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Housing conquest forms of *asentamientos* in Guayaquil (Ecuador)

Mathias Pécot

EDITOR'S NOTE

Translated by Hanna Rousse, Reviewed by Victoria Weavil

As a sociohistorical byproduct of the mutations that occur in the rural world and of a demography punctuated by a radical increase in inequalities, the process of socioeconomic or environmental exile towards cities rose inexorably throughout the twentieth century¹. Some authors, such as Manuel Castel and David Harvey, have observed the stigma of dependency through the prism of marginal urbanization². “South epistemology” considers at a symbolic level these pockets of populations whether they are located in wealthy or poor, developed or transitioning areas, as the outskirts of the modern metropolis.

The great narratives on marginalized urban growth from southern cities and, more specifically, on urbanization in South America, still present grey areas. The dissonant, often even contradictory nature of the contrast between life in the slums and the ground raises questions. While the formation and consolidation of the *asentamientos* (“slums” or “shantytowns”) are seen, locally, as a structural phenomenon, as the catalysts of new majorities, the mention of their marginality seems disturbing. From a legal perspective, this marginality is nothing but informality. However, in light of the local forms of normativity, the law appears like a cumbersome artifice.

Nearly fifty years after Keith Hart’s work, in the context of the International Labour Organization³, the use of the notion of informal to characterize certain activities, spaces, people or timescales associated with the conquest for fundamental rights in the city, is reductionist⁴. The development ideologies⁵, the State of rights⁶, urban neoliberalism⁷, humanitarian or religious ideals⁸ act like a distorting mirrors⁹. These distortions in the perception and theorization of the facts of urban marginality,

including in relation to the law, raise an axiological issue. Likewise, the informational bias represents a serious methodological obstacle when it comes to considering legal action and the dynamics of realizing rights in the *asentamientos*.

Written in light of the Guayaquil case and, more specifically, of a long immersion in the local associative sector of the “Monte Sinaï”, the following remarks offer an alternative perspective on legal life in the *asentamientos*. First a migration pole of Ecuador, the Guayaquil metropolitan zone of influence is currently nearing a population of three million residents. On an indicative basis, it is estimated that the urban population of the county rose between a factor of one to ten from 1950 to 2010. Located north-west of the city, the cooperatives of the Monte Sinaï sector include, according to the latest surveys, almost 270,000 residents. The influx of newcomers has continued throughout the past twenty years. Until the recent intervention by the central government, the inflow was estimated, on average, to stand at around sixty families per week. Just a stone’s throw away from the inner-city, the patchwork of “regenerated” zones and private urbanization of Monte Sinaï appears as an emblematic locality. The social and environmental issues associated with a “slum life” nourished by the collective psyche of invasion are nothing more, here, than those of a daily life and the promise of a future shared by its residents. The territorialization of the *asentamientos* and the material transformation of the living conditions are taking place in broad daylight and at great speed. Within a few years, the *Entrada de la 8*, the main entry point to the urban jungle, has already become unrecognizable: asphalted roads, electrical transformers and signs, police stations, urban transport systems, public utilities, shops and markets. The conquest of the city is moving forward.

From the purchase of an agreement of sale to the acquisition of a property title; from an artisanal connection to the procurement of a sacrosanct electricity meter; from the purchase of clean water from the *tanquero* – a tanker truck ensuring the daily supply of the *asentamiento* – to the first water bill; from a latrine to toilets; from the first four prefabricated walls of the *Casa Hogar de Cristo* to the use of cement; from the *botadero* – the open pit discharge point for domestic waste – to the inscription of the *cuadra* – the minimum unit for urban design – on a garbage collection route; from a prepaid mobile phone service to the first cyber-internet coffee; from tripped bikes to the *alimentadores* – the shuttles ensuring a direct connection to the municipal “*metrovia*” transportation network – through the serving of the urban transport cooperatives; from school camps to public schools; from the *dispensario* as the first offer of medical care provided by the NGO or the church to the *centros de salud* connected with the healthcare system and the Ecuadorian Institute for Social Security (the EISS): thousands of operations, exchanges and compromises punctuate the consolidation process of the *asentamientos*.

The phenomenon of the creation of the city is associated with transitions from forms of normativity close to the habitat, the domestic, familial and natural to more formalized norms and equipment. These are the transformations that pave the way for the movement towards the law and the normalized city. Groups are created and dissolved. Beyond the misleading appearances of anomie and the informal, the practices of law and the mobilization of legal work emerge, in this context, as both the factors and the terms of the implementation of the *asentamientos* in the forms of the city. This substitution of form of normativity does not ensure greater security.

To clarify this ambivalence, we have chosen to draw upon a selection of images¹⁰. Our remarks are also necessarily restricted to the issue of land property and housing. The

photographs included and commented on highlight the long, winding process of constituting an urban residence. On the roadside, two forms of normativity characterizing a land-owning production scheme, overlap and enter into a dialogue with one another. Each one fights for the attention of those using Casuarina Avenue, the main road for accessing the area of Monte Sinai.

We have to consider these boards in a direct relationship with the users of Casuarina Avenue.

I. Panel 1: the Formation of the Sergio Toral Housing “Pre-Cooperative”

The first board, which is apparently the older of the two, is entitled ‘Housing pre-cooperative, lawyer Sergio Toral’. In a haranguing tone and in the form of a timeless assertion, the poster declares that:

“As long as poverty, hunger, misery and injustice exist and man needs some place to provide a shelter for his dreams with his family (this popular fight begins and will never die!). Sergio Toral, lawyer and popular leader”.

The use of the notion of the “pre-cooperative”, like any referential invoking the popular struggle for a roof over one’s head, evokes a first historical mode of housing access through the *asentamiento*. The panel situates the formation of the Sergio Toral “pre-cooperative” in connection with a series of events carved into the collective memory of Guayaquil residents. In this sense, the establishment of the first cooperatives coincided with the establishment of temporary and seasonal workers’ settlements during the cacao period (from the end of the nineteenth century to the beginning of the twentieth).¹¹ The occupied lands, which are deemed to be without an owner, were first concentrated on the outskirts of the port area and of the fast expanding industrial park. The first camps, now fully assimilated into the urban setting, then proliferated into the flood areas, alongside the main communication roads, which are essentially situated on lands deemed unfit for habitation or commerce. Gaining land on the mangrove and the Guayas River, the construction work to consolidate the ground continued through earth work (“relleno”, literally by “filling” it). The wooden hills of the landscape, of which only a few endangered blocs remain, were used as backfill material¹².

The decline of the ecosystems and the city’s expansion through pockets of the population became particularly visible during the second half of the twentieth century. The sociopolitical and speculative issues associated with peri-urban development were progressively presented by the local and international governing spheres in terms of “invasions”, “*asentamientos informales*”, and “*collective ground connections*” that were taking over the collective psyche. From the 1950s onwards, the settlement pattern slowly became an organized occupation, a movement, which is systematically associated with the dismemberment of former farms, the *haciendas*, rural “communes” or abandoned public properties.

These collective organization skills are associated, in particular, with the emergence of a local public figure: that of the “leader” or “popular leader”, as referred to on the first board. Their success is the result of the development of a form of expertise. At the logistical level, these local protagonists plan and coordinate the collective occupation of large fields in a limited timeframe. They ascertain, through a preliminary diagnosis, whom the owner is, and more specifically, the imminence of rights that might be claimed against their taking possession of the land against. In the context of this first historical mode of territorialization, the practice of law is both for claim and regulation.

Firstly, it is *claimant* inasmuch as the customary principle of the social function of property¹³, and the corpus of fundamental rights associated with housing, are directly opposed to original owners (whether they are private citizens, public entities, rural or

ancestral communes). In this sense, the creation of the “pre-cooperative” corresponds to the formation of an organization by the residents, whose goal is to formalize their collective claim for acquisition rights, and the use and conversion of the occupied land for residential purposes. The formation of the “pre-cooperative” represents an act of taking possession on the part of the group. The panel in question offers a symbolic illustration of the collective claim by the residents over the public space. Here, the prefix “pre” implies that the cooperative, the legal entity which bears the claim to the property, is not registered on the official records held by the State or the municipality. The creation of such an intermediary and – depending on the perspective – imperfect form of association is nonetheless still clearly identifiable and is highly significant from the perspective of Ecuador’s substantive law. Taking the official format of a collective participation in public life – the freedom of association –, the act of self-characterization as a “pre-cooperative of *vivienda*” and of naming the premises is, indeed, part of a practice of formatting, even if it does not always result in the practice of law.

Moreover, it becomes *regulatory* once the introduction of a new form of leadership is historically connected with the formation and recognition of a set of organizational rules within the community. The production of norms to secure possession, plan and construct the plot, to participate in collective life – the *minga* –, and financially contribute to shared costs, mark the early stages of the territorialization process. Solidarity and neighborhood relationships are generated, consolidating the state of possession. In this context, the practice of law once again raises the more classic issue of counsel and representation. On this level, the role of the leader is to exercise a power of social mediation. He or she works with actors situated at the periphery of the *asentamiento*. Acting as a spokesperson for the occupiers, he/she negotiates with the public authorities and private owners in relation to the conditions for regularizing the land tenure at the cooperative level. The leader also facilitates voter mobilization during the electoral period¹⁴, ensuring support for the most promising candidate. Generally, they receive compensation for this by claiming one or more pieces of land from the cooperative for themselves.

Another possible interpretation of the sign corresponds to the vision of a contemporary evolution, but also of an overlay of the mode of formation of the *asentamientos* in Guayaquil. In other words, one needs to consider the different ways in which the same sign can be read, considering the socio-historical context. As a result, the duality and ambivalence of the way in which the pre-cooperative of Sergio Toral was constituted are highlighted. The most recent wave of urban expansion, which started in the 1990s, coincided with the beginning of the creation of the cooperatives of Monte Sinai. In this period, one can note a clear decline in the charismatic, popular figure of the leader. The activism of the former left-wing social movements, responsible for the first collective occupations, was progressively replaced by the market of habitable land – *predios y solares*. The formation of new *asentamientos* corresponds more clearly to a mercantile logic. The settlement proceeds from the convergence between the offer and the demand for low-priced housing. Precisely, the settlement pattern is the response to housing speculation operations. Therefore, the fabrication of the offer for the urban habitat tends to take place in “informed” circles of power, outside the existing *asentamientos*. Land trafficking anticipates municipal or State action. A new class of intermediaries place bets on the future¹⁵. Once again, the transaction derives directly from the classic forms of property transfers: the commitment to sell, leasing,

the division of ownership and the transfer of rights of use. Sometimes, the initiative to sell even comes from the original landowners. This type of transaction generally takes place with their consent and in a negotiated form, facilitating a quick and peaceful take-over. The active participation of the original right holder is easily understood once the market value of the divided rural plot -- sold as habitable, and most of all, "inhabited" by families -- increases significantly. The shift in the destination of the rural lands, the "*macro-solar*", actually registered in the public property records, takes place outside the regulatory framework. This time, the sale of subdivisions is at the heart of an administrative irregularity. Here, the social issue of housing appears as a means of capitalizing. *De facto*, the irregular offer acquires a competitive advantage over any type of rival housing offer. Due to inertia, the material and symbolic occupation of the place levers public action. The latter only partially affects the validity of the transfer of property. As Ricardo Pozo explains:

"In Ecuador, the term "invasions" has traditionally been used to designate human settlements who originated from an illegal appropriation or a land-taking by groups of families with low incomes without the consent of the owner. However, in the present case, the scheme is different. (...) The lands have progressively been bought legally from original owners by various land developers or land dealers. The illegality comes from the division and the sale of parcels which are not registered on the property records and are not part of urbanization projects formerly approved by the local public administration. Nevertheless, in the local press, we keep using the term in the wrong sense"¹⁶.

On this last point, it is interesting to note that, to a large extent, the mechanism of asserting possession tends to take place with the support of civil society. The Jesuit foundation *Hogar de Cristo*, which operates on the basis of humanitarian considerations, emerged as a historic contributor to the process of consolidating the *asentamientos*. The organization developed an offer of temporary, prefabricated housing solutions, sold with delayed payments. The possession of a private deed attests to the purchase of the land and allows for the physical delimitation of the borders of the *solar*. The purchase deed and the installation of the prefabricated house for family housing purposes establishes possession. Together, these composite elements lay the foundations for a form of claim recognized heard by the public authorities. The interpellation mechanism implemented establishes the introduction of public institutions into the process.

II. Panel 2: the *Ad Hoc* Regularization Scheme and the Public Office for the Consolidation of Rights

The second image clearly refers to the *ad hoc* intervention of the public authorities as part of the consolidation of the *asentamientos*. The State retroactively produces a second normativity that marks a new stage in the process of the realization of rights. The sign is part of the communication and recapturing of the public space strategy:

"Your family deserves to live in dignity. Report land dealers. Information from our Public Mobile Unit.... Guayaquil toward buen vivir... the citizens' revolution is moving forward!"

In the background, the board suggests an alternative mode of urbanization. The implied path to consolidation is, ironically, through a social housing plan rather than through the transformation of what already exists. The display underlies the

possibility, for users of the Casuarina, of accessing a standard turnkey dwelling, sold with delayed payments. This type of residence, as seen in the background, calls to mind an offer of urban developments and private condominiums, which is usually restricted to the highest-earning groups of populations. In this case, the proposal is not endorsed by a private actor but by the State. The institutional logos of the Ministers of Agriculture, Health, Internal Affairs, Urban Development and Public Housing, Economic and Social Inclusion and the logo of the Secretariat for Risk Management appear in an organized battle. A reference to the family nucleus and symbol of the home are once again used to catch the eye of users of Avenue Casuarina. However, the right to a decent life and the “*buen vivir*” referred to are no longer seen as rewards for collective efforts and struggles, but rather as the product of the process of institutionalization and formalization of the bond between citizens and the State. The State concurrently claims its position as the guardian of public order, the agent of the realization of rights and a provider of public services. The position of this sign in the urban landscape seems, once again, prone to a more nuanced and contextualized interpretation. More particularly, through the evolution of the legal and regulatory framework, one can observe the versatility of the forms of public intervention in the territorialization of the *asentamientos*.

Thus, at the beginning of January 2010, presidential decree n° 607 declared a surface area of nearly 9700 hectares, located in the northwest periphery of Guayaquil¹⁷, as a safety zone, to allow for the implementation of a water plan. The measure led to the delineation of a buffer zone dividing the network of artificial canals intended to capture rain water on one side from non-consolidated living areas on the other. As a public safety measure¹⁸, the disputed area is placed under the administrative control of the armed forces. The reason for such action is not set out in the decree but appears rather clearly in the speeches of President Correa¹⁹. The central government wished to stop the illegal occupation in the north-west area of the city, declaring that there would be: “Zero tolerance for invasions”. Land traffickers would be prosecuted, it was proclaimed. Following the government’s declaration, a new administrative authority was created – the ‘Interinstitutional Committee for the Prevention of Illegal Settlements’²⁰, later renamed the *Secretaría Técnica de Prevención de Asentamientos irregulares* (STAPHI) – with the mission to “develop public policies to prevent, ordain and control illegal human settlements and to coordinate and evaluate the enforcement of public policies in this matter”²¹.

Nearly 5,000 of the 28,000 families settled in the Monte Sinaí area are directly affected by the implementation of decree n° 607. The central State offered the affected households a relocation plan and the delivery of the lots was announced for the near future: the *vivienda* plan “*Ciudad Victoria*”. After the declaration announcing the upcoming attribution of plots to families settled within the safety perimeter, almost 1,125 families interested in the “compensatory” measure came to build basic structures inside the said safety zone within just a few weeks. Households hoping to benefit from the relocation program offered to the future “displaced” persons are now facing eviction charges. The main access roads to the area were under police surveillance. The sale of construction materials was prohibited until further notice. Under this state of siege, a theoretical solution emerged vertically: the notice of a public offer to relocate and the attribution of lots to families in a situation of irregularity who had settled there before the measure came into force (i.e. before December 2010); the eviction of “opportunistic” families who settled within the weeks following the publication of the

decree (i.e. after December 2010); and the prosecution of dealers suspected of having carried out illegal transactions and contributing to real-estate speculation²².

Almost two years after the publication of presidential decree no. 607, the legal regime of the safety zone has been partly modified. Officially, it concerns the implementation of an environmental police measure and the creation of a natural protected area (*Declaratoria de Bosque y vegetacion protector del papagayo Guayaquil*²³). Under this requalification program, as a natural habitat zone for the Guayaquil parrot, a locally protected species facing extinction, a large portion of the safety area now falls under the jurisdiction of the Minister of the Environment²⁴. Against all odds, the initiative did not come from the Environment Minister but rather from the Housing Department. The governmental strategy to contain illegal *asentamientos* for environmental purposes represents a direct continuation of decree n° 607.

To return to the main subject, the following year, the area's legal status was once again amended. The "*Law for the legalization of the possession of land in favour of the residents possessing lands in the territorial district of the cantons of Guayaquil, Samborondón and El Triunfo*"²⁵ was reformed, revisiting a jurisdiction conflict between the Guayaquil municipality and the central government. The coordinates fixing the borders of the urban area were reevaluated and extended to include the Monte Sinaï cooperatives. The lands belonging to the State or those subject to a Declaration of Public Utility to be expropriated will be administered by the central government. The decree n° 607 was therefore renewed and extended by law. The Minister for Urban Development and Habitat, assisted by the Committee for the prevention of non-compliant *asentamientos*, took over the coordination of the property title legalization procedures. Of the 16,000 originally anticipated, nearly 7,000 georeferenced certificates of possession were delivered to families whose installation was to be attested by satellite imaging²⁶ before the fateful date on which the decree entered into force, in December 2010. The rest of the area was placed under the jurisdiction of the municipality. Following this redesign, the residents of the area remained subject to competing regularization agendas. Four years after the central government joined the process and as eviction waves continue, some questions remain. What about the legality of presidential decree no. 607, the substance of which was never questioned? What about the question of equal treatment between constituents if, as a result the latest change in the law, a single population is submitted to two jurisdictions, two distinct and competing regularization agendas, one by the central State, the other by the Guayaquil municipality²⁷? What about the procedural requirements for implementing eviction measures, technical expertise, access to satellite imaging records from before and after December 2010 and on what basis can eviction orders continue to be delivered on a daily basis? What about the random and retroactive effect of State action after a "*laissez faire*" period of almost ten years, grounded in the principle of legitimate expectations? What about the exercise of appellate rights and the opening of judicial claims while legal experience is, for many, still limited to a linguistic barrier and a situation detrimental to fundamental freedoms? What about the non-viability of the compensatory measures, the 'Ciudad Victoria' relocation plan and access to "alternative" housing solutions through the *vivienda social* public offer? Which entities will the affected populations turn to in order to be relocated? The State is good candidate despite the fact that the allotments are delivered one at the time and, more worryingly, that the benefits of the relocation plan remain inaccessible for most of the households under the threat of an upcoming eviction? Or perhaps they will turn to the prowler-seller of allotments that the buyers

know to be uncertain, but which remain the only ones that are financially accessible to them?

Considering the elements examined, the search for decent housing does not disappear when inhabitants are threatened with eviction and, more generally, with the declaration of a governmental policy. Instead, the movement is merely redirected to the next point of tension in the territorialization process. Land dealers progressively step back while the State becomes more involved. New influx of inhabitants resumes in other peripheral areas of the city. Due to inertia, the reality principle takes priority over the crisis. Anticipation, passive resistance and local solidarity become the hazards of daily life under the process of territorialization²⁸. Ultimately, the pressure of institutionalization dwindles. During the electoral campaign, the central government proceeded with the expected twist. Almost seven years after the decree establishing the safety zone was signed, the third reform to the area's regularization law put forward by the presidential cabinet put an end to the situation of illegality²⁹. The measure, which was explicitly centered on guaranteeing housing rights, the right to a decent life and to the city, all of which are constitutionally protected, as well as on the implementation of the principle of non-discrimination, then lead to a massive regularization of land possession in the Monte Sinaï area. In addition to titles granted for houses used as a primary residence, the regulation spectrum extends to the possession of buildings for commercial purposes. On the outskirts of the *asentamientos*, the modern rule of law regulates the conditions of its own subsistence. In this context, the ad hoc recognition of acquired rights genuinely appears as the end of a cycle. The public authorities are forced to transplant their own centrality or, depending on the perspective, the conditions of their legitimacy as a regulating force of the urban metropolitan process.

NOTES

1. See Mike Davis, *Planet of slums*, Verso, New York, 2006; Vyjayanthi Rao, "Slum as theory: The South/Asian city and globalization", *International Journal of Urban and Regional Research*, vol. 30, no 1, 2006, pp. 225-232; Alan Gilbert, "The return of the slum: does language matter?", *International Journal of Urban and Regional Research*, vol. 31, n° 4, 2007, pp. 697-713; Pushpa Arabindoo, "Rhetoric of the 'slum' Rethinking urban poverty", *City*, 15.6 (2011): pp. 636-646, David Simon, "Situating slums: Discourse, scale and place", *City* 15.6 (2011), pp. 674-685.

2. Manuel Castel, *Crisis urbana, estado y movimientos sociales en las sociedades dependientes latinoamericanas*, México, FCE, 1979, p. 1-2. David Harvey observes that "From their inception, cities have arisen through geographical and social concentrations of a surplus product. Urbanization has always been, therefore, a class phenomenon, since surpluses are extracted from somewhere and from somebody, while the control over their disbursement typically lies in a few hands", abstract from David Harvey, "The Right to the City", *New Left review*, vol. 53, September-October 2008.

3. Keith Hart, "Informal Income Opportunities and Urban Employment in Ghana", *Journal of Modern African Studies*, vol. II, 1972; ILO, "Employment, Incomes and Equality, A Strategy for Increasing Productive Employment in Kenya", ILO, 1972, Geneva.

4. Ananya Roy, "Urban informality: toward an epistemology of planning", *Journal of the American Planning Association*, 71.2 (2005), pp. 147-158.
5. Jorge Esquirol, "Continuing Fictions of Latin American Law", *Florida Law review*, vol. 55, January 2003, p. 41; by the same author, "The Failed Law of Latin America", *The American Journal of Comparative Law*, vol. 58, Winter 2008, p. 75.
6. Frank Upham, "Mythmaking in the Rule of Law orthodoxy", *Rule of Law Series, Democracy and Rule of Law Project*, Carnegie Working Papers, September 2002.
7. Chris Garcés, "Exclusión constitutiva: Las organizaciones pantalla y lo anti-social en la renovación urbana de Guayaquil", *Iconos, Revista de Ciencias Sociales*, 2004, no. 20, pp. 53-63; ANDRADE, Xavier, "Mas ciudad, menos ciudadanía: renovación urbana y aniquilación del espacio público en Guayaquil", *Análisis*, 2006.
8. Camille Goirand, "'Philanthropes' en concurrence dans les favelas de Rio", *Critique internationale*, 1999, vol. 4, n° 1, pp. 155-167; Ivan Illich, "Las sombras de la caridad", *Cidoc informa*, vol. 4, n° 3, February 1967.
9. Mario Vargas Llosa, Gilles Bataillon, « Rêve et réalité de l'Amérique latine », *Problèmes d'Amérique latine*, 2010/3, n° 77, pp. 9-23.
10. Jessica Silbey, "Images in/of Law", *NYL Sch. L. Rev.* 57 (2012): 171; Elizabeth G. Porter, "Taking images seriously", *Columbia Law Review* (2014), pp. 1687-1782; Steven J. Johansen, Ruth Anne Robbins, "Articulating the Analysis: Systemizing the Decision to Use Visuals as Legal Reasoning", *20 Legal Writing* 57 (2015), p. 67.
11. Juan J. Paz, Miño Cepeda, "La época cacaotera en Ecuador", in Sonia Fernández Rueda, Pontificia Universidad Católica del Ecuador, Faculty of Economics, Quito, March/April 2011, n° 03.
12. Henry Godard, "Quito, Guayaquil: Evolución y consolidación en ocho barrios populares", works of the IFEA, Tomo no. XLIV, *revista Ciudad*, Quito, 1988, p. 253; POZO Ricardo, "Crecimiento urbano informal en el noroeste de Guayaquil: de asentamientos piratas a zonas militarizadas", abstract from "Habitabilidad básica para todos", *Auc revista de arquitectura*, Faculty of Architecture and Design of the Universidad Católica de Santiago de Guayaquil, Enero 2012; Maurizio Tiepolo, "The 'barrio marginado regularization in Guayaquil'", Centro città del terzo mondo, Politecnico di Torino, working paper n° 27, 2007.
13. Thomas T. Ankersen, Ruppert Thomas, "Tierra y Libertad: the social function doctrine and land reform in Latin America", *Tul. Envtl. LJ*, 2006, vol. 19, p. 69.
14. Henry Godart, "Quito, Guayaquil: Evolución y consolidación en ocho barrios populares", *Travaux de l'IFEA*, Tomo no. XLIV, *Revista Ciudad*, Quito, 1988, p. 253.
15. The sale of subdivisions, in lots of 100 square meters, « without titles », reaches a price ranging from 2000 to 12000 dollars depending on the location of the lot, the consolidation degree of the sector and the description provided by the merchant.
16. Ricardo Pozo, "Crecimiento urbano informal en el noroeste de Guayaquil: de asentamientos piratas a zonas militarizadas", abstract from "Habitabilidad básica para todos" *Auc. revista de arquitectura*, Faculty of Architecture and Design of the Universidad Católica de Santiago de Guayaquil, January 2012.
17. Official Register of the Ecuador Republic (ORER) no. 358, dated 8 January 2010.
18. Decree n° 607 refers to decree no. 433 of 21 June 2007, ROE no. 114, 27 June 2007, which provides for "the delimitation of the geographical areas (...) to prevent, minimize, control the risks, manage and execute the measures to avoid the deterioration of the geographical situation of the area."
19. During the Enlace Ciudadano 197 weekly address by President Rafael Correa: "Este Gobierno, jamás va a apoyar una invasión, porque por pobre que seamos no podemos invadir una propiedad privada, segundo, con esa estrategia pierden los más pobres, porque es la ley de la selva y los pobres no son los más fuertes, son los más débiles", 20 November 2010.

20. *Comité Interinstitucional de Prevención de Asentamientos Irregulares*. In practice, the Committee's actions are essentially restricted to the implementation of a policy for the *asentamientos* at the national level and to the execution of interministerial coordination tasks.
21. The article of the decree in its original version: "*Article 1.- Créase el Comité Interinstitucional de Prevención de Asentamientos Humanos Irregulares, con la finalidad de proponer política pública para prevenir, ordenar y controlar los asentamientos humanos irregulares; coordinar la ejecución interinstitucional de dicha política; y evaluar sus resultados*", Executive Decree n° 1227 of 28 June 2012, published in the Official Register, n° 747 of 17 July 2012.
22. Legal basis : Penal Code (Art. 575-A) : "*Serán reprimidos con prisión de dos a cinco años los que con el propósito de sacar provecho personal y a título de dirigentes, organicen sus cooperativas e invadan tierras, tanto en la zona urbana como en la rural, atentando el derecho de propiedad privada*".
23. Decree n° 105 published in the Official Register no. 791 of Tuesday, 18 September 2012.
24. Area of 3,602 hectares out of a total of 9,700.
25. "Ley Reformatoria a la Ley de Legalización de la Tenencia de Tierras a favor de los moradores y poseionarios de predios que se encuentran dentro de la circunscripción territorial de los cantones Guayaquil, Samborondón y El Triunfo"; Official Register n° 105, Monday 21 October 2013.
26. 'Adjudicaciones se han entregado en Monte Sinai', *el Telegrafo*, Saturday, 22 February 2014.
27. Gino Mera, "Illegal settlements in Guayaquil, and the proposal to compete with them, Particular solution about progressive urbanization and low cost lots for the poorest of the poor", http://www.hdm.lth.se/fileadmin/hdm/alumni/papers/SDD_2009_242b/Gino_Mera_Giler_-_Ecuador.pdf (last accessed June 2017).
28. Henri Lefebvre, *Critique de la vie quotidienne*, Paris, L'Arche, 1981, vol. III ; « Quotidienneté », *Encyclopædia Universalis* [online] : "Common denominator of the activities, place and environment of the functionalities, the daily life can also be analyzed as a uniform aspect of the great areas of the social life : the work, the family and the private life, leisure. These sectors, distinct as forms, impose to the practice a structure, where their common aspect is found : the passivity of the spectator in front of pictures, landscapes. In the work, the passivity in front of the decision in which the worker takes no part. In the private life, the imposed consumption, because choices are directed and needs created by advertisement and market research. Besides, this global passivity is unequally apportioned : it weighs more heavily on women, the working class, employees who are not technocrats, the youth, in short on the majority ; however, not in the same way, not at the same time, not on everybody at once".
29. See : "Ley reformatoria a Ley de Legalización de la Tenencia de Tierras a favor de los moradores y poseionarios de predios que se encuentran dentro de la circunscripción territorial de los cantones Guayaquil, Samborondón y El Triunfo", 8 May 2017, RO 999.