

## Recognizing (Dis)Order: Topographies of Power and Property in Lima's Periphery

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Published December 2013 in *The Housing Question: Tensions, Continuities and Contingencies in the Modern City*. Eds. Edward Murphy and Najib Hourani. Chapter 9. Pages 183-198.

### Introduction

If you stay quiet long enough, people often answer their own questions. “*What do you think of Pachacútec? Lots of disorder, right?*” I gazed through the fog and watched a group of women negotiate their relocation while police and *dirigentes* (community leaders) tore down their houses. Before I could continue the conversation, one *dirigente* asked if I would photograph two children sitting huddled alone in the fog, their belongings scattered in plastic bags behind them. He asked me to take as many pictures as possible, “but please don’t get any pictures of our people doing the eviction,” in case there were reprisals later on. People argued. Some wielded documents, others large wooden sticks. Still others stood by conversing politely with neighbors as their houses were knocked to the ground and their belongings destroyed.

Disorder. While it is significant that many who claimed residency in Pachacútec viewed “the system” this way, this “disorder” seemed to have an underlying logic. The chaos that appears to inhabit Lima’s outskirts is discursively associated with the state’s absence or inability to keep pace with the needs of the population. However, Pachacútec began as a government project and as such “the state,” in its various incarnations, has played an integral role in the area since its inception. What must be interrogated, therefore, is not the state’s absence but rather the particular qualities of its presence. Here, in one of Lima’s largest and most politically visible margins, disorder is less the antithesis of order than it is the presence of multiple orders. Pachacútec is characterized by an excess of “state-like” practices. Too many actors compete to perform the role of the state, changing maps, distributing documents, and producing laws so quickly that the official rules become illegible to much of the population (Das 2007). For some however, the conflicts and confusions that arise when these orders collide are both predictable and profitable. Peoples’ efforts to make the most of this politically lucrative chaos have been shaping the city for over 60 years.

As one of Lima’s largest and most recently founded “extreme poverty zones,” Pachacútec offers ample opportunities to aid the poor.<sup>1</sup> Visually, the poverty in Pachacútec is startling.

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<sup>1</sup> The Peruvian government divides its population into five socio-economic sectors. “Sector E” is “extreme poverty.”

Ramshackle houses spill out across the sand dunes, at every turn threatening to obliterate the imaginary lines politicians and urban planners have so painstakingly drawn. What began in the year 2000 with the relocation of 10,000 needy families has since expanded to officially include 180,000 residents, a statistic that appears to grow as it circulates. These residents make their lives under incredibly hostile conditions. People living just a few kilometers away often describe Pachacútec as unfit for human habitation. In the winter temperatures plummet and the thickening fog forms rivers in the streets. The *esteras* (straw mats) and plastic sheeting from which most people fashion their homes offer little protection against the elements. As the cold conspires with chronic malnutrition and poor sanitation, people get sick. Area developers readily cited rising tuberculosis rates as evidence of Pachacútec's marginalization and the threat that such impoverished and disorderly spaces pose to the rest of the city.<sup>2</sup>

The vast number of people living in these inhospitable conditions rightly demands urgent attention from the various political bodies that maintain a presence in the area. Located in the Constitutional Province of Callao, Pachacútec falls under the jurisdiction of four different governing bodies: the district government of Ventanilla, the Province of Callao, the Region of Callao, and the national government of Peru. As such, there are four different governments that settlers in Pachacútec may make claims on, and four different groups of politicians competing for the votes of area residents. While technically these are separate levels of government, from the perspective of area residents they operate as four distinct political bodies, whose jurisdictions and responsibilities overlap and who may be pit against each other for specific purposes. The success of these local politicians depends on their ability to participate in electoral pandering while continuing to invoke and perform "the state" as an impartial and technocratic governing body. It is this mingling of fickle patron-client relations with the disciplinary practices of government that provides the foundations for Lima's sprawling, pockmarked, and perpetually unfinished urban landscape.

What politicians most readily offer squatters is recognition. That is, rather than paving roads or installing sewage systems, they take on the governance projects of classification and entitlement, offering to recognize groups as the righteous impoverished and to convert technically illegal land invasions into legitimate "human settlements" (*asentamientos humanos*) (Comaroff and Comaroff 2006, Appadurai 1996). While one political body might recognize a group as disenfranchised but worthy recipients of state property, another political body, playing to a different constituency, may

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<sup>2</sup> The spread of virulent strains of MDR-TB in Lima has been discussed by Farmer 2003 and in numerous public health journals (see especially Shah et al. 2010, Rojas et al. 2008)

recognize them as delinquent invaders—a threat to future development that should be removed by any means necessary. The result may be understood as crisscrossing lines of “state sight” (Scott 1998). This is what occurs when various “state-like” entities coexist and disagree about how to categorize and treat populations (Trouillot 2001). Peruvians seeking property rights in this system do their best to exploit its indeterminacies, even as they are held hostage by them. With authority unclear and unsettled, one’s right to property is always subject to (re)evaluation, such that “formal” and “legal” are not statuses to be attained, but projects that demand constant upkeep and attention.

What follows is an anthropological account of settlement patterns in one corner of Lima’s periphery that illustrates how uneven topographies of power have shaped Peruvians’ livelihood strategies and the urban landscape. By interweaving the history of Peruvian settlement policies with situated ethnographic moments and anthropological theories of the state, I demonstrate how Peruvians’ expectations of property have been molded by relatively stable discourses of legitimacy and incredibly consistent politico-legal instabilities. To truly understand this process, I argue that we must de-center dominant conceptions of “the state” and instead explore how it is both constructed and experienced in the margins. From this vantage, it is easier to see that “the state” is not a coherent or rational entity, but rather a “contingent lash-up” of social relations and a powerful construct that is (re)produced through mundane technologies of governance, interactions with state agents, media representations, and invocations of constitutionally guaranteed land rights (Li 2005). While rhetorically “the state” is all about order, ethnographic examination reveals it to be the unstable product of contested and contradictory practices (Sharma and Gupta 2006). As an artifact of social relations, who or what constitutes the state and how it aligns with particular economic interests and structures of authority are empirical questions that depend on local and historical contexts and can fluctuate from one moment to the next (Mitchell 1990). Likewise, as abstract constructions, “state” and “society” only ever meet through the bodies of individuals who simultaneously represent the supposedly impersonal authority of the state and their own private interests (Poole 2004). All of this makes the state a very tricky thing to write about, and I hope readers will forgive me if, on occasion, my depictions of property and state practice slip past my ability to theoretically contain them. Ultimately my point is that where power is uneven, multivalent, and ambiguous, property will be as well. This is not simply because property regimes reflect the order of things, but because they are integral to the state’s contingent and constantly renegotiated substance.

## **Il/legal Histories and Political Precedents**

The story generally told about urban development in Lima goes something like this: following World War II economic dislocation and escalating political violence drove large waves of rural dwellers into the cities (Fitzgerald 1979, Collier 1976). The result was an “overflow” of the indigenous and popular classes which changed the “face” of the city forever (Matos Mar 2004, Sandoval 2000).<sup>3</sup> The unprecedented explosion in the urban population led governments to rely on policies that put urban development in the hands of migrants themselves. This policy of ‘self-help’ development has resulted in a city where governance and planning constantly appears to be ‘catching up’ with urban growth (Collier 1976: 19). The vast majority of Lima’s infrastructural problems—shortages of electricity, pollution, high traffic, and the lack of water and sewage systems in the periphery—are understood as the inevitable consequences of this improvisation (Riofrio 1996).

While not entirely untrue, these hydraulic formulations mask the degree to which Peru’s political system has been complicit and supportive of these developments. In Lima, the popular masses are much more than problems for urban planners; they are a political force to be reckoned with. Far from relegated to the margins and invisible to authorities, in urban Peru these settlers are highly organized, politically astute, and do everything in their power to be seen by politicians. Locally referred to as “invaders,” their strategy is to obtain formal recognition of their land claims, so they may later lobby governments to develop basic infrastructure. They tend to invade public lands where they may invoke political rhetoric and ambiguous laws about land serving the “public good.” As citizens, they argue that they *are* the public and, as people in need of housing, their private appropriation *is* the public good. Likewise, politicians do everything in their power to be seen, ‘seeing’ these groups. They engage in a political and moral economy of recognition, hoping to demonstrate the benevolence and efficacy of their governments by supporting “the truly needy.”<sup>4</sup>

Since the 1960s, Peruvian politicians have been developing innovative legal ways to balance their political need to demonstrate compassion for the poor with their stately obligations to prevent the disorder of the margins from engulfing the city (Collier 1976, Lloyd 1980, Dietz 1998). The first significant policy innovation appeared in 1961 when the Peruvian congress passed Law 13517 on Marginal Settlements. This law forbade the formation of new invasions while promising to help groups of organized citizens remodel, reorganize, and legalize existing slums and marginal neighborhoods. While this law initially made full legalization dependent on complying with

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<sup>3</sup> The phrase “changing face of the city” is a double entendre used by Peruvian anthropologists to describe how changes to Lima’s urban landscape corresponded to changes in the city’s ethnic/racial composition.

<sup>4</sup> I interrogate important fluctuations in understandings of the “truly needy” in other work (see Skrabut 2008).

urbanization norms, when the government could not keep pace with its new obligations to finance urban infrastructure, it revised the legislation to decouple physical and legal regularization (Calderón 2002, Fernández Maldonado 2010). As a result, a pattern emerged where physical occupation was followed by legal recognition, and urban infrastructure would, eventually, be brought in after the fact.

Law 13517 was just one component of a much larger politico–legal regime that institutionalized “informal” methods of property acquisition. The law both emerged from and contributed to a political and ideological environment in which redistributing land was integral to creating a more just society. With his 1969 announcement of agrarian reform, then President Velasco affirmed these ideas, stating that land in Peru would serve a “social function in a new system of justice,” and rightfully belonged to “those who work it and not to those who charge rent without tilling” (Velasco 2005: 282). The stance was later written into the constitution, with a provision that “land must be used in harmony with the common good.” What constituted the “common good,” however, was left open for interpretation, leaving politicians and settlers significant room for political maneuver. Depending on the political circumstances, invasions could be framed either as assaults on the existing order or as realizations of constitutional tenets and spontaneous acts of redistributive justice.

Discourses associating land rights with a combination of labor and economic necessity contributed to an understanding of property as an unstable enactment. In this view, property required a performance of possession over time punctuated by “official” authorizations that promised to unite the legal record with the residential reality. The first official recognition may be received after only 24 hours, at which point occupiers are understood to have a legal claim to the land and may no longer be removed by force (Dosh and Lerager 2006: 39). Although not always respected, this provision shapes how Peruvians interpret and enact their rights to the city. As one *dirigente* explained, “the law says that after 24 hours, you have a right to stay ... So when 24 hours pass, you can begin to negotiate so the regional, municipal or the provincial government will give *constancias de posesión* (written proof of residence). Once you have the *constancia*, you have something more secure to file for the property title, which you get with time.” While squatters covet these documents as “official” recognition of their land claims, in practice, the power of these documents is limited. Their validity may be questioned if the authority that granted the *constancia* loses power, or if people perceive a disjuncture between the document and the physical conditions it is meant to represent. In these cases, documents are transformed from prized possessions into evidence of legal duplicity and injustice. Due to Peru’s

frequent policy shifts, the political contests over the authority to title lands, and the simple fact that Lima's residents move around, the moral transformation of documents has become quite common.

Since 1961, administrative responsibility for land titling has shifted from the central government (1961–1980), to the municipalities (1981–1995), back to the central government (1996–2000) and then back to the municipalities in 2001 with the central government retaining its right to grant titles in states of emergency (Calderón 2002). Within those shifts between levels of government, the particular government office responsible for granting land titles has changed a total of 13 times. Yet the tangled web of rights and powers that make it into official history pales in comparison to the daily contests that take place on the ground, particularly at the edge of the map where the shape of the city is more readily revised. Here, there are frequent disputes regarding which political body has the power to authorize a land claim, especially among opposition parties at different levels of government (Dosh and Lerager 2006: 34). These authoritative inconsistencies, combined with the dizzying size and inefficiency of Peruvian bureaucracies, have encouraged Peruvians to be attentive to shifts in legal frameworks, to exploit fleeting laws in the moment and to rely on 'extra-legal' modes of property acquisition.

While the "official" rules change quite often, the socio-legal norms governing land invasions have been incredibly consistent. A good invasion requires careful planning and collaboration with government officials from start to finish. Being politically astute, settlers often occupy lands on dates which will deter "violent reaction" such as public or religious holidays and are quick to seek support from an influential political leader by flying banners or naming settlements in honor of particular politicians. Even if the invasion was informally sanctioned by a politician ahead of time, occupiers must be vigilant against other authorities who would evict them. They therefore divide responsibilities in order to perform property as incontestably as possible. Some squatters remain on the land at all times while others initiate bureaucratic procedures, procure documents, or purchase more permanent building materials that will fortify their land claims (Collier 1976, Lloyd 1980). The formula for a successful invasion is so well known in certain circles that one scholar described it as the "recipe for a house" in Peru (Torribio 2005).

The ambiguous legality of settlements, in combination with the formulaic nature of "illegal" occupations has encouraged Limeños to think of land invasions as viable, low-cost housing alternatives. Much like getting married and having kids, moving into a home of your own, on your own plot of land, is viewed as another stage in the life course. Residents of Pachacútec described this phenomenon with the aphorism *casado casa quiere*—married people want a house. For many,

squatting is simply one way to make this happen. Moreover, while land invasions are to a degree demonized for their illegal foundations and their contributions to disorder, many residents also believed that young couples should go through the process of constructing their own households and neighborhoods from the ground up. Even as squatting is accompanied by a rhetoric of suffering and impoverishment, it was also described as “character building” and a stage that “everyone must pass through.”

These sentiments also resonate among development officials compelled by liberal ideals of individualism and grassroots development. As far back as John Locke, liberalism contended that it was through individual hard work that man “enclosed” his property from the commons and then constructed society and government in collaboration with other autonomous, property-producing individuals (Collier, Maurer and Saurez-Navaz 1996). In this framework, “self-help” housing initiatives offer a paradigmatic example of individual self-determination; a development strategy that both indexes and promotes individual autonomy and community involvement. Thus, while my interlocutors in Pachacútec understood that invasions were technically illegal, they were far from illegitimate. With time and the proper politico-legal tools, their illegal foundations would fade and residents could become dignified, propertied citizens.

### **The Documentary Dimensions of Property and Politics**

Politics and the tenuous legality of land acquisition are at the heart of most major conflicts in Pachacútec, a location whose rejuvenation in the year 2000 was based on the link between redistributive justice and the legitimacy of politicians. In detailing its particular history, I endeavor to illuminate how property rights are constituted in practice, including the complex role that land titles play in this process. The official history of Pachacútec explains that President Fujimori relocated thousands of people from an invasion on private lands in Villa El Salvador to this sparsely inhabited area of Callao. The unofficial history, however, is that Fujimori’s government planned the initial invasion to incite a conflict that Fujimori could later resolve, bolstering his image as a leader firm enough to counter disorder, and beneficent enough to provide land to some of Lima’s neediest families. The political motivations for the relocation were inscribed in documents published by community leaders and in the memories of settlers themselves. When Amélie related her experience of the relocation, she explained:

My sister came home one day and told me, ‘Amélie,’ she says, ‘they’re registering people to have land’ ... She tells me it’s in Villa El Salvador ... you know, where they had that big invasion ... it was HUGE. But that was planned ... it was

something political, because they came house by house by house registering people to invade ... it was political. Because who is going to come around and register us to just *give* us land ... do you get my meaning?

While many refused to relocate from the original invasion site to Pachacútec, a barren desert four hours away, others saw it as an opportunity ripe for exploitation. Fujimori's government promised that developing the new location would be quick and straightforward. There would be no middlemen to confuse the process. Instead, national level city planners etched an imaginary grid into the landscape and placed each resident on a rectangular plot where they were to remain until the registration process was complete. Once residents were counted and clearly assigned to plots in the neatly gridded landscape, installing infrastructure, taxing residents, and governing the population would all be vastly simpler (Appadurai 1996). However, reaping the political rewards of the relocation required a great deal of publicity; and this publicity encouraged others to come to Pachacútec. People living in settlements where development had stagnated, couples uncomfortable in their current living conditions, and forward-thinking individuals looking for investment opportunities, arrived in droves to stake out plots of their own on the sandy urban frontier. Invasion after invasion, Pachacútec grew beyond urban planners' capacities to contain it.

Ten years later, little has changed. Pachacútec remains a place that attracts people in need of cheap housing and experiences growth spurts every time a politician suggests a change to the map that could make more land available. Different versions of land titles are readily available to settlers and infrastructure is still *about* to be installed. Pachacútec is both perpetually settling down and frozen in a state of "becoming." Ironically, the ubiquity of land titles may be to blame for this. As Olinda, the head of one popular dining hall, contended, "it was a mistake to give property titles to those people ... because once they got them they closed up and left. Here we have many empty lots ... some have sold them, but a few of them, because they have titles, don't even have *esteras*." Rather than clarify land rights, national land titles raised basic questions about who "the community" and its rightful representatives might be.

Thus Pachacútec, like much of Lima's periphery is both expansive and full of holes. The words *NO VIVE* (no one lives here) are spray-painted on doors, and where they are not, neighbors will readily explain just how "lived in" the houses are. While policies seek to enable squatters to develop themselves, at the level of entire neighborhoods, "self-help" is not an individual endeavor, but requires community participation. Within "marginal settlements," residency (*vivencia*) is a multivalent concept that encompasses many different behaviors and characteristics (Skrabut 2008).

Most importantly however, residency is not something one has, it is something one does. As one *dirigente* explained, “*Vivencia* is not just to live there, to be stuck in your house day and night. *Vivencia* also means to collaborate, participate in a meeting, to give your input. When there’s a chore to do, you go out to do the chore. When it’s necessary to protest, you go out and protest and you work hand in hand with the *dirigentes* ... that’s what living is for me ... whether or not you’re in your house 24 hours a day, you have to *be there*.”

This understanding of residency, based on participation and constant presence, coexists uneasily with the political and personal fixation on land titles. During the course of my fieldwork, I was constantly impressed by peoples’ reverence for written documents and marveled at the care with which they were kept. Birth certificates, certificates of participation, receipts and various proofs of residency were gingerly placed in plastic sheets and tucked away in folders. When I commented on this to one informant, he explained “these sheets of paper are the only proof that matters ... If I don’t have a document that says it, it doesn’t count.” While scholars have argued that historically excluded populations are prone to fetishizing state documents, the sociopolitical dynamics in Pachacútec demonstrate that individuals in the upper echelons of government do this as well.

Pachacútec was founded at a particular historical moment when the participatory and progressive aspects of “self-help” housing were being eclipsed by a newfound faith in the legal foundations of economic progress. Following the publication of Hernando De Soto’s seminal book *The Other Path* (1989), the Peruvian national government began massive campaigns to title all informal land holdings. A neoliberal ideologue, De Soto believed that squatters were not just sitting on plots of land, but on unexploited capital. What the poor needed most, therefore, was access to the “mechanisms that could legally fix the economic potential of their assets” so that they could participate in the expanded market” (De Soto 2001).

De Soto’s thesis that poverty could be cured with a kind of “popular capitalism” aligned perfectly with the neoliberal perspectives that dominated economic policy at the time and has had an enormous impact on housing policy the world over (Calderón 2002). Within Peru, its influence is perhaps most apparent in the creation of the Commission to Formalize Informal Property (Cofopri). Since its founding in 1993, this organization has issued approximately 1.8 million land titles in urban areas nationwide. Over 10,000 of these were distributed in Pachacútec following the relocation. Peruvian officials believed that easy access to land titles, issued by Cofopri, would create a direct line between the state and the settlers on the ground. There would be a single, fixed, legal representation of property and ownership and that would be the end of the story. Yet things are rarely that simple.

While the legal representation of property might be fixed, residents are not. As they respond to shifting imperatives of work, health, and relationships, they move in and out of Pachacútec, while retaining some “official” hold on the land for when their circumstances change again. The necessary disjuncture between property on paper and the lived reality for residents has had a profound effect on social dynamics and the (under)built environment in Pachacútec.

While De Soto argues that the legal representation is the essence of property, for residents of Pachacútec, the active “doing” of property through physical occupancy and community participation were far more meaningful. Without physical bodies, residents contended that Pachacútec was a “ghost town,” a place only vaguely populated by formal shadows. When it came to participating in community work projects, paying for community infrastructure, or protesting to ensure Pachacútec stayed in the public eye and could attract political favors, these formal shadows were of little use. To develop the community, they had to be replaced by people who “truly needed” the house and were willing to make it their own through socially recognized use and occupation over time. As national land titles lose touch with the reality on the ground, other political figures emerge to recognize and authorize the presence of new residents. Ironically, they do this by providing documents of their own. These are not empty gestures, nor are people fooled into thinking these documents are the final word on the matter. According to Gordillo (2006) documents are fetishes that derive their meaning from their relationship to the structures of authority. In Pachacútec, however, these relationships were constantly in flux.

### **The Shapes of States: Topographies of Power and Profit in the Urban Margins**

When local officials try to explain governance structures in Pachacútec, they typically begin with diagrams of concentric circles and connecting lines that illustrate formalized administrative divisions. According to this vision, gaining property rights should be a process of moving through the different levels of a neatly layered socio-legal field. Yet the reality is quite distinct. In practice, power is tentative, fragmented, and profoundly unsettled. Gaining property rights therefore requires knowing how to navigate the fissures in this disconnected legal topography, manipulating contingent articulations of power as they arise, and learning to maintain stable legal footing in a “slippery regulatory landscape” (Baxi 2002: v, Greenhouse 2002, 2006).

These convoluted relations of power are far removed from the Western ideal-type state where public and private interests are clearly demarcated and a disinterested bureaucracy governs by virtue of its monopoly on legitimate violence (Weber 2006). In theorizing how this ideal state retains control, contemporary scholars have focused on the insidious and productive dimensions of power.

Governments deploy maps, urban plans, and mundane techniques of counting and categorizing in an effort to simplify complex and dynamic populations, making them legible, comprehensible, and governable from afar (Scott 1998, Appadurai 1996). The spatial and ideological grids of governance affect society in profound ways, shaping daily practice, world views, and what people believe to be possible (Holston 2008, Foucault 1991). However, as an abstract entity, “the state” can only reach the population through individuals who have their own lives and agendas. In the bodies of these intermediaries, the distinction between public and private interests fades away, and the violent, irrational, and illegitimate foundations of state power become apparent (Das and Poole 2004).

In Pachacútec then, while people believe the state is *supposed* to be an orderly governing body, and power-holders gain legitimacy by taking on ostensibly neutral, technocratic projects of mapping and surveying, residents also understand “the state” to be rife with politics. In Peru, the word “*política*” means both policy and politics, and every government action is Janus-faced: a high level plan that deploys accepted procedures in pursuit of broadly embraced social goals, and the manipulative acts of self-interested subterfuge in the ongoing contest for power and privilege. While residents in Pachacútec occasionally talk of their rights vis-à-vis “the state,” they readily slip into descriptions of the interests, actions, and im/moral engagements of particular politicians.

This slippage makes sense when one considers how Peruvians’ understandings of the state are (re)produced on a daily basis. In impoverished areas of Lima, the streetscape is littered with political figures. Billboards, banners, and retaining walls bombard onlookers with larger-than-life images of politicians proclaiming their good works. As these portraits look down on dusty, trash-lined streets, they encourage Peruvians to think of “the state” as a collection of individual power holders who exist in and manage a level of reality above their own (Ferguson and Gupta 2002). However, the more successful politicians manage to be both above the throngs and embedded in communities. For this, they hire local political promoters to carry out the everyday quid pro quo of patron-client relations in their name. These jobs are most often given to area residents who possess a “political strength”: that is, an ability to mobilize neighbors and strong social networks that politicians can use to broaden their reach.

At the same time, the “community” was supposed to reach out to the government through its own duly elected representatives known as *dirigentes*. However, the conflicts in Pachacútec regarding who constituted “the community” meant that the authority and legitimacy of “representatives” could always be challenged. People claiming to be community representatives were therefore diligent about performing democracy and officialdom as incontestably as possible. Getting petitions signed,

inscribing their decisions in a notarized “Libro de Actas” (book of acts), and giving off-the-cuff speeches about the legitimacy and righteousness of their actions were techniques frequently deployed by those most active in Pachacútec’s governance structures. As Sharma and Gupta (2006: 17) explain, people who have been the targets of state programs learn to replicate the techniques of lower level governance. As a result, bureaucracy, pedantic documentation, political spectacle, and democratic discourses seemed to be everywhere in Pachacútec. Through expert performance of these techniques, individuals and groups could undermine the authority of other “official” mandates.

These practices, however, were not always sufficient to ensure the legitimacy of one’s actions. In Pachacútec, the same people considered great *dirigentes* by some, were considered nefarious “land traffickers” by others. The ambiguity between the *dirigente* and the trafficker begins with the initial invasion. While invasions are often thought of as the last recourse of the truly impoverished, the formulaic nature of invasions and the existence of “professional invaders” demonstrate that, for many, invasions are also a business (Lloyd 1980, De Soto 1989). Indeed, charging individuals who wished to join invasions was standard practice and could be framed as reasonable compensation for the hard work of *dirigentes* or the payment of “back taxes” for reaping the rewards of the other settlers’ hard work. As one well-respected *dirigente* explained:

This is an organized job. This you plan with time and it takes money...To [process] the lots you have to go to the municipal and regional government ... you have to spend money on transportation, printing, lawyers ... so how can you [as an individual] walk up later and say this is my land without paying anything?! ... You have to pay so that the *dirigente* will support you with the group he has, because if you don’t he’ll send that same group to kick you out ... If you say that [the land] is not mine, I’m not going to let you enter ... Only the people that I say can come in can enter here.

At the same time, the fact that a *dirigente* might derive individual profit from the “public service” of leading land invasions made his actions highly suspect. As Pachacútec’s police chief explained, “the easiest job you can get is to be a *dirigente* and take from the people.” Although my interlocutors cited many creative ways *dirigentes* managed to extort money from politicians and the population alike, the most common way *dirigentes* are accused of profiting is by (re)selling lots that had been “abandoned”—or were not being adequately lived in. However, the ambiguity surrounding what constitutes a right to property meant that resale could often be justified, and even mandated, in the name of development. While a settler might have one official document declaring his ownership, by not actively using the land and contributing to community development, he could be displaced by

groups of neighbors who felt justified in proclaiming these land rights undone.. In these instances, what some residents saw as violent evictions and unjust usurpations, other saw as righteous actions necessary to ensure the development of the community.

Alberto Carillos is perhaps the best example of the fine line between *dirigentes* and traffickers. While Carillos organized numerous ‘illegal’ invasions in Pachacútec, he was also the elected head of the largest area settlement and one of the *regidores* (councilmen) within the municipal government. In his body, the line between public and private, liberal law and authoritarian rule, rational bureaucrat and abusive land holder, all but disappears (Poole 2004). According to one community member, Carillos was a trafficker, someone who “takes advantage of people’s neediness for their personal gain ... he identifies a place, makes a speech about the neediness of the people, he sells the idea that they are needy ... and says we should invade ... He doesn’t have a real job. He lives off this.” Other interlocutors had a more nuanced understanding of his role in Pachacútec. They argued that while Carillos evidently “joined with delinquents” and was “poorly viewed in the community,” he and his colleagues had moved to a different level. “Now they are *dirigentes*. They’ve grown. They’ve turned political.” When I interviewed Carillos and his colleagues, they framed the story differently, saying that they were responsible for bringing people to Pachacútec and therefore deserved credit for any development that had occurred. To the extent that development requires mobilizing groups, enforcing residency and participation requirements, and marshalling images of the “impoverished masses” to gain political favor, they may be right.

The slippage between the personalistic “state,” conscientious community members, and economically savvy *dirigentes* demonstrates that the markers of state power and political legitimacy are not neatly contained within particular buildings, bodies, or documents. Instead, they are easily replicated and circulate fluidly throughout the community. However, this very replicability also generates great suspicion, since the line separating legitimate authorities from crafty swindlers is never quite clear. The documents, state agents, and community representatives that supposedly connect state and society all bear the double signs of state il/legitimacy (Nordstrom 2007). Recent scholarship on Latin America has argued that we should think of law in this context as the unstable space between the “legal” and the “illegal,” between the guarantee of state protection and the threat of state abuse (Das and Poole 2004). Yet while people and practices may simultaneously be both “inside and outside” the law, the distinction between the legal and the illegal emerges disjunctively (Goodale 2008). The same practices that produce leaders and just land redistribution may also produce traffickers, disorder, and delinquent invaders. Gaining property rights in this environment requires

familiarity with the law and the political savvy to know when the law of the land is in flux. The day I was questioned about the ‘disorder’ in Pachacútec was one of these moments. Political discord produced both legislative overlaps and cracks in the official system that allowed another unofficial, but highly formulaic system to take hold. It was a moment of violent risk and uncertainty, but also one where an adequate performance of property and strategic negotiating could produce land rights. Thoroughly examining this moment offers insight into how property is produced in a clientelistic state, when it is not clear who the patron is.

### **Cartographic Manipulations and Constellations of Power**

The crisscrossing lines of state sight and conflicts between various politico-legal systems were regular occurrences in Pachacútec, leaving a trail of burnt *maderitas* (wooden walls) and collapsed *esteras* in their wake. This particular invasion, and the eviction that followed it, occurred just prior to *Fiestas Patrias* (Peruvian Independence Day), when the provincial mayor publicly announced that previously designated green areas would be redefined as residential neighborhoods. This reclassification would legitimate the presence of recent invasions in these areas, enabling *dirigentes* to formalize their settlements and permitting individuals to apply for *constancias* and land titles from other levels of government. The mayor claimed his decision was based on his recognition of the fact that the settlers were “truly needy” and doing their best to create dignified lives for themselves by constructing homes of their own. Interestingly, this decision occurred shortly after the provincial mayor broke away from the regional mayor’s political party, putting them in competition for community support in Pachacútec.

The “green areas” people had invaded were in fact vast expanses of sand that corresponded to light pink areas on a computer screen and could be revised easily enough. However, the process by which a technocrat produces a map, erases a line, or changes a color at the whim of a politician is far removed from how these maps are enacted on the ground. Shortly after the mayor announced that he would alter the map in accordance with where people were actually living, new invasions appeared as settlers sought to capitalize on a moment when the map, an otherwise static plan for the future, seemed to be in flux. By applying appropriate political pressure and exploiting the rift between the two mayors, invaders believed they could gain rights to plots of their own. However, when people invaded the area designated to be Pachacútec’s cemetery, several *dirigentes* came together in defense of the original map and their final resting place.

Although the *dirigentes* took hours to convene at the police station, no one discussed their purpose until just before we were about to leave. Apparently, waiting for the gang to turn up so you

can knock down houses is sensitive business. Once everyone had arrived they recorded their names and the neighborhoods they represented on a piece of paper and formed a “Pro-Cemetery Commission.” While this process took no more than 20 minutes, documenting everything and performing officialdom played an important role in asserting the legitimacy of their actions.

As we rode out to defend the would-be cemetery, one of the *dirigentes* gave me a file folder and said that if things got ugly I should tell people I was a lawyer, and I would be left alone—that’s what she always did. For her, the folder offered more reliable legal protection than the police who were riding in the armored vehicle behind us. Upon our arrival I was quickly approached by the invaders’ elected representative who had a folder of his own. He had mistaken me for a representative of the regional government and wanted to show me they had all the documents they needed from the provincial government to authorize the “change of use.” I directed him to the *dirigentes* and handed the empty folder to someone more worthy of the authority it conferred.

On occasion things got tense. At the beginning of the eviction a policeman hit a pregnant woman. Towards the end, a cool-headed mob of angry female invaders struck out to burn the house of the “land trafficker” who had sold them their lots. For the most part though, it was an orderly eviction. Whether it was because of their wooden clubs, their folders, or their rhetoric about the sanctity of their final resting place, people largely accepted the authority of the evictors, though they did expect to negotiate.

Many of the invaders described themselves as single mothers. They claimed the land trafficker had tricked them into giving him all their money and now they had nowhere else to go. The women were persistent about their poverty and eventually made a deal with Carillos to be relocated and assisted in formalizing their land claims. As both a *dirigente* and a member of the district government, Carillos was in a position to provide several documents authorizing their occupation. It would not be the end of the process, but it was a good foundation for building the necessary paper trail and enough to placate the settlers for now. One of the onlookers told me unsympathetically that the invaders already had houses elsewhere in Pachacútec, and were now just taking advantage and invading other sites. In some cases this was true enough. I stopped several times to greet neighbors who had invaded the cemetery, though they were quick to explain they were securing lots for landless relatives. Another *dirigente* suggested that while many of the women were poor, they probably weren’t stupid. They likely knew from the beginning that they would be evicted, but were betting on the fact that they would be compensated for their trouble with a free lot elsewhere. The eviction ended with many of

the invaders knocking down their own houses, and several of the women walking off with *dirigentes* to study the map for new areas to settle.

Following the eviction the *dirigentes* reconvened at the police station for a self-congratulatory postmortem. Carrillos took the opportunity to make a speech that declared this an historic day for Pachacútec. “It is a day that [all of the settlements] ... the police and the municipality were involved in the process, and all in agreement about what should be done. This is how things should be, and today gives us a model of how the Macro Pachacútec Project could be.” This model of how Pachacútec could be brings into sharp relief the degree to which property regimes depend on establishing an “economy of violence” (Blomley 2003, Lefevbre 1991). In this instance multiple loci of authority were in agreement, producing a new constellation of power through which they could assert and defend one vision of what their settlement should look like. This particular articulation of interests might be the foundation for long-standing, stable governance in Pachacútec, though it is just as likely to be unique to that time and place. Their actions might easily be undone by future constellations of power that are just as fleeting. For now, at least, the would-be cemetery was safe from delinquent invaders and the righteous impoverished alike.

### **Conclusion**

The story I have told here is about power and property in motion. While maps and state plans do shape people’s lives, this process is by no means straightforward. Multiple plans from various powers do battle with each other on a regular basis and people take advantage of key moments to manipulate how the lines are drawn. As Scott (2005) contends, the “messy encounter[s] between tangled and ineffective state plans, on the one hand, and local forms of resistance and accommodation ... [produce] contingent hybrid confections that meet no one’s pristine vision.” No one would argue that the settlements in Lima’s periphery are “pristine,” but they are not entirely ad-hoc or illogical either. Instead, they are the product of predictable and highly profitable political patterns enacted by different players trying to work the system to their advantage. As one community member suggested, “the big problem [for development here] is that everyone wants to benefit from Pachacútec.” While every overlapping recognition and change to the map delays the construction of the “dignified” neighborhood to which residents aspire, the indeterminacy has its own benefits for politicians, community leaders, and disenfranchised residents alike.

Yet even when the imaginary lines in the sand are converted into concrete, these contested patterns do not end. Legality in Lima is never set in stone. Just as rhetoric, conflicting “official” recognitions, and brute force produce legal land rights, these same tools can be used to undo them.

For this reason, property must always be actively performed, both through physical occupancy and the steady accumulation of documents. At the same time, as infrastructural development slowly makes life easier in Pachacútec and the vacant spaces fill in, a new generation emerges to make their lives at the edge of the map, and the process begins again. As my interlocutors frequently reminded me, “*there will always be another Pachacútec.*”

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