

RECLAIMING THE RIGHT TO THE CITY THROUGH PARTICIPATORY URBAN GOVERNANCE: A CASE OF INDIA

Kasturi Palit

Department of Architecture and Regional Planning, Indian Institute of Technology, Kharagpur

Email: kasturi0497@gmail.com

Abstract:

The conceptual ‘right to the city’ goes beyond the rights to access urban resources. With strong implications on inclusive urban governance, it advocates rights of the marginalised to not only inhabit the city, but also their rights in the decision-making processes that underlies the designing, reshaping and transformation of the urban space. The first part of the paper presents a close understanding of Henry Lefebvre’s ‘Right to the City’ concept and brings the subject of participatory urban governance in the context of cities in developing countries under a new light. Herein, the paper dwells in identifying the existing processes and spaces of direct public participation in urban governance in the context of India and exemplifies good and bad governance in the pursuit of identifying the varied kinds of strengths and weaknesses of the system. The paper concludes with a brief introduction to deliberative participatory governance, as an evolving solution to the shortfalls of the past and highlight the scope for a brighter future for India’s democracy.

Keywords —Right to the city, lived space, denizen, organic participation, induced participation, urban governance, civil society organisations, decentralisation, deliberative democracy

I. INTRODUCTION

In order to understand the contemporary significance of the concept of ‘right to the city’ let us first take a look at its theoretical background through a critical lens. Henri Lefebvre, a French, Marxist social scientist formulated the concept of ‘right to the city’ in his book in 1968, which essentially talks about radically changing the social relations of capitalism and liberal-democratic citizenship that existed in the Americas. The argument of right to the city is aimed at reorienting the socio-political and economic relations inside a city and beyond, that exists under the top-down system of governance. It talks about restructuring the process of decision making that underlies the production of urban space, “fundamentally shifting

control towards the urban inhabitants and away from capital and the state.”(Purcell, 2002)

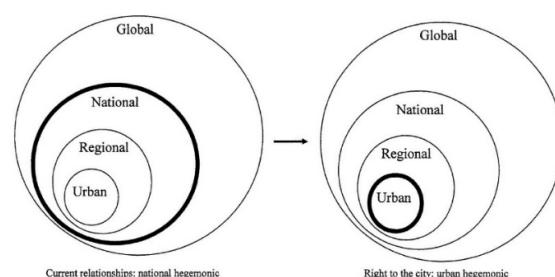


Fig.1 Reorientation of socio-economic and political urban dynamics (Purcell, 2002)

Central to the idea of RTTC is the conception of urban space, which Lefebvre has described as a bottom up process and that can be viewed through three lenses, namely perceived space, conceived

space and lived space. Production of urban spaces unfolds in the people's actual experience of it in their everyday lives, which involves the creation of social relations and all ingredients of urban life. This is much more than just the material space. (Purcell, 2002)

"The right to the city is like a cry and a demand... a transformed and renewed right to urban life." – Henry Lefebvre, 1996

The right to the city involves a call for two principal rights, which are 'the right to participation' and 'right to appropriation.'

Firstly, the right to participate revolves around the need for a democratic control and widening participation of city dwellers in decisions that reshape the urban space. Lefebvre in this context has merged the concept of citizens with that of denizens. Transcending the boundaries of the formal state and its current structure of enfranchisement based on national citizenship, the right to the city is a radical call for expanding the scope of such participation and involves the concept of '*citadins*' instead, or the enfranchisement of all urban 'inhabitants'. RTTC revolves around the creation of urban space and it is an all-inclusive right of the city's inhabitants to contribute and produce the urban 'lived space'. (Purcell, 2002)

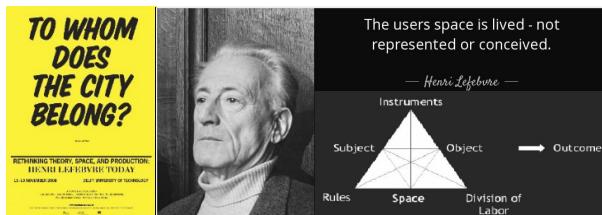


Fig.2 User of the lived space (Jagannath, 2019)

Secondly, the right to appropriation involves the right of every city inhabitant to physically occupy or access and make use of the urban space. In other words, it prioritizes the use value of urban lived spaces over the exchange value interests of capital.

The right to appropriation stands against the capitalistic production of space and its commodification and puts forth the idea of a primary need for appropriation of urban space that should "meet the needs of the inhabitants". (Purcell, 2002)

In the countries of the Global-South, social reformist movements that push for charters on citizen rights essentially supports the Lefebvre-ian concept of RTTC with the belief that production of urban space is achieved by the everyday urban citizen and needs mobilization from below. Formation of global associations, social movements and resulting charters such as the International Alliance of Inhabitants, the "World Charter for the Right to the City" in 2004, UN-HABITAT and UNESCO's project on Urban Policies and the Right to the City in 2005, all were articulated in defence of a series of citizen rights and for taking forward the concept of 'right to the city' as "a vehicle for social inclusion". (Zérah, Lama-Rewal, Dupont, & Chaudhuri, 2011)

The reformist interpretation of RTTC, in essence, pertaining to cities in developing countries, defines it as to be more of a collection of rights that can only be obtained by involving the institutions of the developmental state. In this context, according to South African researchers, Edgar Pieterse and Susan Parnell, the principles of RTTC is key to eradicate urban poverty. RTTC encompasses the generation of distinct set of rights namely an individual's civil rights & political, and collective rights like the rights to urban services. (Zérah, Lama-Rewal, Dupont, & Chaudhuri, 2011)

"Using the realization of rights as the litmus of urban poverty reduction changes the understanding of the nature and scale of government interventions that are required to achieve poverty reduction targets." – Parnell & Pieterse, 2010

It can be hence concluded, that there are two complementary approaches to RTTC. The first

being the need for mobilization from below and the second one anchored in improvements needed in Institutional policies and mechanisms. Mobilization from below and competitive political negotiation can successfully make public authorities obligated to provide for those collective rights on urban services such as right to housing, to potable water, to employment, to education, freedom of speech and assembly, to participate in decision making and to an ecologically sustainable environment. (Zérah, Lama-Rewal, Dupont, & Chaudhuri, 2011)

II. PARTICIPATORY GOVERNANCE IN INDIA

A focus on effective decision-making and good governance in order to sustain the rapid urbanization became imperative for India. Good governance here refers to the process of participatory decision-making, which is inclusive, accountable and transparent, egalitarian with minimized corruption. In terms of Lefebvre, effective and meaningful participation of the broader public in issues related to production of the urban space is the very essence of good governance. According to the Sustainable Development Goals formulated by the UN, Goal 11 enhances “participatory, integrated and sustainable human settlement planning and management” as a target.(Dept. of economic & social affairs, UN, 2021)

Since Independence, even though “India has had regular and relatively inclusive elections” (universal adult suffrage, the fundamental instrument for participation in representative democracy), decentralization of power, an omnipotent judiciary, apolitical military and free press, the democratic success of the country remains questionable. Widening gap between the marginalised and well-off urban residents in terms of access to economic, social, and political opportunities portray the picture of an ‘unlikely democracy’ as had been described by Varshney,1989. (Menon & Hartz-Karp, 2019)

Hence taking into account that improvements in urban governance has become crucial to India, let us explore through the various processes and spaces for public participation that are currently in effect in urban India while in the pursuit of identifying the varied forms of strengths and weaknesses that underlie such operations.

A. ORGANIC PARTICIPATION

Organic participation describes those social movements and struggles for greater democratic voice that safeguards the rights of the underprivileged and marginalised. (Mansuri & Rao, 2013) The space for organic participation is claimed through labour movements, membership organisations and unions. These NGO led participation have led to realisation of on various aspects of human condition in the urban space of India.In order to secure citizen rights and justice, they have been able to effectively follow up authorities and the judicial system. Such initiatives have led to formulation of legislations with implications on assuring greater security of human rights and well-being in India, e.g. Right to Information, Right to Education, the Street Vendors Act etc. (Singh, 2014)

“In most societies democratic or not, citizens seek representation of their interests beyond the ballot as taxpayers, as users of public services and increasingly as clients or members of NGOs and voluntary associations. Against a backdrop of competing social demands, rising expectations and variable government performance, these expressions are voiced and participation are on the rise.” – World Bank, 1997

Organic participation have demonstrated a reassertion of democracy in India, by strengthening “people’s freedom of expression, the right to associate and to raise issues of

concern for examination, deliberation and action by the larger polity". (Singh, 2014)

Although this process exhibit meaningful participation in most cases, the working of such democracy can only be sustained inside communities, where exists, "a social fabric of trust and cooperation". Neighbourhood organisations where there persists a culture of discussion, the people feel free to voice their concerns, which are then taken forward by these associations. However when the social fabric of communities malfunction, as is the case for India, where persists the deep rooted social inequities such as the caste system and other divided socio economic classes, it leads to polarization of these collective powers of participation belonging to separate sections of the society (the elite and the marginalized) often disempowering the marginalized. (Menon & Hartz-Karp, 2019)

The genealogy of 'civil societies' in Mumbai is rooted in the colonial context were early civil societies were recognized for engaging with the state and voicing for rights. Today, such societies are identified as representative bodies pushing for claiming citizen's rights and privileges through social movements, and interventions through open press. An alternative discourse on Civil Society Organisations, however, exemplify advocacy of exclusionary policies. Such CSOs, mostly includes the higher middle-income group, who are educated and belong to the elite sections of the society claiming to represent the general interests of "law abiding citizens" (implicitly excluding the urban poor belonging to the slum communities encroaching upon the concerned area). The Juhu Citizen's Welfare Group had been vocal and inevitably successful in removing street vendors from their locality, by negotiating with the municipal officials through professional expertise and siting zoning and planning

principles combined with aesthetics. (Singh, 2014)



Fig.3 Ghar Bachao Ghar Banao Andolan (gbgbandolan.org, 2020)

While these CSO's formed through participation of the elite citizens articulate concerns which are more based on efficiency rather than on principles of just and democratic norms, there also exists those combatant groups of CSOs and NGOs who work on primarily the welfare of the urban poor and have raised concerns against such exclusionary governance time and again. For example, during the massive slum demolitions drive in Mumbai (2003-04), one of the prominent activist leader of the 'Ghar Bachao Ghar Banao Andolan', an advocate of RTTC approach, through RTI applications alluded to the several instances where many private business houses and building developments had abused several norms and policies along with flouting major development control rules in order to gain profits. (Singh, 2014) By pointing them out to be as much of encroachers as the illegal slum settlements of the urban poor, they demonstrated empowerment of Lefebvre's '*citadins*'.

B. INDUCED PARTICIPATION

The 73rd and 74th Constitutional Amendments had primarily enabled induced participation in India with local governing bodies headed by elected councils created in both rural and urban areas across the country.

Empowering participatory governance in the local self-government in rural India involves

creation of Gram Sabhas or village assemblies inside the area of the Panchayat. These Gram Sabhas are the forums where all eligible voters of the village can assemble and engage in decision-making processes related to formulation of plans for developments within the village community, through deliberation. Few efforts of induced participation in the rural context have been made, notably, Kerala's participatory planning initiative in 1996 called for a People's Plan Campaign. Through this campaign village panchayats and urban municipalities prepared plans based on specific needs of the inhabitants of the village and 35-40 percent of planning funds were allocated to local governments. (Gakhal & Mathew, 2019)



Fig.4 Participatory planning in Kerala (Ayyapan, 2016)

Efforts in induced participation in urban governance may as well be cited, and one of the most noteworthy examples being the process of Participatory Budgeting being implemented now in various places across the world. The process of PB involves participatory decision making through deliberation and selection of the most preferred development proposal amongst the ones prepared by civic groups, through voting. Through this democratic deliberation, the public is empowered to allocate parts of municipal budget to those selected projects. Mechanisms like Index listing of issues crucial to wellbeing support such decision-making process in way of assigning variable weightage to the issues according to their variable scales of disadvantages. (Menon & Hartz-Karp, 2019)

Kerala's Kudumbashree project demonstrates promotion of formation of self-help groups for

supporting small scale entrepreneurial activities through micro-credit schemes, focussing mainly on empowerment of urban poor women. (Hariprakash, 2019)

While these few successful examples exhibit inclusive initiatives towards participatory governance in the urban scenario, there persists deficits in the decentralised governance. Firstly the poor implementation of decentralization under the 74th CAA, a lack of a structure analogous to Gram Sabha in the rural context, limited autonomy of Municipal bodies, a poor ratio of representation and a disconnect between planning, governance and urban poverty alleviation form major reasons that underlie the poor expression of democracy. (Menon & Hartz-Karp, 2019) Analogous with Gram Sabha, a provision for creation of area Sabha was made under JNNURM in 2007 but none had been constituted so far.

Secondly, a disconnect between the formal and substantive definitions of citizenship is one of the primary causes of the poorest being denied of many fundamental rights. Under the formal structure of democratic institutions, the level of decentralization remains deficient. The democratic politics, which speaks of participatory governance, engages only the "urban middle class activists, and association who as consumer citizens speak the language of collaboration with local governments." (Menon & Hartz-Karp, 2019)

III. ANALYSIS

Urban governance in India have undergone clear shifts in policy and practice as a result of liberalization, decentralisation and urban reforms. The strengths and loopholes in the two different processes encouraging participatory governance in the existing scenario can be summarised as below.

Organic participation-led CSOs and their association with the local government have led to a

rise of middle class activism in Mumbai and cities alike. They act as “self-appointed players” in decision-making in the context of ‘the production of urban space’ but essentially working on exclusionary principles. Access to mass media, social networks and other forms of communication reinforces their lobby for “getting things done”. The partnership between the members of such exclusivist citizenry and the officials of the executive wings of the ULB, encourage bypassing the municipal councillors or the elected representatives of the people in the entire urban constituency. Therefore, right to participation is violated at the very constitutionally provided spaces for participation in urban areas such as the Ward Committee. (Singh, 2014) The *prima facie* process of meaningful participation through organic ways thus is overrun by deficits. However, the importance of CSOs in advocating ‘the right to the city’ cannot be completely set aside, as there persists an alternate discourse on CSOs led by activists, capable of overriding such exclusionary lobbies and claiming a preference of the ‘use value’ of space over its ‘exchange value’.

The 73rd and 74th CAA led induced participation at local level, although has several gains, its advantages remain constricted due to the shortfalls in its effective implementation. There is an absence of inclusive and induced participation forums in urban areas. Only rarely does the local government seek public participation through consultations, workshops or surveys. Even more rarely is the aim of such participation to empower or to collaborate. To address these deficiencies in the induced process, organic or claimed participation efforts come into play. However, in the absence of a formal forum for direct participation; access to formal governance continues to remain hindered by societal inequities. (Menon & Hartz-Karp, 2019)

Under the formal structure of the democratic governance, the right to the city is limited to the formal citizens of the state and is exclusive of the informal city dwellers who inhabit the same urban

space but are denied of their basic rights. Simply put, the capacity of an urban poor to avail basic human rights in the city relies heavily on the production of valid official proofs of their residence. The section of the urban poor consisting of migrants and the homeless remain excluded despite their significant contribution in the production of urban space. (Lama-Rewal , 2011) Hence, we trace back to Lefebvre’s call for transcending the boundaries of the current structure of enfranchisement, and extension of inclusion with respect to the notion of ‘inhabitancy’ and not ‘citizenship’.

IV. CONCLUSIONS

With rapid urbanization and increasing disenfranchisement of the marginalized societies in the urban politics of space, India is in a dire need of a competent formal forum to carry meaningful public participation in order to realize a common consensus over the most preferred course of action that affects ‘production of urban space’.

The ‘Right to the City’ as a concept, holds more heuristic value than descriptive. It has powerfully suggestive implications on the context of participatory urban governance, which ends up being ambivalent in nature due to a lack of insights presented on the process of mobilization against this growing threat of diminishing urban democracy. (Purcell, 2002)

In conclusion, there exists major weaknesses in the existing structures of participatory governance, be it organic or induced. However, both these processes have major strengths lying in their potentials to disseminate a certain extent of empowerment. In this context, an alternate solution may as well be mentioned in order to keep things constructive.

Modern deliberative democratic processes are implemented as an integrated approach involving elements of both induced and organic forms of participation, in order to do away with the loopholes

present in each of the processes, when in action separately. A variety of deliberative democracy initiatives have evolved over recent years having the capacity to deal with complex urban issues, worldwide. In the Indian context, a successful example being that of Pune, where an inclusive and deliberative public participation process enabled decision-making regarding addressal of urban mobility challenges. An induced public participation on a formal forum that involved diverse groups of official, unofficial workers and residents, their elected representatives at a two-day deliberation process supported by an independent third party overseeing the guidelines of good governance, produced results based on the most preferred plans of action. (Menon & Hartz-Karp, 2019)

The learnings from historical successes and failures of India's attempts at claiming 'the right to the city', gives insights and abundant scope for improvements where needed. "A combination of leaders willing to pioneer good governance, capable third-party facilitators, and strong organic participation groups working together through the structured approaches of deliberative democracy can effectively integrate the public into civic decision-making." (Menon & Hartz-Karp, 2019) Dissemination of a true 'right to the city' to the urban citizens of India, through competitive deliberations, will return the vibrancy of its democracy.

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