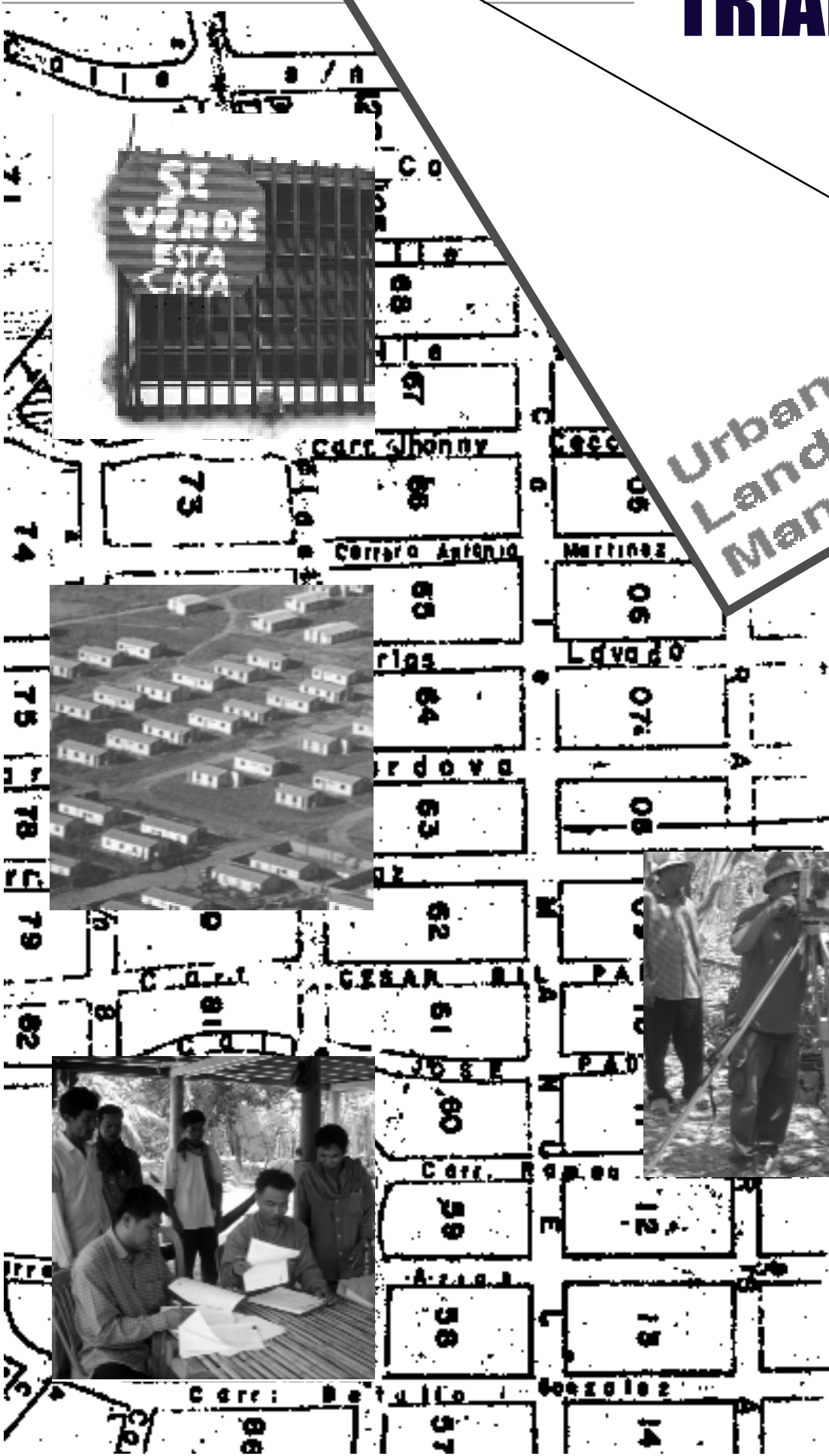


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**Städtisches
Land Management**

Städte wachsen. Städte wandeln sich. Zusätzliche Flächen werden benötigt. Bereits bebaute Flächen werden einer neuen Nutzung überführt. Dies geschieht in allen Städten. Je größer die Dynamik ist, mit der sie wachsen, desto unübersichtlicher sind diese Prozesse. In den meisten Entwicklungs- und Transformationsländern finden sie ohne Planung oder Steuerung statt. Landmanagement, Bodenpolitik, Landnutzungsplanung, Kataster und so weiter sind allenfalls auf dem Papier bekannt. Teilweise treten – ausgeklügelte und an die lokale Situation angepasste – informelle Vorgehensweisen an ihre Stelle, oftmals nicht einmal das. **TRIALOG** möchte mit diesem Heft formale und informelle Bereiche des städtischen Landmanagements aufzeigen und untersuchen, inwieweit sie dazu beitragen, den Zugang und die Nutzung von Land in den Städten ökologisch nachhaltig und sozial verträglich zu gestalten.

Cities grow. They need additional land: Land that has been used for agricultural purposes. Land that belonged to farmers, minorities, indigenous or poor people. Now, it's used for urban purposes: for industry, shopping malls, residential areas, airports... Sometimes it is taken by poor people to settle there. Land Mafia might be involved. Traditional chiefs might feel passed over. Rich people might speculate with land to become even richer. In the inner city, too, the use and ownership of land changes continuously. In transitional economies huge areas of unused land which formerly have been used for industrial purposes are lying in prime location. These dead parcels have to be converted to efficient uses. Elsewhere, old town centres convert into CBDs, skyscrapers for office use owned by multinational enterprises are replacing small houses used by individual families for housing.

In most developing countries, these changes in land use and land ownership happens without any planning or guidance. There rarely is a clear urban land policy that takes into account activities of all agencies involved in land management. Land administration and urban planning are often over-centralised. This situation is worsened by the limited enabling capacity of central governments and the absence of a clear distinction of responsibilities between sector policies and different levels of State agencies. Besides the weak institutional and professional capacity to manage land, there is a lack of adequate financial resources, especially at the local level. In addition, complex land regulations and lengthy procedures, e.g. for land regularisation are hindering fast and cost-effective solutions. Urban land management actually faces many problems in most developing countries as well as in countries in transition which hamper a sustainable urban development.

Two international campaigns promoted by UN-Habitat presently address this topic: the global campaign for (good) urban governance and the one for secure tenure. Both are outcomes of the Habitat Agenda, supporting its implementation.

While 'land management' increasingly becomes a slogan, few has been done to illustrate or define it. In this issue, land management is used as generic term, meaning all activities associated with the management of land as an environmental, an economic and a socio-cultural resource, therefore including the formal and informal regulation of access to land, land ownership and land use. **TRIALOG** wants to document and analyse ongoing activities in this field from the international level down to the neighbourhood.

The first two articles focus on tenure security in informal settlements: **Geoffrey Payne** has

collected, analysed and systemized existing formal and informal property rights from 16 developing countries. He especially gives attention to innovative approaches and comes up with recommendations on how to regulate land rights in informal settlements. **Günter Mertins** points out that most legalisation programs in Latin America so far had negative side effects, mainly discriminating the poorest of poor. He explains the development of land prices and land markets in informal settlements. Based on these findings he suggests solutions for the creation of tenure security.

Babette Wehrmann together with **Habtamu Kenea, Lor Chunn Pau, Menyiachi A. Lupala, Nguyen Thi Hoang Anh, San Phyrum, Mouen Sayegh, Lika Tchanturia and Mabael Yemidi** – all students from the Master's Program "Land Management and Land Tenure" – discuss how good urban land management should look like. They apply the UNCHS criteria for good urban governance to urban land management. The article is illustrated with examples from the students' home countries.

Following the general aspects of land management, concrete case studies from Tanzania, Ghana and Cambodia are presented. **Wolfgang Scholz** traces back the evolution of land rights and land ownership in Zanzibar which resulted in contradictions and confusion. One reaction to this are various forms of informal land management which are outlined and assessed. **Babette Wehrmann** analysis the causes and effects of land conflicts in Accra and describes how they are presently dealt with. If no measures are taken to avoid these land conflicts, the urban poor might be driven out in the long run. This already happens in Phnom Penh as **Beng Hong Socheat Khemro** depicts on land speculation in Cambodia's capital city. He points out that far too often speculators – under the guise of development – buy land and keep it vacant for the value of the land to increase. People who informally stayed on the land beforehand have to leave – often with short term notice, if at all. **Steve Ameyibor, Timo Basteck, Kirsten Hackenbroch, Axel Kirchberg and Johanna Schoppenderg** – students from the University of Dortmund – describe very impressively why a football field can be situated in an area perfectly suitable for housing while houses close by are built in areas exposed to floods.

Finally, **Jürgen Oestereich** compares role, function and legitimacy of spontaneously developed self-organisations and of the Nation State in regard to control over land and related natural resources. He concludes that a right for local development based on the principle of subsidiarity is a prerequisite for an effective land management.

Babette Wehrmann

Urban Land Management

Volume Editor: Babette Wehrmann

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Secure Tenure and Cities without Slums

GEOFFREY PAYNE

Preamble

This paper is based on a presentation at a Cities Alliance meeting in May 2002 as part of the 'Cities Without Slums' campaign.¹ The campaign aims to improve the lives of 100 million slum dwellers by 2020 and represents a major commitment by the World Bank and UN-HABITAT.

Whilst this target will hopefully be achieved, we should not overlook the fact that an estimated 837 million people are presently living in slums and that this is expected to double within 25 years. This suggests that the total number of people living in slums by 2020 will be about 1,500 million, so a reduction of 100 million is modest by any definition. It also suggests that an equal or even greater effort is needed to reduce the rate at which new slums form and that the present campaign should be balanced with another one to review regulatory and other constraints to enabling urban poor households to gain access to adequate and affordable legal shelter. Land tenure and property rights can play a major part in achieving the objectives of the present campaign and also in helping reduce the rate of new slum formation.

Städte ohne Slums durch Rechtssicherheit an Grund und Boden

Die von Weltbank und UN-HABITAT initiierte Kampagne *Cities without Slums* hat zum Ziel, die Lebensbedingungen von 100 Millionen Bewohnern informeller Siedlungen bis zum Jahr 2020 zu verbessern. Eigentumsrechte bzw. die Sicherung von Landbesitz spielen hierbei eine große Rolle. Die 16 vom Autor durchgeführten Länderfallstudien zeigen, dass es in allen Ländern neben einigen formalen verschiedenen informellen Bodenbesitzformen gibt, die einen sehr unterschiedlichen Grad an Sicherheit vor Vertreibung bieten. Der Artikel fasst die wesentlichen innovativen Ansätze bezüglich Bodenrecht und Bodenbesitzformen zusammen und bietet Empfehlungen für die Umsetzung einer Politik zur Regulierung des Bodenrechts in informellen Siedlungen.

Introduction

The following comments and proposals are based on research into innovative approaches to providing secure tenure for the urban poor. The case studies were carried out in 16 countries by an international team of local professionals in collaboration with the author.

The research identified a number of legal, customary, religious and extra-legal tenure systems in the countries studied. Legal plurality exists in many countries and is a major influence on tenure systems and influences both perceptions and practices. In addition, there is a continuum of extra-legal and semi-legal categories which have been introduced or adapted by governments, customary systems, NGOs or communities themselves, in order to increase security of tenure and property rights, plus access to public utilities.

This diversity of customary, statutory, religious and informal tenure systems presents major problems when seeking to understand the roles which each category plays within overall land and property markets. Current UN urban indicators² have so far failed to capture this complexity and therefore risk distorting

our perceptions of these roles and therefore do not provide a sound basis for policy formulation. A typology has been developed (see Fig 1) and is presently being tested in two countries (Cambodia and the Philippines) which attempts to provide a more accurate reflection of tenure types, the degree of de facto security associated with each and the extent of de jure property rights applicable to all categories and both sexes. It is hoped that this will provide a basis for identifying policy options based on the need to increase rights and security of tenure. Although this typology may be used as an international framework, it is important to note that it will need to be adapted to reflect local tenure systems. For example, if customary or religious tenure systems exist, these will need to be included.

Innovative approaches to tenure and property rights³

The research has revealed that security of tenure depends not so much on legal status as on residents' perceptions of past and present government policy. For example, in South Africa, where generations were denied any rights for several generations, individual titles are considered the only form of tenure worth having. However, in Bogotá, Colombia, forced evictions are rare and residents are constitutionally entitled to receive public utilities on the sole condition that they can pay for them and formal tenure is not a subject of concern or even interest for most people in informal settlements.

The situation in most countries is somewhere between these two extremes. In most, there is a wide range of tenure categories and sub-categories, each of which provides varying degrees of security and entry costs. The research also revealed that priorities for tenure and property rights vary between sub-groups of the urban poor. For example, the priority for the poorest groups is to achieve

easy access to places in which they can obtain a livelihood. Since these are invariably inner city locations where land prices are highest, they are forced to accept informal and insecure accommodation as a price of such access. For those on low, but less uncertain incomes, they are able to accept slightly longer travel distances to employment areas and afford a more secure form of tenure, though probably not at full market rates. For the upwardly mobile or less poor, residential mobility is higher and for them distances to work are less critical than the need for longer-term and more formal tenure.

Whilst freehold titles may be appropriate for the latter group, they may be counter-productive for the first two, especially if titles are only offered in peripheral locations. Even if offered in-situ, they may inflame disputes over competing claims and further intensify existing distortions in urban land markets.

The research has identified many examples of what can be called 'intermediate' tenure systems that fall short of providing full titles, but increase tenure security and facilitate access to livelihoods and services. Some of these can be upgraded to full titles over time; some offer improved rights to individual families, whilst others provide communal forms of tenure. All enable households to retain housing in areas which they need in order to improve their economic situation without adversely affecting the operation of urban land markets.

Among the innovative approaches reviewed are the Certificate of Rights in Botswana, Temporary Occupation Licences and Community Land Trusts in Kenya, temporary land rentals in Thailand, the 'Anticretico' tenure system in Bolivia and cases in which de facto rights are acquired from the collection of receipts for utilities and voter ID forms, or social ration cards, etc. The main features of these are as follows:

Certificates of Rights

This tenure system was introduced in the 1970s to cater for the needs of the urban poor. It provides holders with the right to use and develop land, whilst retaining ownership by the State and is estimated to have benefited well over 100,000 people to date. Certificates can be upgraded to Fixed Period State Grants on payment of survey and registration fees.

A limitation of the system is that it has not been accepted by formal private sector finance institutions as an acceptable collateral for loans and the administrative work involved is about the same as for allocating full titles, though computerisation has reduced this. The

system also has to compete with customary land allocation procedures that are already well known and active in peri-urban areas. Given the limited population growth of urban areas and these alternative options, CORs have been discontinued though may come into their own again if demand increases.

Temporary Occupation Licences:

These were introduced in Nairobi to promote investment in small businesses and the efficient use of idle public land in strategic locations. Licences are allocated annually on a renewable basis for a land rent and entitle licensees to construct semi-permanent structures. Typical uses include pavement restaurants and kiosks, though some people also live on their sites. Among the advantages of the system is the simplicity of the administrative procedures (no surveys are involved), payment is spread over the year, building standards are flexible and the authorities retain control of the land.

The system has considerable potential for application in other cities where pockets of un- or under-used land exist in central areas.

Community Land Trusts:

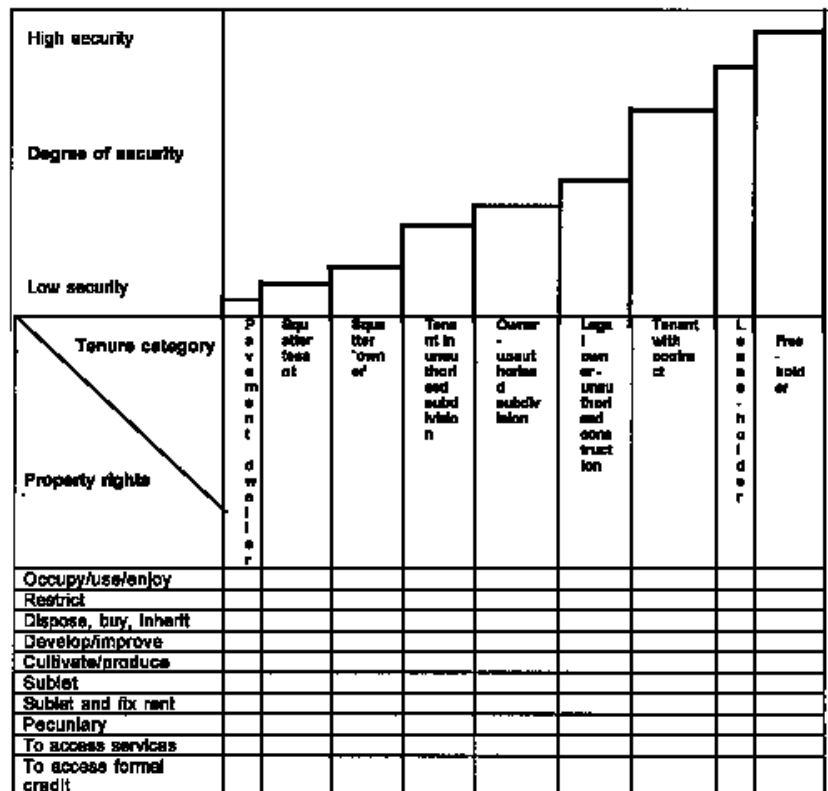
These have been used in secondary towns in Kenya since the mid 1990s as a means of accessing land for housing and related activities. The aim is to combine the advantages of communal tenure with market oriented individual ownership. By retaining ownership in the

1 Cities Alliance Roundtable on Secure Tenure for the Urban Poor, the World Bank, Washington DC, 23 May 2002. See www.world-bank.org/citiesalliance/

2 The current indicators provide for nine categories, only two of which refer to non-formal tenure categories, namely 'squatter owner' and 'squatter tenant'. The research has found that in many cities there may be more informal than formal tenure sub-markets, each of which caters for different social groups and commands different prices within the overall urban land market.

3 A book edited by the author, 'Land, Rights and Innovation: Improving tenure security for the urban poor' (2002) is available from ITDG Publishing, London (orders@itpubs.org.uk).

Fig 1 / Notional typology of urban tenure categories, degrees of security and associated property rights



Notation: The availability of rights by gender can be shown as:

- ✓ Right available to men only
- ∩ Right available to women only
- X Right available equally to men and women

Distribution of tenure types

hands of a group and allowing members to hold long term leases, it is possible to control transfers and discourage speculation. The basic principles of trusts are to make the best use of the collective strengths of local communities in obtaining permits and infrastructure, keep all land under one simple title and encourage members to invest in home and environmental improvements. They also enable communities to remain in areas that may otherwise be too expensive if conventional individual titles were provided.

The major limitations of the system are that it is not well understood yet by administrators and requires lengthy documentation. Communal land ownership may also be a disincentive to invest, especially when people are not free to sell directly.

The ‘Anticretico’ (‘against a credit’) tenure system:

An unusual tenure arrangement in Bolivia has evolved in response to sustained high rates of domestic inflation and weak formal private sector finance institutions. It involves the owner of a house receiving money (dollars) in advance in return for allowing a low income household to occupy the property for an agreed period, normally of two years. What makes the ‘anticretico’ system different from conventional rental agreements is that at the end of the contract period, (or any agreed extension), the occupants return the property to its owner and the owner returns the full amount received initially from the occupants. For the owner, this is an effective way of raising capital without incurring high interest rates, whilst for the occupants it represents an effective way of living at low cost for those able to raise the deposit. The occupant is required to return the property in the same condition as it was received and may even be able to purchase the property if the owner agrees.

The system is widely used in Bolivia, but depends for its success on a degree of trust

between the parties. The government has formalised the system in order to increase security for both parties, but has also increased taxes on such agreements which are discouraging it.

Tenure through acquired documentation:

In many countries (eg Egypt, India and Colombia), tenure security is achieved over time through the accretion of various documents relating to property taxes, utility charges, voter registration forms, or ration cards, etc. This form of de facto tenure is possibly the most common of all urban tenure systems and, plus sheer weight of numbers, can significantly increase perceived levels of security and stimulate substantial levels of investment in home improvements, local businesses and infrastructure. By ensuring that land and property held under such tenure systems cannot command the full price which formal tenure would entail, low-income households are able to live in areas which would otherwise be beyond their reach. The main limitation of the system is that it is vulnerable to changes in government policy and programmes of forced eviction or relocation can seriously erode their advantages.

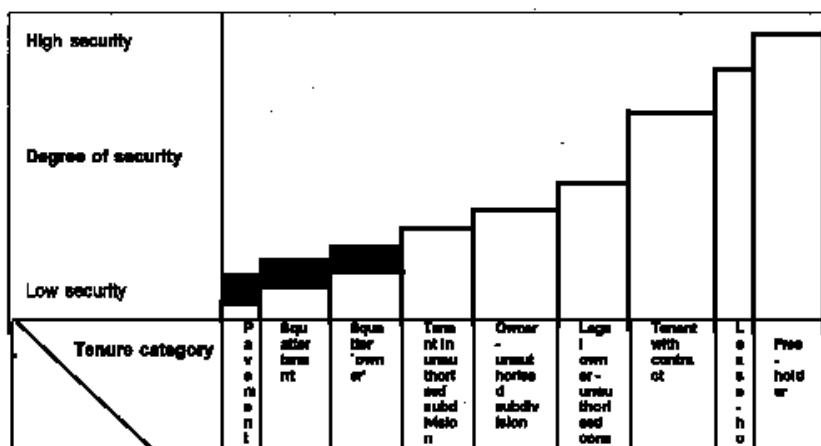
Temporary land rental:

Landowners and low-income groups in Bangkok have evolved a mutually beneficial system of land tenure which enables the poor to live for a short to medium period in inner city areas which would normally be far too expensive for them. This not only enables the poor to obtain easy access to employment centres, but also provides landowners with an income until they decide to develop their site for its maximum commercial potential. Although many arrangements are informal, the system is increasingly recognised and some agreements are legal contracts. Local authorities are willing to provide services according to the rental period and when this finally expires, the communities are given enough notice to negotiate a similar arrangement with another landowner. In this way, the urban poor are able to move ahead of the tide of urban expansion without in any way detracting from the efficiency of the formal land market.

Policy implications

The examples cited above illustrate practical approaches which help the urban poor to obtain access to housing near sources of livelihoods and services. They are flexible and simple to administer and help to compensate for the rigours of the formal land market without detracting from it. This is not to say that they are without limitations. In fact, no tenure system is without limitations and it is for this

Fig 2 / Tenure typology and the result of increasing tenure rights



reason that I believe a central feature of any urban land tenure policy should be to provide a range of tenure options as part of a diverse and responsive urban land and property market.

The research demonstrated that improving rights is the key – at least in the short to medium term - to increasing security and stimulating improvements in housing and living standards (see Fig 2). It also suggests that tenure regularisation must be part of a package of measures, not a stand-alone programme. In particular, it should be combined with increased access to existing livelihood opportunities, the provision of services and the increased supply of affordable and appropriate legal shelter options which meet the needs of all sections of the population, especially the poor. This requires citywide measures to link tenure policies with regulatory regimes which stimulate employment opportunities and physical planning measures which permit mixed land use and basic services.

Parallel research on regulatory frameworks for affordable shelter being undertaken in six countries is also demonstrating that regulatory audits can help to identify constraints to the development of affordable and locally acceptable housing which can help reduce the growth of future slums.⁴ By combining such proactive measures with remedial regularisation of existing slums, it may be possible to make a significant reduction in the global population living in urban slums – hopefully much more than 100 million!

Implementing a tenure regularisation policy

How can such a multi-faceted approach be implemented? It is proposed that it include the following elements:

1. Announce a stop to forced evictions and relocations where these are presently part of government policy. Such approaches waste scarce public resources and increase poverty due to increased costs and times of travel to places of employment. A simple statement by the relevant Minister is often sufficient to reduce uncertainty and stabilise situations.
2. Survey all extra-legal settlements and identify any that are in areas subject to environmental hazards, (eg floods, landslides, etc) or required for strategic public purposes. These should be subject to review by independent experts. Offer residents of all such settlements priority for relocation to sites that offer equally close access to existing livelihood opportunities (eg street trading) and services (eg not out of the city). Tem-

porary Occupation Licences or Permits should be provided for a limited period, depending on how long it takes to agree with the local community on moving to alternative sites.

3. Designate all other extra-legal settlements as entitled to other forms of secure/intermediate tenure with increased rights, but not full titles. Where possible, the precise form of such tenure and rights should be based on tenure systems already known to local communities. This will allow such areas to receive services and environmental improvements through a participatory process of physical and socio-economic development (eg the Kampung Improvement Programme in Indonesia or the Orangi Pilot Project in Pakistan, etc). It will also increase security without stimulating rapid increases in land prices which could attract downward raiding by higher income groups and the displacement of very poor tenants. Finally, it provides urban development agencies, communities and the private sector with time to develop a range of viable and acceptable alternatives.
4. Simultaneously undertake a regulatory audit of planning and building regulations, standards and administrative procedures to identify options for reducing costs and time required for developing legal shelter options. Options may include reducing the proportion of land allocated to roads and public open space, relaxing restrictions on plot use and development and simplifying administrative procedures. Such audits should be undertaken and changes implemented on a regular rather than a once and for all basis.
5. Increase the supply of legal urban land developments with full titles and other tenure options (eg public or private rental, leasehold, co-operatives, etc, in a range of locations and a range of prices to suit the needs of different socio-economic groups.
6. Promote Multi-Stakeholder Partnerships (not just Public-Private Partnerships) and joint ventures to extract a public benefit from private sector investments and developments. Such projects can also help generate internal cross-subsidies to facilitate low-income access.
7. Start with pilot projects at as large a scale as possible.
8. Maintain and accelerate institutional reform so that changes penetrate the institutional bloodstream and culture of public agencies, not merely train individuals whose increased expertise and awareness has little chance of being applied. This could be achieved through accelerated promotion, or career fast tracking options for young talented professionals who otherwise may not seek employment in the public sector.

4

'Regulatory guidelines for affordable shelter' is a research project funded by the UK Department for International Development (DFID). The project is being carried out in six countries by a team of local professionals working with Geoffrey Payne and Associates. The project started in 2000 and is due for completion in 2004.

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Informelle Siedlungsgebiete in Großstädten Lateinamerikas – Bodenbesitznahme, Bodenmärkte, Schaffung von Rechtssicherheit an Grundstücken

GÜNTER MERTINS

Problemdimension

Mit dem immer noch hohen absoluten Bevölkerungswachstum lateinamerikanischer Großstädte geht – wie vorher – eine entsprechende Flächenexpansion einher, untrennbar verbunden mit der raschen Entstehung und Ausdehnung informeller randstädtischer Viertel. Es kann als gesichert gelten (GTZ 1997, S. 71; Bähr/Mertins 2000, S. 20),

- dass ca. 45-50 % der Großstadtbevölkerung in informellen Siedlungsvierteln leben und
- dass mindestens die Hälfte der Großstadt-

viertel, in einigen Fällen sogar bis zu 80 % (Fernandes 2002, S. 5), informell, d.h. ohne behördliche Genehmigung bzw. Planung entstanden sind. Darin sind allerdings die heute längst konsolidierten und legalisierten, d.h. offiziell anerkannten Stadtviertel eingeschlossen, die z.T. bereits vor 25/30 Jahren und früher entstanden sind: "As a result, illegal tenure arrangements have become the main form of urban land development" (Fernandes 2002, S. 5).

Maßnahmen und Ziele der Regulierung von informellen Siedlungsvierteln, vor allem der Legalisierung von Grundstücken, sind weitgehend bekannt (Mertins u.a. 1998, Ward 1998). Vor dem Hintergrund des meist sehr langwierigen und kostspieligen Procedere sowie des Vertreibungsrisikos von informell besetzten Grundstücken sollen hier alternative, relativ rasch Rechtssicherheit schaffende Möglichkeiten vorgestellt werden, die ein Verbleiben der "Besetzer" auf den Grundstücken de facto gewährleisten.

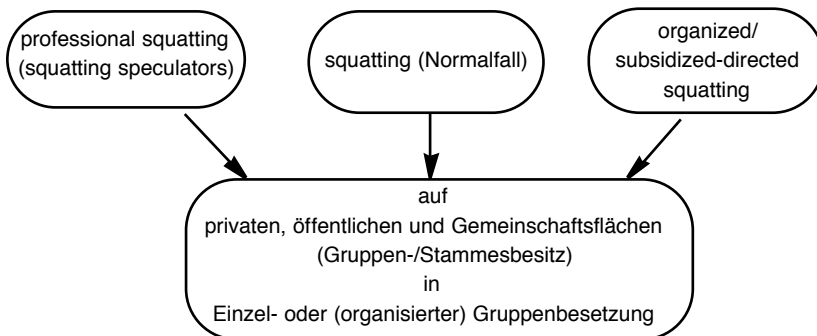
Informelle Bodenbesitznahme

Die informellen Formen der Bodenbesitznahme sind in Tab. 1 zusammengestellt. Auf eine Diskussion der bekannten, vielfach dokumentierten und analysierten Prozesse sowie der damit zusammenhängenden Probleme wird verzichtet. Wichtig ist in diesem Kontext die Unterscheidung zwischen illegaler und semilegaler Bodenbesitznahme. Bei letzterer besteht eine weitgehende Rechtssicherheit am Grundstück, so dass die Vertreibungsproblematik hier vernachlässigt werden kann. Die informelle Entstehung von Wohnvierteln beinhaltet u.a. ferner (vgl. Bähr/Mertins 1995, S. 141; Mertins 2000, S. 566 ff.):

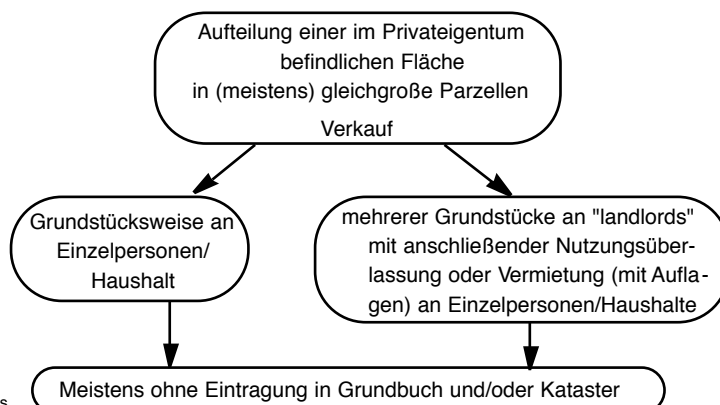
- Der Hütten- bzw. Hausbau und dessen Konsolidierung (An-, Umbau, Aufstockung) geschieht ohne Baugenehmigung und ohne Beachtung städtischer Baunormen.

Tabelle 1 / Informelle Bodenbesitznahme und Bodenbesitzformen / G. Mertins

Illegale Bodenbesitznahme und Bodenbesitzformen



Semilegale Bodenbesitznahme und Bodenbesitzformen



G. Mertins

- Die Anlage der zunächst noch rudimentären technischen Infrastruktur ist ebenfalls informeller Natur. Strom- und oft auch Wasserleitungen werden "angezapft", eine geordnete Müllentsorgung gibt es nicht.

Alle baulichen Tätigkeiten geschehen zunächst ausschließlich in Selbsthilfe. Vor dem Hintergrund fehlender bzw. völlig unzureichender öffentlicher Maßnahmen stellt diese "Alternative für die städtischen Armen" (urbanization of poverty) die Norm dar.

Bodenmärkte in informellen Siedlungsgebieten

Wenngleich Ward (1998, S. 4) herausstellt, dass eine Trennung zwischen einem formellen und einem informellen Bodenmarkt nicht existiert, vielmehr nur ein "single land market" besteht, der in verschiedene Segmente zerfällt, soll hier deutlich zwischen beiden Formen unterschieden werden.

In informell entstandenen Siedlungsvierteln kann der formelle Bodenmarkt erst nach der Legalisierung einsetzen, und jede Immobilien-transaktion schließt mit der Eigentumsüber-schreibung im Grundbuch und/oder Kastaster ab. Demgegenüber beginnt der informelle Bodenmarkt bereits mit bzw. auch schon vor der u.U. "durchgesickerten" Landbesetzung und kann auch nach der Legalisierung noch fort-dauern, wenn z.B. der Verkauf von legali-sierten Parzellen zunächst untersagt oder mit Auflagen verbunden ist, aber dennoch "unter der Hand" erfolgt.

Die Akteure auf dem informellen Bodenmarkt sind neben den Käufern und Verkäufern die größtenteils auch informell agierenden Makler bzw. Vermittler und die Informanten. Der informelle Bodenmarkt wird jedoch dadurch eingeschränkt, dass zum einen die Käufer keinen Anspruch auf offizielle Kredite haben, um dort bauliche Investitionen tätigen zu können, zum anderen in illegalen Siedlungen stets die Vertreibungsangst und damit das Risiko besteht, eine so erworbene Parzelle wieder zu verlieren.

Die auf dem informellen Bodenmarkt zu erzielenden Preise sind von verschiedenen Faktoren abhängig (vgl. Tab. 2; Mertins u.a. 1998, S. 34 ff.):

- Lage der informellen Siedlung innerhalb des Stadtgebietes: Sie hat wesentlichen Einfluss sowohl auf die Höhe des Bodenpreises als auch auf den Umfang der dort ablaufenden Bodenmarktaktivitäten. Je näher die Siedlung am Stadtzentrum oder an Ober- und Mittelschichtvierteln liegt, desto höher ist – aufgrund der dortigen potenziellen Arbeits-

Allgemeine Faktoren, die auf die Bodenpreisbildung und Bodenmarkt einwirken

- Standort / Lage des Stadtviertels und der Grundstücke
- Grundstücks- und Hausgröße
- Qualität der Bausubstanz
- infrastrukturelle Situation

1. Hochphase des Bodenmarktes

- bei bzw. kurz nach der Entstehung illegaler und semilegalen Stadtviertel

2. Hochphase des Bodenmarktes

Ankündigung und/oder Durchführung von

- infrastrukturellen Verbesserungsmaßnahmen
- Legalisierungsmaßnahmen
- Upgradingmaßnahmen

G. Mertins

Tabelle 2 / Faktoren und Phasen erhöhter Bodenmarktaktivität und Grundstücksmobilität in informellen Stadtvierteln / G. Mertins

plätze, der Infrastruktur und der Verkehrs-anbindung – das Interesse, dort in Immobili-en zu investieren. Damit steigen natürlich die Bodenpreise.

- Lage des Grundstücks innerhalb der informellen Siedlung: Auch innerhalb einer Siedlung variieren die Grundstückspreise teilweise erheblich. Häufig sind einige Teile der Siedlung stärker von Umweltrisiken wie Überschwemmung, Hangrutschen etc. betroffen als andere, was sich auf die Bodenpreise auswirkt. Darüber hinaus erzielen Flächen, die später einmal aufgrund ihrer Lage für eine gewerbliche Nutzung interessant sein könnten, höhere Bodenpreise. Diese Grundstücke liegen zumeist entlang von (geplanten) Hauptstraßen, wobei die attraktivsten Flächen diejenigen an Kreuzungen sind, da hier der erwartete Kundenverkehr und damit der Gewinn am größten ist.
- Zunächst ist in informellen Siedlungen im allgemeinen weder technische noch soziale Infrastruktur vorhanden. Sobald jedoch der Anschluss an Ver- und Entsorgungsleitungen oder an das Verkehrsnetz angekündigt wird, steigen die Bodenpreise. Gleiches gilt beim Bau von sozialen Infrastruktureinrichtungen.
- Relevant für den Immobilienmarkt und -preis ist auch der Bebauungsgrad des Grundstücks. Dabei ist neben der Geschoszahl vor allem die Form und Qualität der Bausubstanz von Bedeutung.
- Auch der Besitzer eines noch nicht eingetragenen Grundstücks, der sich bei einem privaten Geldverleiher verschuldet hat, kann als Sicherheit seine Parzelle geben, so dass der Geldverleiher einen Anspruch darauf hat. Solche Verschuldungen werden oft bewusst forciert und durch Geldverleiher schriftlich abgesichert. So erhalten sie durch relativ kleine Geldbeträge Zugriff auf Grundstücke, die ihnen später – insbeson-

Informal Settlements in Latin American (Mega) Cities – Land acquisition, land markets, tenure security.

About half of the urban population in Latin America lives in informal settlements. In the past, some of these settlements have already been legalised. Experience has, however, shown that most formal legalisation programmes have negative side effects such as driving out the poorest of the poor. The author explains the creation of land prices and land market activities in informal settlements and their impact on land mobility. Based on these findings he suggests alternative solutions to create tenure security and gives concrete examples to illustrate them. He concludes that in addition to these curative measures preventive actions such as the introduction of 'reception areas' are needed.



Foto 1 oben /
Ca. 50-60 Jahre alte, z.T. baulich konsolidierte Favela in Recife/Brasilien. Obwohl seit 1983 AEIS (vgl. Text!), ist die weitere Verdrängung (gegen de jure nicht zulässige Zahlungen) durch ein großes Shopping Center mit angrenzenden Restaurationsbetrieben vorgezeichnet.



Foto 2 Mitte /
Illegales randstädtisches Marginalviertel in ca. 1.800/1.850 m im NW von Medellín/Kolumbien. Die Hanglage (Rutschgefahr nach Starkregen) erschwert die Hüttenkonsolidierung und auch die rechtliche Regulierung dieses Viertels.

Foto 3 unten /
Semilegales randstädtisches Marginalviertel im S von Bogotá/Kolumbien. Die Straßenbezeichnung (am Eckpfahl einer Gemeinschaftstoilette) weist auf die erfolgte Regulierung dieses Viertels hin, ebenfalls die Strommasten und die Wasserleitung mit einer öffentlichen Wasserzapfstelle /
alle 3 Fotos G. Mertins



dere nach einer Legalisierung – bei einem Verkauf ein Vielfaches des einst gewährten Kredits einbringen können, wobei dann allerdings gleichzeitig der ursprüngliche Besitzer/"Besitzer" das Grundstück verlassen muss.

Immer häufiger kommt es jedoch vor, dass der ursprüngliche Besetzer von vorneherein gar nicht daran interessiert ist, längerfristig dort selbst zu wohnen, sondern eine Parzelle besetzt mit dem Ziel, diese (mit der dort errichteten Behausung) nach einer gewissen Wertsteigerung zu verkaufen und an anderer Stelle wieder mit einer Landbesetzung zu beginnen (professional squatter, squatter speculator: "Landbesetzungsgewerbe"). Oder ein "squatting-Unternehmer" (landlord) unterstützt finanziell einige Squatter bei der Landbesetzung und dem anschließenden Hütten-/Hausbau, womit er sich ein Anrecht auf diese Parzellen ggfs. auch auf Mieteinnahmen erwirbt.

Schon durch die Ankündigung von Legalisierungsmaßnahmen steigen die Grundstückspreise in informellen Siedlungen. Für viele Grundstücksbesitzer, z.B. für die professional squatters, ist das der günstigste Verkaufszeitpunkt, auf den bewusst hingearbeitet wurde. Daneben treten aber auch quasi-vertragliche und ökonomische Zwänge auf, die die Landbesitzer zur Grundstücksaufgabe und Abwanderung gewissermaßen zwingen (Mertins u.a. 1998, S. 57 ff.; Mertins 2000, S. 576):

- Squatting-Unternehmer veranlassen meistens in dieser Situation die von ihnen unterstützten squatter oder semilegale Landbesitzer zur Übergabe der Grundstücke an sie. Diese werden anschließend überwiegend von Mitgliedern höherer Sozialschichten (untere Mittel-, z.T. Mittelschicht) erworben, so dass mit der räumlichen auch eine erhebliche soziale Mobilität "nach oben" verbunden ist.

- Spätestens mit der Grundstückslegalisierung und der Ausstattung des Stadtteils mit Basisinfrastruktur müssen die Hauseigentümer Grundsteuern und – wenn auch tariflich ermäßigte – Gebühren für Strom, Wasser etc. bezahlen. Viele sind dazu nicht oder kaum in der Lage. Kommen noch die Rückzahlungen für offizielle Kredite oder Schulden bei privaten Geldverleihern hinzu, so ist der Immobilienverkauf abzusehen, der fast immer an Angehörige höherer Sozialschichten erfolgt. Das hat dann gewöhnlich eine schnellere bausubstanzliche Konsolidierung des betreffenden Stadtteils zur Folge.

Insgesamt kann davon ausgegangen werden, dass etwa die Hälfte bis zwei Drittel der ursprünglichen squatter abwandern, der größte Teil bei der "zweiten Hochphase des Bodenmarktes" (Tab. 2).

Alternative Möglichkeiten zur Schaffung von Rechtssicherheit am Grundstück

Vor dem Hintergrund der langjährigen und kostspieligen Legalisierungsprozedur und dem dabei auftretenden administrativen "Dschungel", den fast alle informellen Hausbesitzer kaum verstehen und daher scheuen, sind in vielen Ländern Lateinamerikas andere, alternative Möglichkeiten der Rechtssicherung entwickelt worden. Damit ist dann auch jeweils die hypothekarische Absicherung zinsgünstiger öffentlicher Kredite möglich, wodurch die private Investitionsmotivation erheblich zunimmt. Die wichtigsten alternativen Formen zur Schaffung von Rechtssicherheit am Grundstück sind u.a.:

- Vergabe von **Nutzungslizenzen** (Concessão do Direito Real de Uso) an öffentlichen Flächen, z.B. in Brasilien, was kostenlos (z.B. in Recife) oder auch gegen Zahlung meist geringer Gebühren erfolgen kann, z.B. 6-10 US-\$/Monat in Pôrto Alegre. Dabei werden oft Größenlimits für die Vergabe von Nutzungslizenzen festgesetzt, z.B. 125 m² je Grundstück in Salvador/Bahia. Mit der Lizenzvergabe ist zunächst die Registrierung besetzter Grundstücke und darauf erbauter Hütten/Häuser verbunden. Diese vorläufige Übertragung von Nutzungsrechten soll später durch grundbuchamtliche Eintragungen formalisiert werden; vgl. Verissimo (1998) für Rio de Janeiro, Mertins/Thomae (1995) für Salvador/Bahia oder Bolívar (1998) für Venezuela, wo die Kommunen eine "städtische Nutzungskonzeption" (Concesión del Uso Urbano) für besetzte öffentliche Flächen ausstellen können. Das kommt gewissermaßen einer offiziellen Anerkennung der illegal erbauten Häuser sowie des illegal entstandenen

Beispiel: "Ersitzung" (*usucapião urbano*) von Bodeneigentum in Brasilien

Das Recht auf "Ersitzung" von Boden-/Landeigentum im ländlichen Raum existiert in Brasilien bereits seit 1916 (Codigo Civil Brasileiro). Mit der Verfassung von 1988 (Art. 182) wurde die Grundlage für die "Ersitzung" von städtischem Bodeneigentum (*usucapião urbano*) geschaffen. Damit wird die Eigentumsübertragung von illegal besetztem Privateigentum möglich unter der Voraussetzung, dass

- die Grundstücksfläche nicht größer als 250 m² ist,
- der Besetzer dort ununterbrochen mindestens fünf Jahre ohne Einspruch oder Widerstand des Eigentümer gewohnt hat und dass
- der Besitzer kein anderes Grundstück, sei es im städtischen oder ländlichen Raum, besitzt.

Der Nachweis der Besetzungszeit kann durch Strom- oder Wasserrechnungen oder durch "externe" Zeugen erfolgen.

Bisher gibt es nur das Recht auf individuelle *usucapião*. Im neuen, noch nicht verabschiedeten Stadtrecht (*Lei Estatuto de Cidade*) ist jedoch bereits die Möglichkeit einer "Gruppen- *usucapião*" vorgesehen. Diese könnte die Legalisierung ganzer Stadtviertel erheblich beschleunigen; es bleibt dann aber immer noch die individuelle Grundstücksübertragung, also letztendlich ein doppelter, möglicherweise langwieriger und kostenintensiverer Prozess.

In einigen brasilianischen Städten (Recife, Pôrto Alegre, Salvador) wurden Verordnungen zur Unterstützung der *usucapião* erlassen. Diese beinhalten z.B. die Bezahlung von Anwälten und Geodäten. Allgemein besteht allerdings in allen Städten noch eine sehr große Diskrepanz zwischen den rechtlich möglichen und den tatsächlich verteilten Grundstückstiteln (vgl. ALFONSIN 1997).

Stadtviertels gleich, wobei allerdings die vollzogene Anbindung an das städtische Infrastrukturnetz als Voraussetzung gilt.

Dem vergleichbar ist die gesetzliche Möglichkeit, öffentliche Ländereien zur Nutznießung (*usu-fructo*) zu vergeben, z.B. in der Dominikanischen Republik, aber auch durch eine freiwillige Vereinbarung zwischen privaten Bodeneigentümern und den Besetzern. In beiden Fällen können die Grundstücke nicht verkauft oder verschenkt werden.

- die **"Ersitzung" des Eigentumsrechts** an dem besetzten privaten Grundstück, die im ländlichen Raum Lateinamerikas schon lange besteht (Grundsatz: Wer das Land bearbeitet, hat Eigentumsanspruch daran), ist z.B. in Brasilien mit der Verfassung von 1988 (Art. 182) auf den städtischen Raum übertragen worden (*usucapião urbano*; vgl. Kasten). Die Anwendung dieses Gesetzes auf besetzte öffentliche Ländereien ist ausdrücklich ausgeschlossen (Alfonsin 1997, 1998; Verissimo 1998). Demgegenüber ist das "Ersitzen" eines Eigentumsanspruch auch auf besetzten öffentlichen Flächen in anderen Ländern möglich, z.B. ausdrücklich in den Metropolen Venezuelas (Bolívar 1998). Dieser Anspruch wird durch die von

Quelle: Mertins u.a. 1998, S. 55 (nach Informationen von J. Popp)

Literatur

- ALFONSIN, B. DE MORAES** (1997): *Direito à Moradia: Instrumentos e Experiencias de Regularização Fundiaria nas Cidades Brasileiras*. – Rio de Janeiro.
- ALFONSIN, B. DE MORAES** (1998): *Instrumentos e Experiencias de Regularização Fundiaria nas Cidades Brasileiras*. – Medellín (Ms. Foro Internacional "Regulación y Mercado de Tierras").
- BÄHR, J. / MERTINS, G.** (1995): *Die lateinamerikanische Grossstadt. Verstärkerungsprozesse und Stadtstrukturen*. – Darmstadt (Erträge der Forschung, Bd. 288).
- BÄHR, J. / MERTINS, G.** (2000): *Marginalviertel in Großstädten der Dritten Welt*. – Geographische Rundschau 52 (H. 7/8), S. 19-26.
- BOLÍVAR, B. T.** (1998): *Irregularidad jurídica a derecho alternativo en los barrios urbanos venezolanos*.

nos? Experiencias de regularización en curso. – Medellín (Ms.; Foro Internacional "Regulación y Mercado de Tierras").

DEUTSCHE GESELLSCHAFT FÜR TECHNISCHE ZUSAMMENARBEIT (GTZ, Hrsg.; 1997): Bodenrecht und Bodenordnung. Ein Orientierungsrahmen. – Eschborn.

FERNANDES, E. (2002): The influence of de Soto's The Mystery of Capital. – Land Lines 14/1, S. 5-8.

MERTINS, G. (2000): Bodenrechtssprobleme und Lösungsstrategien in informellen Siedlungsgebieten lateinamerikanischer Großstädte. – KIRK, M. / KRAMER, W. / STE-DING, R. (Hrsg.): Genossenschaften und Kooperation in einer sich wandelnden Welt (Festschrift für Prof. Dr. Hans-H. Münkner zum 65. Geburtstag). Münster-Hamburg-London, S. 565-580.

MERTINS, G. / THOMAE, B. (1995): Suburbanisierungsprozesse durch intraurbane/-metropolitane Wanderungen unterer Sozialschichten in Lateinamerika. Grundstrukturen und Beispiele aus Salvador/Bahia. – Zeitschrift für Wirtschaftsgeographie 39, S. 1-13.

MERTINS, G. / POPP, J. / WEHRMANN, B. (1998): Bodenrecht und Bodenordnung in informellen großstädtischen Siedlungsgebieten in Entwicklungsländern – Beispiele aus Lateinamerika und Afrika. – Eschborn.

VERISSIMO, A. A. (1998): Principales instrumentos jurídicos empleados en la regularización de la tenencia de tierras en la ciudad de Rio de Janeiro. – Medellín (Ms.; Foro Internacional "Regulación y Mercado de Tierras").

WARD, P. (1998): International Forum on Regularization and Land Markets. – In: Land Lines 10/4, S. 1-4.

kommunalen Ver-/Entsorgungsgesellschaften vorgenommene Anlage von technischer wie sozialer Infrastruktur verstärkt, erst recht mit der Durchführung von z.T. sogar von der Weltbank finanzierten integrierten Stadtteilverbesserungsprogrammen, so dass hier eine gewisse, dem offiziellen Recht parallele Rechtssituation entsteht.

Bei diesen Maßnahmen wird oft die "exzessive" Bürokratie beklagt, die derartige Verfahren unnötigerweise, oft ad aeternum, verlängert und kostspieliger macht (vgl. für Brasilien: Alfonsin 1997, 1998).

c) Über **Pachtverträge** für die besetzten öffentlichen, meist kommunalen Flächen zwischen der betreffenden Gemeinde und den Squattern. Diese erhalten dadurch eine gewisse "Bleibegarantie", wodurch sie zu Investitionen in die Hausverbesserung und –erweiterung motiviert werden. Derartige Verträge werden, z.B. in der Dominikanischen Republik, meistens über 20 Jahre abgeschlossen und verlängern sich automatisch, allerdings nur bis maximal 99 Jahre. Obwohl die Pacht relativ gering ist (z.B. 1 US-\$/m²/Jahr im Großraum Santo Domingo), wird sie gewöhnlich nicht gezahlt. Das führt aber kaum zu einer Kündigung, und ist auch kein Hindernisgrund für die nachfolgende Legalisierung.

d) Durch Feststellung der Besitz- und Landnutzungssituation und Ausstellung einer **Bescheinigung über die Wohndauer** auf dem besetzten Grundstück (carta de constancia, Dominikanische Republik) oder auch über die **Eintragung in ein Bestandsregister** (registro de un hecho, Kolumbien), wobei das auf öffentlichen Flächen oft eine Vorstufe zur Verpachtung der betreffenden Grundstücke darstellt.

e) Die von der jeweiligen Kommune erfolgende Ausweisung illegal besetzter und auch semilegal aufgeteilter Flächen als **"Spezielle Zonen/Areale des sozialen Interesses"** (ZEIS/AEIS: Zonas/Áreas especiales/espaciales de interés social), z.B. in Brasilien, Kolumbien oder in der Dominikanischen Republik. Sie toleriert den geschaffenen Zustand und schützt die dort lebenden Familien vor einer Vertreibung, d.h. dass die betreffenden Gemeinden eine gewisse soziale Fürsorgepflicht für die Landbesitzer übernehmen; vgl. für Brasilien Alfonsin (1997). Damit einher geht die Verpflichtung zur Schaffung bzw. Verbesserung einer Basisinfrastruktur, der Regulierung des Grundrisses (Straßennetz), was die Umsiedlung/Umsetzung von Familien beinhalten kann und damit die Einbeziehung noch freier Flächen in die jeweilige ZEIS,

die sich aus nachbarschaftlich/sozialen Gründen unmittelbar an das bestehende Stadtviertel anschließen sollten.

Durch die Ausweisung von ZEIS erfolgt eine erhebliche Wertsteigerung der betreffenden Parzellen, verbunden mit einer erheblichen Aktivierung des Bodenmarkts. Dem wird aber in den meisten Fällen durch Verkaufsverbote vorgebeugt bzw. durch die Schaffung von gemeindlichen Vorkaufsrechten (Alfonsin 1997).

Es gibt darüber hinaus eine Vielzahl von länder- und auch kommunalspezifischen Möglichkeiten zur Schaffung von Rechtssicherheit am Grundstück und Haus, auf die hier nicht eingegangen werden kann. Jedoch soll hervorgehoben werden, dass durch bestimmte Handlungsweisen eine "rechtsparallele" Situation geschaffen werden kann, die den Anspruch auf die Übertragung der Grundstückstitel gewissermaßen "zementiert". Dazu gehören z.B. die Zahlung von Grundsteuern in illegalen Stadtvierteln in Medellín, deren Höhe vom zuständigen Stadtamt festgelegt wird, die Anlage (in Selbsthilfe) von Infrastruktureinrichtungen oder die Ausstellung eines sog. Ergänzungstitels (título supletorio) in Venezuela (Bolívar 1998), über den festgestellt wird, wer (illegal) das betreffende Haus gebaut hat sowie der gegenwärtige Wert desselben. Dieser Titel muss bei der Legalisierung vorgelegt werden, ist aber auch ein notwendiges Requisite bei der Beantragung von öffentlichen Krediten für Hausumbau oder -erweiterung.

Fazit

Auch die alternativen Möglichkeiten zur Schaffung von Rechtssicherheit am Grundstück sind letztlich "kurative" Maßnahmen, die zwar allgemein als positiv und unbedingt notwendig begrüßt werden, jedoch auch administrativ-juristisch vereinfacht und gestrafft werden müssen.

Erforderlich sind jedoch, um das Problem der Bodenbesetzungen kontrollieren zu können, "präventive" Maßnahmen, z.B. die Ausweisung von Flächen für informelle Siedlungsaktivitäten als "spezielle Zonen des sozialen Interesses" in Flächennutzungs- oder Stadtentwicklungsplänen. Das käme gewissermaßen einer "Lenkung" der squatting-Aktivitäten auf sogenannte „reception areas“ gleich. Aus der Praxis sind bisher allerdings nur wenige Beispiele einer derartigen präventiven Flächenausweisung bekannt, z.B. in Brasilien, z.T. auch in Kolumbien (Mertins u.a. 1998, S. 64 ff.).

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Good Urban Land Management

WEHRMANN / KENEA / LOR / LUPALA / HGUYEN / SAN / SAYEGH / TCHANTURIA / YEMIDI

Why should we bother?

Uncontrolled URBAN GROWTH!

An increasing number of inhabitants is consuming more and more (urban) land worldwide while the average amount of land a person consumes is even growing. With other words our 'ecological footprints' keep growing while our per capita earthshare continue to shrink (Wackernagel/Rees 1995). Everyone knows the figures; knows the situation they are representing:

World-wide cities are growing at a rate of 2% annually (UN 1999). While in 2000 about half of the world's population lived in cities, almost 2/3 (60,3%) will reside in urban areas in 2030. Especially African, Asian and Latin American cities are characterised by high urban growth rates (3,5% for Africa, 2,4% for Asia and 1,7% for Latin America) caused by natural population growth and rural-urban migration as well as by the underlying pull-and push factors such as the lacking infrastructure and services in rural areas and the hope for employment in the cities. As a result of the uncontrolled and uncoordinated growth of urban agglomeration characterised by informal land acquisition, fragmentation of peri-urban land, inefficient use of land, poorly functioning land markets etc. urban development is far from being sustainable.

The question now is how our ecological footprints can be reduced? Let's have first a look at the present situation of urban land management.

What, however, is land management?

As there are no clear definitions, it can be used as generic term, meaning all activities associated with the management of land as an environmental, an economic and a socio-cultural resource, therefore including the handling, adaptation and development of land ten-

ure systems, the formulation and implementation of land policy, land administration, land use planning, land readjustment as well as enabling land markets.

What are the underlying causes? UNCONTROLLED urban growth!

The increasing consumption of land for urban (mis-)uses is not only due to the growing number of people living in cities. It is also caused by the absence of adequate land management and land managers.

If you think of any urban agglomeration in any developing country and the way land use and land ownership is regulated you will have pictures in mind similar to the one described below:

There is no urban land policy. The legal framework does not correspond to today's challenges. Existing laws on land use and land ownership are sometimes overlapping, sometimes leaving aspects without clear regulations. Multiple land tenure systems (legal pluralism) lead to tenure insecurity and result in severe land conflicts. The situation is aggravated by the lack of adequate institutions for land conflict-resolution.

Land administration and urban planning are over-centralised while at the same time the capacity of the central government is limited. Complex land regulations and lengthy procedures are hindering fast and cost-effective solutions. Therefore, land registrations are rare, mainly done in areas of the upper class. Elsewhere, record-keeping systems are either non-existing or uncoordinated and out of date. The lack of information on the actual land use and ownership as well as about land tenure rules, regulations and practices in general limits transparent land market activities, giving way to multiple sales, land speculation and corruption.

Good Urban Land Management

Durch das nach wie vor starke Wachstum der Städte in Entwicklungsländern ist deren Flächenverbrauch außerordentlich hoch. Die Frage stellt sich, wie es sich trotz fortlaufender Verstädterung sparsamer mit der Ressource Land umgehen lässt. Die Autoren, Studierende und Lehrende des Masterkurses "Land Management and Land Tenure" sehen eine Möglichkeit in *Good Urban Land Management* – der Anwendung der *Good Governance Prinzipien* auf das städtische Landmanagement. Mit Beispielen aus ihren Heimatländern veranschaulichen sie die einzelnen Komponenten: *Nachhaltigkeit, Subsidiarität, Gleichberechtigung, Effizienz, Transparenz, Bürgerbeteiligung* und *Sicherheit* im städtischen Landmanagement.

Photo 1 / Good urban land management through transparency: public display of orthophotos with cadastral information in Cambodia / source: GTZ-LMP Cambodia

Institutional co-ordination and co-operation is the exception rather than the rule. There is no clear distinction of responsibilities between sector policies (ministries), nor between national, intermediate and local administrations nor between State and Civil Society. This leads to the duplication of some efforts while ignoring others. Besides the weak institutional and professional capacity to manage land, there is a lack of adequate financial resources, especially at the local level. Very often, people's needs are neglected. Public and private sectors are enemies, not partners.

There are many more shortcomings but this should be sufficient to mark the present situation. It becomes obvious that more efficient urban land use can only be achieved through an integrated approach tackling legal, institutional, technical and financial issues at the same time.

Presently prescribed remedies

We all know by now, that all efforts we make have to be sustainable in an economic, ecological and social way. Not only this: Our action should also be eligible for the label of good governance. Well, how can a sustainable good-governed land management be achieved?

of the same kind as sustainability, it is not only used as panacea for everything but also as a cover for some bitter pills such as anti-corruption campaigns or liberalisation of the markets.



Disturbing side effects

In spite of the comprehensive urban governance agenda, ongoing policies do not necessarily incorporate all elements of good governance but tend to focus on neo-liberal approaches, relying mainly on the market. The emphasis in most countries actually is more on efficient urban management, comprising the improvement of institutional performance, decentralisation (in the sense of de-concentration rather than devolution), privatisation, public-private partnerships and social policy 'safety nets' to ensure political stability. As one objective is to reduce state intervention, a lot of attention is given to the market: privatisation, property rights, land markets are common key words. Private ownership and individual title have already been celebrated as THE basic instrument for prosperity until one finally realised that there are rather few tragedies of the common. It's security of tenure what is needed, not necessarily freehold.

There is a danger that good urban governance will be reduced to a 'good market ideology'. However, measures that during the last decades have not been realised by the state cannot be transferred entirely to 'the market' nor to civil society. This is a misperception of the demand for a new (definition of the) state. Without the state a sustainable development is not possible. Its role, however, has to change from a doer of development to a partner, catalyst and facilitator (World Bank 1997). "It is the state that must ultimately be held responsible for both processes and outcomes [of governance]. The judges [however] are assumed to be ordinary citizens for whose sake the city [...] exists" (Friedmann 2001).

With this in mind, we will now design a concept of good urban land management where each party gets its fair share of rights, duties and responsibilities.

The UNCHS global campaign for (good) urban governance

UNCHS/Habitat proposes that good urban governance should be characterised by the following norms:

1. **SUSTAINABILITY** in all dimensions of urban development.
2. **SUBSIDIARITY** of authority and resources to the closest appropriate level.
3. **EQUITY** of access to decision-making processes and the basic necessities of urban life.
4. **EFFICIENCY** in the delivery of public services and in promoting local economic development.
5. **TRANSPARENCY** and **ACCOUNTABILITY** of decision-makers and all stakeholders.
6. **CIVIC ENGAGEMENT** and **CITIZENSHIP**.
7. **SECURITY** of individuals and their living environment.

Source: UNCHS 2000

Looking at the criteria for good urban governance, suggested by UNCHS (2000), it seems to be worthy to apply them on land management. The proposed norms are: sustainability, subsidiarity, equity, efficiency, transparency and accountability, civic engagement and citizenship, and security.

Before going into detail, there should, however, be a warning of possible side effects. As 'good governance' already became a slogan

**A way out:
good urban land management**

Incorporating the norms of good urban governance into urban land management: What does it implicate? Let's go step by step:

1. Sustainable urban land management

To be sustainable there has to be first of all the political will for change; the commitment of the present political elite to delegate responsibilities, to share its influence, to deny from corruption while taking over other responsibilities and acting as a facilitator.

Sustainability further asks for certainty of law and rule of law. Human rights have to be respected, to be integrated in the constitution and to be reflected in the laws. Non-discriminatory access to land, adequate housing for all, these demands should be understood and treated as human rights.

To be sustainable, urban land management needs to be based on an integrated land policy defining everyone's role and tasks. To avoid piecemeal solutions, a comprehensive reform including the tenure system(s), the legal and institutional framework as well as administrative procedures should be conducted. There have to be clear regulations for land ownership and transfer, land registration, land taxation, land use planning, land readjustment etc.

To be sustainable also means to be financially sustainable. This demands a functioning, affordable credit system accessible by everyone. It also calls for an adequate ratio of cost and benefit for all land administration, this means that one has to balance between accuracy and cost according to individual needs.

Finally, urban land management will only be sustainable if accepted by all stakeholders which implies their active participation during the design of the land management policy. Here, it becomes obvious that sustainability is closely linked to such aspects as equity and civic engagement as it is to efficiency and subsidiarity.

In the end, urban land management proofs to be sustainable, if the land is not wasted but used thriftily.

2. Subsidiary urban land management

Subsidiarity means that decisions are taken, services are offered and resources are available at the lowest appropriate level.

1

Dead parcels waiting for a second life - a need for sustainable land use in former socialist cities

The main problem in former soviet cities after the collapse of the socialist system was the enormous migration process as a result of the breakdown of most rural infrastructure. The rural population migrated to the big cities to find jobs and to have a possibility to feed their families. Due to the absence of any clearly defined land use plans cities were growing very spontaneously. In addition, urban infrastructure also collapsed. The old industrial factories did not work any more. As a result large industrial parcels are today waiting for a second life. In Tbilisi as in many other cities the last general plan was created 20 years ago. A new land use plan still has to be worked out. Also, the old laws and rules are not existing anymore and the new ones are not fully elaborated. In this context, one can hardly speak of sustainable urban development.

A new land development policy is needed to stop the uncontrolled growth of the big cities in former socialist countries. Especially, solutions for dead parcels have to be found. It will be necessary to change the land use of inefficiently used parcels and to develop new legally binding land use plans. Another very important step is the clarification of institutional responsibilities and financial issues. Up to now, it is not clear which organisation is responsible for which aspects of land management. It is also still unclear which financial means the state has to solve these problems.

Ten years is not yet a long time. To be realistic this period is not enough to solve all urban problems but if governments will not work very hard in this direction it will - in some years - be impossible to bring the development and the growth of these cities in normal frames.



Photo 2 / Tbilisi (Georgia) along river Mtkvari



Photo 3 /
"Office" of the Commune Chief

2

Cambodia: Decentralising land management

Several legal provisions reflect the political will to decentralise parts of land management and land administration in Cambodia. They are, however, rather general in nature and have to be complemented by more specific sub-decrees and detailed guidelines. It still has to be decided which level (commune, district, province or national level) should take over what kind of tasks and responsibilities.

The key tasks of the newly elected communes in land management and administration could be land use planning and land allocation, mainly for two reasons: Both areas require local knowledge and can be most appropriately decided upon at the local level. They can be done by the commune councils and by other local structures without overloading them with work or overestimating their capacities – assuming that some capacity building will take place during the first years and support be provided by the provincial department of land management, urban planning and construction. As a first step, all communes should be provided with orthophotos as a base for simple communal land management.

At the district level land registration could take place, because the size of the communes level is too small, and the size of provinces too big, which means that people have to spend a lot of time and money for transportation. Also it will be very difficult to investigate and to get information from local people, which have land conflicts because of the distance between the field and the office. Therefore, district level is the appropriate level for land registration. Local people can easily contact district officers and get information. Given the poor capacity of the district offices, they need, however, massive support from the provincial departments; mainly in form of capacity building and technical support.



Photo 4 / Staff from provincial department surveys and registers parcels

Applied to urban land management this means that land use planning and land registration will no longer be done at the central level but will be decentralised.

Towns should prepare their own land use plans. Preferably, all stakeholders should be included in this process: public and private sector involved in land management such as real estate agencies, customary authorities, key persons from the informal sector if possible, NGOs and CBOs representing people's interest in land use and access to it.

Municipal cadastre / land register improve people's access to it and their tenure security. It also enables the municipality to collect tax and to settle and prevent land conflicts. As the introduction of a cadastre always implicates a temptation for influential people to get a bigger share of land than they are entitled to, it is important to implement a control from above and below. Maps – showing the present distribution of land – have to be published long enough and accessible for everyone to make sure that the introduction of a cadastre will not increase the number of land conflicts but contribute to their reduction.

Land use planning as well as land registration can be partly delegated to the community. In this context, local facilitators such as traditional chiefs or civil society's organisations play an important role. As so called informal land management is limited to a certain size, density and homogeneity of people living in an area, it is important to reconcile informal and formal activities. Roles and responsibilities have to be divided between the municipality (public sector) and local communities leaving enough room for local peculiarities, responsibilities and engagement but providing enough public guidance. Both – public land administrators as well as local land managers – will need formation and capacity building in the beginning.

The more people are included, less the probability that the local landed elite will be reinforced by decentralisation. There will always remain a danger that decentralisation includes the de-concentration and thereby multiplication of corruption and other illicit practices. Decentralisation by its own is not yet a guarantee for good governance or democracy.

3. Urban land management based on equity

Equity in terms of land management can easily be summarised as guaranteeing equal access to land, property, credit, basic services, technologies and knowledge related to land

management for all groups of society. But what does it implicate? Who are the disadvantaged groups? Why are they disadvantaged? What can be done to render land management non-discriminatory?

In cities, access to land or land ownership sometimes is denied to the very poor, to women, ethnic minorities, racial groups, children (orphans, street children, invalids...), people claiming their rights according to customary tenure, migrants, homosexual couples etc. Common to all of them is that they are either discriminated through statutory law or - sometimes and - religious customs; i.e. inheritance rights based on the religion and confirmed by modern state law often favour male off-springs. Even more known is a 'de facto' discrimination. While 'de jure' all citizen have to be treated equally, general practice is still influenced by customs or prejudices (see below: tenure security in Jordan).

As a consequence, incorporating the principle of equity into the constitution and specific laws can only be a first step – an important step, however. Existing laws have to be revised and any kind of discrimination to be removed. New laws, favouring equity by introducing new practices such as co-ownership of both spouses, have to be passed. Much more complex, however, is the implementation of these laws. By-laws have to be developed, defining how to overcome existing discriminations. New procedures have to be developed, removing any kind of barriers: neither distance, nor financial means, nor analphabetism nor age, gender or race must have a negative impact on people's access to land and related services. Concerning access to housing, standards have to be simplified or partly removed to allow poor people to legally build their shelter.

Equity cannot be reduced to "passive equal treatment"; it also implies equal opportunities to get actively involved in decision making. In the beginning, quotas might help to get the majority familiar with the idea of having representatives from formerly discriminated groups among them. It becomes obvious that equity can rarely be achieved without civic engagement as it is mainly about power and influence (see below: civil society fighting for women's rights over land).

4. Efficient urban land management

The main cause of inefficiency in land administration can be found in long procedures, involving too many institutions; all of them tempted to earn some extra money. This situation is generally accompanied by a lack of co-operation and co-ordination between and

3

Republic of South Africa: Redressing the injustices of apartheid

As a heritage of the apartheid era, land ownership and land development patterns at the beginning of the 1990s strongly reflected the political and economic conditions of that political system. Racially-based land policies were a cause of insecurity, landlessness and poverty amongst black people, and a cause of inefficient land administration and land use as it is recognised in the White Paper on South African Land Policy (1997).

The constitution therefore calls for changes in the legal framework: "The state must take reasonable legislative and other measures, within its available resources, to foster conditions which enable citizen to gain access to land on an equitable basis" (Constitution 1996, Chap. 2, 25 (5)). Accordingly, the three elements of the South African land policy are restitution, redistribution and tenure reform to redress the injustices of apartheid.



Cartoon from the popular version of the South African Constitution

4

Reforming urban planning to improve efficiency in Tanzania

Tanzania inherited most of its existing regulations from the British laws. Urban planning and land use regulations, as defined by CAP 378 Town and Country Planning Ordinance of 1956 revised in 1961, to mention one, is among several regulations which do not reflect the local context. This law copies from the Town and Country Planning Regulations of the British Law of 1947. To mention a few:

- The law restricts land development without right of occupancy. However, nearly 70 percent of urban residents in Tanzania are living in unplanned settlements.
- The law mandates only the ministry responsible for lands to perform land management. However, we are experiencing parallel operations of both formal and informal planning systems with the informal system commanding more prospects.
- Planning and building standards are not affordable by the majority of the people.

In order to enable the existing urban planning and land use regulations to work efficiently, (among other measures) urban land management responsibilities have to be decentralised to other key stakeholders, including the private sector such as neighbourhood organisations especially the local communities.

Obsolete planning and building standards have been the major constraint to effective planning in recent years. Therefore, establishment of appropriate regulations in this area to suit the poor is inevitable.

On the other hand, legalisation of informal urban land management should be implemented in order to enhance the security of tenure. Besides, provision of junior titles, as practised in Botswana, should be adopted in order to integrate formal and informal planning and land management. These measures will perhaps increase efficiency in urban planning in Tanzania and other countries with situations similar to the one in Tanzania.

5

6

Ghana: A need for a more transparent legal and institutional framework

Urban land management in Ghana is characterised by encroachments on state lands and lands for public uses, multiple sale of parcels, haphazard and unauthorised developments, land disputes and litigation. This is mainly due to the oral tradition of customary tenure, scattered and outdated legislation and regulations, a centralised system of urban land management and a lack in transparency. The Local Government Act, 1993 (Act 462) which seeks to promote democracy and the involvement of local communities in decision making as well as transparency in land management has not contributed a lot to improve the situation. It is in this regard that the National Land Policy Document (yet to receive presidential assent) was formulated in 1999 with the following objectives:

- to create and maintain effective institutional capacity and capability at the national, regional, district and where appropriate community levels for land service delivery,
- to collaborate with the traditional authorities and other stakeholders to review, harmonise and streamline customary practices, usage and legislation to govern land holdings, land acquisition, land use and land disposal,
- to promote community participation and public awareness at all levels in sustainable land management and development,
- to promote continuous education of the general public on land matters and
- to review legislation.

within institutions. Other reasons are out-dated laws and regulations, contradictory rules as well as inadequate procedures either being too accurate or lacking technical support. Non-adequate regulations – often a heritage from colonial times – are also at the root of inefficient land use planning. Master planning still seems to be prevalent in most developing countries; hindering flexible responses to present needs.

A cure has to include revision of laws, by-laws and regulations, simplification of procedures, reorganisation of the institutions involved in land administration (improving their co-operation, more subsidiarity) and transferring certain activities to civil society and the private sector (see subsidiarity). Finally, there is a need for capacity building and training according to the newly introduced procedures and technologies.

Land Information Systems might in some cases contribute to higher efficiency. It has, however, to be assured that the financial and personal capacity to keep it up-dated will be available. It should be a cost-recovering system.

Finally, efficiency can only be improved if corruption declines. Therefore, it is important to establish legal sanctions for illicit practices, to give incentives for good examples, to pay a minimum salary, which is sufficient to feed a family and to allow as much transparency as possible.

Tanzania: Civil Society in favour of women’s ownership upon land

Originally, the new "National Land Policy" of Tanzania, which was enacted in June 1995 improved the situation of women regarding their access to land only to a very limited extent. According to this law, women were allowed to own and acquire land. The inheritance of clan- or family owned land through local customs or tradition, however, was supposed to remain the same ("as long as it was not in contradiction to the constitution") although the discrimination of women through customary law was acknowledged as a fact. Problems regarding property rights between husband and wife should also not be treated under legislation.

The reaction to this new legislation was the formation of various NGOs into the "Gender Land Task Force". They demanded more legal security than in the customary law, the right to acquire and register land and appointing women representatives in committees concerning land tenure issues.

Essential demands of the women were incorporated into the Land Act, 1998 Bill and the Village Land Act, 1998 Bill. In these Land Bills the rights of women should be secured through the following:

- Women rights to land are fundamental principles of the National Land Policy,
- Family land is protected by a presumption of co-occupancy in the nature of occupiers in common over family land which is in favour of both spouses,
- In case of dispositions (i.e. mortgage, sale, leases and other derivative rights), the protection of married women is guaranteed by empowering them to give their consent before their husbands can make disposition of their matrimonial land property,
- When appointing new members of the "National Land Advisory Council", a fair balance in the number of men and women should be maintained.
- Prohibition of any discriminating customary laws.

Source: Ovonji Odida (1999)

5. Transparent urban land management

Transparent urban land management has to start with people’s information about objectives and procedures of land administration and land use planning, about people’s rights and responsibilities, about the institutions involved in land management – their tasks and duties. Transparent urban land management also means easy access to all institutions dealing with land management and open access to all information concerning the land market. Transparency can only be achieved if there are legal provision for it, free media (reporting in a critical way about ongoing developments) and regular, organised and for everyone open discussions on all matters concerning land.

6. Civic engagement in urban land management

To improve civic engagement in land management, there has to be awareness rising, information campaigns, consultations, public-hearings, forums and workshops where peo-

ple get informed and bring in their ideas. Complementary, participatory approaches in land management have to be introduced or extended. Two situations where people's participation is a must are the introduction of a municipal cadastre and the development of local land use plans. In addition, existing and new people's associations should be strengthened to facilitate people's participation in land issues.

7. Urban land management providing security

Security in the context of urban land management first of all means to promote security of tenure. Although, there recently was a call for universal individual freehold, initiated by de Soto (2000), fitting perfectly into the present neo-liberal discussion and therefore quickly adopted by the Bretton Wood organisations and other Washington institutions, there is a common understanding among researchers that tenure security does not depend on individual title (Fernandes 2002, Gilbert 2001, Payne 2001). Rather a contribution of certain social, political, institutional and legal conditions – all together contributing to a situation where people trust in the guarantees they receive from the State, enabling them to be integrated in the urban fabric – lead to tenure security. To achieve this legislation it is necessary to recognise a variety of forms of legal tenure and provide for counselling and mediation for people at risk of forced evictions or threatened by encroachment. Tenure security also needs a functioning court system where people can claim their rights in an adequate time and for an affordable price. In the end, security of tenure relies on all the other aspects mentioned above, mainly sustainability, transparency, equity and efficiency.

Security in the context of urban land management also means that building regulations and zoning prevents people from natural hazards such as floods, earth floods, and fire as well as from crime and violence.

Conclusion

Looking at the present ways of land management in developing countries summarised above and the many ways that exist to improve the situation, one should come to the conclusion that it is possible to reduce our ecological footprints. There are ways to reduce land consumption. However, it also becomes obvious that this demands more than land use planning and land registration. What is needed, is a kind of "good governed land management", including changes in the legal framework, institutional re-arrangements, review of existing regulations and procedures, introduction of new tools and technologies as



Photo 5 / Civil Society in favour of women's ownership upon land

7

Jordan: Securing tenure in disputed areas (Informal settlement)

The disputed area is about 35 km from Amman. The dispute over this area goes back to the early 50's, when the state registered this area as state land ignoring the objections of one main tribe, who claimed that this land has always been their traditional land, even before the existence of the state.

The inadequate approach of the state over this area, by ignoring the needs and rights of the local people seriously damaged the social and political stability in the region. To cool things down a decision to issue titles for the people living in the area through a registration process was taken.

Because of lack of co-operation and coordination between concerned parties, lack of involvement of local people, lack of real project planning and management and ignoring the role of the private sector, the process took a very long time and created a lot of tension.

During the last four years, a project management approach was adopted to plan and organize the process of registration and titling in co-operation with all concerned parties including parliament members representing the people of the region. In fact most of the work were executed during this period.

well as more decentralisation and people's participation. Only a transparent and efficient land management, accepted by the people, can effectively implement measures to control land use, reduce land consumption, to recycle urban land and to guide urban growth, avoiding urban sprawl and unnecessary waste of land resources.

References

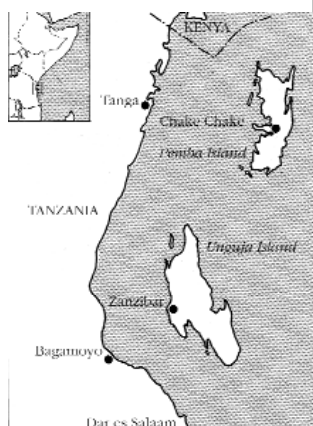
- DE SOTO, HERNANDO:** The Mystery of Capital. Why capital triumphs in the West and fails everywhere else. 2000.
- FERNANDES, EDESINO:** The Influence of de Soto's The Mystery of Capital. In: Land Lines. Vol. 14, No. 1. January 2002, pp. 5-8.
- GILBERT, ALAIN:** On the mystery of capital and the myths of Hernando de Soto: what difference does legal title make? Paper presented at the N-AERUS Workshop, 23. – 26.5.2001 in Leuven.
- OVONJI ODIDA, IRENE:** Land Law Reform: Challenges and Opportunities for Securing Women's Land Rights in Uganda. Presented at a workshop on 'Land Rights and Sustainable Development in Sub-Saharan Africa: Lessons and Ways Forward in Land Tenure Policy' from February 16th - 19th 1999 in Berkshire (GB).
- PAYNE, GEOFFREY:** Urban land tenure options: titles or rights? In: Habitat International 25 (2001).
- FRIEDMANN, JOHN:** The Governance of City-Regions in East and Southeast Asia. In: DISP 145, 2/2001, pp. 4-9.
- UN:** World Urbanisation Prospects. The 1999 Revision.
- UNCHS:** The Global Campaign for Good Urban Governance. Concept Paper, Draft 5, Nairobi, 20 November 2000.
- WACKERNAGEL, MATHIS AND WILLIAM REES:** Our Ecological Footprint – Reducing Human Impact on the Earth. Canada 1996.
- WORLD BANK:** World Development Report 1997. The State in a Changing World. Washington 1997.
- Source of the cartoon:*
Republic of South Africa: You and the Constitution

Photo 2-5 taken by B. Wehrmann

Habtamu Kenea / Agricultural Engineer, Ethiopia,
Lor Chun Pau / Irrigation Engineer, Cambodia,
Menyachi A. Lupala / Urban and Rural Planner, Tanzania,
Nguyen Thi Hoang Anh / Forest Engineer, Vietnam,
San Phyrum / Architect, Cambodia,
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Like one of the Stories of 1001 Nights: Informal Land Management in Zanzibar, Tanzania

WOLFGANG SCHOLZ



Wie eine Geschichte aus 1001 Nacht: Informelles Landmanage- ment in Zanzibar, Tanzania.

Die Entwicklung des Bodenrechts und Landeigentums auf Zanzibar (Tansania) ist durch mehrere Brüche gekennzeichnet. Daraus resultieren Widersprüche im institutionellen und rechtlichen Rahmen, die wiederum zu Verwirrungen im Landmanagement und damit zu unkontrolliertem Städtewachstum führen. Eine Reaktion darauf sind verschiedene Formen informellen Landmanagements, die in dem Artikel beschrieben und bewertet werden. Als am erfolgversprechendsten erscheint die *Planung ohne Planer*, bei der die Landeigentümer die Verantwortung für die Entwicklung der Fläche übernehmen.

When the Finnish researcher Mika-Petteri Törhönen chose the title "Land tenure confused" for his doctoral thesis on Zanzibar/Tanzania, he was definitely very much to the point.¹ The development of land tenure in Zanzibar is marked by several shifts. They caused contradictions in the institutional and legal framework and led to confusion in land management and to uncontrolled urban growth.

Related to this, research conducted by the author is focussed on the linkages between informal urban growth and informal land management by analysing typical informal settlements, their development, problems and potentials and evaluating their long-term sustainability.² Current land management and urban development is seen as a result of the prevailing economic realities and market forces, the development of the legal and institutional framework and the historical development of the local society and its culture.

Urban Development and Land Management in Zanzibar

Zanzibar Town (1998: 250.000 residents) is the only city on the Island of Zanzibar (1998: app. 400.000 inhabitants, 1600 km²); incorporating all functions of the dominant city of a country but on a smaller scale. Zanzibar Island is located about 40 kilometres off the Tanzanian coast. In 1964, the formerly independent island (and its sister island Pemba) and the Mainland (the former British colony Tanganyika) joined to form the United Republic of Tanzania.

The crucial issues of urban development in Zanzibar are:

- the high urban growth rate (about 4% per annum),
- the fact that Zanzibar Island has the highest population density in Africa: 350 inhabitants per square kilometre (ZSP 1998),
- Zanzibar is a small island with limited

- resources and limited fertile land,
- the limited capacity of the state to control urban growth and to provide planned building land and that
- most area of the town is now covered by informal settlements.

While the ongoing rapid urban growth of Zanzibar Town is - as in most African cities - a phenomenon of the last decades, its urban history dates back further than in most African cities, namely to the middle age. Traders from the Arabian Peninsula used the monsoons to travel along the East African coast and founded trading places and towns. Arab and Persian traders and African natives formed their own culture and language called Swahili ("sahel" Arabic for coast), which differs from the Mainland.³ For more than 1000 years, the mixture of African and Arab influences led to the evolution of a specific urban structure of Swahili towns, which have much in common with Arab cities (Aga Khan 1996). Zanzibar, despite being one of the younger Swahili foundations, became the most powerful one under Oman rulers in the 18th century. In 1823, even the capital of Oman was moved from Muscat to Zanzibar and the Oman Sultan introduced the cultivation of cloves. Furthermore, Zanzibar became the main trading place of slaves along the Swahili coast.

Step 1 of Confusion in Land Management

Before the arrival of the Oman, Arab influence was focussed on the town itself and on trade abroad. The rest of the island was ruled by traditional African leaders. The Omanis, as new leaders, occupied fertile land (especially the western part of the island around the town), while native farmers and slaves became squatters under the plantation trees. This was the first step of confusing land tenure on Zanzibar, because ownership of trees (by Omanis) and the right to use the land for

cultivation (by farmers and former slaves) were divided between two different groups.⁴

British influence on land tenure and urban development was rather weak due to the policy of indirect rule. Only a few well-planned settlements were established.

While Arab and later on Indian traders, dominated the historical Stone Town (now a world heritage site), African people lived in the Quarter of N'gambo (Swahili for "the other side"). Both areas have a long tradition of informal urban development, which made and still makes the implementation of planning schemes difficult (Haji Adam 2001). This might be interpreted as an excuse for failed planning but people's attitude is based on this long tradition of unplanned urban development.

Step 2 of Confusion

The second step of confusing land tenure in Zanzibar was the result of the revolution against the Oman Sultan in 1964. One of the reasons for the revolution was the issue of land ownership. Although in 1873 slavery had been abolished by law, Omani landlords could retain their dominant position. African people had to work for them on the plantations and were allowed only to cultivate their own crops under the trees with uncertain rights of use. The revolution overthrew the Oman Sultan and adopted a socialist ideology. All (plantation) land was confiscated by the Government in 1965⁵ and given to land-less people. On request, people could be allocated plots of 3 acres (1 acre is about 0.4 ha). This grant was given for agricultural purposes only and for lifetime, but people perceived themselves as the owners of the land (Haji Adam 2001).

Step 3 of Confusion

During the colonial times and the 1970s socialist period, urban development was limited. With the effects of trade liberalisation in 1984, Zanzibar Town faced a rapid process of urban growth. Most of the urban area is now covered by new unplanned settlements. Contradictions in the institutional and legal framework weaken the influence of the Government. Laws based on the colonial system (e.g. Town and Country Planning Law 1955) are still in use, while after the revolution Government only ruled with decrees based on the revolutionary constitution or on political decisions of the president, which are not adapted to the existing legal system. Even if planners had the capacity and resources to control, these contradictions in the legal system (and delays in the administrative implementation) would make any legal control impossible.



Step 4 of Confusion

In 1992, the Government finally accepted that people's belief of ownership in three-acre plots could not be taken back. The Land Tenure Act of 1992 allows selling and buying of land under certain circumstances. The Government still owns all land, but the farmers' right of occupancy was given more power. Still, the Land Tenure Act - due to contradictions - leaves some questions on land management open (Törhönen 1998 p. 84-86). In 1989, the Commission for Lands and Environment was established to handle all issues of land management and planning in one administrative body. Unfortunately, it could not control urban growth and was abolished in 2000 without being replaced by a new adequate administrative structure.

Urban Development Today...

The confusions mentioned above weaken the influence of the state and, due to its limited resources, to deal with the high urban growth rate by providing enough building land. This led to the expansion of informal settlements.

- Officially, Government has to follow six administrative steps for urban development:
- Acquisition of land for residential purposes;
 - Conduction of a detailed survey of the area;
 - Establishment of a layout plan for the area;
 - Compensation for the right of use at a fixed (low) price (independent from a plot's location);
 - Compensation for the improvements on the land (i.e. trees, buildings) at low rates, which usually do not cover the costs for rebuilding a house, and finally

Fig. 2 / Informal urban Development of the Stone Town and the African Quarter in 1892.

1
In the 1990s Mika-Petteri Törhönen worked for the "Zanzibar Integrated Land and Environment Management" (ZILEM) and published his thesis: Land Tenure confused - Past, Present and Future of Land Management in Zanzibar, Helsinki 1998.

2
The article is based on the preliminary findings of the research project "Sustainability of Informal Settlements - the Case of Zanzibar Town" at the Faculty of Spatial Planning, Department of Geography and Developing Planning and Management, Professor Dr. Kreibich, conducted by the author and supported by the Deutsche Forschungsgemeinschaft (DFG), 2000-2002.

3
For more information on Swahili culture see: Middleton, John: The World of Swahili, 1992

4
The distinction between the ownership of land and the right to cultivate it is a common feature in the traditional land tenure on Zanzibar too, but traditionally, the owner and the occupier belong to the same social group, e.g. same village.

5
Presidential decree No. 13 of 1965: In order to fulfil the pledges to the people, His excellency the First Vice President declared on 8th March, 1964 that all land was nationalised and that it would be distributed to land-less peasant families for their well being and the nation as a whole.



Photo 1 / Unplanned informal developments lead to future problems of the settlements.

- Redistribution of the land to applicants (at low rates) (Muhajir 2001).

This official administrative procedure, which worked well in the 70s and 80s under a powerful one-party system and at low urban growth rates, now faces a number of problems:

- The whole allocation process takes too long to meet the demand of applicants. In 1998, only 14% of the applicants got a plot through this system (ZSP 2000).
- The process itself demands a high input (capital, manpower and equipment) of the planning authorities, esp. surveying. There are only two functioning surveying instruments available on Zanzibar. The shortage of equipment and the high standards used, rather than lack of manpower, are major hindrances to planning.
- Therefore, settlers prefer to look for other solutions: buying land directly or indirectly via middlemen from owners of three acres plots around town, where they get at least an affordable plot of the demanded size (but at higher costs). Whether these plots meet the demand of the people, concerning size and location, or are rather the result of market forces, is still an open question.
- Owners of three-acre plots are no longer willing to be compensated at low governmental rates and prefer to sell on the informal land market.
- While the land transaction itself is not illegal, subdivisions and the change of land use are.



Photo 2 / Unstructured subdivision and development of the buildings causes lack of access, high density and conflicts between neighbours.

- Shehas (governmental officers on the local level) are involved in the process by confirming the land transaction (plot size, location and price). By doing so, they become on one hand key persons in securing tenure, on the other hand, they can misuse their powerful position. In reality, they act against laws and the constitution by confirming illegal land subdivisions and changes of land use.

... and the Problems of Informal Settlements

While informal settlements satisfy the demand of building land and provide space for shelter, they also create problems because of their structure and layout. How do these uncontrolled settlements look like?

Outside town, farmland is subdivided into plots and sold for individual building activities. Usually neither space for services nor a guarantee for access are provided in the (illegal) subdivision process. The development of the area follows no specific settlement pattern. These settlements are not even given individual names: They are just named after the milestones along the road: e.g. Meli Nne and Meli Tano (Swahili for Mile 4 and 5). Buildings are usually made of cement bricks. On the one hand, this could be interpreted as a sign of consolidation, but on the other hand, it creates new difficulties, as necessary changes of settlement layouts are only possible at high costs.

The usual plot size is about 150-200 m², which is only half of the plot size in planned areas. This may indicate that either the demand of people differs from planning standards or that the land prices are extremely high and therefore people can only afford the minimum plot size. Nevertheless, the moderate plot size in informal settlements is also an advantage, if no further densification occurs.

When the land transaction takes place the area is usually still used for agriculture. Thus, it is difficult for the settlers to have an idea of layout, access and neighbouring buildings. After buying the plot, it takes on the average 5 years to finish the house. Later, a long consolidation process of the neighbourhood starts in which the lack of infrastructure, access, services and open space becomes obvious.

The main problem is not to finance services but to provide space and to maintain these services. The issue of access is a crucial one. Settlers use pit latrines, which have to be emptied once a year by truck. Lack of access causes higher costs or dangerous health conditions.

Local Solutions to Guide Development

Despite all problems and contradictions in the legal and institutional framework, local planners tried to find ways out of this dilemma. Two different approaches of planners and one of local landlords will be discussed:

- a simplified planning process from the 80s,
- a "deal" with land owners from the 90s and
- learning from experiences - land owners use existing settlements as models for planning.

**Local solution 1:
A simplified Planning Process -
The Case of the Settlement
Magomeni:**

Magomeni is located about 3 km from the town centre. In the 1980s at the time of its development the area was still situated at the urban fringe. Before then, the area had been a coconut and mango plantation. This settlement was developed as many others at that time under the guidance of the ruling party, influential persons and with the advice of planners. They did not consider the legal framework and its contradictions but followed an idea on how to develop a well-working settlement. Only the former plantation's boundary was surveyed while the inner plots were only marked by tapes to measure their size. Simple guidelines controlled the development of the settlement:

- Houses were constructed in parallel rows by defining the line of the back-yard (starter) houses;
- all houses have the same orientation with back-yard house facing back-yard house;
- a 10 feet space between back-yard houses and between neighbouring houses was left

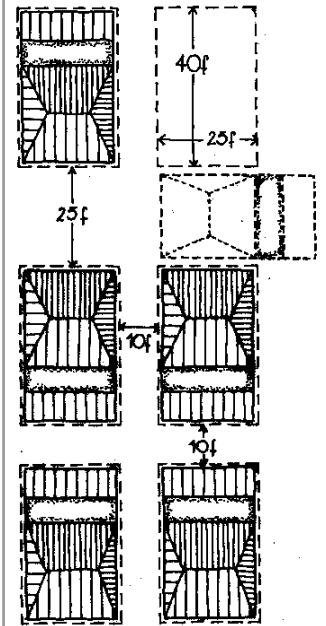
- open;
- the plot size was about 25x45 feet;
- 25 feet between house fronts were reserved as road reserve;
- existing trees and the topography were respected which led to irregular rows;
- the settlement layout will easily allow the implementation of technical infrastructure without the need to demolish buildings.

This model proved to be a good and simple approach to guide development under local control. The high speed of allocation and simplified planning methods were able to cover the demands and led to a well-working long-lasting settlement structure.

This way of implementation was only possible during the period of a strong influence of the one party system controlling all issues of development on urban and neighbourhood level from policy making to its implementation.

The density of the settlement is now higher than planned, because the space reserved for roads was used for in-filling (housing). But the system of the parallel rows determines also without necessary planning the development of the space in between. The uncontrolled in-filling just created an additional row but the structure remained the same.

Unfortunately, this fast, flexible and long-lasting approach, which was used in many settlements in the early 1980s, is not used anymore. Reasons for that are political changes and the fact that local planners started to prefer high (Western) standards in planning. Implementing these standards, they were no longer able to compete with the urban growth rates and now, people have to build without any planning scheme.



Guided Development using simple regulations to define and protect the distance between buildings.

Photo 3 / Guidelines are still respected today: they keep space for further infrastructure and provide access.



The development of Magomeni followed simple guidelines with buildings in rows and clearly defined distances between the buildings.



Local Solution 2
A “Deal” with Land Owners –
The Case of Kidichi

Taking into account that the formal approach proved not to be suitable anymore and that people had become used to the informal way, planners on Zanzibar tried to “get back into business” by “dealing” with the land owners.

In this case, land transaction, subdivision and change of land use were allowed under certain circumstances and case by case only: Government required 30% of the land for roads, services and its own allocation of plots (to cover the costs for planning and to provide plots for poorer people). This was done on the basis of a layout plan prepared by the Government. Thus, landowners could still get the high market prices for 70% of their land and their transactions become legal. The government was able to control the development and to cover its expenditures for planning by selling plots. Settlers could live in a well-planned area facing fewer problems. This win-win situation seemed to be a solution to guide the urban expansion by accepting the different influences and potentials of the actors involved.

For implementation, an area outside town with less pressure on urban development was chosen. Only there, the willingness to cooperate and the potential for implementation seemed to be given.

Unfortunately, this model failed due to different reasons:

- The Ministry stopped this approach during its implementation because it did not comply with the existing legal system. Further more, the chosen area was outside the town-planning boundary and therefore not designated for urban development. In this way, the planning system itself stopped its own innovative approach.
- Some powerful people, who are involved in

the land market, were afraid to lose their influence.

- Due to their mistrust in the state, the land owners were not willing to wait until the planning process was finished and were afraid of losing the plots once surveyors start working there.

Local Solution 3:
Learning from Experiences – Land Owners use existing Settlements as models for planning

There are also local informal approaches creating suitable settlement patterns on the neighbourhood level.

The latest subdivisions of 3-acre plots in Meli Nne and Meli Tano followed certain planning guidelines. Not direct advices from planners, but personally known and well working examples on the ground such as Magomeni convinced some landlords to subdivide their land in the same manner with plots of the same size and buildings also oriented in rows leaving enough open space for adequate access.

“I feel responsible for the development of my land and access in my (!) settlement is important” a landlord, living close to Magomeni, said in an interview. Some of the former landowners still monitor the development of the settlement and control the building activities: “I take care that no one extends the house over the building line.”

A combination of rational subdivision to obtain more plots, examples such as the one from adjacent Magomeni on how a settlement should look like, and personal responsibility of the land owner provide adequate settlement structure on neighbourhood level.

In this case planning without planners works quite well by simply copying the structure of planned settlements. Even more important is, however, the feeling of being responsible for the development. This attitude of the landowner gives him more power to control the planning process, the implementation and the future development than a professional planner, working far away in his office in town, could ever have.

Although every former owner of a 3-acre plot follows his own pattern for subdivision and orientation and although there is no negotiation about the structure of the settlement (the former boundaries are still visible, where the orientation of the rows changes), this system – at least on a small scale - provides adequate access and minimizes conflicts.



Photo 4 / Landlords subdivided their land according to minimal planning standards, copying existing examples.

This solution of locally based planning without planners occurs only in the south-east of the town, while in the north, where fewer guided developed settlements from the 80s exist, land owners have only a few examples to copy. These owners follow more the unstructured subdivision process described above (Muhajir 2002). The importance of visible models for orientation is obvious.

But even if models are available, this approach does not work everywhere: Not far from the structured development in Meli Nne settlers illegally occupied governmental land and developed a settlement without any structure. Every house is oriented towards a different direction. No access is provided. The lack of a person who feels responsible for the development is obvious.

Conclusions

The formal way of planning, surveying and allocating land on Zanzibar can never meet the demand for plots. Contradictions in the legal and administrative framework as well as the high demand weaken the influence of the state on urban development. Due to these facts, landowners and settlers will continue to make use of the informal land market with illegal land transactions, subdivisions and changes of land use.

The provision of plots in the informal sector works fast but at high market based prices. In many cases, due to the lack of professional knowledge and a missing awareness of planning issues by the actors it leads to new settlements, which are not sustainable (concerning settlement structure, accessibility and potentials to add technical infrastructure). On the other hand, there are examples of landowners using planning schemes for the development of their land as it has been done in Meli Nne.

While the more *planning orientated approach* in Magomeni tried to speed up and simplify the planning process, the focus in Kidichi was on *land management* and *public private partnership*. Both provide solutions, which combine the reality of the ongoing processes with appropriate planning standards. Further activities have to focus on these locally based solutions by involving all partners. The example of Kidichi has much in common with new approaches in Europe in terms of dealing with a decreasing capacity of the state. The one in Magomeni rather meets the limited capacity of the local administration.

Any solution has to take into account that those who benefit from the current situation are not willing to change it. Only a win-win sit-

uation of all three parties involved (state, landowners and settlers) can provide a sustainable solution. Landowners will expect high prices, settlers a fast allocation and the state a process reflecting the legal system, planning standards and serving the benefits of all involved decision-makers. Each possible solution can only be a compromise.

- To reach this goal,
- government should recognise the existing processes by adapting the political, legal and administrative framework,
 - there is a need to revise (locally and by donor organisations) technical and administrative standards to be able to guide development with simple, fast and effective instruments. Planning standards have to meet the local administrative capacity and have to consider the economic and social framework,
 - the state has to accept private ownership of land while the owners and settlers have to accept the role of the state to control over the use of land. This is only possible, if the state gains the power to stop illegal actions and the other actors gain advantages out of this.

Only under these circumstances, settlers will be willing to turn back to the legal system and more sustainable settlements can be developed.

The third case of *planning without planners* can be a way out of the low influence of the state to guide urban development. Especially the guidance of the implementation conducted by the former landowners provides more development control than the formal planning process.

From these findings, the conditions under which planning without planners works can be defined as follows:

- Well working examples have to be given, which can be copied without in depth understanding of professional planning issues.
- A certain degree of tenure security, which provides time to develop and does not force owners to sell land as soon as possible, has to prevail.
- The landowner has to feel responsible for the development of his land.

From this point of view, the planning approach applied in Magomeni constitutes even if it is not in use anymore a model (best practice) for developers without professional knowledge in planning. It also might provide a base for new planning approaches under the current political and socio-economic conditions.

References

- Interview with Haji Adam, Director of Survey and Urban Planning, Zanzibar, 9. October 2001
- Interviews with Makame A. Muhajir, Urban Planner, Zanzibar, October 2001 and March 2002
- Middleton, John: The World of Swahili, 1992
- The Aga Khan trust for Culture: Zanzibar – A Plan for the Historic Stone Town, Geneva, 1996
- Törhönen, Mika-Petteri: Land Tenure confused - Past, Present and Future of Land Management in Zanzibar, Helsinki, 1998
- ZSP Zanzibar Sustainable Programme: Environmental Profile, Zanzibar 1998
- ZSP Zanzibar Sustainable Programme: Report of the Working Group Haphazard Construction, Zanzibar 2000

Illustrations and Photographs:

Fig. 1:
The Aga Khan trust for Culture: Zanzibar – A Plan for the Historic Stone Town, Geneva, 1996, p. 61

Fig. 2:
The Aga Khan trust for Culture: Zanzibar – A Plan for the Historic Stone Town, Geneva, 1996, p. 22

All photographs are by the author.

Drawing by Kirsten Hackenbroch.

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The easiest Way to make Money is to sell Land! Land Conflicts in the peri-urban Area of Accra, Ghana

BABETTE WEHRMANN

Die einfachste Art Geld zu machen ist Land zu verkaufen!

Landkonflikte in Accra, Ghana.

60.000 Landkonflikte beschäftigen derzeit Accras Gerichte. Seit Land einen ökonomischen Wert hat und auch in dem westafrikanischen Land Ghana zur Ware geworden ist, stellt es ein begehrtes Gut dar. Landkonflikte sind eine direkte Folge, fehlendes formelles Landmanagement sowohl Ursache als auch Konsequenz. Der Artikel erläutert die komplexen Ursachen und Auswirkungen der verschiedenen in Accra bestehenden Formen von Landkonflikten und beschreibt den Umgang mit ihnen. Während Hüttensiedlungen und Landlosigkeit in Accra noch gering sind, warnt die Autorin vor einer Verdrängung der städtischen Armen als Folge des Ausverkaufs städtischer Flächen.

About 60.000 unsolved land disputes are currently at Accra's courts. Over the time, land became a commodity good, which is still increasing in its value. Land sales are, therefore, the most easiest way to make money. This is especially true for those people who already possess land or just take it. As a consequence, a lot of people sell land without being its proper owner of it. This leads to a wide range of land conflicts, which are illustrated in this article.

Tenure Systems in Accra

Traditionally, land has been administered according to the customary tenure system. This is based on land trusteeship.¹ Traditional authorities, so-called 'allodial title' holders,² attribute rights to use land to members of their group as well as – under slightly different conditions - to strangers. These rights are usually inheritable. The 'allodial title' holders are titular holders, holding the land in trust for the whole community and therefore supposed to benefit all members of the community – not for self-enrichment (Kasanga 1988: 29ff; 51). In Accra, the 'allodial title' of land is held by stools,³ sub-stools, clans and families.

A fundamental aspect of customary tenure is that it assures access to land and other natural resources such as water or forests for every family and every individual of the community. Even though land is communally held, families and individuals are in effective control of all their decisions with regard to land use and investments (Kasanga 1999: 14).

While these practices still persist – in rural as well as in urban areas - modern State law has introduced additional institutions and procedures. Today's legal framework on land management provides for the administration and transfer of all land in Ghana. It recognises and integrates customary institutions and

defines when customary procedures are deemed to be adequate – guaranteeing sufficient security of tenure – and when modern practices have to be applied. Generally, customary tenure systems regulate land use among group members while statutory law provides for land transfers to outsiders, including the State and investors in commercial and industrial development. One important instrument in this context is the compulsory acquisition of land by the State. This allows the State to acquire land for the development of public infrastructure.

Statutory law reflects the customary understanding of land and land ownership. The 1992 constitution recognises the concept of trusteeship in landholding by defining that "all public lands in Ghana are vested in the President on behalf of, and in trust for, the people of Ghana (Article 257(1))."⁴

Land Registration in Accra

While still in the nineteen eighties land distribution and acquisition - mainly regulated by customary tenure systems – presented no apparent problems to the majority of people – especially in most rural areas (Kasanga 1988: 55), the situation has changed today. Population increase, the resulting high rate of urbanisation, and the commercialisation of farming systems (mainly by a shift from subsistence agriculture to market oriented production) reduced the availability of land and for the first time put monetary value on land. Land therefore became a commodity good. Customary tenure, however, does not take this into account. According to customary tenure, land cannot be individually owned or sold or leased.

As long as people did not derive any financial benefit from land, nobody held an interest in allocating land, which did not belong to him

¹ The concept of land trusteeship derives from the wide spread belief in African societies that land is for the ancestors, the living and those, yet to be born. Therefore, the living only hold the land in trusteeship but do not own it. Individual ownership of land is unknown to customary land law, which is closely linked to spiritual beliefs (Münkner 1994: 79ff; 1995: 11ff).

² 'Allodial title' is defined as the highest proprietary interest known to customary schemes of interest in land (Rep. of Ghana 1999: 26). It is also known by such terms as the 'absolute title' and 'ultimate title' (Woodman 1996: 53).

or his group. As population density was low, boundary conflicts – along traditionally vague defined boundary lines – also were rare. Therefore, the system was functioning without any kind of land registration. Since land, however, got a monetary value, the customary systems started to collapse. People have realised that land is one of the easiest ways to make money. Consequently, not only the ‘drink money’ – traditionally a symbolic price paid in form of cola nuts or a bottle of schnapps to the ‘allodial title’ holder – becomes an increasing monetary sum but some people also try to sell land they do not have any rights upon. Therefore, land registration becomes now increasingly necessary.

While the legal framework provides for it, registered land still remains few due to insufficient knowledge, long and costly procedures, few registration offices and a missing interest in doing so. Until now, land is only registered in some of the urban areas of Greater Accra. Another bottleneck is that ‘allodial titles’ of stools etc. never have been registered. As a consequence, lesser, derivative interests are registered even when the root of title may be in doubt. This is worsened by the fact that interests are being registered without the knowledge of other claimants. The only way of gaining knowledge of an application for title registration is through the newspaper where it has to be advertised (Kasanga and Kotey 2001: 6f.).

Major Shortcomings in Land Management

Though able to adapt to new circumstances, customary systems are under extreme pressure, particularly in areas of high population growth and rapid urbanisation, such as in peri-urban areas. “Weakening of the fundamental principles of customary land law and breakdown of the trusteeship ethos have resulted in landlessness, homelessness, endemic poverty and general insecurity for women and men alike in peri-urban neighbourhoods” (Kasanga and Kotey 2001: IV).

Although statutory law is supposed to handle the situation, major shortcomings are evident here, too. This is due to several factors:

1. the existence of too many laws (about 166 laws, acts and decrees);
2. some unclear and partly contradictory regulations by law;
3. too many institutions involved in land administration and poor co-ordination among them; therefore
4. long and costly procedures, mistakes and loss of documents and
5. a lack of implementation of laws.

Historical and Actual Trends in the Development of Accra

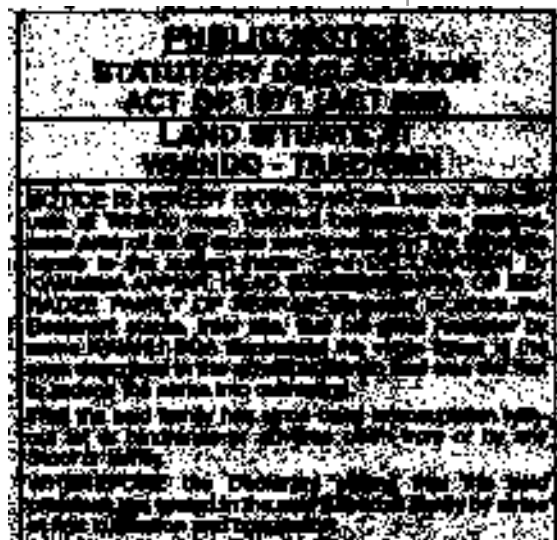
Situated at the coast of the West African country, the settlement history of Accra is closely linked to the establishment of European trading posts, the first one ruled by the Portuguese in 1471. All Europeans - Dutch, Swedish, Portuguese, Danish and British - traded with the Ga people who acted as middlemen between the Europeans and slave hunters in the North. The Ga soon started settling around the castles – close to their trading partners and protected by their weapons. While the European owners of the castles changed frequently due to permanently fighting against each other, the Ga communities continued to grow.

In 1877, Accra became the capital of the British Crown Colony Gold Coast. In the late 19th and early 20th century, Accra flourished as a kind of garden city with relatively low building density, parks and alleys along the roads. After independence in 1957, Accra became the capital of Ghana, attracting nearly all the major investments made in the country. Today, Accra is the transportation knot and centre of all administrative, political, educational, industrial and commercial activities. Together with Tema – a modern seaport and industrial new town created in 1962 some 25 km to the East of Accra – the capital now forms the Accra-Tema Metropolitan Area (ATMA). Including a third district called Ga, the area is known as Greater Accra Metropolitan Area (GAMA). The number of inhabitants of this growing agglomeration has been developed from 60.000 in 1930 to 2.7 million in the Greater Accra Metropolitan Area today (Rep. of Ghana 2000). Currently, the agglomeration stretches about 45 km along the coastline from West to East and about 20 km inland.

The city is still growing, especially in the North Western part along the main road to Kumasi, in the North Eastern area around the airport and in the East filling the last undeveloped land between Accra and Tema. While most industrial and commercial development takes place in the coastal plain between Accra and Tema, new residential areas can be found everywhere.

However there are weaknesses in the legal framework, I totally agree with Kasanga (1988: 74) that "land tenure per se is hardly to blame for the problems and injustice resulting there from. The activities of the courts, lawyers, valuers, traditional authorities, rich men and influential government officials are most to blame. When there is a consensus of minds among these people, there is no system of land tenure that cannot be manipulated against the interest of the majority of the people."

Fig. 1 / Public Notice on a statutory declaration / Source: Daily Graphic (Accra), 6.8.2001



3
A stool is comparable to a traditional community or kingdom headed by a chief or king.

4
Woodman (1996: 53) even states that all existing interests in land, both customary and others, are derived from the 'allodial title'.

5
Although land is only be leased, never sold, I prefer to use the term land sale as everyone does in Accra. This shows how people feel about it. They rather feel as owners than leaseholders as leases are generally given for 99 years.

6
Bryde opposes this absence of certainty of law in less developed urban areas to peripheral rural communities where the customary system still works and also to the urban elite who applies the imported rights.

Changes in Land Use and Land Ownership in the Peri-Urban Areas of Accra

Given the enormous ongoing growth of the capital it is not surprising that the Greater Accra Region currently has the most active landed property investment market in Ghana, followed closely by Kumasi and Sekondi-Takoradi (Kasanga 1999: 24).

Land in the peri-urban areas of these cities underlies not only changes in its use and ownership but also in the way it is held – in land tenure (Kasanga et al 1996: 57). Land once held in common is transformed via the peri-urban land market into land held largely without reference to the old community's political institutions. The land is transferred from the customary land tenure system to the modern State system.

In the peri-urban areas, four major changes occur in relation to land (management):

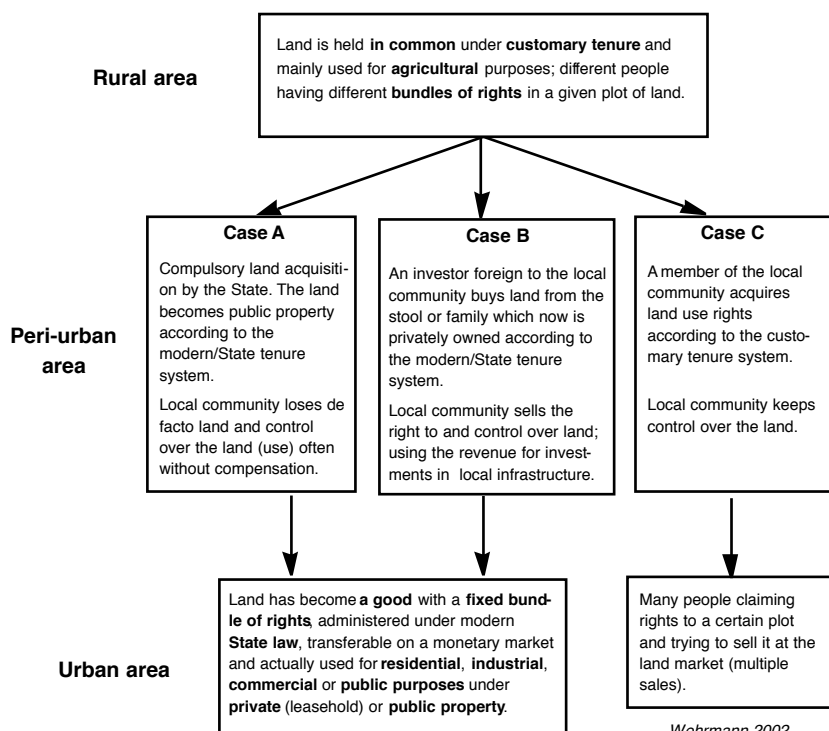
1. the land use changes from predominantly agricultural (and pastoral) to urban uses such as residential, commercial, industrial and public (mainly for infrastructure);
2. there often is a change in ownership. Strangers to the local community such as foreign investors or the State acquire land – through different means (see Fig. 2);
3. by virtue of these transactions, the land formerly held in common – namely as stool or family land – now becomes public or private property (by leasehold);⁵

4. this means that the land has been taken from the "customary land market" (free distribution by the allodial title holder) to the "capitalist land market" (land sales), thereby transferring it from the customary land tenure system (use rights) to the modern system (possession rights).

Other than in Kumasi where there is only one customary owner, the "Golden Stool", land in Greater Accra Metropolitan Area belongs to many different stools, sub-stools, families and village communities. Already, there are 13 paramount chiefs representing the 'classic' stools, there are currently not less than 27 stools in that area. Some of them are sub-stools of others e.g. Weija Stool is a sub-stool of James Town Stool. Others such as Ga, Korle Presi and Gbese Stool formerly represented one single stool. The exact number of family lands is not known. The most recent overviews, the Office of Administration of Stool Lands put together, name 79, 85 and 96 families respectively. Every quarter, new names appear. The reasons are two: First, other than for stool land, no legal provision has been made for family lands. Therefore, some (sub-) stools rename themselves as families to avoid the payment of revenues from land sales to the State. This is true for Aplaku, Bortianor, Oworsika, Nikoi and Abbeyman Stool. The other reason is that families permanently sub-divide.

Up to today, about 40% of the land in Greater Accra Metropolitan Area has been compulsory acquired for 'public purposes' or in the 'public interest' (Kasanga and Kotey 2001: 22).

Fig. 2 / Converting land on the peri-urban land market - Changes in land use, ownership and tenure through urban growth / development



Types, Causes and Consequences of Land Conflicts in the Peri-Urban Areas of Accra

Litigation over land in newly developing areas at the periphery of Accra is so common that the absence of it is worth being mentioned in real estate advertisements (see Fig. 3).

All over the periphery of Accra, land disputes occur. Fig. 4 shows all land subject to dispute and / or encroachment in 1991. At that time, 17.000 uncompleted cases have been dealt with at the courts. The actual number of land disputes is estimated to be over 60.000 (Daily Graphic 16.11.2001). They occur in the same areas as in 1991 as well as in additional areas further at the periphery as land value increases there, too.

Fig. 5 gives an overview on the many causes and consequences of land conflicts in Accra. It also shows how the different forms of

conflicts over land are interrelated. The main forms of land conflicts that occur in peri-urban Accra are:

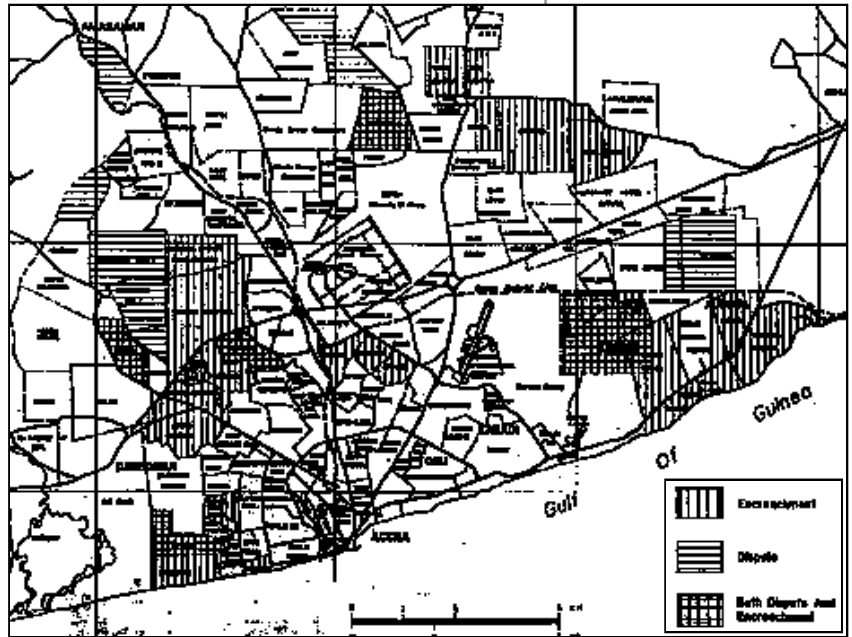
- ownership disputes among family and stool members,
- 'unauthorised' sales of stool/family land,
- boundary disputes between neighbouring stools,
- multiple sales of land,
- encroachments due to compulsory land acquisition without compensation and
- land use conflicts, mainly between private and public uses.

These conflicts over land most often result in litigation, which leads to limited economic investment, thereby hindering economic development. The non-payment of compensation also leads to limited investment, this time by the customary community. In some cases, it even caused social unrest.

The causes of the conflicts are diverse, including general trends such as population growth, urbanisation, low levels of income and changes in the economic system, thereby putting (an increasing) value on land. Other causes can be found in the extended family system and the oral tradition, the later leading to the absence of written proofs of land ownership and traditionally vague defined boundaries. In addition, there are legal, administrative, institutional and financial causes such as a lack of legal provisions on some aspects of land management, a lack of sanctions for illicit practices by private as well as public actors, a lack of financial means for land administration, a lack of co-operation between different institutions dealing with land management and insufficient involvement of local community members in public land management.

Conflict: Ownership Disputes among Family and Stool Members

Different members of a stool or family claim to be the owners of the same plot of land. The situation might e.g. be that the whole land of an area is stool land of stool X. In the past, however, the chief has given some part of it to one family head because this family supported him in a war. Therefore, part of the stool land became family land. It depends on the rules of the stool, which rights remain with the stool and which are transferred to the family. Again, there normally is no written documentation on the rights, which have been acquired together with the land. In addition, over the generations, the family might have subdivided. This leads to the actual situation where several heads of family and the stool, all claim to be the owner of that specific piece of land. This is the most common form of land



conflict in the peri-urban areas of Accra. Already representing a conflict in itself, it is also at the root of many derived conflicts such as multiple sales of land.

Conflict: Lack of Distribution of 'Drink Money' and 'Unauthorised' Sales of Stool/Family Land

The traditional 'drink money', given to a chief to confirm the transfer of a certain plot of land has become a source of income for a stool or family. Often the proceeds from the sale of land is used to finance investments that benefit the entire community. There is, however, evidence that the money is not distributed or invested in such a way but kept by the chief or the elders. Especially women and young people are often deprived of any benefit; often even losing their (future) access to land. Given the increasing scarcity of land in some areas of peri-urban Accra, the sale of land to outsiders is causing *landlessness* to local community members. One example is Jamestown. The density there has risen to 4000 inhabitants/km². This is partly due to immigration by people from the Northern regions. It is also caused by chiefs who sold all land outside the main settlement to outsiders and the State.

Conflict: Boundary Disputes between Neighbouring Stools

Boundary disputes between neighbouring stools mainly occur because of the deficiencies in land registration and the lack of written proof. Traditionally, boundaries between stools have been vaguely determined. Landmarks such as trees, rivers or rocks were known as the boundary. Generally they were not demar-

Fig. 4 / Land subject to dispute and/or encroachment in 1991 / Source: Ministry of Local Government, Department of Town and Country Planning 1992: 79.

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Fig. 3 / Advertisement of a Real Estate Agency / Source: Daily Graphic (Accra), 6.8.2001

cated on the ground as there was no need to do so. Settlements were highly dispersed with lots of unused land between them. Today, however, they have grown, sometimes they are even overlapping. The problem now occurs that there are different perceptions of the location of the formerly agreed upon boundaries. There are e.g. disputes on which particular stone people should refer to as they all look similar. Sometimes the natural features are just gone. In still other cases, the boundaries are known, they are there, but they are subjectively interpreted. One river which serves as boundary has several streams. Both neighbouring stools confirm that the boundary is at the stream, which is the furthest away from their side.

Conflict: Multiple Sales of Land

Often ownership conflicts only become visible through the fact that the different would-be owners sell the same land to different customers. While someone who has acquired the land starts constructing, someone else might appear who also bought that land. These multiple sales of land are favoured by the poorly functioning land registration and administration system described above. Institutional inefficiency, long procedures, and lack of co-operation are at the root of the problem. In addition, the lack of financial means causes a lack of personnel in land administration as well as insufficient qualified

personal. It also leads to low salaries, which favour corruptive behaviour, which again leads to unproper and costly procedures resulting in few registrations. Multiple land sales are also a consequence of undeveloped land. Because of low salaries, high unemployment, little savings etc. land often remains undeveloped for many years after it has been bought. This is tempting the original owner – or would-be owner – to sell it again.

Private investors or real estate agents are often victims of multiple sales. On the other hand, by buying land from customary chiefs, real estate agents or developers might also contribute to the unbalance in the community and the rise of landlessness among community members. As leasing land from customary owners almost inevitably involves litigation, private investors try to acquire public land – a process leading to additional land acquisition by the State and often offending against the use, state and customary owner formerly had commonly agreed upon.

There are more complex and complicated conflicts. One example recently took place in Tema. The Tema Development Corporation bought Nungua land. As not all land was needed at once, they sub-leased some of it for temporary farming. The leaseholders, however, parcelled the land and sold it for residential uses. As generally in this kind of situations, people started building on Friday night. There-

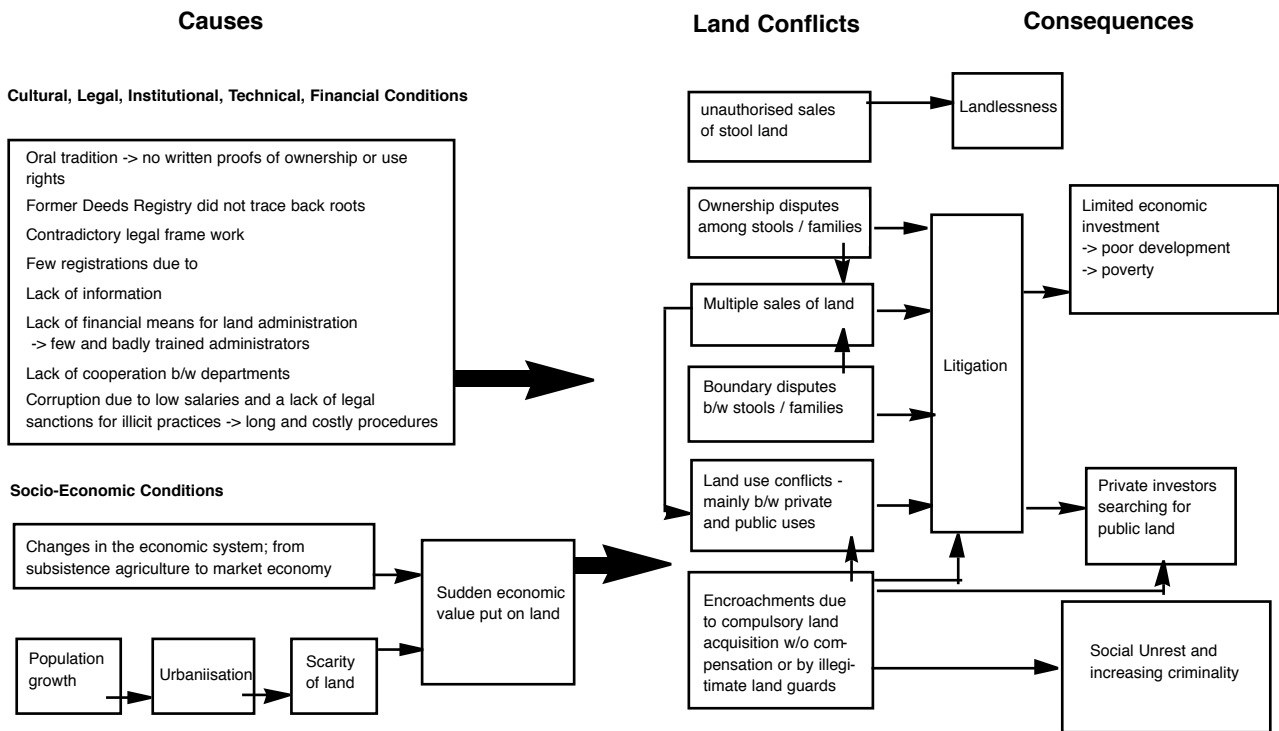


Fig. 5: Causes and consequences of land conflicts in the peri-urban areas of Accra / Wehrmann 2002

by avoiding eviction as the constructions already reach up to window level on Monday morning when someone might find out about the ongoing construction work. Once the window level has been reached, the inhibition level to evict settlers is too high. Many people even believe that in this case negotiations are mandatory by law. There is, however, no evidence of such a law.

Conflict: Encroachments due to Compulsory Land Acquisition without Compensation

One common source of conflict between the State and local communities is the non-payment of compensation for compulsorily acquired land. This generally leads to encroachment of the land by customary owners as they feel to be the owners as long as they have not been compensated. Just to name a few examples: In 1978, the government compulsorily acquired about 85% of the Ofankor lands in the public interest. Local leaders came to know of the expropriation only when they saw prisoners cutting boundary lines in the late 1980s. In 1990, when the affected families finally contacted the Lands Commission to state their case, the layout for 'Ofankor sector one residential area' had already been completed and all the land sold to outsiders. The case is currently in court. Compensation has yet to be paid (Kasanga et al. 1996: 32f).

The situation is slightly different when compensation has been made available but could not be distributed because of too many people claiming to be the owner of the land. The result, however, is the same: customary owners and would-be owners are encroaching the land. There is yet another conflict situation, related to the phenomenon of compulsory acquisition. This is when compensation has been paid and distributed to the chiefs who do not use it for the benefit of the whole community. Then those who did not get the money start encroaching.

Conflict: Private versus Public Land Use

The encroachment of public land by customary owners also leads to land use conflicts since the state acquires land for public uses, the customary owners, however, use the land for their own purposes. *Conflicts between private and public uses* also occur when customary owners sell or lease land to private investors. Generally, customary owners engage non-professionals for surveying, planning and parcelling of their land before they sell (lease) individual plots. These layout schemes are, however, not conform with the

formal land use plans. What is worse is that these layout schemes are not based on a comprehensive planning process. Generally, they only contain housing areas, no open spaces, no social infrastructure have been provided for, roads are too narrow etc. A proper layout would not only allow more efficient land use. It could also enable the community to generate income. The stool, for instance, could be part-owner of a market which could be included in the lay-out scheme. Most customary owners believe that they can receive higher prices for residential land than for land used for public infrastructure; not calculating that social as well as technical infrastructure would increase the value of the land used for housing.



Another reason for the *ignorance of formal land use planning* is the insufficient involvement of local community members in the planning process. The 'strategic plan for Greater Accra Metropolitan Area', consisting of three volumes, is rather a Master Plan than the result of a participatory planning process on the ground. There are also examples of professional planning by customary owners – also done without the consultation of formal planning schemes. Katamanso chief paid US \$ 30.000,- for a professional Master Plan covering part of his land.

Not only customary owners do not respect the formal planning schemes, also the State sometimes does not stick to the use for which the land has compulsorily been acquired. It happens that land compulsorily acquired by the State for a certain purpose is sold to a private investor by the respective ministry for a totally different purpose. One consequence is that the compensation which the community received (or still has to receive) is not reflecting the value of the land. The worst effect of these practices is that the state has to acquire additional land for public purposes, which increases landlessness or shortage of land among poorer urban residents.

James town – an overcrowded neighbourhood because chiefs sold away the land of the people / Photo: B. Wehrmann

References

Amartey, Numo Notse: no year
Ganyobi on the Question of Accra Lands. Accra. 7 pp.

Bryde, Brun-Otto: 1980
Autochthones und importiertes Recht in Afrika in ihrer Bedeutung für eine 'Afrikanische Genossenschaft'. In: Münkner, Hans-H. (Hrsg.): Wege zu einer afrikanischen Genossenschaft. Institut für Kooperation in Entwicklungsländern. Studien und Berichte Nr. 11. Marburg. pp. 129-140.

Kasanga, Kasim: 1988
Land Tenure and the Development Dialogue. The Myth Concerning Communal Landholdings in Ghana. Occasional Paper 19. Department of Land Economy. University of Cambridge. 100 pp.

1999 Land Tenure and Regional Investment Prospects: The Case of the Tenurial Systems of Northern Ghana. Land Management and Environmental Policy Series. Institute of Land Management and Development. University of Science and Technology, Kumasi, Ghana. Vol. 1, No. 1, 34 pp.

Kasanga, Kasim and Nii Ashie Kotey: 2001 Land Management in Ghana: Building on Tradition and Modernity. International Institute for Environment and Development (iied). London. 34 pp.

Kasanga, Kasim; Cochrane, Jeff; King, Rudith and Michael Roth: 1996 Land Markets and Legal Contradictions in the Peri-Urban Area of Accra Ghana: Informant Interviews and Secondary Data Investigations. LTC Research Paper 127. Land Tenure Centre. University of Wisconsin-Madison, USA. May 1996. 83 pp.

Ministry of Local Government – Department of Town and Country Planning: 1992 Strategic Plan for the Greater Accra Metropolitan Area. Volume I. Context Report.

Münkner, Hans-H.: 1994 Autochthones und koloniales Bodenrecht in Westafrika. In Münkner, Hans-H. (Hrsg.): Mensch und Boden als zentrale Größen im Entwicklungsprozess. Institut für Kooperation in Entwicklungsländern. Studien und Berichte Nr. 30. Marburg. pp. 79-99.

1995 Bodenrecht in Afrika – kollektive Nutzungsrechte oder Individualigentum? In: entwicklung+ländlicher raum 6/95. pp. 11-15.

Republic of Ghana – Ghana Statistical Service: 2000 Population & Housing Census. Provisional Results. Accra.

Republic of Ghana – Ministry of Lands and Forestry: 1999 National Land Policy. Accra.

Woodman, Gordon R.: 1996 Customary Land Law in the Ghanaian Courts. Accra. 495 pp.

Also conflicts between the State and private investors are mainly about land use. A common feature is that the state gives a residential lease, the investor, however, starts industrial activities in the purely residential area. Another situation is the agricultural or residential use of public land that is supposed to remain open.

Conflict: Pressure Brought on Chiefs to Sign Away their Rights over Land

There is one more, however rare type of land conflict in Accra: pressure brought on chiefs to sign away their rights to land. Amartey (w/o year: w/o pp) reports two such cases: one of the chief of Lashibi being forced by the Army Commander to abandon his rights over Lashibi land, the other one of the Nungua chief being driven to exile in London, his 'crime' being to refuse to give away his land.

Reactions to Land Conflicts and Dispute Settlement

Although there are many unsolved conflicts between families and stools, which have been taken to court, many of them are still resolved by the customary authorities. In any case, they first have to be reported to the chief and the elders. Only if no solution could be found by them, parties do go to court.

Stools often engage 'local law enforcement bodies' (Kasanga et al. 1996: 27ff.). They are a kind of patrol, often youth groups. They mark plots with flags to inform encroachers that they must either contact local authorities or face eviction. Normally, a fee then has to be paid to the stool or family to settle the conflict. If the encroacher does not show up, his developments will be demolished. If the encroacher is a community member, the next step would be the exclusion from the community and a call for police. If he is a stranger, litigation will be the consequence.

In spite of the numerous conflicts over land, there is no institution specialised in the resolution of land conflicts. All cases, which cannot be solved by customary authorities, go to the courts, which are unable to deal with the continuously growing number of cases.

People, therefore, try to take the law in their own hands. Every one who feels to own land protects it by engaging land guards who defend it. If someone encroaches the land, they destroy the construction. There are 'legitimate' and 'non-legitimate' land guards. The later are those who are engaged by people who do not own land and who use the 'guards' to encroach land for them.

Conclusion

Land conflicts in peri-urban Accra are mainly due to economic reasons. Illegal land sales or leases as well as changes in the use of land represent a tempting source of income for all those people who manage to get access to land. These are customary, public and private elite. Among them are heads of families and stools, public agents working in Ministries and private investors. Those who loose are those who do not have the opportunity to decide over the ownership and use of land – neither according to customary nor to statutory law. This is the majority of people living in Greater Accra Region. While in former times – before land got an economic value – their access to land (for shelter, subsistence agriculture and small scale economic activities) were secured, they now have to fear landlessness; if not for themselves than for their children.

"Accra represents a classic example where the interface between the [...] traditional land sector and state land management institutions has failed to deliver secure land holdings at reasonable speed and price for the many requirements of a capital city – residential, industrial, commercial and environmental" (Kasanga and Kotey 2001: 22). This confirms Bryde (1980: 129ff) who claims that in those areas of African cities, which are not occupied by the elite, the imported rights are ineffective while the customary rights loose their effectiveness, too. Pluralism of law therefore leads to absence of law, especially in peri-urban areas.⁶

While there only is one semi-legal squatter settlement in Accra yet, it is not evident that access to land will also be ensured for the urban poor in future. If the elite continues to sell land, which all citizen have the right to use, there will be an increasing number of landless people or people being forced to move to the periphery of town. There will also be an increasing gap between the urban poor and the elite, the later enriching themselves to the disadvantage of the poor; taking their land away from them. This means that while present land conflicts may not have any ethnic or social roots, future land conflicts could cause social or class conflicts.

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Land Speculation in Phnom Penh, Cambodia, deprives the Urban Poor from Adequate Housing.

BENG HANG SOCHEAT KHEMRO

Unlike in the rural areas of Cambodia where the majority of the population owns land, it has become a real challenge to house the poor in cities - particularly in Phnom Penh. This is because land prices are out of reach of the majority of the city's population although land - in general - is not in short supply. The high land prices are rather due to inefficient governmental bureaucracy and the manipulation of the property markets by land speculators (Khemro, 2000).

Settlement History of Phnom Penh

Phnom Penh, which was founded and established by King Ponhea Yat after the fall of Angkor (around 1431), was not the permanent capital of the Kingdom until the year 1863 when the then King Norodom moved into Phnom Penh. In its early days, the city was rather a centre of huts and a floating wooden shanty town apart from the Phnom¹ monastery and perhaps the important royal estates.

It was not until the Sangkum Reas Niyum, led by Prince Norodom Sihanouk, that Phnom Penh was dramatically modernized and developed. In that period Phnom Penh not only became the official capital of the kingdom, but it was also known as one of the most beautiful cities in Asia with a unique aesthetic quality. As Goulin (op.cit.) remarks: "The town passes from the position of a colonial warehouse to that of a real state capital". Correspondingly, the population of Phnom Penh city in particular had increased from 355,000 inhabitants in 1958 to 394,000 inhabitants in 1962 (Igout, 1993).

In the period of 1970 to 1975, Phnom Penh experienced a higher level of population growth than ever before. The city's population

increased from 600,000 in 1969 to 1,200,000 in 1972 and to 1,500,000 in the beginning of 1975 (Kry Beng Hong et al, 1973). The city was a shelter for migrants, most of whom fled civil war in the countryside.

As Kry Beng Hong et al. (1973, p.8) argue: "Vacant lands in and around the city boundaries have been invaded by people who need shelter. Squatting has been going on at a large scale. About 20 percent of city dwellers live in severe slum conditions." Correspondingly, all urbanization and development programmes the government had planned before the civil war was abandoned, including slum and squatter clearances, the plan to build a new dyke to reclaim between 5.000 and 8.000 ha land, and other housing programmes in the suburbs.

The period from 1975 to 1979 was disastrous for Cambodia in terms of urbanization and social culture. Luxurious buildings, schools, universities, hospitals, churches and pagodas of all religions and other services were regarded as the symbol of feudalism and imperialism. As a matter of course many of these buildings and services were destroyed while others were purged and left to be destroyed by the weather. The city's population was forcefully evacuated to rural areas and only a few thousand Khmer Rouge officers and employees were allowed to live in Phnom Penh.

There is no doubt that from 1979 until the present time, Phnom Penh has been rebuilt and rehabilitated slowly but steadily. The city once again became a boom-town where every corner of the city was undergoing construction in the late 1991 and early 1992 when thousands of United Nations personnel arrived in the country to help with Cambodia's national election in 1993. New hotels, restaurants, guest houses and apartment buildings mushroomed all over Phnom Penh city. However,

Bodenspekulation in Phnom Penh, Kambodscha, erschwert den Armen den Zugang zu angemessenem Wohnraum.

In Kambodschas Hauptstadt Phnom Penh Wohnraum zu finden, stellt für die weniger betuchte Mehrheit der Bevölkerung eine Herausforderung dar. Die hohen Bodenpreise übersteigen ihre finanziellen Möglichkeiten. Und dies, obwohl Land nicht knapp ist. Viele freie Flächen bleiben oft jahrelang unbebaut. Ihre Eigentümer spekulieren auf Gewinne. Dabei standen auf vielen dieser Flächen zuvor informelle Siedlungen. Sie wurden unter dem Vorwand geräumt, dass hier Entwicklungsprojekte umgesetzt würden. So werden Entwicklungspläne häufig als Vorwand für die Vertreibung von Squattern missbraucht, ohne dass das Land entsprechend genutzt wird und ohne dass den informellen Siedlern adequate Ersatzflächen zur Verfügung gestellt werden.

1

In Khmer language Phnom means hill, and in the case of Phnom Penh, the hill is man-made dating back almost 600 years. The name Phnom Penh is devoted to the widow who was named Penh and who led people to build that hill and monastery on its top.

2

The term legal is applied to property which has been acquired according to official procedures, otherwise such an activity is regarded as illegal or squatting.

3

Compiled from the Khmer language report on the general situation of Phnom Penh city which H. E. Kry Beng Hong wrote in preparation for the seminar called Phnom Penh Urbanization Training Programme held in Phnom Penh January 1993.

4

This report is published in English language in the form of case study on " the Short-Term Impact of UNTAC on Cambodia's Economy" approximately in the late 1993, which the author personally obtained from the UN office in London, 1994.

the boom also had a downside. Squatting is undeniably a result of the increase in land and housing prices in a rapidly growing city (Khemro, 2000).

Recent History of Land and Housing Markets in Phnom Penh

In Phnom Penh, land or houses are generally acquired through four main ways:

- buying or selling (legally²),
- renting (legally),
- inheritance or provision by the government to employees and
- squatting, including illegal subdivisions of land or housing.

During the past decades, however, most transactions of houses or land in the city were in the form of buying or selling and squatting.

One could argue that the land market in Cambodia has always been managed by individual families and the private sector. The state had initiated some land and housing programmes in the 1960s, but for its own employees and not the general population. The main reason for this is that only elite government employees can afford the government-developed houses. For example, in the 1960s the government of Prince Norodom Sihanouk built many houses and apartment buildings for government employees, including Central Bank employees, pilots, and members of the military and the police.

During the following regime (1970 to 1975), land and housing markets were again mainly operated by individuals and the private sector with little or no involvement of the state. However, the state developed some land and sold it to people at a subsidized price. According to the report of H.E. Kry Beng Hong,³ two main dykes were built in order to reclaim land to supply to the city's land market. The first reclaimed 800 ha of land in 1970 and the second 6.400 ha in 1972.

During the first year of the Khmer Rouge Regime (1975-1979), when Phnom Penh was forcefully evacuated (see box), all private property was abolished. Even Cambodians' lives were not considered their own but the property of the so-called "Angka" (the term refers to Khmer Rouge Organization). There was no private property not to mention land or housing market.

After the collapse of the Khmer Rouge Regime, all properties still remained in the hands of the state up to 1989. During this period, the government of the Peoples Republic of Kampuchea did, however, allow people to move back to the cities and re-occupy empty buildings and land, except those reserved for government utilities. There was still no commercial property market because there were no private companies involved in the land market since they were discouraged by the regime's policy.

In the middle of 1989, the government adopted a more liberal economic policy and recognised private property rights. Since then, land and housing markets have become very active and the state has been unable to control land and housing supply markets. The situation worsened a few years later (during and after the general election in 1993), when land and housing prices increased rapidly. The government has still not initiated any housing programme and the markets have been operated solely by private companies, individual families and speculators.

Land and housing prices in the city were highest between 1992 and the end of 1993 when about 30,000 UNTAC (United Nation Transitional Authority in Cambodia) officials arrived in the country and had to be accommodated. Because housing, and particularly new buildings and hotels in Phnom Penh, was very limited, land and house prices increased enormously and became many times higher than they should be in real terms. The report compiled by the United Nations⁴ indicates that:

"As an indication of the rate of inflation in the property rental sector, a 3 bed-roomed apartment with a rent of about US \$ 1,500 per month in March/April 1992 fetched a rent of US \$ 1,800 per month by June/July of the same year, and close to US \$ 2,000 in September. Hotel charges for a double room (in a renovated hotel) have risen from US \$ 35 to US \$ 40 at the beginning of the year to about US \$ 55 to US \$ 60 in April and US \$ 70 to US \$ 80 in July. In October 1992, three to six months rent had to be paid in advance, in US dollars, under terms of most housing contracts".

Photo 1 /
Settlement at the riverside



However, the relationship between the supply and demand of land and housing started to stabilize in early 1994 when most of the UN personnel in the country had left. Then, the prices of houses and land also settled at a lower level compared to 1992 and 1993. The demand continued to decline to its lowest level after the military event in the country in July 1997 when a number of hotels, rented houses like villas and apartments were deprived of residents as the fighting scared away foreign investors.

The demand for land and housing in the city remained low for the next few years, especially in and shortly after 1995 when most of the countries in Asia, which are also the main investors in Cambodia, were hit by the Asian financial crisis. Since the country adopted a liberal economic policy in late 1989, land and housing markets in the city have been managed by private companies and individual land or house owners who set property values and define agreements for trading. Government authorities only play a role in legalising the transactions.

According to the present Cambodian constitution, anyone except foreigners can buy land or houses, develop and resell it. Land and housing prices are set freely by the owners with little or no intervention from the government. It is mainly the lack of financial viability that forces the government out of the land and housing markets. In Phnom Penh, the municipal government monitors architectural and engineering plans of houses as well as approves and issues land titles and building permits to the property owners.

Despite the restrictions of the municipal government (housing policies and regulations), which attempt to preserve the city's historical buildings, many developers have bought such properties, demolished it and built new buildings for other commercial purposes (Khemro, 2000). Government housing and zoning regulations (size of a plot, the height and size of a building, etc.) have a direct impact on the price of land and its capacity of uses. For example, land in the city centre is most expensive but the allowable capacity of land use, in contrast, is lower compared to land in cheaper locations, i.e. in the peri-urban areas. Hence, many vacant plots in the city centre remain undeveloped because the owners are unable to build at a profit while adhering to the regulations.

Another negative effect resulting from government housing regulations is that it tends to be used as an instrument for forcing land and house owners, property developers, etc. to pay bribes to corrupt government officials,



rather than enforcing a sustainable land use. This contributes further to increase land or housing prices in the so-called legal market. As a result, the majority of the population who cannot afford land in legal land and housing markets, turns to other alternatives such as settling in very high density areas, sharing land or plots with family members and friends, buying illegally sub-divided plots or houses, or boldly squatting on vacant land.

Consequences of Phnom Penh's uncontrolled Land and Housing Markets: Land Speculation

Today, the city is facing land speculation which keeps urban land from being supplied to its increasing population. Land development speculation is an old story and happens almost everywhere in the world; both developing and developed countries. However, in the more affluent developed world where laws, regulations or related rules are well written



Photo 2 and 3 / More than 4000 families and thus more than 25,000 people were recently affected by a fire in Bassac River Community, an informal settlement which was located around these buildings where the damage caused by the fire still can be seen.

References

Igout Michel, 1993. Phnom Penh, Then and Now. Bangkok: White Lotus.

Khemro, Beng Hong Socheat, 2000. Patterns of Squatting in Phnom Penh: An Evaluation of The Socio- Economic Characteristics of Squatters and Their Reasons For Squatting. A Ph.D. thesis, Development Planning Unit, University College London, England, United Kingdom.

Kry Beng Hong et al, 1973. Planning Strategy for Phnom Penh. London: D.P.U., University College London.

Photo 4 /
Settlement on Pagoda land /
photo 1-4 B. Wehrmann



and adequately enforced, speculation produces less negative effects on society. If still speculation exists, governments in these countries can limit the negative impacts more effectively than those in the developing world, where legislative frameworks, financial means and law enforcement are insufficient or badly enforced.

Under the guise of development, speculators in Phnom Penh buy land and keep it vacant for the value of the land to increase and then sell it for profit. Of course, the government has some kind of regulations imposing upon the unused land, but these regulations are not effectively enforced. Should these vast track of urban land be used to house the urban poor then possibly there should not be a squatter issue. This is because many studies including the one sponsored by the DFID, UK (March- April, 2002), found that the poor are willing to pay for their presence in the city centre. In fact they have paid many times higher prices for services and facilities with often poorer quality compared to the better off groups.

Far too often, properties which were cleared of squatters remain vacant for years. Most development plans are rarely implemented. The initial development plans become a pretext for squatter eviction. However, the land remains unoccupied, undeveloped and unproductive for years; in some cases indefinitely. It is unfair at present to single out a few people or companies as examples, but anyone can easily find such cases in almost every corner of the city, especially in prime locations in or near the city centre. It is acknowledged that there are some development projects,

which have been affected by domestic and/or international political and regional financial crises, but the majority of the cases are due to speculation. Generally, the initial developers are waiting for new investors to purchase the land, to purchase the "development package" and to transfer permits in order to make a handsome profit. The initial developers in such cases have no intentions of carrying out their original plans. They only want to sell the "development package" to new investors at a profit. Land speculation, therefore, deprives the urban poor from adequate housing.

At present, there is no limitation to prevent speculators demanding unreasonably high prices for land and houses in the city. This undeniably attracts and encourages people to sell their land and houses, mainly to foreign companies who are only interested in profits. In turn, this encourages squatting and illegal construction as these land sales often are the only means for property owners to obtain cash. Many of these former house owners thus squat or move into squatter settlements after selling their properties as the new place of residence is cheaper or free of charge.

The majority of newcomers who escape rural poverty and natural disaster have little or no ability at all to afford the so-called legal land and housing in the city. They have to move into squatter settlements because costs for purchasing or renting land are much cheaper there compared to legal settlements. Though many of the migrants could afford to buy a house or land in non-squatter areas of the city they might not do so because many of them still own a house or land at where they lived formerly (could be rural or other cities). It is, therefore, vital that land speculation should be alleviated in order to make Phnom Penh city to be a shelter for everybody and enjoyed by all, the rich, the powerful, the middle class and the poor.

It becomes obvious that it is the state who should define basic rules to guide land and housing markets. Of course, the state's involvement does not mean that the state should control the markets, but it should take some measures to combat land and housing speculation. At present, however, land and housing speculation is even supported by the government's own corrupt governing system, the poor housing policies, ineffective property tax system etc. Therefore, it is doubtful that even if the government is able to play an important role in housing and land markets the situation will improve since corruption is rife among most low-paid government employees.

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Football: The most important Triviality in Land Management?

Provision and Maintenance of Football Grounds versus Storm Water Management in Zanzibar Town

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In Zanzibar Town, a large city in Tanzania and capital of the archipelago of Zanzibar, a curiosity regarding the provision of land for basic infrastructure can be observed: Many settlements are lacking basic infrastructure facilities while almost all of them provide at least one infrastructure facility, namely a football ground.

The article¹ analyses this curiosity through a case study approach. Based on the findings, it will be discussed if it is feasible to transfer the mechanism which provides land for football grounds in Zanzibar to other infrastructural services, too.

Like many other African cities, Zanzibar Town, faces an enormous urban growth at a rate of 4% (Population Statistics for Land Use Planner 1993, cited from Awadh et al. 1998: 10). The rapid increase of population, the attraction of the city and the limited capacity of the government of Zanzibar to meet the high demand for building plots lead to the development of informal settlements. These are usually characterised by a dysfunctional settlement structure, which is one reason for the typical lack of infrastructure such as schools, dispensaries or basic technical features (roads

and paths, solid waste management, water supply or storm water management).²

A storm water management system is needed to prevent erosion and flooding in tropical areas with 2000 mm of rain per annum. Flooding bears the risk of water borne diseases such as cholera and malaria. In the worst case erosion leads to the deterioration of houses. To implement a storm water management system, suitable land is needed besides a technical solution and a concept for maintenance. The availability of this space is closely related to the settlement pattern.

The Curiosity in Magomeni: Housing in a Flood Prone Area...

The settlement of Magomeni consists of two sections: one part developed under basic planning guidelines from the 80s and the other an informal section. Today the old planning scheme is no longer respected and the housing density has reached 50% due to infilling (housing). Furthermore, people started to settle in a depression, which is flooded during the rainy season. Inadequate land management worsens the situation because the growing building density and infilling block natural waterways. As a result there is stagnant water.

The impacts of flooding in Magomeni are severe: "Things get wet and rotten every time, so I loose most things. The water level is up to 1.20 m and we have to move out every rainy season", a 42 year old woman complains (Resident 2002 a). To protect their houses and prevent erosion the settlers built walls and dug small

Fußball: die wichtigste Nebensache im Landmanagement? Fußballfelder versus Hochwasserschutz in Zanzibar.

Während in einer informellen Siedlung in Zanzibar Stadt (Tansania) Häuser in Überflutungsgebieten gebaut werden, erstreckt sich der Fußballplatz auf bestem Bauland. Die Fallstudie aus Magomeni zeigt deutlich, dass die lokale Bevölkerung das Landmanagement übernimmt, wenn sie ein ernsthaftes Interesse daran hat und es als ihre und nicht als staatliche Aufgabe sieht.

¹ The article is based on the student project "F 03 Informal Settlements Development in Zanzibar Town" advised by the Department Geography and Development Planning & Managing, Prof. Dr. Volker Kreibich, Faculty of Spatial Planning, University of Dortmund. All findings were conducted during the winter semester 2001/2002 and the summer semester 2002 including a fieldwork on Zanzibar in February/March 2002.

² For additional information on Zanzibar Town, land management and informal settlement development see Wolfgang Scholz: "Like one of the Stories of 1001 Nights: Informal Land Management in Zanzibar" in this Trialog issue

Photo 1 / Magomeni settlement after heavy precipitations / Claudia Bierbaum



drains. But up to now they have not organised themselves to find a long-term solution, rather, they are waiting for the government to act.

... and a Football Ground on a Perfect Building Plot

The curiosity mentioned above is clearly visible in Magomeni. The football ground, located in the centre of the settlement, is kept free from buildings although it is a perfect building site. Next to the football ground residents settled in a depression which is liable to flooding twice a year. Regarding this curiosity the question arises, why is football more important than an adequate and dry plot for housing?



Figure 1/
Settlement pattern of Magomeni with the football ground and the flooded area / based on the final report of the student project "F 03 Informal Settlement Development in Zanzibar Town, University of Dortmund, Faculty Spatial Planning

Football has a fascination all over the world and of course on Zanzibar, too. The local football club in Magomeni, Mzalendo FC, draws the attention of the whole settlement when playing a league match. The team members managed to acquire a piece of land for a football ground and to protect it from being built on. This shows that football has had a strong impact on land management in the settlement.

The land, where the football ground is located, used to be leased to farmers for agricultural purposes. In 1970, the team members of the football club asked the owner of the Three Acre Plot,³ who was not cultivating his land, if they could use it as a football ground. He agreed and gave them the right to use the land without any payment. They only had to compensate another farmer, who had leased part of the land from the owner of the Three

Acre Plot to cultivate cassava. The club members paid the compensation. This process of transforming farm land into a football ground is common practice in Zanzibar. Once the land has been transformed to a football ground it is almost impossible to restore it to agricultural land or develop it for building purposes. There even have been cases of politicians using their influence to represent the football players' interest against land owners. Mr. Mwalim Ali Mwalim, director of the Stone Town Conservation Development Authority and a coach of a second division team, states: "In most cases the teams received the ground and the leaseholder of the plantation did not get any compensation."

Looking at the process of acquiring land for the football ground, it seems that the residents became active because nobody expected the government to provide it, therefore leaving the responsibility to the grassroots. In contrast the residents do not provide land for a storm water management system although they are aware of its necessity. They feel, due to existing laws and the country's socialistic past, that the government is responsible (Andreasen 2001: 267).

At the same time as the football ground was being developed a football club was gradually established. In the early stage of the club's history there was hardly any organisation. Later, a structured hierarchy led by a steering committee has been introduced. Also the number of members has increased over time. Mzalendo FC started playing in the 1970s with a few young people. Today it has about 50 members.

The club is also responsible for the maintenance of the pitch. Maintenance can be divided into keeping the ground free from building activities or other land uses and preserving the condition of the ground. Even though football is the most important activity, a lot of other activities like rope pulling, local dances, drum playing, weddings or funerals take place on the football ground. There is a collective interest to keep the ground free from any building activities which can be seen as a social control mechanism. This mechanism works out very effectively as underlined by the following story, told by a 37 year old man (Resident 2002 b): "The settlers faced problems with people who started building on the fringe of the football ground during nighttimes or picked up sand from the ground for building purposes. Members of the football club and residents had to arrange night watches to stop these activities".

Other problems regarding the disposal of waste on the football ground were solved in

3

In 1965 after the socialist revolution in Tanzania, Three Acre Plots (about 1.2 ha in size) were given to poor citizens. For agricultural use they received a right of occupancy, which did not include ownership. The users, however, regard themselves as owners and sell their plots for building purposes.



Photo 2 / Crowded football ground / Kirsten Hackenbroch

the same way. "It was stopped by settlers watching out for those who disposed the waste on the ground. The disposed waste was taken back to the front doors of the people to whom it belonged", Mr. Rajab Mzee, secretary of Mzalendo FC, mentions.

The football club in Magomeni serves as an example to prove that it is possible to preserve land for a football ground and maintain it through an organised and institutionalised structure. With these elements a football club can be equated to a Community Based Organisation.

Football as a Gateway to a more Complex Community Development

The example of the football ground in Magomeni illustrates that informal settlers are motivated to spend time, money and energy to provide land for infrastructure. Football is a very important issue for many of them. The benefits of the football ground are visible every day through football practice, social gatherings and leisure activities. Storm water management does not have the same importance for the people. Although they are aware of the flooding problem, the need for storm water management is only felt twice a year during the rainy seasons. It can be concluded that the subjective importance placed on a topic influences the willingness of settlers to contribute to infrastructure development and even to provide land.

The findings of the authors' investigations support the following conclusions:

- *The willingness to provide land for infrastructure development depends on the advantages the residents gain from a certain use of land.*

- *It is more likely for residents to tackle a problem in their settlement if they do not expect the government to solve it.*
- *After first steps towards a successful provision of land for infrastructure have been taken, it is necessary to institutionalise the efforts to preserve the plot and its use in the long run.*

The analysis of the processes and actors in the settlement of Magomeni reveals an institutionalised mechanism that enables inhabitants of informal settlements to provide land for basic infrastructure under very distinct preconditions. If people gain advantages from a certain use and do not expect the government to act, and as a consequence they institutionalise their efforts, an effective land management process can be implemented at an early stage of settlement development, i.e. before the construction of houses starts.

Apart from the above described potentials new issues have originated from this study. The phenomenon of football should be investigated further as it may bear more undiscovered potentials and opportunities to influence informal settlements. To mention just one additional example, in the Mathare Slums in Nairobi a local football league successfully supports education and waste collection and contributes to sustainable environmental development (Hutchison 1995). It is a simple, well functioning local solution. This underlies once more that instead of creating complex theories and trying to implement them in developing countries, the more successful way is to look for local solutions and approaches. The role of football in settlement development also supports the strategy of self-help.

References

Andreasen, Joergen. The Legacy of Mobilisation from Above: Participation in a Zanzibar Neighbourhood. In: Tostensen, Arne; Tvedten, Inge; Vaa, Mariken. Associational Life in African Cities - Popular Responses to the Urban Crisis. Stockholm: Elanders Gotaab 2002. Pp. 263-281.

Awadh, Ghalib O.; Juma, Mjaja; Saad, Khadija M.; Schuttenbelt, Paul. Environmental Profile. Zanzibar Town: 1998.

Hutchison, Jim: Miracle in the Mathare Slums. In: Reader's Digest (Indian Edition): 1/1995.

Interviews:

Mwalim, Mwalim Ali, director of the Stone Town Conservation Development Authority: Interview on February 18th, 2002

Mzee, Rajab, secretary of the Mzalendo Football Club: Interview on February 19th, 2002.

Resident 2002a: Interview with a settler in Magomeni on February 21st, 2002.

Resident 2002b: Interview with a settler in Magomeni on February 19th, 2002.

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How to Allocate Land and Life Resources?

On an Universal Right of Communal Control.

JÜRGEN OESTEREICH

Für ein universales Recht auf kommunale Kontrolle von Boden und Lebensgrundlagen.

Anhand der Fallstudie des Stadtviertels Kalingalinga in Lusaka, Zambia, beschreibt der Autor die Mechanismen und Chancen einer quasi naturwüchsig-basisdemokratischen Selbstorganisation. Eines ihrer zentralen Themen ist die kollektive Kontrolle von Boden und bodengebundenen Ressourcen. Dieser spontanen Entwicklung wird die Geschichte der territorialen Verfügung gegenübergestellt, die heute zum Territorialstaat geführt hat und dazu, dass die Kontrolle von Boden und Ressourcen von einer Staatsbürokratie wahrgenommen wird und deshalb selbst in einer Demokratie den Eigentümern und den Basisgruppen entfremdet ist. Der Autor argumentiert, dass das neo-liberale Modell der marktgesteuerten Verfügung über Eigentum zu ökologischer Ausbeutung führen kann und folglich zum Zwecke der Nachhaltigkeit einer Kontrolle unterworfen werden sollte. Diese kann und muss lokal sein. Deshalb schlägt er die Einführung eines Grundrechtes auf kommunale Entwicklung vor, durch das Basisdemokratie erst funktional würde. Nur wenn dies gegeben ist, könnte Management von Grund und Boden effektiv betrieben werden.

The sites of ancient civilizations which the archaeologists extricate from the dust of thousands of years in Mesopotamia, the Peruvian desert, Sahelian Africa and elsewhere, captivate our curiosity. But they also draw attention to the risk inherent in civilization: Overuse and misallocation of its life resources may make them degenerate and collapse. Statements like this may be common place in the discussions on the prospects of our planet and as such remain rather academic.¹ The emotional aspect of such a perspective is better exploited in movies. The traumatic consequences of real events of this kind became clear to me when working in the Sahelian town of Abéché, a community which had come to this place some six generations ago from a site which it had exhausted. Referring to this event made it easy to make the community opt for a decidedly sustainable course of development.²

The question of life resources is intimately connected with the regime of land use. Land use points to concepts on private and common property, access to natural resources, and an adequate political structure. The entire complex is complicated and interest-ridden. Therefore it tends to be detangled and reduced to the administrative and technical aspects under the neutral label of "land management". This leads, however, to the neglect of the crucial institution of ownership and the concept behind it, which in turn renders any reference to social inequality apologetic. Administrative and technical assiduity is not the panacea for inequality.

On the other hand, experiences in projects of slum upgrading and of legalizing informal settlements show that the complex of political structure, territory, ownership, legitimizing and legalizing can be successfully brought together with the question of command over land and natural resources. I hold that a

careful analysis of developments which take the form of self-organization, may provide the key for a farsighted sustainable development.

The mechanics of urban self-organisation

In this respect, the example of the Kalingalinga Community Upgrading Project in Lusaka, Zambia, of 1980 to 1985, is quite revealing.³ As opposed to previous operations of the same kind, the project was based on a high degree of local autonomy in the fields of distributing (provisional) land titles, establishing drinking water supply, building roads, constructing and running a primary school, organizing waste collection and health services, looking after public security, and of supervising credit facilities for core housing and income generation. The necessary autonomy was exercised by the assembly of habitants and a number of committees. They all quickly grasped the basic rules. These make a distinction between the level of direct collective problem solving and of determining the procedures of decision-making, both supported by an arrangement of consistent minute keeping. Legitimacy was brought about by legitimate procedures in the Luhmannesk sense.⁴ Community affairs thus became accountable and predictable.

Besides producing decisions on common problems, the system arranged for individual conflict-solving such as border disputes of neighbors, trespassing, roaming small stock etc., thus enhancing the sense of private property, too. Matters such as storm-water drainage, drinking water supply, public cleanliness and security had repercussions in the sphere of life resources. The income generation program was extended to help disseminate practical knowledge to the young generation. An important issue was the construction of a local school building which was arranged in form of

a competition of the eight subdivisions of the settlement. The spirit of responsibility created from this remains until now. The community is still proud to have the „best kept school of the town“.

Thus, in a few months time, the community became aware of itself as a unit capable to produce common goods. These were understood to comprise public goods such as education, health and security. They also comprised the provision of life resources such as water, land for gardening, access to transport and mobility and the rest. In combining this, they created constellations of synergy, of win-win or at least of a kind of zero-sum constellations which compensates disadvantages of today by gains of tomorrow. This perspective led to active participation of many habitants and at times even to a kind of “development ecstasy”.

An essential question for community building is the question of membership. Who is to include? What does “inclusion” and “membership” mean? The habitants assembly defined that members (“beneficiaries”) were those families who resided in Kalingalinga already at an early point of time. However, the assembly failed to decide on how to leave the community or how to welcome new members. It defined that in order to make up for the advantages (the most important being to get the full ownership title) a number of duties had to be honored (e.g. taking part in communal works or paying for it in case of indisposition, showing solidarity especially towards unfortunate members of the community and the like), but it failed to decide on sanctions. The feeling of solidarity made it possible to introduce restrictions for individual members mainly for environmental reasons or in favor of some long term development. This did not go without conflicts. However, most of these could be solved by inciting social pressure. In essence, the elected leadership and the three or four civil servants put at their disposal by the Lusaka municipality behaved like any other local

government. The difference was that, due to the high degree of legitimacy, it dispatched its tasks without any police. As one of the leaders explained: “We work through the minds of our people.”

None of the Kalingalinga habitants originally came from a culture of urban tradition. Yet, in a very short time the settlement became an “urban” community by any standards. From the start, it was economically diversified. Money was the common denominator of most transactions. A system of rights and duties as well as procedures of collective decision-making was in force and internalized, even if (or because of) most of it was borrowed from standing models and conventions in use elsewhere. Most of the proceedings were communicated in writing making the execution of public matters suitably recorded. Particular responsibilities were singled out and assigned to correspondingly created offices. The bottleneck was, as everywhere, to find reliable, capable and willing candidates. As to land and life resources, the main problem was not individual allocation, but to defend the overall authority and autonomy in relation to the settlement’s territory.

The focal point of the collective self-organization was the common good.⁵ The Kalingalinga community understood itself as claimant for public goods which it found controlled at higher levels, that of the municipality (water, road access etc.) and that of the nation (security, education, public health). It understood itself, at the same time, as defender and safeguard of individual advantages, personal rights and, especially, of private property on its territory. Thus the Kalingalinga habitant became aware that in principle, he/she is not only sovereign of his/her private property, but also sovereign of the common or the public good. However, to exercise this kind of sovereignty requires active participation. In fact, sovereignty over common goods IS democracy. Any self-organized local community is, by necessity, a small pluralistic republic.

- 1** Yoffee, N./Cowgill, G.L., eds. (1988) The collapse of ancient states and civilizations; Tuscon (U Arizona P); Tainter, J.A. (1988) The Collapse of Complex Societies; Cambridge (Cambridge UP); Culbert, T.P. (1993) Der Zusammenbruch einer Kultur; in: Eggebrecht, P.; Die Welt der Maya; Mainz: 239-256; Flannery, Tim (1994) The Future Eaters: an ecological history of the Australasian lands and people; Sydney (Reed New Holland)
- 2** Oestereich, J. (1997) Fighting Desertification With One's Own Hands: The case of Abéché, Chad; in: TRIALOG 55: 21-26
- 3** Pasteur, D. (1982) The Management of Squatter Upgrading in Lusaka: Phase II; Birmingham (Inst. of Local Government; University); Goethert, R. (1986) Kalingalinga - a community on the move; Eschborn (GTZ); Oestereich, J. (1987) Upgrading a Squatter Community: Some conclusions drawn from the Kalingalinga Project, Lusaka; in: TRIALOG 13/14: 30-35
- 4** Luhmann, N. (1969) Legitimation durch Verfahren; Neuwied (Luchterhand);
- 5** Kapp, K.William (1972) Zur Theorie der Sozialkosten und der Umweltkrise; in: Kapp, K.W./Vilmar, F., ed.; Sozialisierung der Verluste? München: 39-48, Orstom, E. et al., eds. (1994) Rule, Game and Common Pool Resources; Ann Arbor (Michigan UP)

Photos / Kalingalinga, Lusaka Assembly of the inhabitants (left) / Planning workshop (right) / J. Oestereich



6 Peattie, Lisa R. (1968) *The View from the Barrio; Ann Arbor (Univ. of Mich. P.)*; Castells, Manuel (1983) *The City and the Grassroots*; London (Arnold); Hardoy, J.E./Satterthwaite, D. (1989) *Squatter Citizen: Life in the Urban Third World*; London (Earthscan); see also the TRIALOG issues No 13/14, 15, 26, 27, 45, 50, 55, 62 etc.

7 Oestereich, J.; *Das Recht auf kommunale Entwicklung. Lokale Legitimität als Motor für Entwicklung am Beispiel von Kalingalinga, Lusaka*; in: Selchow, U./Hutter, F.J., eds.; *Menschenrechte und Entwicklungszusammenarbeit*; Opladen (forthcoming)

8 Ideal type descriptions on human organisations in e.g. Weber, Max (1928/1964) *Wirtschaft und Gesellschaft*; Köln/Berlin; Klee, G.A., ed. (1980) *World Systems of Traditional Resource Management*; London (Arnold); Dalton, G. (1967) *Tribal and Peasant Economics: readings in economic anthropology*; Garden City, N.Y. (Nat. History P); Theodoresen, G.T., ed. (1961) *Studies in Human Ecology*; Evanston (Rover Pedersen)

Kalingalinga is by no means an exception. In my career I have come across many similar cases, I have met colleges and studied literature confirming my observations.⁶ On the other hand, experiences show that this kind of self-organization often is incomplete, inconsistent, inert. The reason for this is its lack of competence in technical and in juridical terms. My observations suggest that lack of technical competences, the straightforward management of their affairs is not crucial. The capacity of learning in and of communities is immense. The crucial point is juridical competence, the formal legitimacy granted by legality from above. High-ranking and formal political powers are reluctant to give powers away. Kalingalinga experienced the typical fate in this respect: At a certain point of time, its self-organization raised the mistrust of the political establishment. On the ground that this kind of local autonomy was not provided for in the law-books, this experiment in self-rule became shut down.⁷

Is this fate inevitable? Could local democracies be strengthened and defended? Should they be upheld or are they dead-born creatures, too small, too feeble, to vulnerable?

Clash of alternative models of allocation of land and life resources or synthesis?

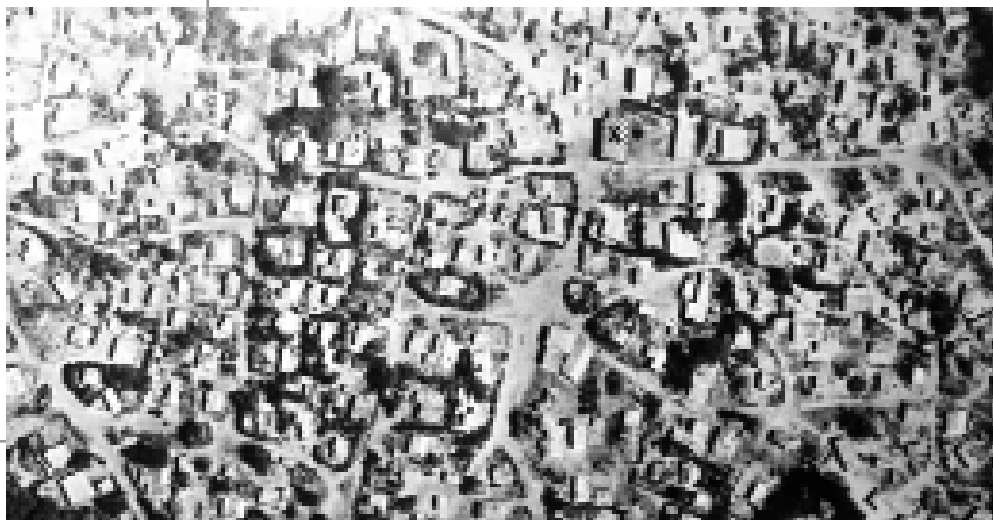
It is commonly held that urban communities have emerged from rural societies. For the last 200 generations (after having followed about 200.000 generations a way of life as hunters and gatherers) the majority of mankind follows the rural way of life of sedentary agrarian societies living in political units based on ethnic affiliations.⁸ Due to their vulnerability with respect to all kinds of environmental disturbances, agrarian societies experience extensive fluctuations in population and demand of resources. This is reflected in a highly flexible land allocation in hierarchical (feudal) or non-hierarchical (acephalic) settlement patterns. Attention is centered on the actual or possible fruits and benefits from cultivation and land use. This may go along with

out standardization, writing and recording. At the same time, allocation and reallocation of resources go rarely without dispute. Apart from that, conflicts over territories as virtual carriers of life resources affect the higher level of chiefdoms and ethnics. Agrarian societies, being – in contrast to urban units – inevitably belligerent, spend a substantial part of the common good on warriors and warfare.

Feudal or ethnic units consider their territory to be common property. The right of access to and the use of a particular piece of land on this territory, and its fruits are symbolically vested in the leadership of the community. There is no discrimination as to the types of power, functions or offices, since legislation, jurisdiction and arbitration, exercise and leadership as well as routine activities are fused in order to produce the necessary group coherence. Access to land and natural resources is subject to considerable differentiation in detail. All these provisions may be understood as serving one purpose only: to keep the community alive and together for survival. This leads to two modes of allocation at two distinct levels. Superior command is exercised by the person(s) in the (symbolic) center and the right of use by the person in need of subsistence. This separation of rights and duties is functional, since it allows fruits as immediate life resources marketable, but protects natural resources and land from being squandered as well as against aggressors.

Since very long, such illiterate and moneyless agrarian societies co-existed with literate and monetary urban communities, in the Middle-East, China, Japan, Pre-Columbian America and elsewhere. Gradually the agrarian states with their martial inclinations were seduced to swallow the flourishing urban units. In this process, the agrarian states became literate and commercial themselves. This event is rarely properly analyzed. Since, however, the European course of events is significant, of global importance today and of relevance to the subject, I shall try to outline an ideal-type sketch.

Kanlingalinga, Lusaka, spontaneous settlement structure / J. Oestereich



The urban tradition in Europe consolidated in the early middle ages by combining two sets of rules: private command of real property and community control of the life resources. This and a particular urban synergy made both, individual and communal wealth accumulate.⁹ In the beginning, individual property could only survive through the protection by a large urban community. In exchange, the rich accepted certain duties imposed on them by the community. Being aware that they could harvest the fruits of their individual property only, if social peace and economic well-being of the community at large were secured, these patrician families supported and often guided the concomitant self-reflexive process. Legitimacy resulted from the ongoing public debate on urban self-government focusing among others on resources, land use, public services, planning issues etc. These were handled relatively successfully, sometimes by appealing to the citizens' sense of beauty.¹⁰ In other fields, e.g. economics and public order, health, education and religion no such yardsticks were available and the corresponding conflicts kept lingering. Coalitions and federations of urban units such as the Hanse-Ligue of North-Eastern Europe devoid of appropriate tools or neutral procedures for handling these affairs failed to adapt to the changes.

At the same time some of the more enlightened kings of France and England as well as princes in Germany and Italy experimented with various models of territorial administration. Benefiting from technical and political innovations of urban origin they installed systems of caretakers and a rudimentary civil service based on improved training and education facilities in their circumscriptions. By and large, most big and hitherto independent cities like Milan, Toulouse and Cologne became part of princely territories and a few others, such as Florence, Venice, Hamburg grew to become equivalents of princely territories themselves. The vision of the absolutist rulers was to increase their wealth (and incidentally that of their subjects) by making better use of the given human and physical resources. In doing so they could not avoid to have the meaning of legitimacy shifted from godgivenness to entrepreneurial performance as territorial rulers.¹¹

The American and the French revolutions of 1772 and 1789 brought this development to an end by synthesizing the rural and the urban. The result was the Nation State, built on a political machinery assisted by a well-trained professional bureaucracy responsible for the common good. The sources of legitimacy of the Nation State were twofold, general elections and professional competence in

running the public affairs. Significantly, the republican French government, before even arranging for an adequate system of elections, established its "Grandes Ecoles" in order to educate the professionals needed, among others, in territorial administration. The competing countries followed in establishing similar territorial bureaucracies. Their more or less explicit centrality in controlling land and natural resources made the matter detached from the individual. Democracy in the Nation States became a matter of periodic routine elections based on some general public debate which relieved the citizens from exercising their sovereignty in public matters and leaving them at the discretion of the bureaucracies.¹²

Right from the start, the legitimacy of the national state was connected with its function to protect and even support the citizen in his individual search for wealth. The right to private property was declared to be "inviolable et sacré". Although derived from the feudal concept of territorial sovereignty and thus related to land and soil, the notion of "private property" goes further. Niklas Luhmann has shown that the concept of "private property creates obligations versus the community" and is „not meant to be in keeping with the individual [subsistence - J.Oe] needs of the owner, (...) but rather in keeping with the specific function of an agent in the economic system and his capacity of being in command over money and its equivalents according to specific predictable operations".¹³ The notion implies the claim to full command over one's own property and the acceptance of personal responsibility in a wide range of possible transactions.

This concept of sovereignty over whatever is defined as "private" – land, tools, workforce, know-how, right of access, information – makes it possible to translate property into capital.¹⁴ In this state, aggregate property lends itself to be accumulated and subsequently invested in industrial enterprises. These become, over time, bigger, more complex and more powerful. Although the political (and juridical) units of a country like the United States claim to be able to control their economic system including the big corporations, this is certainly not the case, if the same firms operate in smaller states. This tendency for economic domination is aggravated by a kind of foreign policy which supports "their" enterprises. The result is that important companies from the Northern countries control and exploit the local resources all over the world. This is the case since long. Today this tendency is backed by the neo-liberal believe in business efficiency, especially by means of economies of scale. This makes national and transnational companies vanish any local activity, in the

9 The logic of medieval town development can be understood as a process of synergy. It is like putting pieces of which none can fly together in a higher order to make up an efficient aeroplane. The process of synergetic collective actions achieving a new quality of order is not easy to grasp and passes often unrecognized. Conventional observers look for the secret of medieval towns in the intricacies of form and appearance. Few analysts – Braunfels and Waley are exceptions – have explored the inherent logic. The formation of medieval towns is not teleological, aiming at some preconceived end-product, but evolutionary, open-ended, determined by what already exists. There are two circular processes of circular causation superimposed: the material one of using the physical resources and building, and the social one of communal self-reflection and identity-building. The result is not "corporate identity", which a company gives itself in response to a market, but "community identity", which reflects the entire constellation of human attitudes seen from inside the collectivity, and thus establishes a new quality of common good, of common action.

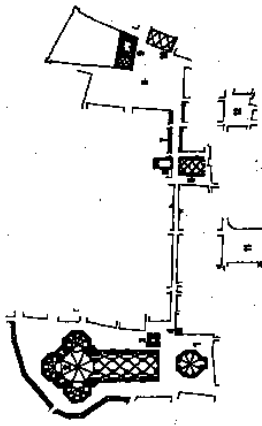
10 Waley, D. (1969) *Siena and the Sienese in the 13th century*; Cambridge (Cambridge UP); Barel, Yves (1977) *La ville médiévale: Système social, système urbain*; Paris; Braunfels, W. (1979) *Mittelalterliche Stadtbaukunst in der Toskana*; Berlin (Mann)

11 Wehler, H.-U. (1975) *Modernisierungstheorie und Geschichte*; Göttingen (Vandenhoeck); Koselleck, R. (1989) *Preussen zwischen Reform und Revolution. Allgemeines Landrecht, Verwaltung und soziale Bewegungen von 1791 bis 1848*; Stuttgart (Splett); Stolleis, M., ed. (1991) *Recht, Verfassung und Verwaltung in der frühneuzeitlichen Stadt*; Köln/Wien (Böhlau); Babeau, Albert (1998) *La ville sous l'Ancien régime (vol 1 & 2)*; Paris (Harmattan)

12 Habermas, J. (1973) *Legitimationsprobleme im Spätkapitalismus*; Frankfurt (Suhrkamp)

13 Luhmann, N. (1965) *Grundrechte als Institution*; Berlin (Duncker&Humblot); 123

14 Rueschemeyer, D. et al., eds. (1992) *Capitalist Development and Democracy*; Chicago (Chicago UP)



course of which local units, especially municipalities, lose their last tools of environmental control. Income disparities increase and the local life resources of long range are exploited in favor of short term benefits at some distant center.

This development, which could not be anticipated by the authors of the 1772 and 1789 constitutions, took some hundred and more years to become visible.

What to do? Could small local communities achieve what big municipalities failed to accomplish?



35. Florenz, Piazza della Signoria mit Frl. Vecchia, Loggia del Lanzi und der Mäner der Pisaner nach einem Stich von J. Zedler.

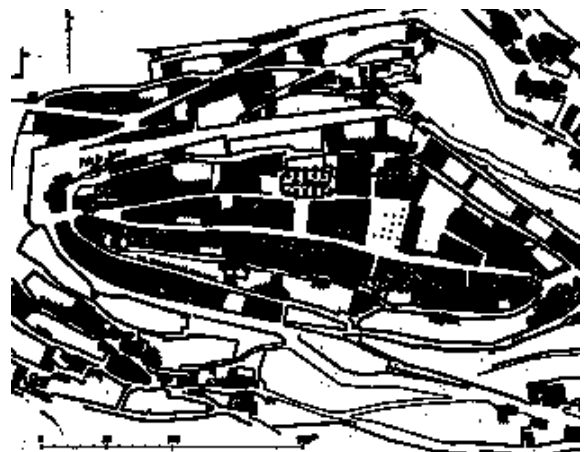
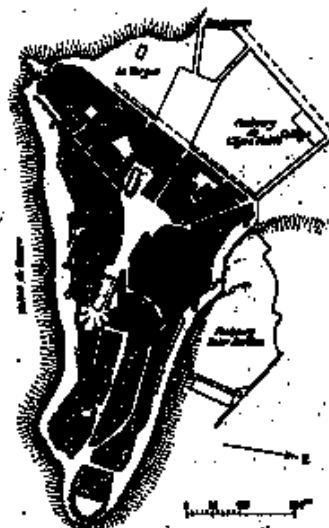
Florence, concept of the monumental axis / aus: Braunfels, Abendländische Stadtbaukunst, Köln 1976 (oben) Braunfels, Mittelalterliche Stadtbaukunst in der Toskana, Berlin 1953 (Kupferstich Mitte)

Regaining command over land and life resources at local level

The various parties discussing at a variety of levels and forums concentrate on the question of how politics could recover control and accept a common denominator: The right to exploit private property by actor A should not infringe the right of the actors B – except if adequate compensation is paid. This compensation may be achieved by mutual contracts or

by public rules and regulations. The state-socialist school holds that the center should, in view of all necessary information, distribute rights and duties, benefits and compensations of the respective actors. The neo-liberal school holds that the actors should negotiate rights and duties, benefits and compensations in series of mutual or collective contracts. A third school, that of “new institutionalism” draws attention to the fact, that contracts are not always honored and, consequently, emphasizes the role of institutions which offer litigation and impose sanctions in case of non-compliance. Hence jurisdiction and police are essential for law and order as an essential public good. Like other common goods such as education, transport networks, systems of water supply and waste collection etc. these cannot materialize according to purely economic rules, because of their long-term perspective as well as for social reasons.

In contemporary Europe, after the ecological implications of industrial activities became apparent and felt economically, general pressure arises for improving the juridical system in the realm of environmental control. A corpus of laws concerning air emissions, the water circuit, the treatment of waste, the protection of biotopes etc. evolved at the national and the European level. By means of various international conventions it is extending to the global level. In essence, this process is nothing less than growing constraints in the exercise of private property as was stipulated by the 1772 and 1789 constitutions. Yet, certain restrictions on the free use of private property have been present in all political systems found on earth. There are two reasons for that: a) the use of a given piece of land may affect that of its neighbors and that of the local community at large; b) the perspective of a particular owner tends to be short-term, that of the community should be long-term. As the case of Kalingalinga shows, common rules, if related to the local community and calling for



Medieval urban structures: Bazas and Cordes in France / aus: A.E. Brinckmann, Stadtbaukunst. Geschichtliche Querschnitte, Berlin 1921

personal solidarity, are rarely called in doubt, even if they impinge individual rights. In fact, this attitude is the base for any local community, as urban units all over the world demonstrate. If such communities grow in the course of history and transform to municipalities of considerable size, they become formal. The spirit of solidarity being rather spontaneous in the patrician families of medieval Europe or in contemporary Kalingalinga, turns into some abstract regulations in form of tax-paying, services, rights and duties, benefits and compensations to be looked after by institutions legitimized by public debate and subsequent elections, the local authority. Its job is conventionally referred to as "urban management". However, "management" is an ambiguous expression. It implies (according to the definition given by the Oxford dictionary) the "application of skill or care in the manipulation, treatment, or control (of things and persons) or in the conduct (of enterprises, operations etc.)". The term insinuates the professionalism of commercial management or the professional public service of the Nation State. Convention and routine thus favors legitimacy by professional performance and neglects legitimacy by consensus, inclusion and solidarity.¹⁵

This holds for the control of land and life resources, too. The local capacity for exercising this function in view of sustainability may vary considerably. Whatever the degree of competence, those members of a given community who want to remain members, will accept whatever restrictions are decided upon. Planning decisions requiring restraints, e.g. for the sake of future advantages or social equality, or in order to avoid prospective detriments, will be legitimized by the community like the necessary duties and charges. In small communities which act in a limited time horizon, many such decisions pass informally or are the consequence of conventions of all kinds. In more complex situations, especially in view of the multitude of possible transactions in industrial societies, some kind of formal registration of land and user rights is indispensable. Hence the need for cadastral registers. Of the many methods of registering which range from uniform but possibly complex procedures at central governmental level to piecemeal and informal records of property transactions authorized by the local leadership, the most promising seems to me the Prussian "Grundbuch", a low-tech, but highly practicable method of land registering. Its essential characteristic is its being kept at a local institution of authority, the local magistrate. To be able to fulfill this function, this institution has to be reinforced to the degree as to become independent from politics and economic interests. A multitude of observations confirm, that this is the critical point. Once this is achieved the

local register could be refined and extended to include ecological data and other details with regard to life resources.

The essential point on the concept of local command over life resources was made by Fritz Schumacher, a German town planner in the 1930s.¹⁶ He spoke of the two contradictory views on land and property. Some people, he said, see land as donated for putting it to the most efficient use by whoever comes along. According to this logic, each obstruction would be evil deprivation from God-given benefits. Others, he continued, see land as what it happens to be: forest, grassland, field – an "ecosystem", as we would say today. It would be up to the given local community as its caretaker to assume responsibility for "their" (necessarily local) ecosystem. This view considers land as the territory of a given ecosystem and the social group living there as trustees of it. These as caretakers come into conflict with those coming along and wanting to exploit the natural resources for the sake of efficiency. This is a conflict about views and not the "tragedy of the commons", about which there is so much ado in the literature.¹⁷ The basic problem of caretakers is not management, i.e. the "application of skill or care in the manipulation, treatment, or control", but the extend of their autonomy to accomplish the task. Technical competence is not enough. The juridical power of defending against overuse and misallocation of life resources has to be included. Only than can a learning civilization minimize the risk of ecological collapse.

Many of those arguing in favor of sustainability, point to the fact that every corner of the planet accommodates local communities which are able and willing to act as trustees – efficiently and even by creating new synergies, if the political order were decentralized.¹⁸ These communities could be given the right to do so. As model may serve the Fundamental Human Right assigned to the individual in the Universal Declaration of Human Rights, i.e. to develop his/her personality in integrity as sovereign of his/her fate. Such a right should be granted to any self-defined community to make it act as integer sovereign over its development and adequate use of life resources. Under such provisions, the community will register individual property and guide its use, i.e. exercise land management in the form described in the papers of this issue of TRIALOG. For operations at a higher level this right may be case-wise delegated bottom-up even to the United Nations materializing a process of real subsidiarity. I cannot see another way for achieving what is meant by "sustainability".

15 as an example of professional reasoning see: Cochrane, Glynn (1983) Policies for Strengthening Local Government in Developing Countries; Washington DC (WB SWP 582); Pfeiffer, U./Hall, P. (2000) Urban 21. Der Expertenbericht zur Zukunft der Städte; Stuttgart/München (DVA)

16 quoted in: Mayer, Sabine (1996) Transaktionskosten als Instrumente räumlicher Planung? in: DISP 125: 31-38;

17 critically reviewed e.g. in: Orstom, E. et al. (1994) Rule, Game and Common Pool Resources, Ann Arbor (Michigan UP)

18 As a recent publication in this spirit: Mies, Maria (2002) Globalisierung von unten. Der neue Kampf gegen die wirtschaftliche Ungleichheit; Hamburg (Rotbuch)

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Neue Bücher / Book reviews

Architektur

Marianne Rodenstein (Hrsg.). Hochhäuser in Deutschland – Zukunft oder Ruin der Städte? 284 Seiten. Stuttgart 2000: W. Kohlhammer GmbH. ISBN 3-17-016274-8. 35 Euro.

Sehr oft wird die Diskussion über Hochhäuser rein emotional geführt. Ästhetische Betrachtungen und ein vordergründiger Symbolwert führen schnell zu einer Polarisierung von begeisterter Zustimmung auf der einen oder fundamentaler Ablehnung auf der anderen Seite. Beide Haltungen sind rationalen Sachargumenten wenig zugänglich. Dem vorliegenden Buch – das auf der Grundlage zweier wissenschaftlicher Tagungen der Ludwig-Landmann-Stiftung in Frankfurt entstanden ist – kommt der Verdienst zu, diese Auseinandersetzung vom emotionalen Nimbus zu befreien und die städtebauliche wie auch gesellschaftliche Dimension des Hochhausbaus in Deutschland seit 1945 wissenschaftlich zu beleuchten. Dabei werden unterschiedliche Planungskulturen im Umgang mit diesem hochaktuellen Thema in verschiedenen deutschen Städten beleuchtet.

Der erste Teil der Veröffentlichung ist der einzigen wirklichen „Hochhausstadt“ Deutschlands, Frankfurt am Main, gewidmet. Im umfangreichsten Beitrag des Buches schreibt die Herausgeberin, Marianne Rodenstein, Soziologieprofessorin an der Frankfurter Universität, eine spannend zu lesende, kritische Planungsgeschichte der Mainmetropole von 1945 bis 2000. Dabei wird deutlich, wie früh und wie kontinuierlich sich diese Stadt für den Hochhausbau entschieden hat, welche unterschiedlichen Phasen (auch in seiner gesellschaftlichen Akzeptanz) dieser durchlaufen hat und weshalb sich die Ansprüche und Hoffnungen der Planung (und der Politik) in den meisten Fällen doch nicht erfüllt haben. Weitere Beiträge zu Frankfurt sind den Themen Bodenverwertung, städtische Planungshoheit und Investoreninteresse sowie ökologischen Aspekten der Hochhausentwicklung gewidmet.

Der zweite Teil des Buches stellt Städte vor, die eine „Möchtegern-Hochhaus-Politik“ (Rodenstein) betreiben: Berlin, Düsseldorf, Köln und Leipzig – wiederum in einem historischen Querschnitt ihrer vielfach wechselhaften Planungspolitik der letzten 50 Jahre, wobei bislang unveröffentlichte Materialien ausgewertet wurden. Im dritten Teil schließlich werden Städte betrachtet, in denen

Hochhausambitionen (zumindest im innerstädtischen Bereich) bislang keine wesentliche Rolle gespielt haben: sei es aus Gründen des Erhalts des historischen Stadtbilds (München, Hamburg), sei es aus stadtklimatischen Erwägungen (Stuttgart).

In einem (kurzen) vierten Teil des Buches präsentiert Ulf Jonak verschiedene architektonische Typologien des Hochhauses (Turm, Säule, Obelisk, Kiste, Zwilling...), bevor die Herausgeberin abschließend die Ergebnisse nochmals zusammenfasst. Dabei steht insbesondere der Vergleich zweier konträrer Planungskulturen (der „Hochhausstadt“ Frankfurt und der sich bewusst von einer Vertikalisierung der Innenstadt distanzierenden Stadt München) im Vordergrund und deren unterschiedlicher Umgang mit Stadtbild und Geschichte, mit Bürgern und Investoren – wobei die Verfasserin keinen Hehl daraus macht, dass ihre letztendlichen Sympathien eher dem zweiten Modell zuneigen. Insgesamt füllt die vorliegende Veröffentlichung eine wichtige Lücke. Die dabei im Kontext der Planungsgeschichte deutscher Großstädte angesprochenen Themen lassen sich in vielen grundsätzlichen Aspekten auch auf Entwicklungen in anderen Metropolen weltweit übertragen.

Michael Peterek

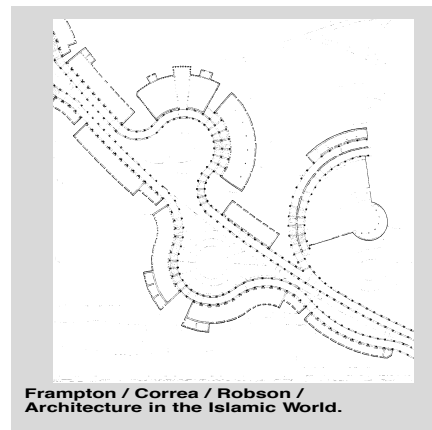
Kenneth Frampton, Charles Correa, David Robson. Modernity and Community: Architecture in the Islamic World. 175 S. ISBN 0-500-28333-0, 2001, GP. 17,-. The Aga Khan Award for Architecture, Genf / Thames & Hudson Publishers, London.

Seit 25 gibt es den renommierten, von dem Kunstmäzen Aga Khan gestifteten Architekturpreis AGAKHAN AWARD, der nun zum achten Mal vergeben wurde. Neun Empfänger erhielten dieses Mal die begehrte Anerkennung, und ihre Werke stehen im Iran, Marokko, Indien, Guinea, Ägypten, Jordanien, der Türkei und Malaysia. Bemerkenswert ist an dem Preis, dass er nicht wie fast alle anderen Architekturpreise versucht, den modernst-internationalen Stil zu zelebrieren, sondern bewusst den Rückbezug auf traditionelle Wurzeln im zeitgemäßen Bauen zu fördern und gleichzeitig die soziale Verantwortung von Architekt und Bauherr betont. So sind die prämierten Bauten typischerweise nicht Banken und Verwaltungspaläste, sondern eher Kinderdörfer, Sozialstationen, Schulen oder Sozial-Wohnanlagen. Einer der Preise wurde sogar nicht an

eine Person, sondern an ein Konzept vergeben – nämlich den Versuch, historische Baulichkeiten im Iran für zeitgemäße Nutzungen umzuformen.

Der vorliegende, in üblicher Form sehr sorgfältig zusammengestellte und makellos gedruckte Band, dokumentiert die Werke und den Kontext der Preisträger. Darüber hinaus kommentiert ein Einleitungs-Kapitel die Philosophie des Preises, und der Vorsitzende des Verleiher-Gremiums präsentiert zusätzlich einen persönlichen Sonderpreis, den der Architekt und Landschaftsgestalter David Robson aus Sri Lanka erhielt.

Kosta Mathéy



Christiane Kruse, Berlin Heute. 95 Seiten, ISBN 3-7913-2646-5. 2002. Prestel Verlag München (www.prestel.de)

Ein Bildband für die eiligen Berlin-Touristen. 35 Sehenswürdigkeiten im alten Berliner Zentrum im Westen, in der 'neuen Mitte' und im Regierungsviertel werden in Wort und Bild vorgestellt – freilich nicht alle neu, wie der Buchtitel suggeriert: Neue Staatsgalerie, Alexanderplatz, das Charlottenburger Schloß und der Flughafen Tempelhof repräsentieren nicht unbedingt das 'Neue'. Die Einführungstexte von Christiane Kruse sind für Ortsfremde als erste Information aufschlussreich, und die Karte auf den letzten Seiten hilft mit den darauf markierten und erwähnten Sehenswürdigkeiten zur Orientierung in der Stadt. Die übertrieben bunten Fotos allerdings sind – trotz gut gewählter Standorte und Blickwinkel – ein Schlag ins Gesicht. Selbst die offiziellen Werbeproschüren des Fremdenverkehrsamtes zeigen mehr Ästhetik.

Kosta Mathéy

Trans Europe Halles (ed.). The Factories – Conversions for Urban Culture. 290 Seiten. ISBN 3-7643-6635-4, 2002. EUR 45,-. Birkhäuser Verlag, Basel (www.birkhauser.ch).

Der Band präsentiert 16 Beispiele sogenannter 'Kulturfabriken' in Europa – ehemalige Industrieanlagen, die zu mehr oder weniger alternativ betriebenen Kulturzentren umfunktioniert wurden. Herausgeber ist ein Verband von 30 solcher Unternehmen (TransEuropeHalles), und die edle Publikation wurde ermöglicht durch Zuwendungen von verschiedenen europäischen und französischen Institutionen. Jede der dargestellten Beispiele wird mit einem Text über deren Geschichte und hauptsächliche Aktivitäten vorgestellt und mit ästhetischen schwarz-weiß Fotos von Gebäuden und Veranstaltungen illustriert. Am Ende von jedem Fallbeispiel werden die Kerninformationen zusammengefasst: Adresse, Direktor, Gebäudedaten, Beschäftigtenzahl, kulturelle Aktivitäten, Besucherzahlen (auch im Vergleich zur Einwohnerzahl der Stadt), Finanzgeber. Diese Daten sind sicherlich die aufschlussreichste Komponente der Publikation, werden allerdings nicht weiter kommentiert. Somit bleibt das Buch eine reine PR-Unternehmung – eigentlich schade bei all' dem Aufwand: Die Leser dürfen in die Hände klatschen, aber nichts dazulernen – ausser der Erkenntnis vielleicht, dass auch die Alternativkultur nicht von der Globalisierung verschont bleibt.

Kosta Mathéy

Stadtentwicklung

Eduard Kögel, Ulf Meyer (eds). Die chinesische Stadt. 128 Seiten, ISBN 3-931321-24-X. EUR 25,80, 2000. Jovis Verlag, Berlin (FAX +49 30 261 1542).

Die Veröffentlichung dokumentiert die überarbeiteten Beiträge der ersten von 6 Kongressen über Stadtentwicklung in China, die 1999 in Berlin mit Unterstützung der Böll Stiftung und der DAK stattfand. Enthalten sind 8 Aufsätze europäischer Planer oder Wissenschaftler und weitere 8 Texte chinesischer Kollegen. Für Leser/innen, die mit der aktuellen chinesischen Entwicklung nicht so stark vertraut sind, ist die vermittelte Information neu und faszinierend – genauso wie die Form der Kommunikation, die trotz der gutgemeinten Vermischung in der Reihenfolge des Abdrucks bei den Vertretern der beiden Kulturen stark auseinanderklafft. Auch innerhalb der chinesischen Beiträge ist das Spektrum zwischen Implizität und Direktheit beachtlich: einerseits die gestandenen Vertreter offizieller Institutionen mit eher unverbindlichen Äußerungen, auf der anderen Seite die jüngeren Kollegen, die sich der Tradition weniger verbunden fühlen und tendenziell provokativere Äußerungen wagen. Eine Ausnahme stellt der (auch während des Symposiums mit Begeisterung aufgenommene) Beitrag von Wang Xiadong dar, der die Modernisierung in der Stadtentwicklung in China eher kritisch einschätzt. Unter den europäischen Autoren finden sich auf der einen Seite die internationalen Projekt-

büros, die in China ins Geschäft kommen wollen – und auf der anderen Seite die Wissenschaftler, die versuchen eine fremde Kultur zu verstehen, die auch vor Ort niemand zuverlässig zu deuten vermag. In der Gesamtheit vermittelt das Buch spannende Impressionen über die aktuelle urbane Entwicklung in diesem Land. Wer sich nicht für das Thema interessieren sollte, kann auf Grund der dreisprachig (deutsch-englisch-chinesisch) abgedruckten Texte seine Fähigkeit in Fremdsprachen trainieren.

Kosta Mathéy

Hasan, A.: Understanding Karachi – Planning and reform for the Future, 1999, ISBN 969-8380-28-0, 173 S, Rs 295 (in Pakistan) . City Press, 316 Madina City Mall, Abdullah Aarón Road, Saddar, Karachi 74400, Pakistan (citypress@email.com).

Der in Südasien sehr bekannte Community-Architekt Arif Hasan hat mit diesem Buch einen interessanten Versuch unternommen, die komplexe Situation einer Stadt wie Karachi zu beschreiben. Global behandelt er einleitend die Stadtgeschichte vor und nach der Trennung Pakistans von Indien, und konzentriert sich dann vor allem auf die Themen Bevölkerungsexplosion, Grund und Boden, Wohnungssektor. Es wird schnell klar, welch aussergewöhnliches Chaos in Karachi herrscht, und wie stark die Situation von informellen und illegalen Aktivitäten beeinflusst ist. Vor allem im Bereich des Bodenmarktes haben sich informelle Landspekulanten und Boden"diebe" breit gemacht, die mit Hilfe der Polizei und der organisierten Mafia den gesamten Sektor in der Hand haben. Da es kaum "formelle", offizielle Wohnungsversorgung gibt, sind die Mehrzahl der Bewohner Karachis auf diese Mechanismen angewiesen. Und es bedeutet für die Stadtplanung, dass wenig von den Bodennutzungsplänen respektiert wird. Das bringt den Autor zu der Schlussfolgerung, dass die informellen Bodenspekulanten und Bauherren auf irgendeine Weise eingebunden werden müssen, in einem Prozess, der ihnen (und ihren Kunden) mehr Sicherheit gewährt und gleichzeitig die Regeln der Stadtplanung respektiert. Ähnlich kompliziert sieht es im Transportsektor aus, wo die öffentliche Hand durch Unentschlossenheit glänzt und der private Sektor dominiert. Infrastrukturthemen wie Wasser, Abwasser, Abfallentsorgung, Strom sind beherrscht von einer permanenten Mangelsituation oder Unterversorgung, doch graduell und unterstützt durch Verhandlungsprozesse werden diese Dienstleistungen verfügbar gemacht als Teil eines allgemeinen Konsolidierungsprozesses. Andere Themen, die kurz angeschnitten werden, sind soziale Dienste, architektonisches Erbe, die (Unter)Beschäftigung und der informelle Sektor, institutionelle Themen und Dezentralisierung, Gewalt und (Mangel an) Regierbarkeit der Stadt. Der Haupttext des Buches wird begleitet und bereichert durch eine Vielzahl von Boxtexten, die NGO und Community Initiativen in allen wichtigen Bereichen der städtischen Dienste darstellen, und sowohl für die infor-

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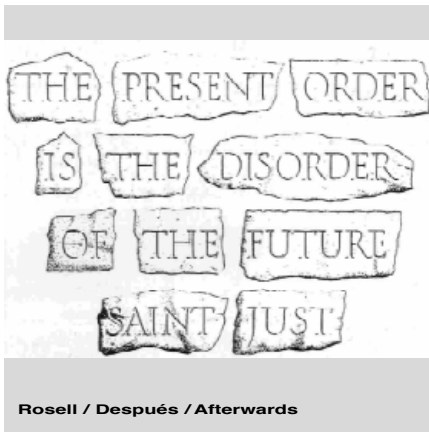
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mellen Immobilienhaie wie die Verwaltung eine interessante Herausforderung darstellen. Wie der Autor herausstellt, wird es nun darauf ankommen, wie ein umfassenderes Reformpaket für die Zukunft von Karachi verhandelt werden kann. Die Zeit ist reif, dass historische Pakte geschlossen werden, um die grossen Projekte für die Stadt zu ermöglichen und Planung mit der Tätigkeit der informellen Landaufteiler und Investoren abzustimmen. Ein wirklich interessantes Buch, dass allerdings nicht leicht erhältlich ist.

Florian Steinberg



Arbeitskreis Stadterneuerung (Hrsg.), Jahrbuch Stadterneuerung 2000, 435 S. ISBN 3-79983 1849 2, 2000. EUR 22,50. TU Berlin.
Jahrbuch Stadterneuerung 2001, 423 S. ISBN 3-79983 1880 8, 2001, EUR, 21,50. TU Berlin.

Beide Bände erhältlich von der Universitätsbibliothek, Abt. Publikationen, Straße des 17. Juni 135, 10623 Berlin, publikationen@ub.tu-berlin.de

Über die Jahre hat sich das Jahrbuch Stadterneuerung zu einem zuverlässigen Gradmesser der aktuellen stadtplanerischen Fachdiskussion herausgebildet, besonders im deutschen Kontext. Der Aufbau des Bandes ist jedes Mal ähnlich: Am Anfang stehen Theoriebeiträge, dann folgt ein wechselnder Themenschwerpunkt des Jahres, dann Berichte aus dem Ausland, schließlich Nachrichten aus der Berufspraxis, aus der Hochschule und Buchrezensionen.

Der Schwerpunkt des Jahresbandes 2000 war das Geschehen im europäischen Ausland. Dabei besonders interessant ein Beitrag von Eva Maria Stratmann über Quartiersbudgets in den Niederlanden nach dem bekannten Vorbild von Porto Alegre sowie ein Kapitel über Altstadtsanierung in Lissabon. Hervorgehoben werden sollte auch der Aufsatz von Paula dos Santos (nicht im Schwerpunkt, da außerhalb von Europa) über soziale Integration in Brasilien.

Für das Jahr 2001 lautet der Schwerpunkt 'Die soziale Stadt', also die lokal unterschiedlich eingefärbten Variationen des inzwischen allseits bekannten Quartiersmanagement – dem immerhin 12 Aufsätze gewidmet sind. Im internationalen Teil wäre noch ein Artikel von Viktoria Waltz über den Wiederaufbau Palästina hervorzuheben.

Bei den spannenden Texten ist es ein Jammer, daß die Herausgeber es noch immer nicht geschafft haben, die visuelle Vermittlung der Inhalte in den Griff zu bekommen. Nach wie vor sind die Textseiten reine Bleiwüsten – mit Einschränkungen selbst bei dem Beitrag des Kommunikationsmeisters Klaus Selle. Somit wird das Publikum auf eine entschlossene Minderheit reduziert, das wäre nicht nötig.

Kosta Mathéy

Jörn Düwel, Niels Gutschow. Städtebau in Deutschland im 20. Jahrhundert. Ideen – Projekte – Akteure. 332 Seiten. Stuttgart 2001: Teubner Studienbücher der Geographie. ISBN 3-519-03445-X. 51 Euro.

In einer geographischen Studienreihe herausgegeben, vermittelt das vorliegende Buch eine ausführliche Übersicht über die Entwicklung der städtebaulichen Disziplin in Deutschland im 20. Jahrhundert – nicht nur für Geographen, sondern auch für Architekten, Stadt- und Regionalplaner, Sozialwissenschaftler. Ein besonderer Verdienst ist dabei die parallele Betrachtung der städtebaulichen Planungen und Verwirklichungen in den beiden deutschen Teilstaaten zwischen 1949 und 1989. Neben Leitbildern, Projekten und Konzepten stehen dabei insbesondere die jeweils handelnden Personen – Planer, Architekten, Stadtbauräte, Politiker... – im Mittelpunkt der Beschreibung, belegt durch zahlreiche Zitate und Auszüge aus Originaldokumenten. Damit wird der Städtebau in eine breite Gesamtschau der jeweiligen politischen und gesellschaftlichen Entwicklung eingebunden.

Das Buch gliedert sich, im chronologischen Ablauf, in acht hauptsächliche Abschnitte: die Anfänge der Disziplin in der zweiten Hälfte des 19. Jh. bis zum Ersten Weltkrieg; Aufbruch und Ernüchterung in der Weimarer Zeit; die Städtebau-Modelle der Nationalsozialisten; erste Wiederaufbauplanungen; die Konkurrenz der Leitbilder nach Gründung der beiden deutschen Staaten; „Urbanität durch Dichte“ und Großsiedlungsbau 1956-73; Grenzen des Wachstums und Rückkehr zur historischen Stadt; die Stadt der 90er Jahre. Eingeschoben sind, sozusagen als Exkurse, ergänzende Kapitel zum rechtlich-administrativen Instrumentarium des Städtebaus, zu den städtebaulichen Utopien der 60er Jahre sowie zur Entwicklung der neuen Hauptstadt Berlin 1990-2000.

In klassischer Lehrbuchmanier werden am Ende jedes einzelnen Kapitel die Kernaussagen noch einmal in komprimierter Form zusammengefasst. Umfassende Literaturangaben, unterschieden nach Primär- und Sekundärquellen, erlauben bei Interesse ein individuelles Weiterstudium. Die Abbildungen wurden, bei guter Auswahl, auf das wesentliche reduziert. Insgesamt ist dieses eher ein Lese- als ein Bilderbuch, das dem interessierten Praktiker wie Studenten einen fundierten Einstieg und Überblick bietet.

Michael Peterek

Edésio Fernandes, Márcio Valença (eds). Urban Brazil. Geoforum (Special Issue) 32 (4), Nov. 2001. 150 S. ISSN 0016-7185. Pergamon/Elsevier Science. Www.elsevier.com.

Unter den Tausenden von spezialisierten wissenschaftlichen Zeitschriften auf ein Themenheft zu stoßen, das dem persönlichen Interesse bzw. Arbeitsfeld entspricht, gleicht der berühmten Suche nach der Stecknadel im Heuhaufen. Ein solcher Treffer dürfte für viele TRIALOG Leser/innen das Geoforum Themenheft zu Urbanisierungsfragen in Brasilien sein. Unter den 11 Beiträgen befinden sich z.B. ein Aufsatz (Jeroen Klink u.a.) zu 'Local Empowerment' in der ABC Region im Großraum Sao Paulo, ein anderer (von F.A.M. de Souza) über die Erfahrung mit Land-Legalisierung in Recife, Stadtmanagement in Rio (Claudio Acioly) oder das Favela Bairro Programm in Rio (E. Riley, Jorge Fiory und Ronaldo Ramirez). Auf die hohe Qualität der Beiträge weisen die zitierten Autorennamen bereits hin, dagegen ist die Aktualität wegen des akademischen Redaktions-Verfahrens nur relativ gegeben.

Kosta Mathéy

Quim Rosell. Después/Afterwards. Rehacer Paisajes / Remaking Landscapes. 183 S. ISBN 84-525-1813-6. 2001. Editorial Gustavo Gili, Barcelona. Www.ggili.com.

Der Band widmet sich der 'modernen' landschaftsplanerischen Aufgabe, durch unsere Zivilisation und Unzivilisation zerstörte Gelände wieder ansehnlich zu machen: Industriebrachen, ehemalige Minen, Steinbrüche, kriegszerstörte Städte, Truppenübungsplätze, sogar ein ehemaliges KZ (in Ravensbrück) wird hier als Fallbeispiel aufgenommen. In manchen Fällen wäre zu diskutieren, ob ein Kaschieren der Wunden wirklich die angemessenste Lösung war. Aber in einem bei GG erschienenen Band kann man diese Frage nicht erwarten, denn die Intervention ist schließlich der Berufszweck von Planern und Architekten. Nicht ganz: auch einige wenige virtuelle Projekte oder reine Textbeiträge hat der Herausgeber durchgehen lassen.

Gut zwei Dutzend Arbeiten werden in dem Band vorgestellt – darunter auch die IBA Emscherpark, der Mauerpark in Berlin und ein Gasometer in Wien. Der Band fällt aus der Reihe, gefällt nicht auf den ersten Blick, hat zudem einige typographische Tücken, aber fordert ein wiederholtes Betrachten, Lesen, Reflektieren. Ein Stopper in der Aktuellen Bücherflut.

Kosta Mathéy

Urban Management Programme (UMP): Implementing the Habitat Agenda, Urban Management Programme City Consultation Case Studies, no. 28, UNCHS, Nairobi, HS/636/01E ISBN 92-1-131624-3, 96 S. (Bezug: UMP, UNCHS-Habitat, Nairobi, Kenya).

Diese Veröffentlichung des Städtischen Management Programmes (UMP) ist eine kurze Zusammenstellung der vom UMP als erfolgreich angesehenen City Consultations (Stadt Foren). Während seiner dritten Phase

hat das UMP 120 Städte Foren in 57 Ländern unterstützt. Dieses umfangreiche Programm der Städte Foren wird als eines der wesentlichen Meilensteine der Arbeit des UMP betrachtet. Die Städte Foren unterteilen sich thematisch in Foren zu den Themen wie (i) städtisches Umweltmanagement, (ii) Reduzierung städtischer Armut, (iii) partizipatives städtisches Management, (iv) geschlechtsspezifische Aspekte der Städte, oder (v) ein Querschnitt von allen diesen Schwerpunkten.

Die hier vorgestellten Fallbeispiele sind repräsentativ für die vier UMP Regionen Afrika, Asien, Arabische Länder und Lateinamerika/ Karibik. Es handelt sich um die folgenden Städte: Belém do Pará, Brasilien; Nonthaburi Province, Thailand; Johannesburg, Südafrika; Kasserine, Tunesien; Maracaibo, Venezuela; Colombo, Sri Lanka; Damaskus, Syrien; Bamako, Mali – mit Ausnahme von Colombo, Städte Foren über die bislang wenig publiziert worden ist.

Die Beschreibung eines jeden Falles konzentriert sich auf den Prozeß der City Consultation (beteiligte Akteure, Aktionsprogramme, Prioritäten, Probleme und Hindernisse), und präsentiert in der Mehrzahl, welche konkreten Ergebnisse durch diese City Consultations festzustellen sind. Zum Beispiel handelt es sich um die Formulierung spezieller Projekte/Programme, neue gesetzliche Grundlagen, institutionelle Arrangements, finanzielle Absprachen und Entscheidungen, Förderung von lokalen Initiativen). Die Fallbeispiele enden mit einer kurzen Beschreibung der Erfahrungen und Lektionen, die gelernt wurden.

Diese Veröffentlichung ist wichtig, da hier erstmals dargestellt wird, daß diese City Consultations nicht nur eine einmalige Seminarangelegenheit sein müssen, ohne konkrete Folgeaktivitäten, wie es öfter passiert ist. Doch es hängt auch sehr viel vom jeweiligen politischen und wirtschaftlichen Umfeld ab. Nicht jede Stadt hat den City Consultation Prozeß erfolgreich nutzen können für die effektive Mobilisierung von eigenen Mitteln und neuen Initiativen. Der Veröffentlichung fehlt allerdings eine abschließende Betrachtung der Ergebnisse und ihrer Bedeutung für andere Städte.

Florian Steinberg

Gesellschaft und Politik

Bell, M.E., Bowman, J.H. (Hrsg.): Property Taxes in South Africa – Challenges in the Post-Apartheid, 239, \$ 20. Lincoln Institute of Land Policy, Cambridge (113 Brattle Street, Cambridge, MA 02138-3400, USA, help@lincolninstitute.edu).

Südafrika ist "in" und befindet sich in einem rasanten Prozess des Wandels – weg von der Apartheid hin zu demokratischen Bedingungen einer modernen Gesellschaft. So überrascht es nicht, dass eine Publikation wie diese das Thema der Grund- und Bodensteuer am Beispiel Südafrikas vorführt. Dieses Buch enthält die Arbeiten einer Reihe von Experten, die zu diesem Thema jahrelang in verschiedenen Städten und Provinzen Südafrikas gearbeitet haben,

und es enthält eine generelle Einführung in die Grund- und Bodensteuer in diesem speziellen Kontext als wesentlichem Bestandteil der Gemeindefinanzierung im Zusammenhang mit der (noch neuen) Dezentralisierung. Als Fallbeispiel kann dieses Buch interessante Lektionen und Anregungen bieten für Entscheidungsträger, die ähnliche Maßnahmen in anderen Ländern einführen wollen.

Das Grund- und Bodensteuersystem in Südafrika ist als einheitliches System eingeführt worden, mit dem Ziel einer marktregulierenden Wirkung. Marktstudien sind in regelmäßigen Intervallen nötig (alle 3-5 Jahre), das System selbst beansprucht für sich, dass es sich um die Gleichstellung aller Steuerzahler bemüht. Steuerzahler, die nicht in der Lage sind ihre Tarife zu zahlen, erhalten die Möglichkeit des Einspruches und es kann individuell abgestimmte Zahlungsweisen geben, bis hin zu beschränktem Zahlungsnachlass. Das System will effizient und transparent sein, und auch zur sozialen Gerechtigkeit unter den Regionen des Landes beitragen.

Das Buch ist in drei Teile unterteilt: Einführung, die verschiedenen technischen Aspekte der gegenwärtigen Grund- und Bodensteuerpraxis (Struktur der Steuer; Einheitlichkeit des Systems; Festlegung der Einheitswerte; Computer Assisted Mass Appraisal; Steuernachlass; differenzierte Tarife in Cape Town und kritische Aspekte wie deren Einführung in Stammesland und in ländlichen Gegenden.

Die Beiträge der hier veröffentlichten Studien belegen, welche wichtige Rolle die Grund- und Bodensteuer für die Gemeinden spielen und in Zukunft spielen werden. Es zeigt, dass es keine rezeptartigen Entwürfe des Systems und der Instrumente geben kann, und dieses Buch zeigt die wesentlichen Elemente und Kriterien, die für alle Gesellschaften im Transformations- und Modernisierungsprozess relevant sind.

Florian Steinberg

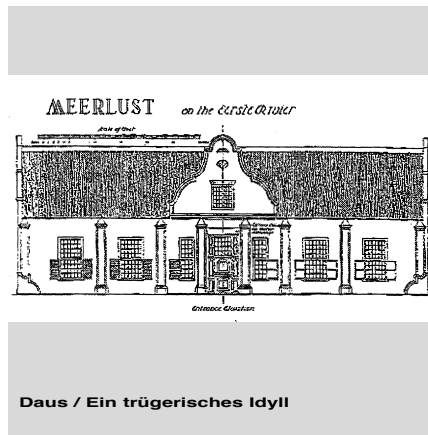
Ursula Daus, Ein trügerisches Idyll. Vom Lebensstil am Kap der guten Hoffnung. 154 Seiten, ISBN 3-92529-14-4. 2000. EUR 20,- (Studenten EUR 10,-). Babylon Metropolis Studies. Ursula Opitz Verlag, Berlin (FAX 030-3927594).

Die Autorin, Soziologin, Architekturkritikerin und Journalistin, zeichnet in diesem Band eine Kulturgeschichte von Kapstadt seit dessen erster Besiedlung durch Europäer im 17. Jahrhundert bis heute. Während das erste "historische" Kapitel wie auch die antikerende Aufmachung des Büchleins die Erwartung des Lesers eher gedämpft halten, baut sich im Verlauf der folgenden Kapitel Überraschung und Neugier auf. Sehr gründliche Literaturstudien erlauben es der Autorin, den widersprüchlichen Reiz des Kapstädter Lebensstils zwischen Puritanismus, Kulturdurchmischung, Weltoffenheit und (meist bürgerlicher) Rebellion in spannender Weise zu beschreiben, und so Vorurteile oder einfach nur Unwissenheit einer deutschsprachigen Leserschaft auf eine angenehme Art zu kor-

rigieren.

Das lange und teilweise latente Heranreifen der Apartheid wird gleichermaßen aufgezeigt wie die naive, und teilweise komische Imitation weiß-bürgerlicher Status-Attribute durch gemessen-erfolgreiche schwarze Township-Bewohner in Mitchells Plain oder Crossroads. Das Buch ist für Reisende in die Region zweifellos eine empfehlenswerte Informationsquelle, die sich von der Standard- und Pflichtlektüre in vielerlei Hinsicht absetzt.

Kosta Mathéy



Devas, N. et al. Urban governance and poverty Lessons from a Study of Ten Cities in the South, The University of Birmingham. DFID, 2001, 56 S., kostenlos von: Publications Office, School of Public Policy, University of Birmingham, Birmingham B15 2TT, UK.

Diese sehr prägnant verfaßte Studie schafft es auf wenigen Seiten die folgenden Themen vorzustellen: wirtschaftliches Wachstum und der Armut; Interpretationsmuster der städtischen Armut, der Überlebensstrategien und der sozialen Netzwerke der Armen; Zivilgesellschaft und städtische Armut; Stadtregierung und städtische Politik; institutionelle Kapazität und die Antwort der Stadtregierung; kritische Faktoren von Siedlungsland, Infrastruktur und Wohnungswesen. Es werden in kurzen Textboxen Beispiele positiver und erfolgreicher Praktiken in folgenden Städte vorgestellt: Ahmedabad, Mombasa, Bangalore, Kumasi, Santiago, Johannesburg, Cebu, Colombo, Recife, Vishapatnam.

Die Schlußfolgerungen für Politik und Regierungsarbeit, sowie die Praxis der Entwicklungshilfeorganisation sind in ihrer Knappheit ebenfalls beeindruckend: Es besteht ein grundlegender Mangel an Information über städtische Armut. Wegen der vielfachen Dimensionen der Armut, besteht eine Notwendigkeit für integriertes Eingreifen. Schlechte Stadtverwaltungen und Regierungen sind negativ für die Armen, und es sollten die verschiedenen gesellschaftlichen Akteure sein, die zur Minderung der Armut beitragen. Es muß einer Demokratisierung breiterer Raum gegeben werden. Die Medien und die Rolle der Erziehung und Bewußtseinsarbeit ist wesentlich, und Stadtverwaltungen müssen institutionell gestärkt werden. Stadtverwaltungen können

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oft am besten Armut mindern, wenn sie ihre (traditionellen) Funktionen der Infrastrukturversorgung, dem Zugang von Siedlungsland und wirtschaftlichen Aktivitäten ermöglichen. Entwicklungshilfeprojekte sollten sich an den lokalen Bedürfnissen orientieren, und dort eingreifen, wo schon sinnvolle Initiativen bestehen.

Florian Steinberg

Peter Evans. Livable Cities? Urban Struggles for Livelihood and Sustainability. 277 S. ISBN 0-520-23025-6. 2002. US\$ 18,-. University of California Press, Berkeley & London.(www.ucpress.edu).

Peter Evans ist Soziologie-Professor an der renommierten UCLA in Berkeley und gleichzeitig Direktor der Arbeitsgruppe 'Social Capital and Economic Development' Public Affairs', das von der American Academy of Arts and Science im Rahmen eines ihrer Projekte gefördert wird. Diese Arbeitsgruppe legte den Grundstein zu dieser Veröffentlichung, die sich unter Berufung auf das Schriftwerk von Manuel Castells in städtischen sozialen Bewegungen einen möglichen Ausweg aus urbanen Problemen sucht. Das zentrale Problem in den Metropolen des Südens heißt heute allerdings nicht mehr Ausbeutung und Dependenz, sondern der drohende ökologische Kollaps aufgrund der Fixierung auf ökonomisches Wachstum. Auch die städtischen Armen der achtziger Jahre haben sich inzwischen zu 'communities' gemausert, so wie die klassischen 'Kapitalinteressen' heute bescheiden mit 'Markt' übersetzt wird. Kurz, die zentrale These des Buches – geschrieben mit Finanzierung der Carnegie, Ford und Rockefeller Foundations – besagt, dass das politische Engagement von Communities eine ausschlaggebende Kraft in der Reduzierung von Umweltgefahren sein und die Lebensqualität von Orten wieder herstellen kann. Sechs Fallstudien illustrieren mögliche (Teil-) Erfolge in dieser Richtung: eine Gegenüberstellung Koreanischer und Thailändischer Bürgerbewegungen beweist eine mögliche konstruktive Zusammenarbeit von Staat und Zivilgesellschaft, in Taipai ist eine mittelständische Bürgerinitiative erfolgreich – aber leider auf Kosten der ärmeren Nachbarn. In Vietnam können Bürger mit externer Hilfe eine Wiedergutmachung von Umweltschäden erzielen, die das frühere sozialistische Regime zu verantworten hat, während in Sao Paulo eine Koalition von Armen und Reichen die Respektierung von Wassereinzugsgebieten möglich macht. In Mexico DF schließlich, konnte eine Landbesetzung in einem Schutzgebiet mit Hilfe eines ökologischen Entwicklungsplans dauerhaft Bleiberechte erwirken, auch wenn sich das Ökologie-Projekt am Ende als unrealistisch herausstellte.

Da weder das theoretische Ausgangskonzept, trotz der beeindruckenden Bibliographie, überzeugt und auch die in den Fallstudien beschriebenen Erfahrungen keine Geschichte machen werden, ist die Publikation nur bedingt zu empfehlen.

Kosta Mathey

Chris Wright. A Community Manifesto. 178 S. ISBN 1-85383-734-2. 2000, GBP 12,50. Earthscan, London (www.earthscan.uk).

Anlaß des Buches war die Reflektion über die LETS-LINK Konferenz in Portsmouth 1998. Während dieser Veranstaltung schienen sich die Redner in der Dürstlichkeit ihrer Prognosen für das bevorstehende Jahrhundert zu übertreffen, und der Autor dieses Essays suchte nach Wegen, nicht das Unheil abzuwenden, aber dessen Schlagkraft zu reduzieren. Im ersten der drei Teile der Publikation beschreibt er eine Reihe von Fehlentwicklungen unserer Gesellschaft, wie die Verantwortungslosigkeit der Spekulanten und die Individualisierung des Einzelnen. In Teil Zwei werden einige Potenziale der Menschheit beleuchtet, wie die Fähigkeit der sprachlichen Kommunikation oder der Gemeinschaftssinn der Yequana Indianer in Brasilien. Teil Drei schließlich entwirft Grundzüge für eine bessere Gemeinschaft auf der Basis von kooperierenden Zusammenschlüssen, die von persönlichem Verantwortungsgefühl, Konsensentscheidungen, einer lokalen Währung und Gemeinschaft geprägt sind.

Die Besorgnis und das Engagement des Autors sind ehrlich, nachvollziehbar und müssen gewürdigt werden. Die Überzeugungskraft seiner Publikation bleibt dennoch schwach, was schon damit anfängt, dass eine präzise Benennung und somit auch eine systematische Analyse der Misstände ausbleibt, und folglich auch die willkürlich zusammengesuchten Sozial-Therapien frei im Raume schweben. Da aber auch keine spezielle Zielgruppe für das Buch auszumachen ist, werden dies auch nicht viele Leser bedauern.

Kosta Mathéy

Holloway, R.: Towards Financial Self-Reliance – Handbook on Resource Mobilization for Civil Society Organizations in the South, Earthscan, London 2001, 233 S., earthinfo@earthscan.co.uk.

Zivilgesellschaft und Nichtregierungsorganisationen (NROs) sind "in" – sowohl in den Ländern des Südens wie des Nordens. Doch die permanente Qual ist, wo soll das Geld herkommen? Besonders wenn der öffentliche Sektor kein Interesse an der Förderung der Zivilgesellschaft und NROs hat, und auch die Zielgruppe der Begünstigten nicht über die nötigen Mittel zur Bezahlung der erbrachten Dienstleistungen verfügt.

Dieses Buch bietet Anregung (und konkrete Anleitung), die gesamte Spanne von Sponsoren (internationale, staatliche, Privatwirtschaft, philanthropische Stiftungen, etc.) zu erproben. Detailliert werden die generellen Interessen und Finanzierungsmöglichkeiten der verschiedenen Sponsoren behandelt. Wohl am spannendsten sind die verschiedenen "nicht-konventionellen" Quellen, wie der private, sozial oder philanthropisch orientierte Sektor, und die (neuerdings) von manchen Regierungen angewandten Schadensrechnungen zur Finanzierung von sozialen, armuts-reduzierenden, umweltbezogenen Programmen. Es fehlt auch nicht

an Empfehlungen für die Schaffung von finanziellen Polstern und Reserven, sowie der Empfehlung, Kleinkreditprogramme als mögliche Einnahmequelle für Organisationen der Zivilgesellschaft einzusetzen. Das letztere mag etwas illusorisch sein, denn wenige Organisationen der Zivilgesellschaft haben darin überhaupt je Erfahrungen gemacht. Des weiteren werden Spenden-sammlungen via Internet empfohlen, eine sicherlich neue Form, an eine breitere Gruppe von Unterstützern heranzutreten. Im letzten Teil des Buches wird strategische und " korporative" Planung der Aktivitäten empfohlen. Ein ebenfalls wichtiges Thema für Organisationen, die selbst in einem Prozeß der institutionellen Stärkung befaßt sind.

Dies ist zwar nicht das erste Buch dieser Art, doch es ist wichtig, da es neue Hinweise auf die neuesten Trends in der Sponsorenarbeit gibt. Und um es etwas ansprechender und persönlicher zu machen, kommen zahlreiche bekannte Persönlichkeiten des Südens zur Sprache, die den Themen dieses Buches ihre Reverenz erweisen.

Florian Steinberg

Detlef Kammeier & Harvey Demaine. Decentralization, Local Governance and Rural Development. 406 Seiten, ISBN 974-87652-3-7, 2000, ca US\$ 20.-. Asian Institute of Technology, P.O.Box 4, Klongluang, Pathumthani 12120, Thailand.

Die Publikation enthält überarbeitete Versionen aller Beiträge einer 1999 am MIT durchgeführten Konferenz, deren Co-Sponsor der United Nations Capital Development Fund (UNCDF) war. Obwohl über kommunale Dezentralisierung als langjähriger Schwerpunkt vieler Entwicklungsprogramme schon relativ viel publiziert wurde, ist diese Veröffentlichung in zweierlei Hinsicht bemerkenswert. Erstens beziehen sich die Mehrzahl der in Europa zugänglichen Veröffentlichungen zu dem Thema auf den lateinamerikanischen Raum (und Indonesien), wo früher mit der Dezentralisierung begonnen wurde und auch der Prozeß weiter fortgeschritten ist. Zweitens wird hier die ländliche Entwicklung angesprochen, während sonst Dezentralisierung fast ausnahmslos mit den städtischen Kontext in Zusammenhang gebracht wird.

Die Aufsatzsammlung ist in sechs Teile strukturiert: ein konzeptueller Überblick, Erfahrungen aus Indien, von dessen unmittelbaren Nachbarn Bangladesh, Nepal und Sri Lanka, danach aus den weiter östlich gelegenen Ländern Thailand, Laos und den Philippinen. Die Aktivitäten internationaler Zusammenarbeit stehen im fünften Abschnitt im Vordergrund, während konkrete Projekte des UNCDF im abschließenden Teil folgen. Da die Rahmenbedingungen in den einzelnen Ländern doch recht verschieden sind, ist es angemessener, jeden Länderbericht für sich stehen zu lassen, als gemeinsame Erfahrungen herauszuschälen zu wollen.

Kosta Mathéy

The World Bank (Hrsg.): Globalization, Growth, and Poverty – Building an Inclusive World Economy, A World Bank Policy Research Report, 2002, 174 S., \$25. The World Bank/Oxford University press, P.O. Box 960, Rondón, VA 20172-960, USA, (books@worldbank.org).

Dieses Buch will Streitschrift sein für die Notwendigkeit der (inzwischen nicht mehr aufzuhaltenden) Globalisierung. Und das Buch versucht die These aufrecht zu halten, dass die globale Armut einer grossen Anzahl von Ländern des Südens mit der Globalisierung besser bekämpft werden kann. Doch dazu bedarf es noch einiger Verbesserungen in der "Architektur" der Integration der Ökonomien, einer Stärkung der nationalen Institutionen, welche das Investitionsklima regulieren, und die sozialen Netzwerke kontrollieren. Im Bereich der Kultur, so unterstreicht das Buch, ist es durch die Globalisierung zu einer stärkeren Artikulierung nationaler Kulturen gekommen, aber gleichzeitig auch zu einer grösseren Nivelierung. Beim Thema Umwelt ist die Globalisierung der negativen Auswirkungen sehr bedrohlich, doch internationale Zusammenarbeit kann die grössten Probleme als internationale Projekte der Weltgemeinschaft in Angriff nehmen, wie das beim Thema Klimawandel und dem Rio+10 Prozess versucht wird. Um das Ziel einer auch die Armen inkorporierenden Weltwirtschaft zu erreichen, bedarf es einer Agenda von sechs Themen: (i) Handelsverträge und Offenheit für Importe aus dem Süden, (ii) verbessertes Investitionsklima in den Entwicklungsländern, (iii) verbesserte Gesundheitsversorgung und Ausbildung, (iv) Arbeitslosenunterstützung für die von der Umstrukturierung der Weltwirtschaft betroffenen Arbeitskräfte, (v) bessere und zielgerechtere Entwicklungshilfe, (vi) Schuldenablass. In wie weit dies schöne Wünsche (der Weltbank) sind, oder Politiken, die realistisch sind, bleibt dem Leser überlassen. Doch die Konsensfähigkeit dieser Vorschläge ist recht zweifelhaft!

Florian Steinberg

Ökologie

Kerry Turner, Ian Bateman. Water Resources and Coastal Management. 527 Seiten, ISBN 1 84064 222 X. Edward Elgar, Cheltenham, 2001. GB 125,-. WWW.e-elgar.co.uk.

Das dicke Buch sieht aus wie ein Konferenzband, ist es aber nicht: es handelt sich um einen Reader mit 33 zuvor woanders veröffentlichten Beiträgen zum Thema Küstenschutz. Dabei wurden die Texte nicht einmal einheitlich neu gesetzt, sondern die Ursprungsseiten – oft genug aus Zeitschriften – wurden nur verkleinert und reproduziert. Inhaltlich sind die Beiträge fünf Abschnitten zugeordnet. Der erste Abschnitt ist übertitelt mit 'Marine and Coastal Science' und als Einleitung gedacht, mit Definitionsklärung und Ähnlichem. Kapitel Zwei unternimmt eine Bestandsaufnahme über die von den Menschen verursachten Schäden und Risiken, worauf als nächstens

Thema Küstenmanagement vertieft wird. Im vierten Abschnitt wird der Versuch einer Quantifizierung von Schäden unternommen, und unterschwellig auch die Frage des damit eingehandelten Nutzens in den Raum gestellt. Teil Fünf schließlich ist geographisch ausgerichtet, wobei verschiedene 'regionale Meere' das Leitthema darstellen.

Der teure Band ist für Bibliotheken gemacht – wer sonst könnte sich den Kaufpreis leisten? Der Gehalt spiegelt den aktuellen Wissensstand wieder und erspart den Lesern mühsame Detailsuche in -zig Zeitschriften. Leider ist die Aufmachung stinklangweilig und Satz wie Druckqualität lassen zu wünschen übrig.

Kosta Mathéy

The International Bank for Reconstruction and Development / The World Bank. China: Air, Land, and Water. Environmental priorities for a new millennium. 149 S. ISBN 0-8213-4937-6; The World Bank, Washington, D.C.

Der vorliegende Band dokumentiert die Umweltentwicklung in der Volksrepublik China. In Zusammenarbeit zwischen der Weltbank und mehreren staatlichen Institutionen und Universitäten wurde eine Studie, die von den selben Institutionen 1992 durchgeführt wurde, mit den neuen Entwicklungen abgeglichen.

Die Studie ist in verschiedene Unterthemen aufgegliedert. Vom wirtschaftlichen Wachstum und seine Auswirkungen auf die Umwelt über das Management der Landressourcen, Wassermanagement, die Luftverschmutzung bis hin zum allgemeinen Umweltmanagement reichen die einzelnen Themenbereiche.

Alle Kapitel des Buches sind ähnlich aufgebaut. Zuerst kommt die generelle Bestandsaufnahme des jeweiligen Themenkomplexes, danach die Bewertung und die Empfehlungen für die zukünftige Entwicklung. Mit Fallbeispielen, Statistiken, und Diagrammen werden die Aussagen veranschaulicht. Die zum Verständnis der spezifischen Bedingungen in der Volksrepublik China notwendigen Hintergrundinformationen werden in separat eingeschobenen Textblöcken verdeutlicht. Im letzten Kapitel des Buches wird eine Umweltstrategie für die Zukunft vorgeschlagen. Ausgehend von der Kritik an den bestehenden Strukturen werden die notwendigen Schritte für das Ziel einer nachhaltigen Entwicklung aufgelistet. Da die Umweltprobleme in der VR China sich mit rasendem Tempo verändern, ist die vorliegende Publikation ein wichtiger Versuch einer Bestandsaufnahme. Bemerkenswert ist die Zusammenarbeit der unterschiedlichen Organisationen an der Erstellung des Reports. Für die zukünftige Verbesserung der Umweltsituation wird es aber auch darauf ankommen, dass wie im Buch gefordert, die Vernetzung mit in- und ausländischen Organisationen und NGO's vorangetrieben wird.

Eduard Kögel

Aktuelles / News

A New Platform for Urban Stakeholders: The UN's World Urban Forum. Report from the First Session of the World Urban Forum in Nairobi from April 29th to May 3rd, 2002

The title "global village" for our global community seems to be confusing when it comes to the village's top agency: the UN. Unless you are an expert, the UN with its seemingly numberless programmes, organs, agencies and conferences can become quite puzzling.

With the World Urban Forum the world community has recently received yet another body. Established in 2001 by the UN General Assembly during the Istanbul+5 conference, the Urban Forum serves as an advisory body to the UN in the implementation of the Habitat Agenda.

To understand the context, let us have a look back into recent UN history: It was in 1992 during the Rio "Earth Summit" when the General Assembly identified in the Agenda 21 the issue of human settlements as one of the key factors to social, economic and environmental development. Four years later, in 1996, the Assembly implemented on the Istanbul "Cities Summit" the Habitat Agenda to address the problems arising from the enormous urban growth and increasing urban poverty. The task to monitor the implementation of the Habitat Agenda was vested into the UN Centre for Human Settlement (UNCHS - lately renamed to UN-Habitat), and the UN Environmental Program (UNEP). Two separate forums were established to bring together various groups from all levels committed to urban development. These forums, the "Urban Environment Forum" and the "International Forum on Urban Poverty" were designed as think tanks fostering debate and discussion.

During the 2001 follow-up conference "Istanbul+5", the General Assembly confirmed in New York the commitment to the Habitat Agenda. As a move to facilitate participation in the implementation of the Agenda, it was decided to unify the two previous forums to a new advisory forum that would meet in alternate years to the UN-Habitat's Governing Council. This new World Urban Forum was designed to be an open-ended, non-legislative conference promoting international co-operation in shelter and urban

development. It would bring together in a single forum all Habitat Agenda partners: UN agencies, international development agencies and funds, local authorities, NGOs, and academic institutes. It would also offer grassroots-level community based groups the chance of participation and engagement in the formation of the Habitat Agenda process.

The first session of the Urban Forum was inaugurated on April 29th, 2002 by the Kenyan President Daniel Arap Moi at the UN-Habitat headquarters in Nairobi. With 1,200 registered participants from 80 countries the forum met wide interest. The broad range of backgrounds of the participants proved that the concept of the forum was well perceived. Right from the opening session the forum allowed a voice even to the poorest of the urban stakeholders: Hundreds of shack dwellers from all over the world gave an impressive and quite prolonged candle-light presentation from the galleries and frequently raised their issues in the consequent dialogues.

The five-day forum offered eight dialogues on various subjects reflecting thereby the working agenda of UN-Habitat: UN-Habitat's Global Campaigns on Urban Governance and Secure Tenure, its initiative "Cities without Slums", the City-to-City Cooperation, Decentralisation, Sustainability, Water and Sanitation activities as well as its Monitoring and Assessment Programme.

Emphasis was communicated by the participants on the need for empowerment as a key to sustainable development. It was stated that the perspective of empowering should include local communities but also extend to the empowerment of local authorities in respect to their legal duties.

Each dialogue was backed by a recent paper approved by the Governing Council the previous year. A panel of experts offered statements followed by open discussions. Although some dialogues lacked dynamism and tabled few new thoughts, all dialogues provided a good overview about current approaches and served as a starting point for consequent informal, broad-based networking.

Parallel events linked the Forum to practical exercises by offering excursions to programs in Nairobi, presentation of training

tools and techniques for participatory processes, book lounges etc.

The utter consensus on most of the topics was somewhat disappointing. One could wish that more alternative perspectives were present to promote more controversial discussions – possibly from those forces obstructing the Agenda implementation. Also, a more extensive inclusion of academic and research institutions into the forum would have helped to bring a wider range of new ideas and approaches to the debates.

The strong point of the Forum was definitely the ample opportunities to meet with all groups within the urban development process. South African's Minister for Housing and Chairperson of the Forum displayed the potential of the forum by inviting all South African participants to a working dinner and thereby setting the starting point for a joint working group for South Africa's housing issues.

The next Urban Forum is scheduled to take place in Barcelona in September 2004. The spirit of the forum will be shaped by Barcelona's leading role in assembling and heading local authorities. Barcelona might manage to attract the more conservative members of the urban development process to the forum: land owners, commercial developers and reluctant political forces. It is to wish that the event's proposed location in Europe might help to assimilate and streamline the programmes of UN-Habitat and its European and American counterpart organisations. This might help to create wider awareness in the rich countries of the settlement problems in the other parts of the global village.

*Matthias Ebinger (Nairobi)
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Sources

Agenda 21, 1992 – <http://www.un.org/esa/sustdev/agenda21.htm>
Habitat Agenda, 1996 – <http://www.unhabitat.org/unchs/english/hagenda/>
Millennium Assembly, 2000 – <http://www.un.org/millennium/>
Istanbul+5, 2001 – <http://www.un.org/ga/Istanbul+5/>
"Cities without Slums" initiative – http://www.worldbank.org/html/fpd/urban/urb_pov/up_body.htm
World Urban Forum – <http://www.un-habitat.org/uf/>

Ressource Architecture
Bericht über den XXI. Architektur-Weltkongress vom 22. - 26. Juli 2002 in Berlin



Der XXI. Architektur-Weltkongress der UIA (Union Internationale des Architectes) vom 22.- 26. Juli in Berlin war keine Show der internationalen Stararchitekten. Einige der „ganz Großen“ waren natürlich dabei, aber der Themenkomplex **„Ressource Architektur“** brachte auch ganz andere Akteure auf die Podien. Der erste Kongress nach der Jahrtausendwende nahm diese zum Anlass, um über die Zukunft unserer Umwelt - nicht nur der gebauten - samt ihrer Bewohner und die Verantwortung der planenden Berufe öffentlich nachzudenken.

„Ressource Architektur“ – das Thema unseres Berliner Kongresses ist von fundamentaler Bedeutung für die künftige Entwicklung der Weltkulturen und für unsere Berufsstand. Wir haben uns zur Aufgabe gemacht, auf einen nachhaltigeren Umgang mit natürlicher und gebauter Umwelt und auch auf eine gerechtere Welt hinzuwirken, die Obdachlosen und Minderheiten mehr Beachtung schenkt und die die Vielfalt der Architektur respektiert.

Vassilis Sgoutas
Präsident der Union Internationale
des Architectes (UIA)

Die Teilnehmerinnen und Teilnehmer des XXI. Architektur-Weltkongresses werden aufgerufen, Stellung zu beziehen, sich politisch zu engagieren und sich praktisch mit innovativen Lösungen zu betätigen.

Der UIA-Weltkongress nimmt Bezug

- zur **Umweltkonferenz** von Rio de Janeiro (1992),
- zur **Weltbevölkerungskonferenz** von Kairo (1994),
- zur **Habitat-Konferenz** von Istanbul (1996),
- zu den Forderungen des World Heritage Centre, und sieht sich auch als Fortführung der Diskussion über die Stadt im 21. Jahrhundert, der Konferenz **URBAN 21** vor zwei Jahren in Berlin.

(aus dem einleitenden Vorwort bzw. der Begrüßungsrede der Veranstalter)

Die spannendsten Veranstaltungen und die engagiertesten Diskussionen finden häufig vor und nach oder am Rande der Kongresse statt. Am Montag nachmittag, einen halben Tag vor der offiziellen Eröffnungsveranstaltung im Plenum, gab es bereits gut besuchte Arbeitsgruppen zu verschiedenen Themen. In der Veranstaltung zu Architectu-

re, Housing and Urban Planning wurde nach den Statements lebhaft und kontrovers diskutiert; es ging um Wohnungsversorgung, Basisbedürfnisse und deren Deckung (auch) nach Naturkatastrophen. Eine junge Architektin aus dem Publikum ergriff das Wort: sie arbeite in „post-conflict regions, früher auf dem Balkan, zur Zeit in Afghanistan. Das seien Situationen, in denen Leute wie sie zu Beginn ihres Einsatzes vor dem Nichts stehen; ratlos, wie anzufangen sei und wo die Prioritäten für den Einsatz von Zeit, Arbeit und materiellen Ressourcen liegen. Klar sei nur, dass es dringend ist und schnell gehen muss; die Menschen, für die sie arbeiten – Obdachlose, Flüchtlinge - haben so gut wie nichts und benötigen alles Lebensnotwendige. Zu einem späteren Zeitpunkt käme noch die schwierige Gratwanderung zwischen Provisorien und Dauerhaftigkeit hinzu. Diese Architektin richtete an die UIA den dringenden Wunsch nach Hilfestellung z.B. durch die Erarbeitung und klare Formulierung von Standards für „emergency architecture“. Ein Kollege aus Afrika fügte die Befürchtung hinzu, wenn die UIA sich nicht beeile, Minimalstandards für menschliches Wohnen und Stadtentwicklung auszuarbeiten, würden Computer dieses eines Tages ganz schnell erledigen. **Vassilis Sgoutas** sicherte zu, sich dieses Problems persönlich anzunehmen und für dessen Bearbeitung im wissenschaftlichen Komitee zu sorgen.

Das war so eine Sternstunde, in der Teilnehmer und Beobachter zuversichtlich glauben konnten, ein Kongress könne etwas bewirken und zur Lösung drängender Probleme beitragen.

An Stelle einer Resolution wie in früheren Jahren - 1993 in Chicago beispielsweise wurden bereits die ersten Forderungen nach Nachhaltigkeit formuliert und bis heute nicht erfüllt - hatte das wissenschaftliche Komitee der UIA 10 Fragen an den Kongress ausgearbeitet. Der Sprecher, **Karl Ganser**, stellte sie im Rahmen seiner Eröffnungsrede vor.

10 Fragen des Wissenschaftlichen Komitees an den XXI. Architektur-Weltkongress UIA Berlin 2002

1. Welche moralischen Werte begründen die Verantwortung der maßgeblich am Planen und Bauen Beteiligten?
2. Welche Bausteine zu einer neuen globalen Friedensordnung können Architekten mit ihren Architekturen anbieten?
3. Wie können die ökologischen Kosten der gebauten Umwelt mehr als bisher in Wirtschaftlichkeit internalisiert werden unter Beachtung der globalen Auswirkungen?
4. Wie können Innovationen in der Architektur auf Traditionen und (Bau-)Geschichte aufbauen?
5. Wie kann regionale Identität in Architektur, Wirtschaft und Gesellschaft als Mehrwert begriffen und modern fortgeführt werden?
6. Wie kann Schönheit in der Architektur zeitgemäßen Inhalten entsprechen und

**Otto Greger –
Out of Africa**

Mit großer Überraschung hat uns die Nachricht vom Tode Otto Greger's erreicht.

Otto war ein Mensch verschiedener Welten. In Berlin hatte er sein Grundlagewissen und ersten Erfahrungen gesammelt. In Angola dann die Praxis eines der Entwicklungsplanung, der regionalen Architektur und der Ausbildung gewidmeten Architekten. Angola wurde zu seiner zweiten Heimat, wo er die weitaus größte Zeit seines professionellen Lebens verbracht hat, wo er seine Frau kennenlernte und wo seine Tochter geboren wurde.

Für viele von uns war Otto nicht nur ein talentierter Kollege, sondern auch eine begeisternde Persönlichkeit mit vielen Interessen und dem Herzen am richtigen Fleck. Doch für viele war Otto auch Mensch, der so weit aus unserem Blickfeld geraten war... Er wollte nach Afrika, wollte dort bleiben, und sah seine Zukunft allein dort... Nur für seine letzten Momente ist er zurückgekommen nach Deutschland, und dann ganz von uns gegangen. Ein Ende wie von "Out of Africa".

Wir werden ihn vermissen.

Florian Steinberg

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zeitlose Gestalt annehmen?

7. Wie kann der gesellschaftliche Wert von Planung als ganzheitliche Denkweise im Verhältnis zu Einzelentscheidung und Einzelbauwerk gestärkt werden?
8. Wie kann nachhaltiges, ressourcensparendes Bauen zu mehr sozialer Gerechtigkeit beitragen?
9. Wie können Planen und Bauen die materiellen Ressourcen schonen und die geistigen Ressourcen der Schönheit und der Identität stärken?
10. Wie sollen Architekten Position beziehen, wenn politische Veränderungen notwendig sind, die Realitäten des Planens und Bauens aber alten Mustern folgen?

Zu Frage 3 machte **Herr Ganser** provozierende Vorschläge für die Durchsetzung ressourcenschonenden Bauens und den Übergang vom Verbrauchssystem ins System der Kreisläufe durch gesetzliche Auflagen wie eine Rücknahmeverpflichtung für Bauwerke und ihre Teile. So sollte jeder Bau nach Ablauf seiner Lebensdauer auf Kosten seiner Eigentümer entsorgt werden. Art, Ort und Umfang von Neubaumaßnahmen sollten stark reglementiert werden, um statt dessen die Umnutzung zu fördern.

Prof. Tay Kheng Soon aus Singapur schrieb in seinen differenzierten und bisweilen philosophischen Ausführungen zur wachstumsorientierten Globalisierung als „Re-Kolonialisierung“ und seinem Plädoyer für das wirtschaftliche Nullwachstum den Architekten eine bedeutsame Rolle zu, und sie dürften sich jetzt keinesfalls darauf beschränken, „die Liegestühle auf dem Deck der Titanic zurechtzurücken“.

Bundeskanzler Schröder ging in seiner Ansprache auf die Stadtentwicklung in den Ländern des Südens und in den Industrienationen ein, damit verbundenen Flächen- und Energieverbrauch und die notwendige Nachhaltigkeit sowie den möglichst flächendeckenden Zugang zu Bildung. Abschließend stellte er in den Raum, was Architekten und Politiker gemeinsam hätten, sei der Gestaltungsauftrag.

Prof. Frei Otto sah Architekten und Ingenieure als Dienstleister und Friedensstifter.

Der Architekt **Christoph Ingenhoven** betonte, Architektur sei keine bildende, sondern soziale Kunst.

Die Wichtigkeit der inclusive city / non exclusive city, also der „nicht ausgrenzenden Stadt“ als Voraussetzung für Entwicklung und sozialen Frieden prägte zahlreiche Vorträge. Dies galt gleichermaßen für Metropolen in armen wie in reichen Ländern.

Klaus Töpfer stellte zusammenfassend fest: „Die Konflikte der Zukunft werden nicht zwischen Staaten, sondern innerhalb der Städte stattfinden.“

Stadtentwicklung, Gesellschaft und urbane Problematik in Latein Amerika wurde durch zahlreiche Referent/-inn/en dargestellt; Asien war etwas weniger vertreten und Afrika deutlich unterrepräsentiert. Wer von den deutschen und europäischen Architekten und Ingenieuren in Entwicklungs- und Schwellenländern geplant oder gebaut hatte, referierte darüber.

Konsens bestand hinsichtlich der Notwendigkeit, zukünftig überwiegend lokal oder regional zur Verfügung stehende Baustoffe zu verwenden und möglichst wenig umweltbelastende, aber ggf. auch arbeitsintensive Technologien einzusetzen.

Optimismus verbreiteten Beispiele und Ideen für „Null-Energiehäuser“, jegliche Art der Verwendung nicht fossiler Energiequellen bis hin zu Solarkraftwerken in den Wüsten, die rein rechnerisch den Strombedarf der Erdbevölkerung decken könnten.

Selten wurde Architekten (und artverwandten Berufen) so viel Macht und so viel Verantwortung zugesprochen wie in diesen 5 Tagen. Von Bauherren, Investoren, Regierungen, Stadtverwaltungen oder auch Hilfsorganisationen als Entscheidungen treffende Instanzen war weitaus weniger die Rede. So entstand der Eindruck, innovative Konzepte und Projekte müssten nur überzeugend genug dargestellt werden, dann seien sie auch durchsetzbar. So einfach ist es leider fast nie. Um über alles blockierende politische Interessen und wirtschaftliche Verflechtungen zu lamentieren war der UIA Kongress wohl auch nicht die geeignete Umgebung. Der Enthusiasmus, mit dem bisweilen über globale Probleme, düstere Zukunftsvisionen und rettende Maßnahmen debattiert wurde, ließ manchmal vergessen, dass auf dieser Veranstaltung keine politisch relevanten Entscheidungen getroffen werden konnten; dass es sich, genau genommen, um ein weltweites Treffen eines Berufsverbandes handelte. ...auch wenn eine der Eröffnungsreden mit „The world is waiting for a message from us“ endete.

Natürlich ist es sehr zu begrüßen, dass jetzt den drängenden, existenziellen Fragen des Planens offiziell Raum gegeben wird, und es ist zu hoffen, dass die Zunahme der Aufmerksamkeit auch größere Handlungsspielräume eröffnet. Gleichzeitig ist es doch höchst bedauerlich, dass Themen wie soziale Gerechtigkeit, der Ressourcenhaushalt der Erde oder weltweite Wohnungsverorgung der Armen erst dann Bedeutung erhalten und nicht länger als „idealistisch“ belächelt werden, wenn einige, die in Architektenkreisen Rang und Namen haben, darüber sprechen. Die zahlreichen Kolleginnen und Kollegen, die sich seit vielen Jahren kompetent in den erwähnten Themenkreisen engagieren, konnten bisher nie diese Öffentlichkeitswirkung erzielen.

Antje Wemhöner, Berlin

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Berührbare

„Unberührbar“ (Datis) zu sein heißt, respekt zu sein. Für Mädchen und Frauen ist dies besonders dramatisch: Sie können misshandelt, vergewaltigt und getötet werden, ohne dass die Täter zur Rechenschaft gezogen werden. BRFD, die „Gesellschaft zur Ausstellung und Entwicklung auf dem Lande“ in Indien, verteidigt die Menschenrechte der Datis und macht ihnen Mut, sich gegen Vandalen zur Wehr zu setzen. „Gut für die Welt“ unterstützt dieses und viele andere Projekte für Menschenrechten und Berechtigten.

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September 16 -19, 2002 in Arusha, Tanzania 8th International Conference on Wetland Systems for Water Pollution Control. Organised by the University of Dar es Salaam. Contact: Prof. J H Y Katima, P.O. Box 35131, Dar es Salaam, Tanzania; ☎ (255 22) 241 0365, Fax: 241 0379; <wet-conf@cpe.udsm.ac.tz>; www.udsm.ac.tz/faculty/foe/wetlands/conference2002.html

September 23 - 26, 2002 in Oxford, U.K. 5th Symposium of the International Urban Planning and Environment Association. Organised by the Oxford Centre for Sustainable Development and the International Urban Planning and the Environment Association. Contact: Maureen Jones; ☎ (44 1865) 484 870, Fax: 484 884; <mljones@brookes.ac.uk> www.brookes.ac.uk/upe5

September 23 - 25, 2002 in Oslo, Norway Sustainable Building 2002 (SB02): The 3rd International Conference. Organised by the Norwegian EcoBuild Program and the Municipality of Oslo. Contact: Trine Dyrstad Pettersen, SB02 manager, ☎ (47 22) 965 541 <trine.pettersen@byggforsk.no> or: Synnove Brekke, SB02 secretary, ☎ (47 22) 979 830. <synnove.brekke@grip.no> www.sb02.com

October 7, 2002 in Brussel, Belgium World Habitat Day (WHD). The theme for this year's WHD is "City to City Cooperation". Contact: Mr. Sharad Shankardass, Spokes-person or Ms. Zahra A. Hassan Media & Press Relations Unit, UNCHS-Habitat. ☎ (254 2) 623153, Fax: (254 2) 624060. <habitat.press@unhabitat.org> www.unhabitat.org

October 8 - 10, 2002 in Sion, Switzerland. International Conference: Mountains - Sources of Water, Sources of Knowledge. Organised by the Alps, Environment and Society Group at the University Institute Kurt Böschi, Sion. Themes: water as a public good; climate change and mountain hydrology; water-related disasters in mountain regions; water pricing and water markets; water use and international conflict. Contact: ☎ (41 27) 205 7300, Fax: 2057301 <mery.bornet@iukb.ch> www.montagne2002.ch/AlMFR/Projets/iukb1.htm

2nd World Convention for Sustainable Local Development, scheduled for **October 18- 27, 2002 in Portugal**, will be postponed to 2003.

Contact: Francisco Botelho, <frbotelho@inde.pt> www.delos-constellation.org

Oct. 29 - Nov. 1, 2002 in Bishkek, Kyrgyzstan Global Mountain Summit. Feature event of the International Year of Mountains. Organised by the UNEP Mountains Programme. Contact: Andrei Iatsenia, UNEP Mountains Programme Coordinator; ☎ (41 22) 917 8273, Fax: (41 22) 917 8036; <iatsenia@unep.ch>; www.globalmountainsummit.org/

November 7 -10, 2002 in Florence, Italy European Social Forum (ESF): Another Europe is possible" - one of the continental forums within the Porto Alegre / World Social Forum (WSF) process. Three axes: Economic Liberalism - War/ Peace - Rights/ Democracy/ Citizenship. Discussion points: Europe's relationship with the world; natural resources; democracy and sovereignty; economic alternatives; conflicts. Registration deadline is October 15, 2002. Contact and registration: www.fse-esf.org

November 16, 2002 in Darmstadt, Germany TRIALOG-Jahresversammlung und Konferenz 2002: "Urban sprawl / land management". Contact: Kosta Mathey, TH Darmstadt; <KMathey@aol.com>; www.trialog-journal.de

November 17, 2002 in Darmstadt, Germany TRIALOG Mitgliederversammlung 2002. Contact: Gisliind Budnick, ☎ (49 711) 607 1965, <gb@trialog.de.eu.org>; www.trialog-journal.de

November 21- 23, 2002 in Paris, France N-AERUS Annual Workshop: "Beyond the Neo-liberal Consensus on Urban Development: Other Voices from Europe and the South. Organised by the Network-Association of European Researchers on Urbanisation in the South (N-AERUS). Contact: Michael Mattingly / Liz Riley, N-AERUS coordinators; <naerus@naerus.org> submission of abstracts: Alain Durand-Lasserre, <a.durand-lasserve@wanadoo.fr> www.naerus.org

December 6 - 7, 2002 in Berlin, Germany 2002 Berlin Conference on the Human Dimensions of Urban Environmental

Change: "Knowledge for the Sustainability Transition" Organised by the German Political Science Association (DVPW). Contact: Sabine Campe, Manager, 2002 Berlin Conference, c/o Global Governance Project, P.O. Box 60 12 03, D-14412 Potsdam, Germany; <sabine.campe@pik-potsdam.de>; www.environmental-policy.de

December 9 - 12, 2002 in Florianopolis, Brazil 4th International Congress on Environmental Planning and Management in Urban Centres - ECO URBS 2002. Organised by Instituto Ambiental Biosfera. Emphasis will be given to policies, guidelines and actions in the areas of environmental sanitation, housing, transport, energy and tourism. Contact: Instituto Ambiental Biosfera, Rua Uruguaiana, 39, Bloco A, 24° andar, Grupo 2401B, Centro, 20.050-093 - Rio de Janeiro - RJ; <biosfera@biosfera.com.br> www.biosfera.com.br/ecourbs.htm

January 23 - 28, 2003 in Porto Alegre, Brazil World Social Forum: "Another world is possible". Organised by ABONG, ATTAC-Brazil, Centre for Global Justice, CIVES, Brazilian Justice and Peace Commission, CUT, IBASE, MST, etc. Contact: www.portoalegre2003.org/publicue/ or: www.forumsocialmundial.org.br/

May 22 - 24, 2003 in Shanghai, China International Conference on Energy and the Environment. Organised by the University of Shanghai for Science and Technology and George Washington University. Contact: Daoping Liu, ☎ (86 21) 6568 9564, Fax: (86 21) 6568 0843; <dpliu@online.sh.cn>; www.gwu.edu/~eem/ICEE/firstpagenew.htm

10 -12 December 2003 in Geneva, Switzerland World Summit on the Information Society (WSIS) Organised by a High-Level Summit Organizing Committee (HLSOC) under the patronage of Kofi Annan. The focus of the Information Society Summit is not technology but the human being - it is not enough to be connected to resolve the fundamental problems that exist in the world. Contact: Executive Secretariat - Civil Society Division, ☎ (41 22) 730 6304, Fax: (41 22) 730 6393; <info@geneva2003.org>; www.itu.int/wsif/