# Flexible governance: Connecting climate disasters and land transactions in India

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Sources: The Hindu, Frontline, AFP, PIB, Business Standard

# Rained out in Chennai

- Coastal metropolis, 8.7 million people

- The problem
    - Extreme weather event, Nov-Dec 2015
    - Wettest November on record

3

- Consequences
  - Adyar, Cooum rivers overflowed
  - 35 major lakes breached their banks
  - Large parts of the city submerged, including the international airport
  - Schools, health services, normal life disrupted
  - Operations ceased at: Tata Consultancy Services, Infosys, Cognizant, Yamaha, Renault Nissan, BMW India, etc.
  - Monetary loss: > £1.5 billion

# Blame game



- Global climate change

    **+**

- 'Illegal', 'corrupt' land use
    - International airport built on the floodplain of the Adyar river
    - Information Technology and Knowledge Corridors encompass wetlands and marshlands
    - Over 150,000 illegal constructions
    - 300 tanks and lakes built over

Picture: DLF IT Park, NewIndianExpress

# Solutions? Multi-scalar 'good' governance

- Institutional cooperative matrix: states, markets, communities

- Global scale: COP21, FAO VGs, WB RAI, African Union et al Land Policy Initiative

- National and sub-national frameworks: policies on renewable energy, responsible land acquisition

- Emphasis on consensus, transparency, accountability, rule of law

- Enforceability? Political will?

# Cracks in the facade

- Incremental, collaborative global and national mechanisms, in response to expeditious change (Leftwich, 2000)
- Capitalism with good governance characteristics
- Institutionally and politically incomplete: **missing dimension**

# Missing dimension

- Proliferating **informality**

- 88% economic activity (Harriss-White, 2003)

- In the case of land, peopled by: brokers, middlemen, liaison agents, consultants, government touts, moonlighting officials, political intermediaries, strongmen
    - Representing national and international firms, governments, consumers, political parties

# From the horse's mouth

- '[Changing a pond record] is backdoor work, and this is totally illegal. Every time it is changed, [it happens] under [the] table. The [government office] will have to be managed. All buyers [e.g. real estate developers] have a setting [arrangement] in the [government office], and [they] all have a civil lawyer… Politics [also] plays a role in our work… if there is a pond [to be filled] politicians will not leave us. They will demand [INR] 10 lakh[s] to 20 lakh[s] [£10,000 to £20,000]… [Besides] how will you fill [the pond]? You need mud, sand, and ash. [Organisations affiliated to the locally powerful political party will supply this] (translated from Hindi).

    – Intermediary, interviewed July 2014

# The centrality of informality, flexibility

- In 'good' governance-speak, the missing dimension dismissed as 'unscrupulous elements' (Interview, Secretary, Land Resources, Govt of India, 2012)

- Convenient black boxes: corruption, illegality

- But missing informal dimension **central** to resource use, and governance. **Not peripheral.**

# The missing dimension in and around the state

- States, with multiple demands on capacity, have generated and depended on twilight institutions (Lund, 2006) and shadow state actors/institutions (Harriss-White, 1997).

- Idiom of informality renders laws and plans open-ended, subject to multiple interpretations (Roy, 2009)

- Globalisation has further pluralised the state (Chandhoke, 2003), with formal and informal institutions, across scales, criss-crossing the networked state (Castells, 2005)

# Conclusion

- Natural resource deals move in and out of formality and informality over their lifecycle
- Transacted formally/informally within state and market mechanisms, and in their shadows
- Research must expose the porosity and flexibility of governance mechanisms.
- Neglect of the missing dimension makes formal planning and governance solutions ??