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Parallel session 3A-1.2

**(II)legality and urban development**

Tuesday 12 November, 14.00 – 15.30

IAS Room 11

Chair/discussant: **Dr Balakrishnan Rajagopal**, Associate Professor of Law and Development, Massachusetts Institute of Technology

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**Disaster victims as urban producers: space, justice and heritage in post-disaster  
Concepcion, Chile**

Dr Ricardo Fuentealba, PhD candidate, University of Amsterdam

In this paper, I show how the result of the judicial trial – as well as the development of community-based networks – are giving disaster victims the power to reshape urban spaces in Chile following the collapse of the Alto Rio in Concepcion.

The 8.8 earthquake that occurred on the 27th of February 2010 in Chile (the ‘27F’) represented a critical moment in the country’s ongoing urbanisation process. A critical image from that event was the crumbling of the Alto Rio, a 15-storey privately developed building in the city of Concepcion. In the aftermath of what they experienced, the surviving victims spent years in a judicial trial to find those responsible for the collapsed construction. The trial found that the real estate and construction companies were to blame for what occurred, and mandated a compensation of CLP\$1800 million to the victims. Declaring bankruptcy, the guilty party developed compensation consisting of the urban plots where the Alto Rio building was situated. While these land plots are still in the process of being transferred, there are emerging debates over how to develop them. More than eight years after the 27F, the victims of one of the most tragic stories of this disaster see an opportunity to give something back to the city and reshape its future.

Based on interviews and participant observation in community meetings, in this paper I explore the different practices and discourses around the projects to develop this urban plot. In these debates, there are urban development projects that involve critical risk-reduction issues regarding both structural measures, as well as education about urban risks. These involve discourses that not only disrupt ‘official accounts’ of the 27F event in particular, but also involve a reflection about the historical heritage of the city and its experience of seismic events. Ultimately, their urban-making practices as disaster victims are delivering a more inclusive and resilient city.

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## **Defending the public interest: Exploring the judicial processes of contested urban planning practices in London and in Istanbul**

Ayşe Gümeç Karamuk, PhD candidate, Department of Geography, UCL

In the context of contested urban development projects, law can be a source for city dwellers to combat the negative outcomes resulting from spatial arrangements pursued by authorities, when other participatory political ways for opposition have become less effective or are totally absent (Holston 2008, Azuela et al 2015). On the other hand, it could also be an instrument of power for authorities to advance revanchist neoliberal policies in the urban space (Bhan 2016). Examining law as an aspect of the space and the urban could shed light on different power axes and resistance practices, and its role in shaping the political. This paper observes urban regeneration projects contested by professional occupational chambers in Istanbul and by neighbourhood communities in London in the courts of law. Learning from these cases could shed light on the strategic use of knowledge and information in the legal form by various actors, which might also substantiate the claim for rights and public interest and therefore resistance (Holston 2007, Valverde 2003). Looking at how neoliberal capitalism plays out in different planning systems and how “legal complexes” (Rose/Valverde 1998) (legal systems, discourse, techniques, strategies used by the actors and institutions involved) shapes resistance, political engagement, but also legitimisation of urban projects by actors and institutions that intend to realise those, the paper aims to elucidate a shared spatiality of the urban, as an effort motivated by the latest research pursuing the aim of making urban studies “more global” (Robinson 2015).

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## **Conjuring property through the agrarian state**

Dr Thomas Cowan, Researcher, Department of Social Anthropology, University of Bergen

Since the mid-2000s the Indian government has embarked on a variety of land governance reforms with the express intention of bypassing the country’s notoriously “porous” bureaucracy (Benjamin 2000), introducing nonhuman governance actors, and implementing conclusive titling systems that will unlock the economic potential of peri-urban land across the country. Digital land titling systems are intended to enable the transformation of complex and seemingly turgid land parcels into globally legible and fungible commodities, easily seen, consolidated and traded on global markets, and form a vital part of land consolidation on India's urban frontiers. This paper draws from ethnographic fieldwork in the offices of the Haryana Revenue Department responsible for implementing land governance reforms in peri-urban Gurgaon. Focusing on the execution of digitised land boundary surveys, the paper examines the practices of agrarian state bureaucrats as they navigate gaps and disjunctures between cadastral records, digital representations of land and land’s concrete uses. Exploring the social and material fluidity of land boundary surveyance, the paper explores the ways in which the abstraction of land in property is filtered through unstable and duplicitous bureaucratic practices, which often uphold multiple truths, aligning with conflicting interests embedded within the state bureaucracy. In doing so, the paper argues that to understand private property regimes that underpin peri-urban frontiers in India requires more than simply a reading of the institutional frameworks that give these projects their legal authority. Exploring the flexible practices of state bureaucrats as they work with multiple, conflicting representations and realities of

land reveals the ways in which property is socially produced, contested and secured. Doing so redresses rather hubristic claims espoused by some that private property formation is a naturally occurring source of individual liberty and economic efficiency, and equally those tendencies within critical geographical scholarship which view private property regimes as always already having enacted violence and dispossession upon a silent and despairing population. A focus on the material life of property regimes as they are enacted within the state bureaucracy unpacks what Matthew Hull (2012) refers to as the “vulnerability of abstraction to materiality”, revealing the uncertain and decidedly social processes of crafting property from peri-urban land.

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### **Land traffickers and the fertile spaces of legality in Lima**

Dr Rita Lambert, Teaching Fellow, The Bartlett Development Planning Unit, UCL

In many Latin American cities, land trafficking is by far one of the most significant processes claiming high-risk zones, archaeological and ecological protection sites, as well peasant community land that by definition is “intangible, indivisible and imprescriptible” and therefore non-urbanisable. Land trafficking refers to the illegal appropriation, subdivision and selling of land. This paper focuses on the context of Lima, where this phenomenon is operating at an unprecedented scale and rate and is largely responsible for the urbanisation of steep desert slopes at the margins of the metropolitan area. Although the urbanisation of the peripheral slopes of Lima is often referred to in official discourse and the media as an isolated informal/illegal process driven by the urban poor, it is constituted through the practices of a variety of actors and through a close engagement with planning laws and regulations. This paper unravels the networks that sustain the activities of large-scale land traffickers or mafias. It examines how these occupy the fertile grounds that are paradoxically created by the planning system to control invasions.