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## **CHANGES IN NEW AND OLD INFORMAL URBAN SETTLEMENTS IN BOGOTA: LOGIC OF NEED AND LOGIC OF THE MARKET: TWO CASE STUDIES**

### **Zmiany w nowych i starych nieformalnych osiedlach miejskich w Bogocie: logika potrzeb i logika rynku: dwa studia przypadku**

**Abstract:** Urban policies conceive informal urbanization as a phenomenon to be eliminated or regularized. However, the “informal city” does not exist separately from formality, so it is necessary to understand how its actors, institutions and social arrangements function. This article, resulting from research<sup>1</sup>, shows the changes produced in the motivations for the formation and destiny of old and new informal neighborhoods in Bogota in the light of a comparison between the Potosi neighborhood and the El Eden neighborhood.

The objective is to show that the way in which the State assumes urban informality, far from meeting the needs of access to land and housing for the poorest people in the cities, generates a vicious circle where, on one hand, illegal economies win, from the illegal appropriation of land and its subsequent commercialization by “*Tierreros*”<sup>2</sup> and “*Urbanizadores Piratas*”<sup>3</sup>; and on the other hand, the logics of need and the logics of the market overlap in access to land and housing in informal conditions.

**Key words:** Urban Informality, Dual City, Territorialities, Temporalities, Public Policy

## **INTRODUCTION**

This article works on the changes that have occurred in informal urban settlements, based in two cases in Bogotá city. The research questions are: ¿What are the changes that have taken place in informal urban settlements in the last 30 years? ¿What do these changes correspond to? and ¿What

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<sup>1</sup> This article is the result of research from the project “Cities as scenarios for social inclusion”, which is part of the scientific program of Inclusive Formal Economy made up of nineteen institutions from the academic, social and economic sectors in Colombia; that “seeks to investigate causes and consequences of informality, in order to improve understanding of the phenomenon, formulate, design and implement programs that help improve policy recommendations aimed at addressing it” (Alianza EFI, 2018).

<sup>2</sup> “*Tierrero*” is a person or group of people who appropriate public or private property in order to divide it into lots for sale to people looking for land to build housing.

<sup>3</sup> “*Urbanizadores Piratas*” are people or groups, who are owners of a private property, but for environmental reasons, physical risk or because they are outside the level of home public services, they cannot use or sell these lands for housing projects. However, they subdivide the land into lots and later sell them at prices below the formal market price of the land, to individuals or families looking for options to build homes at lower prices.

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perspective and understanding of the situation of urban informality has the authorities of Bogotá to face the changes in the informal land occupation in the neighborhoods?

To carry out the research, depth interviews were used with current inhabitants, people who acted as founders of the neighborhoods and still live in them, and other actors who have come to the neighborhoods looking for profitable investment options in homes or commercial lots. Non-participant observation sessions and participation in community activities were also held on various days and times. This information was complemented with documentary information from the city about Ciudad Bolívar, where the two neighborhoods under study are located, and the analysis of the legislation on informal construction in Bogotá.

The working hypothesis is that the logic of informal occupation of the land for housing construction has changed from the logic of necessity to the logic of the market, although without completely replacing it. These changes are reflected in the social organization, the social dynamics in the neighborhoods, the value of the properties and the present and future destiny of these neighborhoods as habitat options.

It was also found that despite than many years passed, the authorities of the city have not been able to overcome the dualism of the city, and their lack of recognition of informality as a way of life are promotes market logic in informal urban settlements.

## **THEORETICAL PERSPECTIVE OF THE RESEARCH**

### **Urban Informality and Dual City**

Urban informality has been associated with unfavorable conditions, loaded with prejudice (Gouverneur 2016). The terms to name this informality are not only pejorative, but also generate the imaginary of exclusion that has been socially attributed to its inhabitants and all the social dynamics they host (Gouverneur 2016; Perlman 1976).

However, informal neighborhoods not only have these characteristics, but also build progressive changes in physical and social transformations derived from individual and collective efforts, accompanied by the emergence of entrepreneurial dynamics, cultural expressions and complex social structures, which enrich the dynamics of the broader urban context (Gouverneur 2016; Roy 2005; Roy 2005).

This research assumes the concept of urban informality from two complementary perspectives: that of Al Sayyad (2003) for whom informality is a “new way of life” and organization that makes sense in the neoliberal paradigm, as a key piece to track market liberalization; and, that of Goldstein (2016) who assumes it as “absent presence of the State” making allegory to the imperfect regulations from which informality arises and that shape the rules within it as part of a need for order of its members.

The study of informal neighborhoods involves the analysis of territory from Saquet (2015) and Dematteis (1964, 1967, 1969 and 1970), as a product of social relations crystallized in economic, political and cultural territorialities, in a historico-critical and relational conception. In the same line, Raffestin (1977, 1980 and 1993) approaches the territory as a historical material product of society-nature relations carried out by semiological, technical and technological mediators, allowing to account for the territorial transformations resulting from the territorialization process and the territorialities experienced by each social group in their space-time relationships.

All these relationships, appropriations and practices are constructed and redefined by the actors over time, since they are lived concomitantly and differently with different rhythms and intensities depending on the moment in which they arrived at the settlement, the status with which they arrived (invader, buyer, tenant, etc.), the resources they had at their arrival, and the possibilities or degrees of freedom they had to choose that location. These elements are clear when contrasting the origins and developments of the two neighborhoods.

Raffestin affirms that territoriality is the fruit of work, understood as the exchange of energy and information between people and ownership of a part of land. It follows that territoriality is not fixed, but varies over time, according to each stage of social life, always linked to the control of people and objects, and therefore generates different landscapes. The landscapes of informal neighborhoods such as Potosi and Eden sector 2, are the social projection in space of the integrated system of relationships between men, spaces and time that varies depending on the moment in which the neighborhood is, from its early appearance, through its consolidation, its legalization and its incorporation into the formal real estate market of the city.

From the work of Dematteis, Quaini, Santos, Saquet and Raffestin we can experience two kinds of time in space: the time of coexistences (Dematteis 2008; Quaini 1973; Saquet 2015; Raffestin 1993), where simultaneities are observed in space, through processes occurring at the same time, in the same place or between different places, apprehended only through a relational approach; and, historical time as a continuous flow, where it is possible to define periods, beginnings and ends in an approximate manner. This difference of time allows us to see it not only as duration and movement, but also as leaps and surpassings in the dialectical perspective worked by Lefebvre (1995). The unity of these times is in the space-time relationship.

In informal neighborhoods there is a heterogeneity of times and territories in their history. The modalities of occupation did not arrive in Potosí and Eden sector 2 at the same temporal moment. In Potosí, the first settlers arrived as invaders and the following ones as buyers; today they arrive as investors in the real estate market. In contrast, in El Edén sector 2 the inhabitants arrive as buyers from the beginning and quickly become investors in the real estate market, in a period of time of less than ten years. Thus, the times take place in different places and simultaneously, with slower or faster rhythms (Saquet 2003, p. 19–21).

When studying the origin, construction and consolidation of these two settlements, their processual and coexistent transtemporality is highlighted. The processual transtemporality corresponds to the phases, successions, periods and historical moments that have given rise to the neighborhoods, or as Quaini would say, the recognition of the peculiarity of the facts of settlement, of the constructions and of the rhythms of development, without losing sight of the unity of human phenomena (Quaini 1973, p. 720). The coexisting transtemporality is translated into temporalities-rhythms, trans-multiscalarities and trans-territorialities that occur in the same or between different neighborhoods, although always related in unity.

We can observe in the neighborhoods times of long duration and slower pace in both settlement and consolidation, which coincide with short times of faster rhythms in the provision of services or access to transportation. There is a processuality and plurality of rhythms, or an unequal accumulation of times. In the two neighborhoods we find constructions of the origin of the settlement without almost any modification, coexisting with recent buildings. The neighborhood brings together the synthesis of past-present-future concomitantly. The changes operated in the territory are evidenced in the continuities and movements. The deterritorialization shows us the ruptures, transformations and movements. For these cases, the actors buy or sell the lots and houses, and in doing so they deterritorialize and reterritorialize them in the land market circuits by means of exchange. This signals shifts between the logic of need and the logic of the market.

In these transits there is loss and reconstruction of identity, such as identity differences between the founders of the neighborhoods and those who arrive as buyers of already formalized land; changes in the power relations between those who lead the processes and those who follow them; cultural, economic and political elements that are reterritorialized and differentiate the territory from the geographic space.

All these concepts and approaches will be evidenced in the changes operated in the territory observable from the comparison between the neighborhoods Potosi and Eden sector 2 in Ciudad Bolívar in Bogota.

### The Dual City

Dualist genealogies influenced by the trajectory of the International Labor Organization (Rabossi 2019), allow us to explain the forms of intervention of city governments, through various public policies ranging from the comprehensive improvement of neighborhoods to their legalization.

Despite the recognition in various circles of the urban, patrimonial and in some cases landscape value of informal urban settlements, the official language continues to address the formal and informal city as a duality between modernity and being “behind the times”, and as a phenomenon disarticulated from other economies (Pava, Escallón 2020). Roy (2007) highlights two views on informality in the dualistic perspective: crisis, because informality is inherent to poverty (Hall, Pfeiffer 2000, cited by Roy 2008); and heroism, given that its inhabitants manage to supply basic needs by themselves (De Soto 2000, cited by Roy 2008).

This has consequences in the way in which public policies are created and implemented to address informal urban settlements, since their purpose is to turn them into something as similar as possible to formally established neighborhoods, through “integral neighborhood improvement”<sup>4</sup> programs, which, beyond providing essential public services and infrastructure to improve the quality of life of the inhabitants, seek to “homogenize” the urban aspect of the settlements through the architectural design of the infrastructure built. Such is the case of neighborhood parks, sports complexes or the Transmicable stations in Ciudad Bolívar<sup>5</sup>.

Acuto, Dinardi and Marx (2019) propose to transcend the dichotomous vision and recognize the common aspects between the formal and the informal. Similarly, Pava and Escallón (2020) propose the concept Spontaneous Planning and Management, positioning the term “social production of habitat” to replace the category of informality. These other perspectives make the links between the formal and informal city evident.

### THE CASE STUDY TO LEARN THE PROCESSES OF INFORMAL URBAN SETTLEMENTS

From Yin Robert’s (2009) proposal, the relevance of case studies in research of an explanatory nature is assumed to understand how a social phenomenon is produced, why it appears or expands. In addition, Yin recommends it “when the researcher has little control over the events, and when the focus is on a contemporary phenomenon within a real-life context” as is the case of the work developed (Yin 2009, p. 2).

Here, comparison acquires preeminence, since multiple interviews, observations, and exchanges in neighborhood activities were used, which diversified the perspectives that have coexisted in a space of action, avoiding the subjectivity of each interviewee. The comparison also makes it possible to select significant facts little by little to offer an interpretation that, without claiming to have a universal value, manages to go beyond the contingency of the case and can be placed at a first level of generalization.

<sup>4</sup> The integral neighborhood improvement program is part of the public policy of the city of Bogota for informal neighborhoods, consisting of the construction of infrastructure works for the provision of essential public services such as drinking water, as well as infrastructure for the provision of social services such as education or recreation.

<sup>5</sup>Ciudad Bolívar, where both studied neighborhoods are located, is one of Bogota’s 21 localities. It is the poorest locality, and has a great portion of the informal urban settlements in Bogotá.

In-depth interviews<sup>6</sup>, direct observation<sup>7</sup>, and participation in neighborhood community activities<sup>8</sup> were used for the research in order to rescue the experiences of the actors and to explain how they act individually and collectively within the framework of the restrictions imposed on the land and housing market in formal contexts, the value relationships that occur in the informality of land and housing, and the interactions that are created between these groups of actors.

The cases sought to find within the same locality a neighborhood of ancient origin, consolidated and legalized, and another of recent conformation, in the process of consolidation and not legalized. The neighborhoods should have similarities in size, number of inhabitants, socioeconomic profile, and comparable forms of social organization and representation.

The Potosí neighborhood was chosen as an old settlement because of the year of its formation, the type of social initiative that promoted it, the social and political forms that allowed its development and consolidation, and the way in which, over time, it achieved the connection of public and social services, legal recognition and incorporation into the formal city.



**Photo 1.** Postosi neighborhood

Source: Images from the research archive (2018).

**Fot. 1.** Dzielnica Postosi

Źródło: Zdjęcia z archiwum badawczego (2018)

<sup>6</sup> 30 in-depth interviews were carried out, 15 in each of the neighborhoods as follows: 5 with founders, 5 with inhabitants who arrived when the neighborhood was already consolidated and bought lots for the construction of housing, and 5 with people who bought a house or warehouses already built in the neighborhood in the logic of investors.

<sup>7</sup> The direct observations were made on 5 different days in each of the neighborhoods, in order to record different moments and dynamics of the settlements in the field diary. One of the observation days was held on a weekend, when sports and cultural activities take place in the neighborhoods. Another day of observation was carried out on a weekday at the beginning of the work day (5:00 AM) to observe the dynamics in the neighborhoods to go to the workplace, or start the work of economic production in the same local businesses. A third observation was made at night (from 6:00 to 9:00 PM) to observe the dynamics of the neighborhoods on working days, but during personal and family free time. A fourth observation was made when meetings of neighborhood representative bodies were held, such as the Community Action Board of El Edén and the Community Council in Potosí, to observe the interactions in representative bodies and the functioning of social and neighborhood leadership. Finally, a fifth observation was made during the performance of community activities in the case of Potosí in the neighborhood cinema days in the “Potocine” and in the community work for the installation of rainwater pipes in El Edén, with the aim to see the interactions in scenarios of social integration.

<sup>8</sup> We participated in community activities to which we were invited as follows: in the case of Potosí, we attended a meeting held with authorities from the city of Bogotá in the process of legalizing the ownership of the properties and the granting of deeds to the inhabitants of the dwellings by the Bogotá District Housing Fund. In the case of El Edén, we were invited to a meeting with the city authorities corresponding to the District Planning Authority, where the inhabitants of the neighborhood and members of the Community Action Board requested the legalization of the neighborhood to give way to the formalization of the public services of the city and the recognition of El Edén as a formal settlement.



**Photo 2.** Postosi neighborhood  
Source: Images from the research archive (2018).  
**Fot. 2.** Dzielnica Postosi  
Źródło: Zdjęcia z archiwum badawczego (2018)

The Eden Sector 2 neighborhood was chosen because of its recent creation, the private initiative that drove it, its rapid consolidation, with public and social services already connected, a functioning communal organization and established relations with the city authorities, although they have neither title to the land or legalization of the neighborhood.



**Photo 3.** El Eden Sector 2 Neighborhood  
Source: Images from the research archive (2018)  
**Fot. 3.** Dzielnica El Eden Sektor 2  
Źródło: Zdjęcia z archiwum badawczego (2018)



**Photo 4.** El Eden Sector 2 Neighborhood  
Source: Images from the research archive (2018)  
**Fot. 4.** Dzielnica El Eden Sektor 2  
Źródło: Zdjęcia z archiwum badawczego (2018)

## RESULTS

### Territorialities and Temporalities

The first common element in the neighborhoods studied is that both have a history of the presence of armed actors in the territory at the time of their origin and consolidation. In the case of Potosí the M-19 guerrillas established ties with community leaders and tried to create a support network with some of the neighborhood's inhabitants. In the case of El Eden Sector 2 neighborhood, its links with paramilitaries are reported in the interviews, given that several of the "tierreros"<sup>9</sup> who plotted the land were or had direct links with these illegal armed groups.

The activities carried out by these groups in the two neighborhoods are varied and complex: drug trafficking, micro-trafficking<sup>10</sup>, extortion, charging for vaccines, control of some specific sectors of the illegal economy (exchange houses, gambling dens, brothels and bars), recruitment of young people, threats to social leaders, selective assassinations, kidnapping and forced disappearance. Generally, they operate through direct subordination or by establishing agreements with criminal gangs and neighborhood gangs.

In Eden sector 2, the inhabitants stated that the most tense moment was when the former president of the Community Action Board was murdered in broad daylight in the vicinity of the sector. The inhabitants explain that the crime corresponded to a "settling of scores" of "unfinished business" that this person had, although others point out that it could be due to his alleged links with groups of landowners in other settlements in the Quiba rural area, where the barrio is located.

In the case of Potosí, the killing of community leaders has been present since the founding of the neighborhood, when one of the promoters of the settlement and recognized social leader was murdered as a mechanism to frighten the recent founders of the neighborhood and encourage their departure. More recently they have been associated with "social cleansing" groups in the face of micro-trafficking activities<sup>11</sup>, or of young environmental leaders.

<sup>9</sup> The expression "tierrero" is used in Colombia to define an invader of public or private land who appropriates it and then sells each of the lots to buyers looking for low-cost housing or investment.

<sup>10</sup> "Micro-trafficking" is a form of drug trafficking in which children and young people are used to transport and sell doses of crack, marijuana and cocaine in the city's neighborhoods. The business is controlled by youth gangs associated with larger drug gangs in the city.

<sup>11</sup> See: <https://www.uniminutoradio.com.co/limpieza-social-amenaza-a-los-habitantes-de-potosi/>. Accessed June 22, 2020.

Another similarity is that no matter how many years have passed and how much progress has been made by the city government to face the logic of production and consolidation of informal neighborhoods, the dualistic perspective of urban informality has not been overcome. Although there is no explicit definition of “illegal neighborhood”, the Penal Code, Article 318, establishes that the promotion, facilitation or financing of processes of division, parceling, urbanization of real estate, or its construction, without fulfilling the requirements of law is a crime, which has greater importance if it is carried out on land or areas of environmental and ecological preservation, of reserve for the construction of public works, in areas of environmental pollution, high risk or in rural areas.

This regulation was complemented in Bogotá, by Decree 476 of 2015, which typifies informal human settlements based on non-compliance with the norms of the City’s Land Management Plan, or deficient conditions in the coverage of basic services, inadequate construction qualities, overcrowding, unsanitary living conditions, location in risk areas, insecurity of tenure, poverty and social exclusion.

In other words, informality is not assumed as part of the urban system and therefore the norm seeks to avoid it or change its category, resorting to strategies that do not respond to territorial dynamics, limiting itself to the reaffirmation of state sovereignty (Pava, Escallón 2020).

In order to access urban land and housing, the poorest families are guided by three major logics: “the logic of the State”, which provides access to housing solutions based on state offer; “the logic of the market”, in which those who can afford it buy urban land for their own use or to transform it into profitable housing projects at market prices; and the “logic of necessity”, where the poorest people without economic capacity carry out transactions not framed in regulatory, legal or urban planning frameworks (Abramo 2008; Parías 2008), under their own set of arrangements and mechanisms to ensure their compliance (Saenz 2018).

From these logics we find the first major difference between the settlements analyzed: Potosí, with more than thirty years of trajectory, shows a process that from the beginning evidenced the importance of collective action and has maintained great organizational quality, in contrast to its physical consolidation and in the conditions of the urban environment, which are deficient. Although the houses are made of solid materials, the neighborhood’s internal roads are in precarious condition, there is no pluvial sewer system, sidewalks are almost nonexistent, and there are few facilities. Potosí has a conformation and consolidation based on the logic of need, where its inhabitants arrived in the neighborhood and have remained there as their best option for land and housing access, sustained by the support of their community, which at the same time resists and advances in order to obtain better living conditions and guarantee their right to the city.

In contrast, Eden sector 2, with thirteen years of trajectory, shows a dynamic process of physical consolidation, with few vacant lots and constructions of up to four stories. Here, basic services and other urban components are more critical than in Potosí, due to the absence of spaces (lots) for the development of equipment and social programs. There is a communal organization that is in charge of selling lots and providing public services without any programs that promote the wellbeing, health or education of the inhabitants. It is a neighborhood where the logic of the market is evident because its origin is associated with both poor people with no other option for access to land and housing, and with people who have found options of significant profitability to initial investments in lots and housing construction.

The relationship of these two communities with the availability and use of land oriented to activities and functions of a collective and social nature, clearly expresses their visions of the future regarding their relationship with the territory. While for the inhabitants of Potosí the spaces for the construction of social function facilities have been a priority over the years, fighting for them and even seeking international cooperation to help them to continue advancing in their commitment to an organized community, in El Edén Sector 2 no one claims public spaces or social facilities, beyond a headquarters for the Community Action Board. Potosí is a life and community project built by its inhabitants in the streets, in the soccer fields, in the parks, in the school, in the community garden,



and more recently in the wonderful Potocine<sup>12</sup>. All these places represent places of social activity, meeting and community building. There are festivals there, such as the “Ojo al Sancocho”, training days for leaders, work groups with ecologists, etc. People actively seek community and live in it.

In Eden Sector 2 there is no evidence of this life and community project. It is not important for anyone to have community celebrations. Neither Christmas, nor soccer tournaments, nor training days, nor collective projects with their neighbors. The inhabitants behave as users of social and community facilities. As long as there are schools within reach, a park nearby, a place to access health services and transportation services, they feel satisfied.

No evidence was found of any community initiative to offer services of a social nature to the members of the neighborhood; no social groups or organizations beyond the community action board, to which they are associated for the registration of land negotiation procedures, house and warehouse sales, and because the Board is the authority in terms of regulations on the behavior of the inhabitants, solid waste management, procedures before the district authorities, among others. In this neighborhood, people perceive themselves as a community, but they do not build it.

In Potosí the inhabitants built a life project, in Eden a place to live. Hence, Potosí claims before the city and its systems of attention its integration and recognition as a neighborhood and community movement that seeks political incidence within its locality, while El Edén is content with being legalized to obtain the possibility of consolidating the real estate business that feeds its consolidation and expansion.

A reading based on the motivation of the actors and the land sale practices can help to understand this difference. On the one hand, the motivation of the “*loteadores*”<sup>13</sup> in the 1980s, although illegal, with the division of land that was often not their property, and fully rent-oriented, sold all the lots in very short periods of time under promises of sale, probably to hand over the responsibility of the legalization process to the community organizations, with the implications of the costs of topographic plans, procedures with companies and other problems of a settlement lacking any infrastructure. This did not mean that they disappeared from the political environment, taking advantage of this type of management to position themselves in local representation scenarios such as the Local Administrative Board of Ciudad Bolívar or the City Council.

In recent years, the practice of the “*tirrerros*” seems different and has other implications in relation to the management of the real estate business. They sell lots under papers named “promise of sale”<sup>14</sup>, and stay in the settlements for many years, managing the business. They obtain the legal status of the communal organization and take advantage of the precariousness of the settlement and the evident need of the first settlers to request public services from the pertinent entities. In other words, they occupy the management positions, both in terms of physical and real estate development as well as organizational development and take advantage of it, to the detriment of the socioeconomic and political growth opportunities of the new settlers.

The origin of the neighborhoods also explains part of their differences. The social movements of the 70s and 80s that supported the creation of the Potosí neighborhood found in the new occupations the evidence of the social marginality to which the families were subjected, as it was the only option for access to housing while awaiting attention from the State (logic of need). These movements were in the neighborhoods and new political practices accompanied the collective processes of the settlement.

Currently, some of these dynamics and strategies are maintained in the neighborhoods in consolidation, but in the newer ones, such as in the Eden 2 sector, they have been replaced by social organizations with welfare practices that help the poorest families with programs for children, the elderly and youth training. These organizations serve specific populations and have specific target audiences

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<sup>12</sup> Potocine is a movie theater self-managed by the cultural organizations of the neighborhood and the locality. See: <https://arquitecturaexpandida.org/potocine/>. Accessed on June 22, 2021.

<sup>13</sup> A “land developer” is a person who invades a property to offer lots as a housing option for people who have no other option, given their conditions of poverty and exclusion.

<sup>14</sup> A promise of sale is a document that is signed prior to the transfer of the legal title of ownership in the sale of any real estate in Colombia. This promise of sale is part of the legal procedures in real estate processes. But in informal settlements the signed promises of sale lack any legal value before the Colombian authorities.

for their programs. They seek to improve the quality of life of individuals and families, but not necessarily that of the neighborhood. In some cases, the “aid” provided involves the consolidation of housing on land located in at-risk areas.

As they are non-governmental organizations that aid people, the process of social construction and citizenship, and their integration into the city and its circuits is not one of their concerns. Their permanence in the territory is temporary and sometimes cyclical, depending on the objectives of the projects they develop and the interest of the funders of these NGOs. Once the project is completed, they leave the area without having created community organization or representation skills.

The location of the two settlements analyzed on the urban edge also provides inputs in relation to the action in these neighborhoods and the responsibility of the citizens with their territory. Potosí is the last neighborhood of the Jerusalem UPZ, it has on its southern boundary the services perimeter adopted in the city’s Plans Land Use, POT, approved in 2000. El Edén 2 sector is the first settlement outside the service perimeter adopted for the city. It is located on rural land, beginning the major occupation that reaches to the highest part of the Quiba trail, in the vicinity of the road that communicates with the rural area of the locality.

As we have seen, each neighborhood in its origins and consolidation turns out to be the product of social relations crystallized in economic, political and cultural territorialities. They are the result of the territorialization process and of the territorialities experienced by each social group in their space-time relations as proposed by Saquet and Dematteis. All these relationships, appropriations and practices are constructed and redefined by the actors over time, since they are lived concomitantly and differently with different rhythms and intensities depending on the moment, the status with which they have, the resources they had at their arrival, and the possibilities or degrees of freedom they had to choose that location.

Potosi has built in its more than 30 years of existence very clear identities and representations in the cinema, theater, orchards, the functioning of its Community Council, and with them, forms of appropriation, domination, demarcation and control of the place where they built their neighborhood.

In Eden sector 2, the inhabitants are buyers of lots at cheap prices. Thus, their neighborhood identity is that of buyers of a good for use and rent, rather than that of a partner in the struggle for land and a neighbor in solidarity. Their actions are more oriented towards making their neighborhood as similar as possible to a formal neighborhood, since it depends on this to obtain greater profitability in the sale of the houses they build.

This is also expressed in the priorities of the neighborhood leaders, which are different in both cases. In Potosí, the current social mobilizations promoted by neighborhood environmental groups are focused on protecting the mountain and the environmental reserve with the creation of the Metropolitan Park. This position has caused enormous problems for the leaders due to confrontations with other actors interested in different dynamics of territorial exploitation. In the case of Eden 2 sector, no one expresses concern for the urban edge, or for the limits of an action that generates great problems due to the precariousness of the living conditions of the inhabitants.

In this neighborhood, almost all the lots have been sold and the transactions have been supported by the community organizations, without any concern for the implications of this action. There is no availability of drinking water, sewage, or social services, nor the possibility of providing them, and for the leaders of these settlements in rural areas, the solution lies in their incorporation into the urban perimeter. This means that only the real estate business is positioned, which is very profitable and seems to have no limits.

Expectations are also supported by the actions of the city government, such as the “Transmicable”<sup>15</sup> with the last station at the limit of the urban perimeter, which is supported by the motivation of improving the mobility of the current residents of the Bella Flor, Mirador and Paraíso neighborhoods and which generates an unstoppable dynamic of lot sales in the rural border zone.

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<sup>15</sup> Transmicable is a means of transportation between the lower parts of the city and the neighborhoods built at heights and conditions that do not allow the construction of bus lanes. It operates as an aerial cable with cabins for 20 people and makes permanent routes to connect the most distant neighborhoods in the mountains with the stations of the city’s interconnected bus transportation system.

In fact, evidence was found that these urban edge inhabitants with real estate business motivation work to favor its expansion. There were cases of houses built entirely in the Eden 2 sector, whose owner decided to lease it to generate income and move to more precarious areas of the urban periphery, such as the Guabal, to build another house, thus increasing the profitability of their investment. This is the logic of the informal real estate market, which is dynamic and profitable.

In Potosí, there is still a way to consolidate the neighborhood and the efforts of its social organizations seem to have possibilities and support from public entities to affect the quality of urban life, as mentioned by the leaders in the interviews. In Eden, the path is uncertain. Although today they have some public services such as drinking water, energy and some natural gas, they have nothing else. And for the city, letting this settlement consolidate due to the inability to control it and the absence of housing options, implies high public investment requirements with very uncertain results in terms of urban quality, with no other strategies in sight.

### **Real Estate Dynamics**

The real estate dynamics express the difference between the logic of need and the logic of the market. In Eden sector 2, the land market remained until about 4 years ago under direct control of illegal traders linked to criminal structures. These illegal actors play with the prices and earn even more with the illegal sale of the plots, once they get the installation of public services.

Some people acquired more than one lot, reselling it later or maintaining it for later transactions. Originally (2006) the lots were sold for about US\$500 (2 minimum wages in 2006), then for the equivalent of US\$1,500 (5.4 minimum wages in 2008 and 4.6 minimum wages in 2011). Currently, no lot is worth less than US\$7,000 (27 minimum wages in effect in 2021) and the transaction is still supported by promises of sale without a real property title. Real estate profitability is exponential and becomes an investment alternative for anyone interested in the legal or illegal real estate business, since nowhere in the city are there price increases of 2,000% in a 10-year period.

Like Raffestin affirms that territoriality is the fruit of work, understood as the exchange of energy and information between people and ownership of a part of land. Real State Market in the informal settlements shows that their territoriality is not fixed, but varies over time, always linked to the control of people and objects, and therefore generates different landscapes and markets.

### **Dual City and Urban Regulatory Action**

Legal regulations in Colombia in general and in Bogota particularly on the development of urbanization activities and the alienation of lots and housing punish informal constructions as criminal offenses. However, Bogota has generated in its land use plans other options with the possibility of offering land for social housing and other measures that were expected to reduce the dynamics of informal settlements and thus increase the possibility of a better city.

Thus, with Decree 476, measures were adopted to articulate the actions of prevention, control, urban legalization and integral improvement. In other words, the city has been permanently attentive to the problem of informal settlements, seeking a coordinated action of the entities to comprehensively address the support of the settlers.

It is important to remember that, since the issuance of the Bogotá statute in 1993, urban control actions were left under the responsibility of the local mayor, a body that is weak in its institutional and operational capacity, particularly in the control of new occupations, due to the undue pressure generated from there by illegal groups.

The shift from the district to the local level in the control, surveillance and intervention of these urban infractions and violation of the law in terms of land use is used by the “*tierreros*” to expand their reach, given the limited intervention capacities of the local mayor’s offices to face a problem that derives from the informality of life in the city and in the country. In the specific case of Ciudad Bolívar, even if the Local Mayor’s Office were to allocate 100% of its staff of 93 officers, it would not be able to effectively control and monitor the construction process and illegal settlements in the locality.

Complaints about urban infractions accumulate in the Local Mayor's Office without any means to address them, the processes can last from three to five years before a decision is made, and there is no way to enforce it through law enforcement. In the roundtables on informal settlements led and coordinated by the Secretariat of Habitat and attended by district level officials from the Secretariats of Planning, Economic Development, Social Integration and the Urban Development Institute, among others, the Local Mayor's Office is a guest with voice but no vote, because from the organic structure of the District, this is understood as an administrative instance of execution of district public policy, but not as an authority in the territory.

This dichotomy between the sectoral and territorial government of the city favors the action of illegal urbanizers, since the processes are lost in the organizational tangle of the District before being resolved, and allows the dilution of responsibilities among many secretariats and institutions that are all called to intervene in the issue, but with minimal instances of coordination and joint work, they delegate their responsibilities from one office to another, without a concrete answer as to who acts, how they act, and what is the scope of their responsibility.

In the specific cases of the neighborhoods studied, the inhabitants are fully aware of the invalidity of the purchase and the papers named "sale promises" signed at the time of handing over their money to acquire a lot or a house and the impossibility of enforcing them as property titles before any authority in Colombia, however, this is not a main concern, since the experience acquired from the legalization of other settlements has shown them that in the end the city ends up legalizing the neighborhoods and thus giving rise to the legalization of the land through legal processes of tenure before the judicial authorities that are resolved in favor of the historical inhabitant and builder of the house that occupies that land. This was confirmed by the people interviewed during the fieldwork process.

The inhabitants are also aware of the jurisprudence of the Colombian Constitutional Court that protects their right to basic services, which is why in cities such as Bogotá the Aqueduct and Sewage Company has created a method of payment for the supply of public services, considering the water losses in settlements without legalization, the high costs to the Company and the risks to the stability of the houses due to leaks resulting from networks in poor condition. The level of institutionalization of this "provisional" service is such that the company created a modality called "Cycle I", which allows the installation of micro-meters and the billing of the aqueduct service, without contemplating the construction of sewerage networks. It is, as expressed by employees in the interviews, a commercial strategy that protects the Company from fines for inability to control losses before entities such as the Drinking Water Regulatory Commission.

All these responses from the district government institutions favor the illegal "loteador" who can sell lots with public services at a higher price, without having invested anything to do so. And that seems to be what was achieved in the case of Eden 2 sector, that today puts the district in greater difficulties. In addition to this governmental response capacity, there is the construction of facilities with quality social services and road infrastructure that improves accessibility and mobility.

In some way, children have access to education, health and transportation systems. Projects such as the school built in the Bella Flor neighborhood, on the edge of the urban perimeter, and the "Transmicable" with the final station also on the edge of the urban perimeter are messages of urban expansion, which with the aforementioned institutional conditions, are taken advantage of directly by the "tierreros" and in which the lot inhabitants who have sought a solution to their housing problem are trapped.

## CONCLUSIONS

The concepts of territoriality, territorialization, deterritorialization and reterritorialization are important in the analysis of informal urban settlements insofar as their territoriality expresses power, economic, political and cultural relations. But not only relations, also expressions of identities and

representations, as well as forms of appropriation, domination, demarcation and control of the spaces where neighborhoods are built.

When we study the origin, construction and consolidation of informal urban settlements, their processual and coexistent transtemporality is emphasized, the first one materialized in the phases, successions, periods and historical moments that have given rise to the neighborhoods; and the second one, translated into temporalities-rhythms, trans-multi-scalarities and trans-territorialities that occur in the same or between different neighborhoods, although always related in unity. Each neighborhood in its origins and consolidations turns out to be the product of social relations crystallized in economic, political and cultural territorialities. They are the result of the territorialization process and of the territorialities experienced by each social group in their space-time relations.

This is expressed in the similarities and differences found when comparing the two neighborhoods in their emergence, consolidation and legalization processes in front of the city authorities. Among them we can summarize the following:

- The two settlements are the result of the intervention of illegal armed actors in territories where the poorest and most excluded people find a solution to their housing and habitat needs. In both cases, the illegal armed actors strengthened their structures, finances and modes of intervention after the emergence of the neighborhoods. In the case of Potosí, the M-19 was looking for public supporters of its political project in exchange for armed support for the invading inhabitants of the land. In Eden, the paramilitary actors sought financing for their criminal organization through the sale of lots for housing. In other words, they are territorialities resulting from the absence of a state response to poverty and lack of access to land and housing, where violent groups exploit the poor for economic gain.
- The settlements differ in their forms of territorialization. While in Potosí territorialization is built as a life project around and in service of a very solid community, in El Eden, territorialization is built around a need for access to land and affordable housing, only accessible in the informal market. This is due to the conditions and duality created by the state between the formal and informal land and housing markets, or as Goldstein (2016) points out as “absent presence of the State,” from which informality arises and shapes the rules within it as part of a need for order.
- There are also differences in the territorialities experienced by the inhabitants of Potosí and El Edén. In Potosí there is a territoriality crossed by the social and community process of the neighborhood, whose origin was the logic of necessity. In Eden, territorialities have to do with access to “formal” services and goods to allow the neighborhood to transition to the formal city so that its profit margins in the real estate market can increase. This is traversed by an overlapping logic of necessity, along with the logic of the market.

The conception of the “Dual City” has consequences in the way in which public policies are created and implemented to address informal urban settlements. Their purpose is to turn them into something as similar as possible to formal neighborhoods, seeking to “homogenize” the urban aspect of the settlements through architectural designs and infrastructures, built without understanding that urban informality is part of the urban system and that formality and informality mutually feed back and co-evolve.

This way of understanding urban informality has caused the government of the city of Bogotá to operate under the policy of “integral improvement of neighborhoods”, which far from solving the problems derived from the informality of some human settlements, brings great profits for the “*tierros*” and pirate developers, given that the greater supply and scope of public and social services that the district government makes available to the inhabitants of informal neighborhoods ends up increasing the profits of these illegal actors who take advantage of the need and poverty of a vast group of families with no other options for access to housing.

The dualism is expressed in multiple ways in both settlements: in terms of provision of services, despite the fact that they receive aqueduct service from the same state provider, with the same water quality, the State created the label “Cycle I”, to name the provision of services to these

neighborhoods, showing they do not recognize them as part of the city, in clear disregard of the right to the city.

It is also evidenced in the construction of infrastructure for recreation, sports, culture and other social services. The inhabitants of the neighborhoods are not consulted, and the aesthetics of the infrastructure they have already built are not taken into account. On the contrary, the new infrastructure is built under the most formal of architectural and engineering proposals, which highlights a clear difference and dissonance in the territory between the infrastructure built by the community and the infrastructure built by the State; not only in terms of quality, but also in terms of aesthetics and layout. This is the reason the construction of the “Potocine” in the Potosí neighborhood, designed and built by the community, with traditional materials such as guadua, recycled plastics and reclaimed wood, is a way of reaffirming the identity of the community and their way of territorialization of the neighborhood.

The permanent judgment and inability to accept the incorporation of these neighborhoods into the city, until the authorities are forced to come into contact with the communities in order to guarantee their rights are further evidence of a dualism not yet overcome by the State in its approach to informal urban settlements.

In addition, the dichotomy of authority and intervention between the city’s sectoral and territorial governments favors the actions of illegal developers, since the processes get lost in the district’s organizational tangle before being resolved. This allows responsibilities to be diluted, without a concrete answer as to who is acting, how they are acting, and what the scope of their responsibility is.

This is also an expression of dualism. The dilution of State responsibilities renders informal urban settlements invisible to city authorities until they can no longer keep ignoring the existence of the neighborhoods, the needs of their populations and their right to the city.

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