

**El Paseo del Río San Francisco:
Urban Development and Social Justice in Puebla, México**

by
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**This essay is dedicated to those evicted and expropriated in the six
manzanas of the Paseo del Río San Francisco Project in Puebla, México**

Please note: All translations from the Spanish are my own.

LA NOCHE TRISTE

The testimony begins:

May 14 1997: Just after daybreak, police forces broke into 'Villa Flora,' whose owner is the sister of the President of the Association for a Traditional Puebla: [Agustín] Ochoa, who is beaten by police dressed in civilian clothing. The house is taken and the residents, after a tense day, seem ready to leave the building. That night, a police action of enormous proportions fills the alley known as the 'Estanque de los Pescaditos' ... our turn.

May 15: In the early hours of the morning, the families Ramírez Stefanón, López Armenta del Valle y López Armenta Aguilar bear witness to judicial officials wearing sombreros and giving order to police in the street, only a few meters from our houses: they tell them to put up a metal barrier and station police in front of our doors so we can't leave ... all the entrances to the alley are also blocked [off]. The [police force] includes individuals dressed all in black, with faces covered by balaclavas; they surround the buildings, flattening themselves against the walls. It is difficult to assess how many there are, but they have encircled the entire block, assisted by the darkness of night and their clothing. There are at least 500, maybe even 800, but what is certain is that the display of force is inordinate: we are no more than a few defenseless families confined to our homes, but who nonetheless deserve the treatment usually reserved for dangerous criminals. (María Elena Stefanón 1997)

If informed, and correctly so, that these events took place in contemporary México, Chiapas would immediately spring to mind as the likely location. There, the army, police forces and paramilitary have actively pursued a systematic policy of encircling municipios autónomos under cover of night, then moving in to prosecute a house-to-house search for those who have "attacked the juridical basis of the Mexican state," in the words of Governor Roberto Albores Guillen (Mariscal 1998). The final act of the army, as they shepherd their prisoners off to jail, is to dismantle the structures that defiantly declare this public space free and clear of government interference.

As María Elena Stefanón's testimony continues, it confirms the Chiapas hypothesis:

The appearance of bulldozers alarms us. We grab the telephone: we call family and friends, and we try to call the press. The last call is to the Marín Armenta family, who live next door: 'The bulldozers are going toward your house,' we manage to say, but the message ends there: the line has been cut ... we are left totally incommunicado.

From my kitchen window, on the [third] floor, we see the blinding lights of the bulldozers as they invade the Marín Armenta's property. The lights seem even brighter because the electricity has been cut off. It is two a.m. From the shadows, their cries reach us: '¡They're tearing down our house! ¡They're tearing it down!' ... We feel impotent as we watch, and within a few hours, their homes and the few belongings they manage to salvage are

thrown carelessly into trucks. By daylight the eviction and destruction of their home is over. (María Elena Stefanón 1997)

Perhaps the mention of a telephone and the press belies the supposition that these events took place in a remote, rural area. It is true, they did not. But neither did they occur in an illegal settlement on the periphery of a city, or on ejido land, taken over by poor families lacking the economic means to purchase homes. These actions were perpetrated by the state government of Puebla in the heart of its capital city, also known as Puebla, an area designated by UNESCO in 1987 as a "patrimonio cultural de la humanidad," or world heritage city. The people whose homes were destroyed were the legal owners of parcels their families had purchased over a century ago. The land and houses comprised the patrimonio, or heritage, of the López-Marín-Armenta families, who lived and worked in them still.

Why, then, the overwhelming show of force, the violent eviction under cover of night and the destruction of people's homes and livelihoods? In what follows, I will briefly recount the events that led to these acts, but I want to begin by suggesting that the response to this question is fairly straightforward. These families suffered the "Chiapas solution" because they defied the legitimacy of the government, synonymous in Puebla with the ruling party, the Party of Institutionalized Revolution, or PRI. Like their compatriots in the municipios autónomos of Chiapas, the López-Marín-Armenta families and their neighbors challenged the government's right to expropriate their homes for what the rightful owners termed "lucrative" ends. They fought on legal terrain, appealing to the courts to stay the orders of expropriation, and they waged an ideological war wielding a powerful discourse of social justice. The PRI government responded weakly in discursive form, but forcefully in practice, as evidenced by María Elena Stefanón's testimony. In return for their efforts, the López-Armenta-Marín families and many of their neighbors lost their homes.

SOCIAL JUSTICE IN CONTEMPORARY MEXICO

Social and economic justice continually surface as key themes in contemporary Mexican government discourse in response to repeated economic, political and social crises. In a speech this past May 29th in Chiapas, President Zedillo warned against those who ascribe to the "theology of violence," affirming that it is never legitimate to threaten violence, because only the State can apply justice." Even if the Mexican State has failed to impart and exercise just acts in the past, he warned, people cannot take these matters into their own hands (Vargas and Henríquez 1998:3). While Chiapas continues to figure prominently in considerations of justice or the lack thereof, it is periodically edged out by civil society's calls for an end to official protection of criminal activities from kidnapping to narco-trafficking, corruption in general, and most recently, a just resolution to the banking crisis known as Fobaproa. Each new emergency provokes a rash of explanations, dissimulation and promises of "transparency" on the part of the PRI government in its conduct of political and economic affairs.

But if the Mexican government is the only legitimate bearer and administrator of justice, why has it repeatedly failed to impart justice, or at least take action that leaves people reasonably satisfied that it is doing all it can to resolve, and not aggravate, serious economic, political and social inequalities? And why do Mexicans find it necessary to engage in organized struggle to establish alternative

visions?¹ In contradiction to President Zedillo's formulation, geographer David Harvey contends that there is no single definition of social justice that derives from eternal, universal principles. Instead, justice is all about societies, however they might be constituted, making decisions regarding the "[resolution of] conflicting claims" (Harvey 1973:97). These claims involve the distribution of economic and social goods among the various groups that comprise a society. Thus, the concrete form and meaning of justice in any given time and space is socially determined.

When engaging in discourse designed to deflect attention from crisis, corruption or violations of human rights, the Mexican government and the PRI vigorously employ all three mainstream stances on justice identified by Harvey (1996). The libertarian position that trusts the invisible hand of the market to ensure a just distribution is common in neoliberal political formulations. But officials also base their pronouncements on a contemporary utilitarian approach, which argues that the just solution is that which results in the greatest good for the greatest number; or alternatively point to the social contract, which considers a state of justice to exist when the most disadvantaged members of society live in the best situation possible, given the need for the system to continue functioning.

All three normative approaches assume the government's authority to determine a just distribution of goods and rights. But as Harvey contends, the constitution of social and economic justice is contested terrain. Despite its access to communications media through which its views are widely diffused, often to the exclusion of others, the government/ruling party explanation often fails to convince. When the reality of people's lives diverge dramatically from official discourse, they band together in various forms to express and act upon the contradictions they perceive. These actions have the potential for developing into what Harvey (1996:401) terms a "class project," the only means by which the working class presents a direct "challenge to the circulation and accumulation of capital which currently dictates what ... transformations occur and why." Though many of these movements never develop beyond the local, or focus on ethnic and cultural expressions at the expense of the class-based consciousness of which Harvey speaks, I argue that they represent a deliberate move toward the assumption of the right to participate in the determination of social justice.

In what follows, I explore the creation of a discourse of social justice by residents of several of Puebla's working class barrios in resistance to an urban renewal project promoted by the municipal and state governments. María Elena Stefanón's testimony describes the dramatic finale in a protracted, four-year struggle that continues to date, though in attenuated form. In the face of a concerted government campaign to evict and discredit the residents of some of the city's poorest and most deteriorated neighborhoods, the latter responded to the government's claims, both in practice, as they mounted an authentic opposition movement, and in word, as they countered the government's logic through their own public discourse.

¹ Jurist and ex-Attorney General, Sergio García Ramírez, claims that the Mexican state has lost its "social character" and therefore can no longer ensure the provision of liberty, justice and development (García, F. 1997).

THE PASEO DEL RÍO SAN FRANCISCO PROJECT

On August 11, 1993 (García, M. 1993a:1), the newspaper El Sol de Puebla reported the municipal government's order of expropriation of property encompassing twenty-seven manzanas in eight barrios in the eastern extension of the historic center of Puebla. This zone had served as the residential district of the indigenous peoples who built the city for the Spanish. Located on the other side of the San Francisco River, the indigenous barrios have always been among the poorest and neglected in Puebla.² In 1993, although 46% of the buildings were classified as residential, only 55% had bathrooms and 29% lacked drinking water. A full 87% of the area's residents were renters. Seventy-nine percent of the buildings designated as "historic" showed signs of deterioration (Ramos Rivera 1993).

The legal basis for the expropriations resided in the government's right to declare the area of "public utility." The intent was to construct a convention center and tourist complex to "detonate" the weak urban economy.³ The actual project, provisionally entitled the "Partial Program of Urban Development, Improvement, Conservation and Integration of the San Francisco Riverwalk" (hereafter the Paseo project) consisted of nothing more than a series of "diagnostics," including "modernization of building usage," "elimination of novel architectural elements and construction," and "recuperation of the river zone" (Flores Morales et al. 1995:167). Despite having no detailed plans in hand, the municipal government unanimously approved the project and the expropriation of twenty-seven manzanas that it would entail.⁴

Though the Paseo project was essentially a "virtual" plan, the response on the part residents of the affected barrios was quite real. The public notice of massive, but as yet unspecified, expropriation created chaos in city hall as residents sought information on the details of the project. Only three of the eight barrios were mentioned by name in one newspaper, which also claimed that the project would encompass 224,000 square meters and affect 700 people (García, M. 1993a). Yet another reporter claimed that 4,000 families would be affected (Cordero y Bernal n.d.). Still another newspaper wrote that the Paseo would encompass 22.5 hectares containing 300 parcels and seven factories, and would affect 200 property owners and 700 inhabitants (Mercado Martínez 1993). This article also identified the specific blocks to be incorporated into the project. In the absence of concrete plans, all government figures were calculated guesses.

In his initial public statements on the Paseo project, Mayor Rafael Cañedo justified the municipal government's actions on the basis that it was best to take definitive action to end the rumors that had been circulating for months about a possible urban renewal project in

² One of the barrios included in the original expropriation, Analco, means "the other side of the river" in Nahuatl.

³ Pablo Durán Guzman (1998a) reports that the municipal government met on August 8, 1993 to approve the plan, but that their act became official when published in the Periódico Oficial on August 13, 1993. The first mention in local newspapers of the project's approval was on August 11, 1993.

⁴ The concept of the "paseo," or "riverwalk," originally called for a "river, or more accurately, a navigable, artificial lake" that would stretch across several manzanas and replicate the tourist zone of San Antonio, Texas (Durán Guzman 1998a:1H).

the barrios in question. With the "good" of the community in mind, he thought it best to lay the collective mind to rest concerning the government's long-term plans for the area. Though the definitive plan would not be available for three or four months, residents could now begin planning to leave the affected barrios. To allay people's fears of uncompensated expropriations, he assured just compensation for the expropriated based on the promise of cooperation on the part of BANOBRAS, or the National Works Bank, and the National Bank of Mexico.⁵ And finally, the mayor pledged to create a consulting commission, or "consulta popular," which would include engineering faculty at local colleges, architects, public works officials, the city's urban development office, businessmen's organizations, "and especially, citizens" (Garcia, M. 1993a:1).⁶

A firestorm of public opinion enveloped the municipal government for months after the announcement of its decision. Poblano architects and historians objected to the contracting of United States firms to create plans for an historic Mexican city. Business leaders lamented the apparent favoring of foreign over local capital, and demanded equal investment opportunities. And as rumors began leaking out about what the project actually entailed, virtually everyone called into question the logic of creating an artificial lake and luxury hotels in an area of the city lacking the infrastructure to deliver water on demand and control flooding during the rainy season. University-based professionals centered their attacks on the destruction of local culture and identity and the lack of an authentic public voice during the planning process (Aguirre 1993; Aguirre M. 1993; Síntesis 1993; Durán Guzman 1998a, c).

As time went on, many of the voices in opposition muted, as the "experts" became convinced of the value of the project, were offered a share in order in return for their silence or simply grew tired of the struggle.⁷ Many figured that the project would simply never be realized, given the complexity of the design and the economic, political and social difficulties to be overcome. The community-based associations that had formed in immediate opposition to the project were left on their own. Two organizations remained prominent in the years-long fight for justice: the Unión de Barrios, comprised of renters, merchants and property owners, and the smaller Asociación Civil por los Ideales de la Puebla Tradicional, A.C. (hereafter Asociación Civil). These were the residents who, in the words of María Elena Stefanón, "could not sit by with arms crossed ... when one of our children--at that time only three years old--... valiantly declared that no one was going to break up his room." Instead, they and their neighbors created a discourse of justice to counteract both the actions and official pronouncements of the municipal and state governments.

⁵ Shortly after issuing the expropriation decree, the government decided that it would be best to refer to this action as the "acquisition" of property, rather than the more politically distasteful term, "expropriation."

⁶ Despite the promise of a broad representation on the consulting commission, the members listed in *El Sol de Puebla* on August 12, 1993 included the mayor, the city council that had approved the project and the director of the state's urban development agency (García 1993b:6).

⁷ The specialist sent by UNESCO to investigate charges that the Paseo project might violate the integrity of "world heritage city" standards ended up working as a consultant to the project (see Ramos Rodríguez 1994).

CONTENDING DISCOURSES OF SOCIAL JUSTICE

In its opening salvo, the municipal government claimed justice as its province (Garcia, M. 1993a:1). This signifies the importance of this concept as legitimation for the broad exercise of state power.⁸ From the government's perspective, the expropriation was just for two reasons: First, it acted within its constitutional rights to expropriate. This argument reflected a combined conception of social justice as derived from utilitarian and libertarian principles. That is, the project was necessary because it would lead to the greater good for most poblanos, and that extant inequalities would be resolved by the market. Second, the government was willing to keep its part in the social contract by paying a fair price for expropriated property. Regardless of where barrio residents ended up living and working, they would be situated, by definition, in the best circumstances possible, given the government's decision that the project was necessary.

Barrio residents responded to the Paseo project with a discourse of resistance that contained four distinct lines of contention: an alternative discourse on the nature of the social; a challenge to the discourse of public utility; an inclusive discourse on the essence of democratic process; and a refutative discourse on just compensation. All of these themes were developed by local opponents as popular conceptions of social justice. Once its discourse on constitutional rights no longer held currency with the public, the government focused almost exclusively on compensation. In other words, the collapse of the utilitarian discourse and the cynicism with which most Mexicans view the capacity of the market to administer a just distribution of the nation's wealth forced the government to stress its intent to abide by the social contract. In the other areas addressed by barrio residents, the government adopted a discourse of silence and bode its time.

An Alternative Discourse on the Nature of the Social

Anthropologist Luz María Flores Morales and her colleagues (1995:175) identify "the discourse of common social culture" as the primary discursive means used by "the inhabitants of the oldest barrios of Puebla ... [to argue in opposition to] the Río San Francisco project." These were perhaps the most powerful arguments created by the organized resistance, since they pointed the way toward a unifying thematic that challenged their economic and social marginality. And this discourse was the creation of barrio residents, not in response to what the government claimed about them, but what it ignored: the existence of a cultural presence that gave meaning to urban life and history.

⁸ The expropriation was an act of the municipal government, then controlled by the PRI. The larger urban development plan, Plan Angelópolis, of which the Paseo project was one component, was the brainchild of the state's governor, Manuel Bartlett Díaz, also of the PRI. The initial reaction of affected residents was directed toward the municipal government, but when it became clear that the governor and state agencies were the principal proponents and instigators of the Paseo project, resistance generalized to include both levels of government and the PRI in general. In what follows, I include both the mayor and municipal government, and the governor and state agencies, under the general rubric of "the government."

The Unión de Barrios consider their neighborhoods to be more than a grouping of residences, workshops and small businesses. They are instead the contemporary spatial and social expressions of their original inhabitants, multiplied by the collective histories of all those who came after. Although their indigenous ancestors occupied marginal status in colonial society, say Unión de Barrios members, they earned their descendants a meaningful place in contemporary social relations. These foremothers and forefathers, they claim, forged, through their work, their struggles and their hopes a culture of almost five hundred years' duration. Marginalized in the center of the metropolis, the population of these barrios has endured the negative effects of government policies and has constructed its collective existence as the product of its daily work. For this reason, it is only just to defend its historic importance and preserve and develop its cultural heritage. The barrios are and will continue to be the heart of Puebla's history, vital space of a working people, conscious and defensive of its collective values. (Unión de Barrios 1998)

The testimony of María Elena Stefanón reinforces the sense that it was important for barrio residents to resist their exclusion and marginalization:

"We won't sell, we won't leave!" we shouted, beginning in 1993, with the Unión de Barrios, with the Asociación Puebla Tradicional, with everyone with roots in "the other side of the river" (the punished side, the ancient side, the side with more flooding during the rainy season, the poorest and the most combative when it had to be during its long ... history). (1997)

For the duration of the five-year struggle against the Paseo project, the residents of the affected barrios maintained that no one should be forced to leave their homes for any price, just or unjust. They called on their rights as long-time members of a community that was constituted in space and time through economic and cultural practice. It was clear that the government viewed the barrios as little more than a spatial grouping of deteriorated and decaying buildings located on prime, center-city real estate. By contrast, residents understood the barrios as sites of residence, work and the construction of cultural identities rooted in history and manifested in cycles of ritual, both sacred and profane.

"We are defending traditions that we have developed over hundreds of years," said Juan López, a fifty-year resident of barrio Analco. "In these barrios, eighty to ninety percent of the residents are Catholics and celebrate rituals that are the result of the mix of Hispanic and indigenous cultures ... This gives us an inheritance that we have the obligation to preserve ... We don't need to import these kinds of things from other cultures that are foreign to ours" (Ríos Martínez 1997).

Juan López used the anthropological concept, "intangible culture," to refer to the "kinds of things," that made the barrios a special social space. These include religious rituals, songs, popular theater and dance and the artisan production for which the barrios were known. They do not include McDonald's and other things "norteamericano." The Unión de Barrios used the concept of intangible culture to refer to "living cultural tradition and the spiritual wealth of the people" (Carrillo 1994). Broadening the concept of the social to include cultural heritage, Juan López' list pointed to the even more intangible process of identity formation, which is, in the opinion of

anthropologist Luz María Flores Morales and her colleagues (1995:175), "an inalienable right."

The spontaneous response on the part of residents of the San Francisco housing estate, just a few days after the announcement of the project, reflects this socio-spatial understanding of justice. In an advertisement in El Sol de Puebla (13 August 1993:17), they reminded the government that many had owned their homes for generations, and these modest properties constituted the only inheritance they had to pass on to their children. "Actions that affect our lives, our means of making a living and the peace of mind of our families are not just," claimed the Colonos de San Francisco. Ignoring the question of monetary compensation, they proceeded to the heart of the matter--families, livelihoods and social relationships. For residents, the barrio constitutes their way of life, roots them in history and links them with one another in past, present and future. The value of socialized space cannot be realized in monetary transactions because social relations cannot be bought and sold.

The inclusionary discourse of the popular barrios directed the public eye, and in consequence, the government's attention, to the contemporary existence of people possessing cultural identities which locate them and their ancestors as prominent social actors. Their barrio consists of more than a set of alienable structures with monetary value. They placed themselves in the stage in past and present, seeking to force the government to recognize their rights to determine their own futures. The government did not respond directly to this alternative vision of the barrios.

Challenging the Discourse of Public Utility

The discourse of public utility was a government creation. Both municipal and state governments based their right of expropriation of the Paseo project properties in the 1993 Ley General de Asentamientos Humanos, which sets forth the norms, principles and intergovernmental relations necessary to order, regulate and plan for the "founding, conservation, improvement and growth of population centers" (Congreso de los Estados Unidos de México 1995:9). In Chapter 1, Article 4, the law establishes the constitutional basis for the determination of "public utility and social benefit," such that property that lies within an area slated officially for urban development can be deemed "of public utility," and thus expropriated (Congreso de los Estados Unidos de México 1995:13).

In the case of the Paseo project, the government's premise for "public utility" was that the social interest would be served by the economic "detonator" effects of the Paseo project, primarily jobs in the construction and tourist industries. Wielding the utilitarian discourse that the project would yield the greatest good for the greatest number, the government also promised improved public services, since water, drainage and paved streets are necessary to attract tourists (Manjárrez n.d.).⁹ Behind this legal discourse lay the intent to clear the Paseo project area of human existence, leaving only the structures that had to be preserved by law for their historic value. Residents were mystified at first by the government's refusal to listen to alternative proposals,

⁹ It is a sad irony that the Paseo zone will receive improved public services only when the inhabitants who have suffered from the lack thereof no longer reside there.

but became convinced that investors and/or funders had demanded that the area be cleared of legal entanglements and residents. The government would then be free to sell the properties to private developers, investors and businesses for the purpose of constructing hotels, restaurants and cinemas.¹⁰

Those slated to lose their homes to private developers challenged the government's utilitarian discourse by characterizing the public utility in this instance as illegal, immoral and for lucrative ends. The expropriation would not bring good to a great number, but would benefit a select few with the means to purchase depreciated urban residential property and convert it to profit-making, commercial use. "Neither Article 27 of the Constitution, the Agrarian Reform Law, the Tourism Law nor the Law of Expropriations of the Government of the State of Puebla, nor the Urban Development Plan of the same entity define public utility as the establishment of hotels nor commercial zones, especially when the latter are lavish," charged the Asociación Civil, citing lawyer and former state representative Alejandro Gallardo Arroyo, in a full-page notice taken out in *El Sol de Puebla* on 10 November 1993 (p. 16; see Aguirre M. 1993:31). Nor, claimed the Asociación Civil, does the law give the municipal government the right to broker real estate deals. Finally, the group pointed to Article 25 of the Universal Declaration on Human Rights, which guarantees "every person ... a right to an adequate and secure standard of living with respect to family, health and welfare, and especially food, clothing and housing" (Asociación Civil 1993:16). The municipal government's expropriation, property owners claimed, "illicitly and arrogantly" denies those rights to the residents of the Paseo project area.

It is one thing, maintained residents, for the government to expropriate private property for the purpose of urban development with obvious, widespread public benefit.¹¹ It is another thing entirely for the state to expropriate private property in order to resell it to a new owner at a profit. As Juan López succinctly observed, "to take property from one individual to sell to another is 'business'" (Personal Interview with Juan López, July 23, 1998). Miguel López, a representative of the Free Citizens of the Analco Bridge, describes "public utility" as a "[violation of] "the constitutional rights of citizens [of the Paseo area] because the construction of hotels and restaurants are not ... works of social benefit" (Hernández Alcántara 1997a:8). More to the point, state the Colonos de San Francisco

¹⁰ The Paseo project underwent so many modifications between 1994 and 1996 that it was dubbed "the crypto-project" (Durán Guzman 1993d). The riverwalk, cable car, artificial lake and other amenities were discarded, and by late 1994, the megaproject had been reduced to a miniproject (Ramos Rodríguez 1994; *La Jornada de Oriente*, December 14, 1994:2). The current plan is for the state government to build only a convention center, museum and park, and to sell the remainder of the six surrounding manzanas to private developers and businesses. The park has been landscaped, the museum will occupy a renovated factory building, and the convention center is slated for completion in October 1998. The state government has announced that the trust created for the purpose of managing the expropriated properties will begin auctioning them off during the latter half of the same year.

¹¹ The people of the barrio organizations "are not opposed to the advancement of the city, but to 'modernization' [plans] rooted in the destruction of part of the heritage constructed by previous generations" (Santín 1994b).

(1993:17), "it is not just to affect our lives ... for the construction of shopping plazas and convention centers." For "progress," write resident María Roque (1993), "cannot be based on injustice."

The discourse of challenge also incorporated an alternative discourse of development. The Unión de Barrios (1998) proposed the possibility of "a radical urban reform that benefits the popular sectors and eliminates speculation and poor land use." Such plans would "promote the popular struggle for decent housing, public services, a better standard of living, defense of the historical heritage and culture and real social development" (Unión de Barrios 1998). And the discourse of inclusion is present in the statement that the Unión de Barrios members "consider it indispensable to exercise our rights and decide our own destinies, take an active role in government decision-making and develop self-managed development projects and programs (Unión de Barrios 1998). The organized opposition thus challenged the government to consider other possible approaches to urban reform. The government refused.

Inclusive Discourse on the Essence of Democratic Process

The government did not engage in a discursive debate on democratic practice. It simply ignored the legal procedures set forth in Chapter 3, Article 16, of the Ley General de Asentamientos Humanos, which states that "state urban development legislation will determine the procedures for the participation of the social and private sectors in the formulation, modification, evaluation and oversight of plans or programs of urban development." Specifically, "the state or municipal authority should advise the public when it begins the planning process" and will "diffuse this information widely" (Congreso de los Estados Unidos de México 1995:22). The same article goes on to prescribe a series of public hearings regarding the plan. The plan, criticism thereof, responses to such criticism and modifications to the plan should be made available in the corresponding public office for inspection before the plan is approved (Congreso de los Estados Unidos de México 1995:22-23).

In response to the government's failure to comply with these laws, barrio residents slated for expropriation filed court appeals which called into question the legal basis for the declaration of public utility. This strategy effectively halted construction. In return, the municipal and state governments responded with a discourse of silence. Property owners who did not want to sell were not welcome in government offices (Ramos Rodríguez 1994; Santín 1994a; García and Hernández 1997). Those suggesting alternative arrangements were also refused audience. For example, the Asociación Civil proposed that instead of expropriation, property owners be permitted to deal directly with businesses interested in purchasing or renting space for tourist amenities. The government refused, charged property owners, because the loss of this intermediary role would forfeit the funds the government planned to recuperate through the sale of property at higher prices than it intended to pay in compensation for expropriation (see Santín 1994c). Apart from denying that this practice constituted land speculation, the government never publicly recognized the need to proceed via an open, inclusive decision-making process.

The Unión de Barrios presented in its actions an example of inclusive social relations that challenged, albeit indirectly, the anti-democratic practice of the government. The group's organizing principles included open membership and democratic decision-making, and it demanded from its membership attitudes of respect, fraternity and

responsibility toward one another. They rejected any expressions of bossism, privilege and manipulation. "We are ruled by the principals of voluntary membership, collective leadership and renewable and revocable supervision by the membership, as well as transparency in the management of information and resources (Unión de Barrios 1998).

In stark contrast, charged the Unión de Barrios (1998), the government is "anti-popular, anti-national and anti-democratic." The government's attitudes, they contended, were evident in recent constitutional reforms that had reversed the historic advances of the Mexican people in areas such as agriculture and education. This retreat represents an attack on the basic concepts of social justice and sovereignty which should prevail. Urban policy has been ruled for decades by the logic of capital, which has permitted land speculation, the tyranny of real estate companies and the formation of urban latifundios, all the result of an irrational use of urban space and chaos in services, roads, etc. The popular struggle against this state of affairs confronts .. the lack of democracy, the closing of dialogue and repression on the part of authorities, aggravating by these actions the social and political consequences of the general policy of the regime. (Unión de Barrios 1998)

Furthermore, they charged, the grand urban development scheme known as Plan Angelópolis, which included the Paseo project, is

- 1) anti-democratic in that it was not produced through a process of popular consultation, especially among the affected sectors;
- 2) anti-popular because it does not correspond to the needs and interests of these sectors, nor to Poblanos in general; and
- 3) anti-national because it obeys the interests of transnational capital and is a grave attack on Puebla's cultural and historic heritage and living culture. (Unión de Barrios 1998)

Refutative Discourse on Just Compensation

As noted above, the government's first pronouncements promised just compensation for expropriated property. The ensuing debate on what constituted a "just" price for the land and buildings located in Puebla's historic center revolved around whether it should be based on the assessed value for tax purposes, which was artificially low, or on the commercial value, since the government planned to sell the expropriated properties to private interests (García 1993c; Gutiérrez Salvatori 1993a; Vélez Iglesias 1993a). One authority suggested that the line be drawn at the commercial value "and a little more" (Gutiérrez Salvatori 1993).

As those who were willing to sell soon discovered, the prices offered fell far below the commercial rates at which the property could be sold on the open market (Hernández Alcántara 1997b). Each individual owner met with the government in a private session, and all were urged to maintain secrecy with respect to the amount received. It was clearly important for the government to maintain that owners were not only willing, but eager, to sell, and they thus released information to the press to that effect. However, the figures were always contradictory, giving credence to the organized opposition's contention that the government was lying in order to force hold-outs to sell. For instance, the Director of the Angelópolis program, Argelio Lecea González, claimed in January of 1994 to have convinced 80% of the property owners to sell their lots and buildings (Santín 1994a), but the Coordinator of the same program, Jesús Hernández Torres, complained in September of the same

year that the government had only acquired a bit more than 20% of the land slated for expropriation (La Jornada de Oriente 1994:2).

The Unión de Barrios and Asociación Civil repeatedly charged the government with engaging in speculation (Gámez 1994). The government's libertarian discourse that the market would distribute goods and services in just fashion offered no refutation of these charges. For if the market was really "free," why not allow individual property owners to sell directly to businesses? In several cases cited in La Jornada de Oriente on 20 May 1997, the price per square meter offered by the government fell well below the \$300 per square meter being paid in outlying neighborhoods of the city lacking paved streets, public lighting and drainage. The government was willing to pay only \$148 per square meter for the property of Agustín Ochoa's sister, located in the heart of the Paseo project (García and Hernández 1997; see also BMG 1998). The Marín family whose home and workshop were bulldozed in the police action of 16 May 1997 had been willing to sell, but when they were offered \$377,270 for property with a commercial value estimated at \$3,000,000, they decided against selling. This led them to return the check, reject the government's offer and file a stay of execution. The next response they received from the government was the destruction of their home and livelihood.

"It is not possible that justice will be denied"

Although the Unión de Barrios and the Asociación Civil struggled for four long years, they could not ultimately halt the Paseo project.¹² But their achievements were significant: the original expropriations were overturned in the courts a year later, and the size of the project was eventually reduced from twenty-seven manzanas to six.¹³ Confronted with an active opposition that might negatively affect funding for the project, the government had to act. But whereas barrio residents "transparently" organized, marched and publicized their position, the government retreated behind its simple discourse of constitutionality and just compensation.

The organized opposition to the Paseo project was a reaction to the immediate problem of expropriation. But over time, this mixed-class group of home-owners, renters, artisans and small business-owners located themselves in time and space. Their repeated references to the lack of "logic" or "rationality" in the Paseo project reflected their refusal to surrender to the spatial logic of capital. Many began to understand history in a different light. "As is the case with most of us," writes María Elena Stefanón (1997), "I knew that historically, people all over the earth had lost their homes in unjust and sometimes violent circumstances ... But this occurred -I believed- far away from where we lived; it was something distressing and unjust ... but always somewhere else." Like other residents of the barrios "on the other side of the river," María Elena has come to understand her situation in the context of what David Harvey (1996:401) explains as the ability of capital to "dictate what ... transformations occur and why."

¹² As of September 1998, several property owners are still struggling for the return of their properties.

¹³ I am still investigating the barrio residents' claims that the judge who overturned these orders was later removed from office by the governor for his interpretation of the law. The court appeals of residents of the final six manzanas have all been denied and their property expropriated.

The discourse of social justice created by barrio residents reflects the movement of its members toward a consciousness capable of constituting a "class project," though perhaps their "project" is better characterized as a spatialized cultural-historical project. In all cases, their discursive lines contest normative conceptions of social justice and President Zedillo's contention that the government is capable of serving as arbiter. The alternative discourse of the nature of the social placed the marginalized back on the geo-social and historical map of the city. Their understanding of their own history and the larger political economic forces that led to their exclusion qualified them to decide when justice was present. The discourse challenging the public utility of the project made it clear that the project could not be considered "the greatest good for the greatest number." Obviously, the privileged few were slated to benefit from the project. The inclusive discourse of democratic practice exposed the government's unwillingness to abide by the nation's laws and thus disqualified it from serving as partner in the social contract. And the government's refusal to permit property owners to sell their real estate directly to interested buyers made it clear that the market is not free.

Lacking an adequate response to the claims of injustice, the government had to decide on another course of action. The municipal government that passed the expropriation decree was so discredited that the PRI mayor was replaced by an opposition party mayor in the 1995 elections. But the governor intended to make the project a reality, at least in abbreviated form. For a long time, the state agencies bode their time, apparently waiting for the courts to repeal the annulment of the expropriation decree. As María Elena Stefanón sadly noted, they could afford to wait because "they own time," whereas ordinary citizens must get on with their lives. But while the government waited, it planned. The result was the "Chiapas solution" recounted in the introduction to this paper. The government clearly no longer cared about the justice it had claimed it would deliver back in August of 1993. Capital was waiting. Contrary to the hopes of one resident who was convinced that "it is not possible that justice will be denied," (Carmona Lara et al. 1997), Karl Marx's dictum holds firm: "between equal rights, force decides" (cited in Harvey 1996:399).

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