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Indonesia Development Forum 2017

## Fighting Inequality for Better Growth

Jakarta, 9-10 August 2017





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# POWER/POLICY MISMATCH/PRESSURE

Bandung Case In Fighting  
Against Inequalities





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Bandung Case In Fighting  
Against Inequalities

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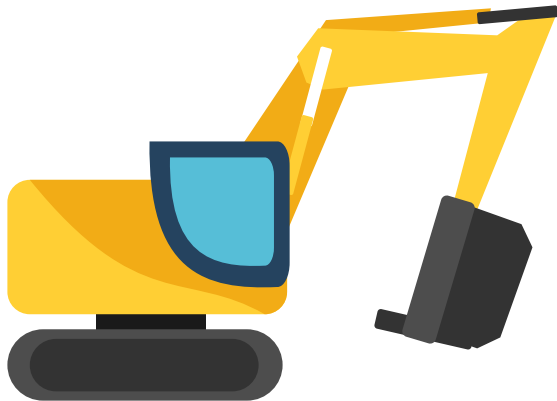
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# /INTRODUCTION



**Inclusive City** and **City without Slums** discourse has been executed as the **agenda of eviction and displacement** of the urban poor who cannot engage into the formal system by their difficulties to access the resource and power



However, the **informality** is not only caused by the absence of the state or the **failure of planning** but also by the deregulation as the mode of regulation or **informality from above**.

Aims: acknowledge to what extent **insurgency** is needed as the reflection of the **imbalance of power** distribution which creates a **policy mismatch**.

Bandung is selected as the case study because of its famous entitlement of **human rights city**, it has well-known beautification approach of planning through the parks development, whereas in the contrast with the **series of eviction** during the last five years.

Structure:

1. the explanation of **power discourses** between powerless & powerful actors
2. the consequences of power space in **policy creation** which often leads to either deregulation or the absence of the state
3. **people pressure** as the possible option for the powerless to reclaim their rights and voice against inequality
4. the conclusion over the study in general.

# /THE POWER

Informality of the poor, treated **unequally** than informality of the wealthy. Their poverty, often makes them “unwanted citizen”, differ to the wealthy, whom invited.

To acquire a better understanding about the **power relation** that create boundaries between marginal and elites, Gaventa (2006) suggest a **continuum of spaces** as follow:



## ***Closed spaces:***

The decision-making processes are made by a set of actors behind **closed doors**, without any pretenses of widening the boundaries for inclusion. The explanation about this notion is when **the elites** (this could be bureaucrats, experts or elected representative) make decisions without the involvement of the broader public.

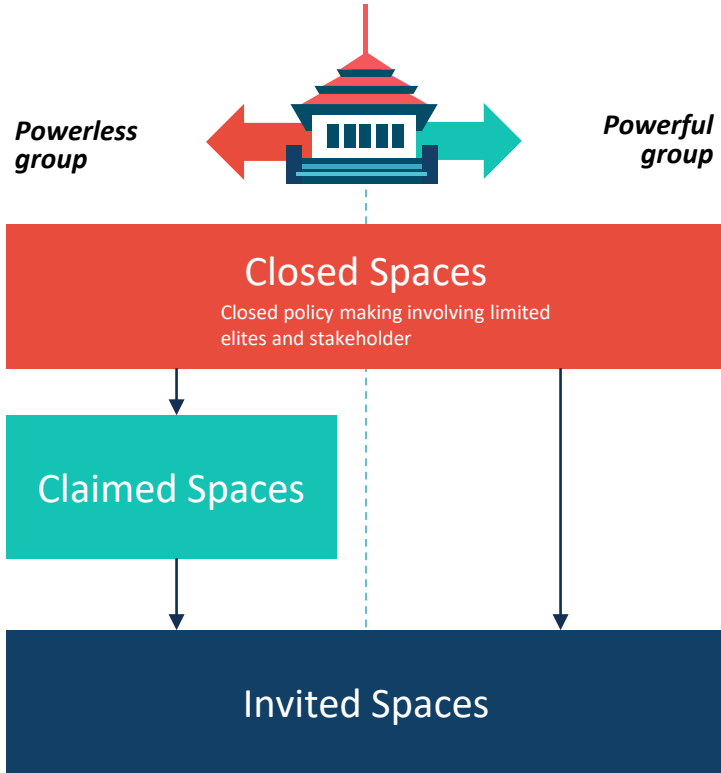
## ***Claimed or created spaces:***

These spaces are arranged by **powerless actors** as a form of opposition against the power holders. The main characteristic is the autonomous initiation, which could be **community movements**, associations, or simply open discussion and debate, outside institutionalized policy arenas.

## ***Invited spaces:***

New space which is created as efforts to **broaden participation**. This called ‘invited’ to bring other actors such as citizens and other beneficiaries to involve in the decision-making process.

# POWER CONTINUUM BETWEEN GROUP



Powerless, claiming the blank space to survive in urban dynamics. Only through the insurgency/ class action, they can articulate their interests.



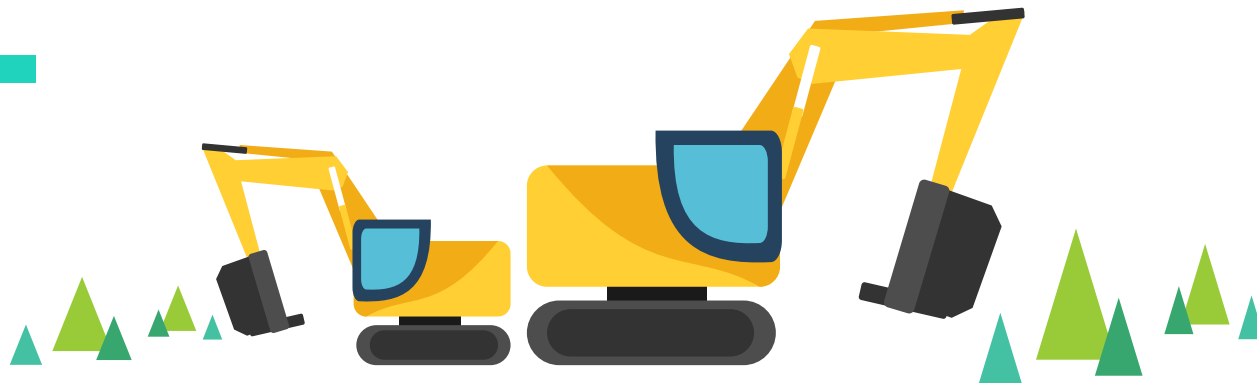
Powerless group most of the times **have no voice**. For example on how the government handling the slum dwellers and street vendors (PKL), are the settlers involved in the discussions? Are the vendors involved in policy-making process?

With promising prospect to investment and locally raised revenue contribution, most of informal activity belong to powerful group are legally acknowledge, granted the permit even the deregulation, creating space of exception.



Witnessing other cases, urban fringe expansion, new apartments construction **are easily accommodated by power holders**, either through the spatial plan changes, or through local regulation amendment which prohibit and constraints to such development.

## COMPARISON OF ISSUES' TREATMENT BETWEEN GROUP



Issues	Status	Treatment
<b>Development of Northern Bandung Areas (for example: Maj Apartment, Galeri Ciumbuleuit, Marbella Suites)</b>	Violating several regulation: Provincial Regulation No. 1/2008, Governor Regulation No 21/2009 Governor Regulation No 58/2011	Regulation Amended 2016 Provincial Regulation No. 2/2016 replaced P.R. No. 1/2008 and its derivatives Accommodated in Municipal Regulation No 10/2015
<b>New development of Jakarta-Bandung High-speed Railway Plan</b>	Outlawed in any planning document: Provincial Regulation No. 22/2010	Planning Document reviewed (2017) to conclude the HSR project
<b>Pullman Hotel Development near West Java Provincial Palace (Gedung Sate)</b>	Violating regulation: Bandung Spatial Detailed Plan and Zoning Regulation; Municipal Regulation No 10/2015	Continuing to develop
<b>Squatter Settlement in Cikapundung Riverside (Kampung Kolase village)</b>	Violating regulation: Municipal Regulation No.18/2011	Evicted and relocated to Rusunawa Sadang Serang
<b>Squatter Settlement at the Southernpart of Bandung Railway Station</b>	Unclear legal status for both PT.KAI or local citizen	Evicted and relocated to Rusunawa Rancacili
<b>Street Vendor in Purnawarman Street (near Bandung Electronic Center Supermall)</b>	Corresponding with the regulation (Yellow Zone-limited activity) Municipal Regulation No.4/2011 Mayor Regulation No.888/2012	Evicted and relocated to BEC Parking ground

\*Provincial Regulation refers to West Java Province Regulation

\*Municipal regulation refers to Municipality of Bandung Regulation





# /THE POLICY MISMATCH

“Inclusive” and “equity” concept seems to work for only *those who can afford*.

**Vertical mismatch** (left table) explain how the policy deviant from positive-normative to praxis between governance level;

**Horizontal mismatch** (right table) explain how the policy/decision are different between group at quite similar informality case.

Level	Case I: Street Vendor	Case II: Slum and Squatter Settlement
<b>Global</b>	Inclusive City (SDGs Goal 11)	New Urban Agenda (Livable Cities and Cities Without Slum)
<b>National</b>	Republic of Indonesia Constitution 1945 art. 27 Act No. 20/2008 Micro, Small and Medium Scale Enterprises Act. No 26/2007 Spatial Planning Ministry of Home Affair Regulation No. 41/2012 Ministry of Public Works Regulation No.5/2008	National Target about 100 / 0 / 100 (100 percent access to safe clean water, 0 percent slum, 100 percent access to sanitation)
<b>Local</b>	Zero Growth Policy Municipal Regulation No. 18/2011 Municipal Regulation No. 4/2011 Mayor Regulation No. 888/2012 Eviction and Relocation	Vertical Housing Development Eviction and Relocation

Aspect	Powerless	Powerful
Case I: Informal Business	Street Vendor: Purnawarman Street	Pullman Hotel
<b>Type of violation</b>	Occupying public spaces (roadside/park) for private purposes	Exceeding the maximum floor allowed standard
<b>Negative Externalities</b>	Creates traffic jam	Exploit the groundwater Creates the traffic jam
<b>Positive Externalities</b>	Create employment for low-income household	Contribute to municipal tax/levies or PAD (locally raised revenue)
<b>Action</b>	Eviction and Relocation to new location	Permission to development
Case II: Informal Settlement	Kampung Kolase	The Maj Condominium Hotel (Condotel) and Apartment
<b>Type of violation</b>	Occupying public spaces (riverside) for private purposes	Built in limited development spaces due to conservation effort
<b>Negative Externalities</b>	Pollute the river Create bad images of the city	Exploit the groundwater Creates the traffic jam
<b>Positive Externalities</b>	Become a shelter for urban marginal group, reduces homeless	Contribute to municipal tax/levies or PAD (locally raised revenue) Contribute to the backlog reduction effort
<b>Action</b>	Eviction and Relocation to new location	Permission to development



## MISMATCH I: INFORMAL BUSINESS

First case is the  
contrast between  
Pullman Hotel and  
Purnawarman Street  
Vendor.



Pullman  
Hotel  
Bandung



Purnawarman  
PKL/Street  
Vendor







## MISMATCH II: INFORMAL SETTLEMENT

Second case is the  
contrast between  
Kampung Kolase and  
*The Maj* Apartment.



Kampung  
Kolase  
Settlement



The Maj Apartement &  
Condominium Hotel

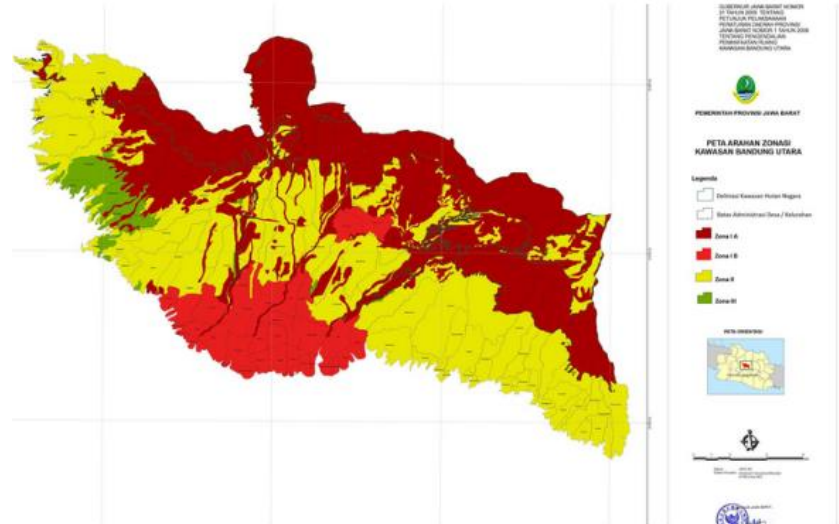
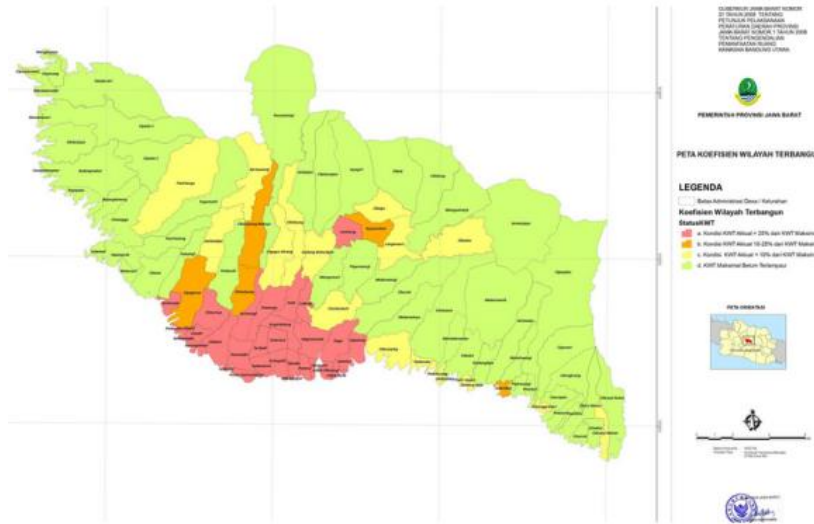




## ZOOM IN: North Bandung area development control regulation

Provincial Regulation No. 1/2008  
about North Bandung  
Development Control regulation  
is amended to Provincial  
Regulation No.2/2016

This recent changes, create a  
“spaces” for new development  
regulation arrangements that  
may accommodates existing  
*informal activities*.



Maximum Built-Area Coefficient Index Map and Zoning  
Direction of North Bandung Area





## MISMATCH III: THE PARK CASE

Due to the public characteristic, Park is **restricted space** for street vendor/informal business. Municipal government enact this prohibition policy at the Municipal Regulation No. 4/2011, Article 20 point b.

However, **The Park Standard (Ministry of Public Works Regulation Number 5 Year 2008)** allows shop (kiosk) to be built in the Kelurahan Park or the higher level such as Kecamatan Park and City Park if necessary.

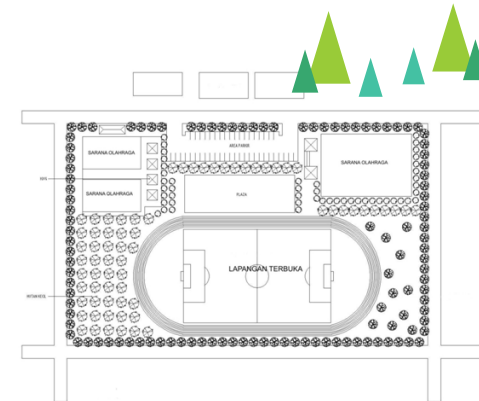
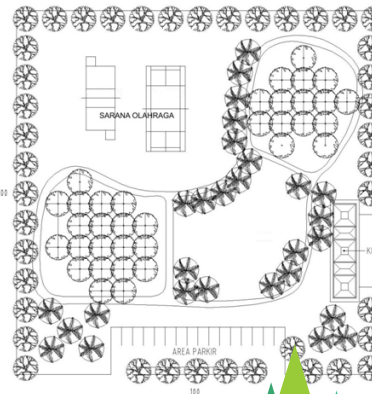
Design Standard for Kelurahan Park (left) and Kecamatan Park (right) where Kiosk be the optional design component

Source: Ministry of Public Works Regulation No. 5/2008 about Park Standard



This case also can be categorized as **Policy Mismatch**, due to the government failure to understand the context.

Is kiosk design suit with both social and cultural context at local level? Are they better than mobile and portable street vendor? Is prohibiting informal business be the best approach to create a clean-safe and beauty environment (K3)?





## PRESSURE I: TRANSFORMATION OF KAMPUNG KOLASE

The Kampung Kolase relocation occurs with relatively low pressure from the local citizen comparing to other, even though today, the displaced family still complaint about the unfulfilled mayor promises.



Participative tactical urbanism project which involving locals to create an urban collage art and branding.

The Mayor visit kampong to lead the relocation action to Sadang Serang Flat.

The eviction day.

Present day, which also known as *Cikapundung Terrace*.





## PRESSURE II: KEBON JERUK INSURGENCY

- This part will mainly discussed Kebon Jeruk Insurgency towards the action of PT.KAI which evicts and demolishes their settlement arbitrarily.
- The PT KAI Utilization Plan for Transit Oriented Development in Bandung Station, has displaced informal settlement, ex plantation and transit lodging in the Dutch East Indies era.



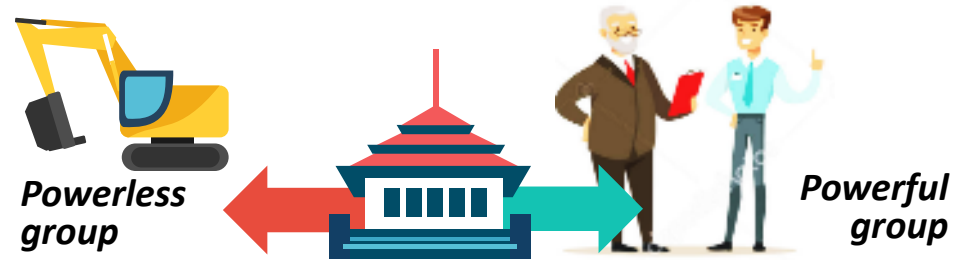


- Attracts sympathy through negative stigma
- Opportunity to live in Sadang Serang Apartment in Rancacili.– which initially not intended for relocation of PT KAI eviction victims.
- Sept 28, 2016, take legal actions to the court
- May 31, 2017, the decision of the Bandung District Court was to grant the plaintiff's claim, stating that what was done by PT Kereta Api Indonesia and Government of Bandung is against the law, and for the defendant I shall compensate the losses received by the plaintiffs.
- June 20, 2017 the Railway Special Police (POLSUSKA) still intimidates.
- July 21, 2017, PT KAI release the second announcement. Responding to such action, they ask the local police at district level to protect them from intimidation in any form from PT.KAI.





# /CONCLUSION



- Planning failure in combination with the absence of the state has contributed to unfair treatment, where a huge gap of space and power between the poor and the capital owners lies ahead.
- Insurgency, in this case, is likely to initiate the change, so it will not be taken for granted. However, due to its limited power, people's struggles can not simply changes things. But forcing educated people who have wider access to information, legal literacy, and strong pressures on the ruling group, to participate in the struggle of the people, attend and participate in political activities.
- Power distribution and civic engagement are the essential key in order to achieve the inclusive and equitable city
- Because Inclusive and equitable cities will never been taken for granted, not come as a gift from elected officials, nor the government; however must be achieved through a series of never ending people's struggle with full determination to totally wipe out the inequality from the urban realm.

