


The Urban Frontier. A Review Essay on Political Power, Violence, and Paperwork

Cities are growing in numbers and size all over the globe, and the shelves of books on cities are weighed aslope. As theatres of politics, government planning, resistance, and the leading edge of modernity, civility, decay, and violence, cities are concentrations of opportunity, danger, and transformation.¹ This review essay will reflect a particular perspective, namely urbanisation as a frontier process. That is, the suspension of previous resource control on spaces with changing land use, and an attempt to impose new rights and forms of access (Rasmussen and Lund 2018). The usurpation of space usually dissolves existing property systems, and challenges prevailing land rights. The subsequent land control is a complex cocktail of commodification, enclosure, dispossession, formalisation, and legalisation. This is no picnic.

To canvass some of the interrelated dynamics of urban land control, I sketch out the arguments of four books on Asian urbanisation. Harms (2016), Levien (2018), Peters (2013), and Rithmire (2015), examine how different groups engage in efforts to control land. They focus on

how marginal groups integrate or disintegrate as commodification and legalisation produce insiders and outsiders in neighbourhoods in a market-oriented socialist metropolis (Vietnam), a village (India), a trading port (Indonesia), and three industrial cities (China). Land transactions in urban areas are not new. People have inherited, bequeathed, mortgaged, and sold land rights since antiquity, and governments have practically always had a finger in the pie. This has followed local norms and practices and has evolved with a lot of variation. Yet, the forms of urbanisation described by Harms, Levien, Peters, and Rithmire, represent something newer. The four books show different paths of institutional transformation. Whether the land was customary common property, absentee estates, waste land, private property, or no-man’s land, urbanisation has put pressure on old categories until they changed. While the books all set out with the destruction of previous property rights, the institutional renewals range from formalisation of land rights, over formalisation of citizenship rights and the financialisation of property, to the release of state assets to small-scale private property owners.

Two major institutional transformations characterise the development of landed property in the four books, and, I would argue, in much of the world today. The first is the state’s consolidated imposition as the ultimate territorial authority. The other is different forms of formalisation of property allowing it to become a commodity and a speculative asset. Thus, the creation and exercise of a domain represents a relationship between state and the population, whereas the formalised commodification of land represents a class relationship within the population. Both relations represent struggles.

Most post-colonial and socialist societies have a particular legal legacy. Either bequeathed to them by departing colonial powers or resulting from a statist ideology, these countries have legal instruments for government to legally acquire land in the name of the greater good. By turning land into the property (or the domain) of the state, the law recognises all other rights as weaker and inferior customary or temporary lease rights of third parties. Hereby, government gives itself the legal instruments of repeated – perpetual – primitive accumulation. State domain is the legal instrument that legitimates government land acquisition and it legalises the dispossession of virtually the entire population without warning or compensation. This is one of the
common traits of colonialism and one of the measures independent governments have been most reluctant to relinquish in the face of the immense task of “development”.

The creation of a statutory domain is inherently connected with the formal simplification, or singularisation, of land rights. Private ownership holds out the “hope of encouragement to honest labour, of high levels of productivity … and – politically – of an independent and free republican citizenry” (Brewer and Staves 1996: 1). Moreover, formalisation of land rights holds the promise and potential to endow landholders with capital. By turning urban land into formalised commodities, it becomes capital and acquires the attributes necessary to produce rapid value increase (de Soto 2000). The opportunity of owning capital in the form of land is well-matched by the risk of having to realise, sell, and lose it in a speculative economy, however.

The two sets of relations articulate. When government policies formalise land rights and turn them – the rights – into tradable commodities, it is not necessarily a formalisation of existing entitlements, rights, or possessions; in processes of urbanisation and transformation, it is very often the creation and formalisation of something new, the formalisation of changed rights. Government formalisation programmes moreover establish or re-confirm the fact that the landholder is beholden to the state for his or her rights. As much as states create property, the four books show that the creation of property also produces effective public authority. Governments are simultaneously authorising institutions and stakeholders with resource interests; they recognise property rights and enjoy them. The opportunities for rent seeking by state officials under such circumstances are gigantic, and the competition between government institutions therefore endemic. Very few people from low-income areas, on the other hand, manage to secure any long-term benefits from the real estate booms and land appreciation.

*Indonesia*

Surabaya, on the north-east coast of Java, is second in size only to Jakarta in Indonesia. The city was a gateway for the export of sugar, coffee, rubber, tobacco, and all other colonial specialities. The history of Surabaya is one of competition over space; a struggle between popular, informal settlements, and government and business ambition, between ordinary people’s claims to a place to live and work, versus changing governments’ policies of urban sanitation, improvement, renewal,
and removal. Surabaya is not the result of a plan but rather the confrontation between plan and resistance. Robbie Peters’ *Surabaya, 1945-2010: Neighbourhood, State, and Economy in Indonesia’s City of Struggle* (2013) is a historical account of urban development seen from the crowded, informal low-income neighbourhoods – the *kampungs* – and the book is fuelled by the contrast between alleyways and boulevards, flimsy street stalls and towering buildings, and between burnt-out markets and brand-new shopping malls.

During the first part of the 20th century, the city was a mere 300,000 people divided between a European and Europeanised 13%, some 20% Chinese and Arabs, and around 67% of so-called natives: coolies, factory workers, domestic servants, peddlars, repairmen, tailors, mechanics, cart drivers, etc. By 1966, the population of Surabaya had reached two million. As early as the 1920s political movements of “anti-landlordism” led to the occupation of large areas owned by absentee landlords. During the Indonesian revolution and fight for independence, Sukarno and the Republican leadership encouraged squatting on public land and Dutch plantations in defiance of colonial rule, and especially the Communist Party organised land occupations in rural and urban areas and managed to govern in parallel to the official government. By the 1950s about half of all *kampungs* sat on private property, much of which had belonged to former absentee landlords. This meant that half of the *kampungs* sat on land that was beyond the formal jurisdiction of the municipality, which itself lacked the funds and capacity to govern anyway, leaving an administrative void filled by the Communists. As Peters observes, the Communist Party “bolstered the sovereignty of the gains … *kampung* residents and squatters] made over urban space through the expansion of their informal income-earning activities and residential spaces beyond the boundaries that had contained them during the late-colonial period” (2013: 37). The military take-over in 1965 dramatically changed the situation of spatial control. The Communist Party was banned and the urban *kampungs* – seen as communist hotbeds – became a choice hunting ground for the regime and its street gangs.

After a first period of physically violent persecution of political enemies, a period of *kampung* improvement programmes ensued. It was part of a policy of creating a “sparkling city”. One of the policies of integration of these neighbourhoods into the realm of government was the issuance of land right certificates and improvement of sanitation and water supply and public works
like sidewalks, toilet blocks, electricity, etc. The *kampung* improvement policies also meant demolition of parts of the densely populated neighbourhoods as well as the removal and destruction of the informal street stalls, so characteristic of Surabaya. A series of unsolved cases of arson destroying huge traditional markets were emblematic of the effort to move trade from the streets to the malls. Peters explains that “[w]ithin weeks of the fire, hundreds of … traders returned to the abandoned market and chalked out lines on the ground to mark where their stalls once stood. Other traders proceeded to erect stalls along the main road. Unfortunately for traders, their claiming of space through its occupancy was now a redundant logic that no amount of chalking out, rebuilding, and signage could legitimise. Documentation had now deposed occupancy as the legitimising principle and was enforced through a certification drive that required displaced traders to produce documentary evidence of their ownership” (2013: 187). Despite the policy of land registration government control of the *kampungs* remained limited, however. They continued to absorb the displaced and their informal economy. It was not until the post-Suharto democratic reform era that the most marginal were really and truly dispossessed from the *kampung*.

A combination of anti-terror initiatives and centralised welfare programmes enabled the government’s penetration of the *kampung*. The demarcation of *kampung* citizens and non-citizens expunged the principle of a right to a share based on presence and participation. So, in effect, it was not documentation of private property rights under the Suharto regime, so much as the documentation of different citizenship rights under the subsequent democratic regime that instituted the most profound change to the lives of the lower orders of urban society in Surabaya. It denied them a right to a city that once absorbed them into its *kampungs* and bestowed on them rights in exchange for their participation. In a sense, this denial of a share to those now deemed non-citizens was a prerequisite to dispossession from land, whether along the street or in the *kampung*. What used to be the norm – living in a *kampung* without being beholden to the state – had become an infraction. Poor people used to feel in their good right to live in their neighbourhood where presence constituted proof of ownership. They had been effectively terrorised by the Suharto government, its police, and gangs to feel insecure during the New Order, but with the democratic regime that followed, they became legally outlawed.
Vietnam

Urbanisation means more than the transformation of the physical landscape and infrastructure. It reorganises social and political institutions and may create citizens and rights-bearing subjects out of the rubble of evictions and dispossession. Erik Harms’ *Luxury and Rubble: Civility and Dispossession in the New Saigon* (2016) engages a profound conundrum of modernisation and capitalism in the socialist context of Vietnam. Two of Saigon’s districts work to produce a tale of counterpoint. District 7, Phú Mỹ Hưng, is seen by government and the middle-class inhabitants as a great success. As an experiment of urban civilization, District 7, has delivered. District 2, Thủ Thiêm, on the other hand, is seen by planners as an empty wasteland to be domesticated and civilized in the image of the modern city.

District 7 is enveloped in a myth of origin that centres on the pioneering exploits of the Taiwanese businessman, Lawrence Ting. According to legend, energetically fuelled by Mr Ting himself when he was still alive, and by his estate after his demise, the area was nothing but desolate marshland back in 1989. Objectively, this is not true, as many “marshland residents” had to make way for development. However, with tenacity, capital, and the adventurousness to test the laws of property in a socialist economy, Mr Ting managed to create the new district embodying middle-class aspirations, modernity, and progress. The entrepreneurial qualities of Mr Ting are indubitable, but his skills were also deployed at a propitious moment. The Vietnamese government was trying out liberalisation for size. “Everything was a negotiation; even the constantly changing names of the businesses involved reveal the ever-changing nature of this regulatory landscape. Each deal, in turn, often required new laws, some of which were issued specifically as exceptions for Phú Mỹ Hưng, which were treated as an experiment in the newly emerging landscape of property investment made possible by the 1992 Land Law” (Harms 2016: 50-51). The Land Law of 1992 did not produce “private property”, but the law augured government-sanctioned recognition of individual land claims through “land use right permits”, and not much daylight passes between the two. The spatial appropriation, the legal accommodation, and the narrative fabrication of an uninhabited no-man’s land primed for civilisation made up the frontier dynamics that turned District 7 into a fact on the ground with no real history.
District 7 may not have had any acknowledged “old” past, but a common set of ideas about civility emerged among the new inhabitants of the area. The coming together of private persons in privately-owned public spaces, produced a certain smugness of elite community where the shared idioms, ironically, were individualism, privacy, and exclusivity. Individualism also played out in District 2, possibly in an even more profound way. Thủ Thiêm, District 2, was about the future and aspirations. Despite the fact that the District was adjacent to the very centre of Saigon, the area had always been considered an “outer city district”, partly thanks to the meanderings of the Saigon River, which ligates the area.

In the early 2000s, a plan to civilise and urbanise District 2 through private entrepreneurs took form. While the area had always been considered “vacant” by the city administration, it had, in fact, been home to thousands of people whose presence and houses now stood in the way of development. The city administration initiated land clearances and evictions, and was met with obloquy from the residents. However, Harms’ interviews show that the discontent was no so much about the eviction *per se*; it was about the compensation. The inhabitants were actually proud of the modernisation of the area and saw their eviction as a justified sacrifice in the name of development. What angered them and fuelled their objection was the offensively small compensation and the way they were treated in the process. People’s resistance was rooted in questions of justice and fair compensation for the values they were about to surrender.

Government teams demolished over 14,000 homes in a couple of years around 2012-14, amid violent and vocal protest. The “idiom of land value came to frame the way residents voiced their resistance, but it was exactly this language that had set in motion the very process of eviction the residents themselves purported to resist” (Harms 2016: 188). Paradoxically, the residents were willing to trade in their land for the recognition of their rights to it. And this could only be expressed through proper and just compensation. Gradually, the language of the urban space went from people’s belonging, to people’s belongings, and people became rights subjects in their dispossession. Citizenship was redeemed as property was lost.
India

When the British left India in 1947, the independent government continued the colonial routine of land acquisition for government purposes without breaking stride. Land dispossession was part and parcel of the first six decades of post-independence development in India. The dispossessed made way for large dams and public sector industry. The sacrifice was made for a productivist development model. The projects reflected the principles of Nehruvian state planning favouring dams and energy, industry, urbanisation, agricultural plantation, and extractive industries, with the efforts to absorb labour and curb speculation. Michael Levien’s *Dispossession without Development: Land Grabs in Neoliberal India* (2018) shows how government continued to make use of its capacity to acquire land. Yet, the purpose has changed from public infrastructure, etc. to private special economic zones; from national, infrastructural, labour intensive, development priorities to private sector financial non-industrial capital focusing on growth at all costs. Land was, Levien (2018: 61) argues, no longer acquired for the production of commodities but for the commodification of land itself.

In 2005, the state government of Rajasthan acquired 3,000 acres of farm and grazing land around the village of Rajpura, some 25 kilometres from the state capital, Jaipur. The plan was to develop and sell the land to the private company, Mahindra, which would construct a new special economic zone. Historically many of India’s land acquisitions have produced violent opposition because of lack of consultation, and compensation, and the very brutal *modus operandi* of government. These so-called land wars had over time become economically damaging and it had become too politically costly to suppress protest with force. A notoriously bloody confrontation in Nandigram in West Bengal in 2007 forced state governments to seek out new approaches.

Among the many changes heralded by the liberalisation of the economy was the abolition of industrial licensing. Rather than lobbying government for a licence which had been the practice, industries could locate more freely if they could mobilise the capital and find land to buy from land owners. However, acquiring land, plot by plot is always very difficult. As a consequence, the State of Rajasthan developed a new approach. Through its two agencies, the Jaipur Development Authority and the Rajasthan Industrial Development and Investment Corporation
RIICO), the state government was able to legally acquire and then develop an area for the further construction of a special economic zone. The government would then supply infrastructure and connectivity. “With land as its primary source of revenue, the post-liberalisation land-boom in Jaipur incentivised the Jaipur Development Authority to continually expand its urbanisation limits. When … [the agency] was created in 1982, these limits incorporated 335 villages. In 1997, the … [agency] added 153 villages to its jurisdiction, and added another 247 at the height of the real estate boom in 2005, bringing thousands of hectares of village grazing land into its land bank for selling to private investors. As one government official put it, “they just snatched that common land and sold it” (Levien 2018: 58).

The way to ensure compliance was also new. Instead of compensating landholders with money, they were compensated with land connected to the special economic zone. People were offered plots of land 25% of the size of what they would give up, but the premise was that this piece of land would be worth much more than the original piece of land thanks to speculation. Speculation and appreciation would produce value for all. While this equation looked neat, its actual calculation proved more complex.

A locust-swarm of carpetbaggers set on Rajpura in order to buy people’s land before they knew about the future special economic zone and the impending windfall. When the plans were publicly announced, the process simply intensified. After the initial acquisition for the Mahindra World City, speculation continued around the land that the dispossessed residents had received in compensation. The poorest strata in society had either little to lose, or lost it fast. Poorer and generally lower-caste families generally had to realise (a fantastic word, by the way, for definitively alienating property) their compensation plots before the exponential increase of its value had kicked in. Not only were they then left with a modest sum in an inflationary economy, but with no land they had to eke out a living in new unforgiving circumstances. At the other end of the agrarian class-caste spectrum were select families who had the resources to be patient. These families could watch their assets appreciate at vertiginous rates.

In the process of commodification, smallholders succumbed to land speculation and the exclusionary growth of the economy, and the speculation and compensation mechanisms made it difficult to organise politically in any effective way. As Levien concludes, “[d]espite growing
urbanisation … [the 830 million people who currently live in rural India] is the largest rural population in India’s history. And there is little to romanticise about the conditions under which a large part of it struggles to make a livelihood” (2018: 218). Despite modifications of the Land Acquisitions Act, the instrument of dispossession remained clutched in the hands of those who define “greater good”, whereas farmers cling to their small plots of land. This is what makes land dispossession so politically contentious in India today.

China

In 1936, Mao Zedong said, “whoever wins the peasants will win China. Whoever solves the land problem will win the peasants”. Indeed, land has been at the core of China’s development throughout recorded history. However, in recent decades there has been a qualitative shift in the nature of “the land problem” in China. Until the 1980s and 1990s, land was seen as a productive asset and actual space for farming, industry, housing, and infrastructure. However, by 1988, legislation was passed to distinguish between ownership – which remained with the state – and use-rights which could henceforth be transacted. This way, law established a statutory “domain” while at the same time allowing land to become a commodity.

According to the Chinese constitution, land is legally owned by the state in the urban areas and by the collectives in the rural areas. As long as land was not a commodity but allocated by urban and village governments to state units or farmers essentially free of charge, and as long as the state was a centralised command structure, this system was relatively simple. However, when land changed from being a mere material resource for planning, to become a source of capital, and when degrees of political autonomy were granted to cities and regions, a determination of what government institution actually represents the “state” became problematic and urgent. Meg Rithmire’s Land Bargains and Chinese Capitalism: The Politics of Property Rights under Reform (2015) examines how government units operated to control land while increasing commodification turned land into capital. Not only has the specific settlement of what institution embodies the state capacity to own land been a political struggle; the degree to which government institutions are effectively in control is equally roughed out in politics.
In the first phase, until 1994, there was no uniform idea of who could represent the state. Government departments at all levels, universities, hospitals, and state-owned enterprises all established real estate arms and tried their luck at claiming to be the “state”, own land, and commercialise their assets. Only by 1994 did the government decide that municipal governments were the designated owners of “state land”. Hence, they would “access the revenue generated from the sale of land-use rights as well as the taxes providing … [them] with a significant new source of income” (Rithmire 2015: 54). Central government siphoned off 56% of the fiscal revenue, but it still left local governments with an unseen potential because of the constant appreciation of the value. With the real estate boom, some land values increased 15,000-fold within a decade.

Rithmire’s main focus is on the property politics in three cities in China’s Northeastern, so-called, rust belt. This area was among the first to industrialise in China, and it has remained an important source of the country’s industrial output. The key argument is that the “speed and direction of … [the process of land commodification] have been dynamic, tortuous, and politically contingent rather than proceeding steadily from plan to market or toward private-property rights” (Rithmire 2015: 171). In other words, the opportunities that emerged with national policy changes were seized locally. The outcome was therefore the result of bargaining between city governments and other branches of the state, companies and organisations, and citizens. The two cities Dalian and Harbin represent two most contrasting developments.

The city of Dalian was an early mover. With liberalisation in the 1980s, the city was among the first in China to create a special economic zone at its outskirts. The city government actively invited foreign companies and capital to its new special economic zone, and it put pressure on local companies to re-locate there as well. As companies established themselves (with housing for their workers), the city firmly took hold of the space they vacated. If there had been any doubt about who was “state” and thereby land owner, such doubts evaporated as the city government assumed control of the urban centre. This soon developed into a very lucrative business for the city as it could ride on the appreciation of the value of its property. Ironically, in the most market exposed context, namely the city of Dalian, the “state” became the biggest landlord.

The city of Harbin, on the other hand, was struggling with ailing industries, lay-offs, and no immediate prospects of attracting capital from outside. Government improvised and
informally distributed land (factory grounds and people’s own houses) to compensate for unemployment and social distress. As people turned to other forms of self-employed small businesses, the “informal appropriation of urban land for entrepreneurial activities was tacitly permitted and later legitimated” by the city government (Rithmire 2015: 113). The city of Harbin never developed a uniform or coherent strategy for land management and policies varied throughout the city. One of the remarkable features of Harbin is how communities managed to organise to avoid evictions and thereby frustrate grand designs for the city. People argued with historical rights to their neighbourhoods and their organisation enabled them to remain. As Rithmire points out, “[w]hen property claims are granted moral legitimacy, they become entitlements that are difficult to revoke” (2015: 173). The un-planned result has been a more organic and varied development; the city centre remained lively and liveable for ordinary people. The irony here is that the city that was a late mover with foreign capital and commodification of land had a high proportion of what is, effectively, small-scale private property owners.

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Characteristic of all the government interventions described in the four cities, is that it is done with reference to law. In all four settings, governments have resorted to their ultimate legal control by invoking the common good or state interests. Sometimes, this met with resentment and resistance, and the result was rarely the plan as initially imagined, but in most cases, governments pushed through change with fair means or foul. Illegal acts have, Peñalver and Katyal (2010) point out, often been the precursor of legal change. What Harms, Levien, Peters, and Rithmire, show in addition to this, is that governments, too, may act illegally, only to subsequently manipulate the committed acts into legal facts. Undeniably, transformation and legalisation have not been confined to legal means alone, and the books register a range of dirty tricks.

The general reverence for law points to another profoundly important paradox. Government institutions’ representation of state and law makes them appear as very credible authorities to define and secure possession as property. This creates an air of legality and makes legalisation by statutory institutions with reference to law and state work, regardless of the formal
legal nature of the claim. Even illegal acts of evictions and acquisitions committed and successfully enforced by a violent government apparatus confirm its power of enforcement. It recursively constitutes the proof of state power (Lund forthcoming). The very capacity of enforcement ultimately makes the claim backed by statutory institutions appear legal. This, in turn, structurally favours government institutions and those connected to them.

It is, therefore, not that remarkable that legalisation is considered a hard currency by virtually all actors in a fundamental consensus that legalised claims may endure, and, just as importantly, that such rights are law’s bequests to all. As a scene of modernity, cities offer recognition, citizenship, and opportunities of choice, either as achievements or aspirations. This is a paradox since everybody knows that some are more equal than others, and law can change. Demography, construction, and the appreciation of land value all rise high and fast. While the books depict the staggering achievements, they also point to the landless and footloose men and women who are defeated in this capitalist transformation of urban space. As Wolf reminds us, “within an ever more integrated world, we witness the growth of ever more proletarian diaspora” (2010: 383).

Nonetheless, when people protested in Rajpura or Saigon, it was not necessarily against their eviction, which they saw as legal and a legitimate sacrifice. They protested against the insufficiency of their compensation to which they were entitled as legally enfranchised citizens of their countries. It seems less than fair, though, in the case of Saigon, that people lost their land rights in the very instant of their recognition, as compensation celebrated the inhabitants’ rights, as well as the irreversibility of their extinction.

Historical empirical research is, strictly speaking, about singular events. There is no reason to expect that events unfold in the exact same ways across time and space. Nonetheless, the four books resonate (Lund 2014). Certain dynamics of resource control and the ex post legalisation of illegal land appropriation echo between these distinct (con-)texts. In fact, it may be the difference in contexts that make the particular qualities of organisation, dynamics, and relations resonate and be mutually illuminating. According to Ellmann (1982: 505), shortly after the publication of Ulysses, James Joyce said: “For myself, I always write about Dublin, because if I can get to the heart of Dublin I can get to the heart of all the cities of the world. In the particular is contained the
universal.” Joyce’s claim may be a little too buoyant, but it seems that our understanding grows in the resonance between the specific details of different cases.
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