

Making Justice the Subject of Resettlement Planning

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Abstract: In development and conservation projects that induce displacement and resettlement, proponents increasingly focus on procedural justice. They assume that this focus leads to recognition of displaced people's expressed needs and distributive justice. By critically applying Robert Lake's conceptualisation of "justice as the subject of planning", this paper examines ways the current framing of justice in resettlement planning assumes that justice is a technically achievable object and prevents a new social imaginary in which justice is the subject that enables a collective pursuit of quality life. The paper analyses a resettlement project as a set of physical infrastructure where resettled people are corporeal citizens as opposed to static, one-time beneficiaries. Through this framing of a resettlement project, justice needs to be constantly ensured, even after promises agreed in consultations have been fulfilled. The case of the resettlement project of Limpopo National Park in Mozambique is used to illustrate the discussion.

Keywords: displacement, infrastructure, justice, planning, resettlement, Mozambique

Resumo: Em projetos de desenvolvimento e conservação que induzem deslocamento e reassentamento, os proponentes focam cada vez mais na justiça processual. Eles presumem que esse foco leva ao reconhecimento das necessidades expressas das pessoas deslocadas e à justiça distributiva. Ao aplicar criticamente a conceituação de Robert Lake de "justiça como o tema do planejamento", este artigo examina as maneiras pelas quais o enquadramento atual da justiça no planejamento de reassentamento presume que a justiça é um objeto tecnicamente alcançável e impossibilita um novo imaginário social em que a justiça é o tema que permite uma busca coletiva pela qualidade de vida. O artigo analisa um projeto de reassentamento como um conjunto de infraestrutura física em que as pessoas reassentadas são cidadãos corpóreos em oposição a beneficiários estáticos e pontuais. Por meio desse enquadramento de um projeto de reassentamento, a justiça precisa ser garantida constantemente, mesmo depois que as promessas acordadas nas consultas tenham sido cumpridas. O caso do projeto de reassentamento do Parque Nacional do Limpopo em Moçambique é usado para ilustrar a discussão.

Palavras-chave: deslocamento, infraestrutura, justiça, planejamento, reassentamento, Moçambique

Introduction

VIVER É DIFÍCIL ("Living is Difficult") is scrawled on the water tank next to a white concrete resettlement house in southwestern Mozambique (Figure 1). A plastic pipe running under the edge of the corrugated zinc roof connects the gutter to a water tank to harvest rainwater, but in this semi-arid part of Africa, rain is



Figure 1: David's water tank which says, VIVER É DIFÍCIL [Colour figure can be viewed at wileyonlinelibrary.com]

increasingly scarce. "God stopped the rain", sighs David, the owner of the house and the man who painted the words on the tank.¹

David's difficulties are caused not only by the lack of rain. He is one of 3,000 people who had been displaced from the Limpopo National Park (hereafter, LNP) by 2015. In the early 2000s, the Mozambican government, sponsored by the German Development Bank and the South African Peace Parks Foundation, told park residents that investment in wildlife-based ecotourism was required for sustainable national and regional development and actively relocated large animals such as elephants from the adjacent Kruger National Park in South Africa (Milgroom and Spierenburg 2008). Consequently, human-wildlife conflicts forced the LNP residents like David to participate in public consultations to discuss their resettlement. Intensified rhino poaching in the 2010s further justified resettlement (Lunstrum 2016; Witter and Satterfield 2019).

In the consultations, resettlement officers from the park discussed benefits in detail and promised David and others access to high-quality, modern housing and infrastructure: No more mud huts with thatched roofs and a life without connection to public services. The modern (and, implicitly, better) house David was allocated turned out to have a living room (*sala*) and two bedrooms (*quartos*). In the park, David and his two wives each had their own hut. Now, more than ten family members cram into the modern, but very small, house. Public services are also problematic: The water is not potable. As rainwater harvesting is not feasible, women must fetch water from a river 7 km away, a trek that is much longer than it was when they lived in the park.

David and his fellow villagers suffer these drawbacks even though they actively participated in public consultations and gave consent to the resettlement plan. Currently, 4,000 people in the park are still waiting to be resettled under similar conditions. Worldwide, in the present decade (2020–30), each year 20 million people are expected to experience such resettlement (Cernea and Maldonado 2018). The resettlement industry is in fact booming (Rogers and Wilmsen 2020), as resettlement continues to be framed as a solution to the injustice of forced displacement (Cernea 2000), and international organisations and financiers continue

to present resettlement guidelines for development and conservation projects that involve forced displacement (IUCN 2018; World Bank 2004, 2017). While the guidelines emphasise the importance of avoiding displacement, they keep on detailing the ideal procedures to achieve “resettlement with development” (Tan 2020). The ideal procedures are materialised as “mandatory community consultation [which is] meant to pave the way for the negotiation of benefit-sharing agreements between local groups and the investor” (Vermeulen and Cotula 2010:909).

However, as David’s case exemplifies, pre-resettlement consultations do not lead to post-resettlement satisfaction with the distribution of benefits. Therefore, scholars increasingly argue that the way beneficiaries meet their needs and preferences in the post-resettlement context must be examined more carefully. Studies highlight, for example, the importance of livelihood reconstruction (Vanclay 2017) or community rebuilding in new locations (Milgroom and Ribot 2020). The restoration of previous life conditions, alongside adjustments in the new environment, is assumed to lead to the desired distribution of benefits (Cernea and Maldonado 2018; Satiroglu and Choi 2015).

Yet, such an assumption has limitations. One fundamental problem is that it fails to address the underlying inequality that leads particular groups of people to become “dispensable citizens” in the first place (Jalais 2010). The investors and supporting governments conduct consultations for resettlement *after* they have already made investment decisions to resettle citizens (Lake 1996; Otsuki 2016). Therefore, resettlement should address this fundamental procedural injustice that is underpinned by existing political inequality between the investors and citizens (Velicu and Kaika 2017). It is one thing to tackle any foreseeable problems associated with displacement through post-resettlement livelihood and community restoration based on consultations; it is another to place political equality and justice at the centre of resettlement planning to address the existing power asymmetry.

In this paper, I argue that the failure to place justice at the centre of resettlement planning stems from an underlying assumption that justice is an object that is technically achievable through procedural equity and benefit-sharing arrangements. In order to deepen this argument, I engage with critical reflections made by Robert Lake (2017) on Susan Fainstein’s *Just City* (2010). Lake argues that placing justice at the centre of spatial planning requires a fundamental shift in our thinking from “justice as object” to “justice as subject”. While justice as object requires planning and evaluation by experts within a project framework, justice as subject is continually examined by all without assuming particular project time and space delimitations. Justice is not an abstract, universal (or Western) concept that can be standardised; it is a contextual concept that should be negotiated, always with “ends in view”, according to individual subjectivity that is situated in personal, cultural, and physical environments (Wright 2007). Justice as subject is thus naturally multidimensional as it reflects different concerns of citizens who are not a homogeneous group (Gonzalez 2021; Mabele 2020) and are affected by the changed environments at different times of their resettled lives. Therefore, agreements made in pre-resettlement consultations on compensation and

livelihood reconstruction cannot be the objectives of resettlement planning; each is merely a starting point to reflect on what the fairness of benefit distribution could look like according to the envisioned quality life.

In this paper, I argue that when justice is contextual and constantly sought after, it is also material. Resettlement benefits in the form of mundane everyday objects—concrete houses, gutters, electricity cables, solar panels, water pumps and the like—are tangible elements of the resettlement process embedded in a particular environment and have their own infrastructural lives (Amin 2014; Graham and McFarlane 2015; Lemonnier 2012). They provide services that satisfy people's needs, but they also constantly break down, require repair and incur costs for maintenance (Howe et al. 2016), and cause everyday sufferings of, as well as justice-seeking by, resettled citizens. By examining “socially harmful effects from infrastructure's limitations and omissions” that unfold over time (Rodgers and O'Neill 2012:406–407), I explore how “structures of responsibility” for pursuing justice as subject could be identified in a governance structure that had generated infrastructures' harmful effects in the resettlement process (Ferguson 2012).

In the following sections, I review the literature on development- and conservation-induced displacement, resettlement, and justice in order to highlight what a focus on infrastructure and justice as subject specifically seeks to address. I then examine the nature of justice as subject, drawing from slightly modified attributes of justice as subject of planning outlined by Lake (2017:1210–1217). In this conceptualisation of justice, the linear assumption that procedural justice based on recognition leads to distributive justice works to undermine the open process of pursuing justice by a collective that continually reflects on and negotiates for the quality life that one deserves. I further draw on field research conducted in 2018–19 in David's resettlement village in the district of Massingir in order to examine the usefulness of this conceptualisation of justice as subject to address problems encountered by David and his fellow citizens.

Justice as Object of Resettlement Planning *Resettlement as a Solution to Development- and Conservation-Induced Displacement*

Development-induced displacement came to be problematised during the 1960s when large-scale modernisation projects such as hydropower dam construction induced the massive displacement of indigenous peoples; resettlement planning emerged as a means to manage a new form of spatial transformation and forced human mobility (Scudder 1973). In socialist states, resettlement was justified as an effective method of social engineering that enhanced the “legibility” of society, but it largely failed to play its expected role as a base for economic development (Scott 1998, see also Yanez Casal 1996).

In the 1970s, cultural anthropologists persuaded the World Bank to issue “guidelines to be followed when it agrees to finance large-scale projects that will result in the displacement of large numbers of people” (Colson 1989:5). In 1980, the first World Bank policy on involuntary resettlement was published. This was

subsequently revised and became Operational Directive 4.30, which primarily dealt with involuntary resettlements caused by dam construction. In 2001, the Directive became Operational Policy (OP) and Bank Policy (BP) 4.12 (World Bank 2004); both were revised in 2013 to apply to a wider range of development and infrastructure projects. By this time, nature conservation had become a source of involuntary resettlement (Cernea and Schmidt-Soltau 2006). Scholars and activists agreed that “the annual displacement by development [and conservation] projects of some ten million people has immense socio-economic and human rights consequences” (de Wet 2002:6). Involuntary resettlement projects had to be planned alongside development and conservation projects as a solution to these consequences (Cernea 2000).

Underlying this framing of resettlement as a solution to displacement is the fact that resettlement at least addresses some distribution of benefits among the displaced people who were found to be in the way of “someone else’s plan for development” defined by the nation-state modernisation agenda (Oliver-Smith 2010:84). In the current decade (2020–30), the accelerated pace of infrastructure building around the world, especially in the global South is expected to increase the number of displaced people (Cernea and Maldonado 2018). The contemporary infrastructure building involves private investors and international donors promoting global agendas for sustainable development (Power 2019; Sassen 2014), and resettlement planning constitutes investment projects that address sustainability issues.

In this context, the World Bank Group revised OP 4.12 guidelines in 2017 and integrated into the Environmental and Social Standards that are applied to a wide range of impact assessment activities in investment projects (World Bank 2017). Just like the previous guidelines, the standards advise investors to avoid forced displacement and involuntary resettlement, but they continue to suggest good resettlement planning methods to distribute benefits to the project-affected people if displacement is deemed inevitable (Vanclay 2017).

Objectification of Justice in Resettlement Planning

As scholars and policymakers justify resettlement as a way to distribute benefits derived from the sustainable development projects that cause displacement, the major question has become how to properly implement this distribution mechanism. The principle of free, prior, and informed consent (FPIC) was a useful tool to address this need. Originally enshrined in Convention 169 of the United Nations (UN) International Labor Organization in 1989, FPIC was designed to protect the rights of indigenous peoples when investment projects affect their territories. Indigenous peoples have a right to *freely* or voluntarily participate in public consultations *prior to* project commencement; potentially affected persons are *informed* about projects and provided decision-making power over whether they give *consent* to a particular project (FAO 2016). Most UN member countries have ratified the principle, and scholars endorse this rights-based and inclusive approach to consent building since it takes seriously the procedural equity of traditionally marginalised groups (Martin et al. 2016; Schlosberg 2007).

The establishment of procedural equity through FPIC should also achieve the recognition of “difference” (Young 2012). In this vein, one well-known concern about resettlement planning is community representation in public consultations. Studies have highlighted that the so-called affected communities are never homogeneous entities (Fontana and Grugel 2016; Zoomers and Otsuki 2017). Nevertheless, the ideal persists that a community should be given opportunities for democratic participation in building consent. Community participation presumably works to ensure “technocratic certainties wrapped in consensual politics” (Simone and Pieterse 2017:32) while community representatives often fail to speak on behalf of wider community interests (Kabra 2018). Community demarcation for the purposes of participation is also problematic, as it can bypass already marginalised people or neglect different social groups within a community.

However, even if a community and the different groups that comprise it are recognised and their demands represented, as David’s case implies above, procedural and recognition justices do not lead to satisfactory distributions of benefits. Or, more precisely, no one can ascertain what the fair benefits are because, while communities are called upon to discuss the promise of a better life, the investment project itself is almost never a part of the discussion (Lake 1996; Shih 2017). Affected communities do not take part in investment decision-making that will cause them harms (Downing 2002; Pellow 2018) or in the calculation of projected investment returns (Otsuki 2016). There is no way for a community to properly claim an equal sharing of benefits derived from the investment project that displaces the community.

Critical studies on resettlement planning seldom address this incalculability of benefits. In the case of the LNP, the government and the donors told the residents to leave after they decided to create the park in 2001 and remove the fences between the LNP and the Kruger National Park to facilitate the movements of large game animals. Displacement was indeed unjust since the government sponsored park administration and donors came to discuss the conditions of resettlement after creating the environment that people would want to leave (Lunstrum 2016; Massé 2016; Milgroom and Spierenburg 2008; Witter 2013). Then, the administration discussed with communities potential compensation items based on baseline studies conducted by consultants. Scholars point out that compensation items often exclude intangible cultural and spiritual losses (Witter and Satterfield 2014) or that such items are generally too little for realising improved livelihoods and community rebuilding (Cernea 2008). While such efforts to get compensation right or better through consultations seem to be a logical way to address the injustice of displacement, they could also legitimise resettlement as a solution to displacement and trivialise the seriousness of injustice entrenched in the existing structural context (Rogers and Wilmsen 2020).

In other words, compensations and associated livelihood reconstruction or community rebuilding, agreed through public consultations, have largely become a proxy for justice, and thus objectified justice. Justice as object works to conceal the very existence of the underlying inequality that led to displacement because, once the consent building process is established, victims are turned into beneficiaries and

people are exposed to the idea that the proposed new life after resettlement should be good for them. As long as the agreed compensation items are provided, and when experts and the resettled citizens evaluate them positively by reference to the agreement, these items are supposed to achieve the distributive justice.

One of the main compensation items that constitute resettlement planning is infrastructure, such as the water tank connected to resettlement housing, or networked public services such as water pipes and electricity. Infrastructure embodies modernity (Larkin 2013) and so indicates “the direction” the people should go in Africa or the so-called developing regions (Ferguson 2006). The quality of infrastructures and accesses to them have “a huge impact on” distributive justice (Monstadt 2009:1934), and it is the basis of livelihood reconstruction and further establishment of quality life. Therefore, infrastructure has the potential to subjectify justice by enabling people and planners to consider to what kind of a new society the infrastructure is contributing. However, it currently remains to be used to objectify justice.

Justice through Infrastructure as Subject of Resettlement Planning

Infrastructure comprises “the architecture for circulation, literally providing the undergirding of modern societies” (Larkin 2013:328). It shapes human and non-human mobilities (Sheller 2018) and “how people relate to” the environment and “to each other” (Rodgers and O’Neill 2012:403). Every day, “small-scale interactions with infrastructure” lead to “foundations of larger scale social forms, including patterns of social integration and fragmentation, uneven geographical development and collective social imaginaries” (Angelo and Hentschel 2015:306). In other words, infrastructure provided as compensation in relation to the surrounding environment should comprise the foundation of a society where resettled citizens daily form new interactions among themselves and with other actors, as well as with natural resources that are vital to them such as land or water. Justice is pursued as subject in this new society where the citizens strive for quality life, which addresses uneven development and their marginalisation.

However, infrastructure is usually used to objectify justice in resettlement planning, firstly because it makes injustice clearly visible when it is unattended and without maintenance (Ramakrishnan et al. 2020; Shaw 2019), and becomes new “grammars of injustice” (MacLeod and McFarlane 2014). In environmentally harsh contexts like semi-arid southern Africa where the LNP is located, dysfunctional infrastructure, or a lack of infrastructure, causes slow violence against the poor who had been structurally marginalised (Nixon 2011; Witter and Satterfield 2019). The lack of long-term infrastructure care leads to an acute sense of “dispossession” among displaced people who show disappointment and, though often tacitly, complain about physical infrastructure (Bennett and McDowell 2012; Cligget et al. 2006). Thus, quality infrastructure, together with securing of new replacement land and access to other natural resources, seemingly does justice to the sufferings of displaced people.

Yet, quality infrastructure and other compensation items per se cannot address the structural marginalisation that led to the dispossession. Justice through

infrastructure might be able to address it if justice is framed as “the subject guiding a planning process toward desirable ends” (Lake 2017:1210), such as “regimes of quality and collective benefit” (Rodgers and O’Neill 2012:401). Where central infrastructural power fails and causes people’s sufferings, there is a need to address the failure, not technically but politically by questioning the structure of governance that led to provisions or omissions of infrastructure (Fraser 2010; Mann 2008). As resettlement planning increasingly involves transnational financial flows and responsibilities, infrastructure also manifests the wider context in which displaced people are forced to take part beyond their immediate national or local contexts. In this sense, infrastructure manifests different scales and spatialities of justice that cannot be addressed within the time and space boundaries of a particular resettlement project (Walker 2009).

Consequently, justice subjectified through infrastructure transcends the distinction between procedural, recognition and distributive justices (Fraser and Honneth 2003; Yaka 2019). Emerging debates on “ecological justice”, which pay attention to human–non-human relationships in creating a coalition toward achieving justice (Acosta 2013; Yaka 2019), are useful to understand how justice can be maintained as subject of planning through infrastructure in particular cultural and environmental contexts. Infrastructure as a set of materials “lives” its own ways (Amin 2014), and situates people “within and dependence [*sic*] on the ecosystems [including the built environment] and the non-human world” (Yaka 2019:367). Infrastructure also makes us frame people as corporeal beings who shape “a confederation of bodies, bodies pulled together not so much by choice ... as by a shared experience of harm that, over time, coalesces into a ‘problem’” (Bennett 2010:100).

Justice then means an iterative process to constantly try to reflect on the physical consequences (Freire 2003) and solve this problem experienced through the harm caused by the emerging new built environment. This new environment is “a world that continually *unfolds* in relation to the beings that make a living there” (Ingold 2011:39). The corporeal people, interacting with infrastructure, must take creative actions in order to continue to survive and thrive in this everyday environment and get others to join these actions (Joas 1996). Ultimately, justice is about shaping an enabling environment to collectively pursue justice with the goal of achieving quality life—which is subjectively defined—always in view.

Following Lake (2017), such framing of justice reflects a “Deweyan planning process” with five attributes: (1) contingent and contextual rather than universal; (2) anticipatory rather than retrospective; (3) generative of solutions rather than evaluative of outcomes; (4) culturally encompassing and spanning local–global scales rather than project-delimited at the local level; and (5) bottom-up and inside out rather than top-down and outside in. If we recall the difficulties David faced, we now have an opportunity to examine actual experiences of resettlement planning by reference to these five attributes in order to reimagine how the resettlement could look like if justice were made the subject of its planning. How could resettlement proponents and public service providers, together with resettled citizens, shape the “regimes of quality and collective benefit” (Rodgers and O’Neill 2012:401) and alleviate David’s and others’ difficulties? In order to address this

question, I observed the interaction between the dysfunctional water infrastructure, resettled people, structure of governance, and surrounding environment in Makavene–Banga, David's resettlement village, which was built by the LNP administration in 2013.

Methodology

The case study of Makavene–Banga is reconstructed below based on recurrent visits to Massingir District, Gaza Province in southwestern Mozambique. Massingir District gave up 60% of its territory to the LNP while planning to host six of the nine villages targeted for resettlement. So far, three villages (Nanguene, Makavene and Massingir Velho) had been relocated into four resettled villages in Massingir; and two more (Bingo and Mavodze) are waiting to be resettled into three locations in the district (Figure 2).²

I conducted intermittent qualitative field research in the four resettled villages between June 2018 and August 2019 with help from the locally based Massingir Platform of Forum of NGOs (PLADISMA), which is a network of local groups and associations supported by the Mozambican government. First, I participated in various meetings and discussions between a range of actors including PLADISMA; the Ecumenical Committee for Development (CEDES), which is a national civil society organisation active in Massingir; Massingir district government; the Ministry of Land, Environment and Rural Development (MITADER); the LNP administration, which is under the auspices of MITADER; and all the leaders and elders of resettled villages and villages that were awaiting resettlement and other interested villagers, both female and male. Subsequently, I interviewed a resettlement officer; the head of the park administration; district government administrator and officers; consultants; and international donors involved in the LNP resettlement project in order to understand how the resettlement planning was created and executed.

During one of the meetings, a CEDES officer introduced me to David, as he could speak Portuguese, unlike the other community members who mostly only spoke the local Shangaan language that I did not manage to comprehend.³ I told David about my wish to focus on Makavene–Banga in order to examine the possibility of addressing the resettled people's difficulties in ways different from those usually adopted in the meetings since the resettled citizens and advocacy groups all repeated grievances pertaining to promised infrastructures, which drew only limited responses from the park administration or the district government. In June 2018 and March 2019, I stayed in David's house—or more precisely, next door at his adult son's house for two weeks in total while the son was away in South Africa. I conducted in-depth interviews with David and the community leader Fanuel, as well as the leader of the host community Banga and interviewed representatives of six wards (*bairros*) created within the resettlement village. Five to ten women usually joined the interview in each ward to share their experiences, and spontaneous focus group discussions took place. David usually helped me with the translation, and others who had worked in South Africa occasionally joined discussions in English. In this paper, I focus on potable water infrastructure because its provision became an end in itself while the implications of the delay,

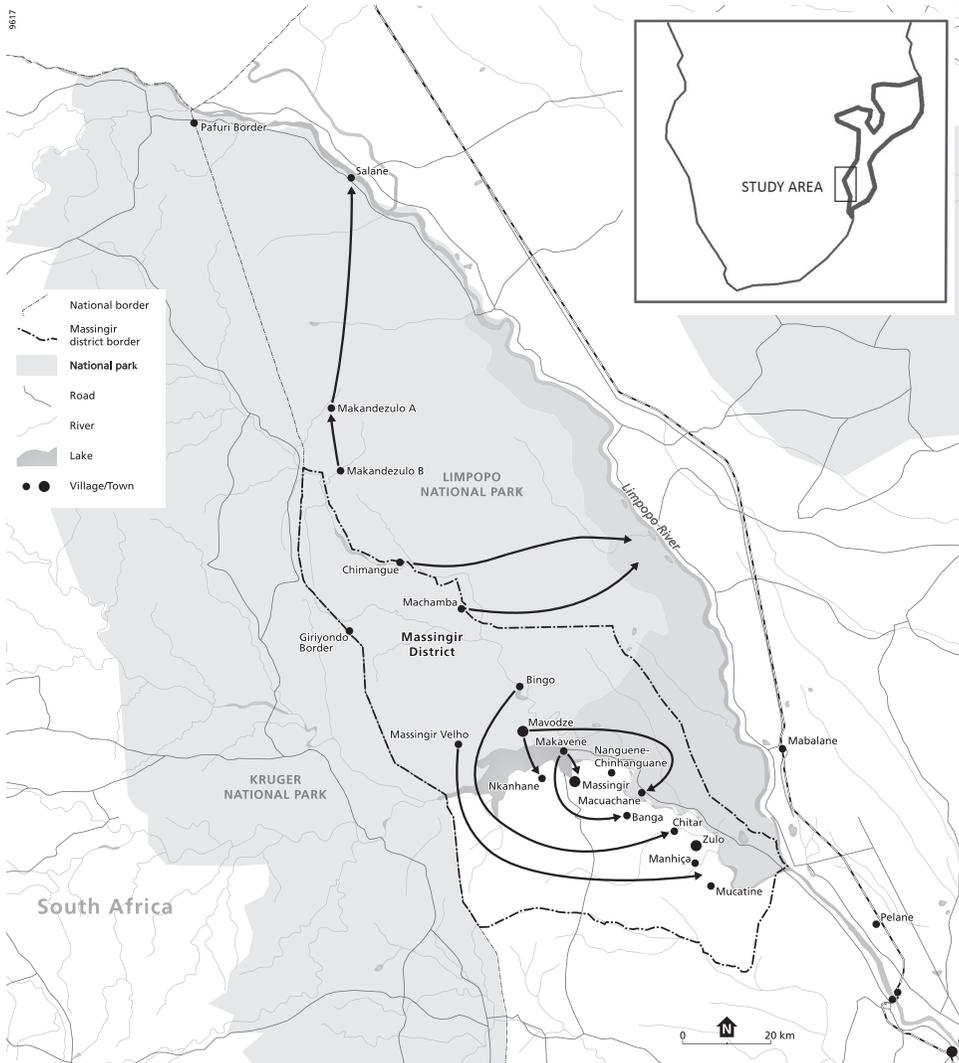


Figure 2: Resettlement planning in the LNP

breakdown, and the process toward the provision showed the potential to use this infrastructure to rethink how justice is framed in resettlement planning.

Before detailing why and how the potable water infrastructure could become central to frame justice as subject of resettlement planning, I first review how the LNP’s resettlement officers and the targeted citizens pursued justice through a series of consultation meetings.

Justice in the LNP Resettlement Planning

The LNP forms part of the Great Limpopo Transfrontier Park that additionally consists of Kruger National Park in South Africa and Zimbabwe’s Gonarezou Park.

This Transfrontier Park is managed by South African Peace Parks Foundation, which receives money from various European donors to turn the area into “the globally preferred prime ecotourism” destination (Great Limpopo Transfrontier Park 2019). As the LNP had no large game animals such as lions or elephants at the time of its creation in 2001 due to the ravages of independence war in 1975 and the subsequent civil war, which was intense in the LNP area during 1975–1992, as well as due to the presence of a large number of residents, fences between Kruger and the LNP were removed to facilitate the repopulation of the LNP. In 2002, the LNP decided to displace 7,000 people living in the so-called low-density tourism zone with financial support from the German Development Bank (KfW). The KfW insisted that the people living in the park would have to voluntarily leave the LNP after consultations based on the World Bank’s OP 4.12 guidelines (Milgroom and Spierenburg 2008) even though defining displacement as a “voluntary” action was known to be controversial (Schmidt-Soltau and Brockington 2007) and the World Bank guidelines were meant for involuntary resettlement.

Following the KfW’s policy as well as the Mozambican legal framework (Art. 13, Land Act 19/97, later revised to become Decree No. 31/2012) that obliges investors to conduct public consultations, LNP resettlement officers started to visit nine target villages, including Makavene. Makavene was originally a village of 165 households and, according to elders, the name Makavene probably derives from the Shangaan word *makava*, or maize tassel. Traditionally, the Makavene people are hunters, cattle herders, and farmers of maize, their staple food. In 2000, the Makavene villagers elected Fanuel, a Twelve Apostles Church pastor, as their leader. According to Fanuel, an LNP resettlement officer came to Makavene in around 2002 and told him that his village had been included in their resettlement planning, together with the adjacent administrative centre of Mavodze, which had nearly 700 households.⁴ That was how the people of Makavene discovered that they had become a part of a national park a year earlier.

The resettlement officers and Fanuel organised a series of consultation meetings in order to discuss the terms of resettlement. First of all, the consulted villagers were free to choose a resettlement location. However, as Mozambique had nationalised its territory during the socialist period, any decisions concerning the resettlement location outside the LNP were automatically under the district government’s jurisdiction.⁵ Therefore, the villagers first had to negotiate with the district government so that households could build houses and establish farms and cattle pastures. In turn, the government negotiated with potential host villages that were willing to concede parts of their territories. The entire process of identifying and securing a suitable resettlement space was slow, as the host villages claimed their benefits and establish new rounds of consultations. In addition, Massingir’s territory had been reduced, not only due to the LNP itself but also a series of large scale land investments in already reduced land. This made the availability of land extremely limited (Lunstrum 2016; Otsuki et al. 2017).

In 2006, Makavene created a resettlement committee in order to accelerate negotiations with LNP officials. The community members were increasingly willing to leave the LNP since they were prohibited from killing wildlife even when the animals attacked them or their cattle, their primary asset.⁶ In 2008, the district

government secured space in Banga, a resettlement village about 40 km from Makavene created after the catastrophic flooding of the Elephant River in 2000. However, as Banga's leader demanded an improved concrete house, a potable water system and connection to the district's electricity grid, and irrigation infrastructure such as water pumps and pipes for intensive farming on their reduced land, the negotiations protracted. Meanwhile, the park administration was under pressure to accelerate the resettlement because commercial poaching of rhino horns became intensive due to the price hike in the early 2010s, and many young men from Massingir in general and the LNP in particular were involved in the illicit trade. This led to militarisation of conservation in the Kruger National Park and resulted in killings of the LNP's youth (Lunstrum and Givá 2020; Witter and Satterfield 2019). Resettlement became imperative to address this so-called green violence (Massé and Lunstrum 2016).

In 2013, after nearly a decade of consultations and negotiations, Makavene resettled itself in two locations: 52 families moved to the centre of Massingir and 112 families relocated to Banga.⁷ In the end, the consultations resulted in the following agreement about the distribution of benefits for both resettlement villages: Each resettled household would receive a housing plot, a concrete house connected to a water tank to harvest rainwater, and monetary compensation for the loss of farm and grazing land. The LNP also promised to provide collective water towers and irrigation systems for resettlement villages and their host villages if they established collective farms themselves. In addition, 20% of tourism revenue would be used for community development projects in line with the resettled people's needs. As people had participated in consultation meetings and agreed on these terms, they generally expressed that these benefits were just.

Water Infrastructure as Objectified Justice in Resettlement Planning

In June 2018, the resettled people started to protest to the LNP and the district government, pointing out that some of the promised items had not arrived and those that had were of poor quality. They asked CEDES and PLADISMA to help them communicate their grievances to the authorities. Consequently, PLADISMA convened a so-called interface meeting where PLADISMA members stated that resettled villages, including Makavene–Banga, had grievances about the lack of promised infrastructural services, the low-quality houses, and the delayed implementation of working irrigation infrastructure intended for commercial agriculture. A series of photos illustrating the technical problems clearly showed the gap between pre-resettlement promises and what had transpired in the five years since resettlement.

In Makavene–Banga, the lack of potable water was the most serious problem. In 2013, the LNP administration had built two large collective water towers to hold pumped up ground water as a part of the resettlement benefits. However, they soon failed to function due to mechanical problems with the motorised pumps—problems that were never resolved. In order to combat such collective water unavailability, each concrete resettlement house, including David's, had

been connected to a concrete water tank via a plastic gutter to facilitate rainwater harvesting. However, the design of both the houses and the water tanks followed the standard design of the National Institute of Disaster Management (INGC). The INGC, which specialises in the construction of temporary emergency housing in areas exposed to flood hazard, pays special attention to drainage and rainwater harvesting capabilities. Such a standard design was clearly inadequate in the context of the semi-arid Massingir district, which constantly suffers from prolonged dry seasons, and the individual water tank remained empty. In addition, the housing should not have been temporary, as the people were not expected to return to the LNP.

Therefore, the lack of functional water infrastructure had become an object of contention, and the resettled people remobilised their resettlement committee and repeatedly talked with the park administration. The administration was increasingly reluctant to respond to their grievances because resettlement villages were built on the district's territory and the park administration insisted that the district government had to be involved.

In March 2019—by which time the villagers in Makavene–Banga had been waiting for six years for promised lifeline infrastructure—Massingir's district administrator admitted that “there had been no clarity” about who should take care of the basic infrastructure for resettled communities.⁸ He then said that the government would provide five things: a school, a hospital, water boreholes, electricity, and roads to the district's resettlement villages. The park administration, using the budget provided by KfW, would take care of improving the resettlement houses and other promised items such as irrigation infrastructure.

The lack of clarity seemed to have stemmed from the fact that the park administration initially included basic infrastructure in the compensation, while it failed to clearly communicate this to the district government, which had not made the new lifeline infrastructure for resettlement villages a policy priority and thus failed to claim the necessary budget for it. In March 2019, the district government finally sent a Chinese contractor to drill two boreholes in Makavene–Banga. However, the water turned out to be non-potable and the boreholes were inactivated because of health concerns. Women were deeply disappointed with the non-functioning water infrastructure, which stood at the entrance to the resettlement village. They said that they at least wanted to use the water for washing or bathing even if it was not potable since every day they had to carry their households' laundry to the river and back. The district government maintained that, for health reasons, it had to drill a new borehole or secure a budget for water treatment, and both would take time. Consequently, a water borehole alongside other infrastructures, such as irrigation to reconstruct farming activities, became the goal of the resettled citizens, as well as of the district government and the park administration, which believed that the infrastructure would fulfil the promises made during the pre-resettlement consultations.

However, other villages that had received potable water or irrigation infrastructure began to find that once one promised infrastructure was provided, new situations kept on emerging, such as the need for cash to pay for the energy to fuel and maintain the water pumps. And, most likely, more infrastructure will be needed in connection with the provided infrastructure. For example, resettlement villages that

had started earlier with irrigation agriculture faced the need to deal with the production of new cash crops and transport them to market.⁹ One infrastructure therefore requires more infrastructure and broader development planning. Therefore, it should have been considered as a material means “with ends in view” (Wright 2007) to keep on shaping a society that meets the changing needs.

Reframing Justice as Subject through Water Infrastructure

In order to reframe justice from the agreed provision of infrastructure to shaping of an enabling society to collectively pursue justice with the goal of achieving quality life, I apply Lake’s five attributes of justice as subject of planning to the case of potable water infrastructure in Makavene–Banga. By doing so, I clarify what the reframing of justice means for the resettled villages in Massingir and what the future resettlement planning could look like:

(1) Justice as contingent rather than universal foregrounds the specific needs of the displaced people as the central issue

Instead of focusing on consultations for building a consent and provisions of agreed infrastructures, more engagement will be necessary for all the involved actors to understand experiences and preferences of resettled people who are forced to survive in new climate and geographical conditions. In Massingir, objectification of justice presumably stems from the previous “urbanisation policy” promoted during the socialist collective villagisation programs (Friedmann 1980). As one former resettlement officer mentioned, the model of LNP’s resettlement villages did draw on an ideal of the villagisation, which clustered dispersed rural dwellings and farms. He also added that this clustering had to be “done well”, with proper built environmental planning and management tailored to the particularities of each locale.¹⁰ This tailoring lacked in Makavene–Banga and other resettled villages not only because the planners did not have the right expertise but also because the nominal participation by the community members in consultations had not allowed the meaningful dialogue to take place between the planners and people who had been surviving in their disadvantageous positions in harsh climatic and infrastructural conditions (Givá and Raitio 2017; José 2017; Witter and Satterfield 2019). This resulted in the neglect of Shangaan cultural views and practices, which should have been incorporated into planning of housing and infrastructure using locally available and affordable materials and with possibilities for residents to quickly repair them and to make it culturally and socially relevant.

(2) Justice as anticipatory rather than retrospective seeks to address the challenges facing the displaced people as a requirement of justice

Foregrounding the specific needs of the displaced population means that one cannot assume that resettlement is a solution for displacement in the first place.

Resettlement requires anticipating how much money, labour, and energy that new life will cost, and what other material and institutional arrangements will be needed in order to maintain or improve the quality life for an indefinite period of time. Resettlement is thus not a solution but a new commitment that planners and investors make with the displaced citizens. For example, resettlement planning in Massingir could easily anticipate the importance of lifeline infrastructure for water provisions since the LNP area had experienced recurrent drought incidents (Givá and Raitio 2017; Lunstrum and Givá 2020). However, the infrastructure provisions were standardised following the universal resettlement design based on the experiences in more flood-prone areas. In Makavene–Banga, the resettled villagers protested about the inadequacy of their infrastructure, and such a protest should guide future planning of their development. Unfortunately, it is rather only registered as mere grievances that need to be retrospectively redressed.

(3) Justice as generative of solutions rather than evaluative of outcomes prioritises strategies for resettlement that guarantee quality life for the displaced people

As a MITADER officer once put it, the LNP's resettlement in general was considered as a "failure",¹¹ and the involved actors all needed to "evaluate harm already produced" (Young 2011, cited in Lake 2017:1213). However, the evaluation of harms (and subsequent blaming of obvious actors such as the park administration for causing the "failure") does not necessarily lead to a constructive planning process for potentially successful resettlement in the future. For example, Makavene–Banga's protests did lead the district government to recognise its own responsibility for exercising its infrastructural power, but the government still fails to iteratively plan ahead locally adequate water infrastructure together with different groups of the resettled citizens—including women, who are the most affected by the lack of it. It is thus important to clarify the need to take a new approach to anticipate problems and generate solutions based on the collective evaluations of the current experiences.

(4) A culturally encompassing approach to justice spanning local–global scales rather than project-delimited at the local level extends the boundaries of the specific case to value displaced people at least on par with the value of "sustainable national and regional development"

As the previous three attributes show, "justice as subject" requires a culturally encompassing approach to keep on generating solutions to anticipated problems in particular socio-ecological and political context. In the Mozambican and many other developing regional contexts, this approach involves critical realignment between a wide range of actors. As one of the African nations deeply in debt to the international monetary system, Mozambique experienced the structural adjustment at the end of the 1980s, which opened the door to donor interventions in all public spheres (Hanlon and Smart 2008). In particular since the mid-

2000s, Mozambique has been a donor darling and has continued to attract new investors, mainly from China and Brazil in addition to the traditional European donors (Power 2019). Their projects have sporadically helped district governments acquire off-grid solutions, such as water pumps or tanks attached to solar panels as seen in the failed borehole dug by the Chinese contractor in Banga, but prevented the governments from developing their network infrastructure in close collaboration with public utilities. In fact, Makavene–Banga is built along a principal road that passes multiple large villages. However, piped water grids have not been extended to any of these villages. Instead, public services have been largely “projecticised” with foreign investor and donor involvement (Picciotto 2020). An outcome of this projecticisation is ad hoc installations of basic infrastructural projects without comprehensive planning. This situation is counter to what the ideal of sustainable national and regional development pursues, which had justified the creation of the national park and tourism development and displaced the Makavene people in the first place. By seriously implementing the quality infrastructural services through re-coordinating local and global actors, resettlement could potentially address political responsibility for continually making quality life available for the displaced people and those surrounding them. This re-coordination should eventually contribute to the overall “sustainable national and regional development”.

(5) A bottom-up approach to justice prioritises the voices of the displaced over others situated outside the lived experience of displacement and resettlement

Justice as object is largely an expert-led, “outside in” conceptualisation of justice (Lake 2017) while justice as subject requires a bottom-up approach based on concerns and preferences of the displaced people. However, as discussed elsewhere (Colua de Oliveria et al. 2021), there is a fundamental lack of capacity among all the involved parties to take this approach in the LNP case. On the one hand, planners do not speak the local language—or they speak it but cannot properly translate it to the external actors, including investors—and thus they fail to give meaningful feedback between the resettled people and other national and global actors. On the other hand, resettled citizens themselves are only just beginning to explore their own power to negotiate after being constantly forced to become dependent on what is offered to them throughout their survival during independence and civil wars, the socialist collective villagisation, and natural disasters (José 2017; Lunstrum 2010). As Mozambique embraces an authoritarian regime, there is a need for people to “realise” that they are dependent in order “to get courage to overcome” the dependence (Freire 2003:61). Reflection on the distributed benefits such as infrastructure, or the lack thereof, guides this realisation, which gradually activates people’s ability to “debate, recognise and articulate an understanding of the common will” (Lake 2017:1216). Based on this understanding, the citizens are expected to hold the politically responsible actors accountable for failing to honour their promises and further commitments to the joint planning of their quality life.

In short, making justice the subject of resettlement planning entails what Lake (2017:1218–1219) calls a “radical realignment” of the current planning practices: from finding justice in distributed benefits to making justice the aim of resettlement; and from justice as an end to be achieved to justice as a means for achieving quality life. Planners—including resettlement officers and consultants—should participate in the construction of this quality life by the displaced citizens. Their participation is only possible when planners are open to inclusive democratic engagement, as envisioned in the Deweyan planning. Such engagement is necessary also because justice is an abstract concept, and it “attains its meaning through talk rather than it being presented as fact” (Lake 2017:1219). The water infrastructure in Makavene–Banga has provided the material context in which this “talk” about justice could potentially take place.

Conclusion

The objectives of this paper were twofold: One was to rethink the current resettlement planning that largely objectifies justice through consultations about the distribution of benefits. In resettlement planning, procedural justice based on recognition has become central to addressing the injustice of forced displacement. However, this process of achieving justice through consultations works to legitimise expert-driven decision-making where people are asked to give their opinion about decisions that have already been made. People maintain or even increase their dependency on experts in this process. Material benefits—such as infrastructure, housing, replacement land, or cash compensation—all become a proxy for justice, and as soon as they are provided, people are made to consider that justice is achieved. What the case study of Makavene–Banga has shown is that material benefits continue to present unjust situations where the pursuit of justice gives way to technical fixes and the redressment of grievances.

Consequently, the second objective of the paper was to reimagine justice as the subject of planning through a focus on concrete experiences in post-resettlement lives. The paper drew on an example of potable water infrastructure, which was offered as a resettlement benefit, and showed that a focus on infrastructure enables the analyst to look beyond the gaps between the promises, the planning, and the implementation: Infrastructure embodies the limitation of trying to achieve justice through good procedures and recognition. Applying Robert Lake’s pragmatic perspective for establishing justice as the subject of planning to the case of water infrastructure in Makavene–Banga, I argued that justice in resettlement planning is a means to seek quality life in resettlement villages and in a society in which these new villages are embedded. Infrastructure per se does not achieve justice, but it is a necessary foundation to re-establish a society that enables displaced people to lead a new life free of avoidable frustration.

This repositioning of justice in resettlement planning requires “an engaged attitude of solidarity and empathy” (Lake 2017:1218) to be taken not only by the resettlement planners, but also by decision makers at different levels. And, “solidarity requires true communication” (Freire 2003:77). Collectively,

we—researchers and the public at large—need to insist on the establishment of more transparent ways to make the decision makers share information about their investments, financial flows, and rationale for the redistribution of benefits. They should discuss the vision of quality life together with citizens before land acquisition leading to displacement becomes a fact; and mobilise actors who share this vision to engage in the resettlement planning that makes justice its subject.

While Lake does not refer to the analytical importance of infrastructure, I have shown that it is an interesting place to examine how the framing of justice plays out in materiality. In particular, it reminds us of the importance of calling for long-term engagement with its provision, maintenance, and development in order to enable an environment in which justice is pursued. It also reminds us that people's lives cannot be reduced to lives of one-time project beneficiaries. People as corporeal citizens keep on reconstructing their lives, and infrastructure is a basic architecture that sustains this process by enabling various connections between actual places and spanning local–global scales. Even one small water pump failure in a remote peripheral region in Mozambique will elucidate this connection and how justice can be talked about through it.

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Endnotes

¹ Fieldnotes, 16 June 2018, Massingir.

² Makandazulo A and B, Chimangue and Machamba are also still inside the LNP at the time of this writing in 2021, waiting to be resettled to the districts of Chicualacuala and Mabalane.

³ Some community leaders and members in fact spoke Portuguese but on official occasions they only spoke Shangaan. This means that in private conversations, I still discussed directly with resettled people in Portuguese; this helped me verify the translated information.

⁴ The information hereafter on the process toward Makavene's resettlement has been reconstructed based on an interview with Fanuel, together with the elder David, 17 June 2018, Banga.

⁵ Mozambique became independent from Portugal in 1975 and, since then, the Frelimo (*Frente de Libertação de Moçambique*) government has always ruled the country. Between 1975 and 1989, Frelimo adopted the Marxist ideology, and the top-down nature of the authoritarian regime has continued to be in place until today.

⁶ Of course, this "willingness to move" has been widely discussed as "induced volition" (Massé 2016; Milgroom and Spierenburg 2008; Witter 2013).

⁷ One family did not go to either of these locations. See Otsuki et al. (2017) for details.

⁸ Interview, 9 March 2019, Massingir.

⁹ See interviews with resettlement leaders published here: <https://www.tourism-watch.de/en/focus/tale-promised-land>

¹⁰ Personal communication, 1 November 2019, Chibuto.

¹¹ Personal communication, 3 March 2019, Massingir.

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