

Pakistan: Dispossessing the poor

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The matter of Islamabad’s khokhas, dismissed by the Islamabad High Court, is now fighting to be heard in the Supreme Court. Much has been made of the ‘rule of law’ and ‘master plans’ – but we must question the very premise of these arguments and engage lawmakers, jurists, and public opinion at large.

Let’s start with Islamabad, the ‘beautiful’. It was ‘beautiful’ because it deliberately excluded poor labourers who built the new city. The result was precariously built labour camps and persistent administrative failures in trying to remove them. Years after he left, the master planner — Doxiadis himself — reflected: “There is only one way to avoid this danger, and that is to follow the natural process of first building for the builders, who will then build the city...”

Many demolition drives have since taken place. However, after lives were lost in such drives and political pressure ratcheted up, the Capital Development Authority (CDA) changed tactics and regularised some settlements. After all, there is nothing wrong with regularising non-compliant urban activity. We know that Islamabad’s master plan was deliberately exclusionary. Just as Doxiadis intentionally refused to house the very labourers that built Islamabad, successive political and bureaucratic administrations consciously excluded working class and poor citizens from their plans for the city.

We must forsake our fixation with old documents that have no connection with ground realities today. Master plans are not meant to stay static across decades. They are guiding principles, that are only useful if they transform to reflect changing economic, social, and political realities. By zealously misunderstanding our own master plans, we have destroyed thousands of small, informal businesses in cities all over Pakistan. We have used compliance, safety, traffic, or infrastructure as excuses to leave tens of thousands of Pakistanis without food on the table, and in many cases, without a roof over their heads. And yet many cities have shown us that these arguments are just not valid.

Should ‘khokha’ owners wait to become prime minister before the state stops persecuting them?

Think of the world’s ‘global cities’: New York City’s hundreds of food trucks, or smaller food carts in Beijing. Or Bangkok’s vibrant street life, brimming with regulated food vendors who keep the city running. Small food vendors — each city’s cultural equivalents of our khokhas — are vital to the urban experience in cities from Delhi to Bangkok, and from Lima (Peru) to New York City. They generate jobs and economic activity, keep people fed, and lend life to the streets. Recognizing their role, a growing number of cities have included them in their visions, policies, and plans. In Islamabad, khokhas perform equally important functions, enabling thousands of poor labourers to have low-cost meals and water, some shade, and a vibrant social network.

And then, what alternative opportunities has the state afforded to khokha owners who it seeks to displace? Like Islamabad, a plain reading of master planning in any city would reveal stories of

deliberate exclusion. What exactly is the state's argument in dispossessing its poorest citizens, and forbidding them from making an honest living when other opportunities are simply nonexistent?

Look at how we deal with other 'violators'. The Supreme Court allowed Bahria Town to continue its projects in Karachi after accepting over Rs460 billion for previous violations. The prime minister's residence was in violation of the same master plan that khokha owners must adhere to. Four CDA sectors were allocated to various military institutions in the 1960s — and at least two of them were intended to serve as public parks for Islamabad's residents. Part of the Khayaban-i-Suhrawardy was sealed off for years until the judiciary's persistence finally forced one side open. And the next time honourable justices are driven to their residences from the Supreme Court, perhaps they'll notice the acres of parking — on prime land — along Aga Khan Road.

If fines, institutional prestige, and security concerns are valid reasons to accommodate violations of archaic master plans, why not survival of poor citizens? Should khokha owners and slum dwellers wait to become prime ministers before the state stops persecuting them for their activities? Should they grab even more land and start elite private societies before the state settles with them? Are only five-star hotels, elite private societies, and state institutions eligible for relaxation and special offers? Since there is so much clamour around the term, is this what 'rule of law' really means?

This also raises bigger questions of authority, accountability, and the democratisation of urban development. A bureaucratic CDA has, for decades, ignored and punished the poor of Islamabad. In contrast, the elected Municipal Corporation of Islamabad voted to allow many of Islamabad's khokhas, after which CDA renewed their permits. Who should decide for Islamabad, if not the city's own elected representatives? Are those permits — issued against considerations of tens of thousands in fees — not contracts that the government must also abide by?

Perhaps one could argue that the permits were illegal in the first place. But did khokha owners issue their own permits? Where are the government officials we have prosecuted for taking those illegal decisions? Why must punishment start from the bottom rung of an already-lopsided ladder?

Planning can be useful if it is social, and for that it must be inclusive and democratic. It must make the worst-off better, and account for their voices in doing so. Unfortunately, it has been exactly the opposite — 'anti-encroachment' orders by various courts have been implemented in disproportionately 'anti-poor' ways across the country, while the rich and powerful have continued to romp around with impunity. Can we look to the Supreme Court to finally set a pro-poor precedent for more just and inclusive cities? Or will we continue to rely on planning instruments to legitimise structural violence against the poor?

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