**The Exclusion Field:**

**Politics, Institutions and Inequality in an Indian City**

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The problem of growing social polarization in cities of the global south is now widely recognized but poorly understood. Structural accounts that link increasing inequality to globalization or more class-analytic accounts exemplified by the urban regime literature provide at best only partial explanations. Instead, drawing on the sociological literature on segregation in the US, I argue for a framework that focuses on actual practices of exclusion. Using data collected from 10 “unplanned settlements” in New Delhi I show how state politics and interventions have produced a system of differentiated citizenship that manifests itself in the highly uneven distribution of basic services. Taken together, these practices constitute a field of exclusion, one that is shaped primarily by the particular political and institutional nature of the local Indian state.[[1]](#footnote-1)

**Introduction**

As critical sites of national or global accumulation, cities have always encapsulated the central social contradictions of modern capitalism. There are two senses in which the urban heightens social tensions. First, the defining dynamic of the urban space is the hyper-commodification of land. Population density coupled with increasing monetary returns brings the use value and the exchange value of land into direct confrontation (Logan and Molotch 1988). Second, cities are social settings in which traditional dependencies and identities are loosened and relatively greater associational freedom prevails. This in turn implies greater mobilizational capacity for all social groups and brings distributional conflicts to the forefront.

In the Global South, these social tensions are amplified by the timing and global context of urbanization. In Europe the problem of absorbing surplus urban populations that accompanied accelerated industrialization in the 19th century was in part mitigated by massive out-migration (Davis 2006). With the increased restriction on the international mobility of low-skilled labor that has marked the post-colonial period, this outsourcing option does not exist for the cities of the global South. Yet the pace of urbanization remains relentless. Between 2000 and 2012 the urban population in developing regions grew by 704 million (UN 2013:150). Moreover, the neo-liberal era of globalization has seen a dramatic ratcheting up of land values putting enormous pressure on urban space. The double challenge of increasing demand for urban land by people and by capital presents not only a formidable challenge to governance, but also to the very legitimacy of democratic rule. The “urban question” looms as the critical test of the state’s developmental capacity and the future of democratic development in the Global South (Heller and Evans 2010). Nowhere is this more so true than in India.[[2]](#footnote-2)

Over the past two decades, India’s magacites have been the drivers of its economic transformation. In 2011, the 100 largest cities accounted for 16% of India’s population but 43% of national GDP (IIHS 2011:11). Mukhopadhyay (2012) estimates that 49% of the Indians who meet the international definition of the “middle class” are located in cities of more than 1 million.[[3]](#footnote-3) Foreign direct investment has flowed disproportionately to major cities and their urban regions (Shaw, 2012:42). Overall poverty levels are much lower in urban India than rural India, but there is clear evidence that the recent spurt of urban growth has had disappointing effects on poverty (Weiskopf 2011; Grant and Nijman 2002). Delhi, the wealthiest city in the country, has seen the real wages of the poorest quintile decline and is the only state where the HDI fell in 1999-2007.[[4]](#footnote-4) Income disparities moreover often miss even more intractable problems of precarity and social exclusion.[[5]](#footnote-5) There is clear evidence that informality of work is growing, and many commentators have pointed to a sharpening of exclusionary trends in Metro cities (Bhan 2013; Ghertner 2015; Kundu 2014; Kundu and Saraswati, 2012; Singh 2014). Though the quantitative evidence for now is limited, spatial inequality appears to be growing.[[6]](#footnote-6) In this paper I draw on the case of Delhi to focus on a more specific dimension of urban inequality, namely the production of spaces of exclusion.

**Explaining urban inequality**

That Indian cities are becoming more unequal is hardly a novel claim, and one moreover that many would argue is part of a larger, global trend. From UN agencies to a range of scholars, the trend in growing urban inequality is well established and much of the literature draws a direct link to the structural pressures of neo-liberal globalization (UNHSP, 2003; Davis 2006; Brenner and Theodore 2002b; McMichael 2011). This is a vast and complex literature that can hardly be summarized but it is possible to identify three related claims about globalization that point to specific drivers of urban inequality - informalization, commodification (especially of land) and de-socialization.

First, the global system of capitalist production has been fundamentally transformed by the shift from Fordism to flexible production and the resulting de-territorialization of production into global commodity chains. The “global cities” literature argues that this reorganization of the world economy has created both a global hierarchy of cities as well as increased inequality within cities (Sassen 1991). The latter is driven by informalization of the labor force and increasing class disarticulation between high-end knowledge workers and low-end service workers.

Second, arguments about commodification focus on the direct impact of the financialization of the global economy and in particular the increase of speculative investments, or in Harvey’s (2006) celebrated phrase “accumulation by dispossession”. Here, the dramatic shift from industrial to finance capital in the post-Fordist era has driven capital into speculative or extraction-intensive ventures. This upward pressure on land prices has transformed many cities into classic “growth machines” (Logan and Molotch 1988), especially cities linked to world circuits of capital accumulation (Goldman 2011). An entire sub-literature has argued that the imprint of global capital on the spatial form of the cities of the global south can be seen in the diffusion from the West to the South of the logic of gentrification, and specifically the displacement of working class neighborhoods by a rising middle class.[[7]](#footnote-7)

The third set of arguments highlight the de-socialization effects of globalization, pointing to the diffusion of neo-liberal policy prescriptions of deregulation, flexibilization and the down-sizing of the social sector (UN 2003; Gough 2002). Despite the differences in emphasis, all three strains of this literature more or less posit a direct causal line between global economic restructuring and social polarization.

There is little doubt that integration into the global economy unleashes structural pressures that can drive inequality. But to raise these forces to the level of explanations obscures as much as it reveals. At this level of abstraction, structural explanations suffer from well known problems: outside of highly contained and bounded settings which are in and of themselves exceptional, they tend to offer explanations that are far too simple, rigid and reductionist (Sewell 1992).

First, they are too simple because they do little to reveal the mechanisms by which structural pressures are played out and do not explain the actual range of patterns through which a given social phenomenon such as inequality is reproduced. A structure, whether it is the logic of global financial capital or the strictures of language, never maps directly onto actual action. To deal with this inevitable lack of perfect fit between structure and action, social theorists have proposed a range of solutions, including Bourdieu’s arguments about habitus – the “structuring structure” - and Gidden’s (1984) theory of structuration. Both in effect recognize that specific practices mediate the relations between structure and action, and point to the need to identify mechanisms. Some of the more sophisticated versions of the structural arguments about globalization and urban inequality recognize as much. In their preface to an influential collection of essays on the subject, Brenner and Theodore for example note that the “effects of neo-liberalism must necessarily be understood in contextually specific ways: they hinge upon the path-dependent interaction of neoliberal programs with inherited institutional and social landscapes” (2002a: 344). But this theoretical gesture rarely carries over into the research and contextual factors are never given independent explanatory weight.[[8]](#footnote-8) Instead, the contextual or local factors are treated as little more than conduits through which global forces work themselves out, sometimes marginally refracting or inflecting the forces at play, but never really decisively shaping them.[[9]](#footnote-9) Invariably, such explanations betray a functionalist bias as when Grant and Nijam find that “the internal spatial structure of such cities can be understood in terms of their evolving roles in the wider-world political economy” (2002:320). Even if the structural force can be linked to the outcome of interest, this does not mean that it was not mediated through a whole host of complex interactions that cannot simply be read-off from the structural force.

Second, the rigidity of structural explanations and the lack of attention to mechanisms makes it difficult explain variation. In contrast to structural accounts, comparative works on urban inequality have highlighted the extent to which local institutions, configurations of social forces and political arrangements can substantively recast the impact of global forces (Arbaci 2007; Fainstein 2010; Maloutas 2007). This literature is based on cities in the global North, and most notably has challenged the “transatlantic convergence thesis” that claims that European and American cities have been moving in the direction of greater social polarization (Wacquant 2008). Comparative work on inequality in the cities of the global south is not as developed but one can already point out that while China and Brazil have urbanized much more rapidly than India and have become much more integrated into the global economy, patterns of urban inequality and exclusion are not nearly as pronounced as in India.[[10]](#footnote-10)

Finally, structural explanations also have a hard time dealing with a change (Sewell 1992). At some level, this is an overly facile charge given that within a certain time horizon reproduction is the more interesting object of social inquiry than change itself. A more specific problem is that even in the absence of change in the form of rupture, any theory of reproduction has to account for incremental shifts that over the long run might amount to a structural change (Mahoney and Thelen 2009) and for a range of practices in any social setting that can be incommensurate with the logic of structural pressures. Resistance or counteraction, even when not rising to the level of rupture, can be critical in driving incremental change but also in structuring the structures. Structural explanations, by focusing on stable, predictable outcomes, can obscure the constant conflict, push back and resistance that all structural forces invite.

The most common alternative to structuralist arguments takes the form of more agentic accounts, or what might be grouped together and labeled as class-analytic accounts. Here, power is not so much a systemic force than a set of resources (material or symbolic) wielded by specific group of actors differentiated by a range of durable categories such as class, race, ethnicity or caste (Tilly 1998, Massey 2007). There is of course a long sociological tradition of class-analytic arguments, including power resource theory and balance-of-class power explanations (Korpi 1989; Rueschemyer, Stephens and Huber 1992) that have done much to advance our understanding of distributional outcomes in advanced capitalist countries. This tradition moreover has a parallel at the level of cities in urban regime theory (Stone 2006). These theorists, most notably Logan and Molotch (1988) in their argument about the American growth machine, point to the central role that urban elites play in shaping the development of the city.

In the Indian context where social cleavages of class, caste and religion are pronounced and often highly politicized, instrumentalist explanations have largely prevailed over structural accounts. The literature on urban India routinely points to the instrumental role of the middle class is producing urban social exclusion (Fernandes and Heller 2006; Harriss 2007). This has taken both the form of spatial exclusion – that is confining the urban poor to illegal and insecure settlements – and the hoarding of city services, including basic services such as water, sanitation and skewing investments in favor of middle class needs (Ghertner 2015; Chaplin 2011; Mooji and Tama Lama-Rewal 2009).

As compelling as these accounts are, they generally suffer from two shortcomings. First, class-analytic accounts presume a high degree of class formation and hence capacity for concerted class action. As I have argued elsewhere (Kracker-Selzer and Heller 2010) outside of cases where classes are well organized and ideologically cohesive, as in Gramsci’s sense of a hegemonic class, classes do no so much act *for* themselves as *through* themselves. In the Indian context, the very concept of the middle class is deeply problematic in class analytic terms since it encapsulates such a wide variety of occupational groups which are themselves fragmented by ethnicity, region, religious and caste (Fernandes and Heller 2006). In electoral terms the middle class has been highly divided and is even widely seen to have disengaged from electoral politics (Mooji and Tawa Lama-Rewal 2009:93). That the fractions of the middle class all have their own strategies of reproduction is well documented, but class-through-itself is not the same as a class-for-itself, that is a class capable of molding the city to its interests. This is underscored by the simple observation that many fractions of the Indian middle class – including white collar workers, industrial workers in the organized sector and lower level government employees – find themselves excluded from the city. As I show in this paper, most of Delhi lives in “settlements” that exist in a legal limbo and are generally deprived of most basic city services. Where you live is Delhi is the most critical form of class reproduction. The Indian city, as we shall see, is in this sense better understood as the outcome of myriad struggles for social inclusion than as the master design of a hegemonic middle class.

If we accept this modified view of class which is much closer to Bourdieu’s sociology of striving than to Marx’s polarized class struggle then it becomes critical to identify the strategic repertoires, both formal and informal, organized and disorganized, through which class fractions reproduce themselves. The point here is not that social fractions, be they of class, caste or race, don’t matter. The goal rather is to focus on *how* they matter, and specifically to explore these practices of reproduction along two axes. First, how do different social markers of class and status combine and intermingle in producing specific forms of social closure? Comparing urban marginality in the US and France, Wacquant (2008) has shown that race and class do not combine in the same way. Similarly, Logan, Alba and Zhang (2002) show that patterns of segregation vary dramatically across ethnic group in urban America. This interplay is even more complex and indeterminate in India, as cities bring together the multiple social cleavages of region, migrant status, religion, caste and class of a vast and heterogeneous subcontinent. Second, what are the political and institutional levers through which social categories are combined and bounded? Social categories are not given. They are forged through contestation, the terms of which are patterned by existing distributions of authoritative power. Wacquant concludes his analysis of urban marginality in the US by arguing that the creation of the American ghetto “is economically underdetermined and politically overdetermined: properly diagnosed *hyperghettoization is primarily a chapter in political sociology*, not postindustrial economic, racial demography or urban geography” (2008:4, italics original).

A second shortcoming of conventional class-analytic accounts of urban inequality is that they presume that a core group can not only capture but also effectively wield state power. In his classic formulation of the ‘growth machine’ argument, Molotch for example notes that “government becomes the arena in which land-use interest groups compete for public money and attempt to model those decisions which will determine the land-use outcomes” (1976:312). This not only takes state capacity for granted but also leaves little room for the possibility of autonomous state action (Skcopol 1985). In the Indian context this is especially problematic. As I show, the Indian state at the *level of the city* has limited capacity and limited authority, with most power residing in higher-level structures that are exercised independently of any real democratic accountability. This coupling of local institutional weakness and political centralization produces a paradox.

On the one hand, the state both as bureaucratic apparatus and site of political power has its own independent effects on urban policy and specifically on shaping the terms of access to the city. This is primarily a power of exclusion that stems less from what the state does that what it does not do and specifically in the manner in which it denies basic rights of social citizenship to most of the urban population. On the other hand, because the productive powers of the state are so limited, elite fractions get what they want as much by going around the state as by going through the state. The fragmentation of the institutional field that I describe in the last section of this paper has created perverse incentives for a range of private actors to exploit institutional gaps to secure rents or privileged access. Politicians have also developed a stake in the institutionally fragmented city and are key actors in its reproduction.

The shortcomings of structural and class-analytic accounts do not call for alternative frameworks but rather for the introduction of a third layer of analysis. Structural forces are clearly at play and they are necessarily carried by social actors, but how those social actors respond to or leverage structural forces is determined by the institutional and political context in which they mobilize and act. In developing this third layer of analysis, I borrow from the urban sociology literature on the US (Massey and Denton 1993; Wacquant 2008; Briggs 2015) to argue that much of increasing urban inequality in Indian cities, and specifically socio-spatial inequality, can be directly attributed to state policies, interventions and practices. In the US, urban scholars have shown that transportation policies, public housing, land use (zoning) and taxation, uneven enforcement of municipal codes, patterns of public investment and services, mortgage subsidies and policing tactics have all contributed to shaping the distribution of social categories across the city (Brayne 2014; Hirsch 1983, Sampson and Wilson 1995). These policies of “urban triage” have produced a distinct socio-spatial formation marked most notably by the combination of class *and* race into a form of hyper segregation (Wacquant 2008).

Urban triage in India has its own social, institutional and historical specificity. From the colonial period to the current neo-liberal era, the Indian city has been marked by a multiplicity of exclusions that conjugate the social and the spatial. But as I propose to show in this paper, spatial mechanisms have taken on a life of their own to the point of excluding much of the lower middle class. Second, I also argue that of the many state policies that exclude by differentiating citizenship, many take the form of infra-practices that operate in the interstices of state-society. Thus in contrast to prototypical cases of exclusion regimes such as the American ghetto, the Apartheid city or the hokou system in China, where formal and legal mechanisms, backed by significant state power enforce exclusion, in India it is the capacity of various actors (including state actors) to exploit the field, especially the gaps in the formal institutional field, that drive exclusions. Following Bourdieu (1985) and Lefebvre’s arguments about the historical and social production of place, I focus on struggles over “the appropriation of space” in which the state both structures the terms of the struggle but is also a key actor in its own right. In this sense the outcome is better described as a field of exclusion that an exclusion regime.

In this paper I expose the workings of a field of exclusion by tracing the effects of three modalities of governance. The first is the planning of the city, and most notably its land management policies. Contrary to the logic of the growth machine (Molotch 1967; Logan and Molotch 1988), Indian elites have long sought to contain the growth of urban centers. The principle instrument here has been long term Master Plans which have systematically undersupplied developed land as well as public housing, thus more or less encouraging the growth of illegal and unplanned settlements.

Second, Delhi has created a regime of differentiated citizenship, quite literally imposing a spatial grid of distinct settlement types that are matched to highly differentiated levels of services and public infrastructure. This in turn sets the stage for a range of settlement-level practices through which citizens negotiate their relationship to the state. Though they do secure tangible returns, this is a low-level equilibrium that reproduces the basic logic of the field.

Third, I point to a range of reformist interventions in the city that explicitly address the exclusions that planning and differentiated citizenship produce but that routinely fail, and in so doing, create a field of suspend rights. Most notably, the city has a long history of slum rehabilitation that never rehabilitates and a parallel process of regularizing irregular colonies that are almost never regularized. Taken together these modalities of governance – planning, service delivery and reform - operate as “criteria of classification and forms of social sorting” (Wacquant 208:136) that working with the raw social material of caste, migration status and class produce a matrix of spatially coded exclusions.

Finally, I argue that this field of exclusion is not just an artifact of structural or class power. Rather, it reflects and exposes the workings of a larger political and institutional field, one that produces it own political effects and it own political resistance.

**Cities of Delhi**

As the capital city of a country of 1.2 billion Delhi is first and foremost an administrative city, but also one that in the past 2 decades has attracted huge multinational corporate investments as the gateway city to the subcontinent. The only megacity of Northern India and in close proximity to 4 major states (Haryana, Punjab, Uttar Pradesh and Madhya Pradesh) it is also a city of migrants. From a population of just under 700,000 in 1941, the city doubled in size as in absorbed half a million refugees from the partitioning of India in 1947. By 2011 its population had grown to 18 million and was projected to reach 23 million by 2021 (Dehli Master Plan, 2007).

There is arguably no city in India better equipped to manage a growing population. First, Delhi is the richest city and state in the Union, and as the capital city, has long enjoyed a disproportionate share of Centre funds. It enjoys by far the highest level of modern infrastructure of any Indian city, boasting a state-of-the-art international airport, the country’s largest subway system and its densest network of city highways. Delhi has the highest Human Development index of any state, and at 0.75 is well above the national average of 0.467 (Planning Commission, 2013:310). Located in the middle of a flat agrarian region with no natural barriers to expansion, Delhi has accommodated population growth through sprawl and is the least densely populated megacity of India.

Compared to other Indian megacities, Delhi is more politically coherent and less socially divided. Indian cities generally enjoy limited local autonomy and authority and share governance functions with their (Provincial) States as well as the Centre. Since 1992, the city of Delhi has been virtually co-terminus with the state of Delhi (officially the Government of the National Capital Territory of Delhi) meaning that State and the City has the same political constituency. And whereas other megacities such as Mumbai and Calcutta have been governed by regional parties, Delhi has been alternatively governed by the Congress and the BJP, the country’s only two national parties. Delhi has also been largely spared the nativist politics and communal tensions that are common in most Indian cities.

Yet despite these advantages – good resources, a mostly middle class white collar base and a fairly stable political and social equation – Delhi is a deeply divided city marked by extreme forms of social exclusion. Contemporary patterns of spatial exclusion in India’s capital city are rooted in how the city has been planned in the post-Independence period. By the government of Delhi’s own classification system, only 23.7% of Delhi’s population live in what are designated as “Planned Colonies” (Delhi Economic Survey 2008-2009). The balance of Delhi’s population resides in what are either entirely illegal settlements or areas that were never authorized for development and as such never properly planned. The absence of planning means not only that the physical space of the settlement was not laid out in accordance with basic building codes or public space requirements (including road and access grids) but that the settlement is not integrated into the city’s bulk infrastructure delivery system.

To explore the contours and practices of urban exclusion in Delhi, I draw on the findings from a two-year research project conducted in collaboration with the Centre for Policy Research. The project, *Cities of Delhi*, was divided into three components. First, we developed extended analyses of the three most important governance agencies in Delhi: the Delhi Development Authority (DDA) which manages land and is responsible for planning; the Delhi Urban Shelter and Improvement Board (DUSIB) which is charged with rehabilitating slums; and the Delhi Jal Board (DJB) which manages water and sanitation. These studies included interviews with key persons and a systematic review of official documents, reports and third-party evaluations. Second, we conducted what we termed “process studies” in which we evaluated how specific interventions – slum rehabilitation, evictions and unplanned settlement regularization – are carried out. This process tracing consisted of careful examination of relevant legislation and policy, interviews and site visits to assess implementation. Third, we conducted extensive fieldwork in 10 settlements in Delhi to research both the extent and quality of service delivery (water, sanitation, waste removal, electricity and public facilities) and how these services are obtained. Full reports on the governance agencies, processes and settlement case studies are available at the *Cities of Delhi* website (http://citiesofdelhi.cprindia.org/).

**Planned Exclusion**

Spatial exclusion in Delhi is not a product of failed planning, but of planning itself (Bhan 2013, Baviskar 2003). The practice begins at the highest level of state development and is driven by the City’s most powerful agency, the Delhi Development Authority (DDA). Created in 1957, the DDA is a Central government agency that has full responsibility for land management and development, including public housing. It is by far the most powerful agency in the city, and by law has a monopoly over the ability to appropriate land under Indian eminent domain law. Successive Delhi Master Plans (issued in 1962, 1990 and 2007) prepared by the DDA have both systematically undersupplied the amount of land notified for urban development and undersupplied the estimated required stock of low-cost public housing (Bhan 2013, Sengupta 2007). Despite a steady rate of population growth the city has opened up new land for housing development only in small and irregular increments and at a pace that has lagged behind population growth. By the end of 1970s the DDA had developed only 13,412 acres of the 30,000 acres it had planned to develop (Datta and Jha 1983). The 1980s saw no new land notified for development even as the city’s population grew by 3.2 million (Bhan 2013:60). Compounding this problem has been the slow and highly skewed pace of housing construction. A detailed analysis of annual DDA reports reveals that not only has the agency consistently fallen behind in delivering the number of planned housing units, but that the stock of built housing has skewed dramatically in favor of the middle class. This trend has persisted over decades. During the 1960s, the “high-income group” (HIG) secured 50% of the new stock while the percentage going to the “low-income group” fell from 55% to 1.9% of the total stock (Datta and Jha 1983). In the most recent decade, of the 33,052 houses completed between 2004 -2013 (a paltry number in itself) less than 10% were for the “economically weaker sections.” The CoD project calculates that of the 973,073 houses build in the census decade (2001-2011) fewer than 23,000 (2.3%) were built by the DDA.[[11]](#footnote-11)

The DDAs methodical production of land and housing scarcity has been met by the massive construction of “unauthorized” settlements outside the limits of the plans and land invasions of undeveloped land within the city. Bhan (2013) provides graphic proof of these historical patterns of spatial exclusion by mapping the location of “unauthorized colonies” and shows that they have mushroomed in neat concentric patterns, always on the edge of the outer limits of the “planned” city. Taking note of the fact that the vast majority of “unauthorized colonies” mapped in 1993 are outside of the plan boundaries of the Delhi Master Plan of 1962, Bhan concludes that Master Plans act as a “bounding condition” (2013:65).

Taking stock of the fact that only a quarter of the city is effectively planned and that the dominant socio-spatial formation is one of layers of illegality and exclusion organized around a city core, the “failure” of planning comes into full relief. That this “failure” is unintended or simply the result of growth processes that have outstripped the capacities and resources of the state is disproved by simply pointing to the specific planning practices that have produced and reproduced this outcome. First, the language of the DDA itself is one of closure and privilege. The first 1962 Master plan denounced old Delhi – the historical heart of the city – as disorganized and dysfunctional and simply (and rather fantastically) recommended moving 45% of the population (Sengupta, 2007:49). In various annual reports the Authority has addressed the problem of the illegalities of its own making in language that fully justifies exclusion. The 1980-81 Report for example speaks of its efforts to “protect” the city from unplanned settlements through a “vigorous program … to fence the vacant pockets so that the lands are saved from encroachments.” In its 2003-04 annual report, the DDA reports that the “Land Management Deptt. carried out some major demolition operation during the year which has drawn praise from all sections of society as well as press except the land mafia (2003-04:50).” Following a narrative script that Ghertner (2015) has dubbed the “aesthetic city” the DDA sees itself as ensuring “organized and structured development of haphazard growth” (DDA Annual Report 2011-12) and celebrates its role in building parks, maintaining sports facilities, golf courses and preserving the city’s cultural heritage, even going so far as to dub itself, in reference to the 8 historical empires that claimed Delhi as a capital “as the 9th builder of the grand city of Delhi” (DDA Annual Report 2011-12).

**Differentiated Citizenship: State Classifications**

Given the pervasive social cleavages that characterize Indian society, one might be tempted to see these differentiations of citizenship as little more extensions of social inequality. However, the independent effect of the state’s classification practices are revealed by the weak association between caste, class and unequal access to services. First, in our own fieldwork we found little evidence of caste discrimination. In most of the informal settlements (JJCs) there are always concentrations of dalits, but even across JJCs with similar proportions of dalits levels of services can vary dramatically. In contrast to the vast literature on the US ghetto we found little evidence that state policies or interventions specifically discriminated against lower castes. Similarly, while settlement types correlate with incomes, many settlements are home to various classes. Most notably, being middle class in Delhi does not in any way guarantee access to decent services as witnessed by the settlement category of “unauthorized colonies” where much of the lower middle class lives. In contrast, as I show below, settlement type *is* the basis for both organized and informal exclusion.

Though quantitative data on spatial inequality in India is in its infancy, three studies do support this claim. Vithayathil and Singh (2012), as well as Sidhwani (2015) find that at the ward level (the only level at which the Indian census reports the relevant data) there is evidence of spatial segregation of *dalits* (the contemporary term for “untouchables”). But the reported levels, as measured by the index of dissimilarity, are decidedly modest when compared to levels in the US and South Africa (Schensul and Heller 2011).[[12]](#footnote-12) Sidhwani moreover finds that there is much more spatial segregation by level of services (access to water and sanitation) than by caste or class. For Delhi he reports an the index of dissimilarity by ward for in-house latrines of 0.478, meaning that almost half the households in the city would have to be moved to create neighborhoods with equal levels of access to in-house latrines. In sum, while class and caste are correlated with levels of service access, the spatial location of a household is a much more powerful predictor of service deprivation. Similarly, using spatial techniques to disaggregate NSSO (64th round 2007-08) data to the neighborhood level in Delhi Singh presents three major findings that underscore spatial effects. First, Singh finds that even when controlling for basic socio-economic and demographic characteristics, rural-urban migrants have much lower levels of access to water and sanitation than non-migrants and that duration of stay has little effect. Second, she finds that lower caste groups are *not* significantly less well provisioned (Singh, 2014:123).[[13]](#footnote-13) In other words, it is the terms of incorporation into the city (that is migrant status) and its spatial organization that drives exclusion from services. Third, she find that the “magnitude of poverty of neighborhood level access to basic services for migrants is almost *twice as high* astheir gap in economic wellbeing relative to non-migrants in Delhi” (2014:142, italics mine).

How can one explain such powerful spatial effects? In this section I argue that the city’s policies and practices produce a classification system that effectively differentiates social citizenship. I show that access to basic services – most notably water, sanitation and solid waste removal – is a function of the intertwining of space and legality. But this general claim comes with two critical qualifiers. Unlike the high capacity regimes of the apartheid state and the Chinese hukou system that can enforce a classification system decisively and effectively, the Indian local state enforces boundaries as much through a range of infra-practices that operate in the interstices of state-society relations as through formal, legally sanctioned state power. The resulting ambiguities produce what Holston and Appardurai have more broadly called a “honeycomb of jurisdictions” in which there are in effect as many kinds of citizens as there are kinds of law” (1996:199).

Table 1 summarizes the 8 types of settlements found in Delhi and supports two seemingly contradictory claims. On the one hand, the local state systematically differentiates citizens on the basis of tenure rights to which correspond specific bundles of services, and on the other hand fundamental problems of state capacity open up a range of contingent practices and outcomes.

First, the table represents a grid of differentiated citizenship. The first three columns provide a listing of settlement types and their populations as defined and enumerated by the state of Delhi. The third column is a categorization, drawing from Bhan (2013), of the legality of the settlement and the degree to which it is planned. The fourth column, based on work by Maria (2008), summarizes how each category translates into access to a key service, water.

There is legibility and control here in the sense that the scope and quality of service delivery is both legally, and in terms of official policy, directly mapped onto this grid. In the state’s hierarchical gaze, the numbered list of settlements in Table 1 conveniently runs from the most illegal (JJC) to the most legal (Planned Colonies). Planned colonies (23.7%) are legal and planned and generally have access to a full set of services (reliable electricity supply, piped water, sewage, paved roads, solid waste collection). These are zones of what might be called full citizenship and accommodate Delhi’s wealthier classes and higher-tier public employees. Two other settlement types - “Urban Villages” and “Rural Villages” are something of an oddity; these are areas that have been grandfathered into the city, exempted from standard planning requirements but clearly legal.

“Unauthorized-regularized colonies” (12.7%) started illegally as “unauthorized colonies” but have been subsequently legalized (if not fully planned). Despite their legal incorporation into the City, URCs have poor service levels (Zimmer 2010, Bhan 2013). “Slum Designated Areas”, which corresponds mostly to the areas of the old walled city of Delhi are legal but unplanned, and because of overcrowding and a lack of planning, can accommodate only limited services.

It is difficult to stress just how varied the quality of life in these first five settlement types actually is. The ordered, leafy, fully serviced Planned Colonies of South Delhi are a world apart from the extraordinary noise, density, chaos and shear deprivation of Old Delhi’s designated slums. But despite these differences, residents in these first five categories all have secure rights of tenure as recognized by the state and a clear claim to the city’s public services.

The next three categories - which I refer to collectively as “excluded settlements” - exist at the margins of citizenship. In Jhuggi Jhopri Colonies (14.8%), Resettlement Colonies (12.7%) and Unauthorized Colonies (5.3%) the practice of marginality is organized, explicit and systematic in its effects, reminiscent of the American ghetto (Wacquant 2008, Hirsch 2009).

“Unauthorized colonies” (UAs) are illegal, built outside of development plans and in contravention of zoning regulations. In most cases, UAs emerged when private developers illegally developed rural land and sold off individual plots. Though the underlying land is most often public and has been developed illegally (it is “unauthorized”), because individual households have bought their plots UAs are given de facto recognition. Residents have no formal “right” to services, but because they have a claim to tenure they are generally secure from eviction and in a position to make investments in their homes.

Jhuggi Jhopri Colonies (JJCs) are squatter settlements that are fully and unambiguously illegal, usually the product of land invasions. The term “squatter” emphatically marks these populations in the eyes of the state are temporary sojourners, and encompasses everything from the shacks of on-site construction workers that stayed on when the project ended to built-up settlements that are often more than 4 decades old. Thus even in the cases we documented where JJC households had paid for their plots, the state confers no de facto recognition of property. No new slum has been notified since 1994 under the 1956 Slum Areas (Improvement and Clearance) Act and it was not until the passage of the DUSID Act of 2010 that the 2.5 million residents of JJCs even received legislative recognition.

The legal line between UCs and JJCs is one of creative interpretation at best. As is true of most classifications systems the distinction stems more from the particularities of history and political settlements than any defensible legal categorization. Be that as it may, once designated, the de facto distinction takes on a life of its own and is enough to ensure a significant difference in how each colony type is actually provisioned.

Finally, Resettlement Colonies (RCs) mark the ultimate paradox of the state’s power. RCs are legal and planned, the result of entirely state-driven eviction and relocation of households in JJ Colonies. Yet, as we shall see, nowhere is the gap between legal designation and policy practice more pronounced and more emblematic of planned state failure.

If table 1 represents the state’s double classification of legality and citizenship, it is also a testament to the state’s illiteracy. Drawing on Foucault, much has been said in recent writing on urban India about governmentality, and in particular efforts by the state to make society legible and to impose technologies of control (Chatterjee 2004). The governmentality view has a point, to a degree. These legal settlement types do indeed partition and differentiate the city, marking the basic internal boundaries of the field of exclusion. But this grid also exposes a remarkable degree of illegibility and incapacity. On closer inspection the figures reported in this table are in part clearly fictions. Though this document is routinely reproduced in Delhi government reports and commissions as well as in a number of academic publications (Bhan 2013, Maria 2008), none of these users have ever remarked that two of the settlements types have identical numbers to two other settlement types. Thus, both “unauthorized colonies” and “rural villages” have 874,000 people each, and “resettlement colonies” and “regularized-unauthorized colonies” 2.09 million people each. Moreover, the number for “unauthorized colonies” appears to be pure fiction. In her careful analysis, Zimmer (2010), uses data reported by UAs in their applications for regularization to estimate a figure of 8.1 million or about 49% of Delhi.[[14]](#footnote-14) The the state of Delhi’s Unauthorised Colonies Cell puts the figure at 4 million, 30% of Delhi’s population based on the 2011 Census.[[15]](#footnote-15) Whatever the correct number, the figure reported in Table 1 is a fabrication. Similarly, the figure for the Jhughi Jhopri Clusters (JJCs) is at best a guess. The agency responsible for JJCs, Delhi Urban Shelter Improvement Board, estimates the slum population of Delhi at 3 million, though it candidly admits that this is a rough estimate at best.[[16]](#footnote-16) Finally, the ambiguity of the state’s classification exercise if fully exposed by the conflicting estimates of Delhi’s slum population. The most recent census numbers (2011) put the put the size of slums in Delhi at 14.6% of households. Yet the categories of JJC and Designated Slums in Table 1 alone put slums at 34% of the population, and that does not even include resettlement colonies and a good portion of unauthorized colonies that clearly meet the definition of slums.[[17]](#footnote-17)

This parenthetical point about the state’s illiteracy should not however detract from the fact that this grid of settlements is in effect a map of highly differentiated social citizenship. To move from category 1 (JJCs) to category 8 (Planned Colonies) is to move up the scale of citizenship from, in the words of the Indian Supreme Court, a “pickpocket”[[18]](#footnote-18) with no rights to the city’s services to a full citizen, who secures services as a matter of rights. As Ghertner (2015) has carefully shown, the legal discourse on rights to the city has actually oscillated quite dramatically in India, veering from asserting the basic livelihood right of the working poor to occupy public land, to elevating the right of property over the livelihoods of the slum dwellers. Most recently, a binding judgment from the Delhi High Court (Sudama Singh judgment) has reasserted a basic right to housing. But on the ground, as I show in detail below, state practices continue to follow a pattern of differentiated citizenship.

**Differentiated Citizenship: Case Studies**

I provide an overview of the mechanisms and effects of differentiated citizenship by summarizing findings of the 10 case studies of the *Cities of Delhi* project. There are over two thousand “excluded settlements” in Delhi but no reliable data on service delivery in these colonies. Selecting cases for the study presented a challenge. We started with the assumption that there is a high degree of differentiation in levels of service delivery *across* settlement types but also *within* settlement types. We wanted to capture this variation but also identify the mechanisms at work. In order to balance the trade-off between a large number of cases that would capture variation (and strengthen generalizability) and a small number of cases that would allow for in-depth analysis and capture mechanisms, we selected 10 cases. We selected cases that captured variation along what we hypothesized to be the most important variables driving levels of exclusion. These were 1) the size of the colony which matters because of its potential leverage as a “votebank”; 2) the age of a settlement which matters because of the timing of incorporation as well as the time that might be required to develop local infrastructure 3) its spatial location which matters because of the greater difficulty of linking peripheral areas to bulk infrastructure. Our goal was not to develop a representative sample, but rather maximize our ability to capture a full range of outcomes and practices.

Because JJCs are the most illegal and most marginalized settlements, we assumed they would display the greatest variability and accordingly selected a total of 6 (and visited 5 more to collect baseline data) out of an official total of 685. The selected JJCs varied across our 3 variables of size, location and history, but also displayed significant variation in social composition. One was predominantly Muslim (Jai Hind), 4 were predominantly Dalit, and 2 had a highly diverse caste composition. As one would expect for Delhi, all tended to be populated by North Indian migrants (predominantly from Uttar Pradesh, Bihar and Rajasthan) although one was settled almost exclusively by Tamil migrants from the South. Out of the 44 Resettlement Colonies (an exact figure since these are colonies created by the state) we selected 3 (and examined 3 more), one from each of the historical waves in which these colonies have been built. The “unauthorized colonies” category was the most difficult to sample for. The heterogeneity here is bewildering ranging from pockets of unplanned development that are hard to distinguish from JJCs to the most exclusive enclaves in Delhi where elites have built privately serviced, albeit illegal mansions euphemistically known as “farm houses”. Outside of these extremes, UAs are widely seen to be where the lower middle classes reside. We accordingly selected Sangham Vihar, generally viewed as the largest UA in Delhi but in fact composed of 20 individually designated unauthorized colonies. We selected three of these, but count this as a single case. Each of the cases with its size, date of foundation and location is listed in Table 1.

For each our cases we conducted multiple site visits (160 in total) and extensive interviews. The site visits included a general reconnaissance of the area to examine visible signs of service delivery, public facilities (parks, transport nodes, access roads) and attendance at any meetings we became aware of. Interviews focused on two sets of respondents: 1) key respondents such as the local pradhans (elected or self-declared community leaders), local NGO workers, officials of Resident Welfare Associations (where constituted), the local councilor, the local Member of the Legislative Assembly (MLA); 2) random individuals or groups that we encountered in our field visits. In all three types of settlements, population density is extremely high and finding willing respondents is relatively easy. As is often the case it dense communities, a conversation with an individual, even when carried out in a private setting, often turns into a public conversation with relatives, friends and strangers who join spontaneously. We treated these meetings as quasi-focus groups and used them to address basic questions (e.g. how many hours a day is electricity available) but also when feasible to address more contentious issues about politics and the state. But we also balanced these public meetings with as many private conversations as we could organize. We made a special effort to interview women. For each selected settlement we conducted at least 15 individual and group interviews. All interviews and site visits were conducted by mixed gender teams and each site was visited by a mix of teams. All interviews were based on an open-ended questionnaire. The field work started in November 2012 and is ongoing.

Though the fieldwork included an assessment of all key services (transport, electricity, sanitation, water, solid waste removal, drainage) for this paper I report only the findings on water and sewage. Not only are these the two most critical services, but they are also the responsibility of the same agency, the Delhi Jal Board (DJB).

Because JJCs and UAs are illegal, the state is not required to provide basic services. The courts have in fact ruled that service delivery departments are under no obligation to provide services to these settlements and in one instance explicitly barred service providers from delivering piped water to JJCs.[[19]](#footnote-19) RCs in contrast are legal and in principle planned (that is developed within a properly authorized area), but as we shall see denied full services in practice. But in all these excluded settlements, through a highly complex mix of political patronage, department pragmatism,[[20]](#footnote-20) and a myriad of community and private solutions, some basic services are delivered, however poor and intermittent. In the next section I describe how this is all negotiated and highlight the workings of the institutional and political field. But I begin by briefly describing the quality and nature of water and sanitation that these settlements which are home to about 50% of the city’s population receive.

Across the board, the most incessant complaint and demand in excluded settlements is for water. With the exception of the oldest settled RC (Mongolpuri), none of the 10 excluded settlements have piped water. The excluded settlements all instead depend on a mix of tanker trucks, borewells (either electric or hand pumps that directly tap groundwater) and water purchased in individual containers or from “kiosks”. Water delivery is as a result very uneven, subject to highly discretionary arrangements and to steep differentials in price.

For potable water (*meethapani*), settlements rely heavily on tanker trucks delivered mostly by the Delhi Jal Board (DJB) as well as private tankers. DJB tankers are a ubiquitous site in these settlements and a source of widespread anger and frustration.

In Kusumpur Pahadi (JCC), tankers arrive routinely and on time and are carefully directed by an elected Pradhan to selected points throughout the settlement. The Pradhan keeps a registry and communicates regularly with the DJB to solve problems. This arrangement conforms to the system of scheduled and routinized delivery that the DJB claims to be implementing as a matter of policy. But Kusumpur Pahadi is the exception. In all our other field sites, tanker delivery is unpredictable and the object of chaotic scrambles in the slum as households (and usually girls who have stayed home from school) rush to fill plastic containers. Most of these tankers are dispatched by the DJB, but we also recorded many cases of private tankers, part of what the press has reported as a growing “Tanker Mafia”. In JJC Baljeet Nagar-F block the arrangement consisted of a complicated process of a group of 8-10 households getting a tanker “passed” by making payments of up to Rs. 4,000-5,000 to DJB officials, in return for which “contributing” households are guaranteed 200 litres per week. Non-members are left to pay Rs. 15 per 40 litres on delivery. In both cases residents are paying for a free public service. But despite these difficulties, DJB tanker truck water is highly prized as most communities perceive it as clean water (though in one community we got reports of “lizards and insects” in DJB water).

In no settlement is tanker truck water sufficient and communities also rely heavily on borewells (also known as tubewells). The groundwater in Delhi it is often salty or contaminated by chemicals or leakage of sewage into the groundwater, so borewell water is used only for cleaning and washing and referred to by residents as *kharapani* (salty water). Borewells are set up by households, private entrepreneurs or government agencies. When a government agency provides borewells it is almost invariably through the work and to the credit of the local MLA (Member of the Legislative Assembly of the state of Delhi) and the borewell often carries an inscription to that effect. But water from public borewells is spotty at best. In our site visits we found as many dried-up borewells as functioning ones, and most of our respondents report using private borewells. The DJB claims to have installed 4,123 borewells in the city but with a population now exceeding 18 million this is clearly insufficient and has been dwarfed by private installations which one media report in July 2014 put at 465,000.[[21]](#footnote-21) Private borewells are however expensive with residents paying Rs. 1,000-1,500 per month to private operators, whereas DJB controlled-borewells charge only Rs. 100 per month. Private borewells are in principle regulated, but it is widely acknowledged that few have the requisite authorizations.

This unregulated action is exacting a high social cost. Rapidly declining watertables have increased the depth and cost of drilling, and it is now estimated that India extracts more groundwater than any other country in the world, over twice as much as the US, the second highest extractor (Planning Commission 155:2013).

The situation for sanitation is just as stark. The disposal of fecal matter presents not only a massive health challenge in densely populated slums,[[22]](#footnote-22) but in a society long governed by caste-based conceptions of cleanliness and pollution personal hygiene and proximity to human waste have long been markers of symbolic violence.[[23]](#footnote-23) More than anything else, the marker of marginality in excluded settlements is the complete absence of sewage systems. Communities are left with 4 options for disposing of human waste: building in-house toilettes that are not connected to the sewage system (pit latrines), using Community Toilettes, defecating into plastic bags and disposing, or defecating in the open.

The size and construction material of shacks in JJCs does not generally allow for indoor toilettes. Residents in UCs and RCs are far more likely to have more permanent forms of housing and often have the space for an indoor toilette. But in sanitation terms these facilities remain deeply problematic. Indoor toilettes are pit latrines that are either dry or can be flushed to the outside. In the first case, some households have their latrines routinely vacuumed out by “bowsers” that are privately contracted. In the later case, the sewage flows into streets, open canals or drainage pipes. In both cases, the “sanitation service delivery chain” breaks down, meaning that there is no proper control of how the waste is transported, treated and disposed. Many pit latrines leak into the groundwater and open raw sewage is a common sight (and complaint) in these communities. In one RC, open spaces that had been planned as playgrounds were submerged by raw sewage. In all the settlements we heard the complaint that during the monsoons open sewage spills out into the open, sometimes flooding homes.

Community toilettes complexes (CTC) are common in all the excluded settlements and prone to the same problems. First, the sanitary quality of CTCs depends on good maintenance and a reliable source of water. We only found one instance of a well-managed and well-maintained CTC. All the others were beset by operational problems often tied to inadequate maintenance by the agency that constructed the CTC. A common story is that shortly before elections a local politician gets a CTC built but no one assumes responsibility for maintenance. In one JJC, three different community toilettes had been provided by three different agencies, but none had running water. In another JJC, the door to the toilettes was left broken for months and repaired only after the community got help from a human rights NGO. Complaints from women that they are harassed when they use the complex are widespread and most women avoid CTCs altogether at night. Most CTCs charge one rupee per visit. This barrier is just high enough that most children forgo CTCs.

In the absence of reliable public servicing for water and sanitation, communities have little choice but to resort to various market solutions. These market solutions are however not those of well-functioning, competitive markets, but rather markets that are based on a range of scarcities that generate high rents and are inevitably captured by elites. Communities thus pay a high premium to secure these basic services, a premium from which the Planned Settlements of the city are exempt. But the direct financial costs imposed on the urban poor almost pale in comparison to the high social and political costs they endure to access the most basic of services. Securing water and finding a way to go to the bathroom in unplanned settlements is time-consuming, unpredictable, often humiliating and imposes a particularly high burden on women. It is also subject to constant and costly deal-making.

**Negotiating Citizenship**

If citizenship in the city is highly differentiated, it is also highly negotiated. The citizens of excluded settlements do not have legal rights to services, but they do, as we have seen, secure some public services albeit of a second best character. There is however neither a clear-cut structural or class-instrumental logic at work. It is the case that, as per the grid of settlements in table 1, tenurial rights with respect to land and to the Master Plan (which often correspond with class or caste identities) shape the terms under which communities develop working arrangements with the local state. But within the legal and policy parameters that are defined by settlement types - the state’s classification system for service delivery - there are a whole range of political intermediations, legal ambiguities, regulatory gaps and situated practices that give shape to the final set of arrangements. Below I present four cases that illustrate the range of such arrangements.

F Block of Punjabi Basti is a long-established, but highly vulnerable JJC. First settled 50 years ago in a stone mine, the settlement has continued to grow despite repeated evictions, most recently in 2011. At that time the vast majority of shacks were bulldozed, but the eviction drew the attention of Delhi’s legal rights NGOs who generated some media publicity and secured a court stay. The settlement was quickly re-built but continues to be deprived of services. There is no sewage system and most residents defecate in the open or maintain rudimentary dry latrines. The water situation is amongst the most precarious we documented, based entirely on privately purchased water from borewells in adjoining settlements or a tanker delivery system in which different sections of the community have different payoff systems to the DJB (described earlier).

Yet, because of the experience of eviction, the community is well organized, has ties to human rights NGOs and boasts an energetic pradhan you enjoys widespread community support.[[24]](#footnote-24) The settlement has proactively cultivated political ties to its MLA, supporting his election in 2008 and then raising Rs. 50,000 to fund a jargan (an all-night Hindu ritual) in his honor. Despite these displays of loyalty, the residents have had a largely adversarial relationship to their MLA and in particular accuse him of having misled then when they were evicted in 2011. Some claim he was complicit in the eviction, working with a Centre government minister to free the land for developers. The community has nonetheless continued to engage with local authorities, routinely sending petitions and delegations to state agencies and strategically shifting their electoral support to another party in the assembly elections of 2013. But this degree of engagement has had little effect, especially in curtailing the predations of the local state. In addition to having to pay for public tanker trucks, residents pay bribes to DDA officials for constructing new jhuggis (Rs. 10,000-20,000) as well as for making any improvements to existing jhuggis. We collected similar reports from many other JJCs, but in F block the practice seems to be especially pernicious and organized. Residents describe a finely-tuned system of surveillance in which informants report to the police who in turn report to the DDA. One resident summarized the inexorable logic of the arrangement: “If you add two rows of bricks to increase the height of your jhuggi and don’t pay, four rows of bricks will be demolished.”

The residents of F block do not approach the state as citizens, or as clients of a patronage regime. They approach the state as supplicants in a highly unbalanced and insecure bargaining equation, made all the more tenuous by the state’s indifference. Always vulnerable, the settlement is now all but invisible. In the DUSIB’s 2014 registry of JJCs, F block had simply disappeared with a “no jhuggis?” label attached to its location on the accompanying map.

The highly insecure position of residents of F Block can be contrasted with the JJC Anantram Dairy Harijan Basti located in the core of the city. As its name implies (*Harijan* was the term Gandhi coined for “former” untouchables) Anantram has a large population of dalits, yet boasts a clean and well-serviced complex of community toilettes and showers, open but well maintained drainage systems and a predictable supply of clean water. Most of the 300+ jhuggis are built of brick, some have a second floor and the vast majority have stone slab roofing. Residents report that they do not fear eviction (despite being there illegally) and this is reflected in the sale price of jhuggis which can reach as high as Rs. 1,000,000, by far the highest we recorded in our 6 JJCs. For all basic services, we found that the community enjoyed more or less consistent delivery and could engage directly with state agencies to address problems. Thus, when the local community water tank which supplies supplemental water is close to empty, a simple call to the local NDMC office (the state agency in charge of the core of Delhi) brings a tanker for a refill.

The fact that this community lies in the jurisdiction of the NDMC, an area that encompasses the heart of the city’s political and social elite and is better governed than the rest of the city, might provide an obvious explanation for Anantram’s good fortune. But this interpretation is contradicted by the extremely poor and highly vulnerable status of two other JJCs we studied in the area, Sanjay Camp and Sonia Gandhi camp. We found that both were at the lowest end of service delivery (similar to F block), and Sonia Gandhi camp was actually demolished during our fieldwork. If Anantram stands out it is because it has benefitted from a stable form of community-based clientelism.

For 15 of the past 20 years this slum has been represented by an MLA who is highly organized and proactive in delivering services for the community.[[25]](#footnote-25) The MLA visits on a regular basis and is an active ex-officio member of the local neighborhood committee, and, despite being from the BJP party (historically viewed as dominated by upper castes), he also presides over a local association of dalit laborers (the Harijan Mazdoor Sudhar Sabha (Dalit Labor Improvement Organization). Residents widely praise him for his work in the community and he is always invited to weddings and other social functions. In addition to intermediating with government agencies to ensure service delivery, this well-positioned MLA has managed to provide roughly half the residents with municipal corporation jobs.[[26]](#footnote-26)

In many respects, Anantram represents a classic case of successful political leveraging, precisely the kind that Chatterjee (2004) has influentially argued represents the only means by which the poor in urban India can successfully press claims on the state. The success with which this community has brokered its relationship to the local state by leveraging representation must however be carefully qualified. First, the brokerage capacity of this MLA is unusual. In most areas of the city, political representation is divided between municipal councilors and an MLA. But Anantaram lies in a part of the city designated as a “cantonment area” and does not have a municipal councilor. The MLA as such not only wields monopoly representation, but also has much more leverage over the local bureaucracy than is the norm for other MLAs. Second, as is the case with all patron-client arrangements, the services that the patron provides, however substantive, come at the expense of citizenship. Thus, on the one hand the MLA proudly told us that

he has the power to protect the community from eviction. On the other hand, the electricity bills that the community receives provide an unambiguous reminder of their client status. The top of the bill begins with a clear disclaimer (in English): “Purely temporary arrangement without confirming any legal right”. Third, the coherent organization of the community (it boasts a strong and respected pradhan and votes as a block) and its overall political efficacy masks an underlying power structure marked by caste dominance. Though the community is predominantly Dalit, it is dominated by the Gujar caste.[[27]](#footnote-27) The pradhan is a Gujar, and the Gujar’s exercise control over all construction in the community. A number of dalit respondents also reported that the police work with the Guhjars in exacting illegal payments for changes to jhuggis. Most telling though is the system for water distribution. During our first field visits we were impressed by the calm and orderly fashion in which residents line up to collect water from the borewells installed by the NDMC. It was only later that we discovered that the “lines” are in fact hierarchical, with Gujars having the right to cue up first and to collect as much water as they like while other castes are limited to four buckets.

The four other JJCs in our sample all fell somewhere along the spectrum of acute vulnerability of F Block to the organized clientelism of Anantram. But two generalizations about JJCs can be made. First, though most have been around for more than 3 decades, with the exception of Anantram, none have experienced significant improvements in water delivery or sanitation. Second, all display some degree of internal organization in the form of local associations, but in almost every case local self-organization is tied to dependence on an elected representative. F Block is an exception here. The local pradhan has independent local support and the community has strategically shifted its electoral support. But this relative capacity for self-assertion is itself tied to the fact that F block is politically excluded with little effective representation. In all the other cases, the local pradhan (or pradhans) and existing community associations are all closely tied to an elected politician and have little independent engagement with the state.

It would of course be perfectly reasonable to tie both of these conditions – material exclusion and political dependency – to the highly insecure tenurial status of a JJC. Undoubtedly, the threat of eviction looms large over the lives of informal slum dwellers and provides elected representatives with significant leverage. But in examining our next two excluded settlement categories – unauthorized colonies and resettlement colonies – it becomes clear that this precarity is hardly limited to JJCs.

Unauthorized colonies are also extremely heterogeneous but because residents actually have proprietary claims to tenure, even if the settlement as a whole is unauthorized, they are not as vulnerable as JJCs. In contrast to JJC residents, none of our UA respondents ever expressed concern about eviction and residents have clearly invested in their homes. Three to four-floor structures are common sights in UCs, as are extensive privately controlled borewells and water distribution systems. But UAs are by definition not entitled to services, and a history of regularizing UAs (which produces the mouthful known as “regularized-unauthorized colonies”) keeps them in a legal and political limbo. Before each election, the government dangles the promise of regularization and in the most recent cycle, 1,639 UAs applied for regularization. The process itself is fraught with bureaucratic hurdles, legal gymnastics and political manipulation and the outcome always highly uncertain.

Since regularization and the entry into full citizenship remains elusive, UCs must also negotiate for services. Our selected cases were all located in Sangham Vihar, a city within the city that residents proudly report is the largest unauthorized colony is Asia. The settlement has a grid-like structure, but the lanes are so narrow and chocked that no public buses can enter the settlement. Sangham Vihar is partitioned into blocks, and service delivery arrangements vary dramatically across blocks. Most residents rely on private pipes that deliver water to select households from large borewells. Some of the borewells are public, but most are private, and the pipe system itself is entirely private, with 2 or 3 sets of pipes a common site in most streets. Households individually negotiate supply and prices with “operators” who are widely reported to work with elected officials. The rents appear to be significant as revealed by a natural experiment. In 2013, when for a brief moment the water system was brought under community control, prices fell from Rs. 1,500 a month to Rs. 100 a month.[[28]](#footnote-28) The service is expensive and unreliable. Water is only delivered at certain hours, and most residents collect water in plastic buckets. The system is also clearly unsustainable. The electric borewells that now operate replaced handpumps that went dry in the 1980s when the water table dropped. It continues to drop, but we saw no evidence that the DJB is taking action. Despite the fact that there is a main trunk water line that links Sangam Vihar to a nearby water treatment plant, there are no plans (as of 2013) to link this line to pipes in the community. So what explains this perniciously low level of services? The answer is clearly not poverty or market forces. The rates that residents pay for water are well above rates in planned colonies. Moreover, countless residents we interviewed insisted that they wanted to be “regularized” so that they could pay taxes and get proper services.

The low-level service equilibrium instead results from a complex web of power relations between residents, elected officials, local entrepreneurs and state agencies. Residents report that municipal agents with the help of the police and drawing on information they get from builders, contractors and building-supply shopkeepers collect thousands of rupees for additions to their homes. This predation is so routinized that residents don’t speak of corruption, or theft or violation of the law, but rather of something that the state just does. Our respondents reported this activity by telling us that the “*police Rs. 10,000 - Rs. 20,000 maangti hai*” (the police ask for ….) or “*Rs. 20,000 - Rs. 30, 000 police ko dena padta hai*" ([One] has to give Rs. 20,000 to Rs. 30,000" the police). The local MLA explained the power equation in simple terms: “if I am strict and I tell the police and MCD [Municipal Corporation of Delhi] not to collect money, they will not allow any construction at all.”[[29]](#footnote-29) With respect to the water distribution system and the private operators who are protected by politicians, one respondent descried the logic of the protection rackets: “they are mafia people, they are fearless people and what they want, happens” using the English word for “mafia”.[[30]](#footnote-30) All the key actors in other words have a stake in the current equilibrium, except of course citizens.

But these are hardly passive citizens. In contrast to JJCs, Sangham Vihar has strong associational structures that exist independently of political society. The impetus for organization has been regularization. Going as far back as the mid-1980s, a local welfare association was formed to petition the government for regularization. The association lobbied its representative who wrote to the relevant Minister at the time. Claiming a population of 1 *lakh* (one hundred thousand) the representative noted that “without regularization the Colony is lacking in basic amenities like water, electricity, Post office, bus Serve etc … I shall be grateful if you kindly get the matter looked into for necessary action.”[[31]](#footnote-31) Having secured no gains by the mid-1990s, residents started forming Resident Welfare Associations (RWA) on a block level, and again started organizing for regularization. RWA representatives showed us thick sheaves of paper work they had submitted to various government agencies over the years. At the time of our fieldwork, all of the 30 blocks in Sangam Vihar had formed RWAs. Some RWAs had formal structures, with regular elections, whereas others were basically run by those who volunteered. In response to a call by the government in 2008 for regularization applications, the block RWAs formed a colony-wide association, the Mahasangh. The hope was not only that the Mahasangh would give them more clout as a community, but that some of the more experienced and capacitated blocks could help others with the complex application process. Eventually, all 30 Sangam Vihar blocks submitted their applications, which in most cases ran into hundreds of pages complete with maps and extended data appendixes. As of 2013, only two blocks had been officially “regularized” (although they had not actually yet received better services), and most of the RWA officials we interviewed were despondent about the prospects for regularization. Most in fact dismissed the process as a little more than an election stunt, routinely trotted out before each Delhi assembly election, and pointed out that the 2 “regularized” blocks were both well connected to the ruling party.

The low-level service equilbrium is sustained by the fact that settlements like Sangam Vihar, despite being home to as many at 4 million Delhites, despite being fairly well-off compared to slums and despite being relatively well organized are, at the end of the day, “unauthorized” that is caught in a legal-political netherworld that fundamentally compromises their citizenship. The MLA captured this democratic paradox of citizens without a city when he noted that by law he was not able to spend special development funds that each MLA receives on Sangam Vihar. As he explained to the Delhi State Assembly, “though my voters are authorized, I am an unauthorized MLA because I speak for an unauthorized community.”[[32]](#footnote-32)

**Reproducing Exclusion through Reformist Interventions**

The city of Delhi is marked by degrees of exclusion. As we have seen, these exclusions are coded and enforced by a classification system that ties levels of public services to degrees of legality defined by property status and inclusion in the Master Plan. Originally produced by the planning system itself, the classified settlement structure has the effect of systematically differentiating citizenship. But even within these established legal and plan parameters, there is a tremendous degree of variation driven by social and political actors who enter into complex negotiated arrangements. Any field, but especially an institutional and political field governed by the competitive dynamics of democracy, is subject to contestation. Thus, not only do residents of settlements organize, engage and leverage the associational opportunities they enjoy to demand more than what they are legally entitled to, they often challenge the very terms of their exclusion. Residents of JJCs actively resist evictions and residents of unauthorized colonies demand regularization. Often they find allies in politicians, NGOs and even state reformers.[[33]](#footnote-33) Yet overtime the boundaries of the field are retained, and Delhi has if anything, become more spatially segregated over time. So how does one explain the hysteresis of the field, this apparent quality to revert to its original form even after pressure has been applied? Why is it that the more things change, the more things stay the same? Structural explanations that might emphasize the commodification of land driven by neo-liberal globalization or class-analytic explanations that point to the agency of organized actors might provide some leverage, but ultimately fall short because they can’t account for shear degree of agency and contestation in the field. Instead I propose to again highlight the role of the state and to specifically shine a spotlight on reformist interventions that have the effect of reproducing inequality. I focus on three nested examples: resettlement colonies, slum rehabilitation and regularizing unauthorized colonies

**Resettlement Colonies**

As we have seen JJCs have no tenurial rights and have been subjected to waves of evictions since the 1960s. In the 1990s, as Delhi strove to become a “World Class City” evictions picked up and Ghertner (2010) estimates that 710,000 residents were displaced between 1997-2007. Slum clearances were primarily driven by court orders that invoked the public interest of environmental and visual clean up, or in Ghertner’s (2015) terms a “new aesthetic ordering of the city”. Clearances targeted slums in the core areas of the city (Bhan 2009) and were geared towards freeing strategically placed land for development – “unlocking land values” in official discourse – making way for new road infrastructure, facilities for the Commonwealth Games and the Delhi Metro Rail. To manage the displaced populations, or at least those eligible for rehabilitation, the DDA built resettlement colonies. There are now 44 RCs in Delhi. These colonies are *legal* and *planned* developments: the DDA identifies land, lays out serviceable plots, allocates plots to eligible residents who receive 10 year leases, sets aside public spaces as per town and planning guidelines and then coordinates service delivery with the appropriate agencies. Yet RCs have almost invariably become slums.[[34]](#footnote-34) Four general processes can be identified.

First, the settlements are almost invariably located on the outer edge of the city and generally only accessible by a single access road. This limits access to the public transportation grid (which is poor to begin with) and exacerbates the overall spatial dislocation of housing from work. Second, though RCs are planned to accommodate basic services and located in Greenfield areas where the costs of laying basic infrastructure are low, basic water and sanitation have not been delivered. The Master Plan of Delhi 2021 claims that “sewage facilities have been provided in all the Resettlement Colonies” (281) but in two of the three large RCs (Savda Ghevra and Madanpur Khader) where we conducted fieldwork there was no sewage or piped water for populations of 40,000 and 60,000 respectively.[[35]](#footnote-35) Residents in both settlements depended either on private borewells or tanker trucks for water. In the absence of sewage, spaces that had been planned for public facilities are filled with pools of raw sewage or piles of garbage. Third, residents are allocated plots but construction is entirely private and not subject to any regulations. Multi-tiered brick homes are built with inadequate frame support and subject to collapse. Internal pit latrines are not designed to manage sewage effectively. Informal businesses that produce solid and air pollution proliferate in open spaces.[[36]](#footnote-36) Fourth, though the developmental state has absconded from its service delivery commitments, the predatory state is in full view. As is the case for all our excluded settlements, RCs are subject to the full range of “payments” for making improvement to their homes. In sum, through these processes, what was founded as a planned and legal colony becomes a slum, marked by exclusion, informality and predation.[[37]](#footnote-37)

**Slum Rehabilitation**

In a democratic and mobilized polity, state failure invites reform. The slum evictions that led up to the Commonwealth Games in 2010 triggered significant social movement activity, fed a revival of rights-based NGOs and ushered a series of court rulings that gave slum dwellers new rights. A rapidly urbanizing India gave politicians new incentives to play to their urban constituents. The last decade has witnessed a remarkable shift in policy and national political discourse that has abandoned the logic of “clearance” in favor of “improvement”. More specifically, National and Delhi policy, following global trends, has recognized the futility of evictions and embraced the idea of rehabilitating slums.

This reform logic marks a significant rupture with the past. The Rajiv Awas Yojana (RAY), the national plan for the rehabilitation of slums, subscribes to an all-inclusive approach to slum-redevelopment: “A ‘whole city’, ‘all slums’ approach will be adopted, rather than a piecemeal, isolated approach, to ensure that all slums within a city, whether notified or non-notified, in small clusters or large, whether on lands belonging to State/Central Government, Urban Local Bodies, public undertakings of State/Central Government, any other public agency and private land, are covered.”[[38]](#footnote-38) In June 2009, the RAY moreover announced that it would “provide financial assistance to states that are willing to assign property rights to slum dwellers for provision of shelter and basic civic and social services for slum redevelopment, and for creation of affordable housing stock”.[[39]](#footnote-39) Delhi authorities in turn took action to come into line with the new national policy. The Delhi Urban Shelter Improvement Board (DUSIB) was established in 2010 in place of the Slum and JJ Department. The thrust of these policies had two components. First, slum residents would be re-located only in cases where environmental or health conditions, or extremely important public interests were at stake, and in such cases all displaced residents would be guaranteed alternative housing. Second, wherever possible, slums would be upgraded, both through incremental efforts but also by temporarily displacing residents to completely upgrade a slum. These policies were firmly in place by the time the Delhi Master Plan was published in 2010. The state of Delhi made a determined commitment by creating the DUSID, an agency that on paper has significant powers to rehabilitate. Yet by 2015 this agency had made almost no progress, and there is as yet not a single case of a single slum being rehabilitated.

Not only has the policy reform failed, but it has in fact reproduced the very exclusion it is meant to address. To understand the mechanisms at work one has to unpack the specific processes through which slums are identified for upgrades and then actually rehabilitated. There is no single policy document or government order that clearly and comprehensively lays out what the due procedure for eviction and rehabilitation should be. But through a careful reading of Court judgments and government orders, it is possible to construct a basic template of specific, sequential steps.[[40]](#footnote-40) These are summarized in Table 3. Securing the rights of slum dwellers clearly involves a very long and complex chain. Any break in the chain would subvert those rights. To highlight just how liminal and vulnerable the process of claiming such rights is, I focus on step 3, namely determining the eligibility for relocation of individual households.

The problem begins with the criteria of eligibility, which are governed by “cut-off dates”. In order for a JJC household to be found eligible for a flat they have to prove that they resided at the JJC (an illegal settlement) prior to the ‘cut-off date’. But there are two issues here. First, the cut-off date has been a moving target. Every few years the government extends the date, especially when elections are imminent, and in the past few years it has moved from 2002, to 2007 to 2011. This last cut-off was set in February 2013, exposing the whole exercise as completely arbitrary. Second, as the cut-off date has moved, so has the documentary basis for proving residence. India has no reliable system of identification, but the most common form of ID is the voter card. From our fieldwork we know that voter cards are often distributed selectively. DUSIB required at the time of our research that slum residents submit voter cards from three different periods, in addition to a second and third form of identification (from a list of 11 types of “cards” that urban residents can posses). Making the process even more Kafkaesque, the government set a cut-off annual income to be proven through an Income Certificate issued by a local official, requiring in effect that illegal residents working almost exclusively in the informal sector get a government official to certify a non-certifiable fact. Adding a fine point to making the illegible legible, the applicant and their spouse were required to present themselves in person to the specially constituted Eligibility Determination Committee (EDS) which verifies the documentation by matching submitted photocopies to original documents. Gupta (2012) has carefully documented how the Indian bureaucratic state’s everyday practices subjugate the poor through the “production of arbitrariness.” In this case, the proliferation of classification criteria not only marks the poor but also generates an elaborate form of triage. With constantly moving “cut off” targets and a plethora of points of required data that themselves depend on a whole separate negotiated economy of accessing various government documents, the “right” to be rehabilitated is reduced to a lottery.

Keeping in mind that the whole point of this exercise is a “Slum free City” (by 2020 no less!) and that the targeted populations are inhabitants of illegal slums, the eligibility process has produced the following distributions. According to information on DUSIB’s website, as of July 2012, less than 2% of all JJ Colonies had been processed. The eligibility rate for these colonies was less than 50%, ranging from a high of 70% and a low of a colony in which only 1 applicant was found eligible. This low level of eligibility eventually produced political problems, and a meeting attended by the Chief Minister of the state of Delhi moved the cut-off date forward and abandoned the income cut-off, yet still only 45% of 8,000 applicants in the next round were found eligible.[[41]](#footnote-41) In sum, despite a new policy paradigm and clear legal directions to rehabilitate slums through a rights-based process, the practices of the state continue to arbitrarily deny jhuggi dwellers the most basic right of livelihood.

**Regularizing the Unauthorized**

The third process through which reformist interventions have the effect of reproducing exclusion is the regularization of unauthorized settlements.[[42]](#footnote-42) Unauthorized colonies exist in a liminal legal space: while they are not perceived as encroachemtns like JJCs, they are also not considered part of the ‘planned’ city. Given the obvious political weight of UCs (as much as 4 million voters) calls for regularization has become a familiar trope of the election cycle.

The most recent cycle of regularization was initiated in 2007 when the government of Delhi issued detailed new guidelines and called for applications. A total of 1639 unauthorised colonies applied for regularisation,[[43]](#footnote-43) submitting elaborate and detailed plans. The entire process has since been mired in legal ambiguity and conflicting government agency actions that have created no less than a regime of suspended rights. A careful review of all the relevant government orders reveals two major problems. First, it remains unclear who has been regularized and under what conditions. Since the process started in 2007 less than 1/5 (312) of colonies have been notified as “regularized” and 583 others have been certified as “eligible” but only on condition of having to pay the land-owning agencies on which they are located various “development charges.” There is however no agreement between Centre, State and Municipal agencies over what those charges should be. There is also still no explanation as to why 774 applications were apparently rejected.

Second, there is no clear determination of the relationship between regularization and actual service delivery. Court orders and the policy laid out in the Master Plan 2021 mandates that regularisation precede delivery of improved infrastructure services. But the State of Delhi (GNTCD) has issued orders empowering various agencies to start development works, including in some colonies recognized as eligible for regularization. A 2013 report by the Controller Auditor General – India’s highly respected independent government auditor – revealed that while the government had released funds for development in unauthorized colonies there was no reliable evidence of actual expenditures on the ground.[[44]](#footnote-44) The RWA president from A Block in Sangam Vihar, one of the 895 unauthorised colonies *regularised* in 2012, reported that no development works had taken place in the area since the September 2009 order.[[45]](#footnote-45) On the other hand, roads and drains were constructed in October and November 2013 in C, I, and J blocks of Sangam Vihar, colonies that did not appear on the list of 895 “regularized” UACs.

Third, it remains unclear how regularization actually translates into property titles for individuals. The Government’s orders on the registration of titles sets down different procedures depending on the types of land, including 4 different categories of public land. In all other cases, further steps have to be taken by the government to enable individuals to register their property.

On all three of these points – the conditions under which all UAs can be regularized, the extent to which regularization is associated with or followed up with actual service delivery, and the extent to which regularization allows residents to secure legal title to their property – the process of regularization remains very much in limbo, suspended by ongoing legal ambiguities, conflicting agency imperatives, poor data, lack of transparency and widespread cynicism on the ground. Just how performative, rather than substantive, years of regularization has become has only been underscored by recent media reports indicating that the newly formed Delhi Government of 2014 will start the regularisation process *afresh* in 1639 unauthorised colonies.[[46]](#footnote-46)

In this section we have reviewed a range of reformist interventions that have targeted core governance problems in the city, but in the process may very well have reinforced processes that systematically exclude citizens of Delhi. Resettlement colonies, though planned and under the direct regulatory control of the state, are transformed into new slums. Significant legislative and institutional investment in a policy for relocation and rehabilitation of JJCs has failed to produce substantive results. And the process of regularizing UAs has produced little discernible change in the material conditions of UAs.

**The Political-Institutional Field**

*If you keep a person hungry, then they will stay up, but if you give them food then they won’t. Political parties want to keep us occupied with water, ration and other issues* - - Resident Welfare Association member, Kusumpur Pahadi (JJC), September 25, 2014, in response to a question about why local development projects have made no progress.

I have argued that the urban field of exclusion operates through three related but distinct mechanisms. First, the process of planning, and in particular allocating land for housing development, has systematically excluded those who cannot afford access to the planned areas of the city. Second, this initial process of spatial exclusion has been reinforced by policies and practices that differentiate citizenship specifically by linking the scope and quality of service delivery to settlement types. In Delhi, JJCs, unauthorized colonies and resettlement colonies, which represent well over half the city are systematically under provisioned and their residents suffer from the most basic forms of capability deprivation – poor housing, inadequate water supply, high mobility costs and woefully bad sanitation. Third, because the city is a democratic polity, is must be responsive. State reforms have been a constant part of the life of the city, but the reforms invariably reproduce the very same mechanisms that drive exclusion. For residents of excluded settlements these reforms reaffirm a regime of suspended rights.

But what actually drives the field of exclusion? How can we explain its stability over time, and in particular the fact that it predates the post-1991 period of market liberalization? How has it persisted despite accelerated economic and demographic growth and why is it so robust even in the face of continuous contestation from below, a highly competitive electoral arena and fairly regular regime changes?

The answer to these questions lies in understanding the specificities of the political institutional field that constitutes not just Delhi, but all of India’s mega-cities. Any such analysis must start be recognizing that the city is in effect a rationed space. In a country that remains predominantly rural and structured by deep and ancient social cleavages, the urban space has been constituted primarily by ruling elites, both indigenous and colonial. Under the British, cities were explicitly and meticulously segregated to clearly demarcate the rulers from their subjects. This segregation carried on into the post-colonial period with the indigenous professional/state elites and emerging commercial/industrial elites establishing themselves as the privileged urban classes, comfortably ensconced in the planned colonies of the post-colonial city. Planning practices carefully rationed the urban space, preserving the planned city for those who qualified in income or occupational terms (higher-level government functionaries) and all but condemning the lower classes to marginality. But while this class-selection process helps explain the basic contours of the system of closure that defines the urban space in India, it provides little insight into the degree and scope of exclusions, the mechanisms at work and how urban policy has been so insulated from democratic pressures.

The problem of urban governance in India can not be read off simply from structural forces of class power because it also revolves around the intertwined issues of local sovereignty and citizenship. The Indian city does not constitute a governed space (at least not in the formal sense of the term) but rather a patchwork of overlapping jurisdictions, fractured lines of command, uneven and highly contested forms of authorization and porous legality. In a context of such fractured governance, citizenship is highly compromised and the economic and political life of the city is dominated by informal networks of power that thrive on rent-seeking. Indian cities in effect lack stateness, and drawing on Michael Mann’s (1986:6) distinction, distributive power prevails over collective power. The resulting problem of governance are manifest along two axes. First, state capacity, and in particular the capacity to coordinate complex functions is compromised by the misalignment of bureaucratic power and political authority. Secondly, participatory democracy is eviscerated by the weakness of local democratic institutions.

What makes Indian cities anomalous when compared to other democratic societies is that they enjoy very little devolved authoritative power. In practice, the basic functions of city governance are subject to a degree of external control that may well have no equivalent in any other consolidated democracy (Heller 2001). In contrast to the Brazilian and South African constitutions for example, the Indian constitution never specifically recognized local government in India as a third sphere of government. The 74th constitutional amendment passed in 1992 was designed to devolve power and authority to the municipal level, but its effects have been hollowed out by resistance from political and bureaucratic interests entrenched at the state and national levels.[[47]](#footnote-47) As a result, Indian cities are still largely governed by extra-local powers. Spatial and jurisdictional scales are mismatched. The site at which power is exercised is not, in other words, aligned with the site at which power is authorized.

Extra-local control begins at the executive level. Indian cities are headed by a Municipal Commissioner from the Indian Administrative Service who is appointed by the Provincial State’s Chief Minister. Though cities have control over some municipal functions, the agencies that manage critical functions such as economic policy, housing, land policy, rail transport, policing and slum redevelopment are State or Centre bureaucracies. Most notably, land development is a State subject, and as a result, almost all critical planning functions are controlled by State-level development authorities. Delhi is somewhat of an exception since the boundaries of the city and the State are practically coterminous, but nonetheless distinct bodies. But whatever closer coordination might result from this comparatively fortuitous alignment is cancelled out the by the exaggerated weight of the Centre in the city’s affairs. Most notably, the DDA, city’s most powerful agency, answers to the Ministry of Urban Development in the Central government and is presided over by a Central government appointee.

Resistance to the 74th Constitutional Amendment has come from State governments reluctant to devolve power and resources (including significant rents) to a lower tier of government. But the Centre itself has been complicit in defanging decentralization by bringing a range of sectoral activities marked for devolution (e.g. land development, slum improvement and drinking water) under the control of parastatals run by the State. As Benjamin and Bhuwaneswari (2006) document in detail, the parastatalization of municipal functions has exasperated the fragmentation of governance capacity, further distanced state planning and delivery from control of elected representatives and increased the direct influence of business elites. Most recently, the Centre’s ambitious new scheme to significantly step up investment in cities and promote governance reform has only made cities more dependent. Though the JNNURM scheme requires cities to introduce new governance measures (including comprehensive urban plans based on citizen participation) in order to secure transfers the lure of Centre monies has simply incentivized local officials to mechanically propose favored project-driven investments in infrastructure that were completely disconnected from any city-level planning or inputs (Sivaramakrishnan 2012).

Overall, the hodgepodge of line bureaucracies and executive bodies that answer to the State and Centre and municipal departments that have their own lines of command, creates three fundamental problems of governance: bureaucratic involution, institutional arbitrage and perverse political incentives. Taken together, these produce systemic coordination failures.

Because the bureaucracies that operate at the level of the city answer to different levels of authority (municipal, state and centre) there is little scope for horizontal coordination. One planning scholar has concluded that Indian cities simply cannot be planned (Roy, 2009). The Delhi Master Plan 2021 which was produced only after years of delay driven by continuous conflict between municipal, State and central authorities, has been described by a central government review panel (the National Institute of Urban Affairs) as a “compendium of concessions and amendments rather than a lucid and tenable road map for the future development of the capital of India” (NIUA, 2007:i).[[48]](#footnote-48) In the absence of horizontal coordination, bureaucratic agencies operate as silos. This not only accentuates organizational impulses to hoard opportunities and resources, but also fuels endemic bureaucratic turf wars. This is highlighted by all three of the reform failures described above. Resettlement Colonies are never provided public services because the DDA (Centre) does not coordinate with the DJB (state) and Municipal departments. The rehabilitation of slums has been stymied by the fact that the responsible agency (the state-level DUSIB) has no authority over the central government agencies that control 70% of the land on which slums are located. And the extension of services to unauthorized colonies has been arrested by conflicting imperatives of authorities at different levels and the demand by land owning agencies to receive compensation. As Baviskar notes, in this “jurisdictional twilight zone” of fractured lines of command, “the buck can be passed to a bewildering number of authorities and no action taken” (2003:93). With limited room for maneuver or innovation, the default strategy of bureaucratic agencies, as organization theorists might anticipate, is to invest in the “myths and ceremony” (Mayer and Rowan 1977) of institutional legitimacy and survival. The production of bureaucratic arbitrariness that doomed DUSIDs efforts to identify slum dwellers eligible for rehabilitation is a case in point.

Institutional arbitrage refers to the process by which actors exploit gaps and slippages in the flow of institutional power to secure rents or privileges. A wide range of actors and organized interests insert themselves into the spaces where power and authority are misaligned. The processes through which these interests engage with the state are typically at least in part informal, and mediated by a range of politicians, assorted brokers and criminal networks, constituting what Jeffrey labels an “informal economy of state practices” (2009). The misalignments of institutional power and political authorization that results from the city’s lack of political sovereignty are, in other words, fertile grounds for brokerage. As Tilly has argued, brokers mediate between two organizations or populations and secure their livelihoods by ensuring that boundary transactions pass through them instead of knitting together complementary functions across the boundary (1998: 61). Both elites and subalterns strive to exploit these gaps. As we have seen, bureaucrats, representatives and entrepreneurs are deeply invested in a wide range of rent-seeking activities, from land speculation (Weinstein 2008) to the privatization of services (the Tanker Mafia) and the extraction of fees from excluded settlements. The subaltern, through what has variously been described as “patient politics” (Apparudari 2002), “the politics of the governed” (Chatterjee 2004) or “occupancy urbanism” (Benjamin 2008) leverage their electoral clout to negotiate for services or exploit weaknesses in the state’s disciplinary capacity to encroach on land or build para-systems of delivery. The field in other words in contested, its boundaries continuously tested, but in the end still represents a highly skewed distribution of power.

The problem of perverse political incentives also flows directly from the decoupling of institutional power and political authority. First, state-level politicians (or in the case of Delhi, centre politicians) extract rents from the city to support activities at other levels. Cities in India have served more as sources of rents and votebanks for state-level politicians than as bases of power in their own right.[[49]](#footnote-49) This more than anything else explains the long-standing underinvestment of public resources in urban areas compared to rural areas (Varshney 1995). Second, because local politicians can’t shape local policy or get the bureaucracy to respond as an institution, but must nonetheless get re-elected, they have little choice but to distribute patronage. As Bates (1981) has famously argued, if one can’t deliver pubic goods to one’s constituency, then selective distribution becomes the default. In Delhi, the institutional failure to deliver piped water to excluded settlements has opened a space for MLAs to exert considerable influence on the daily delivery of tanker trucks. The fact that tanker trucks are allocated to slums largely on the basis of individual MLA influence, and not a coherent strategy for providing the urban poor with water, speaks to the triumph of distributive power over collective power. This noxious combination of institutional involution and patronage politics produces a stable, but low-level equilibrium.

Finally, the misalignment of bureaucratic power and democratic authorization undermines the possibilities for effective participation in Indian cities. As we have seen, the institutional surface area of the local state is very limited and most urban dwellers have few, if any, avenues through which to exercise their rights. In Delhi’s excluded colonies residents make demands for services, not on the strength of their rights, but through brokers and patronage politicians. And even when government reforms are officially predicated on developing a close working relationship with communities – as in the case of rehabilitation of slums and regularization of UCs – the heavy-handed and arbitrary nature of bureaucratic practices leaves no room for citizen engagement. These state practices, coupled with citizens’ dependence on vertically organized brokerage, help explain one of the great puzzles of Indian urban politics, namely the absence of urban social movements organized around consumption struggles.[[50]](#footnote-50)

**Conclusion**

The Indian city has always been a contested site. A strong case can be made that India’s accelerated integration into the global economy since the 1990s has accentuated the terms of contention by in particular pushing land prices up (Ghertner 2015). There is also little doubt that various fractions of the upper middle class have been especially effective in staking their claim on the city. But the patterns of inequality that characterize the Indian city can hardly be deduced from the logic of neo-liberal globalization or middle class action. As I have shown Delhi’s specific pattern of socio-spatial exclusion is more the effect of a field governed by specific modalities of state intervention than a regime dictated by class power or structural forces.

This field of exclusion has been constituted and reproduced through three intertwining processes. First, the process of planning, and in particular land development and public housing, has systematically excluded the poor and the lower-middle class from the planned city. This has in turn induced the proliferation of unplanned settlements that exist in a legal and policy netherworld. Second, this initial process of spatial exclusion has been reinforced by policies and practices that differentiate citizenship specifically by linking the scope and quality of service delivery to settlement types. In Delhi, JJCs, unauthorized colonies and resettlement colonies, which represent well over half the city, are systematically under provisioned. As a result their residents suffer from the most basic forms of capability deprivation – poor housing, inadequate water supply, high mobility costs and woefully bad sanitation. Third, because the city is a democratic polity, is must be responsive. Urban reforms aimed at regularizing and rehabilitating have been a constant part of the life of the city, but the reforms invariably reproduce the very same mechanisms that drive exclusion. For residents of excluded settlements these reforms reaffirm a regime of suspended rights.

This field of exclusion has been built on the foundations of deep social cleavages and is in many ways dynamically articulated with global forces. The Delhi Development Authority’s increasing preoccupation with maximizing returns to land (officially “unlocking land values”) is a case in point. But more than anything else the contours of this field are politically and institutionally constituted. The fractured nature of governance, the misalignment of bureaucratic power and political authorization and severe deficits in participatory democracy shape the terms of the contest through which elites generate rents and enjoy entitlements while the urban poor negotiate for second-best services.

**Table 1: Type of settlement and population in New Delhi**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | Type of settlement | Population in millions (2006) | Percentage | Legality | Individual Water Supply |
| 1 | Jhuggi Jhopri Clusters (JJC) | 2.448 | 14.8% | Illegal and unplanned | No right |
| 2 | Slum Designated Areas | 3.148 | 19.1% | Legal but unplanned | Right, but restricted for technical reasons |
| 3 | Unauthorized colonies | 0.874 | 5.3% | Illegal, unplanned but secure | No right |
| 4 | Resettlement colonies | 2.099 | 12.72% | Legal, planned, and informalized | Right not delivered |
| 5 | Rural village | 0.874 | 5.3% | Zone of exception | Exempt |
| 6 | Regularized – unauthorized colonies | 2.099 | 12.72% | Legal but unplanned | Good |
| 7 | Urban villages | 1.049 | 6.35% | Zone of exception | Good |
| 8 | Planned colonies | 3.909 | 23.7% | Legal and Planned | Good |
| 10 | Total Population | 16.5 | 100.00% |  |  |

Source: Delhi Development Report 2008, Column 3 adapted from Bhan (2011), and Column 4 adapted from Maria (2008).

**Table 2: Basic Characteristics of Selected Case Studies**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Settlement Type | Settlement name | Estimated size in households\* | Date of foundation | Location# |
|  Jhuggi Jhopri Clusters (JJC) | Anantram Dairy Harijan Basti | 311  | 1972 | Core |
|  | Baljeet Nagar-F block | 511 | 1970s | Semi-periphery |
|  | Indira Kalyan Vihar | 5-6,000  | 1970s | Semi-periphery |
|  | Kusumpur Pahari | 4220  | 1974 | Semi-core |
|  | Sanjay Camp | 4,250 | 1992 | Core |
|  | Jai Hind | 1,000-1,200  | Late 1990s | Semi-core |
| Resettlement Colonies | Savda Ghevra | 10,000 | 2005 | Periphery |
|  | Mongolpuri | 28,000 | 1975 | Semi-core |
|  | Madanpur Khader | 15,000 | 2000 | Semi-core |
| Unauthorized Colony | Sangam ViharB BlockK BlockJ Block | 200,000 | 1979 | Semi-periphery |

\* Estimate based on compilation of figures reported by officials and residents

# “Core” refers to the center of city as identified in first Delhi Master Plan 1962. “Semi-core” refers to areas immediately adjacent to “planned colonies”. Semi-periphery refers to areas outside core and not adjacent to planned colonies. Periphery is at the outer boundaries of the city, 20-30 kms from the city center.

**Table 3: Water and Sanitation in Selected Case Studies**

|  |  |  |  |
| --- | --- | --- | --- |
| Settlement Type | Settlement name | Water | Sanitation |
| JJC | Anantram Dairy Harijan Basti | Consistent supply from tanker trucks | Well maintained CTC\* |
|  | Baljeet Nagar-F block | Inconsistent tanker trucks and private purchase# | Pit latrines and open defecation |
|  | Indira Kalyan Vihar | Private and some public borewells | Pit latrines, open defecation |
|  | KusumpurPahari | Consistent supply from tankers trucks | Pit latrines, open defecation |
|  | Sanjay Camp | Tanker trucks and community borewells | CTC and open defecation |
|  | Jai Hind Camp | Inconsistent tanker trucks and private trucks | CTC and open defecation |
| Resettlement Colonies | Savda Ghevra | Inconsistent tanker trucks | Pit latrines, CTC, open defecation |
|  | Mangolpuri | Piped supply for past 20-years | Toilettes connected to sewage for past 20 years, CTC |
|  | MadanpurKhader | Private bore-wells, private tankers, private purchase | Pit latrines, CTC |
| Unauthorized Colony | Sangam ViharK BlockJ Block | Private borewells | Pit latrines |

\* Community Toilette Complex

# water bought in portable containers

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1. This paper is based on a research project, *Cities of Delhi*, conducted with the Centre for Policy Research in Delhi. I am especially grateful to Partha Mukhopadhay, who co-directed the project with me, and Shahana Sheik and Subhadra Banda who managed the project and conducted much of the field work. Ben Mandelkern, Ram Pravesh Shahi, Bijendra Jha and Sonal Sharma also made vital contributions. All project reports are available at <http://citiesofdelhi.cprindia.org/>. Though this paper draws on these reports, I take full responsibility for the interpretations presented in this paper. The financial support of CPR and the Brown India Initiative at Brown University are gratefully acknowledged. I am also grateful to Michael Walton, Gayatri Singh, Siddarth Swaminathan, Ashutosh Varshney, Devesh Kapur, Atul Kohli, Christopher Jaffrelot and Nitsan Chorev for their ideas and feedback. [↑](#footnote-ref-1)
2. The urbanization rate in India has lagged other developing countries, but has picked up in the past two decades. From 1990 to 2010 the level of urbanization grew from 25.5% to 30.0% and is estimated to reach 39.7% or 590 million by 2030 (UN, 2013:170). [↑](#footnote-ref-2)
3. Middle class is defined as more than $10 at day in PPP terms. [↑](#footnote-ref-3)
4. The wage data is from the 61st round of the NSS (Bhan, 2009:146). Hashim finds that there has been a marked de-acceleration of urban poverty reduction in the 1993-94 to 2004-5 period compared to the previous two decades (Hashim 2009, 10). Delhi’s HDI fell from 0.783 to 0.75 from 1999 to 2008 at a time when the national HDI improved significantly (Planning Commission 2013:310). [↑](#footnote-ref-4)
5. An influential government report on service delivery concludes that “… if the state of urban service delivery is any criterion, the high degree of ‘urban service deprivation’ would suggest that ‘poverty’ does not fully reflect the poor state of affairs in urban India” (Report on Indian Urban Infrastructure and Services (2011: 17). [↑](#footnote-ref-5)
6. There is a large qualitative literature that points to increasing spatial segregation, but little quantitative data. For notable exceptions, see Singh and Vithiyathil (2011), Singh (2014) Sidhwani (2015) and Bertorelli et al. (2014). [↑](#footnote-ref-6)
7. Gooptu (2010) provides a direct application of this argument to Indian cities. For an extended critique see Ghertner (2014). [↑](#footnote-ref-7)
8. There are important exceptions here, beginning with Sassen (1991) whose classic work identifies global forces but brings them into relief through extended case studies of three different global cities. In part, it is clear that the relative dearth of comparative work on cities and the dominance of single case studies or general theoretical overviews has tipped the explanatory balance in favor structural explanations. [↑](#footnote-ref-8)
9. Thus Brenner and Theodore, having pointed to the important of contextual factors nonetheless go on to argue that “we have every reason to anticipate the crystallization of still leaner and meaner urban geographies in which cities engage aggressively in mutually destructive place-marketing policies, in which transnational capital is permitted to opt out from supporting local social reproduction, and in which the power of urban citizens to influence the basic conditions of their everyday lives is increasingly undermined.” (Brenner and Theodore, 2002b:376). [↑](#footnote-ref-9)
10. For a careful comparison of India and China, see Bardhan (2010) and Weinstein and Ren (2009). Heller develops the India comparison with Brazil (forthcoming). [↑](#footnote-ref-10)
11. See CoD report, *The Delhi Development Authority,* http://citiesofdelhi.cprindia.org/reports/dda/ [↑](#footnote-ref-11)
12. Of the 10 cities he examines, Sidhwani finds that the highest level of segregation of Dalits is 0.350 (2015:61), which pales in comparison to the 0.70 range of black segregation that is common in US cities and the 0.85 that prevails in South Africa. [↑](#footnote-ref-12)
13. Singh (2014:124) does find that being Muslim leads to lower access to piped water in Delhi. However, the interaction effect of religions and migrant status has not effect. This suggests that those Muslims who have lower water provisioning are those living in Delhi’s older Muslim ghettoes. [↑](#footnote-ref-13)
14. Zimmer (2010) notes that numbers could be high because residents might have an interest in inflating the figures, but could also be low because this is only those asking for regularization. [↑](#footnote-ref-14)
15. Public communications of the Government of the National Capital Territory of Delhi (GNCTD) prior to Delhi Elections 2013 and various media reports quoting the GNCTD. [↑](#footnote-ref-15)
16. As the agency notes in reporting this figure, “It may be clarified here that no authentic door-to-door survey to ascertain the slum population has been conducted by the Dept. These are just the projected figures of population based on purely rough assessment”(DUBSIB website, accessed May 2, 2013). [↑](#footnote-ref-16)
17. A Slum, for the purpose of Census, is defined “as residential areas where dwellings are unfit for human habitation by reasons of dilapidation, overcrowding, faulty arrangements and design of such buildings, narrowness or faulty arrangement of street, lack of ventilation, light, or sanitation facilities or any combination of these factors which are detrimental to the safety and health.” [↑](#footnote-ref-17)
18. In Almitra Patel vs. Union of India, the Court equated slumdwellers with pickpockets and a series of other rulings in the early 2000 challenged the citizenship of “encroachers” ruling the government had no obligation to provide them services (Bhan, 2009; Ramanathan, 2006). [↑](#footnote-ref-18)
19. The Delhi Jal Board Act specifically states that the Board is not required “to provide water supply to any premises which have been constructed in contravention of any law” (Section 9, (1), (a), DJB Act, 1998). The Delhi Mater Plan 2021, speaking of unauthorized colonies, also notes that “as per instructions of the Hon’ble High Court, sewer facilities cannot be provided in these colonies” (282). [↑](#footnote-ref-19)
20. The Delhi Jal Board for instance has adopted a policy of delivering water to JJC’s on “humanitarian” grounds. [↑](#footnote-ref-20)
21. DJB Website, compilation updated on 28 January 2014 and http://indiatoday.intoday.in/story/borewells-suck-delhi-future-dry/1/370283.html [↑](#footnote-ref-21)
22. Based on data from the Demographic Health Survey in 130 countries, Spears found that poor sanitation is more correlated with stunting in urban than rural areas (cited in Hawkins et al. 2013:3). [↑](#footnote-ref-22)
23. Appardurai (2002) has shown how the “politics of shit” animates both demands for recognition and material improvement in mobilized slums of Mumbai. [↑](#footnote-ref-23)
24. We attended a number of community meetings that the pradhan presided over and all or our other interviews confirmed his standing in the community. [↑](#footnote-ref-24)
25. A day spent in his constituency office revealed that he has no fewer than 6 assistants to help him in dealing on a daily basis with constituent demands. [↑](#footnote-ref-25)
26. In an interview, the MLA claimed that he has secured 500 to 600 hundred jobs in the NDMC area noting “that it is easy to get employment for people in the NDMC because NDMC is corrupt.” [↑](#footnote-ref-26)
27. The Gujars are a “dominant caste” in the classic sense of Srinivas’s designation of castes that because of their numbers and economic position exert disproportionate political and social authority in a local community. That Srinivas’ classification was based on rural structures and control of land, whereas land is not the basis of power in Anantaram, underscores the durability and transmutability of categorical inequality (Tilly 2002). [↑](#footnote-ref-27)
28. The Aam Admi Party, which had run on a platform of providing water as a right, was able to form a coalition government in 2013, but lasted in power only a month. [↑](#footnote-ref-28)
29. Interview with MLA of Sangam Vihar Assembly Constituency, May 10, 2013. [↑](#footnote-ref-29)
30. “mafia log hain; dabang log hain who aur apnee hee chalwate hain” [↑](#footnote-ref-30)
31. Letter dated January 30, 1987, from Kishan Chand Bainwal, Member of the Standing Committee, Municipal Corporation of Delhi, to Dalbir Singh, Minister of State for Urban development, Nirman Bhavan, New Delhi. [↑](#footnote-ref-31)
32. Interview with MLA of Sangam Vihar Assembly Constituency, May 10, 2013. [↑](#footnote-ref-32)
33. For an extended case study of how a large, centrally located slum in Mumbai has successfully resisted efforts by a coalition of developers and politicians to “re-develop” the slum, see Weinstein (2014). [↑](#footnote-ref-33)
34. Bhan (2013) makes this argument for Delhi. For an extended account of how a planned resettlement colony in Mumbai has been “informalized” and transformed into a slum, see Björkman (2013). [↑](#footnote-ref-34)
35. The exception was Mongolpuri which over the past decade has received sewage and piped water. Mongolpuri is from the first wave of RCs and was founded over 40 years ago. It has long been a bastion of Congress Party support and is also centrally located. [↑](#footnote-ref-35)
36. In Madanpur Khader, which is located in vicinity of a large hospital, an open space has been converted into a business that recycles medical waste. Barefoot children wade through heaps of refuse picking out recyclables. Nearby households complain that that the waste collects in their drainage pipe. [↑](#footnote-ref-36)
37. In all 14 of our selected cases we registered consistent complaints of various forms of state predation, most commonly for construction. This finding also finds support in survey work done in Delhi (Jha, Rao and Woolcock, 2007). [↑](#footnote-ref-37)
38. Ministry of Housing & Urban Poverty Alleviation, RAY Community Participation Guidelines, Preamble. [↑](#footnote-ref-38)
39. Press Information Bureau, Government of India, Ministry of Housing and Urban Poverty Alleviation, 2nd June 2011. [↑](#footnote-ref-39)
40. I am particularly grateful to Subhadra Banda and Shahana Sheik for this work. See the COD report, “The Case of Sonia Gandhi Camp.” [↑](#footnote-ref-40)
41. Minutes of the Ninth Board Meeting DUSIB, August 16, 2013. [↑](#footnote-ref-41)
42. For a detailed analysis of the regularization process, see the CoD report “The Thin Line between Legitimate and Illegal” [↑](#footnote-ref-42)
43. List downloaded from: <http://ud.delhigovt.nic.in/1639%20UC%20LIST.pdf> (Downloaded on 30th September 2013) [↑](#footnote-ref-43)
44. Ambika Pandit, "City colonies regularized only on paper: CAG report," The Times of India, August 11, 2013. (Available at: http://articles.timesofindia.indiatimes.com/2013-08-11/delhi/41294303\_1\_895-colonies-regularization-prcs; accessed on August 13, 2013)  [↑](#footnote-ref-44)
45. Interview with President, RWA, A Block, Sangam Vihar on 5th August 2013. [↑](#footnote-ref-45)
46. Naziya Alvi Rahman, "Future uncertain for illegal colonies," The Times of India, January 11, 2014. (Available at: http://articles.timesofindia.indiatimes.com/2014-01-11/delhi/46089710\_1\_895-colonies-regularization-draft-report; accessed on January 11, 2014).  [↑](#footnote-ref-46)
47. This view is a matter of consensus among all observers of urban India, including KC Sivaramakrishnan (2012), a key architect of the Amendment. [↑](#footnote-ref-47)
48. The failure of urban planning is so endemic that in Mumbai the city’s only respected planning document was generated by a consortia of businesses and the international consultants of Mckinsey (Chattaraj 2012). [↑](#footnote-ref-48)
49. It is notable that the one Indian political party that has been the most proactive in devolving power to rural Panchayats – the CPM in West Bengal and Kerala – has been far less willing to grant cities more autonomy. [↑](#footnote-ref-49)
50. This urban quiescence stands in marked contrast to increasing signs of rural mobilization. Levien (2012) has documented the high incidence of land struggles as farmers resist dispossession by both state and corporate entities; Agarwala (2013) has shown how women workers in the informal sectors have successfully made demands on the state; Sanyal (2014) documents pockets of increasing associational and political capacity of low caste and poor Muslim women in rural India. [↑](#footnote-ref-50)