Introduction
Right to the City and Urban Citizenship in the Indian Context

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The "World Charter for the Right to the City", presented in Quito in 2004 at the Social Forum for the Americas and later that year at the World Urban Forum (Barcelona, September 2004) resulted from a series of struggles, by various social movements and organizations, to promote a rights-based approach to the challenges of urbanization. This charter received the support of several local governments which took up the task of developing city charters, and of international organizations, including UN-HABITAT and UNESCO which then launched a series of actions on the question of urban citizenship and the right to the city. In 2005, UNESCO and UN-HABITAT started a project entitled "Urban Policies and the Right to the City: Rights, Responsibilities and Citizenship" (Brown and Kristianson, 2009) and this was followed by the recent UN-HABITAT report on the state of the world's cities which articulates the importance of taking forward the right to the city as a vehicle for social inclusion (UN-HABITAT, 2010).

Debating the value of the Right to the City in the Indian context is both relevant and controversial for a series of reasons that are discussed in this opening paper. With the Indian Government having just launched the Rajiv Awas Yojana Programme (or Planning for Slum-Free Cities) as part of the National Urban Poverty Reduction Strategy (2010-2020) it appears timely to open up this debate.

The objectives of this report will be twofold: (i) to discuss the Right to the City (RTTC) approach and to examine its analytical and pragmatic value for Indian cities; and (ii) to take stock of the existing situation and problems therein and of the existing legal and policy framework. This will be done through a number of themes: women in the city, access to decent housing and urban services, discrimination, livelihoods, land, among others, looking at the directions that are, or should be, taken to promote social justice. As part of this exercise, the report will aim to assess various public policies in terms of their inclusiveness,

their limitations, and will propose a series of recommendations.

1. The Concept of RTTC

The concept of the Right to the City (RTTC) is powerfully suggestive and very ambivalent at the same time; briefly tracing its genealogy may help to clarify its contemporary meaning and relevance. *The Right to the City* is the title of a book written in 1968 by Henri Lefebvre, a French, Marxist social scientist who meant it to be a radical call to all inhabitants in the city to contribute to the "production of [urban] space" (Lefebvre 1991) and to appropriate its uses. In the 1990s Lefebvre was rediscovered by American, neo-Marxist scholars such as David Harvey, who highlighted the significance of Lefebvre's thought in today's urban scenario. Though the city of the 1960s and the contemporary city are clearly different, both Lefebvre and Harvey have underlined the need in both cases for stronger democratic control and for wide participation in struggles to reshape the city. In this radical interpretation, the RTTC is part of a critique of the capitalist model of accumulation; it is conceived as a counter-narrative to the wave of neo-liberal reforms that have transformed relationships between the state, the private sector and civil society in cities the world over. "The right to the city is [...] far more than a right of individual access to the resources that the city embodies - it is a right to change the city more according to our heart's desire" (Harvey 2008: 23). Some of the social movements that push for charters on the right to the city clearly adopt this radical stand and consider that the production of urban space is achieved by daily struggles and mobilization from below. In the North, movements to reclaim the streets or cultural heritage[1] are inspired by the "Lefebvrian" idea of the city as a daily creation by its inhabitants. In the South, global networks of associations and social movements, such as the International Alliance of Inhabitants[2] or the Habitat International Coalition[3] are organized around the defence of a series of rights.

The latter approach pertains to a second, more reformist interpretation of the RTTC, defining it as a bundle of rights that can be obtained only by engaging with the institutions of the developmental state. South African researchers, Susan Parnell and Edgar Pieterse, argue that the notion of RTTC is crucial to poverty reduction in a context of global urbanization (Parnell and Pieterse, 2010). They distinguish four generations of rights (from civil and political rights, historically granted on an individual basis, to more collective rights, such as the right to urban services, which are yet to be achieved) that can be subsumed under the all-encompassing RTTC. According to these authors, "using the realization of rights as the litmus of urban poverty reduction changes the understanding of the nature and scale of government interventions that are required to achieve poverty reduction targets." (Parnell and Pieterse, 2010: 159).

To put it more succinctly, the reformist interpretation of the RTTC defines it as a collection of rights *in* the city, while its radical interpretation considers that the RTTC is larger than the sum of its parts. In both meanings however the concept of RTTC is equivocal on at least three points. Firstly, it refers, at the same

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[1] For instance the "Our Waterfront" campaign in New York, which is part of the Right to City Alliance in the United States (see www.righttothecity.org).

[2] The International Alliance of Inhabitants (www.habitants.org/) also includes cooperatives, communities, tenants, house owners, the homeless, slum dwellers, indigenous populations and people from working class neighbourhoods and positions its actions to the claims and the defence of housing rights.

[3] See www.hic-net.org/. The Habitat International Coalition was started in 1976 mostly in the global North and expanded its activities and membership to Latin America, Africa, Asia and the Caribbean from the end of the 1980s onwards. The HIC is a non-profit alliance of around 400 organizations (comprising of trade unions, social movements, research institutions, non-governmental and civil society organizations, etc.) and individuals all concerned with issues related to urban settlements. Its main activities are to advocate and support housing rights and fight against eviction. In recent years, it has been an important stakeholder in the campaign for the World Charter for the Right to the City.

time, to entitlements and to claims, that is, to the domain of the legal and to that of the moral. It is concerned with existing rights (such as the right to vote in municipal elections) but also with claimed rights (such as the right to public transport). This first distinction suggests a second one, between formal and substantive rights. The right to live in the city, to work in the city, to move in the city etc. will remain purely formal as long as the city is not made affordable (focus on housing), practicable and accessible (focus on transport), safe (focus on street lights, police etc.) and livable (focus on urban services).

Thirdly, these two distinctions suggest another one, which might even be a contradiction, between individual and collective rights. According to Lefebvre and his radical followers, the RTTC is a collective right whose exercise comes from outside the sphere of the state. This explains the strong affinities between the concept of RTTC and the new urban social movements - some authors actually call for a unified social movement (Purcell, 2002, 2003). Yet a rights-based approach can also promote individual rights: public policies and political participation (in a broad sense) can certainly be used to ensure better access to, and use of, the city.

The two approaches, therefore, can be considered as complementary: the first one calls for a mobilization from below, whereas the second one focuses on improved institutional mechanisms and policies. Mobilization from below, through a competitive political bargaining process, can force public authorities to provide those collective goods and services that will allow urban dwellers, as Lefebvre puts it, to "consume" the city. This complementariness is best articulated by Peter Marcuse. For him the relationship between rights in the city and the RTTC can be read as the efforts to convert the city-of-today (in which pragmatic action shall be undertaken) into the city-that-should-be (through a long term engagement for the future): "Many charters, manifestos and platforms list rights that are demanded: a right to housing; to potable water; to an ecologically sustainable environment; to participate in

decision-making; to employment; to education; to entertainment and to free speech and assembly. These are plural rights, and they are certainly consistent with the demand for a right "to" the city in the unitary sense in which Lefebvre meant it. However they are partial; Lefebvre's demand is for something unitary. One can be an important step to the other, but they are different with distinct formulations" (Marcuse 2010: 88).

The analytical value of the RTTC as a concept, on the whole, is more heuristic than descriptive. But above all the RTTC is a powerful *political* concept. This is quite clear if one considers the series of social movements, in India as elsewhere, that have used the notion of rights (to housing, food, healthcare...) to articulate their claims. However while the mobilizing power of the concept is evident, its strategic value is less clear as it leaves open the question of implementation and appeal if and when rights are not protected. The language of rights is not the only one used by Indian social movements, and it would be interesting to compare the achievements of those who use it and those who don't.

In this report, while focusing on policies, we will adopt the reformist interpretation of the RTTC, i.e. we will define it as the right to all the city has to offer. This implies that we take seriously the resources of the city, whose attraction is strongly linked to the possibilities it offers for social mobility, and more generally for a better life. Thus the transformative agenda that is carried by the concept of RTTC will also be present, in the background. Indeed the assumption behind the very idea of this report is that the RTTC is a strong advocacy tool, which can be used to incorporate new ideas into state policies, in order to go, beyond inclusiveness, towards the city of our "desires".

2. Urban Citizenship in India

Situating the concept of RTTC in the Indian context is best done through a discussion of urban citizenship. Citizenship can be defined as being essentially a boundary between citizens

and others, i.e. those who are inside, and those who are outside the concerned community. Citizenship defines a status (through a series of rights), but it also involves a set of practices (that can be considered as responsibilities). The notion of urban citizenship must be clearly differentiated from that of citizenship with reference to the nation: unlike the latter, it has no legal content; urban citizenship is not so much about legality than about legitimacy. More precisely, urban citizenship appears as a very fluid, but not very porous, boundary between those people whose presence is legitimate in the city and others. If the concept is not useful from a legal standpoint (at least in a country where people are free to move from one place to another), it makes a lot of sense from a political point of view, and is critical regarding the implementation of policies. According to Holston and Appadurai (1996) "… Place remains fundamental to the problems of membership in society, and…cities… are especially privileged sites for considering the current renegotiations of citizenship" (p. 189). These authors strongly argue that we should consider the various discourses, practices and "performances of citizenship" (p. 192) together.

The notion of citizenship itself is not much used in those struggles of which large Indian cities are both the site and the object, except by a very vocal minority, chiefly represented by neighbourhood associations. These associations constantly represent themselves as "law abiding, tax paying citizens", thus implicitly asserting that citizenship is closely linked to one's property, or at least to one's income. This fiscal definition of citizenship is thus clearly elitist. Paying one's taxes is classically one of the important duties, or responsibilities, attached to citizenship in a liberal democracy, the other being voting. The emphasis put by neighbourhood associations on the former is doubtlessly linked to the fact that the urban middle classes that they represent do not vote in large numbers, unlike the urban poor (Jaffrelot 2008). Indeed the peculiar Indian voting pattern, in which there is a positive correlation between poverty and electoral participation is even more striking in cities: the urban poor have

a much higher electoral participation than the affluent classes.

Partha Chatterjee's distinction between "political society" and "civil society" (Chatterjee 2004) subsumes to a large extent that distinction between the "voting poor" and the "tax-paying rich". There is now a large body of work inspired by his text that theorizes the differentiated access to the state and its resources, building on the idea that some have rights (and responsibilities - for instance property tax payers) while others have to negotiate favours. If one perceives citizenship as the passage from need to demand, and from favour to right, then the question is of much relevance to urban India.

Finally, empirical studies on the capacity of the urban poor to enjoy basic rights in the city – be it the right to vote in local elections, the right to subsidized food through the Public Distribution System (PDS), or the right to resettlement when slums are demolished – show that having an official proof of residence is crucial. This suggests that urban citizenship hinges on provable residence, and therefore chiefly excludes, among the urban poor, migrants and the homeless, in spite of the fact that they contribute to the city in a major way, as the main hiring pool for construction workers for example. Beyond these two categories, this report will provide empirical evidence of exclusion of various people (women, scheduled castes) in various contexts, thus suggesting the contours of what can arguably be qualified as conditional citizenship. The permanence of unequal urban citizenship is strongly linked to urban fragmentation in the rapidly changing landscape of Indian cities.

3. Positioning India's Urbanization and Urban Poverty

Despite its remarkable size - around 377 million people today – the urban population represents less than one-third of the total Indian population (31% according to the 2011 Census). As expected for a country of the size of India, whose population recently passed 1.210 billion (2011

Census), strong spatial disparities persist with regards to the level of urbanization as well as the development of metropolitan cities. If India pursues its urban transition, the numbers of potential migrants to the cities would be higher than the numbers of current urban dwellers, therefore with greater challenges to face for town planners and policy makers.

Urbanization in India over the last sixty years is characterized by an increasing concentration of the urban population and of economic activities in the bigger cities. In 1951, in the aftermath of Independence, India had 5 agglomerations of over one million inhabitants, representing 19% of the total urban population; in 2011 there were 53 accounting for 43% of the total urban population, among them 2 megalopolises with more than 15 million people (Mumbai and Delhi).

Box 1. Towns and cities as per the Census of India's definitions

The classification of a settlement as an urban unit or town, since the 1961 Census of India, is based on the following definition:

(a) All places which answer to certain administrative criteria, such as the statute of a municipality, a corporation, a cantonment board, a notified town area committee, etc. These are called the statutory towns.

(b) All other places which satisfy the following three criteria simultaneously: i) a minimum population of 5,000 inhabitants; ii) a population density of at least 400 persons per square kilometer; iii) and at least 75 per cent of the male working population engaged outside agriculture. These are called the census towns.

Settlements with a population of 100,000 and more are termed as "cities", and those with one million people or more as "metropolitan" cities/urban agglomerations.

Notwithstanding its undisputable contribution, migration is not the most important factor of urban growth. The share of net migration in the growth of urban population at the national level fluctuated between 19% and 24% from 1961 to 2001, whereas natural increase (the excess of births over deaths) accounted for about 60% from 1981 to 2001 (Sivaramakrishnan, Kundu et al., 2005). The urbanization of former villages and the reclassification of rural areas following the extension of cities' boundaries constitute the other components of urban growth contributing directly to the process of urban sprawl.

The fragmentary data from the provisional results of the 2011 Census reveals a decline in demographic growth in districts within metropolitan cities (with the notable exception of Bangalore), suggesting that these have become less welcoming to prospective migrants, which raises concerns about exclusionary urbanization (Kundu, 2011). Available data also indicates a process of population redistribution towards outlying districts within extended metropolitan regions.

The limitations of official definitions (Box 1) and their consequences should be emphasized. The administrative boundaries of urban agglomerations often do not correspond to actual urban spread. This underestimates the impact of urbanization, as well as the scale at which urban planning and governance should be considered. In particular, the development of peri-urban areas, involving rapid transformations with issues of competing land-uses and environmental vulnerability, suffers from a lack of adequate politico-administrative jurisdiction.

Various alternative appraisals of urbanization have recently questioned the official level of urbanization. A first approach that classifies as urban all physical agglomerations with at least 10,000 inhabitants confirms the above (Denis, Marius-Gnanou, 2011). The number of urban localities thus identified in 2001 was about twice the official number, revealing a more diffuse process of urbanization, and a

resulting level of urbanization at 37%, nearly 10 points of percentage above the 2001 Census figure. The findings also point to a process of "extended metropolitanization", namely a larger urban spread around the metropolitan as well as secondary cities than is shown by the census categorization. A second method, calculating the population within an hour of travel from a town of 50,000 or more, estimates the level of urbanization to be 52% (using the United Nations population data for 2006) and points to the same processes (Uchida and Nelson, 2008). Indeed, the recently released provisional 2011 Census data confirms rapid changes in the urbanization process: out of a total of 7935 towns in 2011, 2774 are new towns that have been added since 2001[4].

It is also of note that migration and urban population statistics have undervalued the real pull effect of the cities, in so far as the development of commuting and other forms of circular mobility have provided substitutes for permanent residence in the city. In discussing the RTTC challenges, this floating population of "rurban" and temporary migrants does matter; the latter often prove to be more vulnerable, although they are usually also overlooked by statistics on urban poverty.

Poverty in India remains large and widespread, including in urban areas, although its appraisal is highly debated (Box 2). The evidence on urban poverty, as analyzed by the 'National Urban Poverty Reduction Strategy 2010-2020' Paper (Mathur, 2009: 16) is mixed: "its incidence measured by the headcount ratio[5] has dipped from 49% in 1973-74 to 25.7% in 2004-05 [as compared to 56.4% and 28.3% respectively in rural areas], but the numbers of the urban poor have risen from 60 million to 80.8 million persons, and the share of urban poor in the total [numbers of poor] from 18.7% to 26.8% over the 1973-74 to 2004-05 period"[6]. This further means that in 2004-05 "one in every four urban residents in India survives on less than Rs. 19 [US $ 0.42] per day" (ibid: 36). Two main features of urban poverty deserve mention. First, although urban poor and slum dwellers cannot be equated, slums or informal settlements represent the most visible expression of housing poverty in Indian cities. Secondly, urban poor households are predominantly engaged in non-wage, informal employment. Strictly speaking there is no urbanization of poverty over the above reference period[7]; nevertheless, in a context marked by the fast increasing contribution of cities to the gross national product (see below), these various indicators challenge poverty reduction strategies.

4. The Changing Landscape of Indian Cities

Worldwide, cities operate in a competitive environment to attract capital, especially in high-value sectors, and skilled labour. Boosting economies of agglomeration is seen as a core element of public policies. In India, till the liberalization and the opening of the economy in 1991, cities were not perceived as "engines of growth": investments were insufficient and governance was weak. The steady rising share of the urban economy in the Indian GDP (62% - 63% in 2009-2010)[8] and the expected future contribution of cities to growth and urban poverty reduction have led to a paradigm shift. Since the mid-1990s, some states (such as Karnataka, Andhra Pradesh and Tamil Nadu) have adopted strategies that leveraged the potential of new economic sectors. But increasingly,

Box 2. How many poor in Indian cities?

In 2005, the Planning Commission acknowledged the need to develop alternate methods to measure poverty and appointed the Suresh Tendulkar Committee that submitted its report in 2009. The new poverty lines calculated by the Tendulkar report use the all India urban poverty line basket as the reference frame to recalculate state wise urban and rural poverty figures after correction for the rural-urban differential price. The committee has also recalculated state wise urban poverty ratios using new price indices. This has been accepted by the Planning Commission in April 2010. The percentage of poor in urban areas remains the same as the one calculated using the old methodology i.e. 25.7% in 2004-2005. However, the state level pattern has changed due to the use of new price indices suggested by the Tendulkar committee. As compared to the 1993-1994 figures and using the Tendulkar report's methodology, urban poverty has declined from 31.8% to 25.7% in urban areas. The variations among states are wide with rates of urban poverty ranging from 4.6% in Himachal Pradesh, 12.9% in Delhi, 25.6% in Maharashtra, 37.6% in Orissa to 43.7% in Bihar (Himanshu, 2010: 44).

Even though the Tendulkar's calculation method has for the whole of India re-evaluated the total number of poor at 37% (as compared to 27.5% with the previous methodology) and consequently shown that the number of poor is higher than previously acknowledged, there is an ongoing controversy about who are the poor. For instance, Dr. N.C. Saxena Committee, which was set up by the Ministry of Rural Development, came up with a figure of 50 percent of poor people for the whole of India for the year 2004-2005. Furthermore, for the same year, the Arjun Sengupta report on the Conditions of Work and Promotion of Livelihood in the Unorganised Sector pegged at 77 percent the number of poor as well as vulnerable people. Part of these variations is explained by differences in the technical calculations that lead to internal debates among economists (Rath, 2011). Nevertheless, this leads to larger political debate, even more so in the recent months. Based upon Tendulkar report, the Planning Commission has updated the baseline for households below poverty line at Rs. 32 a day for urban areas. This is broadly similar to the $ 1.25 poverty line used by the World Bank (in PPP dollars) for international poverty comparisons. Since the below poverty line could be used for a number of targeted programmes and subsidies, it raises controversies as its relevance with many considering that this criteria is abysmally low and would lead to the possibility of a large section of the population being excluded from the available social security net programmes of the country, be it in urban or rural areas.

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the main push for urban reforms comes from the Central Government, through its flagship programme, the JNNURM (Box 3). From an economic point of view, a set of mandatory reforms aim at upgrading urban infrastructure through supporting large-scale investments, improving the financing health of cities and deregulating land markets. In the mind of policy makers, this should create a virtuous circle to ensure improved quality of life, boost the housing stock and employment opportunities. However, fundamental contradictions plague the existing model of urban economic growth. The share of informal employment with respect to formal

Box 3. The Jawaharlal Nehru National Urban Renewal Mission (JNUURM)

Launched by the Ministry of Urban Development in December 2005 for an initial period of seven years, this national programme comprises two submissions: i) urban infrastructure and governance, administered by the Ministry of Urban Development; and ii) Basic Services to the Urban Poor (BSUP), under the Ministry of Housing and Urban Poverty Alleviation. The aim of the JNNURM is "to encourage reforms and fast track planned development of identified cities. Focus is to be on efficiency in urban infrastructure and service delivery mechanisms, community participation, and the accountability of ULBs (urban local bodies)/parastatal agencies towards citizens." Some specific elements characterize the JNNURM:

1. The targeting of a limited number of cities (eligible ones include the then 35 million-plus cities plus 28 selected cities -state capitals; and religious, historic and tourist cities).

2. The considerable amount of funding dedicated for cities (Rs. 150,000 crores $\simeq$ 33,3 billion US$). To access funding, cities have to prepare a City Development Plan. The financial contribution of the 3 levels of government is: for cities above 4 million population, 35% Central Government, 15% State Government and 50% Urban Local Bodies; for cities between 1 to 4 million population, the allocation is 50%, 20% and 30% respectively.

3. The explicit importance given to the linkages between infrastructure financing and governance issues, basic service provision and urban renewal.

4. The imposition of 13 mandatory reforms for both ULBs and state governments (including repeal of the Urban Land Ceiling Regulation Act, reform of property tax and introduction of user charges, use of e-governance, provision of services for the poor).

5. The importance of governance issues through the application of the 74th Constitutional Amendment Act (CAA), the enactment of a community participation law and a public disclosure law, all part of mandatory reforms.

The JNNURM's agenda aims to enhance the potential of cities by altering rules and regulations relating to urban development, repealing land regulations, modernizing the functioning of municipalities, enhancing their revenues and fiscal responsibility and deepening the process of decentralization. Although welcomed from many quarters and having led to significant investment and reforms the JNNURM has come under criticism on various grounds namely the dominant role of the centre vis-à-vis the states, the lack of attention to the urban poor (despite a submission dedicated to Basic Services to the Urban Poor) and the inadequate focus on the political processes needed to strengthen ULBs.

Source: http://jnnurm.nic.in/

employment has grown. This situation leads to sharper income inequalities and reflects the difficulty of creating sufficient jobs in the sectors most valued by policy makers. City visions and strategies exclude the importance of the informal sector and its embedded position within the formal sector. On the contrary, they either aim at directly transforming those areas occupied by the informal economy (through places for hawking, market renewal, small industry clusters) or they threaten such areas by promoting infrastructure and housing projects that in specific cities, lead to slum evictions.

Restructuring the urban economy is materially inscribed in the transformation of the existing

urban landscape and the production of new urban spaces. On the one hand, commercial complexes, large integrated residential complexes (catering to the wealthier segment of the population in the cities or in their peripheries), existing or planned modern transport infrastructure (such as metros, flyovers, highways) are new physical icons of an aspiration for Indian "world class cities". On the other hand, in metropolitan cities in particular, slum demolition and resettlement sites, when made available, have driven the poor from the city centre and their place of work. Moreover the privatization of public spaces, through the private management of parks or street enclosures, for example, contributes to multiple processes of gentrification and the creation of exclusive spaces, but also to the creation of relegated areas of the city. Spatial segregation is not a recent phenomenon, its historical roots persist and new forms of spatial inequities underpin increased social distance. Urban poverty, largely located in slums, though not exclusively, remains daunting. Balancing economic growth with urban poverty reduction is a challenge that public policies try to address directly by aiming at improving slum conditions, such as the recently launched Rajiv Awas Yojana (RAY).

Finally, fragmentation, spatial expansion and economic restructuring all create new stakes in governing urban settlements. The 74th Constitutional Amendment of 1992, defining political decentralization, was a landmark ruling giving legitimacy and transferring responsibilities to the third tier of government. It also included mechanisms for coping with urban problems at the neighbourhood and the agglomeration level thereby furthering political democratization. Though it appeared as a powerful, legislative instrument of change with the aim of empowering cities, enabling them to decide on their own development strategy, in fact political decentralization has been unsatisfactory. On the one hand, the role of states remains dominant in framing and financing urban policies and even more so in smaller urban local bodies. On the other hand, the larger involvement in urban affairs of private (business, think-tanks,

multinationals) and civil society stakeholders (NGOs, resident welfare associations, and community-based organizations) have further complicated decision-making processes. Finally, the increasing role of the courts in making pronouncements on land use, location of industries or slum evictions, is at variance with efforts towards deepening urban democracy, which is supposed to be a key element of the JNNURM agenda on urban governance.

These rapid transformations have generated numerous conflicts and struggles around the way in which growth and resources have been and are distributed. Of course cities are also machines of liberation and inclusion. Large cities remain very attractive to migrants from rural areas and smaller urban centres. They are where economic and social opportunities exist, they promise anonymity and some freedom from rigid social norms. However, the ability of Indian cities to effectively integrate the lower, poorer sections of society is undermined in a context where rising land value and decreasing affordability of housing constrain equitable distribution of space and resources. This is exacerbated by project-based urbanism and the collusion between decision makers and powerful private actors (in particular the real estate industry, often equated with the rise of "land mafias").

More specifically, the large metropolitan cities, in their aspiration to modernity, tend to be increasingly anti-poor and anti-migrant, partly as a result of middle-class activism. The negative attitude towards migrants, mostly seen in Delhi and Mumbai, points to concerns about the manageability of large urban centres, struggles around local employment and the distribution of economic growth dividends, as well as anxieties about cultural identity. The potential rise of urban violence as well as the likelihood of disasters and climate change (leading to distress migrations) are issues that could alter the terms in which the rights of the poor are claimed, defined and protected.

This is not to say that the residents of the city are mere spectators of ongoing changes or passive

recipients of public policies. On the contrary, urban dwellers are active participants in the ongoing changes and the making of the city even though the portraying of the 'city' as a collective actor often tends to make these processes invisible. Indeed, cities are important sites where daily protests are generated. As such they demonstrate the numerous types of demands made to the Indian State for a more substantive understanding of urban citizenship.

5. Structure

This publication offers a series of thematic papers that address some of the major issues at stake through the common, if multi-layered, lens of the RTTC. In so doing, it aims at providing a unique perspective on Indian cities today and on the possible paths towards increased inclusiveness. We consider that the question of urban poverty is embedded in the process of deepening inequalities, and that understanding the question of inclusion requires scrutinization of changing equations between different social groups; we will, therefore, not restrict ourselves to a focus on the urban poor.

As a policy document, the main objective of this compendium of articles is to discuss the significance of the concept of the RTTC and its effect on public policies which could unleash the potential of cities to be sites of integration and equitable sharing of the benefits of growth. After a presentation of the basic facts, each paper expounds the existing legal and policy framework, engages with current debates and practices, identifies barriers to better inclusion, and concludes with a set of policy recommendations. This framework is justified by the ambition to engage with central policy debates; it gives less space to social movements, daily struggles, in short to voices, even though these are referred to by various authors. But there is no doubt that protests and dissent are central to the functioning of Indian cities.

The report does not claim to be exhaustive but could be seen as a building block in a wider

debate that should involve scholars, policy makers, and social activists. Firstly it should be said that some important themes, such as food security and education, are not discussed; however the chosen topics provide for a thorough discussion of the crucial issues of participation, of living and working conditions and accessibility and affordability of basic amenities. Secondly, problems pertaining to specific groups, such as children, are dealt with across various papers rather than being treated as a separate theme. Thirdly, this document is also biased towards metropolitan cities about which a sizable literature is available. However this focus can also be justified by the specific position of large cities in the Indian context: big cities account for an increasing share of the urban population; they are at the forefront of the economic liberalization of the country and experience rapid changes as a result of globalization; they are the main target of the JNNURM; lastly they have a significant impact on the ways the city is imagined. This compendium will focus on the contemporary city and will relegate the historical modalities of the foundation and fabric of the Indian city (that would normally enable us, to read more finely, the actual trends) to the background. Neither will it discuss the potential trajectories of the cities of tomorrow.

This report is organized as follows. The first three papers present the legal and institutional framework relevant to the notion of a right to the city in the Indian context. They focus, in turn, on international charters adhered to by India, as well as the relevant constitutional rights (Kothari); on the RTTC as a moral right (Baxi); and on the governance of contemporary cities (Tawa Lama-Rewal). This is followed by four papers that discuss the role of gender (Tawa Lama-Rewal), caste (Mehra) religion (Ghose) and migration (Bhagat) with regard to the right to the city. These papers highlight that, other socio-economic determinants also condition access to urban resources besides poverty-based exclusion. The next two papers deal with various forms of claims to urban space and urban land. Mehra recalls the historical forms of

segregation in Indian cities, thus allowing a better understanding of the contemporary modalities of space inequalities at work, while Benjamin and Raman demonstrate the centrality of urban land to the notion of RTTC. Papers by Dupont on housing and Bhowmik, Zérah and Chaudhuri on urban livelihoods then present what are arguably the two main dimensions of the right to the city. The final set of papers discusses access to a series of major urban services, such as water (Zérah), transport (Murthy) and healthcare (Duggal). The last contribution to this collection, by Kothari, describes how the human rights framework could be used to take the 'Right to the City' forward.

Overall this publication shows that, although India is endowed with a rich and mostly progressive constitutional and legislative framework, which provides a solid base for pushing the RTTC forward, there remain numerous barriers to the implementation of this legal framework. Some of the main obstacles are institutional and others social and cultural. The latter is evident when one considers the condition of the urban poor and the migrant workers: though they are the "city makers" in the most literal sense, their claim to the "right to the city" and their "rights in the city" are the most fragile of all urban citizens; in fact they are frequently jeopardized, or even denied. Furthermore, while civil society organizations are fairly active in many areas in India cities, their modalities of intervention do not necessarily favour the empowerment of the urban poor. In such a context, Lefebvre's idea of the RTTC has not lost its relevance for India today. What is at stake is a transformation of attitudes and frames of mind, and of society. The RTTC implies an agenda for change, and not just integration into the current system. In other words, the RTTC approach allows us to go beyond the "inclusive cities" slogan. Through this publication, we therefore hope to make use of the mobilizing power of the RTTC slogan without emptying it of its transformative content.

Finally, the structure of this policy document as a collection of separate papers is deliberate. The divergent views expressed by the various authors are not erased, which serves two purposes. First, it brings together convergences among authors and it highlights the existence of a consensus on some recommendations for policies and measures that would enhance the rights of all urban dwellers. Second, it reflects the intensity of current debates that all those concerned by the future of Indian cities, including policy-makers, need to engage with.

Zérah Marie-Hélène, Lama-Rewal S.T., Dupont Véronique, Chaudhuri B.

Introduction : right to the city and urban citizenship in the indian context.

In : Zérah Marie-Hélène (ed.), Dupont Véronique (ed.), Lama-Rewal S.T. (ed.). Urban policies and the right to the city in India : rights, responsibilities and citizenship. New Delhi (IND), New Delhi : UNESCO, CSH, 2011, p. 1-11.