

## **The right to freedom from displacement – Practical implementation and challenges**

**By Anders Lund Hansen and Eric Clark<sup>1</sup>**

[B]asic rights such as the freedom from ... forced migration ... are essential to every life.

(Barnett, Matthew and O'Brien 2010, 19)

The forced eviction of individuals, families and communities from their homes and lands ranks amongst the most widespread human rights violations in the world.

(COHRE 2009, 7)

### **Introduction: the right to the city and the right to freedom from displacement**

The right to the city 'provides a major opportunity to improve and expand human rights' (Global Platform for the Right to the City 2016, 6). It not only 'boosts the implementation of already existing human rights in cities and human settlements,' it also extends these to include spatial inclusion, as classic human rights 'do not tackle the impact of spatial exclusion. ... Thus the need to address spatial exclusion from a rights-based approach. The right to the city provides an alternative framework to re-think cities and urbanization, trying to minimize social and spatial injustices stemming from the commodification of the city and of its public spaces' (ibid. 7-8). As core components of the right to the city, spatial inclusiveness and spatial justice involve issues pertaining to what we call the right to freedom from displacement.

The right to the city was initially formulated by Henri Lefebvre in 1968 (1996, 173-4) as the right 'to habitat and to inhabit. The right to the oeuvre, to participation and appropriation (clearly distinct from the right to property).' Lefebvre saw 'the city as an oeuvre – a work in which all its citizens participate' (Mitchell 2003, 17). Very little was made of this idea until over a quarter century later when it came out in English translation. Human geographers Mark Purcell (2002, 2008), David Harvey (2003, 2008, 2012) and Don Mitchell (2003) were especially vocal interpreters and

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proponents of Lefebvre's innovative concept, which rapidly spread after the turn of the century (Brown and Kristiansen 2009).

'The right to the city', says Harvey (2008, 23) 'is far more than the individual liberty to access urban resources: it is a right to change ourselves by changing the city. It is a common right rather than an individual right since the transformation inevitably depends upon the exercise of a collective power to reshape the processes of urbanization. The freedom to make and remake our cities and ourselves is . . . one of the most precious yet most neglected of our human rights.' Being a common, rather than a private right, exercising the right to the city involves 'a social practice of commoning. ... At the heart of the practice of commoning lies the principle that the relation between the social group and that aspect of the environment being treated as a common shall be both collective and non-commodified – off-limits to the logic of market exchange and market valuations' (Harvey 2012,73).

As a right to habitat and to inhabit, the right to the city involves collective creation of our niche, our built environments and modified landscapes. And for this it involves the deepening of democracy and the de-commodification of urban space, making room for the common construction of place. With the deepening of democracy comes the necessity to fully recognize the conflictual agonistic nature of all urban change, so we are not dealing with an easy peaceful process, but rather one in which 'conflicts between competing articulations of rights and privileges in cities' are politically foregrounded (Pierce et al. 2016, 79).

Our urban research has focused on processes of gentrification, primarily in Scandinavian cities. An important dimension of the right to the city which has consistently appeared in our empirical studies is the right to freedom from displacement, since gentrification commonly entails displacement of previous residents. Displaced people are excluded from the right to the city. Our focus here will be on this narrower issue, which is thorny enough without the wider scope of the right to the city. We argue that an important characteristic of a Human Rights City is the extent to which the right to the city is institutionally anchored, especially regarding the component right to freedom from displacement.

## **Displacement**

Dispossession and displacement have made their imprint on the lives of uncounted millions, and continue to pose a grave threat to security for many more. Uncounted because they have been made invisible by not being counted: states calculate volumes of variables in national statistics, but are loath to tally displacement. This reluctance to register such painful processes is rooted in the condition that these acts of violence are commonly sanctioned by the state and inflicted upon undesired minorities and marginalized low-income communities.

Documenting and researching forced evictions and displacement is challenging (Atkinson 2000, Hartman and Robinson 2003, Lees, Slater and Wylie 2008), but given their devastating consequences for people (Fullilove 2004, Porter

2009), it is not surprising that the challenge is taken up. As David Smith (1994, 253-4) put it, 'Losing one's place can be much more traumatic than simply changing location.' Finding cases is not difficult: 'the tragedy is that there is so much from which to choose.' Conservative estimates based on reported cases of forced evictions suggest very large numbers globally, and these do not include other less flagrant forms of displacement and dispossession through the ball and chain of the market. Just the displacement associated with the Beijing Olympic Games reached over 1.5 million, not including approximately 400,000 migrants 'whose homes were demolished to make way for massive transport infrastructure development.' COHRE (2009, 11) also notes that Beijing authorities 'used propaganda, harassment, repression, imprisonment and violence against those who questioned or protested against the involuntary displacement.'

Peter Marcuse (1985) estimated that between 1.5 and 3.5 % of the population of New York City were displaced annually. This is between 100,000 and 250,000 people, in one city alone, every year. This resonates with Newman and Wyly's (2006) estimates for the 1990s. Other cities with other social, political, legal and institutional histories experience more or less displacement in order to make space for urban redevelopment in the form of gentrification (commonly presented as 'revitalization', 'regeneration', 'beautification' or the like), infrastructural mega-projects, mega-events, or other 'improvements'.

These are dispossessions through displacement. But dispossession takes many other forms as well. The ascent of market fundamentalism to global hegemony in recent decades has radically changed the landscape of human vulnerability and security (Block and Somers 2014). Its successes in massive global and national redistributions of income and wealth have enriched the few while leaving most of the population more vulnerable, less secure, and at greater risk of suffering. The main means of redistribution have been privatization and financialization.

## **Financialization**

More than the mere growth of a sector, financialization is a process of 'widening and deepening the reach of financial interests' (Pike and Pollard 2010, 33), penetrating and transforming territories, economic spheres and actors. Its significance stems from advances into aspects of life commonly considered more social, cultural and environmental than economic or financial. Things are financialized when they are treated above all as financial assets from which revenues flow merely due to possession. This is why property rights and privatisations are essential to financialization as an expansive process whereby land (nature, 'the environment') and elements of built environments become real estate. The same can be said today about music, words, ideas, organisms and ourselves, as 'intellectual property rights', bio-prospecting and branding open up new spheres for financial 'earnings' through speculative '*investment*'. Financialization involves the subordination of use values to exchange values, in sphere after sphere, thereby

expanding the volumes of '*investment opportunities*' for ever more concentrated centres of financial wealth.

Establishment of private property rights in land – in its broadest sense including bodies of water and elements of land commonly called natural resources – creates a foundation for the commodification of environments by judicially and administratively rendering specific parts tradable on markets, where their exchange value can guide decisions on '*investment*'. The rent-seeking behaviour of finance capital and landed developer interests drive the formation of market relations through privatization and commodification of built and natural environments, extending the process wherever property relations retain the characteristics of commons. Environments are securitized and enter the orbit of finance capital as potential sites for '*investment*', or disinvestment, depending on their expected yield to shareholders. This is a cornerstone of market fundamentalist politics (Block and Somers 2014).

Financialization is a process whereby privatization, commodification and securitization of the environment allow for the penetration of financial control and decision-making into the fabric of societies and (built) environments (Clark et al. 2015, Lund Hansen et al. 2015). It has involved 'the phenomenal expansion of financial assets relative to real activity (by three times over the last 30 years)' and 'the absolute and relative expansion of speculative as opposed to or at the expense of *real investment*' (Fine 2013, 6, emphasis added). Ever in search of new fields to securitize and invest in, the financial sector actively engages in creating conditions for this expansion, entailing enclosures of resource commons and the displacement of people, their livelihoods, knowledge and practices.

We emphasize investment because, as Sayer (2015, 34-6) convincingly argues, it is 'the most dangerously ambiguous word in our economic vocabulary.' Masking the difference between wealth extraction and wealth creation, it camouflages the former as the latter. Sayer distinguishes object-oriented definitions that focus on what is invested *in* (enabling production of new use values in goods, services and skills) from 'investor'-oriented definitions that focus on 'the financial gains of the 'investor' from any kind of spending, lending, saving, purchase of financial assets or speculation – regardless of whether they contribute to any objective investment, or anything socially useful.' The slippage between these usages is a source of mystification, concealing the subordination of use value to exchange value, while obscuring the moral difference 'between contributing to the creation of something useful and just getting a return, no matter what.' Sayer associates the rise of exchange-value-oriented 'investment' relative to use-value-oriented investment to 'the emergence of 'financialised' capitalism, which prioritises making money out of money, instead of the tricky business of organising people to produce goods and services. It's truly extraordinary that we treat these different things as one and the same without even noticing.' Such are the confusions generated by financialization as use values become reduced to exchange values.

Finance capital claims to 'see the world as full of potential', indeed, to 'see potential everywhere' (HSBC billboards). Financialization reaches into everyday life as we increasingly consider our homes, our education, and even ourselves, as financial assets we 'invest' in for the sake of financial returns (Martin 2002, Michaels 2011). It reaches into education systems, healthcare, infrastructure of various kinds, urban planning as well as political life: wherever exchange-value-driven decision-making displaces use-value-oriented decision-making.

The right to the city is especially important under conditions of financialization, as it seeks to reduce the powerful 'control by capital and state elites over decisions regarding the organization and management of the city and its spaces, and reconfigures urban space, land, and property in a manner that maximizes **use-value** for all inhabitants' (Global Platform for the Right to the City 2016, 5). Curtailing financialization is a precondition for securing the right to the city in general, and especially the right to freedom from displacement.

### **Even in Sweden**

These are not only peripheral processes taking place in the frontiers of modernization and the margins of urbanization: they prevail also in the central nodes of 'advanced' societies and affect broad swaths of global population (Clark and Lund Hansen 2012). Let us take a brief look at Sweden. Certainly, the above concerns must come across as alarmist in an exemplar of the European welfare state. Or do they? Sweden has experienced a marked transformation during the last thirty years (Ryner 1999, Blyth 2001, 2002). Especially in the field of housing, market fundamentalism in Sweden succeeded in dismantling the protections of habitation established during the middle decades of the twentieth century. Political reforms have radically changed the political economic landscape of housing for both households and agents in structures of housing provision (Lindbom 2001, Clark and Johnson 2009, Baeten and Listerborn 2015). Sweden's leading real estate economists observe that Sweden has 'gradually become one of the most liberal market-governed housing markets in the Western world' and conclude that 'state engagement is substantially less in Sweden than in the homelands of market liberalism, Great Britain and the United States' (Lind and Lundström 2007, 129, our translation).

Real rents in Sweden increased 73 % during the 1990s, while real costs for owner occupation dropped by 8 %. Many economists and politicians said this is simply market forces. But Uppsala economist Bengt Turner (2001) calculated that 90 % of the increase in rents was due directly to political decisions, including regressive taxation policies burdening rent while benefitting owner occupiers. A governmental whitepaper concluded that housing policies were 'in practice subsidizing economically strong households' (SOU 1996). Housing construction fell to the lowest level since World War II. Vacancies increased along with the population, a growing segment of which had increasing difficulties affording adequate housing. Crowded housing conditions increased for the first time since the 1930s. Homelessness has multiplied. In a more recent penetrating analysis, Brett Christophers (2013, 888)

reached ‘the conclusion that, as currently configured, the Swedish housing system serves as a decisive mechanism for the creation, reproduction and intensification of socio-economic inequalities.’

Together with market fundamentalist policies in other spheres, not least taxation and privatization, this period is characterized by marked social polarization, with clear geographic manifestations. During the early 1990s, the Swedish economy experienced negative growth and an economic climate worse than during the depression of the 1930’s (Swedish Government 1996). Polarization escalated, as both super-gentrification (rich areas getting markedly richer) and low-income filtering (low income areas getting markedly poorer) doubled in Sweden’s three largest cities (Hedin et al. 2012, Clark 2013). For some, the crisis proved to be very lucrative. During the 1990s, real incomes of the richest 10 % in Sweden increased by 47 %. The richest 5 % enjoyed increased real incomes of 66 %. The 10 % at the bottom of Swedish society experienced a 5 % decline in real income. Sweden’s gini-coefficient was 2.1 in 1989. In 2007 it had grown to 3.3. (By comparison, the USA has 4.1, Brazil 5.7 and South Africa 5.8.)

Inequality is important because it is correlated with a broad array of social and health problems, and with trust, democracy and willingness to assume social and environmental responsibility (Rothstein and Uslander 2005, Wilkinson and Pickett 2009). Inequality is however ‘not just about the size of wallets. It is a socio-cultural order, which (for most of us) reduces our capabilities to function as human beings, our health, our self-respect, our sense of self, as well as our resources to act and participate in this world’ (Therborn 2013, 1). The costs are immense: human suffering, unrealized flourishing, disabled democracy, impaired trust, loss of solidarity and security, and a whole raft of social, psychological and physical health problems.

What makes inequality relevant for the right to freedom from displacement is that concentrations of wealth drive urban redevelopment as the wealthy seek ‘investment’ opportunities, while those weakened by polarization become more vulnerable to displacement by urban redevelopment: their homes and livelihoods cannot compete in the spatial market with ‘higher and better’ uses geared to expand the rentier revenues of financial and developer interests.

‘Renoviction’ refers to the connection between renovation of housing stock and eviction of tenants, either directly or due to increased rents. Irena Molina and Sara Westin (2012) have studied this process in Sweden, and their findings suggest Swedish housing politics geared to privatization and marketization has been a key driver behind renovictions. Some 300 000 ‘Million Program’ housing units have been targeted for renovation. What appears to be a welcome upgrading of deteriorated housing estates turns into a vehicle for displacement. Emil Pull (2016) shows how renovation of many Million Program housing units has led to displacement following steep rent increases, in some cases as high as 80-100%.

Taking human rights seriously today means seeing the impacts of privatization and financialization on societies in terms of dispossessions and displacements, and establishing a politics that effectively counters these processes. The lack of safeguarding the right to freedom from displacement in both developing countries and in the back yards of rich countries is a problem 'we greatly contribute to through the policies we pursue' (Pogge 2001, 22). Policies have more contributed to than hindered the commodification of space, thereby facilitating the flow of capital seeking 'investment' opportunities and exacerbating the threat to homes and livelihoods of millions upon millions vulnerable to displacement. Countering the forces involved in forced displacement will require legal, policy and institutional innovations to curb the commodification of housing and land (Smith 1994, Slater 2009) while establishing and safeguarding the right to the city and the right to stay put (Hartman et al. 1982, Hartman 2002, Newman and Wyly 2006, Slater 2011).

Freedom to move is important for human development (UNDP 2009). Freedom from dispossession, displacement and forced mobility is at least as important. For security we need a right to stay put, a right to place. Freedom from displacement is a basic precondition for exercising the right to the city.

## **Implementation**

Many of the conditions underlying forces that generate violations of the right to freedom from displacement are beyond the control of either local authorities or community organizations. To move in the direction of securing and safeguarding the right to the city and the right to freedom from displacement, national and international/transnational organizations must be involved. But there is much that can be done at the municipal and local neighborhood scale. We have limited experience in action research, and space does not allow for thorough summary of how efforts to secure and safeguard the right to freedom from displacement have been implemented. We highlight here four publications that build on and summarize in handbook fashion the practical efforts, experiences and advice from the field of struggles to deepen democracy and resist displacement. There are undoubtedly more. Sharing these with other places can be helpful.

*Displacement: how to fight it* (Hartman et al 1982) is a classic that covers a wide array of issues, summarizing strategies and experiences of resistance. It is dated and specific to the contexts of US cities, but continues to provide insights and inspiration. A more up to date effort (also from the Berkeley – San Francisco area) is the Urban Displacement Project at <http://www.urbandisplacement.org/>.

Tom Angotti's (2010) *New York for sale: community planning confronts global real estate* brilliantly illustrates how progressive community-based planning – through struggle, conflict and genuine participatory democracy – can challenge the hegemony of real estate, even in the self-proclaimed 'real estate capital of the world', New York City. It confirms the idea that saying no is seldom sufficient: developing realistic community plans through the laborious efforts of practicing democracy can however sometimes succeed – in New York, surprisingly often.

*Staying put: an anti-gentrification handbook for council estates in London* (2014) is a joint effort by the London Tenants Federation, Professor Loretta Lees, Just Space (network of voluntary and community groups) and the Southwark Notes Archive Group (see link in references). It explains why renovation of council estates often results in displacement and provides 'ideas, stories, tools and resources' to resist displacement. The final section includes suggestions for alternative modes of organizing. It proposes 'ways of using the planning process by and for local communities (community planning, neighbourhood planning and lifetime neighbourhoods), continues with the alternative to the demolition of council estates (including housing co-operatives and community land trusts) and ends with recent examples of refurbishment and community-led self-build as alternatives to demolition'.

Of similar format, and much closer to home, is *Rätt att bo kvar: en handbok i organisering mot hyreshöjningar och gentrifiering* (Thörn et al 2016). All practical measures that contribute to deepening democracy, reducing inequalities, de-commodifying urban space and enhancing common construction of place will be implementations conducive to establishing and safeguarding the right to freedom from displacement. Urban labs as new and rapidly growing component of urban governance provide considerable potential as forums for neighborhood organizations to take actions to safeguard the right to stay put.

## **Challenges**

Curtailing and reversing financialization and related processes of privatization and commodification of urban space constitute major challenges. Communities and community planners commonly face uphill battles with powerful real estate interests in constant search of new redevelopment projects, often in collaboration with local governments. Co-optation and misrepresentation also constitute challenges. Internal 'turf wars' reflecting cultural, demographic and economic diversity characterize many 'communities'. Ability to deal with discordance is thus a key challenge for practicing the right to the city.