

– FROM VISIBLE INFORMALITY TO SPLINTERED INFORMALITIES: Reflections on the Production of 'Formality' in a Moroccan Housing Programme

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Abstract

Increasingly, scholarly works challenge the formal/informal dichotomy, stressing the multiple political practices of producing informality which go beyond state incapacity. In contrast, this article addresses a lack of research concerning the production of 'formal' urban space through state-led housing programmes. Deconstructing simplistic notions of state intentionality and incapacity, the article zooms in on competing interests and diverse resources, as well as the shifting power relations between multiple private, semi-public and public actors which shape the production of 'formality'. Focusing on a shantytown resettlement programme in Casablanca, the article differentiates between visible informality and splintered informalities. The former relates to the prevailing clear-cut and stereotypical dichotomy between formal and informal urban space which underpins the state's objective of eliminating the visible informality attached to Morocco's shantytowns. The latter is the result of a messy process of ensuring housing affordability through the so-called third-party scheme—a sites-and-services project based on small-scale private investment and land speculation—once this objective is achieved. Characterized by heterogeneous actor constellations, opportunism and flexible regulatory practices, the scheme has not only capitalized but also individualized urban space. Instead of building new formal housing, the scheme has produced splintered informalities and created new uncertainties and arbitrariness beyond the control of a single actor.

Introduction

No, everyone knows that they have given us these houses!

This was the surprised reaction of Abdelhamid,¹ a 25-year-old unemployed man, to the question whether he feared being evicted from his home again. Three years earlier, as part of a state-led sites-and-services project, he had moved from the Karyan Central *bidonville* (shantytown) in central Casablanca to a new apartment on the urban fringes in the new town of Nouvelle Lahraouiine. Since then, his household has been occupying their flat without the required *permis d'habiter* (habitation certificate—a notice issued by the local authority confirming that the dwelling complies with building regulations) nor a formally registered property title, despite receiving official bills for electricity and water.

Just a few streets away, student Nohaila's family is still using electricity and water from their next-door neighbours, despite having occupied their half-finished home for

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1 All names in the article are pseudonyms.

three years. Before agreeing to install a new meter, the electricity company demanded that they pay a fine for their non-payment of electricity back in the shantytown, where they had been formally connected to the supply but did not receive regular bills. Nohaila's family had other priorities, however, because their private developer, who should have built the new four-storey house for them to live in, ran out of money. Now they have arranged a bilateral agreement with him, allowing Nohaila's family to inhabit three storeys in the new house rather than just two as originally agreed. In return, they will continue with the construction of the building themselves.

The two brief accounts presented above correspond with the growing number of scholars who have challenged the black-and-white understanding of formality and informality (Roy, 2005; 2009; Yiftachel, 2009) as well as the simplistic causal relationship between formal property titles and security of tenure (Payne *et al.*, 2009; van Gelder, 2010). Such scholars refer to grey spaces, where marginalized communities are kept between the two extremes of legality and illegality, between the hope of integration and the threat of eviction in an unstable situation of permanent temporality (Yiftachel, 2009: 89). At the same time, these vignettes are embedded in the context of a large state-led, neoliberal housing programme which seeks to eradicate informal housing and provide residents with formal home ownership in new neighbourhoods on the urban fringes. To overcome the common 'affordability gap' in state-led housing projects (Satterthwaite, 2009; Berner, 2016; Buckley *et al.*, 2016), the programme implements a new sites-and-services scheme in which multiple small-scale private developers invest their (limited) financial capital. Driven by the ubiquitous belief in real estate speculation, ruthless profit-seeking, and the (lower) middle-class dream of secure home ownership, the so-called *tiers associé* (third-party) approach is now well on the way to becoming a neoliberal role model for low-income housing programmes in Africa (Toutain, 2014; 2016).

Set against this background, and in contradistinction to the usual focus on 'informality', this article investigates the construction of the notion of 'formality', used to designate good citizen behaviour and norm-corresponding livelihoods. While a convincing body of research on the production of 'informality' already exists (Roy, 2009; Bhan, 2012; Demirtas-Milz, 2013; McFarlane and Waibel, 2016; Palat Narayanan and Véron, 2018), there is a considerable lack of research focusing on the corresponding production of 'formality' (Erman, 2016; Kolling, 2019; Meth, 2020). The article argues that, similar to the production of informality, the third-party system has created urban spaces which have flexible, negotiable, and sometimes contradictory degree(s) of formality. These spaces emerge within a complex context of multiple small-scale local actors with diverse and shifting degrees of power, interests and financial capacity. Thus, what actually happens in practice sharply contradicts the programme's stated objective of moving people away from informal occupation to formal home ownership through an affordable resettlement scheme, and to recognize them as 'ordinary' urban citizens. Instead, people find themselves shifting towards new *splintered informalities* or, in other words, from one 'grey space' to various others.

The first 'grey' refers to a shantytown, and can be considered as corresponding with Yiftachel's (2009) original notion of 'grey' that emerges from the hierarchical relationship between a powerful state and a marginalized group of citizens. The second 'greys' refer to a newly planned and constructed town. This is not only about new neoliberal structures that are imposed on poor urban dwellers through top-down resettlement schemes, forcing some of them to re-informalize and, as in Turkey, to manage formal urban spaces informally (Erman, 2016). Beyond that, new informalities emerge as the ambiguous outcome of various tripartite relationships between members of a marginalized group in the process of gaining status, small-scale developers speculating with often limited financial capacities, and pressured (local) state actors opting for pragmatic solutions to urgent 'problems' and the minimization of conflict. While the initial informality—the first 'grey'—is bound to a specific community (the entire

shantytown), the new informalities are negotiated between various actors below the community level. We observe multiple and more individual *splintered informalities* that coexist and contradict each other, and which—as opposed to the initial informality—tend to be mistaken for formality. The article therefore analyses the move from an urban space with a certain degree of *informality* negotiated at the community level to a setting where different degrees of *formality* are negotiated on the basis of diverse actors and shifting power constellations. Instead of eliminating urban informality, the new third-party approach has led to more hidden, heterogeneous and individual informalities, creating new forms of arbitrariness and uncertainty.

The article builds on different periods of field research in Casablanca, the economic centre of Morocco, between March 2015 and July 2019. This also builds the foundation for related research (Beier, 2019; 2020a; 2020b). Research methods included 870 questionnaire-based interviews with resettled inhabitants and *bidonville* dwellers. In about a quarter of the cases these were extended to more open, semi-structured conversations that make up this article's main empirical source. This was complemented with about 30 problem-centred interviews conducted with residents who were unable or unwilling to move to the new town as well as third-party developers and other key informants, alongside non-participant observation and document analysis. While focusing mainly on the resettlement of residents from Karyan Central to Nouvelle Lahraouiyyine, the article also builds on interviews with people affected by other resettlement projects in the districts of Hay Mohammadi and Sidi Moumen.

First, the article discusses concepts of informality and grey space, focusing on how they relate to the World Bank's enabling approach and the objective of ensuring adequate affordable housing for all. This conceptual analysis is then put into dialogue with the realities of grey spacing in Morocco's shantytowns and the dominant black-and-white assumptions in Morocco's affordable housing programmes. Second, the article describes the innovative mechanism of the third-party approach in the sites-and-services projects in Casablanca. Subsequently, it analyses how power shifts, negotiations, and ambiguities within the process of resettlement have enhanced affordability but also challenged the attempt at formalization. Based on this analysis, the article concludes with a discussion of the splintered informalities resulting from the production of formality.

Grey spaces and the promise of 'whitening' in housing programmes

An increasing number of scholars have recently addressed urban informality as an essential element of urban planning, rejecting the dichotomy of formality and informality and questioning the basic concepts of informality (AlSayyad, 2004; Roy, 2005; 2009; Yiftachel, 2009; Koster and Nuijten, 2016; McFarlane and Waibel, 2016; Harris, 2018; Koster and Smart, 2019; Meth, 2020). They argue that informality is neither the clear-cut opposite of formality, nor bound to poverty alone, and nor is it simply the result of state incapacity and a lack of planning. Instead of being the exception to a well-defined formal norm, Roy (2009) considers informality as the idiom of urban planning rather than its failure. Following on from this, urban informality should not be conceptualized as a fixed category, but as a political construct that is negotiable, arbitrary and interest-led. Similar to Roy, Yiftachel (2009: 89) conceptualizes urban informality as a flexible 'grey space' 'positioned between the "whiteness" of legality/approval/safety, and the "blackness" of eviction/destruction/death'. Grey space represents a permanent temporariness in which a marginalized community meanders between the hope of legalization and integration (whitening) and the threat of destruction and elimination (blackening). This greyness signifies the only partial incorporation of a defined group into urban society and, hence, the denial of equal urban citizenship and equal access to rights (Yiftachel, 2015: 731).

At the same time, informality may be the outcome of practices of purposeful non-recognition (or purposeful non-planning) as well as of numerous ambiguous or even contradictory planning regulations that are set up, ignored or enforced, shifted or

lifted by the state itself (Roy, 2009; Yiftachel, 2009). According to this understanding of informality, the state is not interested in eliminating informality, but rather in preserving or even creating it, because informality allows the state to retain its capacity for steering society (governability) (Bénit-Gbaffou, 2018). Roy (2005: 149) writes: ‘The planning and legal apparatus of the state has the power to determine when to enact this suspension, to determine what is informal and what is not, and to determine which forms of informality will thrive and which will disappear’. As such, the state uses informality and grey spacing to control in an indirect, flexible and inexpensive way marginalized groups which for political reasons are not to be fully integrated (Yiftachel and Yacobi, 2003). Nor are such marginalized groups passive victims; they actively negotiate their own status between black and white through insurgent practices (Holston, 2009) and quiet encroachments (Bayat, 2000). However, notwithstanding the negotiability of informality and grey space, the power hegemony of the state and other dominant groups (*cf.* Ghertner, 2012; Arabindoo, 2016) remains unchallenged. Indeed, common to both concepts—informality and grey space—is the image of a strong and powerful state, which stands in sharp contrast to previous understandings of informality as the result of state incapacity (McFarlane and Waibel, 2016). Moreover, according to this understanding, the state appears as a mostly malevolent actor that uses planning flexibility purposefully in sinister ways (Bénit-Gbaffou, 2018: 2143).

Following Bénit-Gbaffou (2018), this might be too narrow a conceptualization of state intentionality. Based on empirical evidence from Latin America, Holland (2016) suggests that local politicians’ reluctance to enforce the law against informal settlement dwellers may be better explained as ‘forbearance’. Fearing the electoral consequences of (violent) action against the urban poor, forbearance leads to a reluctance to act against squatter settlements. Focusing on rural South-East Asia, Slater and Kim (2015) show that the main reason for tolerating non-conformist settlements may be to minimize political challenges. In its reverse interpretation, this means that the ruling regime will only intervene if its authority becomes challenged. Following what Rachik (2002) calls ‘*l’urbanisme de l’urgence*’ (the urbanism of urgency), such logics have significantly shaped Morocco’s urban subaltern spaces. Based on his analysis of decades of urban policies in Casablanca, Rachik argues that state intervention in Casablanca’s informal peripheries may be explained primarily as a reaction to a sudden increase in social pressure (i.e. protests or riots); in times of political stability, the state has little interest in intervening in the informal urban peripheries. Likewise, Charlton (2018) argues that local state actors in South Africa may prefer pragmatic (in)action in order to keep a certain policy running, to maintain convenience, and to avoid protest, while in Turkey, the state shows little interest in fighting ‘hidden’ informality in an ordinary housing estate once it has achieved its primary goal of eliminating ‘visible’ informal settlements (Erman, 2016). In both these examples, state action might be less straightforward or strategic than Roy (2009) and Yiftachel (2009) conceptualize. Moreover, Bénit-Gbaffou (2018) questions the idea of *one* potent state that purposefully creates and intentionally uses informality to achieve certain objectives. She rightfully acknowledges that the state is ‘crossed by multiple rationalities, interests, and objectives’ at multiple levels and within diverse departments and units. In addition, the interests of private actors may be just as important as those of state actors (Erman, 2016). Thus, it is not sufficient to analyse *the* state’s capacity and willingness to act in order to understand informality. Instead, one needs to look at various private and public actors with different and shifting inclinations and capacities to act.

This article aligns itself with critical voices questioning the state’s intentional and powerful production and use of informality. However, it looks at the question from another angle, namely through an analysis of practices of ‘whitening’, interrogating the state’s power to *produce formality*. Viewed against the background of the heavily informalized and neoliberalized planning systems which operate in Morocco, as well

as the heterogeneous actor constellations, the article questions whether there exists a single (state) power that is able *and* willing to legalize, determine and control all that which is formal in such a way that one could call it a complete and sustainable ‘whitening’ of grey space. Hence, the article goes some way to addressing the need for more research that deals with the actual processes and practices of ‘whitening’ and how it is shaped by the diverse actors, interests and shifting power structure involved.

Before coming back to this in the last part of the article, it is necessary to provide some clarification about what ‘whitening’ might mean in practice. According to Roy (2009: 80) and Yiftachel (2009: 92), it can mean to authorize, legalize, legitimize or approve a certain activity or development. In the context of housing, this would primarily mean to grant any kind of formal land tenure (*de jure* security of tenure) to the inhabitants of illegal or informal settlements—whether through formal recognition (collective land titles), in-situ regularization (individual freehold titles), or resettlement to some sort of ‘formal’ housing (protected rental housing or home ownership). However, in many urban contexts, the difference between ‘formal’ and ‘informal’ urban space has been the cause of long-lasting stigmatization and idealization, constructing the ‘informal’ city as the antithesis of the dignified, modern and orderly ‘formal’ city (Fischer, 2014; Valladares, 2019)—a hyperbolic difference that exists in people’s heads rather than in the ‘real’ world (Cavalcanti, 2014; Koster and Nuijten, 2016; Meth, 2020). Consequently, for both the state and residents, formalization may not primarily represent a question of titles—keeping in mind that inhabitants of informal settlements do not necessarily feel insecurity of tenure (Payne *et al.*, 2009; van Gelder, 2010; Beier, 2019: 143); instead, it represents the symbolism which is strongly connected to visual aspects of stylized images of (in)formality (*cf.* Kamalipour and Dovey, 2019). The related homogenization of ‘informality’ disregards all the empirical evidence highlighting the heterogeneity of informal settlement communities (Doshi, 2013; Schramm, 2017; Valladares, 2019). Moreover, the stigma of ‘informality’ can remain in place even after putative ‘formalization’ has taken place (Kolling, 2019).

The wish to fight *visible* forms of informality and governments’ related frustration with the limited quantitative effects of upgrading and enabling strategies have been major reasons for states’ turning (back) to large-scale housing and resettlement programmes (Buckley *et al.*, 2016; Croese *et al.*, 2016; Turok, 2016). These programmes have homogenized and displaced communities in order to erect ‘cities without slums’ that correspond with the neoliberal imagination of competitive, modern and developed cities (Dovey and King, 2011; Huchzermeyer, 2011; Ghertner, 2012). The return to large-scale housing programmes by governments does not necessarily mean more public investment in classic forms of social housing, but rather, concerted efforts by the state to overcome the significant affordability gap between supply and demand that has prevented most private companies from building housing for low-income groups (Rolnik, 2013; Buckley *et al.*, 2016). The logics of neoliberal enabling strategies—a focus on freehold property titles, privatization, and limited public sector engagement (Baken and van der Linden, 1993; Mayo and Angel, 1993)—continue to prevail. To motivate the private sector to build low-income housing, for example, the authorities in Mumbai allow private developers to increase the floor-to-area ratio and to construct high-rise luxury buildings as long as they provide slum dwellers with housing for free (Anand and Rademacher, 2011). In most other programmes, states have facilitated access to housing credit systems and increased housing subsidies (Gruffydd, Jones, 2012; Rolnik, 2013; Buckley *et al.*, 2016). However, long-term affordability (including the cost of maintenance) has remained a key challenge, considering the high levels of indebtedness among rehoused people (Smets *et al.*, 2014). Thus, one might view the return of large-scale housing programmes not as a break with the neoliberal enabling agenda, but rather as an adjustment to it, with a renewed steering role for the state (Bogaert, 2018). As such, practices of granting legal property titles have remained an important element not only for upgrading programmes, but also within many resettlement and sites-and-services

schemes (Patel, 2013; Spire *et al.*, 2017; Charlton, 2018). At the same time, authors have observed people-led practices of re-informalization that to a certain extent are uncontested by the state (Koster and Nuijten, 2012; Erman, 2016; Behbehani *et al.*, 2020). In the context of the South African national housing programme, a recent report estimates that a third of all occupants of state housing do not possess full title deeds (Melzer and Robey, 2020). Similarly, Kolling (2019) describes how many resettled *favela* dwellers in Salvador, Brazil, have never received the promised formal property titles.

Thus, the renaissance of large-scale housing programmes since the turn of the millennium represents a return to a clear-cut dichotomous understanding of informal and formal urban space. In an oversimplifying and homogenizing way, these programmes set the image of chaotic and disordered informality against orderly planned and uniform housing developments. As such, the programmes' attempts to 'whiten' urban space build on discursive and judicial black-and-white distinctions that hardly mirror the realities (plural!) on the ground. Although the promotion of *de jure* 'formality' in terms of freehold property titles remains an important official programme element, the hyperbolic construction of difference between formality and informality instead pushes for the removal of 'visible' informality. In practice, this can translate into a non-alignment of political priorities resulting in political preferences for superficial formalization rather than complete legal 'whitening'. Shedding light on the actual processes and practices which lie behind the production of formality within resettlement and tenure regularization, this article suggests that they look very similar to the way the state produces informality. The production of formal housing under pressures of profit-making and affordability may likewise be characterized by the shifting and unclear regulations, conflicting objectives and pragmatic planning practices which I call 'muddling-through'. Thus, the article raises concerns about the state's *capacity* and *intention* to 'whiten' and to produce formality through state-led affordable housing programmes. It rejects the programmes' dualistic understanding of informality/formality and highlights the complex and heterogeneous actor constellations that lead to shifting and individualized grey spaces.

Dreams of formality

For decades, residents of Morocco's *bidonvilles* have protested about the need for adequate housing. Yet the state has never recognized the *bidonvilles*, treating their residents as second-class citizens and exposing them to severe social and political stigmatization (Zaki, 2005). Similar to Yiftachel's (2009) sense of 'grey space', the *bidonvilles* have been oscillating between steady consolidation and constant and renewed threats of eviction (Zaki, 2005; Beier, 2020a). On the one hand, diverse state actors have actively consolidated *bidonvilles*—i.e. through the provision and maintenance of infrastructure and services, house numbering, and the active tolerance (or even encouragement) of new construction—while preserving their temporary nature. For example, *bidonvilles* were given formal access to the electricity supply, yet without the issuance of personalized bills that could have been used as a legitimate proof of residency (Zaki, 2010). On the other hand, the state actively kept alive residents' hopes of a future housing programme which would move them into proper formal housing. 'I am seventeen years old', said a female interviewed in the *bidonville* Er-Rhamna in December 2016; 'since my birth, I have heard that we are going to be moved in the next months'.² Alongside people's suffering from the daily stigmatization and derogatory public discourse, this rumour-led uncertainty further prevented residents from investing in their houses and kept people ever-hopeful about state-led housing initiatives (Beier, 2019).

Hence, in 2009, when the resettlement of the Karyan Central *bidonville* started, most residents were looking forward to moving out, to escaping the stigma, and to

2 All quotations from the interviews were simultaneously translated from Darija to French and then to English.

becoming the owners of new apartments through the affordable third-party scheme. They accepted a move from the central and vibrant working-class neighbourhood of Hay Mohammadi to an as yet unfinished new town on the fringes of Casablanca's metropolitan area. The main driver for their acceptance was the people's aspiration to live in *maisons en dur*, a French term which literally means houses built out of solid materials and refers to ordinary, formal houses (*dar* in Darija), different to the *barraka* (shacks) of the *bidonvilles*. Similar to the difference between the formal 'pavement' and the informal *favela* in Brazil (Cavalcanti, 2014), *maisons en dur* represent a hyperbolic, socially constructed contrast to informality. In fact, many houses in the *bidonvilles*—especially the older ones—are not built so differently to ordinary houses. Nonetheless, many *bidonville* dwellers themselves differentiate in a clear-cut way between *dar/en dur* and *barraka*. They have internalized a stigma of 'otherness' that is very present in the Moroccan public. In a speech from October 2002, for example, King Mohamed VI called *bidonvilles* anarchic constructions that would be 'a threat for the cohesion and the equilibrium of the social fabric and a source of frustration, exclusion, deviation, and extremism' (quoted in MHUPV, 2013, translated from French). Fighting these 'anarchic constructions' would mean securing Morocco's development plans as well as the architectural beauty of Moroccan cities as a tourist attraction (King Mohammed VI, August 2001, quoted in MHUPV, 2013). Following neoliberal urban planning logics, fighting *bidonvilles* or 'visible' informality aims to boost Morocco's competitiveness in order to attract mobile capital within the world economy.

In 2004, King Mohammed VI started a new nationwide programme with the objective of eradicating all the *bidonvilles* in Morocco. Following the King's political speeches, the *Villes Sans Bidonvilles* (VSB, Cities Without Shantytowns) programme aims to restore an urban order that corresponds with globally circulating visions of urban modernity (Bogaert, 2018; Beier, 2019; Harroud, 2019). Likewise, the VSB programme presents a neoliberal strategy to integrate residents into market-based modes of governance, largely based on home ownership and property titles. The semi-private company Al Omrane (2010: 2) that leads the implementation of the VSB programme writes: 'The households concerned with the [VSB] program obtain individual property titles. The access to ownership ... allows [for] sustained socio-economic development of beneficiary households: better access to credit, business opportunities, etc.' Through resettlement, *bidonville* dwellers should become homeowners included in the formal market system, responsible for their own personal development and less demanding of the state (Bogaert, 2018). Nonetheless, the VSB's primary objective remains to clear away all *bidonvilles*. Official evaluations focus almost exclusively on the number of resettled households and cleared sites (MHUPV, 2012).

Hence it is possible to argue that both the residents of the *bidonvilles* and the central state apparatus that is behind the VSB vision share the same interest in formal urban space. However, the two actors have different understandings of what that formality and formalization of the informal mean. For the *bidonville* dwellers, it is about escaping the stigma of the *bidonville* and moving to houses with a higher social status. For the central state, it is about achieving a desired 'shack-free' urban order and insuring residents' inclusion into formal market systems and neoliberal governance schemes (Harroud, 2019). However, as the central state has decided not to pay for the construction of the houses itself, both state actors and *bidonville* dwellers (the allottees) depend on third-party developers to produce urban 'formality'.

Techniques of whitening: the third-party approach

The Moroccan third-party approach represents a housing policy development that follows neoliberal logics of urban planning by further reducing public expenditure and by mobilizing private money to achieve public objectives. However, at the same time, the third-party approach preserves the primacy of the central state in urban

planning.³ Thus, the programme allows the state to eliminate undesirable forms of *visible* informality (often referred to as ‘shantytowns’ and ‘slums’)⁴ (Bartoli, 2011) without being forced to directly produce housing, or to provide ‘costly’ subsidies to slum dwellers, or to offer financial benefits (i.e. building permissions on land in the centre) to private developers. In the case of the third-party approach, the state minimizes the affordability gap through the allocation of public land for construction in return for new, more centrally located land (the previously occupied sites of the *bidonvilles*). While overall this exchange of land benefits the state, the main financing mechanism is the expected price difference between subsidized, greenfield land and the market price once development is completed. As such, real estate speculation replaces credit-financing, which is unpopular for religious reasons. However, the programme cannot work without a pool of accessible public land and a dynamic real estate market.

The third-party approach needs to be understood against the backdrop of Morocco’s long history of sites-and-services projects.⁵ In late-colonial times, the French town planner Ecochard invented a system of *trâmes sanitaires* (molecular housing units, also known as *trâmes Ecochard*) to provide large quantities of shelter for a rapidly growing number of Moroccan workers (Rabinow, 1992). These incrementally developed housing blocks have characterized Morocco’s traditional *quartiers populaires* (working-class neighbourhoods) ever since. Later, the architecture of the houses changed, but the idea of providing serviced sites for auto-construction remained. Known under the term *recasement*, it became the authorities’ preferred method of tackling the growing numbers of *bidonvilles* and clearing the sites (Navez-Bouchanine, 2003). In the late 1990s, the Moroccan authorities acknowledged that *recasement* projects had been ineffective in reducing the number of *bidonville* dwellers and started to experiment with increased citizen participation (*ibid.*; Arandel and Wetterberg, 2013). However, affordability remained a significant issue. Vulnerable population groups that paid for a subsidized plot of land were not then able to afford the construction of a house. They either resisted relocation or resold their plot. Unfinished houses and unoccupied plots were therefore common, while the number of *bidonville* dwellers showed no sign of shrinking (Navez-Bouchanine, 2003; Le Tellier, 2008).

These are typical ‘deficiencies’ of sites-and-services projects, as has been observed in various countries around the world (van der Linden, 1986; Berner, 2016). In 2004, the VSB programme made basic participatory elements mandatory but stuck to the *recasement* approach as the dominant mode of implementation (Le Tellier, 2009; Zaki, 2013). To improve the affordability of the sites-and-services project, to minimize public expenditure and resistance, and to speed up clearance of the *bidonvilles*, the authorities introduced the third-party system in Casablanca’s larger *bidonvilles* (Zaki, 2013; Toutain, 2014; 2016). However, while private sector influence has increased over time, the disparaging homogenization of heterogeneous *bidonville* communities and their living conditions has not changed (Beier, 2019). Likewise, the third-party system continues to offer privately financed one-size-fits-all housing solutions to *bidonville* dwellers, despite being built on a complex multi-stakeholder network of central and local state actors comprising semi-public implementers, private third-party investors, and the allottees (Table 1).

In the case of Karyan Central, the *Comité Local de l’Accompagnement Social* (CLAS, Local Committee for Social Support) supervised the allocation of plots and defined the criteria for resettlement. The *bacha* (the head of the prefecture of Ain Sebaa

3 While the King’s speeches and programmes provide the strategic frame of reference for urban planning in Morocco’s major cities, the deconcentrated entities of the central state (*wilaya*, *bachalik* and *qaidat*) headed by the Ministry of the Interior are the main executive bodies.

4 In the Moroccan context, two terms are common. The French term *bidonville* literally means tin city. The Darija term *karyan* derives from the first shantytowns in Casablanca, which were located in former quarries (*carrières* in French).

5 For a more general discussion of sites-and-services schemes, see van der Linden (1986).

TABLE 1 Roles and motivations of the main actors involved in the resettlement of Karyan Central

Actor group	Actor	Role	Primary Motivation
Central state	King Mohammed VI	Representation and leading political role; provision of public land	Maintaining authority, legitimacy and political stability; eradicating <i>bidonvilles</i> ; promotion of Morocco's development ^a
	Ministry of Housing, Urbanism, and Spatial Planning (MHUPV)	Macro-level planning and identification of resettlement sites	Implementing royal directives; promoting quantitative achievements
Local state	Prefecture of Hay Mohammadi and Ain Sebaa (head: <i>bacha</i>)	Head of local implementation committee (CLAS); supervision and driving force for the clearance and relocation; definition of criteria for allocations; arbitration	Clearing the site and minimizing conflict; personal profit
	District municipality (<i>arrondissement</i>) of Hay Mohammadi	Administrative implementation of clearance and relocation (incl. surveys, drawing lots for plots and paperwork) together with Al Omrane	Clearing the site and minimizing conflict
	Local municipality (<i>commune urbaine</i>) of Lahraouiyyine	Administration of the resettlement; public service provision at the new site	Getting re-elected
	Local prefecture of Lahraouiyyine (head: <i>qaïd</i>)	Supervision of the resettlement	Minimizing conflict
Technical implementation	Al Omrane (semi-public holding company)	Technical planning of the new site; administrative implementation; development of the site (waste water, streets, connection to grids); real estate promotion	Business interests (sale of subsidized resettlement plots plus additional plots at market value) ^b
	Team Maroc (private organization)	On-site promotion of the resettlement; facilitation of the clearance	Business interests (provision for each signed resettlement contract) ^c
	ONE/Lydec (public/private)	Provision and installation of water and electricity at the new site	Business interests (paid for regular service; fines for non-payment in the <i>bidonville</i>) ^d
	Commissioned architects	Certification of the habitability of new houses (<i>permis d'habiter</i>)	Minimizing conflict, personal profit or forbearance
	Notaries	Setting up the contracts between third parties and allottees; registration of properties	Business interests
Third-party developers (<i>tiers associés</i>)	Financing the building construction; temporary accommodation of allottees; cost of plots and administrative charges	Business interests (sale of housing units) and/or benevolence	
Allottees (<i>bidonville</i> dwellers)	Target population	Living in <i>maisons en dur</i> ; adequate housing comfort; taking up a unique opportunity	

NOTE: For greater clarity, both the regional state level and the city level are omitted from the table.

SOURCES: ^a Bogaert (2018), ^b Barthel and Zaki (2011), ^c Le Tellier (2009), ^d Zaki (2010)

and Hay Mohammadi) has been the main political power at the local implementation level, combining legislative, judicial and executive programmatic functions. On the technical side, the semi-public agency Al Omrane is the most powerful actor (Barthel and Zaki, 2011). The central state transferred the land for the resettlement site to Al Omrane. In return, Al Omrane carries out the spatial planning, sets standards, administers the process of relocation, develops the resettlement site in a basic way, and sells the subsidized plots as well as additional plots at market prices. Administratively supported by both the local municipality and Al Omrane, CLAS commissioned an external agency

(Team Maroc) to convince residents of the resettlement project and to allocate one plot in the new town to two households from the *bidonville* (Le Tellier, 2009). These two households together search for the third-party developer (*tiers associé*), who agrees to build a uniform four-storey house for them. All three parties sign a contract with a public scribe or notary and the two households each demolish their own house. The *tiers associé* not only finances the construction of the new house but also pays the administrative charges, the price of the subsidized plot of land,⁶ and the cost of temporary accommodation for the two *bidonville* households during the construction period. In return, the *tiers associé* becomes the owner of the two lower floors while each of the two households moves into their own apartment on the two upper floors. In an ideal scenario, the two *bidonville* households move for free, while the *tiers associé* makes a profit by selling (or renting out) the two lower floors. By the end of the process, up to four different parties may formally own different parts of the house.

The incorporation of multiple private third-party investors into the resettlement project adds another dimension to the practice of whitening: real estate speculation with the related pressures of making a profit. Most *tiers associés* in the case of Nouvelle Lahraouiyyine are by no means wealthy investors, but rather, small-scale developers with limited financial capacity. Some do not have sufficient money for building the house on their own and need to ask a fourth or fifth person to help financially. They have to interact with heterogeneous allottees who have different levels of financial capacity, influence and aspiration and who previously lived under heterogeneous housing conditions within the same *bidonville*. Due to project-related uncertainties, limited profit margins, high transaction costs and the individual arrangements with each household, the sites-and-services project is not attractive for larger real estate investors. Among the *tiers associés* interviewed there were jewellery sellers, bakers, building contractors and taxi drivers, who variously built between one and ten houses in the new town.

Lured by the very low, subsidized prices for the plots of land⁷ and the belief in rising land prices, many *tiers associé* saw the sites-and-services project as a good business opportunity and a possibility to acquire their (first) own piece of real estate while doing something 'good' for other people. For example, Mohammed, a jewellery seller, described his motivation to become a *tiers associé* like this: 'I was renting and searching for my own house. Then my friends suggested that I should become a *tiers associé*, because it is less expensive ... Building houses for slum dwellers, you're doing something good. You can feel that you are close to Allah!' Omar, a building contractor, said: 'My father was working in the construction industry and I thought it is a good opportunity to have my own experience with a construction project. At the beginning, we thought it would be a profitable business'. Hence, while for many third-party developers the investment has a certain benevolent character, it is clear that most are unwilling (or unable) to accept financial losses.

The process of whitening: ambiguities, corruption and muddling-through

From the distant central state perspective, the third-party scheme may be called a success. Zaki (2013: 47) writes that the third-party system has enabled the resettlement of *bidonville* dwellers within the specified time into orderly new towns with ordinary houses *en dur*. However, an in-depth analysis of the sites-and-services project of Karyan Central paints a more ambivalent and heterogeneous picture that questions the capacity of the third-party scheme to produce urban 'formality'.

The third-party scheme only works if the *tiers associés* believe in the profitability of their investment. However, in contrast to initial expectations at the start of the project,

6 *Tiers associés* pay the money for the plot directly to their two associated *bidonville* households, who remain the only owners of the plot of land.

7 Plots cost approximately 10% of the regular market price.

real estate prices began to fall because of the increasingly bad reputation of Nouvelle Lahraouiyyine. According to a local real estate agent and several *tiers associés*, the market price of one apartment in Nouvelle Lahraouiyyine dropped from about 350,000 DH⁸ in 2011/12 to less than 300,000 DH in 2017. The total costs of construction—including interior design, temporary accommodation for allottees, official documents, and reimbursement of the cost of the plot—vary between approximately 550,000 and 700,000 DH. Consequently, profit margins are thin and the fall in prices has reduced the chances for many *tiers associés* to make a profit, if they did not obtain the right to build a house with a more lucrative shop attached. Hence, much depends on the local authority's system of drawing lots for the plots to allocate specific plots to *bidonville* residents. Only a few plots are designated for constructing a house with a shop. One of the *tiers associés* compared the system to gambling: 'It is like playing poker. You never know whether you will win'. However, following the first phase of construction it also became more and more difficult for *tiers associé* to sell on their properties once built. In 2017, seven years after construction began, most of the shops in Nouvelle Lahraouiyyine were still vacant. Meanwhile, those *bidonville* dwellers who had initially resisted moving now found it much more difficult to find a *tiers associé* willing to contract with them.

Third-party developers employed various practices to achieve their business interests and avoid losses. To get a plot with a shop, some bribed the municipal officers in charge of the lottery of the plots or an allottee who had successfully got one and was still searching for a *tiers associé*. It was also important to avoid costly conflicts with allottees. In particular, agreements that were made with a public scribe rather than a notary caused conflicts between *tiers associés* and allottees. These agreements were unspecific concerning the responsibilities and duties of each party, especially regarding the interior design. Many *tiers associés* were frustrated about allottees demanding expensive additional interior design or changes to the interior design once agreed. This was especially the case at the beginning of the resettlement process, when it was easy for *bidonville* dwellers to find *tiers associés* as many of them still believed in the profitability of the project.

Because the *tiers associés* are dependent on having two signatures from the allottees if they want to sell their properties, some of them simply accept the extra demands or pay bribes to avoid costly and lengthy court cases or further problems in selling the properties. *Tiers associé* Abdelaziz complained: 'They ask you for money if you sell the shop. They ask you for money to sign the contract of discharge. If they do not sign it, nothing belongs to you and you cannot sell your property'. A real estate agent confirmed that many allottees block shop sales if they have problems with their *tiers associés* or if they want a premium from them. *Tiers associé* Youssef openly affirmed that he would deduct this money from the costs of the construction material: 'In the end, the house is not built in a solid way. If the architect comes by [to approve the habitability of the house], you may give him for example 10,000 DH, and that's why some houses don't even have any walls anymore if just a small gas bottle explodes'. Because of bad construction, several houses even collapsed months after their completion. Other *tiers associés*, who did not botch the construction but insisted on predefined building standards and plans, could be faced with other concerns, as expressed by *tiers associé* Abdelaziz: 'The allottee asks you to do some illegal construction for him, like an extra wall or another room that is illegal. They do not understand that it is not possible, and then the problems start'. Many *tiers associés* would prefer for the municipality or the holding company Al Omrane to act as an intermediary between them and the resettled families.

From the perspective of the various allottees, the major objective is to move to a new house *en dur* with a functioning supply of water and electricity. They are unwilling to accept reduced housing comfort and wish to take advantage of a unique opportunity to gain status. For them, the largest risk of the third-party scheme is that the *tiers associé*

8 1,000 Moroccan dirham (DH), equal to approximately 90 euro.

does not finish the house. In December 2016, approximately 10% of the allottees occupied an unfinished house because their *tiers associé* had stopped constructing the house and could no longer afford to pay for temporary accommodation. In one case, a 43-year-old mother had become mentally ill from six years of living on the bare floor of her third-floor apartment. The *tiers associé* did not want to finish the house and tried to get rid of his obligations by selling it. The family refused to sign the contract of discharge and protested the sale of the house. In response, the *tiers associé* accused the family of illegally occupying the first floor (i.e. his part of the property) and took them to court. In other cases, third-party developers and allottees made pragmatic deals to ensure the house was completed. The case of Nohaila presented at the beginning of this article is a good example.

Many allottees also struggled to get formal access to services because of conflicts with their *tiers associé* and/or because they could not afford to pay for the installation of the meter. Hence, many residents had to find pragmatic solutions to get their electricity and water:

As we did not pay for water in Karyan Central, Lydec [the private company in charge of water supply in Nouvelle Lahraouiyyine] asked us to pay a lump sum of 2,500 DH per family when we requested the installation of the water meter. For some people, the *tiers associé* paid the charge, but others were forced to pay it themselves. We asked our *tiers associé* to pay for it, and he said we should wait. That is why we started to take water from the neighbours in the meantime (interview with Naima, resettled resident).

Access to services is also a topic that highlights the shifting regulations and pragmatic actions of local state actors within the production of formal urban space. With the construction of Nouvelle Lahraouiyyine, the population of the municipality of Lahraouiyyine tripled. Although the municipal budget also increased, the municipality is understaffed and struggles to fulfil its duties. Because of this, access to and delivery of services has become a matter of negotiation following individual requests, protest letters, posts on social media and sit-ins. One example concerned access to electricity. Initially, the *permis d'habiter* certifying the habitability of the house was the precondition for a formal connection to the power grid. However, as many residents did not possess this document because of conflicts with their *tiers associé*, they held a sit-in in front of the Lahraouiyyine town hall, and in response the municipality dropped this requirement to appease the residents. Similar protests and associated initiatives have led to improved, albeit informal transport arrangements (Beier, 2020b). Elected local authorities have also altered regulations as a form of co-optation prior to elections. For example, homeowners were required to pay a tax of 20 DH/m² for each floor of their property if they did not possess the habitation certificate after two years, but in light of the high number of unfinished houses, the president of the municipality dropped this requirement to get re-elected. After the elections, however, the newly elected president re-introduced the tax.

While political motivations in the resettlement process in Nouvelle Lahraouiyyine seem to be more related to Holland's (2016) concept of forbearance, the clearance of Karyan Central has pursued specific objectives in order to minimize political challenges (Slater and Kim, 2015). For example, CLAS, the local implementation committee, oversaw the clearance process but was not in charge of the development of Nouvelle Lahraouiyyine. For CLAS, the construction of new housing was simply a means to achieve its primary objective, which was a smooth clearance of the land without any large protests and within the specified time. Following this, CLAS flexibly adapted the eligibility criteria for the attribution of plots. In response to protests by residents, they changed the eligibility criteria from 'one plot per household' to 'one plot per married couple' and later changed the terms of reference from the 2004 to the 2008 census. Nonetheless, many residents still complained about not receiving

the appropriate number of half-plots—especially larger households with unmarried, divorced, or widowed members. Each allocation document only refers to one, usually male, household member. Therefore, divorced women and unmarried adult household members in particular feared losing their right to a plot. However, at no point was it ever clear who precisely was eligible for a half-plot. There has always been room for bargaining and corruption, largely depending on the residents' status in the community and their financial resources. According to the implementation report (Al Omrane *et al.*, 2009: 17f) and my own observations, CLAS determined the conditions for allocation and decided alone in all cases of dispute. Whenever the local authorities felt that a decision would create too much resistance, they slightly adjusted the allocation criteria. They also tried to bribe influential local and religious leaders by offering to bypass the lottery of the plots. Likewise, the *bacha*, the head of CLAS and the final authority in charge of the allocation of plots, misused his position not only for personal gain, but also to undermine the protests. Independent of one another, several residents mentioned that they were asked to pay between 20,000 and 60,000 DH for an additional half-plot. Other residents who had complaints about the allocation of plots were repeatedly asked to remain quiet and to come back at another time to resolve the issue.

Just as the eligibility criteria were flexible and open to corruption, so too were the criteria regarding what precisely constitutes 'formality' in the new town. Following the standardized floor plans of Al Omrane, each apartment looks similar in that it has three rooms, a kitchen and a bathroom. However, for some allottees such as Souad's family, these floor plans were inadequate. Souad grew up in Karyan Central and lived together with her parents, six siblings, two in-laws and four nephews and nieces in a large house. Two of her siblings married after the census and so did not get their own plot. After the resettlement, her family of ten people now lives in one 75m² flat with only two bedrooms. Souad and her unmarried siblings sleep on the floor in the living room. Her married brother moved out with his wife and their three children to live with his wife's parents. For this family, a flat with a fourth room would have improved the situation at least a bit, but their *tiers associé* told them that it was illegal. In contrast, Younes, another allottee in a very similar situation, lived together with his wife and their young son in their own room of 10m² in his parents' flat in Nouvelle Lahraouiyyine. Similar to Souad's married siblings, Younes was only married in a traditional way prior to the census in Karyan Central and did not receive his own plot. However, Younes' father built the house together with another relative, and despite the standardized building regulations, they constructed a fourth room. Because of this illegal adaptation, they did not have the right to get the *permis d'habiter*, which was initially required to access services and is still required to register the property.

Abdallah, an architect involved in the resettlements in Casablanca sympathized with these people and reacted with forbearance:

Al Omrane is run by engineers and not by architects. They are real estate promoters. The only thing that matters is profit. [According to this architect, the standardized floor plans are inadequate to address the needs of people:] There are so many people that subdivide their flats. If I arrive at their homes [to issue the *permis d'habiter*], I close my eyes. Architects are not allowed to authorize subdivided flats, but you have to find solutions for these people. They need the permit to get electricity. You always succeed in finding a solution.

Concluding thoughts: splintered informalities

Six years after the first families moved from the site of *visible* informality to ordinary houses *en dur* in Nouvelle Lahraouiyyine, hardly any household had obtained full formal ownership titles, including the *permis d'habiter* and the registration of the

property with a notary. Informal transactions for the sale and purchase of apartments are the norm rather than the exception. A real estate agent in Nouvelle Lahraouiyyine complained:

The apartment prices have dropped because no one has a title. It is just a black market! There are so many problems between allottees and *tiers associés* and so many social problems. Many *tiers associés* want to sell their properties to escape, but at the moment it is impossible to find buyers.

Also, several resettled dwellers are waiting for prices to rise again so that they can move into other accommodation closer to the city. The drop in the price mainly benefits low-income residents from other working-class neighbourhoods in Casablanca who are unable to afford their own property anywhere else in the city. Beyond conflictual actor constellations, the high transaction costs for notarial registration may also explain the lack of titles. Many residents do not see a reason to pay for complete *de jure* security of tenure, because they do not *perceive there to be* any insecurity of tenure. The statement by Abdelhamid at the beginning of this article provides a good example.

In contrast to the initial promises and dreams of whitening, it is still this kind of informal understanding—exemplarily expressed by Abdelhamid and architect Abdallah—that defines the citizenship status of the resettled residents. The third-party scheme has helped many poor urban dwellers to afford decent low-income housing, but its primary focus was on clearing away *visible* informality, in line with the central state's neoliberal urban visions (Bartoli, 2011; Harroud, 2019). While the most powerful local state actors supervised the clearance, less empowered local state actors dealt with the people's resettlement. Moreover, the significant profit interests of leading actors such as *tiers associés* and Al Omrane were undermined by the allottees' own attempts to profit from a unique opportunity, as well as by their understandable efforts not to accept reduced comfort in their housing. Unfinished buildings, informal arrangements to access services, weak agreements, numerous conflicts, and state practices of muddling-through show that the third-party scheme has not whitened the *bidonville*. Instead, people moved from houses that were visibly 'informal' to new houses that are 'formal' in a superficial sense. More than legal status, it is the discourse and the external perspective on people's housing that has changed. *Bidonville* dwellers used to be confronted with typical derogatory discourses of informality (Yiftachel, 2009; Cavalcanti, 2014; Valladares, 2019). Following resettlement, residents now live in houses 'just like anybody else', and many of them shared with me their happiness about being able to invite friends to their new homes. Likewise, from the distant perspective of the central state, the houses conform to official plans and the currently desired order of things. They are ordinary houses that *look* 'formal'.

However, residents still depend on the arbitrary goodwill of different state actors. Unlike certified legal status, discourses on 'formality' are flexible and may change over time. Although some people are happy about their new residential status, stigmatization continues to prevail in the employment and real estate markets. Furthermore, there is no certainty that the state will continue to tolerate informal access to services or the occupation of apartments without the *permis d'habiter* or titles in the future. According to the president of a community-based organization in Nouvelle Lahraouiyyine, the courts counted no less than 800 legal cases concerning the third-party scheme in 2011 and 2012 alone. In addition, a few resettled households have already reported attempts at eviction following family disputes and conflicts with *tiers associés*. Following the logics of an urbanism of urgency, the state may tolerate divergence from legal formality in order to minimize political challenges, as long as the resettled residents do not rise up in protest (Rachik, 2002; Slater and Kim, 2015). The *label* of 'formality' currently associated with Nouvelle Lahraouiyyine may not prove to be a permanent one. Residents

still find themselves in a situation of permanent temporariness, depending on public discourse and degrees of state tolerance.

The resettlement of Karyan Central shows that if, first, informality lies at the heart of how the state governs urban subalterns through urban planning and, second, housing programmes build on hyperbolic constructions of the formal/informal divide, these programmes are unlikely to produce formal urban space, even if that is the declared objective. Rather than the purposeful attempt to maintain planning flexibility (Roy, 2009; Yiftachel, 2009), the article suggests that the failure to ‘whiten’ grey spaces relates to informalized and hyper-privatized implementation of the programme as well as disinterest in changing the status quo after resettlement. The latter aspect relates to the informalities that emerge after resettlement as a result of people’s appropriation of space and in relation to insufficient public investment (Erman, 2016; Harroud, 2019; Kolling, 2019; Behbehani *et al.*, 2020). While the municipality of Lahraouiyyine is incapable of managing the influx of a new population, other state actors are no longer interested in the project once their main objective of removing visible informality has been achieved. Moreover, as long as prices remain low, Al Omrane remains passive, unwilling to sell its own plots on the basis of limited profit margins. However, even more striking is the first reason for the failure. The opaque, corrupt, and hyper-privatized process of formalization *itself* has produced new informalities, rather than formality and ‘equal metrozenship’ (Yiftachel, 2015). New informalities are the outcome of heterogeneous actor constellations with their own logics and shifting powers that are barely controllable by the state.

The new, *splintered informalities* (plural) of the new town are different from the *visible informality* (singular) of the shantytown. If the latter is typically group-bound, the individualized, hyper-privatized and heterogeneous nature of the third-party planning scheme in Nouvelle Lahraouiyyine has created multiple different degrees and forms of informality through subject-specific negotiations, conflicts and agreements. Informality in this sense is no longer the negotiated outcome of a hierarchical relationship between the state and a marginalized group of residents. Instead, splintered informalities are the hyper-flexible product of an interplay of different state actors, empowered citizens and various small-scale private investors—all with different interests, priorities and pressures. The character of a one-time chance to make a profit that encouraged the opportunistic practices of each party involved ultimately impeded the production of affordable formal housing and instead led to new forms of uncertainty and arbitrariness.

In the *bidonville*, the residents’ sense of community was built on their shared experiences of exclusion and common struggle, which motivated them to raise their voices against the state and to demand the improvement of services, maintenance of infrastructure and, not least, access to socially respectable housing *en dur*. The state has finally responded to these seemingly collective demands through the implementation of an affordable sites-and-services scheme. However, instead of unrestricted ‘whitening’, the third-party scheme has individualized and capitalized urban grey space. Residents have become individual subjects who are responsible for their own actions and reliant on themselves in relation to the potential consequences of non-compliance—whether this means protest during the resettlement process or the threat of eviction because of incomplete property titles. If the shantytown was one informal space that was ‘partially incorporated into the urban community, economy and space’ (Yiftachel, 2009: 89), the informalities of the new town are splintered and subject-specific—the pervasive result of largely uncontrolled and variegated small-scale neoliberalizations (plural) of space. Although all residents moved to Nouvelle Lahraouiyyine within the same sites-and-services programme, their degree of incorporation and recognition following the resettlement differs greatly due to the heterogeneous nature of the third-party scheme. As such, the degree of incorporation no longer results from an, at least to some extent, predictable relationship between a larger marginalized group and the state,

but is impacted by the imponderable practices of various private and public actors as well as market volatility. Thus, splintered informalities are the result of multiple neoliberalizations of space, leading to new uncertainties and arbitrariness beyond the control of a single (state) actor.

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