

## **ROLE OF CIVIL SOCIETY IN URBAN GOVERNANCE AND THE RIGHT TO THE CITY: CASE OF DELHI'S RESETTLED COLONIES**

Jeetesh Rai

Assistant Professor, KiroriMal College, Department of  
Geography, University of Delhi, Delhi

### **ABSTRACT**

Today development is seen as a complex process in which different actors are involved. However, the State and civil society are the main performers of a sustained development process. The State is understood as an abstract yet powerful notion that embraces a network of authoritative institutions that make and enforce top-level decisions throughout a territorially defined political entity. On the other hand, civil society is understood as a sphere of multiple relations outside the sphere of the State and the market. Both entities contribute to the development process, covering different aspects of it. By using brief examples and case studies, this paper aims to assess the importance of an active civil society for development. In order to accomplish this objective, I will highlight the role of civil society, with particular reference to Delhi's resettlement colonies, when the State actions don't meet the most deprived necessities, then I will analyse the vision of mainstream development about the role of civil society and the State in the development process, and third I will express the necessity for synergy between the actions of the State and the actions of the civil society.

**Keywords:** Urban poverty, Development, State, Civil Society, Community mobilisation

### **1. INTRODUCTION**

Today development is seen as a complex process in which different actors are involved. However, the State and civil society are the main performers of a sustained development process. The State is understood as "an abstract yet powerful notion that embraces a network of authoritative institutions that make and enforce top-level decisions throughout a territorially defined political entity" (Chesterman et al. 2005, 2). On the other hand, civil society is understood as a sphere of multiple relations outside the sphere of the State and the market. Both entities contribute to the development process, covering different aspects of it.

According to Amartya Sen, development should be evaluated in terms of the “expansion of the ‘capabilities’ of all persons to lead the kind of lives they value – and have reason to value” (Sen,2001,18). Sen recognises that individuals live and operate in a world of institutions and our opportunities and prospects to achieve our capabilities depend on what institutions exists, how they function and how they work with other institutions. Further he argues that the capabilities of individuals within a particular society are enhanced by a “two-way relationship” between the institutions of public policy and the influence on the direction of public policy by “effective use of the participatory capabilities by the public” (Sen, 2001,18).

However, in some cases the State doesn’t act in the interests of the majority and doesn’t integrate representatives of all the citizens. The results are corruption, lack of accountability and exclusion. In this scenario the development process cannot be inclusive and often it doesn’t favour the development of the poorest population. In that case civil society has to be reinforced and intervene in the sectors where State doesn’t act. Therefore civil society organizations can be valuable allies for improving the life conditions of the most deprived. They can give direct assistance to people in difficulties, make the voice of the poor stronger or replace State action in some specific areas and sectors of the social life. Nevertheless, civil society action has its own intrinsic limitations and cannot be the only base for the development of a country. The ideal scenario is the one in which both the State and the civil society contribute to an inclusive and sustained development process.

## **2. NON INCLUSIVE STATES AND AN ACTIVE CIVIL SOCIETY: CASE STUDY OF DELHI’S RESETTLEMENT COLONIES**

The State both frames civil society and occupies space within it. It fixes the boundary conditions and the basic rules of all associational activity, including political activity and at the same time It compels association members to think about a common good, beyond their own conceptions of the good life (Walzer, 1995). Particularly to the Third world countries the State role is very crucial and it was believed that they could not succeed in development “unless the State intervened and co-ordinated the development efforts to the benefit of society as a whole” (Martinussen, 1997, 258). However in different countries the State is a close structure with under representation of the majorities. This is translated into a lack of representativeness and by the non integration of citizens needs in State action. This is much linked to the failure of many post-colonial States and the evidence of its “self-seeking behaviour”. Thus the State “came to be seen as a barrier rather than a driving force in the development process” (Mohan and stockke, 2000, 248). In that sense, civil society can play a fundamental role for the people excluded by the State actions.

The concept of civil society is dynamic and ambiguous, changing in scale and scope depending on time period and geographic location (Carr et al., 2008, 359). Debate exists over the meaning of civil society, and it is often defined in vague terms as public space between “individuals and the State and/or market” (Howell and pearce, 2001; McIlwaine, 1998; Taylor, 2004; Mohan, 2002). As a result, various actors have conceptualised civil society in different ways. In terms of political and economic associations (Diamond, 1994; foley and Edwards, 1996) civil society can consist of voluntary organizations, community groups, trade unions, church groups, co-operatives, business, professional and philanthropic organizations, and a range of other NGOs (UNDP, 1993; Macdonald, 1997). The liberal approach views civil society as a “largely autonomous sphere of freedom and liberty”, often associated with the writing of de Tocqueville and stressing the beneficial effects of ‘vibrant civic association’ (MacIlwaine, 1998, 417). On the other hand, the neo- or post-Marxist approach views civil society as a “site of oppressions and power inequalities” drawing predominantly on the writing of Marx, Hegel and Gramsci (Macdonald, 1997; MacIlwaine, 1998). However, many actors recognise that civil society is not a homogeneous entity and can assume different forms depending on the geographic location (Carr et al., 2008, 359).

It is often recognised that the institutions of civil society can reach populations that have been marginalised by the process of both immanent and intentional development. Because civil society is conceptualised as being part and parcel of local communities and social networks, organised civil society has often been viewed as an avenue through which even the poorest populations can participate in development (Mohan and Stokke, 2000). In many ways where the State is seen to have failed, and many manifestations take it upon themselves to act. An example comes from the realm of non-State providers (NSPs) of water and sanitation services in developing countries, who often serve low-income areas where State services do not meet certain standards.

Delhi presents a classic example where civil society acts in the favour of poor slum populations. In Delhi, due to the Commonwealth Games of 2010 the State government demolished slums without giving alternative housing to the people affected. Then some civil society organisations like Sajha Manch, Hazards centre, Ankur, Human Rights and Law Network (HRLN), Bhalaswa Lok Shakti Manch helped evictees in providing housing to more than 12,000 families in December 2008.

Though eviction and resettlement process is not a new phenomenon in Delhi, it has been happening since 1975 during ‘emergency’ and Asiad games of 1982. Initially no civil society organisation took any initiative to fight against these evictions. It was 1990s, specifically 1999 (Hazards centre, 2008) when Sajha Manch and Hazards centre started questioning these forced

evictions. Initially Sajha Manch started with the collaboration of just few other similar organisations and later more than 70 organisations joined Sajha Manch and started fighting against these evictions. Later Bhalaswa Lok Shakti Manch also started questioning the forced evictions in some resettled colonies like Bhalaswa JJ colony. The Sajha Manch, Hazards centre and Bhalaswa Lokshakti Manch played a very important role in making the people and government aware about the aftermaths of these forced evictions.

Now, Sajha Manch, Hazards centre and HRLN are working in many resettled colonies like Bawana, Savda Ghevra but Bhalaswa Lokshakti Manch is particularly focused on Bhalaswa resettled colony. These civil society organisations conduct regular Dharnas and meetings with these evictees and raised the issue of basic amenities. The major issues that these civil society organisations are focused on are housing and other basic amenities like water, electricity, education etc. The Bhalaswa Lok Shakti manch team stated about opinion against these forced eviction:

“The forced evictions disrupted the well settled life of many families who have been living here from last 40 years. The resettlement policies that made for these evictees are made in a very arbitrary manner. Clean agenda is always dominated over the Brown agenda. During the Asiad games people land was snatched away and used for making the Delhi a clean and green. Another wave of evictions that has been followed just after 2001, was because of Commonwealth Games of 2010. In both the case the basic purpose of government was to make the Delhi a world class city where foreigners can appreciate the Delhi as a world class city. No doubt Delhi became the world class city but at the cost of many families whose lives have been completely disrupted, there shelter and employment has been snatched away and they were thrown away from their well-settled land with minimum basic amenities.”

The Sajha Manch’s particular focus is on getting the evictees plots and building the pressure for government to provide the basic amenities in resettlement colonies. During the conversation Sajha Manch team stated that:

“Sajha Manch team is working with many similar organisations, specifically with Hazards centre, and questioning the forced evictions. Along with questioning the forced evictions we are also fighting for the rights of common poor who are the victim of government’s false policies. From last one and half decades we have been mobilising the people in various resettled colonies. People have lost everything that includes their home, employment, social ties and relationship. Students specifically of girls child dropout rates have been

increased tremendously post eviction in resettlement colonies. Here in these resettled colonies no basic amenities are available. We are regularly fighting for the people rights and we are successful in achieving the people rights wherever possible.”

Hazards centre team is also working for the rights of slum dwellers from last two decades. The main objective of Hazards centre team is to make the slum dwellers aware about their rights and fighting for their cause. Hazards centre team’s particular focus is on getting the evictees plots and basic amenities in resettled colonies. Hazards centre also train the people about filing the Right to Information (RTI) and getting the people related information about various government related work that is most concerned to their day-to-day life. The Hazards centre also file various cases and PIL’s in court regarding the housing other rights of the slum dwellers. It also prepares various report and collect data related to slum dwellers life. During the discussion Hazards centre stated that:

“We have been fighting for the cause of poor slum dwellers from last two decades. The most important thing that makes us critical about the government policies is that government policies are exclusionary in nature. In State’s policies the poor slum dwellers are always on the top priority but on ground they are the one who left behind and completely excluded from all kind of developmental fruits. It is the poor slum dwellers who build the city from their blood and sweat but they are the one who are always blamed and called as encroachers. They are always the one who are always criminalised from the State and considered as the third class citizen. Our only concern is to make the State aware about the poor slum dwellers contribution in running the ‘City’ and fighting for the cause of these slum dwellers.”

The situation of evictees was very critical during the first few months of evictions. They were left with no choices except living on the State’s mercy. They were bulldozed by the State in very short notice and in many cases without any prior notice. They lost their important documents and things that are very important for them. During the conversation one of the families in Bawana stated that:

“When we first arrived here in 2006 we have been told by the government authorities, during the demolition process, that we would get the plot in Bawana. But, when we reached we found that plots are not allotted through the procedure, rather government allotted them in arbitrarily manner without the concern of family size. Later we found that we have to pay 7200 rupees to a middleman to get the plot allotted in my name. When we paid 7200 rupees we

were further asked to pay 8000 rupees to make sure that this plot will be allotted in my name. Further when I got the plot allotted in my name I have got no support from government site and have to build house on my own. I have already spent all money in transportation in plot, and I was left nothing except a plot only without any roof. I have stayed 3 days in rain and our children suffered a lot. Here we have no employment opportunities in nearby areas and no transportation to go to city to earn money. We have also lost our ration card during the demolition process. It was very hard for us to initially. Many a times our family used to sleep without food at night in first year”.

These civil society organisations make a big difference in the life of poor people. They make the poor people’s voice heard and give them the platform to get united and struggle to get their rights. The more important thing that I want to highlight here is the role of judiciary in forced eviction. During the conversation with Human Rights and Law Network (HRLN) I found that Delhi high court ordered for these forced evictions. These civil society organisations played a crucial role in making the poor slum dwellers realise about their rights. During the conversation people of Bhalaswa Colony stated that:

“Bhalaswa Lok shakti manch make us aware about our identity and our rights. It makes us realise that if we get united and fight for our rights we will definitely success in achieving our goals. First time we realise that if we are united we can make the State attentive to our problems. First time we realise that we can stand up against this almighty State and get the plots and basic amenities like water, electricity, education, hospital etc. Actually this manch helps us making us realise who we are and what we can do if we are united. This manch makes us realise that our unity is very powerful tool against the almighty State. Before meeting this manch we only think that Sarkar (Government) is everything and we have no right to ask any question or argue against its will. Before meeting this manch we only know that our life is completely in the hands of government and we cannot do anything.”

These examples from Delhi show how civil society organizations can act over those aspects in which the State can’t or doesn’t want to get involved. Civil society organizations can be effective transmitters of the interest of unfavoured populations. Nevertheless the action of civil society cannot cope with the all the required actions for development.

### **3. RECOGNITION OF CIVIL SOCIETY BY MAINSTREAM DEVELOPMENT**

Today the “challenge of slums” (UN-Habitat 2003) presents one of the biggest issues for the Third World countries (specifically in cities) where the ‘state’ role has historically been seen as very critical to solving the challenges of urban poverty. In fact, according to Martinuseen (1997, p.258), it was believed successful development could not occur “unless the state intervened and coordinated the development efforts to the benefit of society as a whole.”

Even if civil society can substitute the State action in some aspects, it cannot replace it. Redcliffe’s (2004) work has concluded that development cannot occur in a civil society unsupported by a nation State since certain development projects have shown that civil society organizations often need the support of State government both for formal validity and to provide resources that may be needed for success (Redcliffe, 2004, 523). Due to the often limited geographic and ideological scope of civil society organizations, it has been suggested that they are not “well ‘placed’ to make great contributions to poverty-reduction strategies nor to the ‘evening’ out of immanent development processes” (Bebbington, 2004, 740). NGOs, an important part of civil society, may also be more driven by the desire to appease donors and achieve funding. Furthermore, the institutions of civil society may be rife with internal divisions along lines of gender, race and ethnicity (Foley and Edwards, 1996) and may represent a diversity of competing or conflicting interests (MacIlwaine, 1998). Finally there is a possible ‘problem’ of consulting with civil society organisation that may have “conflict and antagonisms between different organizations and among its members” (World Bank, 2000a, quoted in Mohan, 2002, 129).

These are some arguments that show the limitations of the role of Civil society. They also show that the State should play an important role in the development process. A role in controlling and impose accountability roles for NGOs, but essentially to bring development for the most deprived by direct actions. Walzer (1995) argues that State action is especially important for some vulnerable sectors of society. For the author, “families with working parents need State help in the form of publicly funded day care and effective public schools” (Walzer, 1995: 22). “National minorities need help in organizing and sustaining their own educational programmes” (Walzer, 1995: 22). “Worker-owned companies and consumers cooperatives need State loans or loan guarantees; so do (even more often) capitalist entrepreneurs and firms” (Walzer, 1995: 21). “Labor unions need legal recognition and guarantees against “unfair labor practices”, and professional associations need State support for their licensing procedures (Walzer, 1995: 21). And across the entire range of association , individual men and women need to be protected against the power of officials, employers, experts, party bosses, factory foremen, directors,

priests, parents, patrons; and small and weak groups need to be protected against large and powerful ones” (Walzer, 1995, 23).

Although it has been recognised that the State should not maintain a monopoly over development. Thus, key actors in the development arena, such as The World bank (and DFID), have acknowledged that there is a prominent role that civil society can play alongside the State. Since the end of the Cold War in 1989, bilateral and multilateral donor agencies have pursued a ‘New Policy Agenda’ which gives renewed prominence to the roles of nongovernmental organisations (NGOs) and grassroots organisations (GROs) in poverty alleviation, social welfare and the development of “civil society” (Edwards and Hulme, 1996, quoted in Mohan, 2002, 126). NGOs form a “highly significant part of civil society” (Mohan, 2002, 128) and “there has...been a tendency to view NGOs as primary ‘vehicles’ or ‘agents’ of civil society” (Clark, 1997, 44). As such NGOs are the ““missing middle” between citizens and the State” (World bank, 1997, 114) . NGOs Can play a crucial role in development because of their potential of reaching the hardest to reach population and their role is more accountable and efficient then government sector in many ways. Therefore, regardless of their interactions with the State, NGOs were seen as capable of promoting social development in areas where States had been unsuccessful.

The World Bank sees various benefits from strengthening and involving civil society organisations (CSOs). They provide representation in aggregating the voice of citizens; they provide technical expertise; they provide capacity building for other civil society organisations; they deliver services; and in Putnam (1993) terms, provide ‘social functions’ which foster collective recreational activities (World Bank, 2000a). The World Bank has increasingly embraced the non-governmental sector in the wake of limited adjustment related State reform. James Wolfensohn, the latest president of the World Bank, has placed greater emphasis on ‘partnership’ at all levels in an attempt to counter the tendency to dictate policy terms to recipient countries. Each of The Bank’s Country Assistance Strategies (CAS) includes the need to consults with civil society organisations and manuals have been prepared to assist bank staff and NGOs in doing this (Mohan, 2002, 130).

In 1998 DFID inaugurated a consultation process on the precise role of civil society organisations (DFID, 1998b) and by 1999 established the Civil Society Challenge fund to support NGOs and increase their role in national decision-making (DFID, 1999). They see very similar roles for civil society organisations: advocacy, capacity building, and service delivery.

Finally in a book recently appeared Duncan Green (2008), head of research for Oxfam argues that active citizens and effective States can change the world. The author proposes that a good mix between good macroeconomic management by the State and redistributive policies sustained

by civil society organizations is the clue for development. In the author words “a combination of pressure from below and enlightened leadership from above has produced some remarkable exercises in redistribution” (Green, 2008: 21). These words show the real importance of complementarity between the State and civil society. The important fact revealed by the mainstream appropriation of the subject of civil society is that civil society can have a role in the reduction of inequalities. Today we understand that inequality is a factor that limits the impact of poverty reduction policies. Reduction of inequalities requires redistributive policies that are often difficult to implement because of the opposition of the elites. A concerted action between the State and civil society can be very effective for the reduction of inequalities. This complementary action can ensure the appropriate technical background, the information from the receptors of the policies and, more importantly the legitimacy to undertake redistributive policies.

From this point we understand the necessity for the State to look forward to work with civil society. We understand the necessity to accomplish development by synergy between the State and Civil Society actions.

#### **4. DEVELOPMENT BY SYNERGY BETWEEN THE STATE AND CIVIL SOCIETY**

Although civil society has often been defined as being entirely separate from the State, this separation is untenable for a number of reasons. The State and civil society are interdependent, with the exact nature of the relationship determined by the historical, economic and political circumstances of particular countries or regions (McIlwaine, 1998, 418). In some circumstances, the State may not have the capacity to achieve development and civil society may be more efficient at reaching marginalised populations and creating more equal opportunities for participation in development. On the other hand, civil organisations are highly diverse, may also lack capacity, and may be too narrowly focused (either on a particular issue, group, or locality) to affect broad change in the realm of development.

In other terms, the State and civil society are connected by a circle of retroalimantation. Walzer (1995) observes that “only a democratic State can create a democratic civil society; only a democratic civil society can sustain a democratic State”(Walzer, 1995: 21). “The civility that makes democratic politics possible can only be learned in the associational networks; the roughly equal and widely dispersed capabilities that sustain networks have to be fostered by the democratic State” (Walzer, 1995, 21). At the same time, “no State can survive for long if it is wholly alienated from civil society. It cannot outlast its own coercive machinery; it is lost, literally, without its firepower. The production and reproduction of loyalty , civility, political competence, and trust in authority are never the work of the State alone, and the effort to go it alone- one meaning of totalitarianism- is doomed to failure” (Walzer, 1995, 21).

From this point emerges the necessity to formulate a synergy between the State and civil society. When the State and civil society engage in synergistic relationships, the efforts of both institutions can be supported and lead to more equal opportunities for participation in development. The idea of a synergy between the State and civil society, discussed by Evans, propose that “civic engagement strengthens State institutions, and effective State institutions create an environment in which engagement is more likely to thrive” (Evans, 1997, 3). This synergy is understood as one of the most promising ways in which civil society and the State can have positive impacts on social development. Both the complementary nature of the development processes of the State and civil society institutions as well as the inherent embeddedness of the State within civil society have been seen as mutually supportive to the process of development (Evans, 1997, 180).

In many cases, like the case of housing for urban poor expressed before, the more professional civil society organizations work within existing government programmes to enhance their effectiveness. For example, in the Philippines, a group of NGOs is working with communities that are accessing loans of the Community mortgage programme (McGranahan, et, al., 2008, 89). These NGOs act as professional support agencies, working together with local government to assist community organizations and contribute to physical improvements (McGranahan, et, al., 2008, 89). The Thai parastatal agency, the Community Organizations Development Institute, which supports a nationwide upgrading programme, also works with and assists many NGOs and grassroots organizations. Some NGOs provide advice on legal and campaigning strategies to reduce the likelihood of eviction and to help groups defend themselves in such cases (McGranahan, et, al., 2008, 89). These NGOs may also contribute to change national and international laws in order to reduce the likelihood of eviction and increase the possibility of compensation (or the amount paid). The Centre for Housing Rights and Evictions (COHRE) provides an international network for local groups and the NGOs that support them (McGranahan, et, al., 2008, 89). Housing cooperatives have not been widely used by the poor, because they tend to follow formal requirements and hence be relatively expensive. But they can be a solution for those with slightly higher incomes who cannot afford private housing. Also, Cooperative strategies (to help marginalized and urban poors) were used in Zimbabwe and have been expanding (albeit at a slow rate) in countries such as Kenya (McGranahan, et, al., 2008, 89).

Likewise, the ‘scaling up’ of political and social networks that is “perceived as crucial for successful development outcomes, particularly among impoverished and marginalized populations” can only be obtained if the “lack of resources and support and limited impact on structural factors” often experienced by local associations is addressed (Redcliffe, 2004, 522). Evidence, for example from Latin America suggests that under certain circumstances where

relationships are mutually beneficial, the State is extremely effective in strengthening such organizations (Bebbington and Perreault, 1999). Increasingly, governments in developing countries recognise that the public sector alone cannot provide adequate water and sanitation services to all (Sansom, 2006). Non State Providers including both formal and informal private providers, as well as civil society institutions, also have important role to play (Sansom, 2006). Sansom's work (from the case study of Pakistan, South Africa, Malawi, Nigeria, Bangladesh and India) demonstrates that State interactions with NSPs (Non State Providers) of water and sanitation are "generally more effective where government agencies openly recognise that they alone cannot meet the needs and demands of consumers, and that NSPs also have a valid role to play particularly where serving low-income or rural areas" (Sansom, 2006, 210).

According to Sen (2001), a mutually reinforcing relationship between public policy makers (i.e., the State) and the public (i.e., civil society) can lead to improved developments outcomes because "the need for public policy initiatives in creating [widely shared] social opportunities is crucially important" to development (Sen,143). As Evans States, "engaged citizens are a source of discipline and information for public agencies, as well as on-the-ground assistance in the implementation of public projects" (Evans, 1997, 3). Therefore, synergistic relations between the State and civil society discussed above can "help us understand the scope for institutional and political changes in the spheres of State, market, and civil society that might favour more socially inclusive forms of resource access and development" (Bebbington and Perreault, 1999, 397).

## **5. CONCLUSION**

In light of the successful cases of synergy and the fact that theorists like Evans believe that synergy can be constructed in all States, the potential for State-civil society relations to have positive impacts on development in the future is promising. The State needs civil society not only to legitimate its actions, but to establish a constructive association that can only bring true development. At the same time, Delhi's example clearly indicates that, civil society action is very important not only when the State doesn't act for the benefit of the biggest number but also it plays an essential role in combination with the State to guide and control the actions needed for development. Even if the roads to development are different for each country, the equation is clear; an active civil society with a transparent State can be the clue for the development of the most impoverished nations in the planet. This combination will be essential for reducing poverty and inequality and to face the future challenges of urban development.

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