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## Article:

Tassadiq, F. (2022) Producing dispossessed and humanitarian subjects: land acquisition and compensation policies in Lahore, Pakistan. PoLAR: Political and Legal Anthropology Review, 45 (2). pp. 240-256. ISSN 1081-6976

https://doi.org/10.1111/plar.12506

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# Producing dispossessed and humanitarian subjects: Land acquisition and compensation policies in Lahore, Pakistan

This article examines land acquisition for the construction of a metro train line in Lahore, Pakistan, to argue that the role and temporality of bureaucratic documentary practices are key to enabling urban informality and associated regimes of substantive citizenship. I examine the changing role of bureaucratic documents along the axes of (a) state and citizens, as documents are transferred between various actors who attribute different meanings to them; and (b) time, as documents assume varying meanings across their life cycles. First, I argue that documents constitute the disaggregated state and facilitate inconsistent practices that produce urban informality by exempting such settlements from some regulations while subjecting them to others. Second, a study of the time effects of these contingent practices and associated documentation shows that while original settlers may manipulate the disparate institutions of the state to secure resources, tolerance of such settlements across generations prompts a reformulation of local conceptions of landownership. Contemporary residents, then, position themselves as propertied citizens in possession of ownership documents. In this case of land acquisition, such efforts secured limited recognition from the state: residents were cast as illegal encroachers but were eventually offered some compensation as humanitarian aid, thereby reproducing socioeconomic inequalities. [bureaucratic documents, urban informality, state, temporality, citizenship]

"At least they have paid us before sending in the bulldozers to raze our homes," said Ahsan, a middle-aged resident of the neighborhood of Kapoorthala House<sup>1</sup> in Lahore when I met him at a *falooda* (vermicelli dessert) shop near his house in October 2017. Chuckling wryly, he continued, "[The government] opened a *khairaati* (charity) fund for us. First they turn you into a beggar. Then they expect you to be grateful to them for this tremendous favor that they have done!"

A few weeks later, I was standing outside Ahsan's house watching people load their belongings on to rickshaw-drawn carts. Ahsan's house was part of the section of Kapoorthala House that had to be demolished for the construction of the Orange Line Metro Train (OLMT). The OLMT was the country's first metro train and was financed by a loan of USD 2 billion from China.<sup>2</sup> Residents had already been paid for this land two years ago. But a court case against the project had prevented the state from going ahead with the demolition and subsequent construction. On December 8, 2017, the Supreme Court dismissed the case against the OLMT. Two days later, I watched as bulldozers started demolishing the last few houses standing on land already acquired by the state in Kapoorthala House. Ahsan's family had moved their possessions to a house they had rented nearby. Like most

*PoLAR: Political and Legal Anthropology Review*, Vol. 0, Number 0, pp. 1–17. ISSN 1081-6976, electronic ISSN 1555-2934. © 2022 The Authors. *PoLAR: Political and Legal Anthropology Review* published by Wiley Periodicals LLC on behalf of American Anthropological Association.

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of his neighbors, Ahsan was now waiting for his house to be razed so he could sell the salvage material to a local contractor. We watched as the bulldozer sent by the Lahore Development Authority (LDA) started tearing down a house at the end of Ahsan's lane amid clouds of thick dust.

Kapoorthala House, a small, unassuming neighborhood in the Purani (Old) Anarkali area of Lahore, found itself thrust into the spotlight in 2014, when large sections of the area were earmarked for land acquisition for the OLMT project. This acquisition proceeded under the provisions of the colonial-era Land Acquisition Act 1894 (referred to as LAA) and relied exclusively on records maintained by the Revenue Department of the Provincial Board of Revenue. However, large sections of the land slated for acquisition included informal settlements like that of Kapoorthala House, where the residents did not have property titles or the required Revenue documents. Consequently, the home and business owners who did not possess the required documents were deemed illegal occupants for the purpose of land acquisition and, thus, ineligible for any compensation. In response to a series of high-profile protests by affected citizens, the chief minister of Punjab announced a "grantin-aid" compensation package, on "humanitarian grounds" for home and business owners who did not have the required Revenue documents for their properties.

This article explores the competing claims to the city and the spatial conflicts brought to the fore by land acquisition for the OLMT to understand how urban informality and marginality are both produced and sustained. I contend that bureaucratic documentary practices and their relationship with time are key to enabling urban informality and associated unequal regimes of citizenship. Specifically, I examine the role of bureaucratic documents along two axes: along the continuum of state and citizens as documents move between various actors and assume different meanings for differently placed people, and the temporal axis to understand the time effects of different documentary practices and the significance they accrue over time. First, I argue that bureaucratic documentary practices facilitate urban informality by enacting some regulations regarding land use, occupation, and taxation while suspending others. Informal settlements thus exist in a web of overlapping suspensions and enactments of planning and legal apparatus enacted by official documentary practices. Second, my focus on the time effects of bureaucratic documentary practices shows that while marginalized citizens might initially manipulate the contradictory agendas of disparate state institutions to secure resources like housing, unofficial tolerance of informal settlements across generations reformulates people's conception of landownership and subsequently their relationship to the state. Long-term residence free from threats and punitive actions reinforces residents' belief that the documents in their possession are ownership documents. People then position themselves as propertied citizens demanding fair compensation for their land during processes of land acquisition instead of seeking relief from the state as a moral right. Such a mode of engagement has complex implications for substantive citizenship. On the one hand, it enables an accumulation of resources and, consequently, socioeconomic stability across generations, which eventually strengthens people's claims to land. On the other hand, this sense of security can also render people vulnerable to a sudden attack on their land rights. In the case of land acquisition for the OLMT, the state only granted partial recognition to people's claims and thus undermined citizenship and reproduced marginality by repositioning urban citizens as humanitarian subjects.

Literature on urban informality has highlighted the role of contingent state practices and inconsistent governance rationales in producing urban informality (Moatasim 2019; Roy 2005). These heterogeneous practices and associated documents are then mobilized by citizens, including the residents of informal settlements, to accumulate resources and stake

claims to land (Anwar 2014; Hull 2012b). Attention to the role of documents enables an understanding of how such inconsistencies are enacted (and manipulated by the marginalized). The case of land acquisition in Old Anarkali shows that bureaucratic writing is not only constitutive of the state (Gupta 2012) but constitutes the disaggregated nature of the state. It coordinates the different locales and institutions of the state (Gupta 2012) while simultaneously constituting them as separate divisions through selective exchangeability of documents (Strathern 1999). Fragmentation of state functions across different divisions, along with separate documentary practices, diverse agendas, and priorities, then facilitates inconsistent governance practices. These contradictions are not limited to differences between branches of the state like the judiciary and the bureaucracy (Ghertner 2015); they also exist within different sections of the public administration bureaucracy. Informal settlements, then, do not exist as a singular "state of exception" (Roy 2005, 147) to regulations but are formed through selective and strategic exceptions. I show how informal settlements are born and sustained via exemptions from some regulations but subjection to others by examining official documentary practices associated with landownership and occupation in Lahore.

Recent scholarship on the state has focused on the temporality of its engagements with citizens. Ethnographers of state bureaucracies note how delays in both responding to complaints and providing services by bureaucrats work as a mechanism of control over poor people (Auyero 2012; Gupta 2012). Others have focused on questions of when citizens engage with specific divisions and levels of the disaggregated state (Ghertner 2017). My work brings together these two lines of inquiry—namely, the temporality and time effects of bureaucratic practices and of people's engagement with the state—to attend to longer time horizons beyond everyday negotiations. I focus on the narratives around various documents mobilized during the process of land acquisition to examine the afterlives of strategic exemptions secured by the so-called political society (Chatterjee 2004) and their implications for the production of urban space and power dynamics.

In contrast to more recent settlements, usually formed at urban peripheries, Kapoorthala House and its surrounding areas in Lahore's Old Anarkali are some of the oldest settled areas in the heart of the city, largely inhabited by low- and middle-income groups. Tolerance of informal settlements that emerged in the years after the Partition in 1947 became a means of shifting structural conflict between refugees and the nascent state into the indefinite future. However, when such an arrangement extends across generations, its impact on urban inequality is decidedly complicated. For residents of Old Anarkali, the time effects of this arrangement included the development of socioeconomic security as well as a firm belief in their status as propertied citizens. Local urbanization patterns, multigenerational histories of residence in the neighborhood, and lived experience of state-citizen interactions were interpreted as proof of the validity of their documents. Consequently, prior to the onset of land acquisition, residents of Kapoorthala House and surrounding neighborhoods were not in a submissive state of waiting or anticipation for the state (Auyero 2012; Ghertner 2017). Nor did they position themselves as members of a "political society" (Chatterjee 2004) demanding relief from the state during land acquisition. Instead, residents of Kapoorthala House positioned themselves as rights-bearing propertied citizens being deprived of their land through unfair means. However, the lack of a "keen spatiotemporal sensibility" (Ghertner 2017, 733) and the absence of organizing networks (Anwar 2014; Holston 2008) on the part of residents of newer and more vulnerable settlements meant that inhabitants of Old Anarkali were unprepared both materially and emotionally for the sudden confrontation with the state.

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Centering the temporality of bureaucratic documents reveals the different ways the state and citizens strategically engage with each other at different points in time. Although low-income citizens may have initially "worked" the disparate and conflicting agendas of different state institutions in practice to access housing, their descendants later invoked a unitary vision of the state to retain their land during the process of land acquisition. The refusal of the Revenue Department to recognize their documents was discursively marked as a breakdown in the coordination between diverse state agencies or downright dishonesty and, thus, a failure on the part of the bureaucratic and political elite rather than that of the citizens. In contrast, bureaucrats in charge of land acquisition now invoked the disaggregated state: they focused on the distinction between divisions of the state to invalidate the documents in people's possession and simultaneously underscored the importance of adhering to standard bureaucratic procedures of only relying on Revenue documents to administer land acquisition. These two discursive techniques helped bureaucrats disclaim responsibility for, and normalize the social suffering caused by their actions. Citizens eventually achieved partial success when the provincial government realized the political inexpedience of evicting long-term multigenerational residents from the heart of the city without any compensation. Bureaucratic procedures and their attendant documentary practices were thus mobilized to depoliticize issues of who belongs to the city and undermine substantive citizenship by reconstituting rights-bearing propertied citizens into subjects of aid disbursement.

In what follows, I outline the process of land acquisition under the colonial-era Land Acquisition Act 1894 and the official conception of landownership as exclusively enacted by documents from the Revenue Department. Next, I discuss the urbanization history and tenure arrangements in Kapoorthala House to show how residents deployed heterogeneous practices of governance and their attendant documentation to situate themselves as rights-bearing propertied citizens in possession of ownership documents. Last, I discuss how power inequalities between the state and marginalized citizens enables the former to foreground its own narratives regarding the illegitimacy of informal settlement and only grant limited recognition to people's claims, thereby reproducing unequal regimes of substantive citizenship.

The article relies on three months of research conducted in Lahore in 2016 and a longer stretch of 12 months of fieldwork conducted in 2017–2018. During this period, I collected oral histories, spent time with, and interviewed residents of Old Anarkali. I also interviewed bureaucrats, government employees, lawyers, and rights activists involved in implementing or resisting the OLMT.

# The State's Enactment of Landownership

Kapoorthala House is located in Old Anarkali, a densely populated, mixed land-use area just outside the precolonial Walled City. In 2015, 54 residential properties were slated for acquisition in Kapoorthala House. An additional 182 properties were earmarked for acquisition in the adjacent neighborhood of Jain Mandir<sup>3</sup> and Katcha Lake Road area. In total, about six acres of land was earmarked for acquisition in the area, displacing about 8000 people.<sup>4</sup> This acquisition was dictated by the Land Acquisition Act 1894 and relied exclusively on Revenue records maintained by the Revenue Department. In particular, the acquisition process required two documents: the *fard-e-malkiyat*, record of current ownership of a property, and *fard-e-inteqaal*, record of mutation of ownership from previous owner to the current one. These were needed to render the owner of a private property eligible for compensation. In this section, I examine how three lineaments of colonial legal and bureaucratic legacies helped shape the conditions for dispossession of thousands of

people along the route of the OLMT: the sprawling bureaucratic documentary regime; the emergence of the Revenue Department as the definitive authority on landownership; and the LAA.

The continuity of colonial practices of governance in the postcolonial nation are most evident in the areas of civil administration in South Asia (Hull 2012b; Hussain 1972). The need to maintain accountability from afar spawned an elaborate system constituted through documentary writing and record keeping in the colonial regime (Hull 2012b; Raman 2012). This was particularly true of land revenue administration that was central to the extractive colonial regime (Nelson 2008).

Initially, as their territorial possessions increased in India throughout the late eighteenth and early nineteenth centuries, the British were confronted with the dilemma of scant information about the organization of land and complex property, tenure, tax, and tribute relations of the territories they now governed (Michael 2007). This territorial illegibility was addressed by undertaking massive mapping, recording, and codification of land and corresponding rights, which then formed the basis for administering the revenue collection system and legal jurisprudence of space in India (Michael 2007; Nelson 2008). This documentation of rights and tenure arrangements originally started with revenue-generating rural/agricultural landholdings before turning to the consolidation of urban land in the latter half of the nineteenth century (Bhattacharyya 2018). In the process of regularizing landownership and producing an urban property market backed by particular legal and documentary regimes, the colonial regime validated certain practices of ownership while disabling others (Bhattacharyya 2018). Predictably, however, the actual practices of landownership continued to exceed the juridico-economic terminology generated by the colonial regime and later the postcolonial states in South Asia (Bhattacharyya 2018).

The importance of the Revenue systems' documentary regime cannot be overstated—the title deeds, maps, surveys, and records enabled the stabilization of land relations (Raj 2009) and underpinned the taxation system and the sovereignty of the colonial government to represent the land under their control (Michael 2007). The sprawling paperwork of the Revenue Department delineated the formal legal connection between the state and its subjects (Nelson 2008). The revenue system thus emerged as the definitive authority on land organization and property rights in colonial and latter postcolonial South Asia and now dictates processes like land acquisition.

The LAA is the primary legislation that directs land acquisition for a public purpose by the government in Pakistan. Initially brought into operation by the British administration in the subcontinent to enable the colonial government to acquire land cheaply and quickly to construct infrastructure required for colonial rule (Beverly 1888; Goswami 2004), the LAA continued to function in Pakistan after independence. The LAA, amended from time to time, is the main legislation dealing with land acquisition in the province of Punjab and allows the government to seize private property for public use by eminent domain. The provisions of the LAA dictated the acquisition of land for the OLMT with the LDA acting as the acquiring agency. The payment to property owners referred to as the "award" included compensation for the land and built structures, a disturbance allowance, and compensation for business loss in the case of commercial properties. In Old Anarkali, land acquisition was administered under a rate of PKR 1,250,000/marla<sup>5</sup> (about USD 44/square foot)<sup>6</sup> for residential properties. State functionaries associated with the land acquisition for the OLMT maintained that compensation for land acquisition conducted under the LAA could only be made to those with the two Revenue documents, fard-e-malkiyat and fard-eintegaal.

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Scholars note that while official documentary practices are intended to "make society legible" (Scott 1998, 2), and coordinate the divisions and levels of the disaggregated state (Gupta 2012), in reality, disparate agendas and associated writing practices often create an ensemble of documentary artifacts that produce selective legibility and opacity (Hull 2012a). Consequently, documents about the same piece of land, for example, those produced through varying processes for different purposes (Mol 2002), enact very different objects for bureaucratic intervention. While a form generated by the Excise and Taxation Department may constitute the piece of land as taxable private property, another by the Revenue Department may establish the same land as state land illegally occupied by land grabbers. These contradictions in documentary practices became particularly salient in the case of land acquisition for the OLMT, where landownership was defined by the state exclusively through two pieces of documentation from the Revenue Department, which alone could enact a privately owned real estate property that the state could acquire after the payment of carefully calculated compensation. This approach created widespread difficulties for property owners in a context where even formal landownership is characterized by a range of documentary practices.

Land acquisition for the OLMT was complicated by the fact that the proposed train route ran through sections of the city populated by informal settlements on different forms of state land where residents did not have the requisite ownership documents. While many residents had no documents other than utility bills, some had the Property Tax 1 form (PT 1) or Permanent Transfer Deeds (PTDs) or Transfer Orders (TOs). According to Revenue authorities and LDA officials, none of these qualify as documents sufficient to obtain compensation under LAA. A close examination of this stance illustrates how agents of the state seek to impose coherence on the multiple contradictions and ambiguities that characterize state policy and practice to make it appear "as if the illegibilities have been overcome, as if orders have been followed" (Mathur 2016, 3, emphasis in original). PT 1 is prepared by the Excise and Taxation Department of the government of Punjab for the purpose of taxing properties. According to a senior official from the Revenue Department working on the land acquisition for the OLMT project, PT 1 forms prepared on the basis of possession of a property are not considered proof of ownership for legal and administrative purposes. PTDs and later TOs were issued in the years following the Partition to transfer ownership of properties left behind by Hindus and Sikhs to refugees arriving in Pakistan from India. PTDs and TOs are considered title documents.

The Land Acquisition Collector in charge of land acquisition for the OLMT elucidated the inadequacy of a PTD or TO on its own for the purpose of securing compensation under the LAA by pointing out that these are not Revenue documents, as they are not issued by the Revenue Department of the Punjab Board of Revenue. However, PTDs and TOs are valid title documents and can be used to acquire the *fard-e-inteqaal* and *fard-e-malkiyat* from the Revenue Department. Although properties can be legally sold and transferred without updating the Revenue records, the latter assume paramount significance if and when the Revenue Department is involved in any transaction. Moreover, all title documents popularly known as registries must eventually effect this mutation. Landownership thus emerges as episodes of documentary changes that must culminate in the production of the two Revenue documents. However, many refugees did not complete the process of obtaining Revenue documents for the properties allotted to them. In the Revenue records, such properties remained under state ownership. However, recipients of PTDs or TOs can get them implemented even years after their initial issuance and become eligible for the award money under LAA in case the state acquires their land.

Akhil Gupta's (2012) ethnography of bureaucratic practices notes that writing is so central to the work of bureaucrats, especially due to its function of coordinating different departments, that it can be considered to constitute the state. He further argues that writing is not secondary to actions but in most cases, it is the official response to a situation. The workings of the Revenue Department show that a large part of this communication and coordination centers on "translating" documents of one division into documents of another. These conversions—for example, using a TO to generate Revenue fards—are not ancillary but form the central function of the department. This is particularly true for divisions like the Revenue Department, whose primary function is to maintain and update records of land relations by creating, receiving, and interpreting an array of documents from other divisions and levels of the state. This act of updating the records is itself constitutive of landownership.

Unfortunately, it is a process that is inaccessible to large sections of the population. When land acquisition began for the OLMT, two classes of four property conditions, each indexed by specific documents, existed in the areas earmarked for acquisition: legal ownership indexed by fard-e-malkiyat and fard-e-inteqal; legal ownership indicated by title documents, for example PTDs/TOs; possession indicated by PT 1; and possession indicated by utility bills. In the case of Kapoorthala House and of Katcha Lake Road, all four were present in the same neighborhoods. The neighborhood of Jain Mandir had been gradually built on the premises of a Jain temple. The latter was officially under the control of the Punjab Auqaf and Religious Affair Department that manages places of worship. According to the Land Acquisition Collector, residents in the neighborhood mostly had PT 1s as they were occupying Auqaf land that was never slated for transfer to refugees. According to the LDA's records, only four households in the Kapoorthala House, Katcha Lake Road, and Jain Mandir area secured the award money. The remaining households received the grantin-aid money, indicating that they either did not have PTDs, TOs, or registries, or they did not have them implemented in the Revenue records.

LDA officials reconciled their rejection of land rights of people with the issuance of different forms of official documents to them and the state's tolerance of the settlements for decades by invoking the disparate and pluri-centered nature of institutions that make up the state. The Land Acquisition Collector for the OLMT, for instance, argued that the Excise and Tax Department is concerned with collection of a tax dependent on occupation of a parcel of land. Inquiry into the ownership status of land is not a priority for the department when it comes to tax collection. Engineer Sulaiman Hamdani, another LDA employee, mobilized the distinction between the political and administrative priorities to explain that governments need to "maintain goodwill" with constituents. Instead of eliminating illegal settlements, elected leaders then employ a "need-based approach" to removing "illegal encroachers" when a particular piece of land is required for some project.

The general response of bureaucrats and government officials to my questions about massive dispossession repeatedly referred to established procedures and the discipline of bureaucratic records, thereby seeking to displace attention from unequal outcomes onto the standardized procedures producing those results (Gupta 2012). The focus on Revenue records during land acquisition reduced the issue of dispossession to a technical bureaucratic operation with its attendant gloss of rationality and depersonalization. Revenue documents constituted what Emma Tarlo has called "a field of 'paper truths'" (2003, 9). Although constructed, these artifacts assumed an irrefutability as they adjudicated the fate of inhabitants and marked them as either propertied citizens or "illegal squatters". These two discursive techniques—that of invoking the disaggregated state and the importance of adhering to procedure—helped officials disown responsibility for, and distance themselves

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from, the suffering caused by their actions. Residents of Old Anarkali, on the other hand, mobilized various bureaucratic documents to construct a different imaginary of the state and further their claims to retain ownership of their land.

## **Urbanization Histories and Local Conceptions of Landownership**

If documents constitute objects for state intervention, the state itself is constructed and reproduced through these documents (Das 2004; Sharma and Gupta 2006). However, tracing the careers of documents illuminates the associations between people, documents, and the objects they construct and the instability of these relations across different contexts (Hull 2012a). Tracking documents produced across the different divisions of a disaggregated state highlights how citizens divert these to purposes that exceed the administrative rationales of their production to create the terrain for contesting urban citizenship. Attention to temporality in the analysis of the local conceptions of landownership in Old Anarkali shows that local urbanization patterns, people's long history in the neighborhood, and lived experience of state–citizen relations reinforced residents' faith in the validity of the documents in their possession as ownership documents. In contrast to literature that demonstrates the emergence of tenure security in the absence of ownership documents, my research shows that these were deeply embedded within local conceptions of landownership in Kapoorthala House.

Kapoorthala House is located in the section of the city commonly referred to as Old Lahore and includes some of the oldest settled areas of the city. Current inhabitants primarily include descendants of pre-Partition residents or refugees that settled here in the years following the formation of Pakistan. Informal settlements housing the more indigent refugees emerged in the city soon after Partition owing to inefficient and corrupt refugee settlement practices (Chattha 2012; Alvi 1997). Similar informal settlements became a regular source of housing supply in later years (Alvi 1997) as the state prioritized large-scale development projects over the more mundane issue of housing for the urban poor (Daechsel 2015). With the emergence of more neoliberal governance policies in the 1990s, the government's role shifted to facilitating the private sector to meet housing needs (Magsood et al. 2019). By the late 1990s, as much as 30 percent of the city's population was living in informal settlements (Alvi 1997). Families displaced by the OLMT in Kapoorthala House reflect this regional history with many households composed of second-, third-, and fourth-generation Partition refugees. Most of the original settlers were engaged in low-income professions like making sweetmeats, washing clothes, and selling vegetables. Few among those who had been issued PTDs or TOs for their properties procured the relevant Revenue documents.

Urbanization trends in Lahore after Partition reflect the geography of class in the city and are closely linked to local land transfer practices. Economic and social advancement has corresponded with a general shift of urban citizens away from Old City in the northwest to the more recently settled middle- and upper-class suburbs in the southeast (Alvi 1997). In addition, the majority of low-income rural-to-urban migrants who continue to arrive in Lahore are accommodated in newer informal settlements in the periphery rather than the older settlements in and near the Walled City. According to local *patwaris*, government officials who maintain land ownership records for an area, residential units that come on the market are usually purchased by people already living in the Old City or surrounding areas. The few properties in the Old City that are purchased by outsiders are usually commercial establishments. A large number of sales are based on verbal agreements or stamp paper. 8

Living arrangements among extended families are also inextricably tied to the specific tenure arrangements in Old Anarkali. Most households are multigenerational, where adult

children, including married sons (and sometimes married daughters) live with their parents, and, often, grandparents. However, as families expand over time and across generations, individual nuclear families move away, leaving behind members of the extended family. Local inheritance practices usually involve the mutation of Revenue documents in the name of heirs if there is an intrafamily conflict and the property needs to be sold, or both. In many cases, the descendants of the original owner continue to live in the house of their ancestor even after the latter's death without any attendant changes to the property papers. Thus, uninterrupted possession by the same family over many decades resulted in property papers that were either incomplete or did not reflect the current occupational arrangements at the time of land acquisition.

Civil bureaucracy in Pakistan is notorious for its cumbersome procedures and rampant corruption (Nelson 2008). This is particularly true for the office of the patwari, which has become a metaphor for corruption in Pakistan (Hayat 2020). The complexity of the land management system, and specifically the opacity of the revenue bureaucracy, limits access for those who do not have the knowledge, wealth, and social capital required to effectively navigate legal and bureaucratic spaces (Ahmad 2017). In contrast to the procedural clarity espoused by state officials bina regarding the conversion of title documents like PTDs or TOs to fard-e-malkiyat and fard-e-integal, the actual practice of acquiring the Revenue documents is fairly inaccessible to many citizens. Zain Amanat, an upper-middle-class businessman in the area, spent about PKR 35,000 in bribes and mobilized well-placed contacts in the Revenue Department over the course of four months to acquire Revenue documents for his ancestral property and to become visible as a rightful property owner to the state. Given the low- and middle-income status of a large number of residents of Kapoorthala House and the surrounding area, it is not surprising that the residents or their ancestors never acquired ownership documents from the Revenue Department. In fact, one of my interlocutors, Ahsan's father, did not even try to use the TO of his house to acquire Revenue documents even after his house was slated for acquisition and he was made aware of the inadequacy of his papers. The low-level government employee decided not to risk his savings on what he thought would be a futile endeavor and accepted compensation under the grant-in-aid scheme.

Despite the absence of land titles and their corresponding Revenue documents, residents of Kapoorthala House based their notion of landownership on a range of factors that included a firm belief in the validity of their documents. This centrality of documents to conceptions of ownership and claims-making distinguishes the case of Kapoorthala House from settlements that form the predominant focus of scholarship on urban informality. Much of this scholarship focuses on informal settlements that have emerged recently at urban peripheries. This research, especially that on new settlements, reveals that residents premise their sense of tenure security on factors other than property titles (De Souza 1999; Gilbert 2002) and are largely unresponsive to government titling initiatives (Payne 2000; Payne, Durand-Lasserve, and Rakodi 2009). Recent studies on elite informality show that elite settlers rely primarily on their vast social networks and wealth to manipulate courts into eventually legalizing their properties 2019 (Moatasim 2019) or claim legitimacy on the basis of particular aesthetic norms (Ghertner 2015).

However, the case of Kapoorthala House and adjacent neighborhoods is significantly different due to its long history and its location at the heart of contemporary Lahore. According to a senior official in the Revenue Department, Kapoorthala House was never part of any regularization scheme, although individual residents had been able to acquire PTDs and TOs by virtue of being Partition refugees or descendants of refugees. In addition, my interviews with the residents did not reveal a conscious decision to delay the acquisition

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of a land title and the relevant Revenue records. It is possible that the original occupants who were issued PTDs or TOs were aware of the need to use these to acquire Revenue papers but were unable to do so due to their impoverished socioeconomic status. They may have communicated the need to complete the process of documentation to their children, but the knowledge was lost over the years and across generations. Current residents did not recall any such communication from their ancestors. This points to a more complex set of conditions that helped create the specific tenure arrangements in Kapoorthala House. Inhabitants of Kapoorthala House drew their sense of landownership from several factors that *included* a firm belief in the validity of the documents in their possession. I now turn to an examination of these factors, including the possession of some official documents, which produced a sense of tenure security, which, in turn, reinforced the residents' faith in the validity of their papers.

One of the key factors contributing to tenure security for the residents in Kapoorthala House were the PT 1 and PTD or TO papers in their possession and the length of their residence in the neighborhood before and after the issuance of these papers. Samina Bibi, a 50-year-old resident of Kapoorthala House, recalls that a PT 1 was issued to her father in exchange for a fee under Prime Minister Z. A. Bhutto's policy of giving settlers malikana hagoog (ownership rights) in the 1970s. Thus, for her, the PT 1 is a government document, the issuance of which signifies state recognition of her father's rights to this property. Her recollection, however, conflicts with official records that do not include this area of Old Anarkali in the list of katchi abadis (informal settlements) regularized under Bhutto and subsequent regimes. Given Bhutto's populist policies and strong following among the urban poor, it is possible that the elderly Bibi conflated her father's procurement of a PT 1 with regularization drives initiated by the popular leader. Nevertheless, her perception of tenure security is strengthened by the fact that the state allowed her father and his descendants to live on this land for decades after the issuance of the document she considers an ownership record. As she phrases it: "Why did the government give us this document then if it wasn't legal? And why did they let us live here all this time if we were indeed illegal squatters? This PT 1 was given as a registry to the people." Her neighbor, Bisma, who had a TO for her house, further added that these papers were issued not just to the people of Kapoorthala House but to settlers across the city under Bhutto's scheme. Given the real or imagined scale of the earlier governments' initiative, current residents did not feel the need to make further inquiries about papers issued to their parents and grandparents.

As discussed earlier, it is possible that the initial settlers in the neighborhood, like Bibi's father, deliberately left the titling process incomplete. Bibi's father, a menial worker from Amritsar, fled to Lahore at Partition. An impoverished and uneducated refugee, he could only find work as a cleaner. It is not surprising that he never acquired the appropriate ownership documents for his house. For her part, Samina Bibi states that she was a child when her father got the PT 1 to their house and knew nothing about the process. Predictably, she could only produce a sketchy account of the steps her father took to secure the document. With only a few years of schooling, Samina Bibi, too, followed in her father's footsteps and has continued to make a living cleaning houses, occasionally supplementing her income with financial assistance from her wealthier neighbors. Given her straitened circumstance, it is understandable that she accepted the validity of the property papers left in her possession and never subjected them to closer scrutiny.

Perception of tenure security among the residents of Kapoorthala House was also strengthened by the absence of any experience or memory of threats of eviction or other punitive action by the state. Most of the current residents in the area, like Bibi, were born in the neighborhood or were very young when they moved with their parents. Thus, legal

struggles had largely been resolved or a pragmatic arrangement—where the state decided to look the other way—had been reached by the time current residents came of age. Moreover, none of the interlocutors recalled any threats from local authorities in recent decades, which was taken as an indication of the state's recognition of their ownership rights and the validity of the papers acquired by their parents. In addition, acquisition of legal utility connections on the basis of current papers also reinforced the residents' faith in their ownership rights.

Ananya Roy (2004) uses the concept of "informalization of the state" to underscore how, far from being a domain outside of state regulation, extralegality is "inhering in the state" and is used as a technique of power (159). She further argues that forms of informality, like informal settlements, are then developed when the state exercises its power to create an exception to planning and legal apparatus (Roy 2005). Analysis of the claims made by residents of informal settlements in Old Anarkali and tracking the routes of documents mobilized in these claims shows that the exceptions to regulations are strategic rather than monolithic. Over time, the settlements were exempted from some regulations—for instance, those pertaining to land use—while being subjected to others—for instance, those pertaining to tax collection—thus enabling the state to collect revenue through taxation without addressing the extralegal occupation of state land.

However, focus on the time effects of particular modes of urban governance is key to a fuller understanding of the conditions under which urban informality persists and structures social relations. Although initial settlers in Old Anarkali may have intervened in the conflicting agendas of diverse state institutions to secure land, housing, and utilities, the current residents of Kapoorthala House were mostly second-generation settlers and had been allowed to continuously inhabit the same houses without any threats. They interpreted this as evidence of the validity of their ownership documents and the state's recognition of the same. In contrast to the official approach, then, for local people landownership emerged as an accretion of artifacts like government-issued documents as well as lived experience and history in the neighborhood. Thus, the state's facilitation and tolerance of informal settlements in Old Anarkali over time enabled a sense of security among its residents. It also enabled some socioeconomic stability and eventually strengthened their claims to place—as evidenced by the state's eventual decision to offer some compensation despite the absence of Revenue documents. Furthermore, while the state categorized everyone who did not meet its stringent documentation criteria as "illegal occupants," the inhabitants of areas slated for acquisition were quite attentive to differences in property conditions as indexed by documents in their possession. Residents of Kapoorthala House, many of whom had either a PT 1 or PTD or both and were also living in ancestral homes, were careful to distinguish themselves from other affectees, like residents of the nearby Postal Colony who had been long-term renters in government housing. The latter, in their opinion, did not deserve compensation like they did. Thus, people across the various areas affected by the OLMT were not an undifferentiated population of settlers who positioned themselves as poor supplicants demanding relief from the state. Even though they collaborated to organize resistance to the land acquisition, they were careful to distinguish themselves from other affectees with more tenuous claims, positioning themselves as propertied citizens demanding a fair price for their land.

However, toleration of the settlement over a protracted period also left the residents vulnerable. People's engagement with time informs their organizing and interactions with the state and its projects (Harms 2013). Unlike more recent settlements in the urban peripheries of major cities across the world and in Pakistan (Holston 2008; Moatasim 2019), contemporary residents of Kapoorthala House did not have to rely on active community organizing

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or patronage of local politicians to achieve a level of tenure security. Issuance of documents associated with official regulations that *were* enacted and interpreted as ownership documents ironically made people vulnerable to changing government agendas regarding regulations that had been suspended. They were thus unprepared for a sudden threat to their homes. A threadbare alliance was quickly pieced together with the aid of activists to put up some resistance to the dispossession of home and business owners along the OLMT route.

Contradictions in state rationalities and practice can create a terrain for the negotiation for rights and resources and the contestation of the meaning and content of citizenship (Anjaria 2016). However, it is important to not understate the precarity of these claims. Massive power imbalance between the state and impoverished citizens means that ultimately it is the state that decides which kinds of informality will be tolerated and which ones eradicated. It exercises this power by reforming categories and narratives of legitimacy and illegitimacy (Roy 2004). In this case, changing circumstances prompted a shift in the time-specific rationale and practice of allowing informal settlements on state land. Regulatory ambiguity was used to discredit residents' claims and dispossess them of their land (Roy 2009). At this point, the political division of the provincial state stepped in to manage the optics of mass evictions.

## From Homeowners to Humanitarian Subjects

In early 2016, Chief Minister Punjab Shahbaz Sharif eventually announced a grant-in-aid compensation package for residents and business owners without the required Revenue documents along the OLMT route. A brief of this compensation package approved by the chief minister stated that evicting these residents without compensation would render people homeless and, in many cases, unemployed, thus causing "huge social distress." Consequently, the brief insisted, it was imperative to resolve the issue on "humanitarian grounds." To this effect, the brief identified eight areas along the proposed route of the train that were categorized as largely settled informally and proposed different aid packages. Residents of the settlements in the Lahore Khas area, which included Kapoorthala House and Jain Mandir, were slated to receive compensation according to the area of individual properties at the rate of PKR 2,500,000/marla (about USD 87/square foot) for residential units and PKR 3,500,000/marla (about USD 122/square foot) for commercial units. The brief was careful to identify residents as "occupants" rather than owners, thereby upholding earlier official claims that people living in these areas did not have ownership documents.

Predictably, the aid package did not offer as much money to residents as they would have received under the LAA. Table 1 details the compensation for one property that qualified for the award under LAA in the Old Anarkali area compared with the amount the owners would have received under the aid package. As the table demonstrates, the aid package would have provided the owners of this property with only a fraction of the compensation they received under the LAA.

Most people in Old Anarkali were unaware that they had been paid through an aid scheme. Since the overwhelming majority were paid through the grant-in-aid package, most people did not know that there were, in fact, two compensation schemes. They interpreted the payment made to them as legitimate compensation they were owed as property owners. The few people who were aware of the grant-in-aid fund understood it as an attempt by the government to undermine the property rights of *gharib log* (poor people).

Providing aid instead of rightful compensation replaced the language of rights of citizens with "the rights of the human [which] pertain to sheer survival" (Mamdani 2009, 275) in conversations regarding the impact of land acquisition. This allowed the state to act with a

Table 1. Comparison of compensation under the Land Acquisition Act and the grant-in-aid package

	Land Acquisition Act Award	Grant-in-Aid Package
Property area (marlas)	2.41	2.41
Compensation rate (PKR/marla)	1,250,000	2,500,000
Compensation for land (PKR)	3,011,111	6,025,000
15% of compensation for land as compulsory acquisition charges (PKR)	451,667	
Total payment for land (PKR)	3,462,778	6,025,000
Building Assessment (PKR)	5,580,399	
Shifting & Disturbance Allowance (PKR)	5,580,399	
Total Payment (PKR)	14,623,576	6,025,000

Source: Data for the award is taken from LDA records.

high degree of arbitrariness when determining compensation for home and business owners. For example, open courtyard space inside houses was not compensated. According to LDA officials, it was unreasonable to pay people for space that they did not own and had not "invested" any resources in by constructing some form of a structure over it. Thus, people of Old Anarkali were not considered active agent-citizens participating in an exchange with the state but passive recipients of charity aimed at preventing destitution, reproducing their socioeconomic conditions. Locals also interpreted these arbitrary rules informing the grant-in-aid package as attempts by the government and its agents to defraud marginalized people.

Framing the state's response to resistance by home and business owners as aid depoliticized the deeply political and contentious issues of who belongs to the city and whose rights are recognized by the state. The focus on providing immediate relief in the form of aid performed the dual work of effacing issues of social justice, articulation of a solution to problems of low-income housing shortage, and oppressive laws and bureaucratic procedures as well as (re)producing and naturalizing existing socioeconomic inequalities. Providing aid instead of rightful compensation thus undermined citizenship by turning rights-bearing propertied citizens into recipients of charity.

#### **Conclusion: Unsettling Citizenship Regimes**

Urban informality and landownership practices are closely tied to formulations of substantive citizenship (Anjaria 2016; Holston 2008). While formal citizenship promises its bearers equality within a national polity, the actual distribution of substantive civil, political, and socioeconomic rights among citizens and groups of citizens are rarely equal (Appadurai and Holston 1996). Access to land and housing is a critical component of substantive citizenship. Thus, a study of conditions that enable or threaten urban informality also promotes an understanding of how informality can facilitate certain accumulations of substantive rights and resources while undercutting other possibilities.

In this article, I have intervened in the extensive scholarship on urban informality to account for the time effects of urban contestations. Using a moment of rupture like land acquisition helps unpack the contradictory ways time modulates how sociospatial relations materialize. Attention to questions of *when* particular claims are made as well as *how* they are made underscores the dynamic nature of the discursive, documentary, and material strategies that marginalized people deploy to secure their place in the city as well as the possibilities and limitations of such a mode of engagement. Despite being deeply

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problematic, securing of compensation by home and business owners in Old Anarkali in the form of humanitarian aid did unsettle established governance practices. It is important to note that in positioning themselves as propertied citizens who were being defrauded of their property by an unscrupulous government, residents of Kapoorthala House largely eschewed a more rights-based approach centering housing as a right of formal citizenship. Citizens threatened by dispossession thus perpetuated characteristics of historically dominant citizenship, like the centrality of property ownership and the significance of official documents to establish ownership. However, there is no linear progression to more inclusive citizenship (Holston 2008). In forcing the government to respond to them even if in the form of aid, people forced the government to set a precedent for a relatively more inclusive process of administering land acquisition. Thus, agitation by residents as propertied citizens foreclosed more radical formulations of citizenship and entitlements but did not merely produce another iteration of the hegemonic. Instead, it unsettled hegemonic distribution of rights by disrupting entrenched practices of conceptualizing landownership and treating affected citizens during processes of land acquisition.

### Notes

I first wish to thank the residents of Old Anarkali for sharing their lives and stories with me. I am also grateful to officials of the Lahore Development Authority for sharing their experiences. The Department of Anthropology at the University of Pennsylvania, Philadelphia, and the American Institute of Pakistan Studies provided research support. Professors Nikhil Anand, Lisa Mitchell, and Nausheen H. Anwar looked at earlier drafts of this article and provided valuable feedback. Professor Waqas Butt went out of his way to help with a revision. The editors and three anonymous reviewers also gave very detailed and thoughtful feedback. I thank them all.

- 1. I have chosen not to use a pseudonym for the locality. Mapping the history and official status of land in the area, for example, specifying that the settlement in Jain Mandir area exists on Auqaf property, are central to the arguments of the article and render the locality identifiable. However, I have changed the names and other identifying details like professions of all interlocutors from Old Anarkali. I have also used pseudonyms for those employees of the Lahore Development Authority who wished to remain anonymous
- 2. The cost of the OLMT project was eventually revised to USD 1.62 billion. The project was financed through the Export-Import Bank of China. The consortium of China State Railway Group Co Ltd and China North Industries Corporation (Norinco) were awarded the construction contract with the civil works to be subcontracted to the Pakistani side. The Punjab Masstransit Authority nominated the Lahore Development Authority (LDA) as the executing agency for the civil works. LDA also acted as the acquiring agency for land acquisition.
- 3. The neighborhood takes its name from a Jain temple that once stood on this land. Today the locality is characterized by a bustling mix of homes, shops, and street vendors.
- 4. The number of people displaced is estimated on the basis of area acquired and the population density of this part of Lahore, which is 317,000 persons/km² (Malik 2013).
- 5. *Marla* is a traditional unit of area used in India, Pakistan, and Bangladesh. One *marla* equals 272.25 square feet or 25.29 square meters.
- 6. The exchange rate in February 2016 was about USD 1 = PKR 105.

7. The years following Partition saw intense construction and settlement activities in Lahore. While a working-class population of small traders and artisans continued to reside in and around the Walled City, middle-class groups that migrated to Lahore or moved out of the Walled City settled in newly built low-cost housing schemes like Samanabad in the South (Maqsood 2017; Qadeer 1996). More elite migrants were accommodated in areas like Model Town at the southeastern periphery (Maqsood 2017). Since the 1960s, upward mobility among residents of Old Lahore in and around the Walled City prompted people to move to newer residential neighborhoods in the south, southeast, and east of the city even as they continued to maintain commercial interests in the Old City (Maqsood 2017).

8. Stamp paper is a foolscap piece of paper bearing a preprinted revenue stamp. It is used to collect tax on documents such as leases, agreements, and so on that require legitimation via stamping.

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