part of the residents. These interventions have sparked social mobilizations within and around the settlements, and the mobilizations are the main reasons for them being selected for this study. The three settlements are:

- **Morro da Providência**, the first *favela* of Rio de Janeiro, located in the central part and historical

114 The resident of the Vila Autódromo, the third case, emphasize that their settlement is and has never been a favela (slum).

downtown of the city. It has been indirectly affected by the large urban renewal program for the old port area of the city, *Porto Maravilha*, which is linked to the development plans for the 2016 Olympic Games. It takes a direct part in a grand upgrading program for the favelas of Rio de Janeiro, *Morar Carioca*.

- **Manguinhos**, a cluster of sub-standard settlements in a (des-)industrialized area in the Northern zone of the city. It has been subject to a large federal program designed in 2007, the Growth Acceleration Program (*Programa de Aceleração do Crescimento, PAC*). PAC became even more important with the global financial crisis in 2008, to counter the negative economic effects on Brazil. PAC includes a large program for urban infrastructures and housing.
- **Vila Autódromo**, a fishing village which developed into a working class neighbourhood during the construction of the upper middle class boomtown Barra de Tijuca in the Western zone. This is where the main sports arenas and accommodation centres for the 2016 Olympic Games are to be located. Vila Autódromo is threatened by collective relocation.

Each case study depicts the history of the settlement as well as the as the recent encounter between government and residents. The trajectory of social mobilization is analyzed. In *Vila Autódromo* the unity of action has been strong all the way, and the residents have been able to respond to any new approach by the government with adequate forms and levels of mobilization. In *Manguinhos* the unity of action has been weak, and after 2009 a steady decline of social mobilization has been observed. *Morro da Providência* provides an intermediate case, of uneven mobilization: the unity of action has been weak, but there have been repeated surges of high mobilization by the dwellers most directly affected by government interventions. While obvious social-structural factors (size, ethnic heterogeneity, exposure to outside world) may explain some of the variations in terms of mobilization, our analysis tries to identify elements of the history embodying the settlement as well as its relationships to social movements and politics – power relations between the state and society at the local level – in order to understand the different courses of action in the three cases.

2

Background and Context

2.1 A Brief History of Urban Development and Favela Politics in Rio de Janeiro.

The history of the *favelas* in Rio de Janeiro began after the urban reform implemented by mayor Pereira Passos (1902-1906). The “Reforma Passos” promoted a radical redesign of the downtown area of Rio de Janeiro in order to open broad boulevards and avenues. Henceforth, many tenements (*cortiços*) were demolished leaving many poor families homeless. As a result, these families began to occupy the hillsides close to downtown, which would later become the favelas. Since its origins, the favelas represented a problem for the elites and city-planners and raised multiple concerns. Sanitation, public security and aesthetic issues are some of the common arguments raised in favor of removing the favelas. The general agreement that the favelas were a public issue that should be addressed inspired the Public Works Code of Rio de Janeiro. Elaborated in 1937, city-planners would use the code to build “working class housing blocks” (*parques proletários*) for the population living in favelas. The aim was to build areas where former individuals living in favelas could be “re-socialized” through proper housing conditions. As a reaction to this process, residents of favelas founded the first “residents’ committees” (*Comissões de Moradores*) with the support of the Catholic Church to contest the removals of favelas.

Although many civil society organizations were severely repressed during the period of the military dictatorship that began in 1964, the residents associations did not disappear. They became, to a large extent during this period, part of the state apparatus receiving support from the state in order to support the accelerating removal process. During 1960s, the removal of favelas was boosted by the support of foreign development agencies, such as USAID. The American development agency funded the construction of housing for former favela residents in Cidade de Deus, Vila Kennedy, Vila Aliança and Vila Esperança. In general, these housing projects were located in areas far away from downtown and other richer neighborhoods of the city.

Despite the repression by the authoritarian regime, there was a strengthening of a discourse against the removals and in favor of up-grading the favelas. During the re-democratization period that began in the 1980s, this discourse gained political support after the election of Leonel Brizola as governor of the State of Rio de Janeiro. As a member of the Democratic Labor Party (PDT), Brizola elaborated a social agenda for the favelas – despite the lack of support from the

federal government. The premise of this agenda was the need for integrating the favelas with the city and to avoid removals. During his first mandate (1983-1987), Brizola promoted programs to improve housing sanitation and electricity provision in favelas. In addition, a small-scale program called *Mutirões* (‘community self-help’) was responsible for improving urban infra-structure in 60 favelas. These programs would be important experiences for the implementation of the more ambitious program *Favela-Bairro* during the 1990s.

2.2 Post-Dictatorship Policies Addressing Urban Poverty and Inequality in Rio

The *Favela-Bairro* program offered in-situ rehabilitation¹¹⁵ implemented during the administrations of the mayor Cesar Maia (1993-97 and 2001-2008). Its main objective was to improve the infra-structure of the favelas. The program started in 1993 and lasted until 2008 and was conducted by the Municipal Housing Secretariat (*Secretaria Municipal de Habitação*). The program was mainly funded by the Inter-American Development Bank (IDB) responsible for providing more than US\$180 million for infra-structure improvements in the favelas. The program also had the ambition to promote the residents’ legal ownership in the favelas through the establishment of Areas of Special Social Interest (AEIS). However, only a few had their situation regularized. The *Favela-Bairro* program, focusing only on the urbanization of the existing slums, did not promote the construction of new houses. Consequently little was made to address the chronic housing deficit in Rio de Janeiro during those years. Another important characteristic of the program was the lack of popular participation during the design of the urbanization projects in the favelas. Most projects in particular favelas received little input from the local residents, even creating conflicts in some cases. The underlying logic driving the whole project was to improve favelas closer to richer neighborhoods and touristic areas in order to improve the attractiveness of Rio de Janeiro to the private capital.¹¹⁶

115 In Portuguese: (programa de) ‘urbanização’. Although the emphasis is usually more on infrastructure development than on house up-grading, it can be translated to in-situ rehabilitation. We will also use the translation ‘urbanization’.

116 The *Favela-Bairro* was part of a strategic plan elaborated by the Catalan architect Jordi Borja during the first administration of the mayor Cesar Maia.

In 2010, the mayor Eduardo Paes, a politician from the Brazilian Democratic Movement Party (PMDB), announced a new urbanization program called *Morar Carioca*. The program has the goal to urbanize all the favelas in Rio de Janeiro by 2020, as a legacy to the city promoted by “mega-events” such as the World Cup (2014) and the Olympic Games (2016).¹¹⁷ One of the innovations of the program was to promote a public tender in order to select architecture offices that would propose individualized urbanization projects to each favela. In those proposals, the competitors had to present ways to include the participation of local residents in the elaboration and implementation of the projects. During the first round, 40 architect offices were selected. Another innovation of *Morar Carioca* was the provision of new houses for people who had to be relocated because of upgrading works in the favelas (Bittar, 2011).

In the initial phase of *Morar Carioca* none of the projects proposed by the architecture offices had been implemented. The preliminary urbanization projects implemented under the program have been repeating previous patterns: 1) the lack of transparency of the urbanization projects and the low participation of local residents in their implementation ; 2) the mismatch between the large number of removals and the new houses built to be offered to the former residents of the favelas ; 3) The houses were usually built in the peripheral suburbs and not near the favela where the removed people had resided. Thus, the policy resembled the old eviction and resettlement policies.

Criticisms of the *Morar Carioca*, however, have had small impacts due to a unique political context in Rio de Janeiro. In the recent past, Rio de Janeiro experienced frequent political conflicts between the federal, the state, and the municipal levels as opposing parties would occupy the different levels of government. Since 2008, however, the mayor of Rio de Janeiro, Eduardo Paes has the support of both the state and federal government. The party of ex-president Lula, Partido dos Trabalhadores (PT, The Workers’ Party) has since 2009 participated in the government at all three levels. Although a junior partner in the city of Rio de Janeiro, PT has occupied government positions important for this study, e.g. the Municipal Housing Secretariat.

Moreover, in 2007 Rio de Janeiro was declared the main host of the 2014 Soccer World Cup, and in 2009 the International Olympic Committee chose the city for the 2016 Olympic Summer Games. Therefore, the city of Rio de Janeiro is the preferential target of policies aimed to address problems of public security and lack of infra-

structure. At the state level, many favelas have received Units of Pacification Police (*Unidade de Policia Pacificadora or UPPs*) in order to reduce the presence of drug-trafficking and other criminal activities in these areas. The state and municipal administrations have also received the financial support of the federal government to implement big infrastructure improvements in several favelas in Rio de Janeiro, such as Manguinhos, Complexo do Alemão, and Rocinha, through the Growth Acceleration Program (PAC).

Even though the state government has promoted some housing and urbanization projects in favelas in Rio de Janeiro, its main focus has been on policing - the public security program developed around the new units for ‘community policing’, the UPPs. From the first unit that was created in the favela Santa Marta in December 2008 until the end of 2011, the state government had installed UPPs in 20 favelas around the city, including Morro do Providência. The official goal is to bring the police presence closer to the residents of favelas and break the territorial control of ‘drug lords’. However, the program has prioritized favelas in the central and southern zone – the traditional middle-class and business districts – and in favelas surrounding the main arena for the 2014 Soccer World Cup, the famous Maracanã Stadion. By 2014, 40 of 900 favelas in Rio de Janeiro are to be covered by UPPs.

In fact, the government has developed several other measures to support the community policing. In August 2010 the Executive Office of Social Welfare and Human Rights announced the project *UPP Social*.¹¹⁸ So far the project has had no significant impact on the territories where it was implemented. It has focused mainly on punctual cultural actions or actions linked to businessmen from the industry and trade sector.

2.3 Relevant Aspects of the Urban Governance System

a. Reorganization and Multiple Levels of Government

The city of Rio de Janeiro has gone through several changes in its political and administrative status. After losing the position of national capital to Brasília in 1960 it became a federated state, the State of Guanabara, side by side with the State of Rio de Janeiro. Later in 1975 these two states were merged and the city of Rio finally became

¹¹⁷ There are 900 favelas in Rio (Bittar, 2011). It is not realistic that the program can reach all of them.

¹¹⁸ The project was taken to the municipal government after the then State Secretary Ricardo Henriques was transferred to Pereira Passos Municipal Institute for Urbanism.

the capital of the State of Rio de Janeiro. These changes affected the city economically and financially. The following processes are worth mentioning: firstly, with important industries and businesses restructured in the 1970s and 1980s, the city lost its position as an important financial center in the country; secondly, public funding and common action was hampered by the lack of cooperation between municipal, state and federal governments throughout the 1990s. The city municipality faced serious financial problems.

In response to aspirations of social reform and decentralization, the 1988 Constitution granted more power to Brazilian states and municipalities. Thus Brazil implemented a collaborative and decentralized federalism instead of a centralized federalism. In this form of federalism responsibilities are shared and negotiated between the different levels of government. This arrangement concerns social policies in particular. Yet the Federal government defines the forms and the mechanisms of cooperation and confers responsibility and control to other government authorities, especially at the local level (Almeida, 2000). In the context of a collaborative and decentralized federalism, the efficiency of social policies depends strongly on the Federal government's position. As a result, different Brazilian municipalities do not have the same capacity of providing public goods and ensuring local democracy.

The municipal government is now responsible for health and basic education policies and it receives specific federal funds and incentives for these purposes. However, sanitation, housing and social welfare policies were for a long time neglected by all the spheres of government. New institutions engage the local civil society in the implementation and supervision of public services and policies. The 1988 Constitution guarantees public participation. The inclusion of new stakeholders in local processes provides a variety of forums for participation. Both the 1988 Constitution, which requires local governments to create their own Organic Laws, and the 2001 City Statute¹¹⁹ are important frameworks for the municipalities (Souza 2004).

The 1988 Constitution also brought about significant changes in the tax system. From a financial perspective, local governments were to gain ground. The Constitution allows municipalities to freely allocate federal funds. However, new federal programs earmarked for certain activities and ends have flourished under the Lula and Dilma governments. The mentioned programs PAC, the housing program *Minha Casa Minha Casa* and the

conditional cash transfer program *Bolsa Familia* are the most well-known examples. Put together, they have changed the intergovernmental power relations. The federal government has become stronger. As a result, many public interventions in the urban and metropolitan areas are decided upon and managed outside the arenas for public participation envisaged by the Constitution. This has been clearly observed in Rio de Janeiro.

b. Democracy and the “Right to the City”: The Case of Rio

In Brazil the notion “right to the city”, *Direito à Cidade*, emerged from social movements' struggle for urban reform. The “right to the city” refers to the recognition of all city residents as rights holders. Some progress has been made on legal and institutional levels. The inclusion of the right to the city in the City Statute is an example of a major breakthrough. Nonetheless, people living in Brazilian cities still have to push for the implementation of instruments such as master plans, laws regulating land distribution and use, zoning, etc.

Since Brazilian redemocratization, the country has made significant progress in its urban development policies. From the 1988 Constitution to the City Statute's approval in 2001, legal instruments to ensure the right to the city, as well as participation rights and control by the civil society, have improved. Lula's administration (2003-2010) created institutions such as the Ministry of Cities and Council of Cities. This measure stimulated the creation of local level councils and public participation in national, state and local housing and sanitation projects. However, the same cannot be said about the local level in Rio de Janeiro. A new public managerialism has ruled the city since the mid 1990s, using the deep financial problems inherited from the 1980s as a justification for a new urban strategy. The city management decided to turn to the private market forces, locally and globally, to make Rio de Janeiro a ‘global city’ and ‘modernize’ it by means of private-public partnerships. This process started with César Maia's administration (1993). The Municipal 10-Year Master Plan, *Plano Director*, is an example of the new state of affairs. As stated by federal law it was designed in a participatory and democratic way. Nevertheless it was dismissed after a Catalanian company¹²⁰ was hired to design a strategic plan for the city. The new plan was no longer guided by the right to the city and social participation principles. Instead, the strategic plan was steered by

119 Law 10.257/2001; it regulates articles 182 and 183 of the Federal Constitution, which refer to urban policies.

120 This consultancy company (NAME), headed by the famous Catalanian architect Jordi Borja, was also responsible for the planning of the Barcelona 1992 Olympic Games.

business demands and interests and its goal was to make the city more “attractive” in the international market. In the 2000s the city managers pursued this neo-liberalist strategy in a skillful way. The city went through yet more transformations linked to the public discourse of hosting mega sports events (Mascarenhas, 2012). Through intense socio-spatial reorganization, Rio de Janeiro has been transformed into what a leading academic urbanist labels a “merchandize-city, business-city” (Vainer, 2011).

c. Urban Development in Rio since 2010: ‘Integration’ and Popular Resistance

In the late 90s authors like Zaluar and Alvito (1998) claimed that “the favelas have won!”. One of their arguments was that favelas were no longer at risk of removal and most people defended its urbanization instead. On the other hand, Machado da Silva (2002) responded that the battle was not over yet, because the “favelados” had never been really heard. Throughout the 100 years of existence of favelas, their residents had never been seen or respected as right holders like any other citizen.

Recent public policies have emphasized favela urbanization or in-situ rehabilitation, in order to enhance “integration” of the favelas into the city. It is the case of the *Multirões* project developed in the 1980s by state governor Brizola; Project *Favela-Bairro* created by former mayor

César Maia in the 1990s; “PAC Moradia” – the housing component of the federal program PAC created by Lula in the 2000s; finally *Morar Carioca*, the current municipal administration’s program. Nevertheless, the word *removal* (*remoção*), which was broadly used during military dictatorship, is again back in the agenda. Powerful groups support this type of policy, including government leaders, major businessmen, dominant media as well as members of middle and upper class. They defend the so-called integration principle. In the opinion of some civil society leaders, this ruling coalition wants the integration of the favela territories, but not of the favela residents.

Inhabitants of the favelas in Rio de Janeiro have found various ways of defending themselves against removals and taking part in local decision making. Several residents’ associations have been revitalized, as demonstrated in Vila Autódromo. In addition they have invented many new spaces of participation and contestation: People’s forums, committees and councils have been created over the years - in this study the examples are the Manguinhos Social Forum, the Community Forum of the Port (*Fórum Comunitario do Porto*) and the new Resident’s Committee in Morro da Providência. Despite difficulties, these communities created bodies through which they could discuss and participate in urban politics. The network addressing the 2014 Soccer World Cup and the 2016 Olympic Games, *Comité Popular da Copa e das Olimpíadas*, is an example. When and under which circumstances were people in the favelas able to join forces? Did they achieve positive outcomes? Why?

3 Methodological Issues

The study in Rio de Janeiro is primarily based on interviews with residents and community leaders in the three selected settlements. The interviews have been accompanied by observations of meetings and other semi-public events in the settlements. There have also been complementary interviews with government representatives (elected and non-elected), elected politicians (councilors) from the opposition, civil society organizations (with connections to, but not based in the selected settlements) and academics. Relevant academic literature as well as public documents have been collected and studied. The main data collection took place from August 2011 until June 2012. The research team has consisted of, in addition to the project leader Einar Braathen, young scholars recruited from the Instituto de Planejamento e Pesquisa Urbana e Regional (IPPUR) at the

Federal University of Rio de Janeiro. In addition, young university students living in the first two settlements (Manguinhos and Morro da Providência) were recruited in order to facilitate the access to informants. Certain caution and security measures had to be taken in these two settlements, above all in Manguinhos, and this slowed down the data collection process and limited the access to informants. After the first round of data collection, the team decided to include a third settlement, Vila Autódromo which was acknowledged for its secure and non-violent environments, as well as high degree of social mobilization, but without factors which the team considered to pervert social demobilization: organized crime, drug trafficking, high profile police interventions and subsequent violence.

PART II

THE SETTLEMENT CASES

4

The Case of Morro da Providência

4.1. Introduction

Morro da Providência is the oldest favela in Rio de Janeiro, with a rich Afro-Brazilian legacy. It is located in the centre of the city, between the port and the main train- and metro station. In the 2010 census it had 3,777 inhabitants. The favela was included in the study because it was a meeting place between two large-scale prestige projects and the mobilized citizens.

The period from 1968 to 2008 was, on the one hand, characterized by establishment of a neighborhood association (*associação dos moradores*) and many initiatives to improve living and housing conditions. Clientelistic politics helped to improve its infrastructures (paved roads, water, sanitation) significantly, and the introduction of electoral democracy from 1983 and populist politicians barred the type of violent slum demolition and mass evictions typical under the military rule. On the other hand, particularly since the 1980s, unemployment and dependence on informal trading (including drug trafficking) led to a deterioration of the social fabric. The access to, and level of, education remained at an extremely low level. Social mobilization became difficult. The community saw military and armed police interventions into the community. The police station (UPP) that opened in 2010 represented the first permanent presence of a public agency in the favela.

The period from 2010 has been marked by the urban renewal program for the port area, *Porto Maravilha* and the cross-city program to urbanize the favelas, the *Morar Carioca* program. The residents have organized protests against what they perceive as lack of a democratic-participatory process and a neglect of their constitutional rights. They have criticized the investment profile of the public interventions and, in particular, the maneuvers to relocate dwellers. Commissions have been set up by the residents and by the city government, alike, in order to handle the disagreements. However, by mid-2012 the public works had proceeded without any active consent of the community. Communications and negotiations between the city government and the residents have not produced consensual decisions, and the community has lacked an

association which could legitimately unite those threatened by evictions with the other residents. There have been signs of resignation, individual exits from the area and social demobilization. Nevertheless, key activists stay on with a relatively secure future in the area, and a certain segment of the community keeps mobilized. The run-up to the local elections in October 2012 produced certain new concessions and promises from the city government. Thus, the final outcomes of this favela-government encounter remain to be seen. Yet, Morro da Providência provides a case of uneven social mobilization with defeats as well as gains for the citizens of the settlement.

4.2. Settlement profile

Geographic location and population.

Morro da Providência is located near Rio de Janeiro's city centre, in the district of Gambo, first administrative region and Rio's harbour zone. It makes border with the Cemitério dos Ingleses to the North, Pedra Lisa, to the South, Vila Portuária to the West and Ladeira do Barros and Ladeira do Faria to the East. It surrounds a hill next to the main collective transport hub of Rio de Janeiro, the Central do Brasil with train, metro and bus stations (see map XX).

According to the 2010 census, the total population was 3,777, with 51.5 per cent of female. In early stages the majority of the residents were afro-descendants, while in recent times the majority has origins in the North-east of Brazil. According to the 2010 census 48.5 per cent regard themselves racially as 'mixed' (*Pardo*), 17.6 per cent as 'black' (*Negro*) and 33.7 per cent as 'white' (*Branco*). In terms of religion, there seems to be similar number of followers of catholic, evangelic and African-rooted believes, with the latter decreasing in number in recent years.

The origins and evolution of the settlement.

The Morro da Providência is the oldest favela of the city of Rio de Janeiro, with the year of the first occupation



dating back to 1893. It is located close to what had been, until the abolition of the slavery in 1889, the point for importation and slave trade. Throughout the first half of the 20th century, the port expanded and offered employment to a high number of dock workers. Almost all of them were afro-descendants, and many of them lived in Morro da Providência. As a consequence, the favela had great importance for Rio's cultural life of the 20th century, as home of some of the city's most famous samba dancers and musicians (*sambistas*).

Apart from the port, a significant source of employment was offered in rock extraction activities in stone pits on the boundaries of the hill. Since the 1960s, The migratory process towards the big urban centres, mainly in Brazil's South-west brought new inhabitants to Providência, mostly from the north-eastern parts of the country, seeking to find a living as construction workers. Besides the migrant from rural areas, the favela also received new residents from other favelas in Rio and the tenements (*cortiços*) that were being closed down throughout the city centre. The new heterogeneity of habits, cultures and attitudes provoked changes in the construction of identity of the favela and its residents.

From the late 1970s on, Brazil and particularly Rio de Janeiro were marked by economic stagnation. Combined with structural changes of the ports (containerization) and of the international trade and economy (neo-liberal globalization), the economic downturn led to a sharp decrease of access to formal sector employment in Morro da Providência and its surroundings. In this context, the informal economy and criminal activities such as drug trafficking expanded and became an increasingly important factor in the daily life of the 'favelados'.

Throughout its history, the development of the favela was the product of the initiative and interventions of the

residents themselves based on self-construction and improvements in autonomous processes without or with very little planning.

Poverty and housing characteristics (incl. legality, regularity), 2010.

The average income per household in Morro da Providência was BRL 439¹²¹, slightly below the minimum salary set by the government. 10.6 per cent are classified as extremely poor ('indigente'), with a household income less than approximately a quarter of a minimum salary. 28 per cent are poor, belonging to households with less than half a minimum salary in income.¹²² The inequality within the settlement, measured by the Gini coefficient, was relatively low (0.395).¹²³

There are very precarious areas on the hill, especially the parts Pedra Lisa and Toca. But in general, constructions have a reasonable quality and nice outside appearance. Data from the report of Monitoring Urbanization Programs in Low Income Areas (central auditing authority of the municipality 'Tribunal de Contas do Município' – 2009), reveal that Providência is one of the most dynamic favelas considering vertical growth with buildings reaching up to 4 floors or even more.

121 Brazilian Real (BRL) was in 2010 worth approximately 0.5 US Dollar.

122 The so-called 'IBGE-IPEA-CEPAL Commission', set up by the federal government, defines the poverty line and the indigence (extrememe poverty) line. See: [http://www.ipeadata.gov.br/doc/metodologiaLP\(Revisada\).pdf](http://www.ipeadata.gov.br/doc/metodologiaLP(Revisada).pdf) The commission defined in May 2010 the extreme poverty line to be BRL 117.54 and the poverty line to be BRL 235.08.

123 Source: the national census 2010 (IBGE,2010). http://www.censo2010.ibge.gov.br/resultados_do_censo2010.php

Table 1: Poverty in Morro da Providência.

Monthly income	BRL 439.10 per capita
Population considered extremely poor (less than 25% of the minimum wage)	10.6%
Population considered poor (less than 50% of the minimum wage)	28%
Gini – Index	0.395
Schooling of residents above 25 years of age	5.8 years of schooling

Source: IBGE 2010



Since most houses originate from occupation, squatting or sales without register in a notary's office, the major part of the housing in Providência is informal/illegal.

Infrastructure (urban and public services).

Development of the infrastructure on the hill was made possible due to the interventions of the residents themselves. The paving of a path that gives access to the favela (1970) and the connection to the water reservoir in Cruzeiro (1974) are examples for self-constructed, collectively organized construction. Methodist missionaries from the U.S. also contributed by constructing several accesses to the favela, pavements and sanitation and waste water installations. Because of that, the favela has reached a relatively decent level of urban infrastructures services. However, the access to public social services leave a lot to desire.

Access to public transport: Connection to other parts of the city mainly functions by the use of the city buses. To get to the bus stops, residents make use of alternative minibus and motor-taxi services or in case of not being able to afford these services, they walk.

Urban services and infrastructures: There are paved access roads, and all the streets of the hill have lights. According to the informants most houses have free electricity, either by manipulating the power consumption meters or by connecting illegally to street power lines without any use of a meter.

There are two water tanks: one in Cruzeiro and the other one at Américo Brun Square. They are public and so far has the public water company, CEDAE, not charged any fees for the water supply. Some residents report 24 hour availability of tap water, while others confirm frequent periods without any water supply [the situation might differ from area to area on the hill]. According to the 2010 census (IBGE 2010), there are 15 houses without toilets for the exclusive use of the household, 14 of which are located in the area of Pedra Lisa.

Garbage collection has recently become the responsibility of the Consórcio Porto Nova, and there are many complaints about that. Before the community garbage collectors were local residents trained for the job, employed by the municipality and with responsibility for the supervision of cleanliness of the streets and paths of the hill. This way of treating the garbage issue was abandoned by the municipality, The community garbage collectors were dismissed and then re-employed under worse working conditions by the Consórcio.

The majority of the houses have some access to a sewage and drainage system. All streets and paths are paved and few are the complaints about this issue.

Social/welfare services: In terms of access to health and education, there are some facilities near Providência, but their capacity and functioning do not meet the demands of the local population. To get to a local Health Clinic residents have to walk for up to 40 minutes. There are no pharmacies or medical doctors in Providência. In the area of education, the supply seems to be better, with some private institutions offering educational services. Residents complain about the precarious conditions of the state school, which only functions in the evening. There is also a technical school.

In Providência we find some educational projects with philanthropic backgrounds, a daycare centre, and initiatives of local churches. An autonomous base group, GEP (Group for People's Education) and some projects related to the Unity of Pacifying Police. A 'Social UPP' inaugurated an evening school in collaboration with a private sector welfare fund, SESI, attracting a great number of students. In spite of these initiatives, the population of Morro da Providência had the lowest level of education and came last in an inquiry of 10 favelas with UPP. The population younger than 25 had 5.8 years of schooling on the average (FIRJAN 2010).

Local state (administrative and political) presence in/around the settlement.

In Morro da Providência a police station (UPP) was installed in 2010. That is the only permanent presence of the state in the favela.

4.3. The Antecedents that Shaped the Settlement(s) Politically

The work of the quarries had opened a gap in the hill which was a hundred meters deep and more than fifty meters long, and in 1968 a landslide buried more than 50 people from the community. Despite the newspapers constant alarms about the threat of landslides, the government only put an end to the exploitation of rocks (in the entire urban area) after this accident. GEO-RIO reports classified some areas of the Morro da Providência as in risk of collapse, and recommended the immediate removal of all the shacks on the slope of Central do Brasil, which is a part of Pedra Lisa. The threat of removal caused a climate of insecurity among the residents, who resisted the

Table 2: Events

Year	Event
1968	Landslide buried 58 people
1968	Creation of the Neighborhood Association
1994	Start of the Favela-Bairro project, an urban infrastructure program
2007	Cimento Social works initiated
2008	Three boys are killed by a drug trafficking fraction
2010	Installation of a Pacifying Police Unit (UPP)

possibility of being moved to remote areas of difficult access. In 1975 another landslide occurred, causing the removal of shacks near the Américo Brum square. In spite of these occurrences the favela continued to grow because of its privileged location.

In this context the Neighborhood (or Residents') Association (*Associação de Moradores*), which was created in 1968, played an active role. It had a committed leadership, and it was part of a new urban social movement which emerged with the support of the catholic church under the military dictatorship. Although there had been a "disinvestment" in the port zone since the 80s on behalf of the public authority, and a population reflux in the lower part of the area inclusive in the slums, the community of Morro da Providência managed to attract certain public programs. What mobilized the local population were the issues of education and health care. Claims were made through proposals to candidates for elections. It was also mentioned that in the 1980s, Dona Iraci (leader of the Neighborhood Association), was able to make the power supply company and a project of the federal government attend problems in the neighborhood. The *Favela-Bairro* project, coordinated by the Municipal Board of Housing (SMH) and funded by the Inter-American Development Bank (IDB), started in 1994 and aimed to implement urban infrastructure, services, public facilities and social policies in the communities. The project improved access roads and staircases to the community, which ensured greater mobility on the hill. It did however not reach its main goal, which was to incorporate the urban slum in the formal city. The *Cimento Social* was a project led by Senator Marcelo Crivella in partnership with the Army and the Ministry of Cities. It began in December 2007, and sought to revitalize the facades and roofs of 780 houses, in addition to implementing a sewerage network and constructing nurseries, community centers and urban facilities. To sum

up, for more than 30 years the favela had not only resisted the threat of evictions, but also seen important improvements in its infrastructure (with some public assistance) as well as in the standard of the housing constructions.

From where did the community get the force to accomplish these achievements? We think it is brought about by external (political) and internal relations of the community. Firstly, democratic changes brought some relief to the daily life of the poor. The governor elected in 1983 in the first free elections for 20 years, Leonel Brizola, reintroduced a type of populism which prevailed before the military coup in 1964. His party, the Democratic Workers' Party, *Partido Democrático dos Trabalhadores* (PDT), was particularly popular in Rio de Janeiro. One resident says that the PDT was important in the port area in the 1980s. "The irregular constructions gained strength under the PDT government. To defend its popularity, the government adopted a non-removal policy related to a lack of control over the urban growth and the emergence of new slums" (TCM-RJ 2009).

Secondly, the elected politicians reintroduced another important feature of Brazilian politics, namely clientelism – the distribution of public favors in exchange for votes. César Maia, heir of Leonel Brizola and mayor in 1992-1996 and 2000-2008, was particularly clever in playing the card of clientelism. He made Morro da Providência one of the exclusive beneficiaries of the Favela-Bairro program. But what made Morro da Providência interesting for politicians like Mr. Maia? Providência was a politically peripheral community in comparison to other favelas in Rio de Janeiro. Its electorate was small. Hence, what was attractive in Morro da Providência was not the number of votes, but its cultural legacy and symbolic value for the Afro-Brazilian population and for Rio de Janeiro as the cradle of samba. When asking the informants what organizations and/or individuals were important for the social and political history of the neighborhood, they cited characters that are notably related to the carnival and samba. Examples are entities linked to black culture who claim to be the bearers of historical and cultural memory of the region, such as Afoxé Filhos de Gandhi, ArqPedra Quilombo and the Pedra do Sal Quilombo. Publicly funded projects and activities in these areas could give politicians prestige which could help them in the electoral campaigns in high density areas in the periphery with a majority of black votes.

There were also other associations which were more directly involved in politics, and which therefore could exploit the prestige of the Morro da Providência and make deals with public managers and politicians. Not only has the Neighborhood Association stood out here. The Dock

Workers' Union (*Sindicato dos Estivadores*), which has an historical importance for Brazil in the formation of the working class, is worth mentioning. Last but not least, there is a dense church network in the community. When talking about important institutions in the social and political history of the neighborhood, the work of the *Paróquia da Sagrada Família* (the Catholic church), which distributed clothing and food baskets, is emphasized as well as the *Instituto Central do Povo* (PCI). The PCI was established by Methodist missionaries, and was the first social services institution in Brazil, helping those who were arrested or got sick. In general, in clientelistic politics they could provide local distribution of aid offered by the government. The religious networks in the favelas became increasingly marked by a Pentecost revivalism, also present in the port zone. The mentioned program *Cimento Social* was brought to Morro da Providência by a politician, Senator Marcelo Crivella. He was a bishop in the neo-Pentecostal 'Universal Church of the Kingdom of God' (IURD) and the leader of its political party, *Partido Republicano Brasileiro* (PRB). (In 2012 he was appointed Minister of Fisheries in the federal government of President Dilma Rousseff). We should add that *Cimento Social* was no big success. It was subject of many denunciations, for example for the use of army soldiers to construct houses. The criteria for the selection of the houses were at no point explained. The project was interrupted by numerous allegations of corruption.

Finally, the role of the drug traffic has to be mentioned. The dealers injected resources into the community; it was the traffickers who were the first to develop a system of sanitation and to bring some services to Providência. After some time, rival drug fractions put darker spots on the favela. From 2007 the army started to intervene in the favela to hunt down traffickers. During the night of June 13, 2008, the Army delivered three boys to a rival fraction. The boys were executed, and this incident led to massive manifestations on behalf of relatives and neighbors, claiming justice. The residents protested the presence and the brutality of the Army in the community. In 2010 a Police Pacification Unit (UPP) was installed in the Morro da Providência. It is seen as a positive measure by most residents, despite the increasing number of criticisms regarding its performance. Some people however have a very cynical view on the UPP; "The state has always massacred Providência. The actions of the state here have always been the actions of the police "(resident).

4.4. The Recent History: Public Interventions and Social Mobilizations.

The 'Morar Carioca' program.

Morar Carioca is an urbanization program for all of the favelas in Rio de Janeiro towards 2020. It offers multi-sector territorial interventions and, during its Phase I, investments of more than BRL 2 billion. Selected sub-standard settlements are to receive "in-situ projects such as sanitation, infrastructure, sewage, paving, street layout, accessibility and street lighting, as well as social facilities such as kindergartens, health clinics and squares of knowledge"¹²⁴ (Bittar 2011). It is part of the "World Cup legacy plan" and the *Porto Maravilha* project (Bittar 2011) The responsible public authority is the municipality, represented by the Municipal Board of Housing.

The Morro da Providência was among the first favelas to be selected for the program, probably to provide a social component to the *Porto Maravilha* project launched in 2009. The urban intervention projects in Morro da Providência include the following:

- The construction of a cable car (*teleférico*);
- A funicular (*plano inclinado*);
- A 'Knowledge Square' (multi-purpose IT centre), an amphitheatre and a kindergarten.

There were two controversial parts of the plan:

Firstly, the emphasis on expensive transportation infrastructure. The *teleférico* is part of an intermodal mobility plan to resolve the challenges related to connecting the hill with the city. The plan is that it be inaugurated by the end of the first half of 2013, and it will cost BRL 40 million. According to the Municipal Board of Housing, residents of the hill will have discounted prices and one roundtrip ticket free of charge per day. According to the municipality the *teleférico* is something the city of Rio de Janeiro needs and demands. The *Plano Inclinado* seeks to connect the Barroso stairway, of great historical value, to the square of the Cruzeiro church. For its construction, some houses along the Barroso stairway will be removed. The justification is that the project will facilitate the movement of people within the favela.

Secondly, the massive relocation of residents. The program implies housing improvements, the opening of roads, and the removal of 800 dwellings whose families will be resettled in *Minha Casa Minha Vida* housing units in the surrounding area.

124 Multi-purpose / multimedia information technology centre.

Table 3: Chronological description of local events.

Year	Event
2009	Start of the <i>Porto Maravilha</i> works
2011 January	First presentation of the Morar Carioca to the residents. Formation of the <i>Fórum Comunitário do Porto</i> .
May	Start of the marking of the houses to be demolished by the Municipal Secretariat of Housing (SMH). Visit from the UN International Reporters on the Right to Housing, and elaboration of the first report of denunciations of rights' violations in the Port zone.
July	Start of the construction works on the Américo Brum square. First meeting in the Commission of Mediation of Conflicts.
August	Election of the Residents' Commission. The municipality held a meeting presenting a technical report on the state of risk of the houses. Creation of a course about the historical/cultural value of the port zone.
November/ December	SMH starts the election of representatives per area, after pressure from the Municipality. Rearticulation of the <i>Fórum Comunitário do Porto</i> .
2012 March	SMH initiates the work on the <i>Plano Inclinado</i> along the ancient staircase. The works around Praça Américo Brum for the cable car (teleférico) reach a point of no return.
May	Mobilization among Pedra Lisa residents.
June	Re-election and re-constitution of the Residents' Commission. <i>"Ciranda do Morro da Providência"</i> as part of People's Summit/Cupula dos Povos.
July	Documentation/registration of residents' exclusive use of their houses (<i>'registro de posse de casas'</i>).
September	Public hearing; the residents receive promises/guarantees from the SMH regarding relocations.

We here present the course of local events in some more detail:

January 2011 (a): Morar Carioca was presented to the residents for the first time.

January 2011 (b): The Community Forum of the Port (*Fórum Comunitário do Porto, FCP*) was established.

May 2011 (a): Start of the marking of the houses to be demolished in MdoP. This unleashed unrest among the residents, who entered into contact with the FCP. FCP informed the press and human rights organizations.

May 2011 (b): Visit from the UN International Observers of the Right to Housing and DHESCA, and the FCP's elaboration of the first report of denunciations of rights' violations in the Port zone.

May 2011 (c): the Municipality of Rio de Janeiro arranged a 'Social Housing Fund Manager Council' (CGFMHIS),

where participants from social movements, trade unions, representatives from the general society and the Municipality itself discussed housing policies. The council created a "Committee for Prevention and Conflict Mediation" to monitor threats of eviction and removals within the municipality of Rio de Janeiro (CGFMHIS 2011). The aim was to "discuss and resolve situations where there were doubts or disagreements, in order to ensure respect for the human rights of all citizens." (Bittar 11.11.2011). The first meeting was convened in July 2011.

July 2011: Start of construction works on the Américo Brum square. Families begin leaving Morro da Providência in disrepair. First meeting in the Commission for Mediation of Conflicts.

August 2011: Election of the Residents' Committee. Meeting where the SMH / PMRJ present a technical report that states that there are houses in risk zones which need to be removed, especially in Pedra Lisa.

October 2011: Cultural circuit in Providência and the start of a class about the cultural-historical legacy of the port zone. The SMH advances individual negotiations with residents.

November-December 2011: SMH starts selecting representatives by area, driven by the PMRJ. Difficulties of dialogue within the Commission of Mediation of Conflicts. Reorganization of the *Fórum Comunitário do Porto*.

March 2012: SMH initiates the work on the *Plano Inclinado* along the ancient staircase. The works around Praça Américo Brum for the cable car (teleférico) reach a point of no return.

May 2012: Mobilization among Pedra Lisa residents. A main focus is the documentation/registration of residents' exclusive use of their houses ('registro de posse de casas').

June 2012: Re-election and re-constitution of the Residents' Committee, "*Ciranda do Morro da Providência*" as part of the People's Summit in parallel to the Rio+20 conference.

September 2012: In the wake of the local elections a well-attended public hearing was held, and the audience witnessed several concessions, promises and/or guarantees by the head of the municipal housing department.

Ups and downs of mobilization.

The public interventions provoked first a large and relatively spontaneous mobilization among the residents, in May and June 2011. That resulted in the formation of a Commission of Mediation of Conflicts in July and of a Residents' Committee in August 2011. We note that there are two elements that made the mobilization of the residents increase: a concrete threat of removal, and the physical presence of the public authority. When there was a public hearing at the headquarters of Rio de Janeiro's federal attorney (*Ministério Público Federal*) the presence was massive, even though the event was outside the Morro. The same is noted in the FCP's most crowded meetings, when they were summoned because of further incursions of the SMH for registration and negotiation, which increased the residents' sense of disinformation and fear of losing their houses.

Then there were almost ten months of demobilization. The more the public works proceeded, the more people tended to give up and drop out from the struggle. Some

persons who were notably active in the mobilization left the Residents' Committee. By March 2012, the construction of the cable car station and the funicular had reached a point of no return. The residents had lost the battle of the profile and design of public works in the area.

4.5. Analysis of the Local State-Society Encounter

The program 'Morar Carioca'

Since January 2011, the intervention of this program created many changes that provoked social unrest. The main concerns can be grouped around three issues: Relocations, inflated house prices, and degradation of the public spaces.

Firstly, the interventions of Morar Carioca increased the number of people without places to live. Families removed in July and August 2011 had to take their children out of school, who ended up losing the school year. There has been no guarantee that these families would have their children accepted by the schools near the areas they were forced to move to. Claims were also formulated towards the forms of registering and the alternative housing facilities. The SMH offered the residents the following option: Either they accept to receive a 'social rent'¹²⁵, while the new housing units near-by were still under construction, or they accept a compensation of at least BRL 9,000.¹²⁶ Yet, in fact, the amount offered seemed to be below the minimum (reports mention BRL 6,000). It has been revealed that the housing units that are being built will not reach 200, covering only one fourth of the households living in houses marked for removal. There was no guarantee that the 'social rent' would actually be paid the full period of time until the families could move in to the new apartments. Furthermore, information on the proposed location of the housing blocks were controversial.

Secondly, residents and supporters were preoccupied with the change of the social profile of the area. There was already an increase in the attraction of the area to the real estate capital. Traditional residents cannot afford paying rising rents and the houses they leave behind rapidly get occupied by those, who can afford them, such as students that have less bureaucratic barriers to rent a flat (they do not need a 'guarantor'). This process of 'forced' or 'planned' gentrification was best marked by

¹²⁵ The BRL 400,- offered as 'social rent' by the SMH was clearly not sufficient for a family with several children.

¹²⁶ Interviews with residents, August 2011.

new residents from the 'Zona Sul', who were moving away for even much higher rents in that zone. In order not to move all the way to the 'Zona Norte' they seek houses near the Center, such as Providência. There were also foreigners reported to fill the houses left behind by the lower class former inhabitants.

Thirdly, people were concerned with the degradation of the built environment and public spaces caused by the new transport devices. The already executed project for the cable car seems not to be intended to primarily benefit Providência's residents, and neither does the funicular. The cable car station came to occupy the main open space, Praça Americo Brum, and destroyed the play ground and arena for sports and cultural activities built there.

"The city government wants to create a scenery 'for the English to see'¹²⁷. What they call revitalization is to create a life not as it was, generate wealth at that place that is not for those residents that live there" (member of the FCP).

"Less than 10% of the residents of Complexo do Alemão are registered to use the free travels with the cable car, that was inaugurated [in Complexo do Alemão, Northern Zone of Rio] in July of last year [in 2011], announced as the great solution to local mobility. (...) This cable car is representative of the logics of public investments. They prefer symbols that serve for marketing instead of being useful for those they are supposed to be useful for." (Cidades Possíveis, 2012).

A non-democratic regime.

In addition to the changes of the physical and social profile of the settlement, the public interventions have been accompanied by certain discourses which suggested a new regime – a configuration of certain forms of tyranny imposed upon the residents:

Firstly, the *tyranny of time* ("profit protection"). The Morar Carioca project was managed like any other projects in the modern engineering and civil construction industry. Technical norms of efficiency and expediency led to an obsession with time schedules, because time is money for the real estate developer. The project is being realized "the way these circumstances permit its execution. Money comes at the latest moment, with minimum time limits to realize the works and under pressure on the sides of the real estate sector" (public authority representative).

This project management model undermined social participation, because time is the critical factor for the community to process information and to provide meaningful consensus to the project. Citizen participation, as prescribed by the constitution and several federal and municipal laws and regulations, was weakened.

Secondly, the *tyranny of science* ("health and environment protection"). 'Urbanization of favelas' has brought back into the favelas the concept of 'risk areas' - the revival of the discourse on the risk of diseases (to justify urban interventions). In the case of Providência, tuberculosis has been used as an argument for interventions, reminding of the hygienist reforms of the beginning of the last century. In order to diminish the risk of tuberculosis, it would be necessary to ventilate the narrow paths, i.e. remove houses. The problem was that these scientific arguments were general, and no evidence based on empirical data from the areas has been presented. The city government argued it possessed an assessment of the environmental risks of the area, without sharing it with the public. The residents felt provoked rather than convinced.

Third, the *tyranny of force* ("armed protection"). The drug traffic has been very determinant for the history of Providência, serving at some point as protection and for social assistance. The drug traffic is still a strong reference for the residents, with direct influence on the community participation of the residents. The UPP is seen in a rather positive light by a large part of the residents, yet there are more and more claims about the behavior of the police.

"To use the toilet at the 'Nova Aurora Space' now we have to pick up the keys at the UPP. That's absurd. That space is ours, it was our grandparents and parents that built it!" (resident) ... "Not even the military occupation, carried out during parts of the implementation of the project 'Social Cement', brought the residents tranquility – the violence remains in subtle ways, considering that, for many, living under permanent control is not a synonym for security" (resident cited in Palhares 2009).

A direct implication for social mobilization is that this regime has created an absence of public meeting places. The ones that existed were Américo Brum Square, which was closed down to give room for the cable car, and Nova Aurora that has been taken under UPP control. In addition, there is no community radio, that could spread information more widely or a community journal with further reach, that could serve as a means of communication.

127 'Para o ingles ver' - for the outside (English-speaking) world, e.g. the foreign tourists.

Upturn in social mobilization.

In this context, against all odds, the residents managed to make a come-back in their struggle. The Residents' Committee (*Comissão dos Moradores*) was reorganized and strengthened, once the summer holiday and carnival season had ended in March 2012. This was in response to the SMH's attempts to negotiate individually with each family to be relocated. The committee closed ranks with the Foro Comunitario do Porto, which assembled civil society organizations and concerned citizens not based in the favela. A group of student activists, *Grupo de Educação Popular* (GEP), set up to offer adult education in Morro da Providência, was also active in this networking process. This local coalition managed to link up with external political events such as the Rio+20 conference 2012, the Peoples' Summit in June 2012 and the local (municipal) elections in September 2012. In addition to the civil and political society, they brought in the ombudsman and other public legal experts dedicated to the defense of the citizens' rights. Furthermore the Residents' Committee involved experts who, on a voluntary basis, produced a counter-assessment showing that the environmental risks were already much reduced thanks to prior public works in the settlement. Finally, in cooperation with *Foro Comunitário do Porto*, they started to think the struggle in Providência from a perspective of historical heritage. There were sites of historical-cultural value in the area. The fight to preserve these sites could facilitate new kinds of alliances (Ministry of Culture, IPHAN¹²⁸) and call the attention of the Rio civil society in general.

This mobilization had been prepared by two meetings with the elderly persons in Providência, to take down their memories. This resulted in certain ways in the course 'Living in the port zone: history, memory and urban conflicts' (*Viver na Zona Portuária: história, memória e conflitos urbanos*) in the second half of 2011.

Hence, although the residents as a collective lost the first round, a combination of politicization and judicialization of the struggle has strengthened the bargaining position of the individual residents threatened by relocation. There

128 This strategy has become problematic, since recent reports on the IPHAN made by some of its technicians, have pointed at authoritarianism, lack of efficiency, and failure to meet the objectives of the institution.

were signs that the city government stopped trying to sideline the Residents' Committee, and the municipal Commission of Mediation and Prevention of Conflicts seemed to become more effective in finding rights-based responses to the complaints of the residents.

Nevertheless, there are two categories of residents who seem to have weak ties with the struggling faction the settlement. The first category comprises those who are fenced off from relocation and who calculate gains from the public intervention programs. There is a significant offer of jobs in the construction works, that can be seen as a strategy of the city government to co-opt the residents, at the same time, that is a demand of those. And quite many house owners realize that they are to benefit from a gentrification process and rise of housing prices.

The other category consists of people who see no alternative but accepting relocation on the terms offered by the municipality. Informal conversations indicate there were many people who did not really care about what was going on, and who were not directly affected by the works. There were also many influenced by the promises of high compensation payments. They were not interested in resisting removal, they wanted to leave the community in a perspective of changing their life, leaving the favela. Some also mentioned that people knew little about their rights: "They believe in what the State says, for them the State is God" (resident). Some residents consider themselves as intruders. Since they did not buy their land, they thought they had no rights. They always lived with the expectation of having to leave one day. Also, the high degree of turnover of residents has to be considered, since it impedes the creations of linkages with the community and its territory:

*"There is a lot of individualism. But some of us want the favela residents to have a community life, different from the one in apartment blocks, and different from the bourgeoisie society. But many don't care about the city projects [which threaten the favela way of life]."*¹²⁹

By way of a conclusion, we have observed that the struggle involved a smaller portion of the settlement. Yet the mobilization became more intensive and scaled up. The organization of the struggling residents has in spatial terms been shrinking horizontally, yet expanding vertically.

129 Interview with a resident, October 20, 2011.

5

The Case of Manguinhos

5.1. Introduction

Manguinhos is a large and densely populated area in the Northern Zone of the city. The area consists of a cluster (*conjunto*) of 16 neighboring favelas with around 50,000 inhabitants and with quite distinct ways of how they were initiated and then developed. The *Morro do Amorim* is the oldest one with its origin dating back as far as 1901 and has taken form over the decades without significant public sector interventions. It is quite different from the so-called People's Housing Neighborhoods – like DSUP, Embratel or CCPL¹³⁰, which were the results of illegal land occupations that recently were demolished. They were substituted by public housing projects within the reign of the PAC ('Program for the Acceleration of Growth') – with public financing, mainly from federal funds (BRL 509 billion in 2010) and under execution partly of the state and partly of the city government.

Taking into consideration that Manguinhos is by far larger than this research project could cover, it was decided to focus on some key issues and territories, on which we would concentrate our field work.

On the one hand, seeking to capture processes of social mobilization of residents in their relation to the multiple impacts of the PAC-Manguinhos, an important focus became Manguinhos Social Forum. We tried to understand of how the PAC was implemented in Manguinhos since 2007 with its specific characteristic of a large-scale federal infrastructure project, executed at sub-municipal level with some involvement of the city government, but coordinated by the State of Rio de Janeiro. How did the interaction of the residents with the different scales of government institutions take place?

On the other hand, we decided to focus on one of the PAC social housing projects, Embratel, which was visited several times for observing the socio-territorial relations and organization during the first months of its functioning.

5.2. Settlement Profile

Geographic location.

Manguinhos is located west of the Avenida Brazil in the Northern Zone of Rio de Janeiro. The administrative

130 All three of them named after the former land owners – companies that abandoned their terrains.

district of Manguinhos consists of an area of about 262 hectares, yet considering the total area taken in by the favelas of Manguinhos, one has to consider a total area of about 400 hectares. As the map shows well, Manguinhos is characterized by a fragmented topography, with avenues, rivers and railway lines cutting subdividing the territory. The favelas of the 'Conjunto' border with the neighborhoods of Higienópolis, Bonsucesso, Benfica and Manguinhos. They are not far from the favela clusters of Maré and Alemão. Besides that, Manguinhos embraces the area of Fiocruz, Brazil's main center for health research and education.

The residents of Manguinhos are, mostly, migrants of first, second or third generation originating from rural areas of Brazil's North-east and having come to Rio on the search for work opportunities in industry and construction works from the 1960s onwards (Freire and Souza 2010). The overall population is 50,000, of which 53 per cent are women.

Historical circumstances that shaped the development of the settlement.

The first settlement activities in the area of Manguinhos date back to the end of the 19th century, when the Leopoldina Railway was constructed, cutting through the area in its way from the Central Station to the municipality of Caxias north of Rio. The area was initially the property of João Dias de Amorim. Since the 1920s different parts of the territory, frequently flooded by the rivers Faria-Timbó and Jacaré, were dried out and different housing projects have been implemented throughout the history of Manguinhos (Freire and Souza 2010).

Pessoa (2006: 108-116) identifies six cycles of occupation in the area of Manguinhos and the Maré. The first cycle was initiated by the construction of the railway line in 1886 and is marked by the first settlements in the Amorim area.

The second cycle, from 1927 to 1933, refers to the activities of the Company of Improvements of the Baixada Fluminense¹³¹ (EMBF) and the National Department of Sanitation Works (DNOS), preparing the Manguinhos area

131 Baixada Fluminense nowadays refers to the zone and municipalities just north of the municipality of Rio de Janeiro and geographically it refers to the lower plains north of Rio that lead to the mountain ranges to the north.

Figure 2: Map of Manguinhos cluster of favelas

Source: www.wikimapia.org

for the urban and industrial expansion to come in the following decades. In the same context within what Pessoa (2006) identifies the third cycle from 1934 to 1946, the Avenida Brasil was completed. Like other infrastructure projects of this kind it attracted rural workers migrating to Rio on the seek for jobs. Manguinhos' second favela, Parque Carlos Chagas, finds origin in this cycle, in 1941. According to Pessoa (2006: 110-111),

“The fourth cycle initiates in 1954, with the implementation of the Manguinhos Refinery. At that moment, with the Avenida Brasil already functioning [...] the population density increased significantly in the communities of the area.”

A significant part of the favelas that form Manguinhos until our days date back to this decade. They surged under very precarious conditions and yet it took another three decades for a significant project of urban intervention to take place in the area. That occurred with the *Favela Bairro* project in the 1990s. In the same period a new cycle of land occupation took place coming to an end with the occupation of Embratel and CCPL in the first decade of the 21st century.

Different interviewees underline Manguinhos' character of a transitional territory, with high degrees of mobility of its residents which can be related to the uncertainty created by the city government and its executive branch – a relation of denial and discontinuity of plans. The name of favela 'CHP2', as a social housing project, expresses this relation well: Built in 1951, it has kept its original name: Improvisatory Housing Blocks.

Characteristics of poverty and habitation (including legality and regularity).

Each favela of Manguinhos has its own context of origin and development leading to its specific structures. Some favelas are the result of government interventions, others took shape due to popular organization without external support. It is frequent that the settlement originated as a social housing project and later on adapted to the resident's needs and demands, resulting from the increase of demographic density and many times leading to verticalization of houses.



In general, many of the self-constructed houses did reach the point of external finishing. As is the case in many other favelas, the houses in Manguinhos were subject to continuous adaptation, transformation and rebuilding at a rhythm that responded to the financial situation of the residents. Seeking to guarantee the minimum conditions for a reasonable living, improvisation and building upwards were keywords within these dynamics of improvement of the existing structures.

In reference to the matrix of housing structure and status in sub-standard settlements as provided by Braathen et al. (2011), in Manguinhos we can identify different types of classification. All the residences have been registered in one of the community associations, but usually they are not in the General Real Estate Registration (RGI) of the state. Thus, the vast majority of the residences in the more

precarious areas correspond to a combination of ‘illegal’ and ‘irregular’. In the slightly better-off neighborhoods a combination of ‘semi-legal’ and ‘as-good-as-regular’ prevail. We find that in the case of the new social housing blocks, such as DSUP and Embratel. As is the case in the majority of social housing projects in Rio de Janeiro, the residents move into their residences without receiving the necessary documents to become the legal owners (no registration at RGI).

Infrastructure (urban and public services) around year 2010.

Each favela in Manguinhos has its specific set of accesses to urban services and infrastructure, depending on its location within the territory and its socio-territorial and

Table 5: Manguinhos: Demographic and poverty indicators (ENSP/Fiocruz 2012).

Reproduction rate:	20 %
Population aged 14 or less:	> 30%
Girls between 15 and 17 years of age with children	15 %
Human Development Index	0.65% (among the five lowest of Rio)
Monthly income	BRL 188.00 per capita
Live on less than three minimum wages per month	75% of the residents
Live on less than 1 minim wage per month	20% of the residents
Unemployment rate	~30% (reaching up to 50% in some of the favelas)

Figure 3: Matrix of housing structure and status in substandard (‘subnormal’ - IBGE) settlements- Classification of the favelas in Manguinhos (Braathen et al 2011)

	Regular	Irregular
Legal	Impoverished quarters; inner-city decay, etc. Inter-urban development	i.e. resettlement colonies
Illegal	i.e. inner city squats <i>The older favelas of Manguinhos with a more reasonable structure and infrastructure such as Amorim or Vila Turismo</i> <i>Social housing blocks such as Embratel, DSUP and CCPL (‘semi-legal’)</i>	Most precarious settlements, squatter camps, backyard dwellings, etc. <i>Poorer and more recent favelas such as Mandela or Varginha</i> <i>Occupations of abandoned factory terrains as was the case of Embratel or CCPL before the construction works of the PAC-Manguinhos</i>



historic context. There are several bus lines, two metro stations (Maria da Graça and Triagem) in nearby formal neighborhoods, as well as a number of vans, minibuses and motor-bike-taxis, in most cases informal ('alternative transportation'). This privatized public transport system is not very affordable. Ten travels per week, to and from work, and forty per month add up to an amount equivalent to 20% of the minimum wage. And yet the residents of Manguinhos, compared to inhabitants of the western zone and the more peripheral Baixada Fluminense, are privileged in terms of accessibility to the centre of Rio.

The quality of urban services varies widely among different parts of Manguinhos, from reasonable (with a minimum standard) to extremely bad (sub-standard). The most precarious services are water and sanitation, with most of the waste water going directly into the rivers and open canals that cross Manguinhos transporting the waste untreated into the Guanabara Bay. Most houses have showers, a toilet and access to water supply. Electricity is supplied by the licensed private company 'Light', although many residents have illegal connecting devices, *gatos* ('cats'), manipulating their meters to pay less than the actual use.

There are different schools in the area, and with the intervention of the PAC-Manguinhos, four child daycare centers, one school, a youth center and a big community library were built. There is a chronic undersupply of places with overfilled class rooms of up to 50 students per class. Regarding public health services, the nearby *Fiocruz*, a federal health institution of national reach, has great importance. Besides offering basic health services (*Sistema Único de Saúde* – SUS), there are schools and specialized areas of treatment and research with some opening for Manguinhos residents. There is also a recently installed UPA ('Unity for Immediate Attendance'). Nevertheless, considering the number of residents, there is a constant undersupply of health services. The public health in general is precarious.

Local presence of the State.

In addition to the public institution *Fiocruz*, a so-called "City of Police" is being installed on the former terrain of the company 'Souza Cruz', in order to house a number of specialized police departments, due to be inaugurated in January 2013. A year later, according to the latest media reports, a UPP (Unit of Pacification Police) is to be installed in Manguinhos.

5.3. The Precedents that Gave Shape to the Settlements in Political Terms

In general, cycles of industrialisation and de-industrialization mark Manguinhos' 20th century history. Throughout those cycles, different plans and projects for urban development for the area never came to be implemented:

"On the contrary to what was proposed for this area [Manguinhos] in the Project Parkway, to make it 'one of the best urbanized zones' (Reis 1943:94), the process of illegal house occupation intensified since the 1940s. The zone was transformed into the city's second most polluted and one of the most precarious ones in terms of infra-structure and spatial organization, not leaving doubts about how the public administration relegates the urban project to utopia." (Fernandes and Costa 2009).

With the coming to an end of the military dictatorship, in the 1980s social movements came back into scene. Favelas like Manguinhos reappear as spaces of collective claims. They became territories of dispute and conflict after two decades of repression and hiding away of social mobilizations in the favelas. One of the persons interviewed, a protagonist of mobilizations in the 80's and 90's, lists some of the main conquests in Manguinhos:

After severe flooding in the 1980s affecting many residences and inhabitants, a small group of community militants joined forces to carry out a research within the communities in order to find out the main and most urgent needs to be addressed. The main needs identified were 1) waste water and sewage, 2) public street lighting and 3) waste. These findings were presented to and discussed with the community members in assemblies in order to work out strategies to fight for improvements. Starting with the least difficult problem to attack, the core group of the mobilizations collected 1,500 signatures claiming for public lights in the streets of Manguinhos. The claim was directed straight to the responsible institution in order to avoid clientelistic relations with politicians. The city company 'Rio-Light' was challenged directly, and after a first attempt to only partially meet the demands, the residents were united and mobilized again. At the end of the day, the streets were duly lit. Other mobilizations lead to some partial improvements of other aspects of the precarious situation of Manguinhos' favelas.

These mobilizations might have involved the neighborhood associations at some points of the process, but they did not have significance as starting points or

spaces of democratic networking. According to interviewed activists, the neighborhood associations represented much more the state and its interests towards (or against) the residents. Their presidents were named 'traditional leaders', expressing a critical view of their function. On top of the fragmentation of the territory, the presence of a diversity of neighborhood associations seemed to have slowed down rather than facilitate social mobilization.

Two installations of urban-infrastructure have presented permanent obstacles for living in the favelas of João Goulart, Vila Turismo and CHP-2. A high tension power line and an over-ground water pipeline cross these favelas. They have caused several accidents. Moreover, for security reasons and as prohibited by law, they inhibit the construction of houses in its proximities. Still there have been constant cycles of house construction - by dwellers not finding other option and pieces of land to build on - and demolition executed by the city government.

An interviewee reports that one of the eviction and demolition processes led to wider mobilizations of the community, pressing the city government to improve the conditions of the housing alternatives. The residents of the houses to be removed were resettled in the neighboring favelas called 'Nelson Mandela' and 'Samora Machel'. The mobilization was a result of the unwillingness to be removed to far away places. *"We called the responsible city officials and the CEDAE [the city water company], we had a commission to address the municipal secretary of housing, and at that time many people mobilized and even more so after a flooding in 1988".*

By the mid-1990s, political mobilization and networking had been weakened, while a new phase of land occupation initiated. Social housing was constructed by the city in collaboration with the state government and with co-financing by the Inter-American Development Bank, giving birth to the favelas 'Nelson Mandela' and 'Samora Machel'. The land for the social housing projects was bought by the city government from Embratel, which had already abandoned their property. With this process a new cycle of 'favelization' started, with the occupation of land abandoned as a result of des-industrialization (Pessoa 2006:114):

"In 1995 part of remaining Embratel lands are occupied, to give room for the new favela Mandela de Pedra. In 2001 another favela is installed, Samora II and in 2002 the occupation of sheds abandoned by CONAB (National Company for Goods Supply), situated across the Brazilian Postal Services, initiates the favela 'Vitória de Manguinhos' (or 'CONAB'), under coordination of residents of the Mandela de Pedra favela, on the other side and some hundreds of meters up the streets."

Similar dynamics happen with other abandoned land and factories in the region, some of which were included in the PAC-Manguinhos to build social housing facilities. Following the example of Embratel, in January 2012 works to erect another popular housing section started. Former industrial installations and self-constructed houses of squatters were demolished.

We can read these occupations as informal mobilizations. They are not politically articulated or in dialogue with the public and government sphere, but they are responses to the immediate need of housing. In addition, in terms of political mobilizations before the decision to direct resources of the PAC to Manguinhos, there were some large gatherings in Leopoldo Bulhões Avenue, so called 'Walks for Peace' with a key role played by the local activist group 'Agenda for the Reduction of Violence in Manguinhos'.

5.4. The Recent History: Social Mobilizations and Public Interventions

When it was known in year 2007 that Manguinhos would be included in the Program for the Acceleration of Growth (PAC), a new cycle of mobilizations was initiated. With the announcement of the project, social agents already active in Manguinhos joined with residents to form the Manguinhos Social Forum. They claimed a democratic implementation process of the large-scale urban development project.

Madureira et al (2009 unpublished) summarize the purposes of the Forum as 'constructing social networks to address the challenges of deterritorialization of government politics'. According to the authors of the document, the Forum...

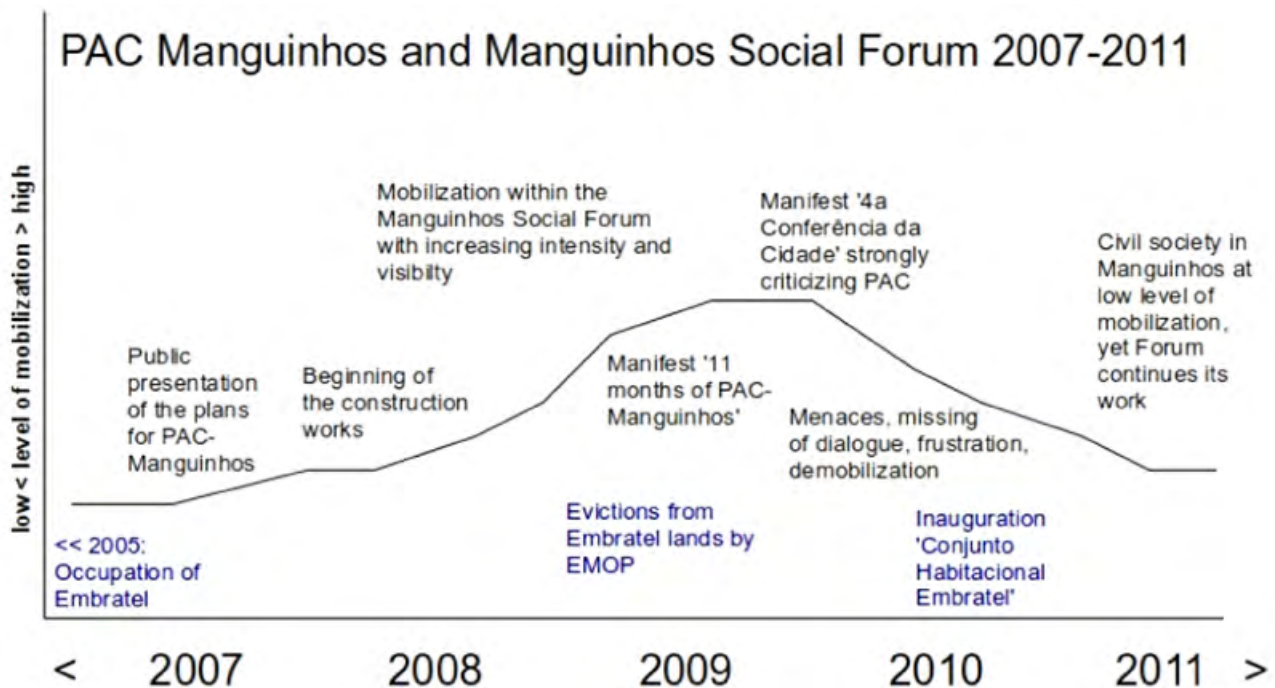
"... came up bringing together diverse segments of local social actors (neighborhood associations, religious leaders, socio-cultural groups and organizations, communitarian university preparation classes, educational programs for teenagers and adults, among other collective actors) in the form of weekly meetings with an average of 50 participants per meeting."

And, according to Araújo (2010: 35):

"all actions of the Forum are designed to promote effective and democratic participation of the population, in all decisions to be taken in relation to the discussion, implementation and surveillance of



Figure 4: Time line of the mobilization and demobilization of the Manguinhos Social Forum



the execution of the PAC in the 12 favelas of Manguinhos that will benefit from the PAC Favelas.”

Quite soon after its formation, in reference to the federal “City Statute ” and its guidelines for democratization of urban development, the Forum came up with a proposal to form and institutionalize a Committee for the Supervision of the execution of the PAC-Manguinhos, widely ignored on parts of the city government. This is what happened according to the protagonists of the Forum:

In sequence the ‘traditional leaders’ left the Forum and government officials established their dialogue directly with those leaders, neglecting the Forum and its significance as a collective space of mobilization. This led to a fragmentation of the collective process and putting carriers of more critical voices at risk by exposing them individually through weakening the collective dialogue. ‘Traditional leaders’ were linked to, influenced or controlled by local drug trafficking groups. The ‘traditional leaders’ received armed support to secure their local power. Government officials sought direct dialogue with them, as if they were carriers of a collective voice of the community residents (everybody knowing they were not). The government reaffirmed the leaders in their role and weakened and put at risk any individual or group with positions and opinions in opposition to the interests of the ‘traditional leaders’. As a direct result the Forum suffered from signs of demobilization. Later on the decision was taken to construct the Forum as a space of formation not directly addressing the issues of the PAC-Manguinhos,

clearly a result of the indirect and direct forms of repression. The critical voices had been silenced in public.

This severe accusation on part of the protagonists of the Forum was expressed by one of the interviewed activists as follows:

“It’s not abstract violence, it’s concrete violence, life at risk. If we stick our heads out of the window too far, there comes a hand, like, of iron. Oh: you over there, stay in your place where you belong, you understand? And that is what we [residents with critique towards PAC, protagonists of the Forum] live through.”

Researcher: “Hand of iron, how does the city government react?”

“The city government in fact reinforces. (...) City government inhibits participation and it’s obvious that it needs several strategies to inhibit, because it can’t just, it would be ugly, you know, inhibit participation just straight forward. But, it uses strategies inherent to the communities to inhibit this participation. When the government neglects the dialogue with the social movement and dialogues directly and exclusively with the traditional leaders (...) it understands that this leader doesn’t represent the community. (...) It does know that. The dialogue takes place exactly with the intention to inhibit the participation of the residents, the social movement,

you know. And the internal networks that the traditional leaders have access to are numerous, so they use these powers, just as power of violence. So (...) the government has a strong influence”.

The defeat of the mobilizations in their struggle for people’s democratic participation in the PAC-process was clearly showed in the way the Embratel Popular Housing Project was executed. At no point of time there seems to have been a link between the implementation process and critiques formulated by civil society actors. One rare exception which can be recognized is that the city government corrected the number of planned housing units upwards, after the Forum had pointed out that more residents would be affected negatively (removals) than what the plan for new housing units indicated. In general, the social function of the PAC-Manguinhos in terms of addressing the most basic needs in the settlements is illustrated by the fact that more than half of the funds invested in the works were directed to the elevation of a railway line crossing the area. This work was in the government discourse defended as an initiative to “unite the communities” and make place for a large urban park.

**The recent situation:
PAC-Manguinhos and beyond.**

When debating the topic of favelas, it is common that the issue of public security dominates any other issue. In

Rio de Janeiro, the tendency is an increasing level of militarization and specific forms of territorial control of the favelas by installing UPP (Units of Pacification Police). In this context, some interviewed persons presume that the choice to direct PAC-resources to Manguinhos was primarily part of a project of public security related to an urban development project, designed to meet the demands of the mega-events to come. This impression gains substance with the construction of the “City of Police”, with prospects to be inaugurated by January 2013, to bring together the departments of a diversity of specialized police forces. The PAC-Manguinhos in combination with the “City of Police” is to culminate in the installation of a UPP probably in before the soccer World Cup in 2014.

The city government has recently increased its intervention, with great attention paid by the media, to address the so called Cracolândia, a vast area of drug selling and consumption of crack. It is situated between the favelas of Manguinhos and Jacarezinho and crossing the several railway lines in the area. The consumers live in highly precarious conditions of homelessness and addiction. The public sector interventions are basically restricted to picking up the people living in the streets and bringing them to public shelters, where the vast majority only stays a few days before finding their way back to the streets (Jornal do Brasil 15.03.2012). In an operation in April 2012 some shacks that homeless people had built next to Jacaré River near the favela Varginha were destroyed. The police forces

Table 5: PAC and Manguinhos Social Forum - Important events

Data	Event
2005	The abandoned land of Embratel is occupied twice by residents of the neighbouring favelas (Freire e Souza 2010: 14-19)
2007	Decision to use resources of the PAC for Manguinhos, formation of the Manguinhos Social Forum as a direct response of civil society actors
07/03/2008	President Luís Inácio Lula da Silva inaugurates the construction works of PAC-Manguinhos
02/09	The Social Forum of Manguinhos publishes 'Manifesto of Pro-positive Evaluation – 11 months of PAC-Manguinhos. For the respect of the Principle of Democratic City Management of the Statute of the City'
2009	According to data of the Company for Public Sector Construction Works of the State of Rio de Janeiro (EMOP, 2009) 1,239 families have been evicted from Embratel lands, to begin the construction of the social housing blocks.
25/10/2010	Inauguration of the 'Conjunto Habitacional Embratel'
2012	Construction works within the PAC-Manguinhos continue (Social Housing CCPL and railway). In June: inauguration of the new Manguinhos train station

called the shacks the starting point of the “a new favela.” (TV O Dia 23.09.2011)

According to recent reports from residents, the situation in the area of the elevated train lines and in the surroundings of the high-tech train station, recently inaugurated, is highly precarious. Houses near the area

have been evacuated to give space for the planned ‘urban park’ while others continue to live in their homes. Due to the delay in demolishing the empty houses, homeless people and drug consumers seek protection in the left behind houses, extending “Cracolândia” towards the neighborhoods near the railway.

6 The Case of Vila Autódromo

6.1. Introduction

Initially this study proposed to carry out of two case studies in Rio de Janeiro; in Morro da Providência and Manguinhos. Throughout the study we however felt the need to include a third case study, that of Vila Autódromo. The fragile networks in Morro da Providência and Manguinhos have not been able to represent a force capable of positioning itself against the local government and its current form of intervention in the slums, whose official slogan is *integration*. To a large extent, the interventions are characterized by the same attitude which has prevailed over the last century, that of urbanization and removals. Vila Autódromo however differs from the two originally selected cases.

remaining fishermen together with construction workers employed by the projects that were evolving in the zone joined together and formed the Vila Autódromo in the 1970s. In 1989 the municipal government authorized the settlement of a large number of new families that had been removed from the Cardoso Fontes community. Through a system of voluntary work, organized by the inhabitants themselves, the community expanded and was able to guarantee minimum condition of health and urbanization. According to the residents the public authority never made any investments in the area, in spite of charging many of them land property taxes. Several actors are important references when discussing the case of Vila Autódromo, particularly those active in the first organizational form of the community, namely the Association of Residents and Fishermen Vila Autódromo (AMPAVA), which dates back to 1987.

6.2. Settlement Profile

Geographic location.

The community of Vila Autódromo is located in the Jacarepaguá neighborhood in the western zone of the city. It is close to Barra da Tijuca, one of the principal municipal vectors of urban expansion over the last decades. The small community is enclosed by the Ambassador Abelardo Bueno and the Salvador Alende Avenues, the Jacarepaguá lake and the Autodrome - race tracks for automobiles.

Origins and evolution of the settlement.

The area where the Vila Autódromo is located today was traditionally inhabited exclusively by fishermen due to its proximity to the Jacarepaguá lake and other small lakes. With the real estate expansion in the 1970s, including the construction of the nearby race tracks and the Rio Centro convention center, the surrounding lakes were either filled in or became too polluted to allow fishing in the area. The

Poverty and housing characteristics.

As in the case of other precarious settlements in the municipality of Rio de Janeiro, the official data on Vila Autódromo are quite outdated. The Pereira Passos Municipal Institute of Urbanism has released data with open access to the general public, based on the 2000 census from the Brazilian Institute of Geography and Statistics. It is however problematic to base an analysis on these figures today, as the community has gone through numerous changes over the last decade. According to the Residents’ Association, there are approximately 350 documented lots, and an estimated 500 families living in the community¹³². Most of the people have employment, but the profile of the families varies when it comes to the number of residents per dwelling, the level of income and education level.

132 Interview 26-04-2012 with a leader of the neighborhood association of Vila Autódromo. In a notification sent to the local Olympic Organizing Committee (COI) in May 2010, the State Public Defender of Rio de Janeiro claimed that there were approximately 950 families in Vila Autódromo.

The majority of the houses are constructions of bricks. While some of the structures are sturdy and well maintained, others are in worse shape, a typical profile for low-income settlements. According to the MOREI program released by the Pereira Passos Institute, approximately 90 percent of the houses are owned by the dwellers. Almost all of the houses are meant for residential purpose.

Urban infrastructure and public services.

We did not observe any kind of drainage system in the community. It is the residents themselves who organize collective efforts to clean the streets and the lake, at least superficially. All access to the water supply network is also a result of the labor of the locals.

The entire neighborhood in which Vila Autódromo is situated does not have access to sewage network and treatment, hence the massive pollution of the surrounding lakes. Most of the houses have resorted to rudimentary septic containers for sewage. According to data from Morel (2000) there were also a few households without any kind of toilet facilities in the community. The garbage collection is however done regularly by the city three times a week.

Despite the pollution that prevents fishing in the Jacarepaguá lake, the region still has a rich vegetation. There is a high environmental awareness among the residents who are active in the ecological preservation of the area. Throughout the community one finds plaques appealing environmental preservation.

According to Altair Guimarães, the president of the Residents' Association, there has not been any registered flooding in the community the last few years. On the other hand, there is a constant occurrence of pockets of water logging in the streets during rainy periods, precisely because of the lack of sanitation and infrastructure up-grading in the area. This impairs the coming and going of the residents.

The public transport system in the area is primarily served by buses which, according to the residents, are not only overly crowded and worn down, but also very expensive, leading them to acquiring vehicles of their own. Inside the settlement, the road network is a fruit of the labor of the residents themselves, and therefore quite precarious. The street lighting is public.

There are no schools or hospitals in the community, nor kindergartens or health clinics. There are few commercial properties, most of them small bars/cafés. There is also a small grocery store and a beauty salon. For other services one must leave Vila Autódromo. The settlement includes

some leisure areas, such as a small playground for children and a soccer field right next to the Residents' Association which also serves as a meeting place for the community and the Association itself. There are also a few small evangelical churches and one catholic church. The race tracks on the margin of the community does not necessarily attend the residents themselves, the same goes for the small flight club situated on the other side of the community.

Presence of the public authorities.

The State of Rio de Janeiro is the owner of the land on which Vila Autódromo is situated. Under the leadership of Governor Leonel Brizola, the State government recognized the use of the site for housing purposes and developed a project to regularize land titles and grant them to the families who had lived there for decades. In this process the work done by the Institute of Land and Cartography of the State of Rio de Janeiro, the ITERJ, is worth mentioning. Nevertheless, since 1992 the principal form in which the public authority has made itself present in Vila Autódromo has been through continuous threats of removal of the settlement.

6.3. The History of Public Interventions in Vila Autódromo.

The principal justifications for removal throughout the years have varied, but they have all been disapproved by the local inhabitants assisted by the State Public Defender.¹³³

The first attempts of removal by the municipal government were in 1993, led by the then sub-prefect of Barra da Tijuca and Jacarepaguá, Eduardo Paes (who has been the city mayor since 2009). The argument of the municipality was that Vila Autódromo represented an "aesthetic and environmental damage" to the region because of its proximity to Barra da Tijuca, which was rising as a new centre of the city. It was precisely because of this episode that the community decided to organize and respond to the threat of removal by becoming a member of a land regularization program linked to the State government, which at that time was in the political opposition to the municipal government. During this period several neighboring communities were evicted.

133 Interview 26-04-2012 with a member of the neighborhood association of Vila Autódromo, who showed the notification given to the COI in May 2011.



Vila Autódromo however struck back. The settlement passed through a process of land regularization in the 1990s which granted land titles to numerous residents. This provided them with essential assets in the struggles later on. Moreover, the community obtained legal and political recognition from the municipality who, in 1995, proposed to transform the area into an *Area of Special Social Interest*. This did not happen until 10 years later, through the by-law no. 74/2005. According to Gaffney and Melo (2010: 20) the municipal government later withdrew Vila Autódromo from the list of Areas of Special Social Interest, which means it is no longer a prioritized area for urbanization projects. However, this withdrawal is one of many issues that may bring the Vila Autódromo case to the court.

Later on new arguments emerged to justify the removal of the community.¹³⁴ They include: the danger of natural disasters due to the proximity to the lagoon and the risk of flooding; the need of the area for the construction of equipment for the Pan American games in 2007; in 2010, the need to build a media center for the 2016 Olympic Games. Later it was argued that the settlement had to be demolished because of the construction of the Olympic Park, in spite of the plans pointing only to the area where the race track is installed today and not the Vila Autódromo. Then the argument was that one had to create a perimeter of security next to the Olympic Park, as if the community, which does not have any issues with drug trafficking, represents a danger in itself. Most recently the question of removal has come up because of the construction of the Trans-Olympic highway, which does not necessarily need to pass through the settlement. This large amount of justifications, that have all been proven illegitimate, just strengthens the hypothesis that powerful sectors of the real estate capital have interests in the area.

The intensification of the pressure for the removal of the residents over the last years can be explained by the coordination between the three federal entities to, among other things, organize the mega sporting events in the city. The support of one of the largest media groups in the country, *Rede Globo*, has reinforced the process. Various articles have been published throughout this period which affirm the total removal of the community, without ever discussing it with the residents.

The major difference between the previous and recent initiatives of removal is the municipal government's articulation after 2008 with the state and federal governments, which has not happened in the past. The municipal housing department has been led by a politician

from Workers' Party (PT) and acts in pursuit of a total removal of the community. The interests of major businessmen in the area, who see the land where the Vila Autódromo is situated as an important potential area for the real estate boom directed towards the A and B classes, are being prioritized. The International Olympic Committee (IOC), also has interests in the area. According to the Municipal government, the IOC has plans that involve the removal of the community, although the IOC officially denied this in a response to a notification they received from the Public Defender in 2011.

6.4. Social Mobilizations in and around Vila Autódromo

The main source of conflict for the case of Vila Autódromo is unquestionably the threat of removal by the municipal government. The residents also have a second historical agenda of mobilization and struggle which is the quest for the material improvement of the settlement. The main issue has been developing an efficient network of infrastructure, as the residents claim the government never executed measures of upgrading and sanitation in the settlement. They have therefore organized themselves and acted on their own in order to ensure minimum living conditions.

In spite of being a small community compared to many others in the city of Rio de Janeiro, the representation and organization of Vila Autódromo and its Association of Residents and Fishermen Vila Autódromo (AMPAVA), is well constituted, without a prevalence of opposing groups. Within the Association there is a division between those who front the battle against removal and those who focus on improving the infrastructure; this does however not preclude anyone from participating in either of the two struggles. Moreover the Association often holds wider meetings which gather more locals, held in the small community soccer field. The Association does not act in isolation, but based on the joint decisions of a sound number of residents.

Besides the work of the community leaders and the Association it is important to mention the collaboration of other sectors of the society as well. One should note the work the ombudsmen (Public Defender), in particular that of the Center for Land and Housing of the State Public Defender of Rio de Janeiro. Because of its collaboration with Vila Autódromo, the Center for Land and Housing had its nucleus dissolved and later on re-organized with new defenders, which diminished the prior commitments and assignments of the center.

134 Interview, op.cit.

It is precisely the lack of participation and dialogue with the residents, guaranteed by law in Brazil, which sustains the argumentation used by the Ombudsman for non-removal. The resistance of the residents can also be explained by the organizational experience they gained before and during the Pan-American Games in 2007, where they proved victorious. Finally the residents refuse to accept the land offered by the city for their resettlement. They claim that the land presents environmental risks because it is located on a hill which was the subject of mineral exploration in the past.

In the middle of this deadlock, the Association and the residents have constructed an alternative plan for the community.¹³⁵ Some well-known

135 Interview 26-04-2012 with a leader of the neighborhood association of Vila Autódromo, who showed the 'Plano Popular da Vila Autódromo –preliminar version – December 2011'.

academics¹³⁶ have collaborated with the community in the formulation of this plan. Moreover, in order to join forces with other members of the civil society, residents of Vila Autódromo have participated in networks on a citywide and even international level, such as the People's Committee of the World Cup and Olympics in Rio de Janeiro and the People's Summit during the Rio+20 events in June 2012.

As a result of this process, as well as countless public actions and debates, the "Viva Vila Autódromo" campaign was launched in July 2012. On August 16, 2012 the People's Plan for Vila Autódromo was delivered to the current mayor of Rio de Janeiro, Eduardo Paes. The only answer the residents received was that the Mayor and the Municipal Housing Department need a period of 45 days to review the document. Since Paes was campaigning to be re-elected in the October 2012 polls, his response would therefore not be given until after the elections.

136 Such as Carlos Vainer, professor of IPPUR / UFRJ, UFF professor Regina Bienenstein, law professor Miguel Baldez and other researchers

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Concluding Remarks

We have observed three cases of public interventions in sub-standard settlements. The public policy statements that accompany the interventions express an interest in reducing urban poverty and assisting the poorest and most vulnerable segments of the city. However, the interventions are not based on participatory and empowered planning within the targeted communities themselves. This reduces the cost-benefit efficiency and goal attainment of the interventions. It strengthens suspicions within and around the communities that there are other goals, a hidden agenda, on the government side. The tight relationships between urban authorities and private real estate developers in the largest and most prestigious projects of the city suggest that capitalist-bureaucratic logics steer the machine of slum upgrading in Rio de Janeiro.

The interventions have unleashed different forms, levels and patterns of social mobilization. In Vila Autódromo the unity of action has been strong, and every new attempt of removals have been met by adequate and high level of mobilization. In Manguinhos the unity of collective action has been weak, and after 2009 a steady decline of social mobilization has been observed. Morro da Providência has offered an

intermediate case, of uneven mobilization: the unity of collective action has been weak, but there have been repeated surges of high mobilization by the dwellers most directly affected by government interventions. In addition to social-structural factors (such as size, ethnic heterogeneity, exposure to outside world), which factors more related to human agency can explain these variations in terms of mobilization? Our analysis has examined the history embodying the settlement as well as its relationships to social movements and politics – power relations between the state and society at the local level - to understand the different courses of action in the three cases.

Manguinhos.

Considering PAC as a large-scale public intervention, from the beginning it was planned without considering any possibility of participation in planning or implementation. The execution was highly authoritarian and the most basic needs of the area and its residents lost importance. Great amounts of resources went into prestigious infrastructure projects, mainly the elevation of the railway line. Its proper name, 'Program for the

Acceleration of Economic Growth” seems to underscore the order of priorities. The PAC Manguinhos saw the investments of public funds as necessary engine to generate economic growth, based on a model of ‘new developmentalism’. Concrete demands on the side of the citizens seem to be of secondary importance or can even serve as a justification for investments in constructions, whose utility and long-term use can be put into question.

Confronted with this type of government and politics, the social mobilizations carried out by local actors and residents from the beginning saw little chance to find ways of influencing the trajectory and modalities of implementation of the ongoing of the mega project. The Manguinhos Social Forum was in its formation and durability a success in terms of base mobilization, yet in terms of its goals and purposes it suffered a great defeat.

The highly unequal power relations between government institutions at different levels, on the one hand, and the local mobilizers, on the other, may explain this outcome. The Manguinhos Social Forum was not capable of substituting the old structures of neighborhood associations, which were co-opted by the government and controlled by drug trafficking forces. The Forum was unable to establish strong alliances with civic and political forces in the Manguinhos area, and its main activists became exposed to repression.

Vila Autódromo.

This community represents an example of commitment and struggle within the context of Rio de Janeiro. Different assumptions could be used to explain the particularities of this case and how it has managed to resist removal so far. There is, compared to other communities, less imbalance of power between the government and the residents due to the fact that i) the settlement passed through a processes of land regularization in the 1990s which granted land titles to numerous residents; ii) there has been no drug trafficking; iii) the community is quite small; iv) the community leaders have had close ties to political organizations, trade unions and other forms of associations even at the international level¹³⁷; and finally v) the governments’ intention of a total removal of the community has prompted the residents to take a collective position against this threat rather than the fragmented struggles one can observe in other communities. Their alternative People’s Plan for Vila

Autódromo stands out as an expression of a collective and creative counter-power.

Unlike what usually happens to slum dwellers in the city of Rio de Janeiro, the residents of Vila Autódromo have titles to the land and are recognized as right holders. Hence, the relationship that has developed with the government is different from that of other favelas. The propositions the government has presented in attempts to convince the residents to leave their homes have been a lot more generous than what the government has offered other communities. Still, most residents emphasize the value that the place, constructed by the residents themselves, has in their lives, and they are convinced of their right to remain. The government, however, has not given up its attempts to remove the Vila Autódromo.

Morro da Providência.

This settlement provides a case of uneven social mobilization. Government and public interventions provoked large and relatively spontaneous mobilization among the residents, in May and June 2011. That resulted in the formation of a Commission of Mediation of Conflicts in July and of a Residents’ Committee in August 2011, followed by a ten-month period of a reflux of mobilization. The more the public works proceeded, the more people tended to give up and drop out from the struggle. By March 2012, the construction of the cable car station and the funicular had reached a point of no return. The residents had lost the struggle of influencing the profile and design of public works in the area. However, the battle of those residents who were threatened by relocation saw a revival in May and June 2012. A reorganized and strengthened Residents’ Committee managed to link up with external political events such as the Rio+20 conference 2012, the Peoples’ Summit in June 2012 and the local (municipal) elections in September 2012. In addition to the civil and political society, they brought in the ombudsman and other public entities dedicated to the defense of the citizen’s rights. In this way the activists have acted in the same way, and together with, the activists of Vila Autódromo.

Hence, although the residents as a collective lost the first round, a combination of politicization and judicialization of the struggle have strengthened the bargaining position of the particular residents threatened by relocation. In a longitudinal perspective, one can suggest at least two different interpretations of the recent encounter between public authorities and poor communities.

137 This could be observed during the Rio+20 conference held in Rio de Janeiro in June 2012.

The first one is pessimistic and emphasizes the negative influences of the past. The legacy of one type of tyranny after the other (military rule 1964-1985 , followed by armed drug traffickers' rule, which was contested by military and police occupation of the favela after 2008) has created a certain governmentality, to use a concept of Foucault (1991). This legacy resulted in a modernized repressive regime after 2010; the tyranny of time, science and force. This configuration combines the capitalist-managerial expediency in handling urban renewal, paternalist middle-class concern for the environment and the residents' health, and soft community policing. Thus, the sub-standard settlement is not capable of acting as a social collective. Still, there is room for individual adaptations to the prevailing regime, or individual negotiations, assisted by human rights activists and judicial devices of a partially democratized and liberal state. Shrinking horizontally, expanding vertically – that has been the way struggle of the residents has been organized.

Symptomatic for this governmentality is the complete absence of the Neighborhood Association, created in 1968, from the recent social mobilizations.

Another interpretation is more optimistic. In Foucauldian terms, resistance against the destruction and repression caused by modern urban governmentality finds a successful case in Morro da Providência. Identity politics, centred on Afro-Brazilian and cultural heritage, has been anchored in a delimited territory from which social mobilization could be launched. There is more at stake than the habitat of individual families. The conflict

has been successfully socialized and politicized. An alliance with all-city and even national civic networks was established, and the struggle of Morro da Providência has become a symbol for the resistance of a radical(ized) civil society against neo-liberal urban plans in Brazil and globally. Counter-expertise has assisted the efforts to develop a counter-hegemonic discourse. Moreover, the mobilization has been able to scale up this way by using a progressive constitution and legal resources offered by the state. Although this may lead to judicialization and individualization of the social conflicts, it is transcending rather than reproducing the old practices of clientelism. Powerful individuals (e.g. controlling political parties) have small chances to instrumentalize and demobilize the struggle. Key politicians in the city government can even be credited for playing the game in a cleaner way than expected in the Rio de Janeiro context, which has a weaker participatory-democratic tradition than cities such as Porto Alegre and Recife. To some extent, Rio de Janeiro's politicians respect the rule-of-law and take the rights of the citizens in the sub-standard settlements seriously. In other words, what has been observed is the conflictual yet promising political-social transformation of metropolitan Brazil.

These two interpretations may serve as competing hypotheses, or ideal-types, for further empirical and analytical work. In comparative terms, the Manguinho case seems to support the pessimistic interpretation, while Vila Autódromo so far has nurtured the optimistic version. Morro da Providência is an intermediate case, calling for a mix of the two interpretations.

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List of Annexes (Documents Available on Request)

1. Annotated bibliography (selected)
2. List of interviews
3. List and summaries of observed meetings
4. List and summaries of relevant public documents
5. List of relevant documentary video films (accessible on YouTube)
6. Maps (of the selected settlements) not included in the report

Settlement Field Report

Guarulhos, Brazil

By Denise Vitale, Katiane Lucia Zape, Adrian Gurza Lavalle,
Osmany Porto de Oliveira, Lizandra Serafim, Jessica Voigt

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PART I

1 Introduction

The work developed in Working Packages 3 and 6 for Chance to Sustain allowed us to observe the complex urban structure in which and over which major political conflicts are established in the area of Guarulhos, Greater São Paulo, Brazil. In several parts of the city, it is possible to see not only irregular occupation but also the vulnerability of neighbourhoods to water (not only rivers and brooks overflow but also streets flood as a result of the lack of drainage for rainwater), as well as the weak route structure depending mainly on two roads – Dutra and Ayrton Senna – crossed not only by the traffic coming from upcountry to the capital and seaside but also by Guarulhos citizens themselves.

Such characteristic of the city – being cut by two major roads – also reflects on access to public services. There are plenty of reports about residents that need to cross one road or the other to get to a certain hospital or service. According to residents, especially as they spoke during Participatory Budget (PB) plenary sessions such as Jardim Fortaleza's, there would be a clear distinction between road investments “on the other side” and “on this side”.

Civil society in Guarulhos is primarily based around community residents associations, closely linked to councillors according to statements from local administrators. There are also entities linked to the housing movement but with few connections beyond the municipality. It is worth emphasizing that before PT came to power, the majority of association representatives held posts in the local administration. According to the PB

coordinator, the primary objective of the 2001 administration was to transform the clientelist relations established by the government with these representatives and implement instead a public and participatory process of relations and negotiations, which also became a source of dispute among local civil society organizations.

Popular participation in public policy making is one of PT's traditional campaign themes, as well as a distinguishing feature of the party's local administration in Guarulhos. It was a key issue in the electoral campaign that brought PT to power, and formed a central part of the party's administrative program. On this point the municipality differs considerably from Salvador and Rio de Janeiro. The city council systematically engages in dialogue with the population and promotes civil society's involvement in the decisions concerning municipal policies and programs, especially with the Participatory Budgeting and the Councils.

Precisely because of the importance of these two institutions in the municipality of Guarulhos for the last decade (today the Guarulhos PB leads the coordinating group of the National PB Network), the field research of WP3, as well as the analysis and conclusions that have been outlined are extremely connected to the dynamics of WP6. The effort, here, is to identify and emphasize elements that are more particular addressed at WP3. However, a more complete descriptive and analytical scenario shall integrate both work packages in this case.

2 Methodology

The work carried out by our team focused on the Pimentas neighbourhood in south-eastern Guarulhos. The neighbourhood gathers a wide group of PB regions and traditional neighbourhoods of the city. Pimentas is known to be highly politicized and a focus of urban conflicts, from violence driven by drug dealing to irregular land occupations that have taken place since the late 1980s. Interviews were conducted with dwellers and leaders of

Jardim Tupinambá, Marcos Freire, Sítio São Francisco, and Jardim Guaraci (Itaim).

Field research for WP-3 has included several visits to this date. An exploratory visit to the Guarulhos area that follows the Tietê River and borders with São Paulo, including the area where the construction of Linear Park is planned, as well as specific visits to communities. Visits allowed

gathering a high number of interviews; visits to communities were conducted in the Tupinambá neighbourhood.

On interviews

Interviews were conducted for project Chance to Sustain in Work Packages 3 and 6, respectively, with city officials, local leaders, and residents of neighbourhoods in the Guarulhos's outskirts. Field missions to carry out interviews took place at several times. At first, interviews were conducted for WP-6, with city officials, especially those connected to the Participatory Budget (PB) and their councillors. Fieldwork for WP-6 followed 2011 PB plenary sessions and later WP-3 interviews were conducted with

neighbourhood leaders linked to local associations and residents. In the case of WP-3, research focused on a large neighbourhood in the outskirts, namely, Pimentas.

The interview work provided relevant information to the project regarding the links established between the city government and local leadership. Interviews for WP-6 were conducted by the semi-direct free technique; WP-3 interviews, in turn, followed a previously defined questionnaire (attached). The present report will point out general evidence found on interviews, as well as interviewees' particular aspects, in order to provide a reconstruction of those individual's trajectory, in their contexts, associated to links established with authorities over time.

3

Background and Context

Guarulhos occupies the position of best case for the study of participatory governance in the three Brazilian cities included in the Chance2 Sustain project, namely Salvador and Rio de Janeiro and Guarulhos itself. In a few words, the party political dispute in the city, the arrival of the Workers Party (PT) in power for the first time and its stay in office for three terms pursuing a government program strongly committed to fighting corruption, increasing public participation and social investment and improving public infrastructure in the poor areas of the municipality, led to one of the most widely recognized experiences of Participatory Budgeting (PB). At the same time, the city has a particularly diverse structure of participatory governance with more than 30 policy management councils in operation. It is impossible to draw any parallel to the cities of Salvador and Rio de Janeiro, well-know for the limited development of participatory forums.

Guarulhos also comprises a particularly favourable case for interconnecting the diverse questions raised by the C2S's other Working Packages (WP). Due to its contiguity with the city of São Paulo, there is a long history of macro-projects with strong segregatory and environmental effects on the shaping of urban space, normally developed to meet the needs of São Paulo. This history includes highways, prisons and Guarulhos International Airport. In the immediate future, new large-scale projects will once again alter the city's urban landscape involving the relocation of hundreds to thousands of families. As well as the mega-project of the Tietê River Linear Park, the build-up to the soccer World Cup has introduced new pressures to expand the international airport, taking over entire neighbourhoods of the city.

The municipality's steep terrain means that those areas that are low-lying and close to the Tietê river, invariably occupied by irregular settlements, favelas and low-income families, face continual flooding problems. Major public works such as the highways and airport have not only increased segregation by limiting the population's mobility, they have also worsened the flooding problems. Hence as well as the social problems typically found in Brazilian cities of Guarulhos' size, such as poverty, violence and under-investment in education, healthcare and the urban infrastructure, in the field we observed the presence of conflicts associated with the settlement of populations in environmental risk areas, as well as serious transportation problems.

Guarulhos's highway infrastructure serves São Paulo's economy in particular and the country's in general. However local communities complain frequently about the poor quality of the streets and avenues, the absence of sidewalks and, more surprisingly, the need to connect the communities to the highway infrastructure. Overall the situation reveals the paradox of a complex highway system traversing the municipality in the service of the national economy but failing to serve the interests of local residents. In addition there are serious problems with flooding, especially in poorer neighbourhoods. But rather than passively accepting these problems, the population uses the channels provided by the participatory governance structure to make its demands.

The city will be used as best case for this study since it combines a well-developed participatory governance structure, a strong civil society, and activism on the part of the population. By way of comparison with Guarulhos's



situation, the study will take the cities of Rio de Janeiro and Salvador as control cases, both of which show a lower level of participatory governance on one hand, and the reduced presence and activism of civil society on the other. The conflicts surrounding the highway issue in Guarulhos will enable us to move beyond the parameters of the WP-6 and integrate the case with the other WPs to their mutual benefit.

It has already been observed that some of these conflicts have spaces where they can be voiced within PB, but the field visits made to outlying districts have also shown a local dynamic mediated by community leaders in a wide variety of forms. Given that the connection between WPs 3 and 6 is particularly favourable, the research design adopted for the city of Guarulhos combined the questions of both WPs. It is worth noting that the history and the building of social mobilization in Guarulhos has not been a specific response to the Linear Park megaproject. By contrary, neighborhood associations and social organizations have been developed for the last decades, trying to address general problems of the communities.

The city of Guarulhos is characterized by unregulated growth in population levels and housing. Intense industrialization, migratory processes and the construction of macro-infrastructure like highways and the airport served to catalyze this situation. Comparing the level of vulnerable settlements in Guarulhos with other Brazilian metropolises, the city has a rate of 16.54 %, while Rio de Janeiro has 21.78%, Salvador 20.59% and São Paulo 12.55%. The micro-territory in which we conducted our research, the Pimentas district, reflects the effects of unregulated growth in Guarulhos. The district ranges from areas of regular commerce and paved roads with intense traffic, the Marcos Freire¹³⁸ region for example, to irregular occupations, some built close to streams, with dirt roads, such as the Sítio São Francisco and part of Jardim Tupinambá.¹³⁹

138 Marcos Freire is a commercial and residential area of Pimentas. It hosts the plenary sessions of the Cidade Tupinambá Participatory Budget. Housing is officially regulated and the paved roads include avenues leading to more central districts of the city, such as Juscelino Kubitschek. In Marcos Freire we interviewed the director of a state school, Tania, and two employees from the Pimentas Course, Braz and Fernando.

139 The Sítio São Francisco is a land occupation began in the 1980s and today mostly formed by brick houses. In some places there are highly vulnerable dwellings. Dirt roads predominate though there are also areas of forest. According to the IBGE there are 130 homes occupied by 81 families with a total of 463 inhabitants (2010 census). A stream traverse the district – also serving as a channel for the local sewage – along which there are houses built on both sides in high-risk situations. The state government began a process of registering and demarcating the dwellings, which will be removed due to land tenure problems.

Pimentas is an important district since, as confirmed in our interviews with representatives of the public administration and leaders, local political activity is intense, and the number of voters have a decisive influence on the electoral result in the city. In fact in the Pimentas district the government implemented macro and micro public policies, along with increasing private investments. On one hand a Hospital and a University were constructed over the last few years, as well as sewage treatment centres and municipal schools. On the other, a Shopping Centre was opened in the region and large high-rise housing projects are now under construction.

The municipality of Guarulhos has traditionally been run by centre-right political parties. Since 1988 it has been governed by the PMDB (three administrations) and the PDT (one administration), considered centre and centre-right parties respectively. Since 2001 the city has been governed by PT (the Workers Party), considered centre-left on the Brazilian political spectrum. PT has been transforming into the dominant political force in the city over the last ten years with an agenda of participation and fighting corruption – a particularly prominent issue in the municipality due to the corruption scandals under the previous administrations. As a result, centre-right parties have lost ground over the period.

Both the PMDB and the PT invested in mobilization and participation of low income population. During its term of office, the PMDB created Municipal Councils and closed its relations with the community. Field research revealed strong links with the Tupinambá region where neighbourhood associations are present with a long tradition of community action; associations that are today especially active in delivering milk and vegetables and promoting literacy projects. In the region we also encountered the strong presence of a family of landowners from Guarulhos, whose name is often associated with Jarbas Tupinambá. Part of the district grew following the illegal occupation of lands belonging to the Tupinambá family, which made a deal with the inhabitants and rather than asking for a repossession order, granted part of the lands to the occupants. The PMDB was present in the region through the former mayor, Pascoal Thomeu. Interviews confirmed him to be a highly charismatic political figure and councillors close to him contributed to the formation of a constituency in the region, associated with his political network.

PT's entry into Guarulhos also involved an intense investment in mobilizations and participation. The Eloi Pietá administration not only increased the number of councils but also maintained and improved Participatory Budgeting in the city, thereby adding impetus to the

institutionalization of participatory spaces and mobilizing the population around the participatory governance structure. We detected various localized examples of close relations between grassroots leaders and PT, especially in the Marcos Freire and Pimentas regions, both associated with strong participation in PB.

Relations between the PMDB and PT in Guarulhos are inserted in a complex dynamic of territorial dispute for grassroots support, reinforcing the analytic interests of the case study. The relations built between PT and local leaders were consolidated in those regions where the PMDB grassroots network of neighbourhood associations, linked to Pascoal Thomeu, was absent: that is, on the extreme outskirts of Pimentas and thus of Guarulhos. Interestingly, the interviews revealed the difficulties and unwillingness of neighbourhood associations leaders embedded within the PMDB socio-partisan network to influence municipal public policies through councils and PB, while those neighbourhood associations leaders linked to PT emphasized the facility with which their participation in PB enabled them to achieve results in terms of public policies implemented by the municipality.

When PT arrived in government led by Eloi Pietà, it was faced with a challenge. In fact the previous government had left behind a tarnished image of the public administration following a series of corruption scandals. Additionally the governments elected over the course of the 1990s had won over some important regions of Pimentas, such as the already mentioned Tupinambá. The challenge extended, therefore, not only to restoring the political image of Guarulhos, but also of penetrating territorially to consolidate the party's electoral support. PT's agenda put emphasis on participation as a way of changing the repertoire of interests to be mobilized. PB was an important

instrument towards this end, along with the creation of councils and the strengthening of the activities of those already in operation (cf. Anti-Narcotics Council).

The entry into micro-territories like Pimentas neighbourhoods was important for the party to consolidate its electoral base. Some of the PB council members (hereafter councillors) effectively present a strong affinity with PT. Councillors are important agents for the government since, aside from performing the role of controlling public administration and budgets, and deliberating on the latter, they also mobilize the local citizens and grassroots associations to participate in the plenary sessions and inform the population about the government's activities as well. Councillors also serve as a reference point for the districts (a local government administrative division). In other words, in certain cases they function as subtle extensions of local government into the more outlying areas.



Sítio São Francisco

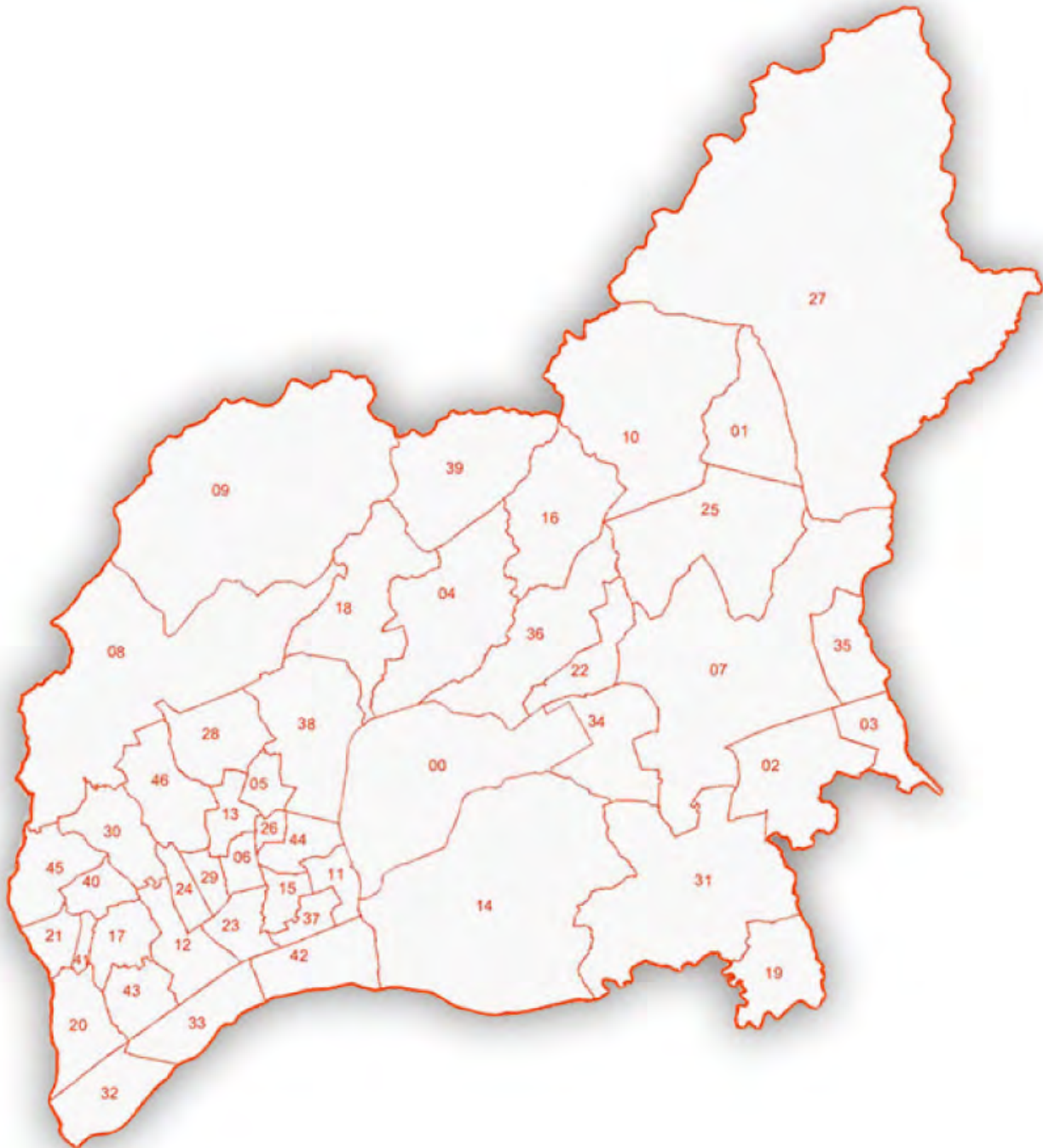


Irregular houses in the border of a stream in Sítio São Francisco



High-voltage networks at Sítio São Francisco

Divisão Administrativa de Guarulhos



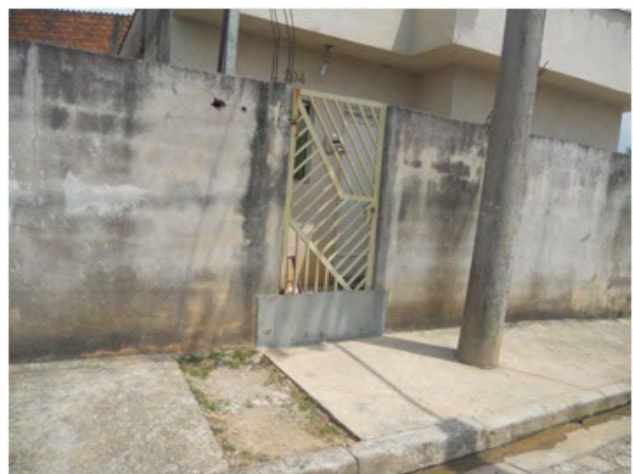
00	Aeroporto	12	Centro	24	Maia	36	São João
01	Água Azul	13	Cocaia	25	Mato das Cobras	37	São Roque
02	Água Chata	14	Cumbica	26	Monte Carmelo	38	Taboão
03	Aracília	15	Fátima	27	Morro Grande	39	Tanque Grande
04	Bananal	16	Fortaleza	28	Morros	40	Torres Tibagy
05	Bela Vista	17	Gopouva	29	Paraventi	41	Tranquilidade
06	Bom Clima	18	Invernada	30	Picanço	42	Várzea Do Palácio
07	Bonsucesso	19	Itaim	31	Pimentas	43	Vila Augusta
08	Cabuçu	20	Itapegica	32	Ponte Grande	44	Vila Barros
09	Cabuçu De Cima	21	JD. Vila Galvão	33	Porto Da Igreja	45	Vila Galvão
10	Capelinha	22	Lavras	34	Presidente Dutra	46	Vila Rio
11	Cecap	23	Macedo	35	Sadokim		



Jardim Tupinambá District (front)/ Rodovia dos Trabalhadores (back)



View of Vila Any (Guarulhos) from São Paulo/Tietê River



Marks of flood on the wall/ protection for avoid the entrance of water, Vila Any (Guarulhos)



View of Jardim Tupinambá

PART II

THE SETTLEMENT CASES

4

The Field Research

From the first field trip we were able to identify a number of common conflicts in the city of Guarulhos, in addition to the transportation and flooding issues described above and the effects of the regional macro-projects. Drug trafficking and the presence of organized criminal factions occurs in the Pimentas region, where in 2009 the police arrested some of the members of one group (the PCC), which shifts 1 million reais per month. The region's inhabitants also complain of poor public safety and frequent assaults on the buses. Public transport is a recurrent topic in the PB plenary sessions, not only due to the implantation of the single ticket system, but also due to how the bus drivers travel at high speeds, causing discomfort to passengers, especially to senior citizens who depend on public transport. According to local residents, this arises from the fact that the drivers do not wish to drive through certain areas of the Pimentas region.

The latter region, specifically in the Sítio São Francisco district, is crossed by Petrobrás gas pipelines and contains high-energy power lines: both these comprise high-risk areas that are nonetheless occupied by unauthorized dwellings. Dirt roads are a common problem in the Cabuçu, Pimentas and Jardim Nova Cumbica regions and the subject of frequent demands in the Participatory Budget. On rainy days especially the situation worsens because of the mud formed, which ends up mixing with the sewage due to the absence of sanitation systems, as mentioned earlier. In the hilly Cabuçu region local residents report that when it rains the mud makes it difficult to access dwellings located on steep roads with cars unable to drive uphill. Children arrive at school covered in dirt, very often meaning they are unable to stay in class. Landslides and the collapse of dwellings in high risk areas also occur. There are many unauthorized dwellings in Guarulhos city with some entire districts formed by occupation of private lands. Requests for land ownership regularization are found in some of the PB demands.

Dirt roads are a common problem in Jardim Tupinambá, Sítio São Francisco and Vila Any regions, where on rainy days especially the situation worsens because of the mud formed. There are many unauthorized dwellings in Sítio São Francisco city with some entire districts formed by

occupation of private lands. Requests for land ownership regularization are found in some of the PB demands.

4.1. Sítio São Francisco

The field visit to Sítio São Francisco (SSF), in the Pimentas neighbourhood, corresponding to the "Cidade Tupinambá" PB region, took place in November 2011. The team was guided by the PB incumbent councillor Mr. Adalberto, who had been elected at the last PB session in Guarulhos, by about 250 votes.

SSF is an occupied area started in the 1980s and now including mostly brick-and-mortar houses, with highly precarious dwellings in some parts. Dirt roads are predominant, but there are also woods. According to IBGE, there are 130 dwellings at SSF, home to 81 families, totalling 463 residents¹⁴⁰. A brook, which also serves to drain local waste, crosses the neighbourhood followed by houses built on both sides, under risk situation. Still in the area, some houses are under an Eletropaulo high tension power line and over a Petrobrás gas pipe. The neighbourhood also has services and commerce, with its own supermarket, and the local association has its own headquarters. There is a strong drug dealing point in the community.

The São Paulo state government started a process to register and demarcate those houses, as they will be removed due to land title problems and risk of landslides.

According to our guide, Mr. Adalberto, the brook often overflows when there is much rain, endangering not only the structure of the houses but also residents' health. The population to be removed will be sent to a housing project still under construction near the neighbourhood by the Municipal Housing Corporation (*Companhia de Desenvolvimento Habitacional Urbano*, CDHU). However, according to him, not all current residents will be entitled to a new house.

140 2010 Census by IBGE

Many of the houses display political flags or banners, but we were warned by Mr. Adalberto not to trust those political demonstrations, since sometimes residents' activism does not really correspond to the political party displayed on façades. Even so, SSF is politically strong and gathers important leaders, such as Adalberto himself and Francielen, a council member elected in second place at the PB plenary session. Both are active in NGOs, each one with their own. Francielen works with the youth movement and youth policies. Our team talked to her more than once over the phone and even scheduled an interview, but she did not show up.

4.2. Tupinambá: The Legacy of Pascoal Thomeu

In the Tupinambá region, we visited a local neighbourhood association known as Mara's Association, located at Tupinambamas Ave., no. 102. The association is known in the neighbourhood for giving out milk and groceries, besides promoting parties to the community and training courses at its headquarters. It is a simple house, above Mara's (short for Marinalva) own place, where she is currently building an extra floor. Many of the neighbours were also doing renovation. Upon arriving to the street, we could already see the different standard of the houses: some were well-structured and had good cars in their garages while others were not even painted. The gate beside Mara's house, for instance, led to a set of places in a sort of building, with entrances through a side corridor.

However, Mara owned the house where she lived and where her association operated. The upper floor, facing the avenue, has a garage divided in two: one side leads to her home and the other side is a closed room. Despite its simple entrance, Mara's home (in the lower floor) is well structured.

From the back of her house, we could see the whole of Pimentas neighbourhood, showing the good location of the association. During our conversation, Elaini referred to the lower streets as the "*favela*" (shantytown) (what Mara did as well) and told us there would be expropriations to expand the state road known as Rodovia dos Trabalhadores.

Furthermore, she showed us which areas suffered with landslides and told that two houses had been closed by Civil Defence personnel at the end of that street, but some people were still living in them, since they "had nowhere to go". Moreover, about two years ago, a house had collapsed over another home, injuring a child. She says that the only action taken since then to tackle landslides were the signs put up by Civil Defence.

Interviews were conducted with local leader Mara, with a colleague and associate of hers, Mrs. Maria José, aka Zezé do Pimentas, and with Elaini, who also works with them. The same space was used to carry out two interviews with local leaders at Jardim Guaracy (Vila Any/Itaim). In this section, we describe the evidence provided by the interviews with members of Mara's Association.

The leaders acting in the area are connected to the political elite that governed the city of Guarulhos before Workers' Party's (*Partido dos Trabalhadores*, PT) administrations and are closely related to Pascoal Thomeu, a member of the Brazilian Democratic Movement Party (*Partido do Movimento Democrático Brasileiro*, PMDB). The main street, Jarbas Tupinambá St., is named after a local landowner. Invasions were gradually taking up Jarbas Tupinambá's estates, and he allowed occupants to stay. Mara says that Jarbas Tupinambá, Junior, is a friend of hers. He is a lawyer and attends CONSEG's meetings, where Mara sees him periodically, and he has helped her without charge when she needed legal assistance.

Mara has lived in Guarulhos for over thirty years now. She says that there was very little in Pimentas when she moved there – in her words, "there was only scrubland". She regrets that her mother was run down and died with a niece and died when crossing Rodovia dos Trabalhadores, since overpasses for pedestrians have been built only recently. The case highlights the problem of the road that segregates the city's neighbourhoods (Report York, 2011). When Mara moved to the area there was no electricity – a group of politicians helped to bring it. In Zezé's words, "at the time, it was Sandra Tadeu who came to set up water and light up there in the area of Arujá, then with Jorge Tadeu and Pascoal Thomeu". Sandra Tadeu is a member of the City Council; Jorge Tadeu was SAAE's head and Pascoal Thomeu was the mayor. Therefore, the beginning of Mara's trajectory as an association leader is strongly connected to those names. Indeed, she starts by helping at the neighbourhood residents association, which was highly active in Guarulhos (according to interview conducted with Braz).

Activities started with collective efforts to pave streets and were followed by the state action to bring electricity. Petitions were frequent and mobilization work was strong around subjects in the interest of the community. Churches did not help the work in the neighbourhood, but two companies were mentioned for their contributions – Marajó and Máximo. Transport, health, education, and security are local problems pointed out by Mara.

Mara says that her work is very hard and demands lots of will and personal effort. She adds that it is made harder by the Workers' Party or, in her words, "what really hinders

us is PT. Because PT gives no aid for us to work. It's like I told you, it's absurd, it's been twenty days since the direct purchase car crashed at the interstate and they haven't bought another one or fixed that one, and we're here at their mercy. Because we are the ones who give it out. They give it to us to be given out". In her speech, PT is sometimes linked to the city government as a whole. The Pascoal Tomeu administration, in turn, is seen as good. It was one of the first indications of that view opposing Eloi Pietá's popularity, even though his importance is not ignored. To mention an excerpt of the interview:

"Interviewer (Adrian Gurza Lavalle): And who do you think has done a better job: Pietá or Thomeu?"

Interviewee (Mara): Thomeu. During Thomeu's administration things were easy. It was easy, sometimes we'd go to him after a job and we'd get that job – many people. There were lots of things... with him I think we used to have more access to the city government, because he had his office we could go to, he would see us, have coffee with us. Now with this one we can't even enter the city hall".

The Participatory Budget is seen as a space where dialogue is difficult, and so it is to get to approve community demands.

At the end of the interviews, we returned to the house entrance and found Neide, who has lived at Jardim Tubinambá for 23 years. She went to the Association's headquarters to bring groceries to a sick colleague. She told us she had moved from Fortaleza to Guarulhos in search of better life opportunities, and she lived behind the local market. According to her, the location of her place was terrible and "marijuana men" robbed any outsider walking there during the night, sparing only local residents heading to their homes. Neide also told us that in the area where she lives, nobody gets to sell their homes nowadays, and that she had unsuccessfully tried it herself.

That was the only house Neide lived in since she moved to south-eastern Brazil. After she came to Guarulhos, she divorced her husband and went to live at that place with her four children. She lives in Guarulhos, but she has always worked in São Paulo. According to her, that is because she spent several years working for an outsourced cleaning company and then went on to clean family houses in São Paulo. She also commented that she did not consider it difficult to get to the state capital from her area.

Differently from Neide, her four sons work in Guarulhos. They grew up there and studied at "Pimentas II", which,

according to her, is an excellent local school. Three of her four children lived nearby, still in Jardim Tupinambá, and a daughter went to live with her after her divorce.

Neide also mentioned that the neighbourhood had "everything to be good", since it had supermarkets, "24-hour-a-day" commerce, banks, and buses. The big problem would be drug dealers who rule in the area. She mentioned a recent rape case, when two neighbours raped a female colleague. According to her, the "PCC"¹⁴¹ had killed them both, without giving the bodies to their parents – thus underscoring the control that drug dealers have over the area.

At the end of the interview with Mara, she led us once more to the back of the house to show us the area. Again, she pointed out the streets that underwent intervention by the population (Médicos St., Jarbas Tupinambá St.) and the houses that were expropriated. On the horizon, she pointed at a football field where drug traffic took place and buried corpses were often found. Mara told us that she usually interacts with wives of drug dealers and convicts, and she reported a rift she had with one of them a few years ago. She was allegedly threatened by the woman and said she was not afraid of threats; according to Mara, they are friends now and the woman with whom she had the rift comes to the association for milk.

Finally, she told us a little about Ceará, a man who will run for the city council in the coming elections and who would be the one in charge of the red tape that associations have to face. Mara also said she would like him to win in order to "remove PT". Mara admits that PT's administrations in the city were somehow important, but she says that former mayor Elói Pietá had done things for the city while incumbent mayor Sebastião Almeida¹⁴² has not.

4.3. Vila Any: On The Edge of Networks

The region of Vila Any is located at Guarulhos far southeast, by the banks of the Tietê River, bordering with São Paulo on one side and cut by Rodovia dos Trabalhadores and part of Pimentas on the other. As mentioned above, the region is often hit by floods. Interviews and field visit showed the precarious infrastructure at Vila Any. Local leaders complain that the neighbourhood lacks lottery

141 Primeiro Comando da Capital: criminal group known for its actions in the state of São Paulo.

142 At the time of the interviews, Sebastião Almeida (PT) was the mayor of Guarulhos. He was re-elected in 2012.

houses, traffic lights, health centres. Residents often have to cross the interstate to get to the other side, at Pimentas, to have access to basic services. Besides, transportation is poor to get to the area, streets are not ordered and even lack traffic lights to organize pedestrians crossing the streets. Interviews revealed that the situation used to be worse, but it has now improved as a result of mobilization by the leadership.

Part of the neighbourhood's residents arrived from São Paulo's outskirts in search of improving their lives and owning a house. Few people live in the area. Descriptions point out a very bad situation at the beginning. There was no water system to meet demands of residents, who sometimes went more than a day without water. Less than one decade ago, as one of our interviewees reports, they went two days without water and residents mobilized, organizing a picket, and set a fire at Rodovia dos Trabalhadores to draw local authorities' attention, hoping for actions to solve the problem. Forms of mobilization to obtain public policies are hybrid and associate religious organizations, political parties, and the Participatory Budget. People interviewed said that politicians have little interest in the area and it is hard to mobilize them when help is needed. They have to resort to city council members from other areas, such as Jardim Cumbica. Religious organizations from several strains, Catholic as well as Evangelic, join to mobilize forces for improvements like schools and health centres.

Vila Any is part of the region named Cidade Tupinambá in the PB geography. Councillors representing the region live in Sítio São Francisco, located across Rodovia dos Trabalhadores. Nilza Santiago is a local leader who is a PB delegate. She says that showing up at the City Hall as a PB

delegate makes a lot of difference. Access is easier and demands are met within a shorter time. In effect, she says that "through the PB we seek improvements, since without that we get nothing". The interview, whose excerpt closes this section, is highly illustrative of that dynamics:

"Even when it comes to making a complaint to the City, if you call and say, 'I'm from the Participatory Budget', the response changes.

(...)

It does change, it changes completely. One thing is when you make a complaint, "I'm so-and-so"; another thing is to say: "This is Nilza Santiago from the Participatory Budget". The response changes.

(...)

Because we have that proximity with the mayor, with the department head, with city council members, so we're the City's scouts. So people are afraid. I was telling my mother today, I got to a health centre and my mother and my brother-in-law are hypertensive, and I wanted to schedule an appointment for him and couldn't get it, the girl was saying it was not possible. Then I went to a nurse and said: "Ricardo...", and since he knew me, I'm from the [Participatory] Budget and he knows me, I said, "Ricardo, I have two hypertensive people at home and the law says that appointments should be scheduled for the hypertensive, and I came here and the girl won't schedule it. He said "Who's the girl?", and I went there and pointed her to him, and he went there and scheduled it right away".

5

Fieldwork WP-6

Fieldwork to date has included two exploratory visits to the PB coordination team and two interviews (Kátia Lima, the coordinator, and Fábio, advisor), a trip to one of the districts of interest to the research (Pimentas), monitoring of 4 PB plenary sessions in different districts, one implantation (an event involving the first meeting between the city council and the Council Members and Representatives from the regions elected in the regional plenary sessions, in which an educator from the Paulo Freire institute explains the PB's Rules of Procedure and its operational dynamic over the two-year period), 11 interviews with community leaders

and 1 interview with the head of a state school in Pimentas district, as well as NGO workers, political party activists and members of the PB council and Youth Council, as detailed below:

- visit to the PB and Pimentas district, where 4 interviews were conducted with PB council members and local community leaders;
- monitoring of a PB plenary session held in the Cidade Tupinambá district, where 3 interviews were conducted with participants;

- monitoring of a PB plenary session held in the Cabuçú region, where 1 interview was conducted with a representative from an NGO active in the region;
- monitoring of a PB plenary session held in the Jardim Cumbica district, where 2 interviews were conducted with an elected member and an ex-member of the PB council;
- monitoring of a PB plenary session held in São João district, where 2 interviews were conducted, one with a Youth Council member and another with a leader from the Workers Party (PT);
- visit the House of Municipal Councils.

6 Preliminary Conclusions

Aiming to shed light on the eventual and contingent connections between decisions made in participatory institutions and social intermediations and citizen participation, the first step was to enter the micro-territory. Focusing on the Pimentas region, our diverse interviews with actors in the micro-territory were aimed at understanding their problems and their problem solving strategies. The content of the interviews allowed to map the entry of the mediating actors into the governance structure, that is, into the Municipal Councils and the PB, as well as to understand other forms of mobilization and channels used to demand public policies. We also made use of another analytic resource, namely attendance of the PB plenary sessions and interviews with key informants involved in this process, as well as their participants. Finally among our analytic premises was the idea that the responsiveness of the participatory bodies to the actors depends on the latter having knowledge of these spaces as well as their various channels of access.

Although the huge number of councils in Guarulhos, because of their policy sector profile, councils are not natural channels for forwarding the kinds of demands typical of neighbourhood associations, therefore there is lack of knowledge of the councils as channels for scaling up demands among neighbourhood associations and, as one may expect, citizens are even less aware of those channels. However, councils do are known by issue oriented community associations and do and have some presence through this associations at neighbourhood territorial level.

These community associations press the councils for the resources needed to carry out their proposals in the field of culture, education, childcare, etc. The relations between local leaders and councils runs through socio-partisan networks. Although the mediation of socio-partisan networks is clearer in the working of PB, they also play a role in linking councils to neighbourhood level demand and politics. The councillors tend to look for those spaces that engage in community activities. This is especially the case during pre-electoral periods.

In addition, relations inevitably become established between community leaders and politicians over time. The Culture Point of Pimentas coordinated by Nilton is a good example of this. When we asked Nilton whether this occurs, he replied as follows: “yes, all of them do it everywhere. Wherever associations exist, wherever people are organized, politicians can be found too.” Nilton’s relations were revealed gradually over the course of the interview and he ended speaking of some of the sporadic relations he had cultivated with deputies, followed by the links with collaborators in the Culture Point. However, crossing information with other interviewees we found that he ran for local legislative post as PT candidate, a “detail” omitted by Nilton throughout the entire interview. Nilton, as almost all who are linked to councils through PT’s socio-partisan networks have a positive evaluation of the PT’s administrations and, most of all, have a high positive evaluation of local participatory institutions.

Annex 1 - List of Interviews

Interviewed	Interviewer	Local	Date	Region of the city
Fabinho (OP)	Osmany Porto de Oliveira	Sede - OP		Centro
Katia lima (Coordenadora OP)	Lizandra Serafim, Adrian Gurza Lavalle, Osmany Porto de Oliveira	Cebrap		Centro
Rodolfo (OP)	Adrian Gurza Lavalle, Osmany Porto de Oliveira	Sede - OP		
Regina (ong)	Adrian Gurza Lavalle, Osmany Porto de Oliveira	Associação de Bairro		Marcos freire / Pimentas
Enedina (Conselheira/OP – Cabuçu)	Adrian Gurza Lavalle, Osmany Porto de Oliveira	Sede - OP		Cabuçu
Seu Adalberto (Conselheiro-OP/ Cidade Tupinambá)	Adrian Gurza Lavalle, Osmany Porto de Oliveira Sítio Sao Francisco/Pimentas	Sítio São Francisco	14 november 2011	
Maria José (Zézé dos Pimentas)	Adrian Gurza Lavalle	Associação da Mara	02 February 2012	Tupinambá/ Pimentas
Marinalva (Mara)	Adrian Gurza Lavalle	Associação da Mara	02 February 2012	Tupinambá/ Pimentas
Elaine?	Jessica Voigt	Associação da Mara	02 February 2012	Tupinambá/ Pimentas
Nilza Santiago	Osmany Porto de Oliveira	Associação da Mara	02 February 2012	Tupinambá/ Pimentas
Eva	Francine Van Der Brandler, Kim			Tupinambá/ Pimentas
Fernando	Francine Van der Brandler, Jessica Voigt, Kim.	Cursinho Pimentas	23rd of March	Pimentas
Braz	Adrian Gurza Lavalle, Osmany Porto de Oliveira	Cursinho Pimentas	23rd of March	Pimentas
Dédé	Francine, Jessica, Kim	Ponto de Cultura		Pimentas
Nilton	Adrian Gurza Lavalle, Osmany Porto de Oliveira	Ponto de Cultura	23rd of March	Pimentas
	Adrian Gurza Lavalle, Osmany Porto de Oliveira, Francine Van der Brandler, Jessica Voigt, Kim ..	Casa dos Conselhos		

Annex 2 - Questionnaire

Urban Chances City growth and the sustainability challenge.
Comparing fast growing cities in growing economies Proposal.

CONTROL DATA

Name of interviewee: _____

Name of interviewer: _____ No. of the interview: _____

Date: ____ / ____ /20 ____ Age : _____

Sex : _____

Interview locale: _____

No.: _____ District: _____ ZIP code: _____

Municipality: *Guarulhos and Salvador*

SCRIPT:

This questionnaire forms part of a research project, run by CEBRAP in partnership with the European Union, to identify the key problems, solutions and leaders in the districts of Guarulhos municipality. We are interviewing leaders and local residents recognized for their work in their district/community. Your own name was suggested to us by _____ (specify the name of the person who suggested the interviewee) _____. We wish to know what the main problems have been in the _____ (name) _____ (district/community), what has been done to respond to these problems and how things are going now. We may record the interview: this will allow us to listen to you with close attention during the interview, rather than taking down notes.

I PAST CHARACTERISTICS AND ORIGIN OF THE SETTLEMENT

a) How long have you lived in the _____ (name) _____ (district/community)?

b) How did you come to live in this district?

c) When you arrived here, what was the _____ (name) _____ (district/community) like?

- Availability of services at the time of arrival
- Employment opportunities
- Urban infrastructure



d) When you arrived, what were the main problems faced by residents of the _____ (name) _____ (district/community)?

e) At that time, were the residents of the _____ (name) _____ (district/community) organized?

- Who were the leaders?
- What kinds of actions were pursued?
- What demands were made?

f) Also at that time, who helped you to solve the community's problems?

- Parties / church / unions / local council
- How did they help?

g) What, in your view, have been the main changes to the _____ (name) _____ (district/community) since you arrived?

- Was anyone specific responsible for these changes?
- If so, who (government, people, private company or association) contributed to these changes occurring?

h) What, in your view, are the main problems faced by the _____ (name) _____ (district/community) today?

- Attention: this question is followed up in the next section.

i) Do you know how the _____ (name) _____ (district/community) originated?

- Check whether the origin of the district was a long time before the interviewee's arrival
- Check whether the interviewee has any relevant information

II ENGAGEMENT AND COMMUNITY ORGANIZATIONS

a) Why and how did you start to become involved in solving the problems of the _____ (name) _____ (district/community)?

- Explore recruitment by parties / church / unions / local council
- Explore whether the interviewee had a history of engagement prior to their arrival.

b) What are the main actions that you have undertaken?

- Explore the demands made
- Explore whether the demands have been << SUCCESSFUL >> or have << FAILED >>

c) Did someone help you with these actions ?

- How did they help?

d) What are the main difficulties that you face in your work for the _____ (name) _____ (district/community)?

e) Is there a particular person, organ or private company that hinders your work in solving the problems of the _____ (name) _____ (district/community)? If so, why?

f) When (name problem from question 1h) happens, what do you usually do?

- Explore problems relevant to the research mentioned in question 1h, such as flooding, violence, landslides, evictions, basic hygiene or environmental risks

Only ask the following question if there has been no mention of evictions in the interview; if the problem has been mentioned, skip to 2h:

g) Have there been evictions or threats of evictions in this district?

- Explore when they took place, why, who wanted the eviction and what happened

h) Apart from yourself, are there other groups, associations, people, churches or parties working to help the community?

III RELATIONS WITH THE GUARULHOS PARTICIPATORY AND TRADITIONAL GOVERNANCE STRUCTURES

a) Have you ever heard of policy councils?

- If yes, explore further

b) Have you ever heard of the Municipal Social Welfare Council, the Municipal Health Council or the Municipal Education Council?

- If yes, what have you heard said about which council?
- If the reply to question 3b is NO, skip to question 3

c) Have you ever entered into contact with someone from these councils?

- When?
- For what reason?
- How frequently?
- Did someone go with you?
- << DID IT HELP >> ?

d) Do you know if the problems of the ____ (name) ____ (district/community) have been discussed by any of the councils?

- What problems?
- Which councils?
- << DID IT HELP >> ?
- Were the district's problems directly discussed by the council or only part of the council's wider agenda of issues?

If the answer to question 3d is YES:

d.1) Do you believe that, after the council/s discussed the issues, something was done to solve these problems? Were they solved?

- Why?/ Who forwarded the question (local council, the council itself, the department responsible, a social movement)?



e) Have you ever heard of BP?

- If not, mention the full name “and what about Participatory Budgeting?”

f) Have you ever taken part in a BP plenary session?

- When?
- What demands were made?
- What demands were approved?
- << DID IT HELP >> ?

If the reply to question 3f is YES:

f.1) Do you believe that something was done to solve the problems of the _____ (name) _____ (district/community) discussed in the Participatory Budget? Were these problems solved?

If the reply to question 3f is NO:

f.2) Do you know if the problems of the _____ (name) _____ (district/community) have ever been discussed in a BP plenary session?

g) Have you ever contacted a local councillor to solve the problems of the _____ (name) _____ (district/community)?

- When?
- Which demands were made?
- What demands were approved?
- << DID IT HELP >> ?

If the reply to question 3g is NO :

g.1) Do you know if a local councillor has ever taken an interest in the problems of the _____ (name) _____ (district/community)?

- Who?
- From what party?
- << DID IT HELP >> ?

If the replies to questions 3g and 3g.1 are NO:

g.2) Have you ever contacted a party to solve the problems of the _____ (name) _____ (district/community)?

- Which party?
- How frequently?
- How did you contact them?
- What demands were made?
- << DID IT HELP >> ?

If the reply to question 3g.2 is NO:

g.3) Do you know if a party has ever taken an interest in the problems of the _____ (name) _____ (district/community)?

- Who?
- Which party?
- How did you contact them?
- How frequently?
- << DID IT HELP >> ?



h) Have you ever contacted the mayor to solve the problems of the _____ (name)_____ (district/community)?

- Which mayor?
- Which party?
- How frequently?
- << DID IT HELP >> ?

i) Have you ever contacted the local council to solve the problems of the _____ (name)_____ (district/community)?

- Which division/authority?
- When?
- How frequently?
- << DID IT HELP >> ?

If the interview is in SALVADOR:

j) Has the state government or the local council ever invited you to take part in a meeting on the historical centre region?

If the reply to question 3j is YES:

j.1) Did you take part in the meeting?

- If so, what did you think of the meeting?

k) If you were mayor, what would you do for the _____ (name)_____ (district/community)?
And how would you effect these changes?

l) How do you envisage the _____ (name)_____ (district/community) in twenty years time?

m) Finally could you suggest any other people to interview who you consider important in terms of learning more about this district/community ? They could be community leaders, politicians, religious figures or neighbours who you think would be important or interesting to talk to about the region's problems.



EADI
Kaiser-Friedrich-Strasse 11
D-53113 Bonn
Tel.: (+49) 228 . 2 61 81 01
info@chance2sustain.eu
www.eadi.org
www.chance2sustain.eu



Chance2Sustain examines how governments and citizens in cities with differing patterns of economic growth and socio-spatial inequality make use of participatory (or integrated) spatial knowledge management to direct urban governance towards more sustainable development.

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