



## The Making of a 'Colony' in Karachi and the Politics of Regularisation

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**Abstract.** Around half of Karachi's population resides in localities that started life as unplanned settlements, which acquired different levels of security from eviction. This paper examines the relationship between demand-making by unplanned settlements and urban political process. It interprets the gradual transformation of a cluster originally on the geographic and social periphery of the city into a regularised colony through the lens of collective action. The diverse roles of migration, mobilisation, and collective identity which we find in individual stories and community histories, capture a range of processes and experiences within Karachi's wide margin. The politics of regularisation thus offers a critical perspective on the dynamics of urban democracy.

## **Introduction: Unplanned settlements and demand-making**

[1] While informality, particularly with respect to housing and land use, has a persuasive case as an epistemology for, rather than an aberration of, urban planning (Roy 2005), demand-making by unplanned settlements and not only by their individual inhabitants may have a similar claim with respect to urban political processes (Peattie & Aldrete-Haas 1981). Everyday struggles and mundane daily practices of migrants and others at the urban margin, for economic and social survival, encompass myriad forms and instances of collective action which have the potential to become movements (Bayat 1997, 2000). Bayat (2000) argues that the quiet spatial encroachment by the marginal and the migrant through informality is not only redistributive but can also add up to transformative politics because of the presence of moral elements alongside rational calculation for individual advantage. He is hopeful that the emergence of forms of collective identity beyond kinship and ethnicity may provide these moral ingredients.

[2] This is close to the understanding of a social movement theorist such as Polletta (1999) whose engagement with the concept of 'free space' attempts to clarify the position of culture and norms in the operation of group identity in collective action. 'Prefigurative' free spaces, in Polletta's (1999) taxonomy are those that allow the forging of new identities and interests, and are to be contrasted with 'indigenous' ones, which facilitate collective action among subalterns through pre-existing institutional forms. The former are more likely to be associated with transformative politics, while the latter are more likely to sustain and succeed in attaining their immediate goals. It is not 'demand-making' as such, but it is its cultural context and normative content that matters.

[3] In this paper we would like to ask if and how demand-making by unplanned settlements shapes the urban political process in Karachi, and indeed national politics in Pakistan. Karachi is no different from other major South Asian cities, or cities elsewhere in Asia, Africa and Latin America with around half of the city's population residing in localities that started life as unplanned settlements or as settlements not formally planned by state authorities or their legally mandated agents. The city is also not unique in having experienced ongoing processes of regularisation of unplanned settlements, with complete *post hoc* legalisation and titling as only the far end of the spectrum which include many grades of tenure security and civic provision. Roy's (2009) incisive critique of urban planning in India would be at home in Karachi, even if we do remain more willing than her to use the formal/informal, legal/illegal, and planned/unplanned

dichotomies as starting categories. We are interested in demand-making by or on the behalf of unplanned, informal, and illegal settlements which, at least at their outset, were inhabited by non-proprietary indigenous or migrants labourers and other marginalised groups and individuals.<sup>1</sup>

[4] While there is a rich empirical literature on informality in housing and land use in Karachi, few if any of these studies sought out linkages with the urban political process (Hasan 1998). The same holds true the other way. Karachi's politics has attracted a great deal of scholarly interest, particularly since the 1990s, much of which focused on ethnicity and political organisation with few attempts at exploring the interaction of either with informality (Haq 1995). An emerging consensus among local observers that political and ethnic violence, particularly on the city's demographically significant geographic periphery, is closely connected with contests over land use, appears as an inevitable and welcome departure in this regard (Hasan 1993, Waseem 1996, Polak 2004, Hasan 2008).

#### **Collective action**

[5] Demand-making by or on behalf of unplanned settlements requires collective action. The classical rational choice framework provides a rigorous account of constraints to collective action in the form of free-riding individuals and sub-optimal investments in public goods (Olson 1971). The strength of the Olsonian approach lies in its clarification of the mechanical linkages between collective action, public goods and groups. Public goods and groups are co-defined, and without any necessity to ascribe causation or chronological ordering. A public good is 'any good such that if, any person in a group consumes it, it cannot be feasibly withheld from others in that group' (Olson 1971: 14). Olson's original model and rational choice modifications to it suggest a number of empirical regularities. Voluntary, non-coercive collective action will be rarely observed in situations where contributions to the production of the public good cannot be individually incentivised. Within-group inequality will improve the chances of public good production, even if it

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<sup>1</sup> While we accept Roy's (2009) proposal that informality is integral to the appropriation of urban spaces by the rich and poor alike, the fact is that readily identifiable unplanned settlements are much poorer than identifiable planned settlements. In the last population census in Karachi, for example, the literacy rate in the former was 55% compared with 80% in the latter (authors' calculations based on the 1998 population census, Government of Pakistan 1999, 2000a, 2000b, 2000c, 2000d, 2004). This does not necessarily contradict Roy (2009) since the visibility of informality may itself be a function of the prior political power of those benefiting from it. We return to this issue below.

inhibits the participation of most members in production (Baland & Platteau 2007, Bardhan *et al.* 2007).

[6] Olson's (1971) approach was deliberately set in opposition to prevailing theories of the group, which laid stress on the intrinsic value of group participation to individuals, and focused attention on conditions where individual self-interest had to exclusively carry the burden of the explanation of group behaviour. Later developments responding to the empirical prevalence of group activity and collective action, in contrast to Olson's (1971) skepticism, expanded the rational choice framework to include considerations of norms, leadership, as well as heterogeneity of individuals not only in terms of wealth but in terms of their motivations to contribute to public goods (Ostrom 2000). Many of the conditions identified by Ostrom (2000) for the resolution of collective action constraints are comparable to perspectives offered in the theory of social movements (Polletta 1999, Polletta & Jasper 2001).

[7] The proliferation of unplanned settlements and the prevalence of on-going processes of regularisation in the face of formal regulation must correspond with the ubiquity of forms and instances of collective action in the city. Regulation refers to the implementation of zoning laws, eviction of existing unplanned settlements and the prevention of new unplanned settlements taking shape. Regularisation is the *post hoc* legalisation of existing unplanned settlement and their formal incorporation into municipal governance and service delivery. The very existence of an unplanned settlement in opposition to threats of eviction and legal action requires some individuals to make inherently risky investments, which will produce public goods for all group members. The public good in question is the steady improvement in the security of tenure as eviction and legal threats are successfully negotiated, and all actual and potential residents will enjoy its benefits without the possibility of exclusion. The key point here is that in general, tenure security applies by necessity to higher units of aggregation than individuals and families: if a settlement is insecure all residents within it are insecure, and if it gains security of tenure all residents benefit. Returning to Olson (1971), therefore, it is possible to frame the settlement as a group and tenure security as its corresponding public good.

[8] There are two reasons why we are interested in using the original Olson model as a point of departure for interpreting narratives of the progressive regularisation of an unplanned settlement in the central district of Karachi. First, Olson's model in its barest form focuses on the settlement as the group of reference, which is helpful if we want to understand the implications of settlement formation and consolidation for urban political process. Second, we wish to examine if

the aggregate effect of demand-making by and on behalf of unplanned settlements might be transformative even if all of the myriad forms and instances of collective action are motivated by rational self-interest alone. In other words, are there possibilities for transformative politics if Bayat's (2000) 'quiet encroachment' is shorn of moral content, and these atomised instances of collective action do not visibly transcend into Polletta's (1999) 'prefigurative' free spaces?

[9] In Section 2 of this paper, we provide an account of the process of attaining tenure security in an unplanned settlement in the central district of Karachi spanning a period from the 1960s to the present. The start of this period coincided with the rise of electoral politics and the election to office of the populist Pakistan Peoples' Party (PPP), following 14 years of military rule. This period also marked a turning point in an ongoing tussle in urban planning between regulation and regularisation of settlements. The PPP government was overthrown in 1977 and replaced by another military regime which lasted till the late 1980s, and in its twilight period in 1987, legislated for the regularisation of unplanned settlements through the specially created Sindh Katchi Abadis Authority (SKAA).

[10] The late 1980s saw a major political shift with the emergence of the Muhajir Qaumi Movement (MQM), a militant ethnic party championing the cause of Partition migrants, which came to dominate electoral politics in the city.<sup>2</sup> The MQM acquired a reputation for armed force and was frequently in a state of conflict with other parties, ethnic groups and state security forces throughout the 1990s. The party became a key player in the 2000s in city and provincial governments when it was rehabilitated by General Musharraf's military regime following a period when its supporters had faced a crackdown and widespread human rights abuses. The MQM, which had shed its overt ethnic identity had become vested in installing large-scale urban infrastructure projects such as express roads and flyovers. Towards the end of our period of interest military rule had ended and the MQM had agreed to share power with the PPP.

[11] In Section 3, we retrace Karachi's political trends from the vantage point of unplanned settlement regulation and regularisation and Section 4 concludes with observations about the transformative potential of collective action in the demand-making by unplanned settlements.

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<sup>2</sup> The word Muhajir invokes migration in the face of religious persecution in early Muslim history. It was an officially sanctioned term in the post-Partition period and used as a classificatory category in independent Pakistan's first population census in 1951.

### The making of a 'colony'

[12] The term *katchi abadi* literally means impermanent settlement. While proponents of regularisation refer to all unplanned settlements as *katchi abadis*, official policy has come to reserve this term for those settlements that might be eligible for regularisation or ones which have already been regularised. Many residents of regularised unplanned settlements, conversely, resent the use of the term *katchi abadi* for their neighbourhoods because of its association with marginality. The English word 'colony' is a commonly used term for unplanned settlements in the city—a usage which is mocked, as we show below, by proponents of regulation.<sup>3</sup>

[13] The Kausar Niazi Colony (KNC) is a settlement, which first appeared in the riverbed of a natural storm drain known as Gujjar Nala in the early 1970s. It occupied land left aside by the Karachi Development Authority (KDA), the premier planning body for the city, on the fringes of the newly-established high-income locality of North Nazimabad. The KNC is currently part of Union Council (UC) Hyderi of North Nazimabad Town. Besides the KNC all other segments of this UC consist of planned parts of North Nazimabad.<sup>4</sup> The KNC accounts for 36% of Hyderi's population and around 15% of its total area. The duality between unplanned the KNC and the planned parts of Hyderi can be gauged from the contrast in literacy rates, proportion of non-Muslims, and average household size (Table 1). While the rest of UC Hyderi is predominantly Urdu-speaking, the KNC is ethnically heterogeneous with less than 5% of its population estimated to be Muhajir, with the remainder belonging to different ethnic groups including Pashtuns, Punjabis, Seraikis, Bengalis and Baloch.<sup>5</sup>

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<sup>3</sup> The word 'colony' is also used in the names of planned settlements in Karachi (for example Shah Faisal Colony). In unplanned settlements the name is chosen by residents before it is adopted by the government.

<sup>4</sup> A Union Council is the lowest unit of administration in the system of local government until 2011.

<sup>5</sup> North Nazimabad town is in former District Central of Karachi which had the highest proportion of Urdu-speakers (74 %) in the country (Government of Pakistan 2000a). The KNC's ethnic composition was estimated by the authors based on key informant interviews.

**Table 1: Summary statistics of Kausar Niazi Colony and rest of UC Hyderi**

	Kausar Niazi Colony (KNC)	Rest of UC Hyderi
Population	21,059	37,323
Literacy rate %	50.2	83.9
Non-Muslims %	7.6	0.8
Average household size	7.6	6.0

**Source: Authors' calculations based on Population Census 1998**

[14] The fieldwork on which we base our case study was conducted between March and May 2009 by a team of researchers including one of the authors (Mallah), another male researcher and two women. The team was familiar with the KNC through prior fieldwork in 2003, which had culminated in a social and physical mapping of the colony. The 2009 fieldwork refined the social map with a particular focus on the history of settlement and regularisation of different geographical segments. There were identifiable neighbourhoods clustered around kinship group, ethnicity and religious affiliation, with corresponding narratives of leadership, collective identity and marginality. This paper draws upon four key informant interviews, ten group discussions (with men, women and mixed gender groups) and five individual cases relating to instances of residential vulnerability. The choice of respondents was attentive to heterogeneity within the colony between neighbourhoods and communities.

#### **From Gujjar Nala to Kausar Niazi Colony**

[15] Zaman Khan, an ethnic Pashtun from a tribal area of northern Pakistan, was acknowledged by most residents as the first person to settle in the area in the early 1960s. Zaman had been a travelling salesman who dealt in imported fabric that was brought into the country across the border from Afghanistan. Pashtun traders from both sides of the Pakistan-Afghanistan border had found a niche in smuggling foreign goods that were otherwise restricted or attracted import duties. Landless pastoralist migrants are among the more marginalised

segments of tribal Baloch and Afghan societies, but their customary privilege of traversing international borders and making seasonal camp outside city limits made them valuable partners in cross-border trade. Zaman set up his fabric shops in the cover of the campsite of the seasonal migrants.

[16] While some of Zaman's early partners among the seasonal migrants left, others had remained behind and settled down in Karachi. Aslam Baloch claims to head a number of Baloch families who came to the Gujjar Nala from various regions and kinship groups in the early 1970s. Aslam says that he can command over four hundred votes at election time, and is currently affiliated with the MQM. He was an office-bearer of the PPP in the past, but developed differences with the party leadership some years ago. He along with some other community leaders invited PPP provincial minister Jam Sadiq Ali to a reception at the settlement during the early 1970s in a bid to gain political protection for the settlement. This bid failed, and there was an attempt by municipal authorities to evict the settlement in 1972.

[17] Meanwhile, Zaman had also made contacts with PPP leaders and was approached by federal minister Kausar Niazi to join the party and become its office-bearer in the emerging settlement. At the time the area was still sparsely populated and the small cluster of homes around Zaman's camp-market had more potential voters than the surrounding planned areas. Kausar Niazi who was also a religious leader provided funds for building a mosque, which was named after him. Zaman began lobbying with various ministers and government officials for official recognition of the colony and the provision of public utilities. Kausar Niazi himself visited the settlement and got Zaman and other PPP members to initiate the registration of residents for national identity cards and in voter lists. The address recorded in these official documents was Kausar Niazi Colony.

### **Consolidation**

[18] While the colony kept expanding from the original cluster, with incremental additions of infrastructure at different times, there was also a constant struggle with municipal authorities, private developers, and residents of the neighbouring segments of North Nazimabad. The expansion was led by Zaman as well as rival Pashtun land agents such as Rehmat Khan who had begun taking physical possession of areas of land, subdividing it and selling off individual plots. Evictions were attempted or carried out in 1975, 1978 and then again 1980 in which parts



of the colony were demolished. All these attempts were followed by the return of the residents and rebuilding of homes assisted and protected by the land agents.

[19] The general method followed by Zaman and other Pashtun land agents in the KNC was not very different from what has been observed elsewhere in Karachi (Linden & Selier 1991). Initially, these land agents encouraged migrants to take possession of plots of land that they had themselves marked out for free or for nominal amounts. They would facilitate the new occupants in building on these plots, while retaining possession of other plots in the same segment. The land agents maintained links with political parties as well as government officials—the former on the promise of political support and the latter in return for monetary reward. They used these links to help the residents of the plots they sold to resist attempts by municipal authorities to eviction encroachments.

[20] Intimidation was a constant theme in the actions of land agents, particularly in the early phase of consolidation. If transactional relations with police and government officials broke down, or perhaps to underpin those relations, the threat of armed violence was ever-present. Zaman and other Pashtun land agents had family connections in self-governed tribal areas with easy access to firearms and places of refuge from state authorities, and these factors were weighed up by those who dealt with them. The violent reputation of the Pashtun land agents was periodically reinforced when they pursued mutual vendettas and engaged in deadly clashes with one another.

[21] The relationship between the Pashtun land agents and other residents whom they both encouraged and dominated cannot be understood properly without reference to social marginality. The migrants initially mobilised or encouraged by Zaman and his peers were without exception from castes, tribes, kinship groups and religious minorities living on the margins of rural communities across the country and beyond. The land agents while poor to begin with were not socially marginal in the sense that they faced active oppression and discrimination in their areas of origin or elsewhere. If anything, the political and administrative marginality of their home regions added to their reputation for violence, which augmented their power in the KNC and in the city generally.

[22] We recorded many instances where the asymmetric social position and political power of the Pashtun land agents and their clients had been deployed to the disadvantage of the latter. These abuses of asymmetric power, however, were a small part of the relationship, which

was otherwise based on mutual dependence, at least in the initial period of consolidation. The Pashtun land agents who saw economic opportunities in the informal housing market needed the socially marginalised migrants just as much as the latter needed them. In order to establish a settlement it was necessary to situate not just individual men, but a number of families who would set up home, no matter how precarious the situation. According to the young son of a murdered Pashtun land agent Rehmat Khan 'we are people with honour and will never bring our families and womenfolk to live in a settlement that has not been regularised.' He was contrasting his family's honour code with the less restrained outlook of his clients, but also with that of his rival Zaman whose own family did reside in the KNC from the outset. It was another matter than Zaman had contracted several marriages with women from the various socially marginalised groups who had come to settle in the KNC, as part of his strategy to expand and consolidate the settlement.

[23] The significance of women in resisting eviction was highlighted by the experience of a group of families belonging to the Odh community.<sup>6</sup> They had arrived in the KNC in the 1970s after having been evicted from another unplanned settlement at the site of a public park a few kilometres away. Just as Pashtun men act as effective land agents due to their reputed ability to inflict and withstand violence, residents of the KNC acknowledge the strength of Odh women and grudgingly admit that police and land agents are scared of them. Police officers who were sent to forcibly evict them from the site of the public park ended up negotiating a voluntary departure in lieu of alternate land in the KNC. The Odh segment of the KNC was established without the direct involvement of the Pashtun land agents, and the fierce reputation of Odh women was a factor in the Odhs acquiring autonomy.

[24] Another group of migrants from a marginalised group are led by Mirza, a middle-aged transport worker whose father arrived in Karachi in the 1960s from a village called Lawa in the Potohar plateau of northern Punjab. Mirza's family belongs to the Muslim Shaikh caste, which is pejoratively called Mussalli, and who work predominantly as farm labourers or brick kiln workers, often under conditions of debt bondage. 'Our family used to live and work as servants of landlords in their fields, homes and animal sheds. There is no freedom under the shadow of the landlords' says Mirza. His father was among the first from the Muslim Shaikhs of Lawa to have

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<sup>6</sup> The Odhs who are also known as Rangar, are traditionally associated with construction labour and a peripatetic lifestyle.

arrived in Karachi. He bought a vacant plot from a Pashtun land agent and then encouraged his relatives and other Muslim Shaikhs from Lawa to also migrate to Karachi. Over time they began to insist on being known as the Lawa community instead of the caste identifier Muslim Shaikh, which they and others associate with low status. Mirza is now acknowledged as a leader of the Lawa who number over 50 families in the KNC.

### **Milestones**

[25] There were several important milestones that were achieved by the colony through self-organisation, since the 1960s. Some of its segments got electricity connections in 1972 through the link between Zaman and Minister Kausar Niazi. The overthrow of the PPP government in 1977 and Kausar Niazi's fall from power temporarily stalled but did not reverse the consolidation of the KNC. Older residents report that they had started constructing cement and concrete structures in place of mud and thatch huts in the early 1980s. Although Zaman continued to play an important part in regulating land occupation and transactions, other lobbyists and land agents also emerged. Some of them were men from marginalised groups who became recognised as leaders of their kinship groups within the KNC. These individuals almost always had links with political parties also. The military government that had replaced the PPP presented itself as pro-Islamist and members of the Jamaat-i-Islami were active in the KNC. A move to get gas connections in the early 1980s was attentive to this change of political mood. Successful applicants of gas connections recorded the address of their locality as Islamia Colony.

[26] There was an eager response in the KNC to the establishment of the SKAA in 1987. A number of men including Zaman, rival land agents such as Rehmat Khan, local kinship group leaders such as Aslam Baloch, Mirza, and party activists were involved in mobilising residents to make joint applications for regularisation. Zaman established a local welfare association and set up a small office for it in one of his properties. While formally it was this organisation that lobbied with the SKAA, Zaman and other leaders also made frequent appeals for funds from the residents on the plea that they needed to pay bribes to concerned officials. Past successes such as the recording of local addresses in identity cards and evidence of public utility connections such as electricity and gas were factors which became relevant as proof that the settlement had existed before the amnesty date. In 1988, one segment of the KNC was regularised in the sense that the SKAA recognised its eligibility for the leasing of individual plots. Water and sewerage lines were

laid in the early 1990s. A segment where earlier gas connections had been obtained in the name of Islamia Colony was renamed Shahnawaz Bhutto Colony when registering with the water and sewerage public utility. The PPP was back in office and its local activists who played a role in getting water and sewerage services also sought to reclaim the identity of the colony by naming it after a member of their leader's family. A 1995 study confirms that most houses had been connected to sewage lines—half of them through a government scheme and the remainder on a self-help basis (Orangi Pilot Project-Research and Training Institute 2002). The last official survey was carried out in 1997 when nearly all of the area currently occupied by the KNC was notified for regularisation.

[27] It was not only the KNC, however, that was expanding out and increasing its occupation of vacant land by the Gujjar Nala. In the 1980s, the KDA decided to include a strip of land beyond the original plan of North Nazimabad, and developed large residential and commercial plots. With the expansion of the KNC and the establishment of this extension known as R-category the planned and unplanned settlements now share boundary walls.<sup>7</sup> R-category owners complained that the KNC was responsible for lowering the value of their properties, and that its residents were involved in crimes and immoral activities. The upwardly mobile among KNC families resented what they regarded as R-category haughtiness. Matters had escalated to a point where householders in one part of R-category had got together and blocked access streets going through their neighbourhood from the KNC to the main road, forcing the latter to take a longer and more circuitous route.

[28] With the successful negotiation of the regularisation process with the SKAA most of the claimants of ownership in the KNC enjoy a high degree of security in their property rights, and have invested considerable savings into house construction. This is despite the fact that many of them have not yet leased their individual plots. Some cite expense while others say that a lease issued by the SKAA will not add to their sense of security. Although there is a price premium on plots that have acquired the SKAA leases, the fact that it is the SKAA and not the original municipal landowner which is a legal stakeholder creates a justifiable sense of protection among the owners of non-leased plots.

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<sup>7</sup> We were unable to discover the significance of the term 'R-category' but it was commonly used to differentiate this extension from segments of North Nazimabad that were developed when the locality was first established in the 1960s.

### **Spectre of eviction**

[29] The spectre of eviction threats, however, is not altogether absent from the colony. A current threat concerns KNC residents whose homes are on the embankments of the drain which are not within the SKAA authorised map. In 2009, residents were informed that land spanning 100 feet on either side of the Gujjar Nala will be acquired for the construction of a transport corridor along the drain. This land includes not only several houses that are outside of the SKAA map, but also some that are within the regularised area. While homeowners outside the SKAA map fear uncompensated eviction, those within the regularised part of the settlement expect to be compensated with cash and alternative land allotment. The threat of eviction is seen to be credible in the light of the experience of the Lyari Expressway a few years ago, which led to the displacement of several thousand homes by the city municipal government.

[30] There is also a large group of families who now rent homes from KNC owners because they were evicted from a nearby unplanned settlement they call Jhuggiyan Hyderi (JH) in 2005. The JH was a settlement with over 500 families, a mix of huts and cement houses, electricity connections, local shops, and public buildings such as community mosques. The settlement was thought to be on a public amenity plot and was in a perpetual state of struggle with property owners and residents of neighbouring planned segments of North Nazimabad who complained about the JH lowering property values, sheltering petty crime, and encouraging immorality. Most of the JH residents were Seraiki-speaking migrants and their descendants from southern districts of Punjab belonging to marginalised service castes.

[31] A common account of the events leading up to the eviction links the action closely with electoral politics. The JH residents had begun lobbying an office-bearer of a faction of the Pakistan Muslim League (PML) who had close links with some ethnic Seraikis. In 2005, many JH families decided to support PML candidates in local government elections, marking them out as potential opponents for the MQM, which then controlled the municipal government and won the election. According to former JH residents their 'wrong' political choice provided their neighbours in the planned settlement with an opportunity to successfully lobby the MQM for pushing ahead with the eviction.

## Discussion

[32] Olson's (1971) collective action framework is a useful point of departure for interpreting narratives of the KNC's journey towards a relatively secure tenure. Secure tenure in the face of planning regulation was, indeed, a public good from which individual residents could not be excluded. Homeowners were in no hurry to acquire individual leases from the SKAA once their segment of the settlement was officially notified for regularisation. The production of this public good had entailed a great deal of individual contribution over the decades in the form of risky investments vulnerable to demolition, willingness to face legal sanction, and time and money spent lobbying political leaders and bribing officials.

[33] Olson (1971) was pessimistic about the feasibility of voluntary, non-coercive collective action in situations where individual compliance could not be sanctioned or rewarded, and his pessimism is not entirely belied by the successful instances of collective action in the KNC. We see, in the Pashtun land agents, the ability to use coercive means. Moreover, Olson's prediction concerning within-group inequality is amply supported. Land agents were willing to invest in producing the public good because they stood to make large gains from it. Their control over numerous plots of land, which they could sell at a price premium as the colony became more secure, made them willing investors to the benefit of other residents. The inequality between group members was not economic to begin with, but related to social status and political power. A settlement with greater within-group equality, say JH, was unable to find sufficient investment in the production of the public good to prevent eviction or to negotiate compensation.

[34] Moving on from Olson we also find sub-groups and leaders mediating between the main group (the entire settlement) and individuals. In line with post-Olson rational choice as well as social movement theory, we find much use for concepts such as individual heterogeneity, norms, culture, kinship groups, and indigenous free spaces. Sub-groups such as Baloch seasonal migrants, Odh, and Lawa Muslim Shaikh play important parts in the regularisation narratives. At first sight, these appear to be primordial kinship groups which used their prior organisation to some advantage. On closer examination, however, the picture is more complex. KNC Baloch, for example, are from disparate kinship groups who gained a collective identity largely as a result of their experience of migration and residence at the KNC. The Lawa, likewise, acquired a new identity in the KNC and actively shed their association with their Muslim Shaikh roots in the home village. Moreover, these and other sub-groups from marginalised rural communities had produced

leaders through engagement with the process of regularisation many of whom had become activists of political parties.

[35] There were free spaces, apparently of the 'indigenous' type, in the struggle between regulation and regularisation in the KNC. The widespread acceptance of informal norms and existing institutional forms on both sides of the regulation-regularisation divide was in evidence at different points in the story. The first challenge to the dominant urban planning idiom was the cultural acceptance of campsites of seasonal migrants on city limits. The knowledge that the presence of women and children raised political and perhaps moral costs of forced eviction to the authorities was also used to good effect by KNC residents. The status hierarchy ingrained in the use of women implies that existing structures of patriarchy ought to be counted among the free spaces used to resist regulation. It was families from rural marginalised communities whose women were available for physical resistance, with seclusion being seen as a marker of high status. Reputations, such as those of Pashtun men and Odh women too, were part of discursive free spaces.

### **Regulation, regularisation and political process**

[36] Urban planning in Karachi focused on the development of government owned land on the city's periphery and its allotment at prices estimated at a quarter of the market value (Dowall 1991). The KDA, which was the prime supplier of land allocated under a tenth of the area it developed to designated low-income housing (Arsalan *et al.* 2005), and the gap between allotment and market prices suggest that demand far exceeded supply. Partition-related refugee influx had created a large number of makeshift camps which morphed into settlements. There were also pre-Partition settlements, notably the old city quarter of Lyari, which neither enjoyed legal title nor access to civic amenities. The main response to the presence of unplanned settlements came during Pakistan's first period of military rule in the 1960s, when many Partition refugees residing in the city centre were relocated to planned settlements on the city's outskirts.

[37] The first collective attempt at resisting regulation was staged in the old quarter of Lyari whose residents became aware of plans to raze their locality and to shift them too away from the city. Unlike the relatively recent Partition refugees, Lyari residents of several decades launched a campaign to save their neighbourhood. They succeeded in drawing the attention of Zulfikar Ali Bhutto, a civilian minister in Ayub Khan's military regime, who lobbied within

government for the regularisation of the existing settlement. He rallied supporters at a public meeting in Lyari in 1963 where he announced that lease documents will be issued to the residents.

[38] Subsequently, Lyari became a support base for Bhutto's PPP which contested the country's first general elections held in 1970 on a populist platform. The PPP formed the government in 1972 and the inaugural meeting of its provincial cabinet was held in 1972 at a public park in Lyari. An early action of the government was to instruct municipal authorities to issue land titles to Lyari residents. The link between electoral politics and demand-making by unplanned settlements was established and the regularisation of unplanned settlements was incorporated into the 1974 master-plan for Karachi (Hasan *et al.* 1999).

[39] The fall of the PPP government in 1977 and the re-imposition of military rule did not lead to a reversal of the regularisation policy. In fact, the incoming military regime, mindful of its tenuous support base, made further announcements, such as one by the President in January 1978, promising the regularisation of unplanned settlements.<sup>8</sup> The main watershed was the Sindh Katchi Abadi Act of 1987 that provided a comprehensive legal and administrative framework for the process of regularisation. By 2005, the SKAA had identified 539 unplanned settlements of which 483 qualified for regularisation and 379 (including the KNC) had been formally regularised.<sup>9</sup>

[40] The rise of the MQM in the 1980s was premised on its rhetoric of Muhajirs being a middle and lower class community, obscured differences in wealth and status, and allowed it to build support bases in planned and unplanned areas alike. Although most of the top leaders were residents of middle-income planned areas, many of them had links with unplanned settlements where their families had lived after first arriving in Karachi (Budhani *et al.* 2010). The MQM's early demands were entirely couched in opposition to those it regarded as ethnic outsiders in Sindh, and did not include any reference to the actual living conditions of its own constituents.<sup>10</sup> In some instances, these demands translated into turf battles between party cadre and non-Muhajir residents of unplanned residents, while in other places there were attempts by MQM supporters in planned settlements to curb the expansion of new unplanned settlements which were

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<sup>8</sup> This announcement was later covered by Martial Law Orders (MLOs) 110 and 183 of 1978.

<sup>9</sup> Authors' calculations based on the SKAA (various).

<sup>10</sup> This observation is based on a reading of the MQM's original charter of demands as reported in Kennedy (1991).



populated by more recent non-Muhajir migrants from within or outside the country (Collective for Social Science Research 2005, Budhani *et al.* 2010).

[41] Following the abandonment of its overt ethnic label in 1997, the MQM cultivated its image as a party that would deliver effective urban development and governance (Baig 2005, Khan 2007, 2008). It enjoyed control over municipal matters for much of the 2000s when the party's position towards unplanned settlements further hardened in favour of regulation. Although ethnic rhetoric had been replaced by a stress on civic management, non-Muhajir migrants and residents of unplanned settlements suspected ethnic motives at play. The Lyari Expressway (LEW), which was built between 2002 and 2009,<sup>11</sup> led to the eviction of between 30,000 to 77,000 homes along the Lyari riverbed.<sup>12</sup> Extracts from the resettlement project's official website are cited at length as illustrative of the project, and by close association, the MQM's attitude towards unplanned settlements:

The fast growth of the city has, over the years, attracted numerous people from within as well as outside the country [...]. As this inflow of people continued over the years, land became precious and even the Lyari river bed became prime residential/commercial property as it was right in the heart of the city. The unscrupulous elements caught unwary newcomers who were illegally given land along the river at cheap prices where they ended up establishing residence. Slowly but steadily the entire stretch of the river was encroached, protruding into the river bed and constricting the flow of water [...]. Furthermore social problems also began to creep up. Fundamentally, as the locality was on encroached land, drug dealing, lawlessness and vice flourished. The haphazard construction of hutments left no room for development of civic utilities or amenities [...]. The problems were innumerable but solutions limited to only one—resettlement at a properly planned site in accordance with human rights conventions [...].

[...] But this is just the beginning and the end is a distant reality. Along the way lie many more 'Colonies', many more families that remain embedded in a maze of narrow, crooked lanes overflowing with sewage, entangled in a web of illegal electricity connections, with streets without names and houses without numbers.

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<sup>11</sup> National Highway Authority's official website: [http://www.nha.gov.pk/index.php?option=com\\_content&view=article&id=173:lyari-expressway-project-&catid=48:development&Itemid=73](http://www.nha.gov.pk/index.php?option=com_content&view=article&id=173:lyari-expressway-project-&catid=48:development&Itemid=73) (accessed on 14 October 2011).

<sup>12</sup> The project compensated 30,000 displaced home-owners according to the official rehabilitation agency (<http://lerpkarachi.com.pk/pages/project-facts.php> accessed 30 May 2011). The Urban Resource Centre claims that 77,000 families were displaced. In the style reminiscent of the 1960s resettlement of Partition migrants, many LEW affected people remained uncompensated, while compensation was offered in the form of plots of land at great distances from the city centre and places of work (Hasan 2005).

(Lyari Expressway Resettlement Project website, <http://lerpkarachi.com.pk/pages/index.php>, last accessed 13 November 2011)

[42] The LEW was the largest but not the only 'mega-project' that resulted in evictions. A city strategic plan prepared by the municipal government in 2007 further raised fear among residents of unplanned peri-urban settlements when it declared the city's outskirts as vacant land ready for development. The MQM whose early claims of representing the poor were premised in large part on its support base among Muhajirs of unplanned settlements now looked like a protector of incumbents. In the KNC, the MQM was accused of siding with R-category property owners. Although residents of unplanned settlements along the Gujjar Nala are unlikely to have seen the analysis of their neighbourhoods on the LEW website, they will have been familiar with the mocking and libellous tone of its message through their dealings with neighbours in the R-category, or in the treatment received by JH evictees. In the 2008 general elections, the MQM received a third of the vote from the KNC compared to 50% for the PPP. In the rest of UC Hyderi, MQM's vote share was 85% compared to the PPP's 12%.<sup>13</sup>

[43] What is of particular interest is that the KNC as well as other unplanned settlements had emerged as pockets of opposition to the MQM in constituencies where the party was always going to win the overall electoral contest. Local sub-group leaders had emerged as interlocutors with political parties, whose more senior leaders valued a presence in the locality. This happened precisely at a time when the party seemed most powerful with an enhanced reputation for armed force, the backing of a military regime, and control of all levers of government in the city. It was as though the KNC and settlements like it had themselves become free spaces in the heartland of what seemed then like a hegemonic organisation.

## Conclusion

[44] We believe that the myriad forms and instances of collective action that lead the establishment of an unplanned settlement and its fitful journey towards regularisation may add up to transformative political possibilities even if all of the particular instances of collective action are driven exclusively by rational self-interest.

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<sup>13</sup> Authors' calculations are based on polling station level data from the Election Commission of Pakistan.

[45] While we agree with Roy (2009) that there need not be any correspondence between informality and poverty, we find that powerful beneficiaries of informality are destined to take much shorter and less fitful journeys towards legalisation and formal protection of property right. The social marginality of the people involved insures that they will put up with long periods of vulnerability to eviction as a price for an eventual improvement in tenure security. Within-group inequality and the utilisation of indigenous free spaces such as the use of women's bodies to protect a settlement, generate the potential for successful collective action. The seemingly unending reserves of social inequality in South Asia, often from outside the urban context, can thus fuel urban collective action almost indefinitely.

[46] Under these conditions, we would argue that collective action driven for rational self-interest, even shorn of further moral content is no mean achievement. In fact, what appears to be indigenous free spaces such as ethnic or kinship group identity, and patriarchal sub-group leadership, may on closer examination turn out to be innovative adaptations to urban possibilities and challenges. But perhaps most importantly, while collective action around unplanned settlements may not transcend into social movements, it can help to keep the door open for plural democratic politics. This is not saying much, but given the range of challenges that emanate from determined opponents of democracy in contemporary South Asia, it is not saying that little either.

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