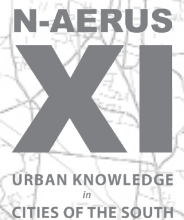


The 'Right to the City': from Paris 1968 to Rio 2010

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Abstract

In the last decade, the *right to the city* has evolved as a powerful rallying cry in the struggle against the exclusionary processes of globalization and the commodification of urban space, and in conflicts over who has claim to the city and what kind of city it should be. Drawing on the work of Henri Lefebvre the vision of the *right to the city* has inspired a global social movement, legislative reform in Latin America, and international debates (eg: at WUF5 in Rio). Nevertheless, its content remains elusive and implementation is fraught with challenges. This paper critically examines the *right to the city debate*, and argues for a redefinition of the role of the local state and social actors in implementing the rights-based agenda that the *right to city* entails.

Introduction

In the last decade, the *right to the city* has evolved as a powerful rallying cry in the call for social action and struggle against the exclusionary processes of globalization, a banner which has unified a global struggle to roll back the commodification and privatization of urban space, and sparked conflicts over who has claim to the city and what kind of city it should be.

Since riots in Paris 1968, which adopted the banner of the *right to the city* based on the work of French sociologist, Henri Lefebvre, the ideal has inspired a powerful global social movement, fundamental legislative reform in Latin America, and a myriad of local struggles. Multilateral agencies and international coalitions are also now exploring the potential of the *right to the city* to break the cycle of urban poverty.

Yet despite popular acclaim, the content of a *right to the city* remains elusive and its implementation fraught with challenges. Critical problems of interpretation remain—rights for whom, what rights and how can they be implemented in apparent opposition to the powerful, global economic paradigm? The problems of definition and realization are immense.

This paper contributes to the debate, focusing first on the genesis of the idea, emerging themes in academia, and the increasing social exclusion of legitimate social actors amongst the urban poor, before examining the contribution of global and local social movements and initiatives to implement the *right to the city* in national and urban policy. Finally the paper argues that in the dialectic between social movements, NGOs and the economic state so far identified, the relationship between urban governments and social actors is relatively unexplored domain.

Conceptualising the *Right to the City*

Henri Lefebvre was perhaps the first to use the term 'right to the city'. Doyen of the French Left, Lefebvre's credentials included his role as a leading philosopher and activist in the French resistance during World War II. The discussion here refers mainly to Lefebvre's 1967 publication *Le droit à la ville*, and the 1976-78 volumes, *De l'état*, and then explores three core debates in the literature—the link between capitalism and urbanization, concepts of citizenship, and debates on the nature of public space.

Henri Lefebvre and the Paris Left

The outbreak of violent protests in Paris in the early part of 1968 stemmed from

student uprisings in the Sorbonne University and University of Paris at Nanterres (Le Monde archive, 2010). Heavy police repression sparked national protest and by early May 1968 unrest had spread to Paris's Latin Quarter and other cities. On 13 May 1968 unions called a national strike in which an estimated 10 million workers or almost two thirds of the country's workforce took part. By the end of May, President de Gaulle was forced to announce new elections and the strike was called off.

Henri Lefebvre's 1967 publication, *Le droit à la ville*, became something of a *cause célèbre* for the strikers, creating a radical new paradigm that challenged the emerging social and political structures of the capitalism. His analysis revolved round the contradiction between the destruction of the city and 'intensification of the urban' (Mitchell, 2003). He argued that the traditional city is the focus of social and political life, wealth, knowledge and arts, an *oeuvre* in its own right, but the *use value* of cities as centres of cultural, political and social life are being undermined by processes of industrialization and commercialization, creating *exchange value* and the commodification of urban assets (Lefebvre, 1968: 67 and 101; Lefebvre, 2001; Kofman and Lebas, 1996: 19).

Two central rights are conferred, the right to *participation* and to *appropriation*. Participation allows citizens (urban inhabitants) to access all decisions that produce urban space (Mitchell, 2003). Appropriation includes the right to access, occupy and use urban space, and to create new space that meets people's needs. Lefebvre argues that:

The right to the city manifests itself as a superior form of rights: right to freedom, to individualization in socialization, to habit and to inhabit. The right to the oeuvre, to participation and appropriation (clearly distinct from the right to property), are implied in the right to the city (Lefebvre 1968 in Kofman and Lebas, 1996: 174).

The *right to the city*, according to Lefebvre, enfranchises *all* citizens to participate in the use and production of all urban space; control over the production of urban space means control over urban social and spatial relations, thus the social value of urban space weighs equally with its monetary value. When economic systems value urban space mainly for its exchange value, Lefebvre argues, the 'city as oeuvre' is suppressed (Purcell, 2003).

The state, Lefebvre theorized, had entered a new 'state mode of production', playing a central role in the development and legal regulation of 'capitalist spaces'—be it ports, housing or infrastructure. Brenner (2001) argues that in recent years states have acquired 'unprecedented supremacy' in urban development because of the resources they command, resulting in massive deepening of geographical inequalities as nations, regions and cities become 'globally competitive development areas'.

Inspiring though Lefebvre's ideas are, many unanswered questions remain. There is little guidance on how the *right to the city* might be implemented, how the notion of citizenship based on residency could be applied, or how notions of participation and self-management could operate. There are also unanswered questions about the nature of governance, in particular the role of local government which has a crucial and decentralized role in mediating local power relations.

Capitalism – the Parasite

The academic debates that followed Lefebvre's work see the *right to the city* as challenging the nature of capitalism and globalization—whereby economic production is run privately for profit under a freemarket system which encourages cross border flows. For example, David Harvey sees urbanization as a set of social relationships reflecting prevailing ideologies of the relationship between society and basic modes of production (Harvey, 1973: 303-307). He argues that capitalism always produces a surplus product which has largely been invested in urban property. Thus, cities have arisen through geographical and social concentrations of a capital surplus (Harvey, 2003; 2008).

Consensus indicates that capitalist-based economic growth facilitates poverty reduction, but the relationship between growth and poverty varies wildly in different economic and political contexts. The openness to trade inherent in globalization is

linked to increased market volatility, creating unpredictable outcomes for the urban poor and threatening poverty reduction (Nissanke and Thorbecke, 2006; Harriss-White, 2003; Lyons and Brown 2010).

Marcuse (2009) identifies specific periods of financial collapse linked to social upheaval including: the civil rights movements of 1968; the collapse of Eastern Europe and the Soviet Union in the 1990s, and the global economic crisis of 2008-2009, although recent protest has been subdued with little questioning of the fundamental system. Kaplinsky (2005: 208-249) agrees that persistent poverty amongst the dispossessed breeds resentment and underpins religious and other dissident, while an increasingly educated labour force questions the value of free trade.

At its core, *right to the city* challenges the role of urban property as the basis of capitalism, and lays claim to a completely different kind of city and society, variously termed 'democratic' or 'just', implying a fundamental rethink of freemarket capitalism and rights claimed through struggle (Marcuse, 2009, Mayer, 2009). The collective right of the *right to the city* may embrace individual rights—such as the right to shelter, or right to work—but is not defined by these. This new right is defined through continual struggle which allows a reframing of rights and redefinition of citizenship.

Citizenship and Whose *Right to the City*?

A second core debate is the nature of citizenship and who claims the *right to the city*. Lefebvre's idea is that citizenship pertains to all urban inhabitants, not confined to national citizenship but held by all who inhabit the city, but applying this notion poses considerable challenges.

Citizenship is usually accorded to individuals in relation to a social and spatial entity—a country or city. Citizenship confers on individuals certain rights and obligations, including the right to have a voice in the exercise of state power and obligation to pay taxes and submit to state control (Brown *et al*, 2010; Purcell, 2003). Parnell and Pietersee (2010) identify four tiers of rights: individual rights of voting, freedom and health etc; collective rights to basic services including shelter and water; city-scale entitlements such as safety and social amenities, and freedom from human-induced threats such as economic volatility or climate change. As yet only the first two tiers are widely recognized within current human rights regimes.

Cities have now become the salient sites for citizenship as governments confront the political status of non-resident citizens, although urban citizenship does not necessarily negate national citizenship (Dikeç and Gilbert, 2002). Such new citizenships 'can only be achieved through sustained political struggle' (Purcell, 2003). The *right to the city*, Marcuse (2009) argues, is claimed as both a cry from the oppressed (as a result of race, ethnicity, gender or lifestyle) and a demand from the alienated (including young people, artists, and idealists decrying the dominant economic system).

The concept of residency as a basis for citizenship widens the definition of who has a *right to the city*. However, it entails major difficulties and omits key constituencies of the urban poor, such as undocumented migrants and workers in the informal economy for whom temporary status or insecurity make enumeration difficult. It also ignores the numerous commuters that swell city centre populations during the day, but live elsewhere. As Lefebvre argues, to frame citizenship in formal and territorial terms fails to recognize the city as a political community, and the social relations of power (Dikeç and Gilbert, 2002; Brown, 2009).

Claiming Rights to Public Space

'*Se Tomaron Las Calles*', John Friedman wrote after visiting the fiesta of Santiago and Santa Ana in Tudela, Spain, where the whole population celebrates - wearing white, waving red banners, and racing round the bandstand (1992). He suggested that there are only two occasions when people claim the streets, to protest against an oppressive state, or to celebrate (Friedman, 1992).

Present ideologies of urban production are based on inalienable rights to property (usually *private*) as productive space (Harvey, 2003). Thus *public space* (as the space for representation) takes on an exceptional importance, both as the

space for debate and claim of democratic rights, but also for those excluded from the commodified private domain (Mitchell, 2003:34, Brown, 2006:18). Public space is the focus of an inherent and ongoing struggle over rights, as people compete over the shape of the city, access to the public realm, or rights to citizenship (Mitchell 2003: 18). Public space thus played a key part in democratic debate and representation (Low and Smith, 2007: 5; Banerjee, 2001).

Public space is also the site in which exclusion is played out. Mitchell (2003: 230-232) cites examples of homeless people in the USA who are moved on from sleeping in public parks, arguing that criminalization for rough sleeping is a testimony to unequal power, and that order should be contingent upon social equality. Cultural mores restrict women's use of public space (Massey, 1994; McDowell and Sharp, 1997), and the development of gated communities results in increasing erosion of the public domain (Webster and Lai, 2003: 5).

Struggles against Exclusion

Since mid-1980s, the call for the *right to the city* has crystallised a series of demands as urban residents struggle against the continued erosion of rights. These have coalesced around the demands of two broad groups, the deprived seeking access to basic rights for secure shelter, clean water or dependable livelihoods, and anti-globalization and global justice movements challenging the dominant economic system (Marcuse, 2009; Mayer, 2009). In recent years, global and local social movements, alliances of city governments and multinational organizations, have adopted the *right to the city* as a slogan to renegotiate the contract between state and citizen.

Global Social Movements

At a global level, one of the most influential social initiatives is the World Charter on the Right to the City. The world charter sprang from dialogues in the 1990s amongst human rights activists, environmentalists and others at the 1992 Rio Earth Summit and the 1996 UNCHS forum in Istanbul, Habitat II. More recently, the charter was adopted as a theme in the World Social Forum (WSF), the annual meeting of social movements opposed to neoliberal globalization first held in Porto Alegre in 2001 in celebration of the city's experimental forms of local governance.

The world charter seeks to establish the *right to the city* as a new human right, to be adopted by the UN and national and local governments (Saule Junior, 2008). The central conception in the charter is the definition of collective rights so that:

Article 1: *Everyone has a right to the city without discrimination of gender, age, race, ethnicity, political and religious orientation and preserving cultural memory....* (WSF, 2004)

Citizens are defined as 'all people who live in the city, either permanently or in transit' (WSF, 2004).

The world charter encapsulates many of the ideas in Lefebvre's vision, seeing the *right to the city* as a collective right, and calling for a recognition of the social function of property. Two key aspects appear controversial – the inclusive definition of 'citizen' regardless of formal residency status, and establishing the social function of property, so the charter has not yet been taken forward by the international agencies.

Local Social Movements

Many local social movements have adopted the rights-based agenda in the struggle for urban resources with four waves of urban mobilization since the 1960s (Mayer 2009). In the 1970s, struggles coalesced around housing, rent strikes and protests against urban renewal; the 1980s saw reactions to austerity policies and neoliberalism; 1990s protests focussed on government programmes for 'local economic development', and since 2000 a global struggle has emerged against integration of financial and property markets, and intensifying social polarization between the 'haves' and 'have-nots'.

For example, in Brazil the increasing politicization of wastepickers led to the creation of National Waste and Citizenship Forum, as a means to strengthen participatory approaches to the management of urban waste (Dias 2009). The forum

was established in 1998 after publication of a UNICEF study which estimated that 45,000 children worked as wastepickers in Brazil, up to a third without schooling. The forum aimed to eradicate child labour at open dumps, eliminate unmanaged dumps, and achieve recognition of the rights of wastepickers as legitimate urban service providers.

Legislative Reform

Some suggest that the *right to the city* can only be addressed through fundamental legal reform. Most interesting, perhaps is the extraordinary experiment unravelling in Latin America, where a number of states are enshrining the *right to the city* in modern legislation, including the approval of Law 10.257/2001 in Brazil, the *City Statute*.

In Brazil, informal urban development has become the norm as a result of a speculative land market, clientalist politics, and an exclusionary legal regime (Fernandes, 2007). The City Statute was conceived in the mid-1980s during Brazil's transition from military to democratic rule. As a result of lobbying from a grouping of civil society organisations, and establishment of the National Urban Reform Forum, the new federal constitution of 1988 included two sections on urban issues (Articles 182 and 183). After many years of struggle by the forum, the articles were eventually passed into law as the 2001 City Statute (Cities Alliance, 2010).

The City Statute explicitly recognises the *right to the city* as a collective right, based on three core principles:

- the concept of the social function of property
- fair distribution of the costs and benefits of urbanization, and
- democratic management of the city (Rodrigues and Barbosa, 2010).

The law established a new Ministry for Cities, and a national charter to implement the City Statute was approved in 2002.

A change in the political culture of local institutions is critical for realizing the *right to the city* if a pro-poor rights-based agenda is to be achieved and by grassroots organisations who must move from opposition to a more positive role, as Parnell and Pietersee (2010) argue through their study of Cape Town. Mayer (2009), dismisses the actions of local administrations as simply reinforcing the status quo, but this paper argues that the power balance between economic production, civil society and governance mechanisms must be addressed.

The Multilateral Agenda

Several international initiatives within global coalitions of local governments and the multilateral agencies have opened space for debate, many of them drawing on the framework of the 1948 UN Declaration of Human Rights and subsequent international human rights instrument. Of note is the *European Charter for the Safeguarding of Human Rights in the City* agreed at 2nd European Conference on Cities for Human Rights in May 2000 attended by local authorities (IDHC, 2010).

The European charter addresses the city as a collective space, to ensure rights of all residents to political, social and ecological development with a commitment to solidarity; municipal authorities are charged with respect for the dignity and quality of life for residents. The charter has no legal standing but forms a political commitment by the 350 city governments who are signatories. Other international and city charters also seek to strengthen rights and define responsibilities, such as the *Global Charter-Agenda for Human Rights in the City* now being developed by United Cities and Local Governments, the global association of local governments.

Amongst multinational programmes most directly addressing the *right to the city*, are the projects by UNESCO and UN-HABITAT. From 2005-2008, a joint project entitled *Urban Policies and the Right to the City: Rights, responsibilities and citizenship*, sought to identify good practice in law and urban planning that strengthen rights and responsibilities, for example promoting inter-faith tolerance and the participation of women, and a role for young people and migrants in urban management. From the debates, five common policy agendas were identified: liberty and freedom in city life for urban residents; transparency, equity and efficiency of city administrations; participation in local democratic decision-making; recognition of diversity in economic,

social and cultural life, and reduction poverty, social exclusion and urban violence (Brown and Kristiansen, 2008).

Discussion

The banner of the *right to the city* has inspired an extraordinary global protest that challenges the dominant economic order. This protest is played out by global social activists, numerous local campaigns, progressive international associations and governments seeking a fairer contract between state and citizen. There are, however, countries, cities and contexts which the debate cannot reach where freedom of speech is inadvisable or the context for social action is limited.

There are many critics of multilaterals in their approach to poverty reduction. The presumption is that benign governments supported by good information can address critical problems of urban poverty. The approach of often normative, assuming a common understanding of concepts such as 'good governance' and 'social exclusion', but with little real critique of the political, economic and cultural context of urban growth (Jenkins *et al*, 2007: 184).

A more specific critique of the *right to the city* agenda is made by Mayer (2009) who suggests that while institutionalizing rights may go some way to address exclusion, this is nothing more than a claim to inclusion in the system as it exists which fails to address the underlying economic processes from which such inequalities spring. Whilst charters and guidelines may have limited value, they downplay the core struggle for power at the heart of the *right to the city* (Mayer, 2009).

Enshrining the *right to the city* in legislation appears to be a crucial, if difficult, driver of change. The City Statute in Brazil was the product of a particular confluence of events, the change to democratic rule and widespread acceptance of a role for social activism and coalitions of the urban poor. Nevertheless, the *right to the city* has also been adopted elsewhere in Latin America, in Colombia, Ecuador and Mexico (COHRE Bulletins 2008-2010). How these initiatives unfold will be crucial in taking forward the fundamental reform that the *right to the city* entails.

Perhaps, most crucially, the approach presents a key role for the local state in introducing a rights-based agenda, including the third and fourth tier of rights identified by Parnell and Pietersee (2010)—rights to city-scale entitlements and freedom from human-induced threats such as economic volatility or climate change. The local state, represented by the institutions of city government and other state-related organizations, has a crucial role in mediating power relations between citizen and global and local system of production.

The *right to the city* is a powerful banner with broad appeal under which to address injustices of the modern city. The use of new media in attempts to coopt existing power bases provides scope for incremental change, which cumulatively will strengthen rights for the urban poor. However, this paper argues that it is only by readdressing the power balance in the triangle between economic production, civil society and governance that real progress can be gained.

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