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# Uneven Development and the Phenomena of Housing Societies in Pakistan

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## Introduction

The 'struggle for dignified housing in Pakistan' is described as an arduous journey by Rashid (2019), one that is a reflection of 'entrenched income and wealth inequality'. As per his article, ninety nine percent of housing in the formal market is beyond the buying power of sixty eight percent of the population. To add to this staggering figure, Rashid (2019) contextualizes the state of affairs further when he states that the house price to income ratio in Pakistan is 20:1 compared to a global average of 5:1. The statistics he offers in his piece for the country at large are eye opening, and a fitting precursor to my exploration of the housing society phenomena at large, as investigated through a case study of DHA Lahore. The phenomena of the urban-gated communities must be understood within this context of massive inequalities, and as a way to see how uneven development is felt in the city. DHA Lahore as discussed in this paper is only piecemeal, but is a place to start asking questions.

Defense Housing Society Lahore on its own website describes itself as a housing society 'that has endeavored to provide, to the people of Pakistan, an opportunity to live the innovative models of modern living'. This self-understanding of the Society at the very least provokes some questions about notions of modern living and to what people of Pakistan can corporate organizations deliver on such promises. The Society in this paper serves a microcosm of the city at large, to understand the problem of inequity within cities and to understand how the narrative of development plays out.

For this endeavor, I will first formulate a broad understanding of what the law DHA creates and administers looks like. I will then introduce ideas of 'legality' and in doing so broaden the scope of the conventional understanding of law by showing how it forms the daily, lived experience of people. Such an understanding of the law will broaden the sorts of activities and policies carried out by DHA that I include as sites of inquiry in this paper.

I will attempt to unravel some of the underpinning ideas that make DHA what it is- through an engagement with the regulatory framework that governs it. A parallel pursuit will be an analysis of key features of the society- namely the DHA security force, the DHA club meant to serve as a site of communal interaction, and the parks in each sector. Engagement with each of these sites will allow for an understanding of the values the Society creates and also help illustrate the ethic the espoused development model creates through which politics of exclusion and marginalization are perpetuated. This will also target the very specific understanding the Society invokes of who constitutes of the people of Pakistan and who is a citizen.

The theory informing my analysis is comprised of urban studies, legal sociology and sociology. The notion of legality I will employ stems from Ewick and Sibley (1998). Meanwhile Ananya Roy's framework of informality is used to contextualize why cities operate the way they do in Pakistan (Roy, 2009). A way forward is paved through the imagination of David Harvey (2008) and Ayonna Datta (2013), while the working of bureaucracy and institutional inertia is briefly contextualized with the assistance of Hull (2008). The idea is to formulate a reflection that is both coherent and thought provoking- that is creating room for more reflections.

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## Methodology

The research for this paper was done through a perusal of the legal framework governing DHA. This was achieved through access to DHA website and interaction with DHA employees. Yet the primary mode of research for this project was observation. As a lawyer operating in the realms of truths and non-truths observation perhaps is one of the most underrated modes of study. My choice of method was an attempt to redirect the conventional discourse to one that treats alternate modes of knowledge as valid.

Conversations and unstructured interviews with residents and non-resident individuals employed in the Society formed a bulk of my material. Thus, unstructured interviews and observations were employed as the main modes of data collection for this attempt at a qualitative and ethnographic account of DHA. As a resident of DHA I was in a unique position to observe the policies instated by the Society and attempt to understand them in the larger framework of equitable cities and development. My status as a resident also meant my own bias could play a role, hence I kept my interviews and interactions open ended so my questions would not reflect my biases. I also ensured that conversations were free flowing and that I made clear there would be no repercussions for any interviewee narrating their experience of DHA.

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## History and Governance

DHA Lahore was originally built for army officers but soon it became a housing scheme open to the wider public. The Society was always meant to be an exclusive area but has undergone rapid gentrification, which has made it even more select. Gentrification effectively has ensured that any space that was formerly accessible to upper middle class or middle class aspirants has been taken away. Thus, already nominal space has shrunk further. Nadeem Ul Haque (2015) writes that the land model perpetuated by societies like DHA whereby the land is developed by the public sector and given to officials to reward service and the likes is a detriment to the development of competitive real estate markets.

While ordinarily development and land function through the politician-developer nexus in Pakistan, there has always been a third player- the military itself. In fact, Baber (2019) writes that it was General Musharraf who passed Order 26 setting up DHA Lahore in place of the civilian cooperative housing society, breathing life into the Society as we know it today. By passing the 17th amendment this order was legitimized and gave what Baber (2019) aptly terms a 'pseudo legal basis to the takeover'.

While DHA is claimed as a private enterprise run without state support as a corporatized entity; the presence and control of army officers in virtually all positions of authority indicate otherwise. The governing board of DHA consists of retired army personnel with only one civilian member described as a 'co-opted civilian member'. The functions of said body are divided into categories of administrative, executive and financial with the number one goal and objective stated as 'developing urban communities'. These ill-defined goals of development are difficult to construe particularly with little material to go on. The main regulations that govern DHA and are available to the public are to do with construction rules and details of ownership of land. The deliberately vague and limited framework makes it hard to decipher what exactly DHA's authority is and where it is derived from. Ananya Roy's work on informality, which is dealt with in later sections of this

paper, helps clear this confusion by illustrating that much of this confusion is deliberate. This paper will address this theory at length in the following sections. The governing board and regulatory structure thus is imperative to understand DHA, and its military dominated governing board speaks volumes about democratization within the Society and in turn of the values it creates.

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## **DHA and Legality**

My study of DHA is predicated on an understanding of their policies as being law, and expands the idea of law not consisting merely of black letter law encased in regulations and code. Understanding the law as rigid and absolute as is the case most often obfuscates detailed inquiry and overlooks how intertwined law is with society. Instead of such a limiting and narrow understanding of how the law acts, I borrow from Ewick and Sibley's conception of the law. For them, as described in their seminal text on legality, the law has a 'commonplace materiality pervading the here and now of our social landscape' and having a presence that is both 'an episodic event and a constant feature of our lives' ( Ewick and Silbey,1998:16).

DHA's policies then have an effect that is felt long after the passing of any formal rule or regulation. They create ideas of what is just and what is unjust, they shape ideas of citizenship, equity and development. These ideas are reflective of the politics at play in the city at large and allow for a commentary on ideas of equity, development and more. Legality allows for an understanding of the entire ethos created as a consequence of the rules and regulations DHA espouses. It is this wider web cast by the Society that I intend to explore.

To my mind it is the oft ignored insidious details that truly illustrate the power and consequence that housing societies possess in cities. Legality allows for them to be studied, even when they are comprised of smaller policies often informal and often implied. DHA through its regulatory framework is creating a structure of governance and a framework of what constitutes as legal and what constitutes as illegal, and this makes it an ideal cite to explore legality.

One manifestation of the ethos DHA creates is its treatment of those on the periphery. DHA Lahore is surrounded by peri-urban areas such as Charar Pind and Kumaya. Despite these areas being the source of labour for DHA, the narrative within the Society is that these outsiders on the periphery are miscreants. This is used to justify excessive surveillance and policing within those areas, and strict cordoning off of them. DHA then, by the very nature of the policies it perpetuates and the ethic it cultivates, invisibles and marginalizes adjacent communities. It manages do so in tandem with the law under the rubric of either safety or exclusivity. DHA is kept elite by actively working to keep out non-elites and its regulations legitimatize such actions.

An interview of mine with a domestic help worker employed at a home in DHA was particularly useful in illustrating the pervasive effect of DHA's power. Workers are stopped by DHA security at entrance points into the Society and made to show Identification cards, to verify their status as employees within the society. There is nothing intrinsically wrong with the policy- but it is the way that it is enforced is contentious. An otherwise simple bureaucratic task becomes open to abuse and obfuscates the purpose of the policy. Many workers don't have relevant ID materials, and are not literate enough to understand the requirements necessary for documents to be prepared. This is an appropriate juncture to engage with how bureaucratic structures operate, and the effect they

have on individual's lived experience. Hull points out that within bureaucratic structures, such as the DHA office, the emphasis on writing works as an 'instrument of control through storage and transmission of information' (Hull, 2008:502). Hull adds depth to what is otherwise a cursory analysis of documents and the role they play. Through his understanding we can appreciate that documents and control of them contributes to state power, and that they are in fact 'enacted in practice' because of how they engage with people' (Hull,2008:504).

To breach this gap workers are to be accompanied to a local police station, and then the DHA office, with their employer for obtaining ID. Yet rarely does this harmoniously play out. Employers often refuse to make the requisite journey and instead find short cuts that complicate the situation for workers. The interviewee in question told her story of being employed by a family that comprised of army personnel. She was made to bypass the process through processes unknown to her and was presented with a card that served the purpose. However as soon as she fell out of favour with the family, she found herself virtually unemployable in the Society. When her new employer attempted to formally undertake the process he found her past card was declared a forgery and that accusations had been attached to her past conduct.

The interviewee was nonchalantly describing this complication because she said in the end she had eventually found an employer who had the power to make such problems go away. 'Saab log ki call se kaam ho jata hai, magar sab saab se nai' she laughed.

While a traditional legal analysis would never allow for such an understanding of the effects of a policy, legality makes room for it. It shows that a legal act of making a policy of identification has a social impact and is interconnected to power, patronage and inefficient bureaucratic choices.

Another example is present through an unspoken policy that DHA attempts to enforce, a form of spatial restriction that reflects the Societies' ethos. The domestic help workers employed are not meant to be sitting outside the premises of the house on the street, or on the green strip of land bordering all houses. The reason for this policy is the familiar rubric of security concerns or even problematically framed as aesthetic concerns. It is at its core a discriminatory practice that snatches space away from people who already have limited access within the society. In practice, this policy rarely works since summer months make the tiny allocated servant quarters above the house inhospitably warm, and green belts are full of lounging staff members. Yet the fact that this ceding of space is seen as a concession is indicative of DHA's ethos and speaks volumes for how far we must journey to achieve equitable cities.

Legality then allows us to see the real scope of DHA's power and to find it in the little actions it carries out and in what it condones. This is not to suggest that DHA is a complete oasis that falls outside the governance of Lahore but it is an acknowledgement that it largely falls outside the scope of local authorities and is carried mainly by its self-understanding. Its military authority naturally manages to widen the ambit of its power and makes it untouchable in many ways.

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## Key features of the society as sites of inquiry

### The Sector Park

Each sector in DHA has its own park- an area designated by zoning regulations for green coverage and resident use. While on weekdays these parks are frequented by DHA residents, non-residents from adjacent areas frequent them on public holidays and Sundays. Bikes laden with working-class families make their way to parks, to enjoy the weather and for children to enjoy the swings their own neighbourhoods lack. DHA security is deployed near the park on all such days to police and survey the crowds, always wary of potential havoc. The Rapid gentrification of DHA has meant that there is virtually no space that can be deemed a multi-class public space. Such acute spatial divisions ensure that there is a deep-seated mistrust at play. The visitors are well aware residents don't want them there, in an interview, one such visitor remarked 'we are also time-bound; it's the place nearest to us where our children can enjoy. I know if there are other children who live there playing with my children, their parents won't like it. We hear the comments they pass; we know they think we are in their space. I would never come if there was such a park in my area, but that's a distant dream so here I am.'

### DHA Club

Defence Club in many ways is a relic of the club culture dating back to colonial times, and found in all major cities of Pakistan. It offers membership for an exorbitant fee after being on a waiting list for years and then goes on to charge members for each separate activity they wish to partake in such as swimming, playing tennis, or using the library.

The truly problematic ethos the club creates, outside of its obvious exclusivity and elite character, is its treatment of lower staff. Maids and chaperones are not allowed within the club, and this rule leads to flagrant injustices and humiliations for several people. Signs declaring this policy are pasted on entrances, and there appears to be no remorse shown by those who have instituted this policy. The site of a domestic help worker being turned away or else being forced to roam the lawns tending to children is a common one.

This policy is one that is legitimized by being codified in the 'Club Rules' - and is reflective of how the notion of what is lawful can be misused. Datta (2013) speaks of how the 'state and corporate interests are able to use existing laws or frame new laws to their advantage in denying the poor any right to the city', and this is a perfect example of such a decision (Datta,2013:519).

### DHA Security

The DHA security force is a society run institution set up for the purpose of security of residents. Its presence is parallel to local police and its exact role is ambiguous. The effect it does have is to create an added layer of insulation from outside society.

Interviews with employees of the society focused on the infliction of minor humiliations and routine harassment. One interviewee, a domestic helper employed to cook and clean a home in DHA, told me how when his employer refused to pay him his full wage he protested and was escorted from the premises by the DHA security. Another spoke of how the security officers were often people similarly situated in life and rather empathetic in the event that employers called them for help. He spoke of how the guards had sympathized with his position when was being

blamed for a theft in the house, but also firm on the fact that he had no recourse but to accept some portion of the blame. The theme of helplessness was pervasive, stemming from the knowledge that the society was not only upper class but after all military operated and thus untouchable. Datta (2013) comments on how the urban poor is all too familiar with the fact that for them abiding by the law is no guarantee of being safe, yet they are also constantly embroiled in the struggle with what is legal and what is not.

One interview was particularly eye opening as the interviewee narrated her journey from an adjacent low-income locality to the society. This journey involved crossing Ring road by foot - a mammoth task for any pedestrian braving the high-speed traffic. She spoke of how DHA police now regularly stopped them from doing so because of the risk it posed. The alternate route was much longer and made her late for her job. She narrated how her employers had been unmoved by this news and had suggested that perhaps she could use an auto-rickshaw to cover the distance. She laughed as she told me that more sympathy had been extended by DHA security officers, some of whom belonged to her neighborhood. 'Inhe aam admi ki samaj nai ati, agar may riskhay ke paise bhar sakti tou may kyun na karti?' Thus while DHA security must act as gatekeepers of the society their own ethos, their own experience of the world is opposed to it. The security force is an interesting site of inquiry. It speaks of how the urban poor is often meant to collude in the oppression of others similarly situated, and there is a tangible violence of law felt in everyday life (Datta, 2013:521).

### DHA as a microcosm of inequality in the city at large

DHA Lahore showcases how pronounced inequality is even within its confines. It indicates then that there is a systemic problem with the land-law nexus in Pakistan, which causes a very tangible human problem.

The most glaring question that it raises is the apparent lack of interest by the state in ensuring that some degree of equity is maintained within the city, and that development is not limited to just a trope employed when needed. Ananya Roy is most helpful in charting this terrain, she argues that the 'narrative of planning incompetence' is the real trope employed by the state. She describes that the states policies, and the perplexities it professes to be unable to handle, are part of a deliberately curated regime of informality. Informality to her means there is a 'state of deregulation... the law is rendered open ended and subject to multiple interests' (Roy, 2009: 80). She argues that informality is 'inscribed in the ever shifting relationship between what is legal and illegal, legitimate and illegitimate' and is a relationship that is 'a site of considerable state power and violence' (Roy, 2009). This understanding of the state while meant to be a diagnosis of India is very true for Pakistan too. It is the only way we can understand how DHA can survive almost as an island divided from the rest of the city. It is the lens through which can understand its vague governing structure and rules. Only when we appreciate how keeping the law open ended and loose is a deliberate choice can we see how the society is in fact reflective of deliberate choices and policy decisions that favor the elite. It explains why the army's seizure of land is deemed legal and a squatter is deemed illegal. The idiom of informality operates in a manner so as to create a logic of 'resource allocation, accumulation and authority'- one that is all too apparent in DHA (Roy, 2009: 80).

The question this understanding prompts is: why is the state allowed to get away with this? For me, David Harvey poses an answer. He argues that increasingly 'quality of urban life has become a commodity for those with money' and this effectively manages to insulate people against the

inequalities at play (Harvey, 2008:14). This allows for societies to perpetuate their ethos of exclusion because as per Zukin 'pacification by cappuccino' ensures they are occupied (Harvey, 2008: 14). This clever term is used to signify how consumerism is keeping people occupied and distracted from the real problems, and this couldn't hold truer for societies like DHA. With gentrified coffee shops in every sector perhaps a literal pacification by cappuccino is at play that blinds residents to the problems inside, and the different world that exists and is kept firmly outside the society. Harvey explains how the huge wealth gap, as contextualized for Pakistan by Rashid is 'indelibly etched into the spatial forms of our cities which increasingly become cities of fortified fragments of gated communities and privatized public spaces kept under constant surveillance' (Harvey,2008: 15). This paints an accurate picture of DHA and can be used to understand why such a society thrives.

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## Conclusion

Perhaps a way forward for equitable cities, one where development is not just a distant dream begins with a reimagining of what the right to the city is. As per Harvey, the right to the city must be re-conceptualized as a collective right, which can reshape the face of urbanization (Harvey, 2008: 23). Harvey (2008) holds that urbanization has always been a class phenomenon, and this reads particularly true after the discussion on DHA and its policies. The right to the city must then be reclaimed through dialogue and participation from individuals. This in turn should translate into local government empowerment, where citizens who know their rights hold elected officials accountable. Thus the very notion of what it means to be a citizen, and the rights and duties attached, would expand. If each district had a park perhaps my interviewees would not need to travel to DHA and be the object of scorn of residents. However we must not stop there, the scorn itself needs to be addressed and remedied by addressing the communal ethic of exclusion DHA cultivates. Any way forward must include multi-class spaces, where cross-class interaction is normalized and even enjoyed.

Datta's insights are also crucial for understanding how to move forward. She argues that what is seen as the right to the city must be understood with an added caveat that - 'the right to the city not always as seized, occupied and staked against the state and the rule of law, rather realized precisely through a deeper engagement with the rule of law and legal urban geographies' (Datta, 2013: 519). This calls for working in tandem with the law rather than in opposition to it - and for me holds great merit. For instance, in the case of DHA, such an engagement would mean knowing who comprises of the Society's board in order to push for more civilian representation. With such an approach to understanding the law 'law itself then can become a political terrain, part of the political imperative of the right to the city' (Datta, 2013: 520).

This paper however is meant to be diagnostic; the first step forward in shaping what equitable cities must look like. The key takeaway from it is to keep our eyes and ears open and see the city around us as it is. To see legality at play, to see social values being created in small seemingly insignificant practices, and to see inequality and call it out at its source. This must come with the recognition that the law is a vernacular through which to view the city. By this, I mean that the law must be understood as part of social institutions to form a full picture of society. Only such an engagement will allow for societies like DHA to be understood for what they are- and for meaningful efforts to come about to challenge the inequity perpetuated under the guise of

development. Until law isn't made part of the conversation, by lawyers and non-lawyers alike, law will continue to act as a deterrent for meaningful conversation and engagement. Cities are the literal homes of people's dreams and aspirations, and any discourse of development must make people central to it.

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