

## Incomplete Housing Justice in Romania under Neoliberal Rule

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### ABSTRACT

Considering that housing is at the core of spatial injustice and territorial unevenness, our article analyses injustice as a result of housing policies functioning at the crossroads of the local, national, and transnational level. It demonstrates that the externalization of state accountability in what regards housing, to some project-based interventions aggravates this injustice. We demonstrate how are these broader processes functioning locally, through the empirical material collected in Romania under the RELOCAL research. Here we are focusing on two instances of spatial injustice and actions to tackle them: the Pata Cluj project aiming to desegregate the Pata Rât area of Cluj-Napoca, and a legalization project implemented in the Mălin district of Codlea.

**Keywords:** uneven territorial development, semi-informal and deprived housing areas, externalization policy, localism, neoliberal Romania

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## Introduction

In the last three decades, the development of the cities from Eastern Europe aligned to the general urban developmental trends of global capitalism. These are displaying increased social inequalities and territorial unevenness not only at trans-local scales but also within their borders (Burdett, Philipp *et al.*, 2018; UN Habitat 2016). Such phenomena are often analyzed through the description of income dynamics and inequalities created by neoliberal capitalism, by its economic and social policies, as something that is already normalized (Secchi, 2013). By focusing on how is social injustice reinforced by housing inequalities and territorial unevenness, we re-open critical discussion about the unjust political economy of capitalism.

While adopting the spatial justice perspective, we position ourselves into the legacy of critical theory, reflexive social science (Burawoy, 2009) and standpoint epistemology (Harding, 1993). Most importantly, we engage in the debate advanced by Harvey and continued by several scholars who connected the spatial turn in social sciences with the justice perspective and with a Marxist approach (see about this in Morange and Quentin, 2018). Therefore, we explicitly assume a normative discourse informed by particular values not as a deviance from the supposedly 'normal' or objective sciencing, but as a constitutive part of a committed form of knowledge production. In our case, this promotes the repoliticisation of the debate about housing injustice in a broader critique of capitalism. We subscribe to the conviction, according to which the concept of justice is "a normative critical tool... that forces the analyst to acknowledge the foundations of his or her normativity and to 'de-naturalize' injustice" (Morange and Quentin, 2016, p. 18).

In our understanding, both spatial and housing injustice are systemic features of capitalist political economy, being connected to uneven territorial development (Smith, 1984; Harvey, 2005, 2006). The latter is not only a result of governmental territorial policies of decentralization and general state policies of deregulation. It is also an endemic consequence of the free movement of capital according to its profit-making interests. In this case, too, politics and economics are interwoven in the production of societal realities, power hierarchies, and inequalities.

Acknowledging that housing is at the core of spatial injustice and territorial unevenness (Madden and Marcuse, 2012; Brenner, Marcuse and Mayer 2016; Vincze and Zamfir, 2019), in this article:

1. we analyze spatial injustice (Harvey, 1973/2009, 1992; Marcuse, 2009a and 2009b; Soja, 2000, 2009, 2010a and 2010b, 2011; Chatterton, 2010; Iveson,

2011) as a result of housing policies functioning at the crossroads of local, national and transnational level, while observing that the institutional actors from different scales do have different responsibilities for the outcomes of this policy process;

2. we demonstrate that spatial injustice is also aggravated by the externalization of state accountability in what regards housing, to some project-based interventions, while this process is part of how neoliberal politics is reengineering the state, the market, the civil society and their relationship (Harvey, 2005; Brenner, Peck, Theodore, 2010; Wacquant, 2012);
3. we argue that development models empowering the local or the trend of localism do not necessarily create more spatial equality. This is not happening either in terms of procedural justice targeting “participation” or “empowerment” (White, 1996; Cornwall and Brock, 2005), not to speak about “the fair and equitable distribution in space of the socially valued resources and the opportunities to use them” (Soja, 2009, p. 2). On the contrary, if entrepreneurial urban governance informs these local models (Hackworth, 2007; Jessop, 2002; Brenner, 2004; Peck, Theodore, and Brenner, 2013; Vincze, 2015; issue no 6 of JSSJ, 2014, among others Costes, Dietrich, Mallet, Morange and Fol, Rousseau), localism might even contribute to the production of unevenness, inequality and injustice (Brenner and Theodore, 2002).

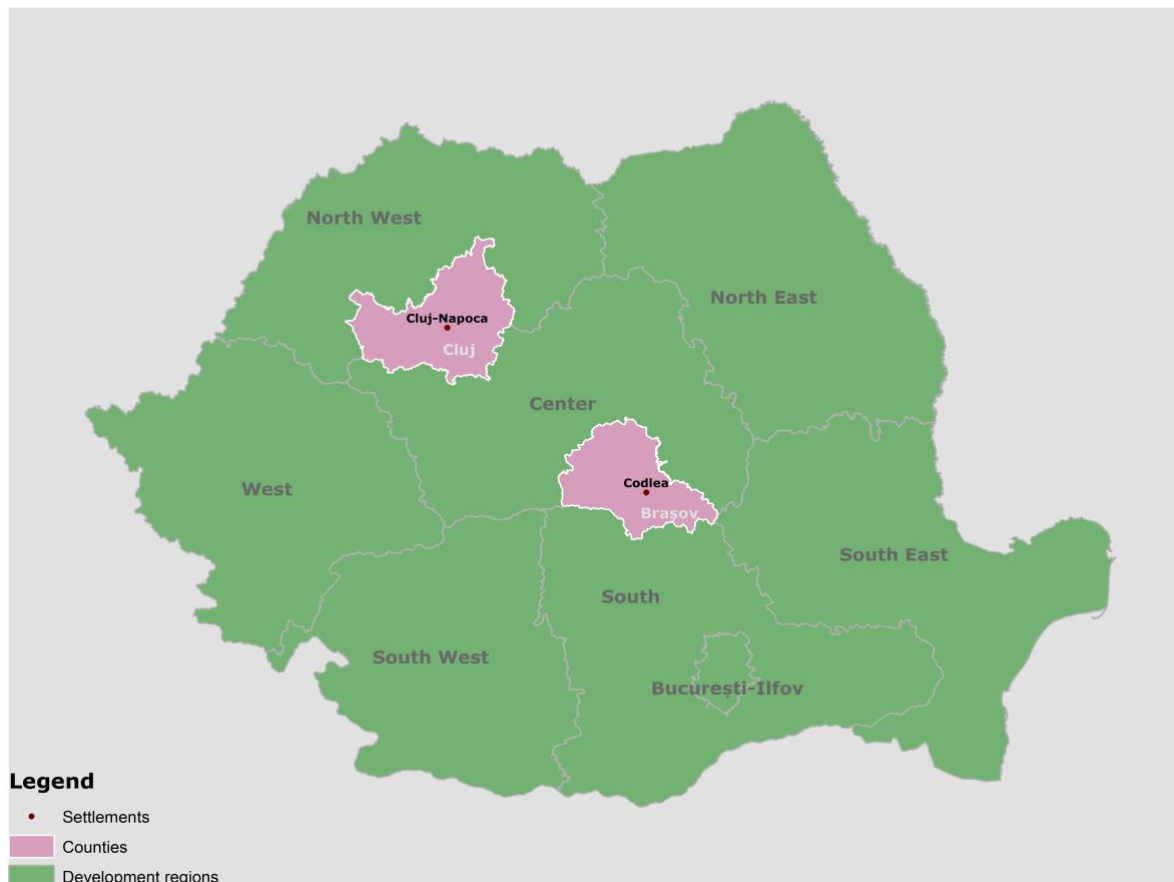
Our aim is to illustrate the three interlinked phenomena from above, via describing instances of spatial and housing injustice observed in cities of different sizes, economic development and regional importance, and by two actions studied in Romania, i.e. the Pata Cluj project in Cluj-Napoca (Cluj county, North Western Development Region) and the Mălin-Codlea project implemented in the town of Codlea (Braşov county, Central Development Region). Since these were case studies conducted under the RELOCAL research<sup>4</sup>, we used the methodology applied by the latter across thirteen countries from Europe: did interviews with institutional stakeholders, with beneficiaries and non-beneficiaries of the projects, but also with experts of the subject; and we analyzed national and local policy documents and as well as project-related materials. RELOCAL looked for the local perceptions of spatial

4. The research project “RELOCAL. Resituating the Local in Cohesion and Territorial Development” has received funding from the European Union’s Horizon 2020 research and innovation program under Grant Agreement no 727097. The interpretation of RELOCAL material in this article does not necessarily reflect the opinion of the RELOCAL consortium. In Romania, together with other two colleagues, George Zamfir and Ioana Vrăbiescu, we conducted four case studies and elaborated a national comparative study. The object of the analysis in the present article includes two out of these four case studies, the ones that are directly related to the subject of housing.

injustice and actions tackling them; for the institutional structures of local governance; and for how do local groups organize themselves to address spatial injustice. In Romania, we observed that the political economy context of these processes is that of the transformation of actually existing socialism into neoliberal capitalism with the privatization, commodification, and financialization of housing as its central element (Vincze and Ciotlăuș, 2016; Vincze, 2017).

The systemic transformative processes that reshaped Romania after 1990 included: the change of the state's role from a developmental state to one that creates proper legislative frameworks ensuring the development of market economy; the privatization of the means of production and dismantlement of privatized industrial/economic units, which created new business opportunities for foreign and local investors; the privatization of the total housing market through the right-to-buy policies, through restitution, and through state support for the creation of a new private housing stock that transformed the housing and building environment into a commodity and an object of financial investment; the gradual reduction of the costs associated with social protection and public services, the dismantlement of the social state, and the tendency to privatize public services, which all became more prominent in the context of the austerity regime implemented by the end of the 2000s. Under the rule of neoliberal governance, Romania currently displays some of the highest rates of poverty and social exclusion, income inequality, housing deprivation, over-crowdedness of homes and households' overburden with costs of housing.

In what regards its territorial organization, the Law of regional development in Romania (Law 315/2004) created eight development regions, without administrative abilities, to act as frameworks on which to elaborate, implement, and evaluate regional development policies, and to gather specific statistical data for NUTS 2 according to EUROSTAT rules. One may explain the resistance of the post-1990 Romanian governments towards the administrative regionalization of the country by the fact that, in their mind, regionalization means an attack to Romania's national unity, which was fulfilled in 1918 by the unification of Transylvania with the historical Romanian provinces.



**Map 1.** *Municipality of Cluj-Napoca (Cluj county) and Codlea (Braşov county) on the map of development regions of Romania (map courtesy Veress Ilka).*

Altogether, our article sustains that the project-based initiatives implemented by the civil society organizations or public-private partnerships, at the most can only partially redress some of the manifestations of social, spatial, and housing injustice. Following this Introduction, we explain this diagnosis at the intersection of the transnational, national, and local scales. Chapters 2 and 3 contribute to our explanation by describing the structural processes that are responsible for the formation of deprived housing areas in the cities. Chapter 2 offers some details about the Romanian national context of local autonomy, uneven territorial development, and housing privatization as happened under the impact of global policies enforced by international organizations. Chapter 3 describes the local processes in Cluj-Napoca and Codlea that led to the formation and perpetuation of the deprived housing areas on which the studied projects focused on. Chapter 4 presents these projects from the perspective of the institutions and funding schemes

involved in their conception and implementation - addressing their aims and achievements in what regards housing justice. These features of the projects, together with the gaps of the local public policies, explain by local factors and processes why the housing justice that they provided remained necessarily incomplete. In the Conclusions, we emphasize the theoretical contribution of our article to the analysis of spatial injustice, externalization policy, and localism practiced under a neoliberal rule.

### **Housing injustice in the national context**

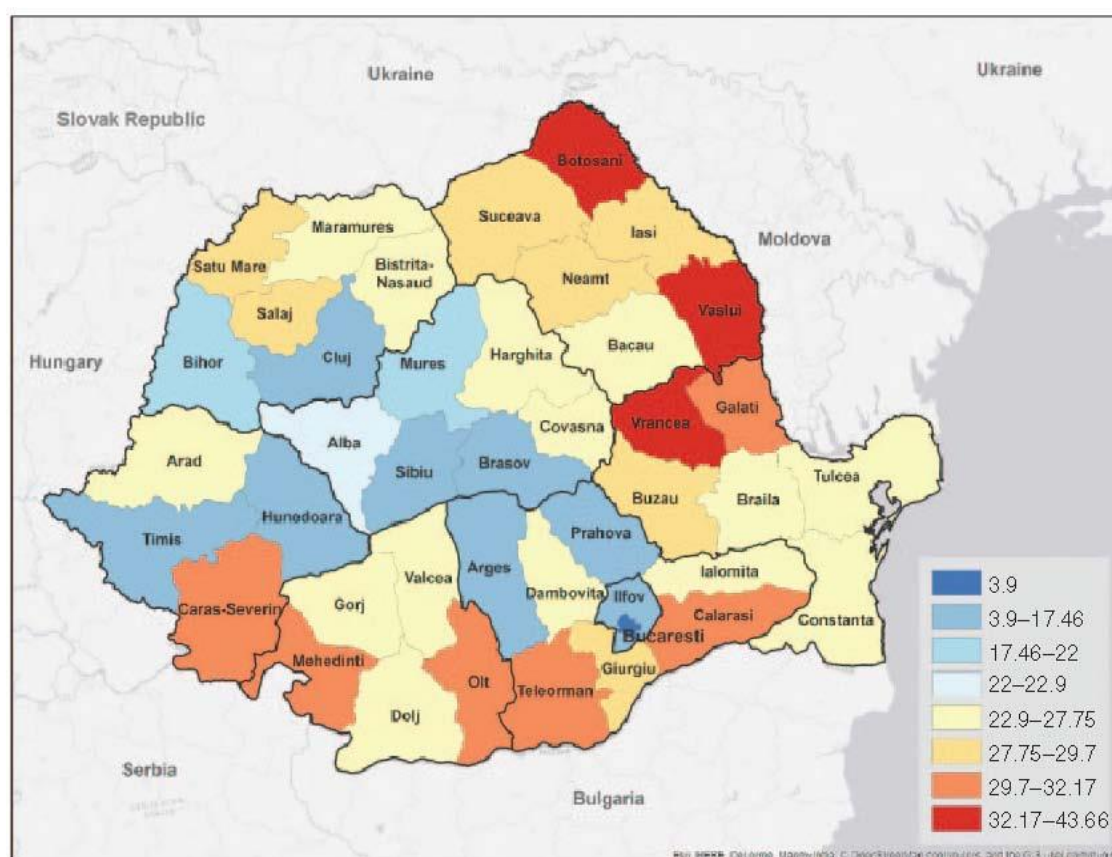
#### *Local autonomy in Romania and the impact of uneven territorial development on the access to housing*

In order to get a sense about the meaning of 'local autonomy' in Romania, one should observe that the administrative-territorial organization of the country in localities and counties remained unchanged after 1990. The latter continues to be the units where the elected deliberative bodies make decisions. Nevertheless, the whole system of public administration did undergo a process of decentralization. As a response to its duties as Member State of the Council of Europe regarding the 'European Charter for Local Autonomy' through Law 215 from 23 April 2001, Romania acknowledged that local autonomy in this country is maintained through 'the public authorities, ..., such as the local councils and local mayors elected according to the law'. Furthermore, the Law of decentralization no. 195/2006 defines decentralization as 'the transfer of administrative and financial powers from the central government to the local government or private sector.' In Romania, local autonomy means administrative decentralization and, as such, is part of the mechanisms that place the responsibility of development and public service provisioning from the central government to the local public authorities. In addition, the state has formed new types of territorial governance structures that lack administrative/ political attributes, with the aim to facilitate the absorption of the EU funds: Agencies of Regional Development; Intercommunity Development Agencies of Metropolitan Areas; Growth Poles; Local Action Groups nurturing development in areas crossing the administrative borders of the localities via the LEADER program, or in specific sub-urban areas via the Community-Led-Local-Development programs.

Statistical data show that after the collapse of actually existing socialism, Romania has entered 'transition' with a relatively low level of regional disparities, compared to other new Member States, but that these disparities have increased rapidly (sources



of the European Commission quoted in the National Development Plan 2004-2006, p. 170). The first analysis of the regional disparities in post-socialist Romania was made under the PHARE program for the period March to July 1996. It allowed the spatial localization of poverty and under-development in two main areas: in North-East (which includes virtually all the historical region of Moldova); and in South (which is the largest agricultural area of the country called the Romanian Plain). Later analysis revealed that the developmental disparities in Romania need a more nuanced approach, and one should complete the awareness about the inter-regional inequalities with the acknowledgment of the intra-regional ones. The poverty maps and related policy brief made by the World Bank in 2016 emphasized precisely these realities. Around the same time, two Atlases on marginalized urban and rural areas (Anton et al., 2014; Sandu et al., 2016) mapped the territorially disadvantaged zones at the level of local administrative units.



**Map 2.** *At-Risk-of-Poverty Rates, Romania - Counties (NUTS 3), Source: World Bank - Pinpointing Poverty in Romania, March 2016.*

Example: at-risk-of-poverty rate is between 32.17%-43.66% in Botoșani, Vaslui and Vrancea counties; it is between 29.7%-32.17% in Caraș-Severin, Mehedinți, Olt,

Teleorman, Călărași counties; it is between 3.9%-17.46% in Cluj, Timiș, Hunedoara, Sibiu, Brașov, Argeș, Prahova and Ilfov countries; and it is below 3.9% in the capital city Bucharest.

After 1990, as part of the tendency for radically breaking with the former regime's centralizing practices and justifying anti-communism as a means to legitimate neoliberal governance, the state deregulated territorial development and urban planning. It was only in 2012 when the Government started to elaborate on the 'Territorial Development Strategy' of Romania, as an initiative to provide the country with a unitary policy frame on this domain. The Government adopted the Strategy in 2016 in the context of the new 'Partnership Agreement of Romania with the European Union,' but it was not adopted by the Parliament ever since. The developmental goals defined in this document refer to the discrepancies between Romania and the other EU Member States but are also addressing its internal disparities, which led to people's reduced access to public services primarily in the underdeveloped territories of the country. The model of development proposed for Romania in this Strategy is the so-called polycentric model relying on the realities of the country in what regards the territorial role and developmental function of the 'magnet cities' (Cristea et al., 2017) across its regions. This vision follows the spirit of the 'Territorial Agenda of the European Union 2020. Towards an inclusive, smart, and sustainable Europe of diverse regions', a strategy, which claims that a set of selected cities should be promoted as engines of development or growth poles. The idea, according to which the economic growth in the 'competitive cities' (Ionescu-Heroiu, 2013) will have a positive impact on social welfare in these cities and as well as on improving living conditions in the peripheries of the metropolitan areas, failed to deliver its promise. Nevertheless, decision-making actors continue to promote this developmental model.

Uneven development in Romania means the concentration of resources, including jobs, in a few major cities or growth poles, where capital is also invested in the production of private housing. The labor force from these cities gains access to housing at very high prices, and more and more youngsters are becoming indebted to the banks for their whole lifetime. Parallel with this, in other localities, slowly depopulating due to the lack of economic resources for a living, houses remain empty. According to the 2011 Census, out of the conventional dwellings in Romania 16.4% were empty, while in the rapidly growing cities there is a structural shortage of houses, not to speak about affordable homes or public social housing.

A vast majority of the Roma in Romania, but not only, live under inadequate housing condition, as studies of FRA show (2009), often in isolated compact communities



(Horváth, 2017) lacking elementary infrastructure and ownership documents or rental contracts. Where it happens, their ghettoization always carves out a space for deprived housing at the juxtaposition of geographic marginality and racialized labor (Vincze, 2018). Local authorities often overlook this situation and do not invest in the improvement of living conditions in these areas or into their legal recognition. Therefore, these situations are transmitted intergenerationally, while more and more people are enforced 'to choose' living informally and in poor conditions, since they do not have other alternatives. The uncertainties regarding the status of property often lead to the eviction and relocation of those who happen to live on lands whose real estate value increases. Most importantly, given that issuing of identity documents is conditioned by domicile in Romania, lacking a legal domicile is an obstacle in accessing full citizenship rights. Temporary identity documents have to be renewed yearly and are putting an extra burden on the impoverished people to prove their existence on the geographic and symbolic margins of the localities. These documents are the symbols of second-hand citizenship and deprived and insecure housing spaces.

In what regards the opinion of the interviewed representatives of local public administration about the potential and limit of 'local autonomy,' regardless of whether they acted in economically richer or poorer localities, they all complained about the fact that the law does not couple properly decentralization (the transfer of responsibilities from central to local levels) with adequate transfers of funds for fulfilling these obligations. Therefore, they all acknowledged the need to apply for alternative financial resources. However, they also recognized that some are more capable of writing competitive projects, while others have money for externalizing this work towards private companies. Even more, the differently positioned local governments have divergent opinions about territorial solidarity. The more affluent localities would have liked to keep more funds at the local level, especially from the resources generated from local taxes and other contributions of the city dwellers; while the poorer localities would have favored better redistributive mechanisms that could support them in their effort to deal with their local problems of underdevelopment and lack of resources.

### *Housing privatization at the crossroads of national and transnational forces*

The privatization of housing (linked to the privatization of means of production), respectively the creation of a new private housing fund, have been crucial for the emergence of capitalist property regime and market economy in post-socialist Romania (Vincze, 2017). The state withdrew from its position as a developer (of housing stock, but not only); however, it did not remain passive. To the contrary, it

assumed a central role in the creation of the (housing) market by modifying legislation and creating new institutions that administered this process. The regulation of the housing sector happened at the intersection of the local, national, and international or transnational institutions' actions (Pugh, 1991; World Bank, 1993; Arnott, 2003). The housing policy recommendations given to the beneficiaries of the international financial organizations' loans, including former socialist countries, were presented in the document entitled 'Housing: Enabling Markets to Work' (1993) that articulated the housing policy of the World Bank as it has evolved during the 1980s and early 1990s. The document explicitly stresses what had to happen in Romania, too: "governments are advised to abandon their earlier role as producers of housing and to adopt an enabling role of managing the housing sector as a whole," which means "to rationalize the broad regulatory framework within which the sector operates". States should reach this imperative via several instruments, continues the argument, such as: developing property rights, developing mortgage finance, rationalizing subsidies, providing infrastructure for residential land development, regulating land and housing development, organizing the building industry by creating greater competition, and developing the institutional framework for managing the housing sector.

Both projects under the scrutiny of this article were initiatives implemented in Romania starting with 2014, a few years after the enforcement of governmental austerity measures as a reaction to the financial crises. In this sense, one might assess them as manifestations of policies, which aimed to counterbalance a little bit the severe effects of the 'reform of the state' in 2010. Nevertheless, they continue to be inscribed in the regime of neoliberal governance characterized by the changing role of the state in what regards development: its transformation from a developer to a manager of the domain by legislative measures, which prepares the field of development for different private actors (companies, non-governmental organizations, charity groups, and others). Moreover, this neoliberal regime also implies that the development of underdeveloped territories is conditioned by the competitiveness of the 'local community' including public authorities, private companies, civil society organizations, and regular citizens. Therefore, this governance responds to peoples' need for services and goods pending on their 'worthiness' in what regards their capacity to absorb EU or other funds. Under the rules of entrepreneurial development (Vincze, 2015), social and spatial justice risks to be conditioned by the merit of being competitive on the market of these financial schemes. Furthermore, in this regime, the competitive advantage of the cities continues to remain the cheap labor force that is available locally. Therefore, even if

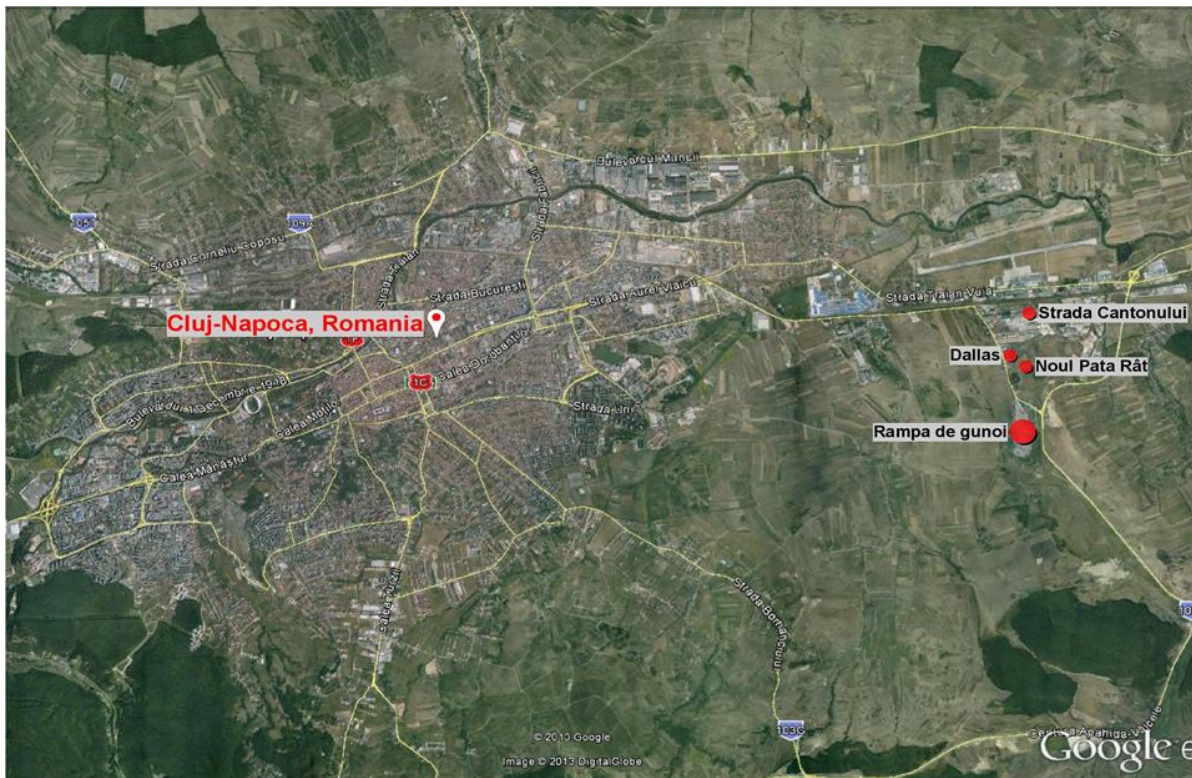
the localities attract private capital, which is expected to create development, the improvement of people's living conditions will not automatically follow.

The free movement of capital for profit-making includes investment into real estate development across borders, i.e., the production of homes as commodities and financial assets, while dislocating those who cannot contribute to the accumulation of capital by purchasing the expensive real estate assets. Parallel with this, the state supports capital accumulation and ceases sustaining people who do not have resources to access adequate housing from the market. It does this by the following means of a housing politics that generate injustice: withdrawal of the state from the production of public housing; privatization of the state-owned housing stock; creation of fiscal advantages to real estate developers; support given for the mortgage system and generally speaking to the housing market; disinvestment into governmental programs creating social and public housing; disinvestment into under-developed territories where the capital is not interested in investing.

As a result of these policy changes, in Romania, the percentage of the public housing stock dropped from 30% as it was before 1990 to under 2% as it is today. In the context of the localities of our case studies, out of the 145119 houses of Cluj-Napoca, 142311 (98.06%) were in private property. This percentage was 98.57% in Codlea (8050 being in private property out of a total of 8166). In the past years, in Romania, the lack of public and affordable housing resulted in several manifestations of housing crises, as reflected by Eurostat statistics, such as: in 2016, the overcrowding rate for young people aged 15-29 years reached 65.1 %, while among the total population it was around 49% and among people living in poverty was 61.7 %. Besides, more than one in five persons (19.8 %) was faced with forms of severe housing deprivation. In what regards housing affordability, 15.9 % of the population of the country lived in households that spent 40% or more of their equivalent disposable income on housing, a percentage that was higher (45.7%) in the case of tenants with rents on the private market.

## **The local production of semi-informal and deprived housing areas**

*Pata Rât in the city of Cluj-Napoca*



**Map 3.** *Marginalized settlement in Cluj-Napoca: the Pata Rât area, including Cantonului street, Dallas, landfill (Rampa de Gunoi) and New Pata Rât (Noul Pata Rât).*

Pata Rât administratively belongs to a city that was renamed from Cluj to Cluj-Napoca in the 1970s by the Ceaușescu regime. The city is situated in the North-West Development Region of Romania. It is the fourth most populated locality of the country, being among the very few ones whose population increased since the 2002 Census. It is the administrative center of Cluj County and hosts the Prefecture and County Council. This county has the second-lowest poverty rate in Romania (after Bucharest). Cluj-Napoca is the economically most important and most competitive area in this region, considered to act as a 'magnet city' (WB, 2017) with a high percentage of professionals among the employees working in the city. In 2011, out of its 324 576 inhabitants, only 1% (3273 persons) declared themselves ethnic Roma. However, the percentage of Roma who lived in marginalized areas was much higher compared to the total population (Vincze, 2018). Cluj Metropolitan Area (CMA) encloses Cluj-Napoca Municipality and 17 rural administrative-territorial units, which all include deprived settlements inhabited by impoverished Roma.

Pata Rât is located in the vicinity of the municipality's landfill, and today it is inhabited by circa 1500 persons, their vast majority Roma. Its four 'communities' have diverse histories and, besides housing deprivation and insecurity, all of them have very reduced access to quality education, to decent jobs, adequate healthcare and public participation (Vincze, 2012; Dohotaru, Vincze and Harbula, 2016). The local public administration played a role in the formation of this semi-informal residential area by explicitly or tacitly redirecting here several persons and families evicted from other parts of the city. It also contributed to its perpetuation as a deprived area since it did not invest in its infrastructural development; and last, but not least, because it failed to implement actions for people's relocation to the city via improving their access to the local social housing stock.

The dwellers informally inhabiting the sub-zones named "*Dallas*" and "*Rampa de gunoi*" are the oldest inhabitants of Pata Rât. The improvised homes that they constructed for themselves or that were built to them by charity organizations do not have authorization permits issued by the City Hall, but they were 'tolerated' by the authorities on this land. In this sense, "*Dallas*" and "*Rampa de gunoi*" are informal settlements. Their ancestors established here since the end of the 1960s as waste pickers and ever since could not afford to find another home to themselves in the city.

As part of the locality's post-socialist development, Cantonului colony was formed in Pata Rât starting with the end of the 1990s. People evicted by the City Hall from several other, centrally placed neighborhoods were directed explicitly towards '*strada Cantonului*' by the authorities. Some people do possess documents from the City Hall that acknowledge their presence on that territory; while others – who did move there individually – were told verbally to settle there as a temporary solution to their housing shortage, so their presence it is only tacitly acknowledged. Altogether, the dwellers from Cantonului street were never acknowledged as legal settlers, i.e., they were never issued ID documents on this address, and never got access to the city's social housing stock. Therefore, Cantonului colony is an example of a semi-informal settlement.

The last moment of Pata Rât's significant enlargement dates in 2010. The local public administration transformed one of its areas formerly defined as an industrial zone into a residential area and started the construction of 10 modular houses in this location. The latter proved to be the so-called "social houses" provided for the 76 families evicted by the City Hall from Coastei Street on December 2010, an area whose real estate value increased a lot in the past ten years. The modular houses



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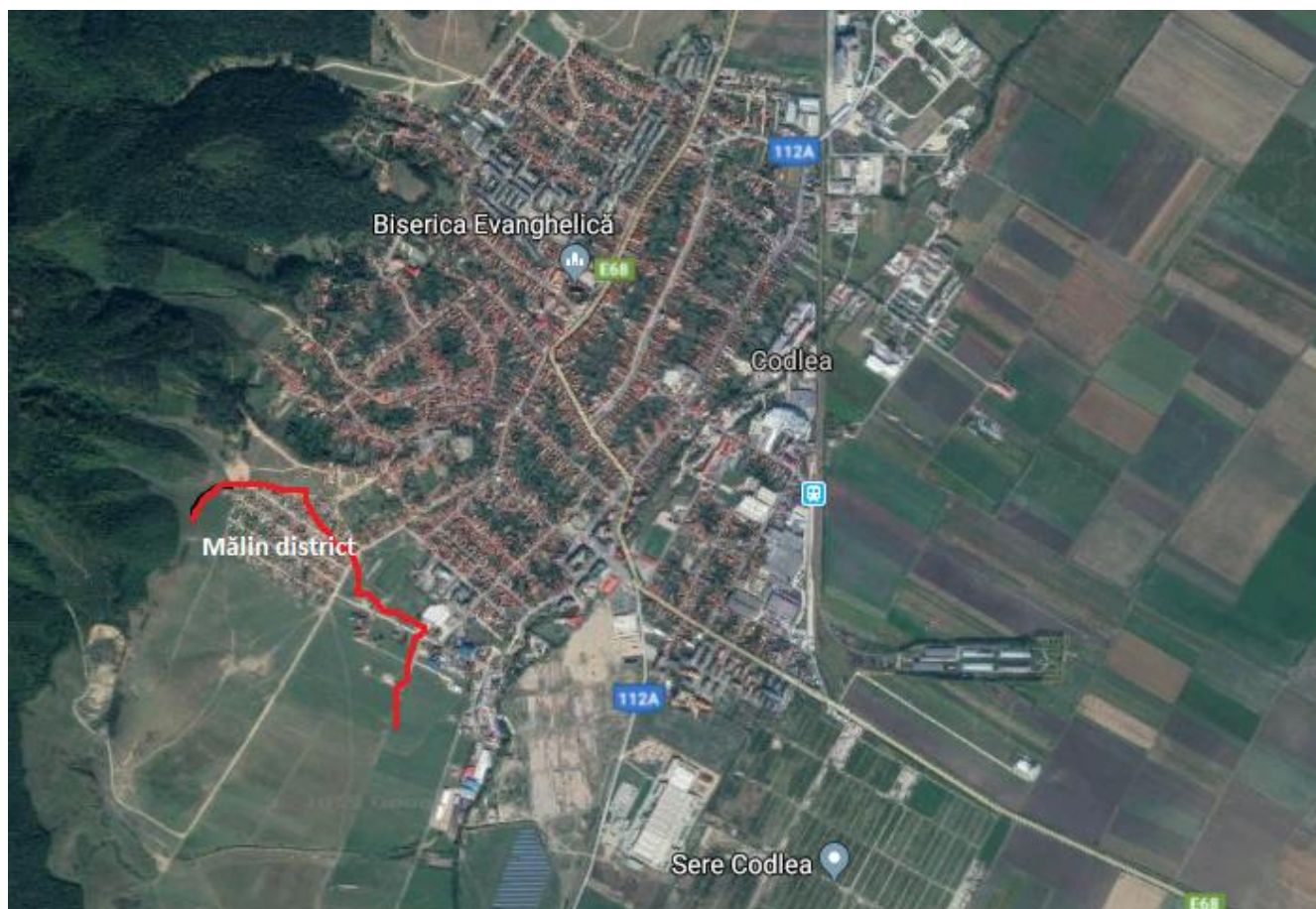
area is a formal settlement, but it also includes informally built homes by those evictees who did not get contracts in the houses.

For all the reasons rooted in the housing histories and current situations outlined above, one may call Pata Rât as a whole a semi-informal residential territory formed in an industrial zone.

Altogether, local public administration still refuses to publicly acknowledge the existence of Pata Rât as a housing area emerging during actually existing socialism but enlarging significantly under the impact of post-1990 housing politics and urban development. Today, the ghettoized area of Pata Rât nearby the city's landfill continue to display the cumulative effects of a polluted environment, geographical isolation, socio-territorial segregation, housing deprivation, cultural stigmatization and racialization of both the space and people inhabiting it (Vincze, 2018). However, the 'Cluj-Napoca Development Strategy 2014-2020' in its chapter on 'Cluj 2020 - inclusive city' defined the 'Integrated plan for the socio-territorial inclusion of the marginalized communities of Pata Rât' as one of its strategic directions. Voted by the Local Council in 2014, this plan was never operationalized in concrete measures or sustained from the local budget.



### *Mălin district in the town of Codlea*



**Map 4.** *Mălin district on the map of Codlea municipality.*

The informal and deprived housing area of Mălin is a district in Codlea, a settlement formed by German colonists in the 14<sup>th</sup> century. Codlea is a municipality in Braşov County from the Center Development Region of Romania, which knows the second-lowest rate of poverty among the eight development regions (25.7%) after Bucharest-Ilfov region (25%). During actually existing socialism, Codlea was named 'the town of flowers.' According to the National Statistical Institute, in 2016 the town had 26068 inhabitants, which means that it knew a growth since 2011 (21708 persons) probably due to how the new companies established on its perimeter attracted people to move into this town.

Mălin district came into being in the 1960s, in the context of socialist systematization. An old Roma neighborhood of about fifty houses situated nearby the national road

towards the exit from Codlea to Sibiu was demolished by then, and its inhabitants were relocated nearby the forest to the foot of Măgura Codlei Mountain. A district of blocks of flats named North Codlea was built in the place of the old neighborhood (Iaru, 2010), while, since then, Mălin has grown to a neighborhood with approximately 405 households (Badic, 2016). Mălin is situated next to the former city landfill, which was closed down in 2009, and consists of six streets: Șcheilor, Răchitei, Mesteacănului, Plopului, Salcei, Venus. One part of Șcheilor Street belongs to Mălin district, and its other part continues until it reaches the historical center of the town, with the Evangelic Church in its middle. It is the only paved street in the district; after every more serious rain shower, the other streets are hardly suitable for walking. The majority of the inhabitants in the district is ethnic Roma; a study carried out in March-August 2016 acknowledged 1302 self-identified Roma in Mălin (Badic, 2016: 11). Out of its 405 households, approximately 150 are situated on public land. People built the rest of the houses on the lands of different private owners. The study from 2016 mentioned that none of the dwellings had ownership documents. However, in 2018, at the time of our research, we could note that 15 families became owners of the land on which they built their houses, due to the Mălin-Codlea project carried out in 2014.

The situation of the households in Mălin was not legally regulated ever since its initial formation in the 1960s, so it continued to develop as an informal settlement across the changing political regimes. However, according to data from the Badic study (2016), 73% of the households from Mălin neighborhood paid yearly taxes. The current Romanian legislation on land registering (Governmental ordinance 28/2008) facilitates taxpaying in the case of people being in such situations. It allows that dwellers who do not legally own their house may receive a street and home address if they are recorded in the so-called Agricultural register of the locality and pay taxes accordingly. This specific situation makes us define Mălin a semi-informal settlement, i.e., partially without legal documents, but partially acknowledged by the authorities by registering the dwellers as taxpayers.

Altogether, Mălin is an example for the type of settlements analyzed by Suditu and Vâlceanu (2013) that emerged before the 1990s on the edge of localities on land with unclear status, including houses built without authorization permit. The essential features of such arrangements are the lack of access to elementary infrastructure, proper housing conditions, which jeopardize the safety and health of the residents. The development strategy of Codlea does not mention Mălin district; however, the later speaks about Roma from the town in general terms. Likewise, while the housing and space-related issues are not associated with concrete

examples (nor with Mălin or others), they are acknowledged in general terms in the Braşov county development strategy (ADDJB 2010), as a problem supposedly resulting from how Roma illegally squat public and private lands.

## **Local interventions against spatial injustice**

### *The institutional frames and funding schemes of the interventions*

Both interventions under our scrutiny are projects implemented at the local level and are responding to manifestations of local socio-economic injustice manifested in space, i.e., the formation of semi-informal and deprived housing areas. The two cities where these happened, i.e., Cluj-Napoca and Codlea, are very different in terms of their sizes and economic potential. As described above, the formation of these residential areas happened through historically different patterns in the two localities across the changing political regimes, each of them creating specific instances of (spatial) injustice. However, one could conclude that the creation of such underdeveloped areas is part of urban processes regardless of the socio-economic development or size of the localities. Moreover, we observe that both actions under our scrutiny were envisaged and implemented at the crossroads of local and trans-local institutional arrangements and financial schemes.

The 'Social interventions for the de-segregation and social inclusion of vulnerable groups in Cluj Metropolitan Area' project (hereinafter 'Pata Cluj project' or Pata Cluj) was conceived to prepare the desegregation of the Pata Rât landfill area of Cluj-Napoca via the relocation of its inhabitants to other parts of the city or outside of it. It was enabled in 2014 by the newly launched Poverty Alleviation Program of the Norwegian Funds, more concretely via a so-called predefined Norwegian financial scheme. It was elaborated by a team that beforehand implemented a preparatory intervention in Pata Rât under the auspices of the United Nations Development Program (UNDP), enjoying the support of the City Hall. However, eventually, from an institutional point of view, it was assumed by the Intercommunity Development Association – Cluj Metropolitan Area (IDA-CMA) and not by the Cluj-Napoca City Hall. Some NGOs acted as partners on this project, such as AltArt Foundation, Community Association of Roma from Coastei, and Habitat for Humanity Cluj.

The 'Accountability of citizens in the field of housing' project (hereinafter Mălin-Codlea project or Mălin-Codlea) aimed the legalization of an informal settlement in the town of Codlea. It was facilitated by a call made in 2014 by the National Agency for Roma (NAR) on this matter since the legalization of informal settlements was one

of the housing-related objectives of the National Strategy for Roma inclusion. The recent version of this strategy was conceived at its turn in the context of the 'European Framework Strategy' from 2011, while the first one responded to the conditions of Romania's accession to the EU. A Roma NGO, Făgăraș Roma Association, from another locality (a town 52 km away from Codlea) conceived, wrote and submitted to NAR the Mălin-Codlea project, while the Municipality of Codlea implemented it in partnership with this organization. This action was part of a cluster of 16 projects funded by NAR in 2014 under the general title 'Citizen's participation and empowerment.'

The case of Pata Cluj illustrates a situation in which the ownership of the project belonged to a territorial structure that did not have public administrative attributions: an inter-community development association that acted on a geographical space, which is not an administrative-territorial unit or LAU, i.e., on Cluj Metropolitan Area. The case of Mălin-Codlea displays a different institutional arrangement, as the Town Hall implemented the project in cooperation with a non-governmental organization, but the latter and not the Town Hall initiated it. Altogether, both cases look like experiments for the involved institutional structures on how to deal with territorially localized problems: the gaps in national legislation on this matter limited the capacity of the Codlea Town Hall to legalize the informal settlement from its locality; as an organization formed on the base of the voluntary association of local councils and led by a council of directors, including the mayors of the localities composing Cluj Metropolitan Area, IDA-CMA does not possess a decision-making capacity for example in matters of residential desegregation in the municipalities that are part of CMA.

According to a Romanian expert on EU funds, the project-based tool by which the Pata Cluj project was realized was an unusual one: it was selected directly by the Financial Mechanism Office-EEA Grants in Brussels, and therefore the need to be chosen as a 'good practice' of community development, was there from its very beginnings. The fact that the project resulted from a prior intervention in Pata Rât of the United Nations Development Program, whose 'community development' model was considered as a success wherever implemented across countries, also facilitated its selection as a good practice. The Mălin-Codlea project was also initiated from outside the locality, i.e., by a proposal coming from an NGO acting in another city. Most importantly, it was shaped by a special program of the National Agency for Roma following the "Governmental Strategy for the Inclusion of the Romanian Citizens Belonging to the Roma Minority".

The Pata Cluj management team was very much preoccupied with fulfilling the project indicators and with sustaining the image of a horizontally organized participative project. It affirmed that it permanently informed and consulted the public while negotiating the best decisions with some representatives of Cluj-Napoca City Hall, of whom some were also hired on the project. In the case of Mălin-Codlea, the municipality of Codlea and a non-governmental organization split the project leadership. They based their collaboration on a quite clear division of labor: the Town Hall had to take care of the official administrative measures, while the NGO had to focus on fulfilling the project objectives in relation with the funding agency. However, this model was not absent of tensions. The latter was rooted in the divergences between the two agendas that the institutions had to deal with.

### *The aims and the achievements of the interventions*

As already mentioned, trans-local financial schemes facilitated both actions, an international and a national one. Regardless of the size of the funds (almost 4 million Euros in the case of Pata Cluj, and 39 094 euros in the case of Mălin-Codlea) or of the complexity of the interventions, both aimed to alleviate historically formed manifestations of spatial injustice (even if not using this specific term for defining the problem to which they responded). Focusing on these projects in a comparative frame, here we highlight one of the most significant difference among the two: Pata Cluj targeted the relocation of families, from the semi-informal and polluted area of Pata Rât, one by one to different locations in the city or outside of it; while Mălin-Codlea aimed at making steps towards the legal recognition of the semi-informal settlement while keeping the community intact on the margins of the locality. Both reached some positive results and, in this sense, provided justice for the beneficiary families, but at the same time, they recreated spatial and housing injustice in several other ways. Another difference among the two projects stays in their complexity: conceived as an integrated project, besides its housing component, Pata Cluj included activities on school education, employment, cultural events, and social assistance. While the project from Codlea focused only on housing.

#### Mălin-Codlea

This project aimed to provide legal counseling and to solve existing problems regarding ownership documents for a part of the residents in Mălin district. It had two aims: to clarify the legal situation for the 150 households who lived in the unauthorized houses built on the public land of the municipality. I.e., to include 150 dwellings in the cadastral registry and to provide them the possibility to acquire ownership and related full citizenship rights. Eventually, only 15 families became



owners of the land where their houses were placed by buying these parcels. Others did not have money to pay for the price requested by the Town Hall for these lands or could not benefit from this procedure because they did have debts to the municipality. Besides, this procedure did not provide to anybody the opportunity to become home-owners, so they continued living there as they did before, as all the other inhabitants did. Therefore, one may affirm that the project ended up by reproducing injustice on the detriment of the 90% of the district dwellers and did not make full justice either in the case of the 'luckier' 10%. However, at least, the action managed to test some legal procedures of such an endeavor but also their limits. It introduced the land into the cadaster plan of the town; parceled this land; sold the parcels by the municipality to the occupiers; defined who and how has the right to buy the land. In this sense, the project was an occasion for organizational and individual learning - those who were accountable to tackle such situations could acquire necessary knowledge usable in the future.

One should note that a new project, called M.Ă.L.I.N, was developed and gained funds in 2017 via the "POCU 2014-2020" program of EU Funds. This project promises to solve the situation of the rest of the households in the community by financing the cost of land acquisition from project funds. However, it raises the obvious question among the community members: why will these households receive the land free of charge while the others (under the Mălin-Codlea project) had to pay for it? Is this a fair solution, or will the solution give rise to unnecessary tensions inside, and will it produce inequality in community members' access to allocated resources? The new project's team sustains that it will look for the possibility to redress this injustice, and will go further with the legal recognition process in order to provide ownership documents for the houses built on the parcels. Nevertheless, the whole tensioned situation created around these projects has not contributed at all to the improvement of the inter-personal relations at the local level. In addition, the new project still aims something (legalizing the buildings constructed without permits), for which there is no entirely clear national legislation; while existing procedures do not necessarily serve peoples' interests especially of those who constructed their houses on private lands, or of those who made their constructions after 2001 (according to Law 50/1991 these buildings being under the risk of being demolished due to the lack of authorization).

We consider that since the institutions implemented the Mălin-Codlea project in the framework program of very short duration, inflexible and not ready to recognize and acknowledge the variety of local situations, it had reduced chances to succeed. Most importantly, it did not have the means and the mechanisms that would make it work.



It formulated the desirable solutions but did not provide concrete directives for the persons in charge of the implementation. Lack of time, budget constraints, and even racist attitudes appeared to put enormous obstacles in the implementation of these types of projects. Even if the legal framework for legalization will eventually be in place, designed and promulgated, implementing such programs requires political will from local authorities. Also, it needs experts who can oversee the enactment of local solutions. Furthermore, involving many more local stakeholders would be appropriate not only for a more successful implementation but also for elaborating a better plan based on knowledge about local realities. Most importantly, people who are planned to be targeted by such interventions need to be approached from the very beginning, since they are the best sources for learning about the histories and the realities of living in informal and deprived housing areas. Besides, since they will bear the consequences of such actions, they should not be only informed, but also consulted about the procedures, their expected positive outcomes, and risks. Nevertheless, even if improved, procedural justice in itself would not guarantee that the local implementation of legal norms on legalization will be completed with social measures in support of the potential losers of such directives. Such as those who do not have money to pay for the costs or those whose old houses do not meet the current security standards, or whose plans for legalization will not be approved by the authorities due to different reasons.

#### Pata Cluj

The major achievement of this project in what regards distributive justice was the allocation of apartments outside of Pata Rât for 35 families. The most significant facilitator factor of this result was the broad consensus around the need of having a housing component in a project that defines itself as integrated and dedicated to desegregation. Its limitations are because this component came later in the project (the whole project started in October 2014 and the housing component was launched in September 2016, while the whole project ended in April 2017), and that its beneficiaries formed only 10% of the total inhabitants of Pata Rât. Besides, the fact that only one-third of the relocated families received apartments in Cluj-Napoca, the majority being moved outside the city, in three surrounding villages belonging to Cluj Metropolitan Area, could also be seen as a limitation of the project's achievements. Some of the beneficiaries affirmed that they were not concerned with how other project components worked out and how much impact they had since their dream of moving out from Pata Rât came true. However, others expressed more cautious opinions about this process: some felt uncomfortable and insecure about moving out from the city to the neighboring villages; many realized that they missed the community/ extended family support that they enjoyed in their former home

even if adverse conditions characterized that. These voices might signal that the endeavor of “desegregation” in itself and with any price would not necessarily mean the improvement of people's social life in all matters. The practice of separating all the individual families into block apartments scattered across the city and outside the city could even mean the breaking up of community relations and the potential of collective activism. Besides, some project beneficiaries questioned why did IDA-CMA become the owner of these homes. They did not understand why not themselves became owners since they have suffered from housing segregation and deprivations, and the institutions wrote the project in their name.

Beneficiaries and non-beneficiaries of the housing component of Pata Cluj expressed their ambivalence about the collaboration between the project team and IDA-ZMC, with the Cluj-Napoca City Hall. Even more, they considered that the latter did not have any contribution to the project's resources and that the authorities continue to be part of the problem: the locals perceive them as being the entity that contributed to the creation and stabilization in time of their situation in Pata Rât.

The leading institutional cause of the reproduction of spatial and social injustice that these people face is the lack of inclusive public policies for housing, and of a concrete short, medium and long-term plan for the desegregation of the area, assumed and sustained by the local public administration. The project-based short-term initiatives cannot generate sustainable change nor in distributive or procedural justice if they lack such commitments.

Moreover, the fact that the project did not have any contribution to change the public policies regarding peoples' accessibility to the city's social housing stock, it re-created the status quo of separation of Pata Rât from the rest of the city. The other project components sustained the same outcome even if the latter aimed to connect Pata Rât to Cluj-Napoca. We may call these activities ‘micro-mobility practices’ (Bravi, 2009), by the means of which – during the lifetime of the project – the Pata Rât dwellers were taken to central or other peripheral neighborhoods for cultural or sport events; the project provided to some of them otherwise un-accessible health care services; or placed some others into jobs.

In what regards procedural justice, during the whole implementation period and even afterward, the way how the project promised to involve the ‘Pata Rât community’ into decision-making was presented by its management team as one of its main achievements. Also, Pata Cluj widely promoted as a ‘best practice’ the involvement of several stakeholders beyond the project team in the process of defining the criteria of allocation of the 35 homes created by the project.

Participation, empowerment, horizontalism, or even restorative practices were the keywords, by which the project team suggested that this project is positively different from other types, mostly the so-called bottom-up interventions. Through the participatory processes, the staff tried to overcome the locals' lack of trust, a fact that inevitably needed a vast amount of time and energies from the stakeholders coming from outside Pata Rât. Nevertheless, there were still individuals and families from Pata Rât, who claimed that they did not know exactly about all the aspects and resources of this project. Alternatively, others observed that after they proposed something, they were told that the project could not fulfill their proposal. Some complained about the distribution of project resources across the four communities, or between the members of one community or another. Besides, representatives of the public administrations of Cluj Metropolitan Area, and in particular of the villages where families from Pata Rât were moved out, objected that the project team did not consult them adequately in the different stages of the project. The latter happened even though the project implementer and the owner of the goods provided by the project was the IDA-CMA on whose board they were also present.

The problems to which the projects under our scrutiny aimed to respond to were territorially localized, but they appeared due to broader trans-local factors and processes, many of them functioning in a *long-duré* time frame. Moreover, while in each case, the main implementing stakeholders were local actors, the conceptual frameworks and financial schemes that facilitated them came from trans-local agents. Altogether, 'localism' itself as a perspective adopted in development theories and practices comes from trans-local or even trans-national policy agendas as a reaction to the failures of other development models. However, it displays a transformative potential in what regards the capacity for acknowledging the local problems and for mobilizing local forces to solve them, localism itself does not exclude the reproduction of inequalities. Our two case-studies demonstrated that if local policies continue to be shaped by neoliberal governance and do not put on their agenda the development of underinvested territories and an adequate public housing stock, the project-based interventions will not be capable of solving spatial and housing injustices, i.e., to counteract the formation of deprived and insecure housing areas.

## **Conclusion**

*Spatial and housing injustice as an endemic feature of capitalism*

The theoretical contribution of our article to the understanding of spatial injustice is threefold. First: we addressed it as a phenomenon that results from uneven territorial development, which at its turn is an endemic feature of capitalism, as described in Chapter 2 for the case of Romania. Second: we viewed spatial injustice as a trend manifested in the production and perpetuation of semi-informal and deprived housing arrangements since these reduced very much the access of their dwellers to the locally available and socially valued resources. Chapter 3 of the article illustrated this process in the case of Pata Rât in Cluj-Napoca, and of Mălin district in Codlea. Third: through our discussed cases at least we suggested (even if we did not have the opportunity to elaborate on this), to address uneven territorial development, spatial injustice and housing injustice as racialized and class-based processes that are unfolding across political regimes. One may observe that it is the pauperized working class who ends up living in such territories, while both the space where they are living and themselves as impoverished people, as ethnic Roma and as dwellers of such areas, are racialized, i.e., inferiorized and stigmatized (Vincze, 2018).

#### *Externalization of state accountability*

Besides the aim to theorize on spatial injustice, we also used our empirical material in order to demonstrate that the externalization of state accountability in what regards spatial and housing justice, to some project-based interventions also aggravates this injustice. Such a process is linked to the state's changing role concerning market and society, as it happens under the rule of global neoliberal capitalism. We described how this happened in the case of Pata Cluj and Mălin-Codlea projects from Romania in Chapter 4 of the article. We concluded that the addressed forms of housing injustices are generated and perpetuated by systemic factors and processes and, as such, would need interventions that could act on the latter. Moreover, on the base of these arguments it is understandable why the projects under our scrutiny do not have the potential to change such structural causes, therefore why is their capacity to deliver spatial justice so limited.

In what regards the Pata Cluj project, it reflects several dimensions of the neoliberal policy frames insufficiently serving the most impoverished social categories, which are enforced by different constraints to make a living in underdeveloped urban areas. These dimensions are:

1. the outsourcing of welfare services from governmental bodies to project-based organizations and from the public budget to external funding;
2. the endeavor to rescale the governmental responsibilities from the level of

municipalities to the level of larger metropolitan areas, even if, yet, the latter do not have administrative competence;

3. the use of several mechanisms to push the pauperized labor force to the peripheries of the gentrifying cities and even beyond their administrative borders as their lands gain more and more value on the real estate market.

As a result of the above trends, the full socio-territorial justice to the inhabitants of Pata Rât is awaited to be delivered by further externally funded projects.

Regarding the Mălin-Codlea project, we could observe that behind the trend to legalize informal housing that it aimed to accomplish, this project promotes some larger processes sustained by neoliberal land and housing policies, such as:

4. introduction of all the lands into the circuits of markets and taxation system;
5. continuing the transformation of housing into a commodity and financial asset;
6. promoting homeownership as the ideal type of tenancy.

Mălin-Codlea displayed that justice-making in the case of informal and deprived housing areas is socially more complicated than finding some legal procedures for legalization, even if this aim is complicated enough in itself. The legalization of informal settlements or homes in the case of situations characterized by deep housing deprivation or by the positioning of such settlements or homes nearby polluted areas cannot be a final aim or only an aim in itself if someone wants to improve spatial justice. In such cases, this endeavor should be completed by improving people's housing and infrastructural conditions, their access to public transport and public utilities, but as well as by eliminating all the sources of pollution from the neighborhood where people are supposed to enjoy their property rights.

#### *The limits of localism in solving spatial injustice*

Last, but not least, we need to conclude here about the practical potential of the vision according to which the secret of solving spatial injustice is 'going local,' in the form of local autonomy or community-led-local-development, or simply by the locally conceived and administered projects. In what follows, let us refer to three aspects of this question.

First, in Chapter 2 of the article, we demonstrated how the addressed manifestations of spatial and housing injustices were created or at least reinforced and aggravated by the national societal changes in Romania after 1990, i.e., the transformation of actually existing socialism into neoliberal capitalism. Since our focus is housing injustice, we tackled two aspects of this change, uneven territorial development, and housing privatization. We might conclude that local measures cannot counter such trends happening at the national scale, but they necessitate nationally coordinated interventions. Most importantly, local autonomy cannot be a solution to these problems, because and until a neoliberal rule informs local governance. We could see that the major inhibiting factor of the sustainability for the Pata Cluj project (i.e., for the aim of desegregation of Pata Rât) was the lack of involvement and accountability of the Cluj-Napoca City Hall regarding this matter. While in the case of Mălin-Codlea it consisted of the limited powers that the involved stakeholders (including the public authorities and the NGO) had over the issue they took responsibility for.

Second, in Chapter 3, we described the local historical processes that led to the formation of deprived housing areas. In Chapter 4, we could observe that compared to the long-term and structurally rooted nature of these phenomena, the projects aimed to tackle them could only lead to partial achievements. However, most importantly, we might resume here that in the absence of politically assumed policy measures budgeted and implemented by the local public authorities on a long term, the project-based initiatives of civil society organizations or public-private partnerships miss the political accountability that could assure them consistency and sustainability. The latter is even so in the cases when behind the individual projects one can discover some background strategy adopted at different scales (European, national, regional, county, metropolitan, locality level) that enabled them. The problem with these strategies is that they were elaborated in order to enable public or other institutional stakeholders to attract EU funds, while the authorities have not translated them into concrete policy measures supported by the public budget.

Thirdly, we should also mention here that the World Bank elaborated the studies underlying all the strategies mentioned above (related to regional and territorial development, urban development, housing, social inclusion of the Roma, combatting poverty, social exclusion and marginalization). The latter – from a position of consultant for the Romanian Government – also had a crucial role in elaborating the Partnership Agreement between Romania and the European Commission. Above all, we should not forget that this is happening in a broader political economy context, where:



- project-based initiatives are held responsible across the EU to solve the significant issues of our times, such as poverty and socio-economic inequality, or territorial inequalities at different scales;
- the compulsory European macro-economic policies and fiscal surveillance of the Member States enforce them to cut the costs of the welfare state, which at its turn limits a lot the positive effects of the project-based initiatives on the domain of social and territorial cohesion.

All the conclusions formulated above, which are rooted in the empirical material of the Romanian national context and of the local contexts where we conducted fieldwork under RELOCAL research, might be reconnected to some transnational processes of spatial (in)justice under neoliberal capitalism. Localism informed by neoliberal urban governance could not assure in our contexts either, the desirable spatial or housing justice. The reason for this is that the trans-local factors of capitalist political economy are producing such injustices and the political actors, who should solve them, are not serving the housing needs and rights of people with low income. Generally speaking, a state politics informed by market fundamentalism cannot be committed to cohesive and inclusive territorial development, even if the EU policies promise both a common European market based on the principle of free movement of capital and a social Europe based on solidarity. What it does at the most out of this contradiction is that it justifies the creation of inequalities as a price to be paid for development (following the World Bank understanding of this phenomenon, 2009), and it creates the legal frames for project-based social interventions.

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## Abbreviations

CMA: Cluj Metropolitan Area

IDA-CMA: Intercommunity Development Association – Cluj Metropolitan Area

FRA: European Union Agency for Fundamental Rights

LAU: Local Administrative Unit

LEADER: *Liaison entre actions de développement de l'économie rurale* (Links between actions for the development of the rural economy), EU initiative to support rural development projects

NAR: National Agency for Roma

NUTS: Nomenclature of Territorial Units for Statistics

NUTS 1 in Romania: four macro-regions

NUTS 2 in Romania: eight development regions

NUTS 3 in Romania: counties

PHARE: initially “Poland and Hungary Assistance for Reconstruction of Economy”, a program extended later towards other countries of Central and Eastern Europe in order to assist their accession to the European Union

RELOCAL: Resituating the Local in Cohesion and Territorial Development

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