

Engendered Land Administration System – Mysore Slums Upgrading

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March, 2010

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by

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Thesis submitted to the International Institute for Geo-information Science and Earth Observation in partial fulfilment of the requirements for the degree of Master of Science in Geo-information Science and Earth Observation, Specialisation: Geo-information Management/Land Administration

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ENSCHDEDE, THE NETHERLANDS**

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Abstract

The debate on gender in land matters has received much attention from the academic community and international organizations. Land rights (access and control) are supposed to empower people; but conferring a title to the male head of a family has been found not to benefit women and children. In this light, a lot of initiatives and efforts at international level have been put into place to improve the delivery of land rights equitably. This has been done through Constitutional reviews, land policy reforms, change in organizational institutions and public awareness campaigns. By integrating Gendered Land Tools (GLTs), Land Administration Systems (LAS) become engendered, and progress has been noted like the issuance of joint titles.

Using a comparative approach and Gendered Land Tools, this research used two slums to investigate whether engendered LAS actually deliver women's land rights. The research also investigated whether the land rights included both access and control of the landed property. The findings indicate that in Mysore, the engendered LAS delivered partial rights to slum dwellers in both slums; access land rights. These partial rights are delivered to family members who happen to be present at the time of regularization. Women who join such families later through marriage have no access or control to land rights; they have use rights only. It was found that even with engendered LAS in place, institutional practices such as delayed up-dating of the slum land registry records have contributed towards denying married women access to land rights.

Key words: Gender, Engendered LAS, Engendered Implementation, Delivery of land rights, Access, Control, Land reforms,

Acknowledgements

Many people and organizations have provided support, professional guidance and feedback in the course of preparing for this thesis. I would like to acknowledge the support I received from the Government of Kenya for granting me study leave to allow me to pursue this course and the Government of the Netherlands under the Netherlands Fellowship Programme (NFP) for providing the funding to facilitate this study.

I would like to acknowledge the support and time that my two supervisors gave me throughout the research period; Dr. G. Miscione and Dr. J.A. Martinez. I would to thank Prof. Dr. Ing. P.Y. Georgiadou for accommodating us in the “open source MUG +” meetings. We gained a lot of experience in diverse ways. I appreciate

I would like to thank Dr. A.M. Tuladhar for his insights on gender issues which he shared many times. I am grateful to Drs. J.C. de Meijere for saying “If engendered doesn’t exist, invent it”. I am also grateful to Dr Jean-Louis van Gelder for the slum lecture.

I would also like to acknowledge the help of the Director of Land Administration Studies (UNU-ITC), Mr Chris Paresi for giving me advice on important contacts in slum issues.

I would like to thank Course Director Mr. Kees Bronsveld, Study Advisor Mr. Ir. Walter de Vries, and the module coordinators, Professors and all teaching staff, secretary Mrs. Jacqueline Mol and other supporting staff for taking me through the different aspects of this study.

The data collection in Mysore would not have been possible without the assistance of an interpreter. I thank Rukmini and her family for being so accommodating. I also thank Christine Richter and Prassana for their support and guidance while in Mysore.

I extend my appreciation to all my ITC children and the “Global Family”. The healthy debates we shared on diverse geo-land matters have made this study really meaningful.

To my Kenyan family members, Wanjiku, Wangui, Tata Hannah, Rev Karanja, Rev Kamau, Cosmas, Tanui, and Obat. You gave me so much encouragement even when you were so far way.

To my dad, thank you for showing the path to enlightenment.

I thank Mwene Nyaga. With you nothing is impossible.

There are people in Mysore who requested anonymity but gave me so much information. Accept my silent thanks.

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List of acronyms

GDI	Gender-related Development Index
GEM	Gender Empowerment Measure
GEM	Gender Evaluation Methodology
GEI	Gender Equity Index
GLTN	Global Land Tool Network
IHS	Indian Health Service
NARCH:	Native American Research Centers for Health
SAPs	Structural Adjustment Policies
UN	United Nations

Glossary of Terms

Access: The opportunity to make use of a resource

Below Poverty Line (BPL) Families:

Families whose monthly income is less than a designated sum as determined by the Government of Karnataka (Rs. 24,000 per annum), will be considered Below Poverty Line

Condition:

The immediate material circumstances in which men and women live related to their present workloads and responsibilities (March, Smyth et al. 1999)

Control: The power to decide how a resource is used

Gender analysis:

Examination of the power relations between men and women, the diversity of women and their circumstances as well as their respective roles, responsibilities, needs and interests as they impact on Women's access to land. The recognition of relevant issues assists to stakeholders in identifying target groups, priorities and strategies

Gendering tools:

Modifying tools so that they can be used in response to obstacles women face in using tools, Recognising the differential impact of a tool on women and men. It is a process of ensuring that tools can deliver on women's rights to land, property and housing

Indicators:

The quantitative and qualitative specification for an objective, used for measuring progress toward attaining the objective

Patta:

Land title-document given by the revenue collector to the revenue payer stating the terms on which the land is held and the amount payable

Position: This is the place of women in society relative to men.

Scheduled caste:

This is derived from the fact that the Government has listed certain castes on a schedule. These castes considered to be untouchables within the context of the caste system. The purpose of the schedule was to make available to those castes on its privileges and to help them improve their social and economic position. This is known as the governments "protective discrimination" policy. (Lynch 1992).

Vulnerable Families;

Families headed by women, disabled persons, indigenous persons, and BPL families

1. Introduction of the Study

1.1. Introduction

Land rights for the Indian women who live in the upgraded slums are an issue of concern. Most of these women have no land rights despite legislation that advocate for joint titling. For most cases, the slum woman belongs to the Scheduled Castes (SC), Scheduled Tribes or the Other Backwards Classes (OBS). Historically, these Scheduled Castes do not have native lands and most of them have been migrating over the years to urban areas to look for sources of economic support. In the urban areas, they end up squatting on vacant private or government plots. The land reforms in Karnataka have extended to the informal sector and the slums have been undergoing regularization and upgrading. Karnataka has Constitutional provisions with gender-sensitive and other legal frameworks which promise equity with regard to distribution and access of resources such as land rights.

In this chapter, the main aim of this research is stated. The research context and problem are then spelt out, followed the objectives and the research questions. The conceptual framework for the engendered LAS is given. The research methodology is stated in brief and the thesis structure is laid out

1.2. Research Problem and Knowledge gap

A lot of resources, initiatives and policies globally, have been put in place to address the issue of women's land rights in the slums. The issue of land rights is sensitive because most of the squatters usually occupy vacant private or government. Before the regularization has been effected legally, slum dwellers live in fear of evictions without consideration of their personal needs. The hope for a better means of livelihood attracts people from the rural areas and contributes to slums emergence. The living conditions in slums are unhealthy and continue to degenerate if regularization and upgrading is not implemented. Due to the unique situation in slums, that of illegal occupancy by people from different backgrounds, the adjudication of rights during regularization might not be equitable. It has been argued that some land registration systems whether statutory or customary do not explicitly insist on the recording of women's rights even in situations where the woman might be the rights holder

In India, it has been highlighted that there is no gender focus on government's land reform initiatives and the SAPs lack of sensitivity towards gender divides might be the primary reason for their inability to counter increasing gender gaps (Bham, 2001). Furthermore in India, the authorities and government have been noted to put into place policies that neglect to service and protect informal areas (Handzic 2009). The right to property was guaranteed under Article 19 until 1979, when it was omitted in the 44th amendment during the Janata party regime. Article 14 is implicit on the recognition of women's land rights (Benschop 2004). The main concerns for the inefficiency of the residential and land delivery for housing has been highlighted as affordability, land tenure, legal system and government policies and regulations (Sivam 2002). In Karnataka, there are people especially women who are homeless and although the authorities have put initiatives into place to allocate them land, the plans

are not adequate. According to the Karnataka 2009-2010 budget, about 16,000 devadasi women are houseless and Rs.20 crore was to be provided to construct 5000 houses for them (Karnataka Govt. 2009). This translates to one house for every three women and the deficit is therefore quite large.

According to the Habitat Agenda securing tenure for the household does not necessarily secure tenure for women and children. In order for secure tenure to benefit women and men equally, some fundamental changes to the rights of women might have to be effected first.

Women are the worst affected in forced evictions, resettlement schemes, slum clearance, domestic violence, civil conflict, discriminatory inheritance laws and practices. In almost all countries, whether ‘developed’ or ‘developing’, legal security of tenure for women is almost entirely dependent on the men they are associated with. Women headed households and women in general are far less secure than men because very few women own land (UN-Habitat, 2009)

Mounting exclusionary forces have made the task of achieving equity in urban land delivery more elusive than it has ever been. Statistics show that, in practice, most land for urban development (especially that occupied by the poor) is supplied outside state regulatory frameworks and there is overwhelming evidence of the importance of secure access to land and housing to the livelihood strategies of poor urban households (Ikejiofor 2006).

Within the research and debates that addresses the importance of adequate and appropriate housing in improving the quality of lives of low-income families, little attention has been paid to the specific land/housing needs and property rights of low-income women living in slums (Baruah 2007). Moreover many countries use data that has been generalised at national or state levels. Targeting spots of land related poverty/deprivation requires data aggregated at the large scale level e.g. wards (Baud I., Sridharan N. et al. 2008). At the same time, insufficient attention has been focused on how transferable tools can be developed, documented, picked up, understood and adapted (Westman U. 2006).

Even in the GLTN land tool, which gives guidelines on equitable land delivery, the projects addressing gender issues are for the most part, in rural areas. Furthermore awareness campaigns do not appear to focus specifically on women’s land and property rights (GLTN 2008).

There is need to investigate whether the innovations in engendered LAS through engendered land tools deliver land rights and security of tenure to slum dwellers during the regularization and upgrading process. It is also important to understand whether and how the effectiveness of an engendered LAS is affected by the engenderedness of the implementation or the lack of it.

1.3. Main Question

Do engendered LAS deliver women’s land rights in slums in the regularization and upgrading process in the slums in Mysore?

In this study, we focus on investigating whether the engendered LAS deliver women’s land rights (access and control of land) after the regularization and upgrading process in slums in Mysore. Also, this research focuses on the engenderedness of the implementation phase. By focussing on gendered components of an LAS, this research looks at three aspects that are considered important during implementation and include participation, education infrastructure and employment generation. It is argued that the upgrading of physical infrastructure alone does not achieve the poverty alleviation

objectives and hence these additional components are deemed necessary to improve the lives of the urban poor. Since the acquisition of land rights empower women and improve their livelihoods, this study also investigates whether the slum dwellers feel empowered and whether there are improvements in education and employment as a result of acquiring the land rights. This is accomplished using two slums. In one slum the regularization and upgrading process was implemented in an engendered way while in the other the process was not engendered. Three criteria that were used to determine whether the process was engendered included the adjudication of rights, women participation during the implementation, education infrastructure provision, and capacity building through income generation. In the non-engendered process, the women's participation was not adequate. Hostility from the men was cited as the cause. Due to the limitations of data availability, the land rights are defined as land ownership. For this research the engenderedness of the LAS is considered as the issuance of a joint title. This thesis uses the gendered land tools approach to understand what hinders delivery of women's land rights in Mysore. The results of this study will help in the understanding of factors that hinder delivery of land rights equitably in the presence of engendered LAS like the one in Karnataka.

Due to the dynamism of these elements of the engendered LAS, the elements investigated in this research are joint titling and whether the implementation process was engendered. In particular, for the implementation process, this research will be interested in the way the women participation and empowerment was accomplished

1.4. Justification for the study using Mysore

Mysore city is the headquarters of Mysore district, one of the 28 districts in Karnataka. The Mysore City is one of six Municipal Corporations in Karnataka due to its population of over 300,000. Currently Mysore has a population of approximately 0.9 million in the municipal area but this rises to over 1 million when the conurbation is included. Mysore has been experiencing population growth ranging from 60% in the 1940s to 20% in the 1990s. Currently the density is estimated to be 6129 per sq km with 967 females for every 1000 males.

Approximately 0.15 million people (19% of the total population) are live Below the Poverty Line (BPL) and .09 million (60% of the poor) are slum dwellers. By 2007 there were 75 slums in Mysore of which 49 were recognized at various levels of development (Table 1). The Mysore Subdivision of the Karnataka Slum Clearance Board (KSCB), which is a parastatal agency of the state government, is responsible for the improvement and rehabilitation of slums. The central government is the largest contributor of funds for slum improvement programmes implemented by KSCB. However there are other institutions like MCC, Karnataka Housing Board, Rajiv Gandhi Housing Development Corporation, and MUDA involved in slum improvement.

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Sl. No	Time period	Slums notified
1	Before 1985	3
2	1985-90	10
3	1990-95	2
4	1995-00	15
5	2000-05	19
	Total	49

Table 1: The Increase of slums from 1985-2005: Source, City Development Plan of Mysore (CDP, 2008)

After land reforms under the ninth plan (1997-2002) Karnataka enacted legislation and implemented reforms with vigour. Karnataka has a registration of deeds system and currently there are about five tenure regimes in place. These are state owned, customary, indigenous, cooperative/joint and private individual tenures. In addition to these five, there are squatters and extralegal tenure and common property resource (CPR) tenures. However, in the current setup there is no program of systematic registration of rights. Property registration provides neither veracity of the deed, nor the adjudication of rights and the resolution of disputes (ILC 2008). Records of rights in land do not reflect what is happening on the ground furthermore incomplete city survey plans potentially weaken the description of some urban property covered by registered deeds (Land Equity 2006). Karnataka has been praised for the Bhomi project. This study will there be contributing to the debate on gender and land delivery.

1.5. Aim

The main aim of this study was to investigate whether engendered LAS actually delivery women's land rights in the regularization and upgrading process in the slums in Mysore. Also to investigate what factors on the ground can hinder the process from being implemented in an engendered way. To achieve this aim, a comparative study was conducted between two upgraded slum areas in Mysore where one was implemented in a gendered way and the other was implemented in a non-gendered way.

1.5.1. Hypothesis

- When an engendered LAS is implemented in an engendered way it delivers women's land rights.

1.5.2. Assumptions

- The assumption that is taken is research is that there are external factors that affect the delivery of women's land rights even in the presence of an engendered LAS.

1.5.3. Objectives

1. To investigate and document current the legal frameworks that guide the LAS tools for regularization and slum upgrading

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2. To investigate and document whether the implementation process was engenderedness and whether women's land rights were delivered.
3. To examine social economic issues that women feel need urgent addressing
4. To compare gender gaps in empowerment between wards with slum areas upgraded under engendered implementation and those under non-gendered implementation.

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1.6. Research Matrix: Objectives, Questions and Methods

Research Objectives	Research Questions	Methods	Expected data	sources	Tools
To investigate and document current the legal frameworks that guide the LAS tools for regularization and slum upgrading.	What was tenure system used during the regularization and upgrading process?	*Researcher observation *Documentary studies *Focus groups discussions	Primary and Secondary qualitative and quantitative data on land ownership	*Policy documents *Slum upgrading reports *Women leaders *Government records	Critical analysis Statistical analysis
	What are the policies, Constitutional Act, family, inheritance and law state with regard to women's land rights? Were they followed? Is there contested ownership after the slum upgrading?				
To investigate and document whether the implementation process was engendered and whether women's land rights were delivered.	What was the level of women participation at the decision making level?	*Interviews *Focus groups discussions *Literature search	Qualitative/ quantitative primary & secondary data on Institutional support Activities	*Land Registers *Women leaders *Religious leaders *Community leaders	Statistical analysis
	What procedures were followed to ensure that the recording of women's rights?				
	Do women have perceived tenure security?				
To examine social economic issues that women feel need urgent addressing after regularization.	What are the immediate needs of the slum woman to reduce their deprivation levels?	*Interviews 8Focus groups discussions *Literature search	*Primary and Secondary qualitative data	*Women leaders *Religious leaders *Community leaders *Slum dwellers	Statistical analysis
	What do the women consider to inhibit their rising out of poverty				
	Are there +/- impacts of regularization /upgrading?				
To compare gender gaps in empowerment between wards with slum areas upgraded under engendered and non-gendered implementation.	Are the gender gaps in education and employment higher or lower in the engendered areas compared to non-engendered areas	*Interviews *Focus groups discussions *Researcher observation	Qualitative and quantitative primary and secondary data on education & Employment	*NGOs *Slum dweller *Women leaders *Religious leaders *Community leaders	Gendered Land Analysis GIS
	Do the slum dwellers feel empowered after acquiring land rights?				

Table 2: Research Matrix: Objectives, Questions, Methods and Tools

1.7. Research Scope

This research is limited to investigating whether engendered LAS delivery of women's of land rights in the slums. Within this study, LAS is considered engendered when there is provision by the legal framework to accord joint titling. Women land rights are considered delivered when the name of the woman is recorded as the rights co-holder in the deed or title. This study also examines whether LAS are implemented in an engendered way. This is accomplished by the practices during the regularization and upgrading process and takes into consideration women participation, education component and employment generation in the design and implementation phases. In understanding the engenderedness of the process, this research seeks to know if there are hindrances to the delivery of women's land rights in the presence of an engendered LAS and the gender gaps which have not been lessened. Issues of perceived tenure security and empowerment are also examined.

1.8. Prior work on Gender and land

It is now acknowledged that women may have different needs from those of men, and that in many societies there are specific constraints that limit women's access to and control over land and housing (Baruah 2007). Studies have shown that the access and control of land by women has implications on the welfare of the whole family (Allendorf 2007). Apart from contributing to family welfare, access and control of land is deemed to empower men and women enabling them to participate more effectively in community matters and highlight pertinent issues (Kameri-Mbote 2006; Deininger and Jin 2009; Meinzen-Dick and Mwangi 2009). Other authors point out that lack of access and control of land and landed property has been positively correlated to poverty, urban slums and migration. (Agarwal B. 2003). It has been noted that when women have no land rights, they are curtailed in their productivity and become quite restricted in their capacity to participate effectively in economic opportunities that become available to them (Heitzman 2008) and their productive public life becomes diminished (United Nations 2009). Although (Deininger, 2003) assert that formal titling is not always a necessary prerequisite for tenure security, De Soto (2000) prescribed titling as a remedy for security of tenure and an enablement for access to credit and development of a modern economy. However, despite LASs having been in place for decades in many countries, they have not delivered land rights equitably (Burns T. 2007).

In urban slums, when there is access and control of land rights, households experience deprivations which hinder their efforts to obtain higher levels of wellbeing. They include: inadequate and unstable incomes, inadequate, unstable or risky asset bases (such as lack of education and housing) (Iacobaea C. 2009)), inadequate provision of public infrastructure (piped water, sanitation, drainage, roads and footpaths), inadequate provision of basic services, limited safety-nets for those unable to pay for services, inadequate protection of poorer groups through laws and rights, and powerlessness of poorer groups within political and bureaucratic system (Baud I., Sridharan N. et al. 2008; Baud, Pfeffer et al. 2009)

Land is therefore, a critical asset especially for the urban poor and tools for delivering land rights have come under scrutiny to understand the factors that favour or deter successful delivery.

1.9. Conceptual Framework

This research is conducted in levels (Figure 1-1). The first is by the legal frameworks that guide the LAS in the delivery of land rights equitably. The second level deals with the engenderedness of the implementation phase during slum upgrading.

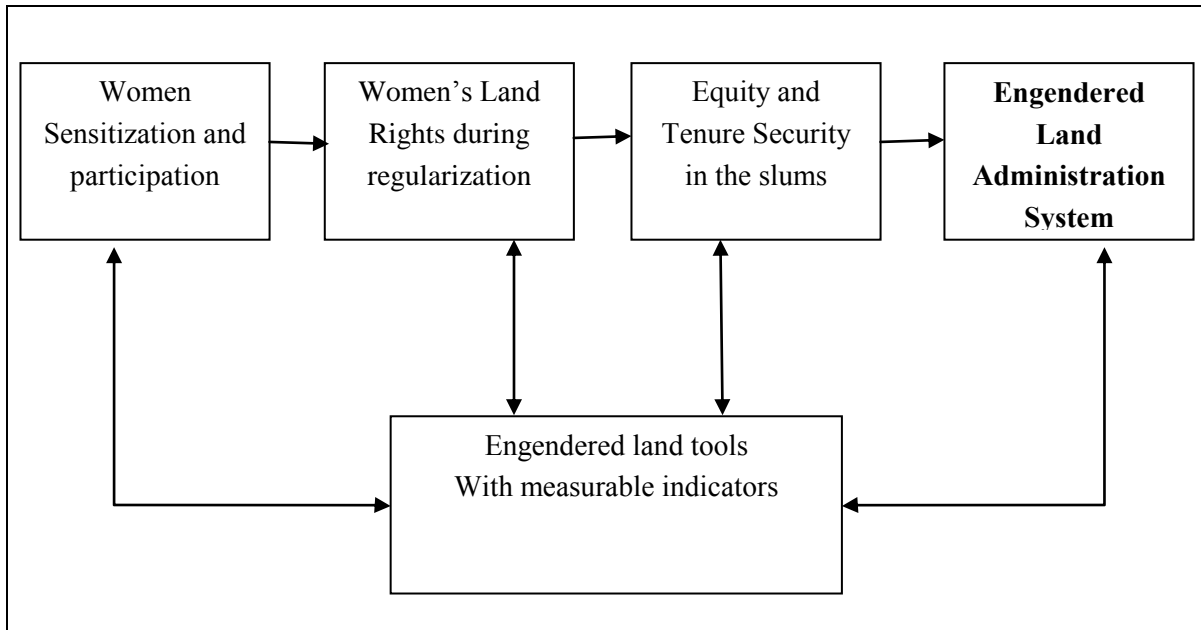


Figure 1: Conceptual framework

1.10. Research Design

The first phase of this research was informed by detailed literature review in order to understand how the rehabilitation and formalizations processes have progressed in Mysore with reference to the City Development Plan 2005. The frameworks that guide the LAS during land delivery are of essence. This study involved a comparative analysis of two different types of slums; one where the implementation of the LAS was gendered and the other non-gendered. The research will employ mixed methodology. Quantitative data for multilayered analysis and qualitative about the upgrading processes the cases went through. Primary and secondary data will be collected. Where secondary data is used, it will be triangulated to check for quality from the different sources

1.10.1. Fieldwork

The fieldwork was accomplished by the application of many gendered tools. The initial part involved a pilot study to identify two slums the implementation had been accomplished in an engendered way and the other in a non-gendered way. The choice of slum therefore was not random. The first phase included the investigation of how engendered the pre-regularization process was. The participation of

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women and how the needs of the slum women were addressed was investigated through key informants especially local authority officials, slum leaders and religious leaders. Also used were semi-structured questionnaires, focus group discussions. Disaggregated qualitative and quantitative data were collected to help in gender-sensitive analysis. Qualitative and quantitative information were used to determine whether the regularization and upgrading process had been implemented in an engendered way and whether the delivery of women's land rights had been achieved. This mixed methods approach sought perceptions on tenure security and empowerment as a direct result of the access and control of land rights.

1.10.2. Analysis and Discussion

The gender-sensitive results are analysed and discussed whether there were any differences in the delivery of women's land rights when the engendered LAS was implemented in a gendered or a non-gendered way within the two slums. The issues discussed include the legal frameworks, Constitutional Acts and land reforms and policies that guide the LAS in delivering land rights equitably. The engendered of the implementation is also discussed with reference to women participation, education and employment components. The issue of access and control of land rights within the regulatory framework that is in place for lands granted by the government to the lower castes is analysed and discussed. The impacts of regularization and upgrading together with the perceived tenure security and empowerment are also analysed and discussed with consideration to the slum dwellers.

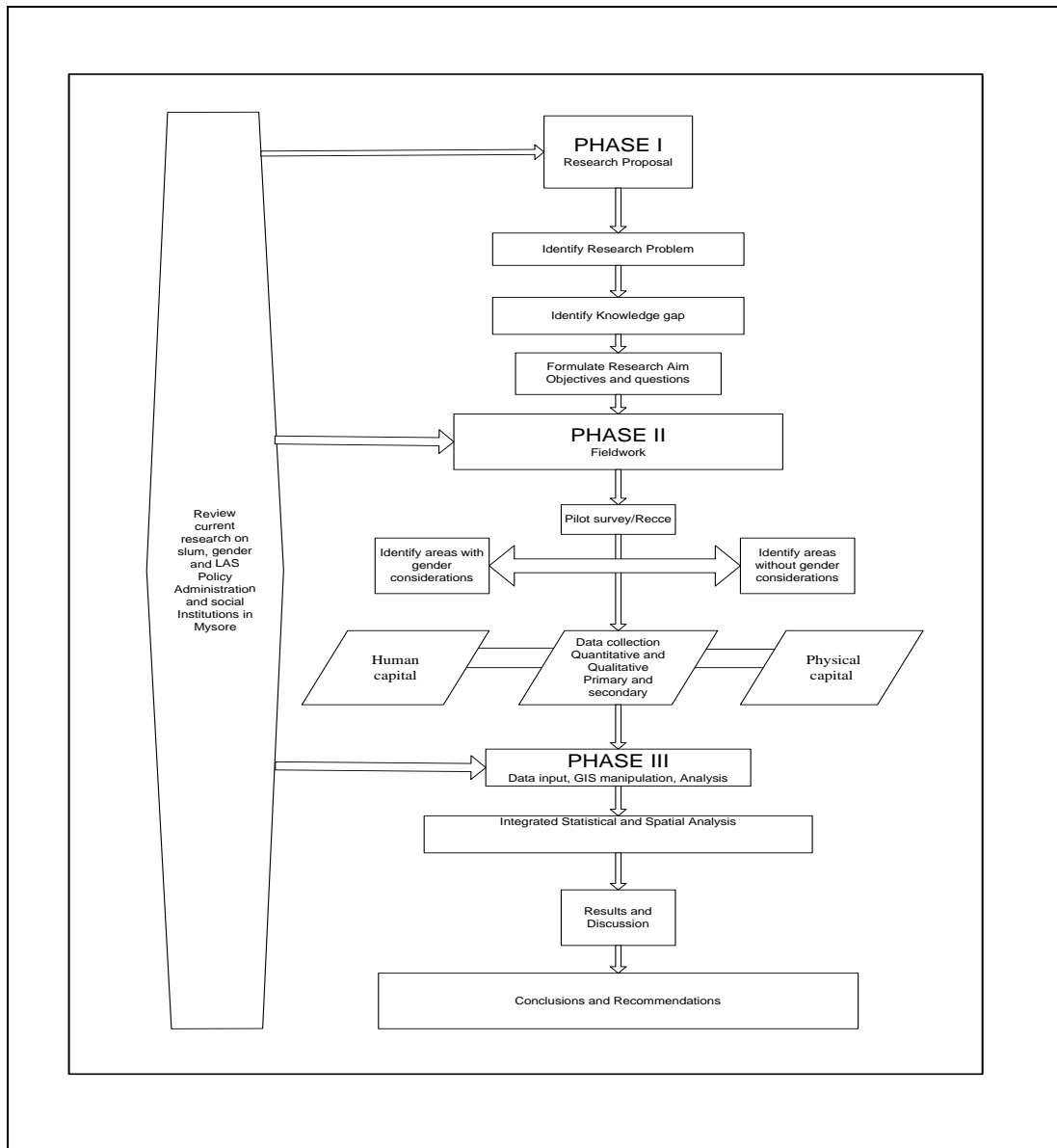


Figure 2: Research approach

1.11. Structure of the Thesis

Chapter 1: Introduction of the research

This chapter gives the introduction to the study by giving the background information about gender issues in land and women's deprivations in slums. The research problem and knowledge gap is discussed. The main aim of the research is spelt out together with the objectives and research questions. The research methods are also stated.

Chapter 2: Conceptual Framework

Literature review of Constitutional frameworks, land law and policy, reforms, land tenure, women's land rights, Land Titling, Land Regularization of informal settlements and Gendered Land tools.

This chapter gives a detailed theoretical foundation of the research by reviewing past literature on women's land rights, tenure security, the effects of titling and regularization on women in informal

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settlements and the impacts of engendered LAS on the delivery of women's land rights. Also discussed are institutional norms both social and administrative and their impacts on the women's access and control of land.

Chapter 3: Study area and research methodology

This chapter spells out how the research was conducted. The study area is reviewed and how the actual research approach was designed and implemented. The tools for investigating how engendered LAS deliver land rights equitably are explained. They included pilot studies, interviews, questionnaires, focus group discussions, oral narration and observation.

Chapter 4: Analysis of how Gendered LAS deliver land rights

This chapter presents the results from the comparative study of the two slum areas as outlined in the research objectives. It gives the detailed description of the laws and Acts that guide the LAS in Karnataka as applied to slum regularization and upgrading. Also explained are the positive and negative impacts of the regularization and upgrading process especially on the women slum dwellers. This chapter also shows whether there are women who do not acquire land rights and the reasons that prevent them from acquiring land rights in the presence of an engendered LAS by comparing statistical analysis from the engendered and non-engendered slums. The results also discuss the updating of the tenure registration records. Also discussed are the findings on whether the acquiring of land rights improves perceived tenure security and empowerment.

Chapter 5: Discussion

This chapter comprehensively discusses the results of whether the gendered LAS deliver land rights to women in the slums and what external factors hinder the delivery of land rights during implementation phase. Discussed also are the need of the slum dwellers which they consider important for empowerment after receiving tenure documentation. The discussion will also look into institutional and social factors that may hinder the delivery of women's land rights in the presence of an engendered LAS implemented in an engendered way.

Chapter 6: Conclusion and recommendation

Conclusions are drawn from the research findings with reference to the lessons learnt from the analysis of the two type of slums and how engendered land tools in the delivery of women's land rights. Recommendations are given on possible future research to inform more on the use of gendered land tools during up-scaling.

2. Conceptual Frame work

2.1. Introduction

Gendered land tools are believed to deliver land in an equitable and effective way especially in circumstances where there is a probability of vulnerable groups such as poor women being denied access or control of land by existing institutions.

This chapter will focus on the existing situation of women's right to land and tenure security. Using literature, the research will identify the factors at the individual and household level that hinder or enhance the access and control of land by women. This will be informed by looking at existing land law, land policy and land administration and their impacts on women's right to land during the regularization and slum upgrading. Through this part the research intends to know the socio-economic, cultural and religious factors at different level which create a gap between existing LAS and law and its actual practice during implementation.

Tenure documentation and titling processes are seen as pre-requisites to empowerment and economic development. The impacts of regularization, titling using gender land tools is of importance to help understand whether the innovation of using gendered land tools in LAS promotes the delivery of land equitably in line with the MGDs and other international initiatives. Of particular interest is how the adjudication of women's rights is accomplished during the regularization process, whether engendered LASs delivery land rights to all women and whether there are external factors that inhibit women's access and control of land.

This chapter first discusses the concepts of informal settlements, the deprivations experienced by women in the slums, the need for regularization and the dynamism of the gendered land tool. It then goes on to discuss the positive and negative impacts on women arising from the lack of up-to-date tenure and registration records. The cultural norms that impact on the access of women's land rights are also discussed.

2.2. The Importance of Gender in Land matters

The importance of women's land rights has been recognised by the international community, academic community and governments. The interest of gender inequality in the access and control of land by women has been generated by the realization that land is a tool for development when it is held equitably. The access and control of land by women has implications on the welfare of the whole family (Allendorf 2007). A lot of debate has ensued supporting the hypothesis that, women's rights to resources influences their ability to be productive. Researchers propagate that, there are appreciable differences in the decision making in households depending on who is the rights holder; in women headed households, the apportionment of household resources is based on informed choices and benefits all members. On the other hand, in male headed households, the decisions might not benefit the whole family and it is always the females who are locked out. Gender is therefore, a basic determinant of social relations and rights and can determine a person's opportunities, standard of living, access to other resources, status in society and self-perception. On the other hand, within intra-household decision making, women have been report to lack the power to participate when they do not have direct rights over household land. The access and control of land by women who have

become widowed, divorced or abandoned can mean the difference between being self-sufficient or heavily dependent on the extended family with very direct impacts on the future of children. Research shows that there is a positive relationship between the amount of immobile assets (such as buildings and land) and the welfare of the whole family in terms of education, health and food. Apart from contributing to family welfare, access and control of land is deemed to empower men and women enabling them to participate more effectively in community matters and highlight pertinent issues (Kameri-Mbote 2006; Deininger and Jin 2009; Meinzen-Dick and Mwangi 2009). Other authors point out that lack of access and control of land and landed property has been positively correlated to poverty, urban slums and migration. (Agarwal B. 2003). Further when women have no land rights, they are curtailed in their productivity and become quite restricted in their capacity to participate effectively in economic opportunities that become available to them (Heitzman 2008) and their productive public life becomes diminished (United Nations 2009). Land is therefore, a critical asset especially for the urban poor and tools for delivering land rights have come under scrutiny to understand the factors that favour or deter successful delivery.

The delivery of land rights is the core business of Land Administration Systems (LASs) in any country. However, despite LASs having been in place for decades in many countries, they have not delivered land rights equitably (Burns T. 2007). It has even been argued that securing tenure for a household does not necessarily secure tenure for the women and children. The realization that LASs have not been delivering land rights equitably has led to initiatives and efforts all aimed at improving the access and control of land by women. Some of these initiatives include land reforms, land policy revision, Constitutional Acts, legal frameworks as well as institutional changes. The policies and other Constitutional provisions have been formulated to be gender sensitive and explicit to minimize misinterpretations that might cause biases against the women (Augustinus 2003). This explicitness was sought after it became clear that gender neutral policies and other regulatory frameworks do not always deliver women's land rights. These revisions and modifications also sought to remove clauses that were discriminating women in property laws, family laws and inheritance laws.

The frameworks that guide and govern land management and administration have received a lot of attention and modifications. Within the land administration domain, the tools for adjudication, surveying, land information collection and management within land registries have also changed with the main objective of delivering the land resource equitably and specifically improve the delivery of women's land rights. LASs have been innovated to deliver women's land rights by the process of engenderment. An engendered LA contains tools and processes that allow responses to the obstacles that women face in using the LAS by recognising that there are differential impacts of the LAS on men and women. Engendered LASs are therefore responsive to differences in gender roles, responsibilities, challenges and opportunities and incorporate women and men in the formulation, implementation and evaluation of policies, programmes and projects that touch on land and landed property (Land Equity 2006). The engendered LAS should also have considerations for the MDGs goal 3 (equality) and 7 (security of tenure) and have socially appropriate adjudication (Dorius 2009). In the implementation of engendered LASs in projects such as slum upgrading, there are components such as women participation, education and empowerment that are considered to engender the implementation itself. These LAS innovations are realised by the application of Gendered Land Tools which harness existing data with existing and new tools in an integrated approach to improve the delivery of women's land rights.

Women's land rights are considered a way to promote community development by empowering women and leads to increased productivity and improved welfare (Allendorf 2007). Many studies have argued that when land administrative systems are innovated, land delivery becomes equitable. Engendered land tools have been suggested as an innovation that can deliver land effectively and equitably in all stages of land administration. These tools are expected to convert the objectives of land legislation, policies and principles into implementation. Essentially the gendered lands tools use existing and new data to ensure and enhance access and control of land by women.

2.3. Key Concepts in Land Matters

2.3.1. Introduction

Engendered LASs requires certain tools to enable equitable and effective land delivery. These tools which act as the cornerstones are discussed here as key concepts. Their importance and relevance is highlighted with special reference to how they contribute toward the enhancement of the access and control of land for men and women. Gender explicit policies that shape property rights play a major role in economic growth, equity of distribution and sustainability of the base resource. But policies alone cannot deliver land without national and local administration machinery to facilitate the recording and dissemination of information about land hence implements the policy. These policies give guidelines about how the land as a resource is to be managed. Accurate and up-to-date land records lead to secure tenure resulting in increased investments and transactions. Secure tenure leads to investment in land leading to more productivity and sustainable developments.

2.3.2. Land Policy

For nations to unlock the wealth in land and to utilize it in an optimum and sustainable way, the management of the land and all its associated resources must be guided by an integrated state land policy framework (Dale P. F. and McLaughlin J.D. 1999). In all government instruments for land related matters, a land policy is considered to be at the top of the hierarchy.

Land policies are considered to be fundamental to sustainable growth and the harnessing of economic opportunities open to citizens particularly the poor people such as women slum dwellers (Deininger K 2003). Man-land relationships have become dynamic over the past decades and the institutions dealing with land have evolved requiring inclusive policies that can improve efficiency and equity in land delivery. When policy recommendations do not take into account the complex nature of man-land relationships and the institutions, negative consequences have been realized. (Deininger K 2003)

In the developing world, nations have put into place constitutional guarantees, specific laws and policies with the aim of promoting and safeguarding women's equal rights to land, property and housing. Unfortunately, in practice these are often undermined by cultural and social norms, and practices that are discriminatory against women (Rao 2006; UN-HABITAT(b) 2008). It has been noted that the devolvement of political power to democratic decision making within communities contributes towards land reforms (Deininger K 2003). The implementation and impacts of land tenure reforms should be evaluated at multiple governance levels in order to identify constraints, craft

solutions, and to ensure that reforms are securing the rights and livelihoods of women, the poor and marginalized groups.

Policy on land tenure and property rights can best reconcile social and economic needs by incorporating a diverse range of options, adapting and expanding existing systems when possible, and introducing new ones selectively to embrace the different tenure system that coexist in all countries. An engendered framework needs to be implemented to allow potential legal, institutional, financial, political and cultural barriers to be overcome (Kölbl and Haller 2006) to ensure the access and control of land for women and other vulnerable groups.

It has been argued that land policy assist in addressing gender inequality by recognising the importance of women's participation in the design and implementation of land policy. However, caution has been raised about the possibilities of non-gender-sensitive policies contributing towards more gender inequality and benefiting those who already have wealth and power. There is also fear that the explicit recognition of women in national land policies could lead to added responsibilities which do not necessarily result in economic benefits. The reasons given for this negative impact is that with improved rights, more productivity is expected. This results in women putting in more labour hours. What this translates to is that policies that deliver land rights to women do not necessarily lead to improved livelihoods for the women (Rao 2006). It is therefore paramount that policies are designed to recognise the significance of women as equal claimants to land and other social infrastructures necessary for the social wellbeing (Agarwal, Neil et al. 2001).

Summary:

The delivery of land in equity way requires policies that are dynamic and evolve as the man-land relationship evolves with time due to changes in resource harnessing and community needs. Policies also can best reconcile the complex needs of societies by incorporating diverse new and old systems. An adequate land policy is one that reduces disparities in wealth and income, provide security at the same time eliminating exploitation and promises equality of status and opportunities (Rao 2006). It has been argued that by in cooperating women in the design and implementation process land policies have the potential to promote the delivery of land rights to women. However, others contend that the access and control of land might become an added responsibility and not economically beneficial.

2.3.3. Land Management

This includes all the processes that ensure that the exploitation of land resources the is managed to deliver a full range of ecosystem services including agriculture, forestry, soil conservation, water management, biodiversity, environmental and heritage conservation, with specific reference to social and economic impacts. Land management therefore involves the development of management plans to benefit human society and the environment (Nuissl and Schroeter-Schlaack 2009). Sound land management seeks to conserve symbiosis for the benefit of human, animals and plants in a demanding environment.

This multi-sectoral approach includes evaluation of qualitative and quantitative scientific information on a temporal dimension, analysis of appropriate technologies, review of land ownership and management policies and institutions, application of geo-ICT within the broader arena of strategic knowledge management. The decisions concerning land therefore, involve different agencies and government levels each with its own institutional set-ups. The success of land management in any

country calls for a participatory approach (Chen Ching-Ho, Liu Wei-Lin et al. 2005) where the needs of both men and women are taken into consideration and are consorted with during decision making on all land matters.

Summary:

The exploitation of land resources require to be guided by sound policies so that as humans, plants and animals benefit, the environment is used in a sustainable manner and conservation is adhered to at all times. Effective land management when guided by gender-sensitive policies promotes practices that benefit both men and women in any society.

2.3.4. Land Administration Systems (LASs)

Land administration systems (LASs) are essential for managing the all important land resource on which the existence of man depends. Food, shelter, clothing and other means of livelihood are all derived from land.

Land Administration includes all processes that facilitate the determination, recording and disseminating information about tenure, value and use of land when implementing land management policies (UN/FIG (1999:52).

The importance up-to-date and accurate land records data cannot be overstated. Land registries must constant be updated to reflect any transactions or changes in spatial definition on land so that the integrity and validity of the title issued is maintained. When land registries become suspect, the people might chose to deal outside the government system and this results to loss of taxes (Payne, Durand-Lasserve et al. 2009). Without land records management transactability diminishes. It has also been noted that good documentation and public access to land records are essential to prevent corruption. Furthermore once an organised land record is in place, future conversions become easy to implement and governance also can be realised (GLTN 2007).

Due to the complex man-land relationships, these processes require coordinated supporting Land Administration systems (LASs). LASs are national or state implemented in order to handle the management of public land, the recording and registration of private rights in land and the publishing of transfer of rights resulting from sale, gifts, encumbrance, subdivision or consolidation. Sound LASs designed within an equitable and appropriate institutional regime are essential for and facilitates management of real property. This includes regulating land and property development, use of land within conservation regulations, collection of revenues on behalf of the government, as well as conflict resolution (Dale P. F. and McLaughlin J.D. 1999; Burns T. 2007).

In principle LASs have got the following four components each with its functions:-

- **Juridical-** This is concerned with the holding and registration of rights in land. Processes involved here deal with the determination or adjudication of existing land rights, state allocations, transfers, prescription and expropriation. Boundary definition for area encompassing certain rights is done textually.
- **Regulatory –** This is concerned with how land is used and developed. This is done through the restrictions that govern land use in certain zones. The designated land-use categories, together with the framework used are recorded in maps.
- **Fiscal-** This is concerned with the valuation of land parcels for the purpose of revenue collection through taxes, and fees. Taken into consideration are the designated land-use, geographical locality and prevailing economic conditions.

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- Information Management- The effective management and provision of access to accurate land information is a key prerequisite for the development of land markets. When land information is accessible equitably, speculation and conflicts are avoided.

Depending on a legal system and social-economic needs, LASs in different countries exploit certain aspects for the derivation of economic, social and environmental benefits. In the developing world most focus is on land adjudication, land titling and land registration (Griffith-Charles and Opadeyi 2009).

LASs therefore are charged with the management and control and zoning of land to attain sustainable development. LASs are comprised of textual records describing rights and spatial information indicating the geo-extents covered by these rights.

From a holist consideration, LASs goes beyond the implementation of legal, cost-efficient cadastral and land registration systems to the set of services that make the land tenure system within a country is relevant and operational (Land Equity 2006). Sound LAS will give assurance to the citizenry, promote social stability, facilitate access to credit facilities which upon investment will yield improvements to the land and increase productivity. It has been argued that effective LAS which deliver land rights to both men and women lead to improved livelihoods among the poor in both formal and informal areas (Dale P. F. and McLaughlin J.D. 1999; Varley 2007).

Due to the impacts that access and control of land has on women's lives, the extension of the benefits of land registration and cadastral survey in the informal sector in an equitable way has become one of the crucial issues in land management (Dorius 2009; Musole M. 2009).

Summary:

LASs are charged with equitable management of all information pertaining to land to promote social stability and the security to invest on land improvements for the increased productivity and improved livelihood and developments including the informal sector. The land records registries within LASs require to be updated continuously, accurate, designed to standards to facilitate revenue collection and to have transparency for transactability. Engendered LASs extend beyond the formal areas to encompass the informal areas and contains disaggregated data to avoid deficient tenure information. It is when LASs are engendered that they deliver land rights to both women and men equitably and lead to improved livelihoods

2.3.5. Land Tenure and Tenure Security

Land Tenure defines how land rights are held within communities or nations. This definition can arise from property laws or societal customs (Dale and McLaughlin 1999). One of the foundations for the reduction of urban poverty is secure land and shelter as these pave way to social services and other

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livelihood opportunities(Payne 2004). Tenure gives guidelines on how land rights are dealt with in gifts, grants, sales and the use of land subject to certain obligations. In unique circumstances, land may belong to one individual but others can have rights to use. Land tenure is therefore, comprised of a dynamic non-linear network of hierarchy of property interests in land, rights, restrictions and responsibilities (RRRs) and powers as stipulated in the jurisdiction(Dale and McLaughlin 1999; Bennett, Wallace et al. 2006).

Apart from defining the RRRs, Land tenure also defines the authority who make decisions on land use and management in a sustainable way depending on the geo-locality(Cumming and Barnes 2007). With geo-phenomena such as globalization, changes in man-land relationships, the tenure systems have been evolving and expanding(Fitzpatrick 2005) on spatial and temporal dimensions(Cumming and Barnes 2007).

Appreciating that Land tenure has been impacted upon by local and global synergies over time and space, tenure types are varied and continue to evolve. The two major types of land tenure are statutory (according to law) and customary (community institutions) and define the type of rights attached to the land or property. The following types of land tenure types by law are globally used with local adaptations as stated by Dale & McLaughlin, 1999:-

Private: In private property, “individuals have rights of ownership, tempered by responsibilities and regulations placed by the state or by other third parties”

Public/Open Access: This occurs when “there is no defined group of owners: hence the benefits are available to anyone and there are no duties or obligations”

State: This is property set apart for government/public use such as government buildings and forests. “Public agencies set rules for access and use of property and individuals have duties to respect these rules” as observed in the use of forest resources by the citizenry.

Communal: With communal property, there is “an aggregate body that has ownership of the whole and rights to exclude non-members; Individual members of the body have both rights and duties with respect to the use and maintenance of the property.

Extra Legal: In some countries, this implies “not against the law, but not recognised by the law”. In many indigenous communities, this type of tenure exists within societal institutions.

The property rights are further defined with regard to the type of transactions and length of time that the rights are legitimate. These include:-

Freehold: Affects individual property and has a “perpetual ownership of land, a right to a share in land by inheritance, life interest or beneficial interest in land”(Ward and Kingdon 1995). This is the “highest form of ownership which describes the complete bundle of rights that can be held privately at any point in time”. Freehold owners have unlimited freedom to dispose of their land through inheritance or sale in part or whole respecting existing restrictions (Dale & McLaughlin, 1999).

Leasehold: This applies to real property where an individual is granted user and occupancy rights for a specified period be renew at expiry.

Within many jurisdictions the property regimes can be in place in some form of interconnected network of interest name:-

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- **Overriding interests:** These are the powers of expropriation held by the state
- **Overlapping interest:** This is the use of a parcel by more than one party through rights of ownership, easement and leases.
- **Complementary interest:** These are rights held by several parties in the same property such as party wall and common areas in condominiums

Competing interests: Where different parties contest the same interest in the same parcel (Dale & McLaughlin, 1999).

From both statutory and customary setups, the man-land relationship can be simplified as:-

- **Use rights:** “rights to use the land for grazing, growing subsistence crops, gathering minor forestry products”.
- **control rights:** “rights to make decisions how the land should be used including deciding what crops should be planted, and to benefit financially from the sale of crops”
- **transfer rights:** “right to sell or mortgage the land, to convey the land to others through intra-community reallocations, to transmit the land to heirs through inheritance, and to reallocate use and control rights” (FAO 2002)

Researchers and development practitioners point out that providing poor people with land rights and secure tenure is central to poverty alleviation and empowerment of poor communities and vulnerable groups (Bouquet 2009).

Land property and secure tenure is a primary means for generating a means of wealth especially for the poor citizenry. Poverty with its multifaceted and multidimensional character (Baud I., Sridharan N. et al. 2008) (Baud, Pfeffer et al. 2009) affects women more. It has been argued that women’s access and control of land and security of tenure has implications on how family spending is proportioned for example, on the education of girls (Deininger K 2003). In households that women has control over at least part of the family property, improved levels of family welfare has been reported. It is important therefore , that the land tenure system in place publicizes current and comprehensive information on interests to support valid claims of rights and thus mitigate the incidence of conflict especially where women’s access and control is in jeopardy (Griffith-Charles and Opadeyi 2009). At the same time, secure land tenure facilitates land transfer at low costs, improves allocation and supports the development of financial markets which do not lock women out (Deininger K 2003). But secure tenure is not guaranteed without the accompanying information on de-facto land tenure situation to substantiate the extent, character of land rights as well the historical evidence of any transactions (GLTN 2007). Satterthwaite argue that land titling does not increase tenure security neither does it contribute towards poverty reduction (Satterthwaite 2009). Furthermore in some nations, a title does not protect people from eviction or expropriation of their land. For low-income groups, access to credit is not guaranteed and even the infrastructure is not improved.

Land tenure is expected deliver tenure security. Once the tenure documentation is legal, citizens are supposed to live without fear of losing their property. It therefore expected that the lack of land tenure documentation can lead to diminished tenure security (Van Gelder J.L. 2009).

Current debate on tenure security has come to embrace the two types of tenure security; de facto and perceived tenure security. It has been pointed that legal title does not necessarily confer feelings of security. Even with tenure documentation, the feelings of security can diminish due to threats from other inhabitants. On the other hand, even without land rights and therefore no tenure documentation,

residents may have perceived tenure security due to societal networks and harmony (Van Gelder J.L. 2007).

Summary:

The way in which land rights are held either through gifts, grants and sale and the way it is used is guided by specific obligations. Land rights can be private, state, public, communal or extra-legal and can be held in a freehold or leasehold way. Land tenure is a complex interlocking system of property interests in land rights, restrictions, responsibilities and powers as spelt out in the jurisdiction. When women have access and control of land, security of tenure they are empowered in the decision making in their homes. Tenure security also facilitates land transfers and supports vibrant land markets which are transparent and do not lock women out. To protect the rights and security of women, the information on land tenure need to be updated regularly to provide validity and transparency.

2.4. Women's Land Acquisition

2.4.1. Introduction

Globally women own less land than men and remain dependent on male relatives to facilitate access to land. The struggle for access has been long and has always met with resistance due to perceptions that view land as a symbol of male dominance. The debate of gender inequality in the access and control of land by women has received attention from both the academic community and international community because land has been seen as a tool for development (Allendorf 2007). It has been argued that strengthening women's access and control to land through gender-sensitive LASs is vital for women's empowerment and that, indeed the whole family benefits. It has been hypothesized that poverty can be reduced and benefits accrued even from small plots when the women have direct control. Women can gain access to land and landed property through marriage, inheritance (by statutory or customary law), land markets and gender-sensitive land reform programmes. There has been progress on women's rights on some fronts over the last few decades; however according to (Westman U. 2006) women's access to land and security of tenure has noticeably declined. Development approaches to implement women's land rights driven largely by a poverty-alleviation (pro-poor) agenda have been largely ineffectual (UN-HABITAT 2006). The process of globalization has created new opportunities as well as challenges (Martínez 2009) in women's access to land, housing and other productive resources (United Nations 2009). Economic benefits for the women in highly paid employment, affords women access and control of land through purchase. However, although globalization has generated economic opportunities for local entrepreneurs to have access to the international market, it has in certain regions intensified existing inequalities and insecurities for the poor women. This negative impact is attributed to the fact that globalization gains are concentrated in the hands of that sector of society who have higher education, who own resources and have access to credit. In East Asia in the 1990s women were only absorbed in temporary employment during the rapid expansion and the poor women were not in a position to enjoy long term opportunities (Lopez-Claros A. & Zahidi S, 2005). Lack of economic empowerment therefore, hindered the access and control of land even from the only non male-dependent source through purchasing.

2.4.2. Factors inhibiting Women's access to Land and Landed Property

Globally, women face discrimination in access to resources such as land. A major factor contributing to gender inequity and inequality is the assumption that, laws which are gender-neutral are sufficient. But it has been noted that where the laws are not explicit, women end up being disadvantaged (Burns T. 2007). The unequal access to land and landed property limits women's security to livelihoods and has been positively correlated to a multiplicity of social problems. This inequality has been blamed on among other factors, discriminatory inheritance rights. In many cultural setups, patriarchal inheritance practices favour men who are usually perceived as primary producers and wage earners supporting the family.

Women's right and access to land is not equitable. They experience tenure insecurity and do not have equal access all attributed to discriminatory frameworks pertaining to land laws and administrative implementation and inheritance institutions. This discrimination dis-empowers them forcing them to move to informal settlements (Augustinus 2003). In these informal settlements, women have no access and control of land due to the illegality of the occupation.

Women are exposed to unequal access to the land market when occurs densification in intra-urban areas, and the land prices rise. When the land prices increases due to speculations, an illegal land market can emerge. In most cases the players in illegal land markets are men due to unofficial hours and places that such transactions take place. Seen that most women in informal sectors earn meagre wages, they cannot participate in this rising land market (Vélez-Guerra A. 2004). In slums, where both men and women suffer multiple deprivations such as lack of skills, assets and networks, gender intensifies the impacts on women (United Nations 2009) and disadvantages the women more with respect to the access and control of land. Again women find themselves in a situation where they cannot afford to acquire land through purchasing thereby lacking access and control to land.

There are three distinct rights that women can have with regard to land; the right to own it, to use it or to transfer it. Women's land rights have been known to diminish with single-motherhood where marriages are the only way for a woman to inherit land.

Women can also lose their land rights where social interpretation and enforcement of rights can be manipulated within societal institutions (Lunnay C. 2005). For example in some societies women can till the land but not own it. In other cases certain crops like coffee are a man's domain even if all the tending is done by the women. Certain land-uses increase the value of land. Primary users of land are women but it has been reported that when crops such as cocoa or palm trees grown by women increase the land value, the men exercise ownership rights redefinition and exclude the women in countries like Benin and Cameroon (Gray and Kevane 1999). This male bias is therefore one way that women lose access and control to land rights

In some countries women have been denied access to land by the very system that is mandated with the adjudication and recording of rights. In Karnataka government programs that granted land to tenants or regularized illegal urban encroachments allocated land solely in the name of male house heads (Brown, Ananthpur et al. 2002). This practice denied the women access and control of land.

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Religious practices in some countries have a lot of influence on women's inheritance rights. According to the Islamic law, a widow is entitled to an eighth of her late husband's estate if she had children. If she has children she gets a quarter but if there are no sons, then a considerable share of the estate is given to the male relatives (Augustinus 2003). This religious based practice denies women the rightful access and control of her land rights just because she didn't bare a son.

Gender biases in land reforms/laws are another hindrance to women's access to land rights. Many countries do not have clear guidelines on how to deal with traditions that discriminate against women on issues of land ownership, access and inheritance. In some cultural setups a woman can lose her land right if she was barren or didn't bare sons or was estranged from her husband (Augustinus 2003). The interstate succession laws in Karnataka grant Hindu and Christian widows and daughters inheritance rights but these are ignored and sometimes circumvented by the writing of a will thus denying the women their legal rights (Brown, Ananthpur et al. 2002).

Another avenue that contributes towards women's loss of land rights is through new government land rules and reforms (Gray and Kevane 1999). Even when women own land under statutory systems they still find themselves in conflicting situations because the cultural systems still affect them when influenced by local structures of power. The power of a woman or a group of women to claim their land rights may become stronger or enhanced through the economic resources that they control (Gray and Kevane 1999) and hence access and control by women to land is seen as one way in which to become empowered enough to make their claims.

The mix of Cultural norms and modernization acting together has continued to contribute towards the denying women of their rights to land. Patriarchal systems have played a negative role by keeping women on a lower rung on the social ladder by denying them basic rights to land ownership and other mobile assets (Government of India 2007). In cultures where men pay dowry the lack of money and the relaxation of cultural practices results in young people co-habiting. In the event of the husband passing away, such a woman cannot inherit land because she doesn't belonging to her husband's family without the dowry payment(Gray and Kevane 1999). This finding points to cultural practices that deny women access and control of land even when they are rightful rights holders.

Summary:

Finding from the literature reviewed above indicates that the factors which hinder the access and control of land by women are a mix of related and non-related factors. Women are denied or lose their rights due to religious practices, cultural practices, lack of economic empowerment, gender biases in land reforms and policies and government institutional practices.

2.4.3. Initiatives for Enhancing Women's Access to Land and Landed Property

International organizations like United Nations, FAO and FIG among others have been involved in land administration issues. Concerted efforts have produced guidelines, declarations and agendas all aims at the use of land and its resources in a sustainable and equitable way. At a global level, the debate on women's land rights has received much attention and initiatives been put into place. During

the Bogor declaration of 1996, need for the adjudication of rights in an efficient way, at a reasonable cost and speed to support a vibrant land market was emphasized (FIG 1996).

The Bogor Declaration was expanded in 1999 by the Bathurst Declaration which called for “for a commitment to provide effective legal security of tenure and access to property for all men and women, including indigenous peoples and those living in poverty or other disadvantaged groups”. During this meeting it was recognized that some of the problems in man-land relationships included the lack of security of tenure which in many societies impacts most severely on women and children (FIG 1999).

In the Delhi Declaration, the founding principle for tenure security and access to land were laid down explicitly for women by calling for policies that aim for social and gender equity by modifying and clarifying legislation in relation to women (Augustinus 2003).

In 2008, the Commission on the Status of Women urged Governments to formulate reforms both legislative and administrative to facilitate women’s equality cross cutting issues such as rights to inheritance, land ownership. Also included were access to credit, natural resources and appropriate technologies (United Nations 2009). Another declaration touching on women’s land rights is the Doha Declaration which was adopted in 2008. In this Declaration, global leaders re-committed themselves to the elimination of gender-based discrimination including the ownership of assets and property rights (UN 2008; United Nations 2009). During the UN Millennium Summit one of the set goals was to close the gender gap through the empowerment of women and the achievement of tenure security (UN 2000).

Summary: A lot of initiatives at global level have put together concerted efforts to address the gender gap in the area of access and control of land by women. Governments have been urged to formulate administrative and legislative reforms so that the delivery of land rights is done in an equitable way.

2.4.4. Women’s Access to Land and Landed Property: Why it is Vital

In many countries, land is a vital asset for men and women under both customary and formal rights. It is argued that access and control to land rights acts as an economic access to key markets. Given the fundamental success that land rights confer to individuals, and the role it plays in poverty alleviation in societies (Deininger K 2003; Benjamin 2004; Benjaminsen, Holden et al. 2009), it is important to understand its role particularly, the access and control of land by women.

Many studies have impressed upon the direct economic benefits accrued from land (Kameri-Mbote 2006; Deininger and Jin 2009; Meinzen-Dick and Mwangi 2009). Moreover when women acquire immovable assets like land, there are complex benefits to not only themselves but to their families and the whole community (United Nations 2009). Women who have access and control of land work on it directly generate income or use the property as collateral for non-agricultural undertakings.

The lack of access and control of land and landed property has been positively correlated to poverty, urban slums and migration. (Agarwal B. 2003). When women are faced with unequal access to and control over resources including land, and unequal employment (Heitzman 2008), they are curtailed in their productivity and become quite restricted in their capacity to participate effectively in economic

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opportunities that become available to them. Furthermore, their productive public life becomes diminished (United Nations 2009).

In South Asia, land is a significant form of property. It has implications for the economical wellbeing and social status. Substantial evidence suggests that when resources are held exclusively by male family heads, the females do not benefit equally. Women need movable and immovable resources such as land for the promotion of their well-being and empowerment (Agarwal B. 1994). Access to houses and land is seen as a key driver to women's empowerment in urban areas. Owning a house protects women from the practice of shack farming (small houses in backyards) which is exploitative since there are now means to control rent or the state of the environment (Durand-Lasserve and Royston 2002)

However there are other authors who report negative impacts of land registration and titling. Formal land registration and titling has been known to diminish women's right to land. This affects women in setups where rights are gained through the customary law. Registration laws have made it possible for men to challenge informal claims. With land policies that favour individual ownership vested in the head of the house, women are excluded as being co-owners. Without this channel to own land, and being helpless in matters of inducing their men to pay dowry to legalise the marriage by customary law, the women lose their rights to land (Gray and Kevane 1999). Furthermore after such formal registration, adjudication of disputes is relegated to the customary domain which is male dominated. It follows that if a community of men were not willing to include the women at the adjudication of rights stage, it would be unlikely that they would rule in the women's favour during disputes.

State interventions in the form of national registration and titling programmes therefore, fail to deliver women's land.

Summary: Findings from the lit above show that when women have access and control to land, there are appreciable differences in the welfare of the whole family as compared to when the land are held by male family heads. In households where women have access and control to land, there are complex benefits pertaining to poverty alleviation for the whole family and even extends to the larger community. Moreover access and control of land by women empowers them whether they use the land directly or as collateral. On the other hand, when women lack land rights, they are curtailed in their effective participation in economic opportunities and their productive lives diminishes. Given that land is as economic bridge to key markets, LASs should endeavour to deliver land rights equitably.

2.5. Empowerment

The concept of empowerment has been of great interest to various bodies within the international community, research community, the policy makers, project designers and implementers as well as funding organizations.

Community empowerment occurs when individuals in a society have able to collectively address and change specific causes and conditions of poverty that affect them. The ability to address these causes effectively results in comprehensive changes in a society which can and should be measurable (Dorius 2009). Women empowerment in particular, is understood as the capacity to get involved and to be able to make informed decisions, participate effectively in economic and political processes and improve their quality of lives.

During the United Nations' conference on women, population and development in Cairo , Egypt in 1994,one of the principles stated that “Advancing gender equity and empowerment, and the elimination of all kinds of violence against women, and ensuring women’s ability to control their own fertility, are cornerstones of population and development-related programs” (UN 1995). In the Cairo programme of Action, governments were urged to eliminate existing inequalities and barriers to women in the workplace. Further governments were directed to promote and strengthen the participation of women in policy making and implementation.

It was stressed that the women should have access to productive resources, have the ability to own land and have a right to inherit property(UN 1995).

Within the Cairo programme, it was desired that governments not only invest and promote the education and skill development of girls and women but also put into place mechanisms for monitoring and evaluating such needs and the progress emanating from the investments (UN 1995).

It has been appreciated that educated women are able to meet their basic human needs and exercise their human rights (UN 1995). They are also able to access and provide better resources for the welfare of their children(United Nations 2009). When women are empowered economically, even those in low-income groups contribute towards keeping the households above the poverty line. Studies have shown that when women have access to economic resources they experience more financial security for the entire household a heightened sense of empowerment in dealing with problems and crises in the homes(Chant 2007) and the positive impacts of empowerment can be seen on child survival, welfare and education than when the same resources are in men’s hands (United Nations 2009)

2.5.1. Education for Empowerment

Inequalities in society have been attributed to gender-specific constraints which influence the distribution of resources and capabilities. Among the persistent forms of inequality relate to property and inheritance rights, access to education and paid employment(United Nations 2009).

One of the fundamental human rights is basic education. Education is the gateway to healthy and productive lives and empowerment (Habitat 2008). A lot of Initiatives by the international community and governments have yielded progress towards gender equity in education. In Latin American countries, the female school attainment exceeds the male school attainment (Glick 2008). In the Philippines, land productivity has resulted in parents giving their sons more land but more education to their daughters (Rao 2006). However in many regions, such as the South Asia, pro-male gender

gaps still remain. Globally, education is still not accessible to the poor sector of the urban population. Research shows that when a family is faced with making choices between funding education and meeting the daily requirements for food and shelter, education takes the backseat (Habitat 2008). In South Asia the regional figures indicate that the ratio of males to females in primary school enrolment is 85 Vs 100 while in secondary it is 75 Vs 100 (Glick 2008).

Different education policies impacts on school enrolment patterns and numbers. In Bangladesh, a Food for Education subsidy programme resulted in a higher increased enrolment for girls compared to boys, that of 41% vs. 28% (Glick 2008). In his conclusion Glick indicated that girls' education is more constrained by distance to school. This means that the construction of schools would reverse this effect even if the schools are not purposely targeting girls.

Despite considerable progress in levels of education in women, this has not translated into increased gender equality in returns to labour (United Nations 2009). This has been attributed to factors such as discrimination against women in the workplace and a mix of cultural and institutional practices.

Gender inequality costs national economies heavily. In a simulated exercise for education gap in a number of Asian countries, the costs were of approximately \$45 billion a year (United Nations 2009). Researchers argue that women can only exercise influence and bring about change in their lives as well as those of their families through tangible resources such land, employment, credit and also non-tangible resource such as education (Kabeer N., Stark A. et al. 2008). Education is considered to be the highest tool for women to move out of the lower rungs of a society. It is the pathway to meaningful employment, which can lead to the purchase of assets and also act as a guarantee to credit credibility (United Nations 2009). Women who are educated are more aware of their rights, the legal system, and are also capable of seeking redress when their rights have been violated in terms of access and control of land among others.

2.5.2. Employment for Empowerment

Labour has been shown to be an effective factor of production and resource that people globally can earn a living. For poor people it is most times the only avenue to meet their basic needs (Lopez-Claros A. and Zahidi S 2005; United Nations 2009). Paid employment raises the standard of living for households as they can allocate resources to food provision, health care and education (United Nations 2009). Material resources and other social assets are expected to increase when women are engaged in waged or self employment which also has the potential to improve their status (Kantor 2009).

Over a ten year period spanning from 1998 to 2008, the share of women's employment increased from 39.9% to 40.5%. But none the less, divisions of labour still exist such as disproportionate numbers of women in unstable employment, wage gaps and unequal divisions in the unpaid domestic work. These gaps have implications on how men and women access and benefit from employment differentially (United Nations 2009). These gaps have been attributed to gender, caste and religion and are argued to cause deprivations within societies (Kantor 2009).

While it is desired that women be engaged in decent employment, global trends have further pushed the poor citizen into the informal sector. In most countries in transition, the "exportation" of working environments offers no other choice. Multinationals have taken whole production lines to countries where cheap labour is available. Due to the laxity in regulations, the jobs offered in such employment are poorly paid but there is no law to protect the workers (United Nations 2009). The women working in this informal sector have no access to social security and have little potential to organize the

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enforcement of human rights(United Nations 2009). Workplaces are wrought with discrimination due to work related norms. Moreover these informal jobs are characterised by variations in number of days and number of hours worked resulting in variations in income which is insecure(Kantor 2009).

Even when women have acquired reasonable education to qualify for top jobs in organizations, they still suffer from institutional norms and attitudes. They rarely occupy managerial positions if there is a qualified male(United Nations 2009).

In situations where women cannot acquire land through inheritance employment is considered as the most important avenue for the access and control of land by women through land purchase.

In Karnataka, there is an initiative for the creation of employment for the urban poor which specifically target the SC, STs and OBTs. The Swarna Jayanti Shahari Rozgar Yojana (SJSRY) 2009-2010 scheme's three main objective are:-

- To address poverty through gainful employment to the urban unemployed or underemployed through the setting up of self-employment venture or provision of wage employment”
- Support skill development
- Empower the community to tackle the issue of urban poverty through suitable self-managed community structures like Neighbourhood Groups (NHGs), Neighbourhood Committees and Community Development Societies (CDS).

The SWARNA scheme has an explicit component called “Urban Women Self-Help Programme (UWSP). This initiative aims to assist poor urban women groups to start income generating activities with the aim of raising their standards of living.

Summary:

From the literature analysed it becomes apparent that in low-income societies, households, are disadvantaged in their pursuit of livelihoods by their lack of education, skills, assets and networks. Compounding these inequalities is the issue of gender which intensifies the impacts of other non-linear social inequalities in accessing crucial resources and deny them level ground for competing for opportunities (United Nations 2009). Another issue hindering the access and control of land rights for women is that although there are good land policies in existence in some countries like India, there is a lack of sufficient pro poor tools to implement the good policy (Augustinus 2004). However empowering women through education and employment has direct linear benefits. Educated for women has been reported to result in the making of informed decisions for the whole family. Good education paves way for remunerated employment which in turn facilitates the access and control of land for women through purchase when all other avenues of acquiring land for women are not available.

2.5.3. Empowering Women and Communities through Engendered approaches

Women Empowerment refers to increasing the spiritual, political, social or economic strength of Women. It often involves the empowered developing confidence in their individual capacities (Government of India 2008). Education and employment have been reported to empower women since they are instrumental in enabling women to gain knowledge, confidence, skills and opportunities they are vital in increasing their social and economic status. It has been pointed out that empowerment equip women with power in the household as well as in society(Gill, Pande et al. 2007). Empowerment is probably the totality of the following or similar capabilities depending on context:-

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- Having decision-making power of their own
- Having access to information and resources for taking proper decision
- Having a range of options from which you can make choices (not just yes/no, either/or.)
- Ability to exercise assertiveness in collective decision making
- Having positive thinking on the ability to make change
- Ability to learn skills for improving one's personal or group power.
- Ability to change others' perceptions by democratic means.
- Involving in the growth process and changes that is never ending and self-initiated
- Increasing one's positive self-image and overcoming stigma

Indian women continue to face wide-ranging disadvantages, whether it is in terms of property rights, workforce participation, educational opportunities, and access to health care or political representation. India has some of the worst indicators of gender inequality in the world, including a very low female-male ratio, a major gender bias in literacy rates, and a low share of women in the labour force. Gender related development indicators such as maternal mortality rates and sex-selective abortion also shed a sobering light on the predicament of Indian women (Government of India 2008).

2.5.4. Engendered Community Participation

Land reforms promises many things which are technical, legal and economic but most reforms omit the community component, a necessary ingredient in self-sufficient and sustainable societies (Bryden and Geisler 2007). Good governance within the organs mandated with the allocation and management of land, is highly characterised by participation, transparency, accountability, rule of law and equity. The stakeholder's needs and interests are taken into consideration in the planning, implementation and evaluation of land policies. Participation therefore facilitates communities to influence decision making in issues that affect them uniquely (Westman U. 2006). When new land rights are being recorded, the community consultation plays a vital role in ensuring that conflicts between members do not arise later. In slum upgrading, involving women give them an opportunity to make recommendations and request that they feel will contribute towards their wellbeing. Land administration slum upgrading projects therefore, which have a community participation component are considered engendered and are hoped to deliver land rights in an equitable way. Furthermore the participation is viewed to contribute to an equitable adjudication where conflicts are avoided. In fact it is considered as a participatory tool for conflict avoidance.

The population compositions and constant presence of women in the slums make them crucial agents during LAS project implementation. They facilitate ease of interaction between administration project staff and the community members. During slum upgrading projects women have been reported to act as "good inspectors" more effectively than men and are also reported to be more economical to work with. Women have always shown more commitment in community projects. In the processes leading up to regularization and rehabilitation of poor urban areas, women have been viewed as central stakeholders (Chant 2007).

In principal, the community participation during regularization is recognised as desired. Community participation and interaction with the political, judicial and administration institutions during decision making that affect their lives, leads to empowerment (Brody 2009). More specifically, participation is viewed as a tool capable of removing obstacles to women's empowerment through the implementation of land rights and at the same time enabling the reconfiguration of land relationships to redress gender

inequality (Westman U. 2006). In practice, however, the process is carried out the community is left out and all decisions are carried out with political influence (Durand-Lasserve and Royston 2002). Compounding this omission are upgrading projects with gender restrictive work designs that deter women participation (United Nations 2009).

Engendered participation is one of the lands tools developed under the GLTN themes whose main aim is to understand how and to what extent land initiatives address gender inequalities in access and control to land. The tools moves beyond analysis the objectives and intentions of the projects to beyond by investigating the inclusiveness of the women and how such inclusiveness has impacted the lives of the women and the whole household.(GLTN 2008).The land tool seeks to assess gender sensitiveness in the design and implementation of land management programs with specifics to change gender relations and improve the access to land for women and men.

One approach of gendered participation is the involvement of both women and men in all steps of the slum regularization and rehabilitation process. This engendered community participation bring about social-economic development outcomes in poor urban societies (Dorius 2009). Slum upgrading projects which are engendered include the following components (GLTN 2008):-

2.5.5. Capacity Building/Awareness

This include activities such as sensitization workshops, dynamic training courses and information campaigns addressing women's issues which have not been adequately handled in the community. Skills training for young women and men as well as adult writing literate classes also contribute towards capacity building (GLTN 2008).

2.5.6. Employment Generation

This include income generating activities which enhance the livelihoods of households and involve women directly such as financial institutions, handcraft industries, administrative procedures, community organisations for asset management and credit and enterprise training for the development of small microenterprises. These activities are tailored to facilitate women's employment and remuneration as well as developing women's entrepreneurship and access to the market (GLTN 2008).

Although the participation of women in paid employment is expected to reduce economic constraints in households, across certain regions, this has not occurred. The benefits to women from the labour markets were recognised in the MDGs goal 3 with regard to increases in the women's share of non-agricultural employment. Women's employment is considered highly and is even used as an indicator of progress (United Nations 2009). Employment comprises of more aspects than just holding a position. Employment should be productive, deliver a fair income, and provide security in the work place. Furthermore there should be prospect for personal development, social integration and a platform for informed dialogue on the improvement of an organization's business strategy to benefit both employer and employee(United Nations 2009)

2.5.7. Community Development

These activities are geared towards the strengthening of the capacity of women-led organizations and to enhance the participation of women as core stakeholders. As part of community development, activities involving the formation of partnerships between community-based women's groups, NGOs and municipal entities in the planning, construction and management of communal beneficial structures like the multi-purpose social halls (GLTN 2008).

In instances where community participation has been active, dialogue results in resolving several issues beneficial to both all actors. Such dialogue has been known to resolve issues like allocation balloting, families who can be relocated if plots are not adequate, and the operation and maintenance of services. Dialogue inevitably reduces tension and creates trust of the whole regularization process (Brody 2009)

2.5.8. Services

These are activities which provide an effective and equal access to basic infrastructure such roads, electricity, water, natural resources. Availing legal services for poor women, education and health services, support for titling processes and access to social, productive and environmental funds (GLTN 2008).

The availability of livelihood services like clean water has been known to reduce women's workload by a substantial amount. The hours spent fetching water from far off places and the long queues can be used for other activities such as income generating home industries, community social leisure(United Nations 2009). In India, communities with clean adequate water supply had ample time to even attend adult literate classes and get involved in CBOs activities. Other services such as transportation when available have been noted to improve school attendance, and income generating activities such as vegetable vending(United Nations 2009). Slum upgrading schemes of the "sites and service" type have become popular in many countries including India. The urban poor are allocated a plot and the basic services such as roads, water and electricity. This way not only does LASs deliver access and control to land rights but also improve on the lives of the people directly by improving the environment.

2.5.9. Institutional Support

This involves activities at policy level whose objective is to influence and cooperate with the local, regional and governmental authorities on gender issues. Depending on local contexts, these activities include but are not limited to, gender focused development plans. It also calls for the establishment of land policy committees for the achievement of pro-poor regulatory frameworks to address the constraints faced by poor people with regard to land tenure, land management and women's rights (GLTN 2008).

During an evaluation exercise using the above tools as a basis for evaluation in various countries, obvious differences emerged in the project components addressing women/gender issues. In Asia, it was found that projects all had below 30% components related to women/gender. Capacity Building

had the highest percentage with 29%, followed by Services with 27%, Community Development with 24%, Employment Generation with 12%. Institutional Support had the least with 8%(GLTN 2008).

Summary

Engendered LASs can only deliver land equitably when certain components are considered during the implementation phase in projects execution. These components make the objectives of LASs to be realised fully. These components include gendered community participation, capacity building/awareness, employment generation, community development, services and institutional support. Within the GLTN tools, the evaluation of how LAS deliver land rights to women is accomplished by investigating how LAS are inclusive and how such inclusiveness has impacted the lives of the women and the whole household.(GLTN 2008).The land tool seeks to assess gender sensitiveness in the design and implementation of land management programs with specifics to change gender relations and improve the access to land for women and men

By the application of the land tools it has been shown that the inclusion of women in such project development is essential as they have an opportunity to ensure that their priorities regarding adequate housing are addressed(United Nations 2009). They are able to let their priorities known and thus feel a sense of ownership of the whole process

The benefits of including women during the slum upgrading and regularization process are therefore, many. But women/community participation enhances the livelihood of households only when backed up by property rights which is a major form of empowerment (Bryden and Geisler 2007).Therefore the participation of women is considered to contribute to the improvement of the delivery of land rights to women during regularization processes.

2.6. Initiatives for Women Empowerment in India

The lack of disaggregated data from many countries on the inequality between men and women in issues of land access and control prevent blanket conclusions. However, researches using small-scale surveys have unearthed evidence that in many pocket populations, gender inequality exists (United Nations 2009).

With reference to the MDG no 3, the UN, in one of their appraisal reports stated that “India’s approach to bridging the gender divide is improving women’s literacy. Female literacy has gone up from 39% in 1991 to 54% in 2001. This is still below the 75% literacy rate for men in 2001. The male-female literacy gap has reduced from 25% in 1991 to 22% in 2001. The literacy gap between the sexes is also higher in rural than in urban areas. The National Literacy Mission that started in 1988 has been working to improve women’s literacy and reducing the gender gap (UN 2000). However, in their research findings (Farrington and Clarke 2006), India was “off-track” in attaining the MDGs with respect to the attaining of equal girls' primary and secondary enrolment, “severely off-track” with respect to women's equal representation in national parliaments and, women's share of paid employment by the 2015 target.

But in another report, the UN indicated that inheritance, marriage, legislative reform and government policies have typically played a larger role in determining women’s ability to gain access to and control resources including land, than have land markets (United Nations 2009).

2.7. Engendered LASs

2.7.1. Introduction

An engendered LAS contains tools and processes that ensure the delivery of women's rights to land, property and housing. This involves modifications that allow responses to the obstacles that women face in using the LAS by recognising that there are differential impacts of the LAS on men and women. This means being responsive to differences in gender roles, responsibilities, challenges and opportunities and also involving the women and men in the formulation, implementation and evaluation of policies, programmes and projects that touch on land and landed property (Westman U. 2006). An engendered LAS has indicators that are capable of being measured to show gender sensitive change in particular contexts over a given period of time such as the recording of data which reflects the involvement of women and vulnerable groups in registration processes (Land Equity 2006)

2.7.2. Elements of an Engendered LAS

LASs are considered engendered when they have elements of promoting and improving gender equity. Some innovations for promoting equity include the provision of joint titling. At the same time an engendered LAS is expected to identify the guiding principle, objectives, processes, the players involved and affecting together with their roles during the implementation phase. The engendered LAS should also have continuous accountability systems to track compliance on gender equality and have within its design, considerations for the MDGs goal 3 (equality) and 7 (security of tenure) and have socially appropriate adjudication (Dorius 2009).

2.7.3. Land Registration and Gendered tools

The productivity of land is dependent upon investments such as infrastructure, environmental efforts and other social improvements. People invest in land when tenure insecurity in the form of risk of ownership disputes, evictions or expropriation by government is reduced. Registration systems and land titles and deeds have emerged as government tools to reduce tenure insecurity (Feder and Nishio 1998) and as transaction evidence (Zevenbergen 1999).

Engendering LASs contributes towards the attainment of the third Millennium Development Goal (MDG), that of promoting gender equality and empowerment of women (UN-HABITAT(b) 2008) through access to landed property (Prakash A. and Rahul De' 2007). Within the LASs research, gendered tools that are considered include:-

- Land rights records and registration (e.g. land rights , registration, documentation)
- Land use planning (e.g. Slum upgrading)
- Land Management, Administration and Information (spatial units)
- Land law and enforcement (regulatory framework, eviction)
- Land value taxation (revenue)
- Cross cutting issues (Tenure security)

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The development of gendered tools is guided by six core values namely: systematic large scale approach, pro-poor principles, subsidiary, affordability, equity and gender sensitiveness (UN-HABITAT(a) 2008).

The engendering of the land rights is critical if women are to improve their economic status as well as removing the suffering from insecurity and evictions as a result of losing their spouse or domestic violence (UN-HABITAT(b) 2008). It has been argued that economic status of women plays an important key role in determining their social status as well as their psychological relationship with others in terms of human dignity and self-respect (Yadav C.P 2000).

Globally, women can acquire land through different means. In India, women can acquire land through allocation (the state), inheritance (family) and by purchasing (the market) (Agarwal B. 2003).

The issue of women's land rights have remained unsatisfactorily handled within the academic debate despite a rise in feminist literature on the subject (Agarwal B. 2003). However with innovations from initiatives such as engendered LASs, it is hoped that the access and control of land by women will be enhanced.

Engendered LASs promote women's rights to land and landed property through a continuum of rights such as joint titling, and the implementation of gender sensitive regulatory and appropriate legal frameworks (van der Molen 2002). In engendered LASs land registration and tenure security processes provides increased efficiency in the market and can be monitored closely for impact to ensure that growth and equity is being achieved (Griffith-Charles and Opadeyi 2009). In such cases, the land rights are administered and enforced by institutions with legal backing and social legitimacy, are accessible by and accountable to all holders of property rights (Deininger K 2003). However, even though most countries mandate equality for both men and women by law, the procedures used by land administration institutions often discriminate against women, either explicitly or implicitly. In Asia, women's lands rights have been eroded systematically with the passage of time. In some instances women have been known to forgo their land rights due to social pressure. To overcome this tendency, a more pro-active stance in favour of awarding land rights to women by governments, together with more rigorous evaluation of innovative approaches aiming to accomplish greater gender equality in control of conjugal land on the ground, would be warranted (Deininger K 2003).

By the application of gendered land tools land actors focus on how to achieve the aims of LAS equitably (Westman U. 2006). An engendered LAS allows for the collection of baseline data on tenure type, gender, and ethnicity and their interrelationships and leads to the detection of disparities in land holding and eventually allow the impact of the registration process on any disparities to be assessed and necessary action taken (Griffith-Charles and Opadeyi 2009).

The principle aim of Land registration and tenure security in engendered LASs is to contribute towards economic growth by ensuring that the rights holder can use the landed property as collateral to secure funds. Engendered LASs are supposed to counter the impact of restrictive credit markets which deny women in low-income groups access to mainstream banking systems thereby denying them the ability to extract the full benefit of secure tenure to support their economic activities (PCESCR 2008). An engendered LAS therefore, facilitates the citizen to acquire property both land and movable goods, not just formally but with respect to real opportunities and to have property rights on an equal basis without discrimination on gender or other societal more (Burchardt and Vizard 2007). Engendered LASs therefore have as their aim, the improved delivery of land rights to both men and women when they are the rightful rights holder.

2.8. Gendered Land Tools (GLT)

There are various ways that tools are considered. According to Webster dictionary, a tool is instrument that aids in the accomplishment of a task. This instrument performs an operation that is necessary in the practice of a vocation. The tools in today's ICT era can be software's or hardware together with the appropriate personnel. In other institutions, the rules and regulations set down acts as tools to enable the institutions fulfil its business strategy.

Land Tools they are defined as “the converters of objectives in legislation, policy or principles into implementation. It is the knowledge, skill and ability on how to practically deliver results” (Westman U. 2006); It is “a resource for understanding how to carry out and perform actions (Augustinus 2004).

Land Tools have been used around the world to deliver security of tenure especially to the urban poor. One such tool is the Global Campaign for Secure Tenure employed by UN-Habitat (Augustinus 2004). A major challenge facing land tools is the delivery of tenure security to slum dwellers through upgrading processes and the adoption of urban land policies which are designed to prevent the emergence of new slum clusters.

Land and security of tenure have been investigated with aim of understanding ,describing and analysing land related issues but that is now considered insufficient to deliver land-related changes in countries (Augustinus 2004). Furthermore land rights delivery through titles has not always been beneficial especially to the very needy i.e. the poor. This has been attributed in part, due to lack of an integrated approach which embraces all actors concerned with land matters. These actors include all offices in National Mapping Agencies dealing with all aspects of land together with the technical and legal people. Exploring the linkages in all land administration process (surveying, valuation, registration , planning and legal) must employ tools which describe, analyse and has agendas for setting a platform for implementation which can be monitored and evaluated for social change (Augustinus 2004).

Within the gender-equity debate Land Tools are further “gendered” by modifying existing or new tools to enable their use in responding to obstacles that women face in using tools by recognizing the differential impact of a tool on men and women. It is therefore , the process of ensuring that tools can deliver on women's rights to land, property and housing (Westman U. 2006).

Gendered land tools are a conglomeration of interconnected tools including gendered spatial information, land use, planning, registration, administration, management, and dispute resolution at scale together related linkages (Westman U. 2006). Gendered lands tools are problem depended and are interdisciplinary reaching out to other tools and embrace a multitude of empowerment issues. Consequently, these tools can be used to empower, build capacity, assess, diagnose, plan, design implement, monitor evaluate and report , (Westman U. 2006).

2.8.1. Motivation for using GLTs

The use of GLTs has come about as a result of interlinked factors and needs with regard to the access and control of land rights by women. The tools adopts the Gender and Development (GAD) approach and are based on gender rather than sex-based allowing them to challenge the structures and processes that reinforce gender inequality and block women participation in activities crucial to their needs

(Westman U. 2006). GLTs is not a neutral or gender blind intervention; it investigates the differential context of women's experiences as well as the disproportionate impact of certain tools on various categories of women e.g. women from different castes in India. These tools allows the evaluation of how other tools respond to women's problems encountered in land acquisition, discrimination in land reforms or corruption in poverty alleviation programmes (Westman U. 2006).

The strength of GLTs lies in the identification of objectives and priorities, the actors and their roles by the application of wide range of analytical tools such as social assessments, situational analysis, desk reviews, interviews, focus group discussions, trend analysis, case studies, social mapping, surveys and stakeholder meetings to accomplish Gender Land Analysis GLA which is community specific tailored (Westman U. 2006).

One of the challenges faced in GLA is the lack of sex-disaggregated data, inconsistent data collection methodologies, incomplete data sets held in various government departments. Moreover most of these data are not collected explicitly for the understanding of women issues so the data quality and accuracy is not always guaranteed. When the analysis is quantitative, the data availability always imposes the choice of input variables and for those sectors of the society where data is not available it is not possible to understand their lack or their needs (Lopez-Claros A. and Zahidi S 2005).

Another strong attribute of GLA is its analytical capability that allows gaps in other tools to be identified and improved. This is achieved by being participatory, gendered at all stages to achieve innovativeness, effectiveness, affordability and scalability. This way existing gender tools are used in the up-scaling of land tools. Some of the glaring gaps that have been identified by GLT are the lack of systematic development of large scale tools for land, housing and property rights for women and vulnerable groups. Other gaps that have come to light are the lack of data on the obstacles that hinder women's access to property. For instance, when quantitative data collection is designed for poverty assessment, the women in informal settlements are disproportionately affected since supporting data from official land registries are always inadequate. Since implementation has been identified in many studies and reports as problematic, GLA can demonstrate the gap between theory and reality and provide tips in reconciliation (Farrington and Clarke 2006). Through dynamic participatory analysis it becomes possible to identify which capacities are needed, available resources and the best way to marshal them. The GLA therefore aim to identify gaps in social, political, cultural and institutional tools and gives advice on best practices through a woman centred process (Westman U. 2006).

2.9. Closing the Gender Gap with Engendered land tools

Closing the gender gap has been slow because it challenges one of the oldest human attitudes (Lopez-Claros A. and Zahidi S 2005). In India and many other countries in Africa, women have since time immemorial been considered at the bottom of the human ladder. India has another challenge to tackle; that of caste system. The struggle for recognition of the low castes has been painfully slow. As early as 1894, the social stigmatization experienced by the low castes/untouchables led to the drafting of a petition demanding equal employment and civic rights for the SCs (Rao A. 2009). Within the gender research, many GLA frameworks have been designed for the understanding and addressing the gender gap. These include the Harvard Analytical Framework, Socio-Economic and Gender Analysis (SEAGA), Gender Analysis Matrix and Gender Roles

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Framework which although different in are no longer working in isolation but have network of ideas exchange (Westman U. 2006).

Despite initiatives, efforts and heightened international awareness of gender, no country has yet managed to eliminate the gender. Those with the best practices like the Nordic countries have only been able to narrow the gap. In a study carried out by the World Economic Forum to assess the size of gender gap, data from 58 countries was analysed. Using a model in which hard data was normalized and assigned values on a scale of 1 to 7 where 1 represented minimum gender equality while 7 represented maximum gender equality a composite index was computed considering indicators of gender equality. These included economic participation, political empowerment, educational attainment and health and well-being. Sweden had an overall score of 5.53 at position one while India had 3.27 at position 53 (Lopez-Claros A. and Zahidi S 2005).

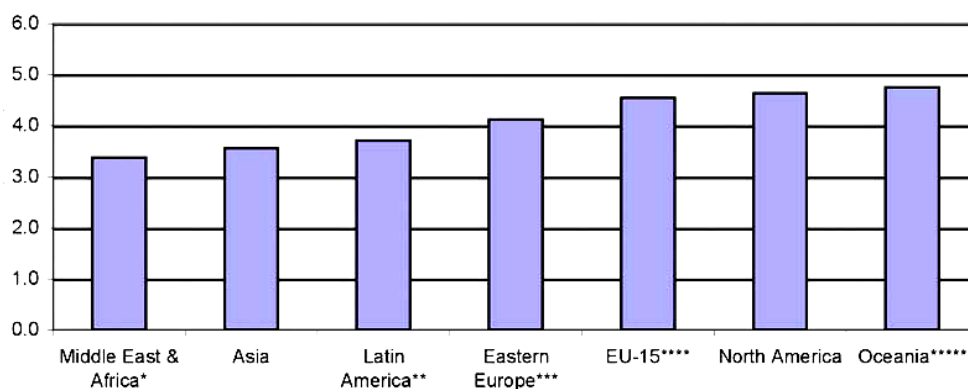


Figure 3: Global Gender Gap: Average overall score by regions: Source (Lopez-Claros A. & Zahidi S, 2005)

When the indicators were considered separately, India had the minimum gender equality in education and political empowerment with values of less than 3 (see Fig2 and Fig 3)

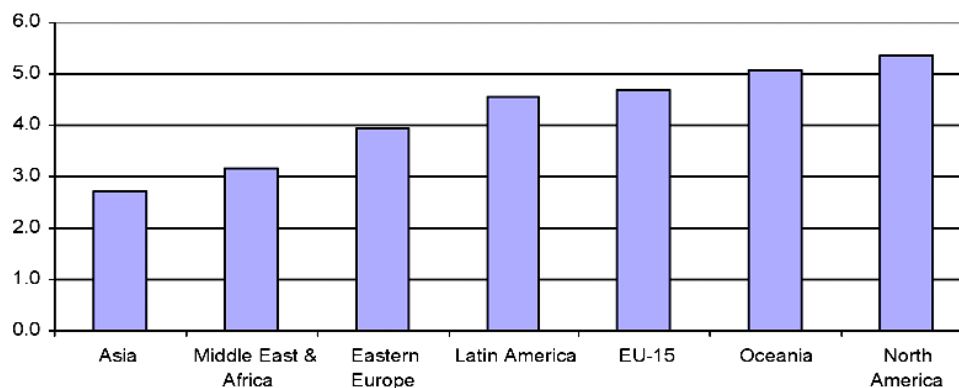


Figure 4: Global Gender Gap: Education score by regions: Source (Lopez-Claros A. & Zahidi S, 2005)

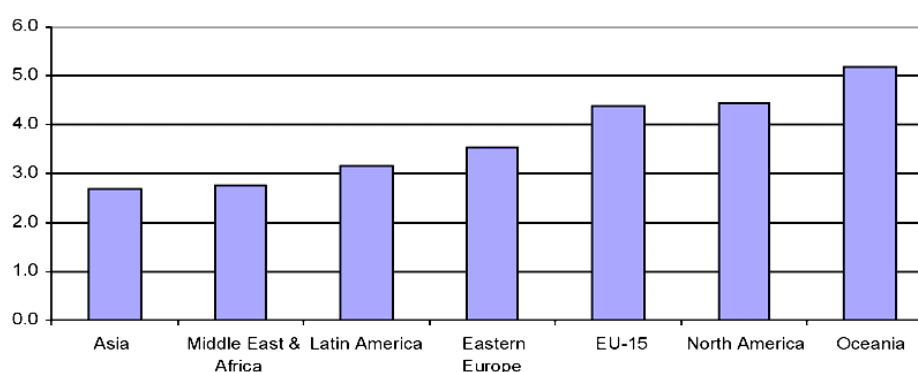


Figure 5: Global Gender Gap: Political Empowerment score by regions: Source (Lopez-Claros A. & Zahidi S, 2005)

2.10. Gendered Land Analysis (GLA)

Gendered land analysis has been considered as a “tool for responding with informed and equitable options”. GLA creates awareness of gender issues, informs policy making and tool development, identifies gender training needs and lays the basis to monitor and evaluate the differential gendered impact of tools (GLTN 2007). The GLA tool uses a holistic approach and seek to understand why women have inferior access to and control over land within the context of division of labour and access to savings and credit. There is need therefore to incorporate into the analytical equation societal attributes like economic conditions, poverty levels, inflation rates, income distribution, internal trade dynamics which are pertinent to gendered land holdings (Westman U. 2006). GLA is therefore a composite method integrating and utilizing tools from referent disciplines and builds on their experience (GLTN 2007).

GLA is based guided by dynamic principles (Westman U. 2006; GLTN 2007) which include:-

- As an analytics process of tenure relations covering a specific territory, which explores and analyses the specific issues of women’s social tenure in the territory within its proper context,
- Makes use of integrated data from available sources including sex-disaggregated micro-data, plans and maps and participatory mapping methods as the situation requires in order to establish the context,
- Maps out the vulnerable geo-areas and resources of importance for women, where women’s land rights are challenged or could potentially be challenged,
- Identifies the typical cases of women’s tenure in the territory and ranks the problems faced by women in protecting their rights and accessing land,
- Identifies major stakeholders in the territory with particular focus on decision makers within relevant administrative and traditional authorities, community representatives and the key players on land market,
- Seeks to clarify authority in local land management and authority over common and public land,
- Explores the frontiers of development pressure and areas of potential future land allocation,
- It is designed to support people on the ground, who have the best knowledge of what is going on, and how best to solve these problems,
- Building awareness with particular emphasis on land rights of women and their access to landed resources,
- It is conducted in cooperation with local government and communities with facilitation by external resources thereby serving as a tool for strengthening good governance in local land management.

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GLA is a dynamic tool which is meant to evolve with the changes in man-land relations and for reliable result should be case specific as women and men from different regions have unique needs.

Globally, there are very few slum upgrading projects that have explicitly been designed and implemented for women. Given the unique characteristics of slums, GLA is ideal research tool for employment in the investigation how LASs delivery of land rights of women in slum upgrading processes (Westman U. 2006).

GLA allows the mapping of precarious land rights and frontiers of development where they are priority issues within a nation or community. Gender sensitivity is important during the regularization and upgrading because it allows targeting, diversifications, and clarifies the urgency of intervention. GLA moves beyond problem analysis to opportunity identification by integrating knowledge on land tenure, defining needs, priorities and wishes of different groups of women within a territory. The resultant products, reports and thematic maps and plans, can further empower women by improving the quality of information for negotiation (GLTN 2007).

GLA is comprised of tasks which are defined by the activities involved and include technical activities, women mobilization (participation and support), dialogue/partnerships with local government and local land authorities. When land analysis is performed through successful corporation between local stakeholders helps to nurture consensus building (GLTN 2007)

Summary;

The need for engendered LASs has come about after realization that women's access and control of land is not always guaranteed during the registrations process. The main aim of engendered LASs is to improve and enhance the delivery of women's land rights, tenure security and empowerment by identifying gender gaps in existing LASs with respect to disparities in land holding. This is accomplished by promoting women's rights to land and landed property through a continuum of rights such as joint titling, and the implementation of gender sensitive regulatory and appropriate legal frameworks by the use and application of gendered land tools. Gendered land tools are dynamic and incorporate gendered spatial information, land use, planning, registration, administration, management, and dispute resolution machinery and seek out other tools and embrace a multitude of empowerment issues.

The strength of GLA lies in its inclusiveness. It is not gender neutral. By using sex-disaggregated data GLA adapts an analytical capability that allows gaps in other tools to be identified and improved. GLA is participatory, gendered at all stages to achieve innovativeness, effectiveness, affordability and scalability hence allowing the evaluation of how other tools respond to women's problems encountered in land acquisition, discrimination in land reforms or corruption in poverty alleviation programmes. This integration of tools from referent disciplines and building on past experiences allow GLA to understand why women have inferior access to and control over land within the context of division of labour and access to savings and credit; GLA assist in making informed policy decisions. Given the unique characteristics of slums, GLA is ideal research tool for employment in the investigation how LASs delivery of land rights of women in slum upgrading processes (Westman U. 2006).

However, even with the GLA tool in place, closing the gender gap has not been achieved globally. Part of this is attributed to the lack of sex-disaggregated data at adequate enumeration units while others blame it on non-gender sensitive land policies and government reforms.

2.10.1. Use of Census Data for Map Generation in Gendered Land Analysis

For many countries, the census data form a strong base for statistical analysis. Their coverage and design has the potential to inform on gender equity. Although in most countries the enumeration unit does not coincide with administrative boundaries, they still add up to an administrative unit such as a location district or ward. These enumeration units have 500-1000 people and statistical has a fine resolution for other investigations. Census questionnaires facilitate the collection sex-disaggregated data with tenure relevant statistics regarding education, employment, ethnicity, age and sex but there is no information which incorporates the question of women's land tenure. Using the 2000 census data from 58 countries it became evident that only 13 countries included questions on ownership of both land and housing while 6 had no question of ownership of housing. Botswana and Uganda were two countries which investigated both housing and land

2.11. Measurable Indicators in Gender research

The need to advance equality and equity between men and women has been a subject of international conventions and declarations (Beck T. 1999). Gender gaps in land ownership and access can be lessened by using accurate and relevant data on the status of women, men and gender relations (Varley 2007). Dynamic analysis of sex aggregated data has been seen to facilitate effective gender policy making (The World Bank. 2009).

Various indicators have been used research for gender equity and equality. An indicator is defined as “an item of data that summarizes a large amount of information in a single figure, in such a way as to give an indication of change over time, and in comparison to a norm” (Beck T. 1999). Gender-sensitive indicators therefore, captures gender related changes in society over time providing evidence of the status of the society relative to a normative standard. When used at a national level, they become the key means by which planners and policy makers measure gender inequality.

Indicators must be measurable in order to allow meaningful gender analysis. However some concepts in gender research are difficult to define explicitly for example “gender empowerment”. In such cases, proxy indicators are used. Commonly used indicators include female headship (Baruah 2007), for income measurements in families or assets that a family owns as a proxy for poverty measurement (Erenstein, Hellin et al. 2009).

In line with the 1995 Commonwealth Plan of Action on Gender and Development, gender sensitive indicators cover the following areas:-

- Population composition and change
- Human settlements and geo-distribution
- Households, marital status and fertility
- Formal and non-formal education
- Health services and nutrition
- Economic activity and labour force participation
- Access to land, equipment and credit
- Legal rights and political power
- Violence against women
- Macroeconomic policy and gender (Beck T. 1999)

These indicators are analysed from data collected through national surveys with an disaggregated approach (GLTN 2008). It must be emphasized that such information derived from these datasets can

only show why gender relations are shaped within certain communities. These results cannot be extrapolated to give information for decision making at large geo-coverage scales.

In this research, the gender sensitive considered are education, employment (labour force)

2.12. The use of GeoICT in Engendered Land Administration Systems

From the literature reviewed, it has been shown that for LAS to deliver the land rights of women there is need to innovate the system, make them effective and affordable to the poor. The use of ICT in geo-Information has been proposed as one innovation capable of turning LASs into equitable, effective land delivery tools.

The use of ICT has increased globally. Studies by (Wright, Goodchild et al. 1997) and (Church 2002) show that the use of Geo-ICT has come of age as a result of several interrelated factors: -

- There are many GIS software products available from commercial vendors and Academic institutions like Universities.
- Computer workstations are now capable of handling many of the computational, retrieval, and storage problems within a reasonable amount of time and at reasonable cost.
- Graphical displays and plotters are now sophisticated and fast, producing high-quality and high-resolution output.
- Geographic data vendors as well as governmental agencies such as the Bureau of the Census of the US Government has made large amounts of geographic data available at reasonable cost.
- The use of remote sensing has expanded.
- The emergence of the satellite based Global Positioning System (GPS)
- The need to integrate data for policy formulation in diverse disciplines.

In their research, (Goles and Hirschheim 2000) characterized GIS as diverse and pluralistic. There is diversity in problems addressed, diversity in theoretical foundations and referent disciplines as well as diversity in research methodologies. Thus, Geo-ICT is becoming more easily valuable to among other disciplines, land use planners, land administrators and policy makers.

Land administrators and local urban planners are also facing a huge challenge to require the understanding of complex urban growth process, which involves various actors with different patterns of behaviour. The understanding of such complex processes require an integrated approach (Williamson and Ting 2001). The analytical capability and functionality in Geo-ICT allows processes with a temporal concern, such as land related and social developments over time, to be handled. Exploratory data analysis, criterion sifting techniques informs land administration, environmental planning and design for sustained development. Modelling an urban development pattern in GIS by integrating qualitative and quantitative thematic and remotely sensed data is therefore the prerequisite to understanding the process. Land administrators and urban planners often work with data consisting of attributes attached to areal units or points in space, but in this disaggregated form, interpretation is not easy; map representations generated by the Geo-ICT tools show clearly the trends in the spatial locations, thereby simplifying the task of policy analysis (Srinivasan, George et al. 1996). In the identification of spatial gender disparities in access and control of land, GIS analysis of genders-sensitive data gives dynamic results for decision making especially when a temporal dimension is included. The decision makers can identify areas where the

LAS tools are not delivering women's land rights effectively and can assist in the sifting of causal factors.

2.12.1. Re-engineering LASs with GIS for engenderedness

Land administration has been impacted upon by the global drivers of sustainable development, globalization, economic reform urbanization and technological advances (Williamson and Ting 2001; The World Bank. 2009). Man's use and need of land has taken non-linear proportions: Urbanization and counter urbanization, changes in land use and cover have taken place in unpredictable patterns (Das S. A. and Kimoto K. 2009). The concurrency of dynamic man-land relationships and national development calls for land administrative tools and approaches that can utilize the existing foundations and accommodate change. LASs therefore requires substantive amount of environmental, social-economic and demographic data from various authentic sources at different spatial and temporal scales in an integrated environment such as GIS in order to understand the actors and the forces they generate (Cheng, Turkstra et al. 2006).

The use of GIS in LASs becomes necessary in the harnessing of the information revolution that has become a global phenomenon. This revolution has led to information empowerment now viewed fundamental to successful democracy and governance (Siriginidi 2009). LASs have been in the domain of governments, but with the devolvment of power and the involvement of private partnerships, information sharing and governance, and the WWW, the analogue LASs cannot cope with client's data requirements. The core functions of LASs embrace cadastral systems, land valuation and land use planning and land markets all of which attract dynamic attributes which change sporadically (Williamson and Ting 2001). The data management, storage, analysis, retrieval and output products demanded today by the citizenry and decision makers call for dynamic tools (Martínez 2009); GIS is such a tool.

Summary:

GIS has advantages in the use of integrated data management in engendered LAS. One of the powerful attribute in GIS lies in the ease of updating data. Compared to the analogue plotting and record entry techniques, GIS gives the institutions mandated with land and land information delivery an advantage. By integrating gender-sensitive indicators in a GIS, it becomes possible to capture gender related changes in society over time providing a vital avenue by which planners and policy makers measure gender inequality in land rights among others.

The need to update land registration and land tenure records was discussed in previous section and was shown to be important for the transparency of the whole LAS. Even when joint titling is guided by the regulatory frameworks, women continue to be locked out of the land registers due to out-of-date registry records. These out-of-land registers therefore deny women the access and control of land rights which they only hold in theory. GIS there would go a long way in ensuring that women land rights are recorded in the LAS system.

2.13. Slums and Slum Upgrading

2.13.1. Emergence and Growth: Contributing Factors

Slums are informal settlements that occur in both rural and urban areas. Slums are a global phenomenon and are unique in every country. The traditional model assumed that poverty was a rural phenomenon. However, this fact is changing now. Urban poverty is obvious in Latin America, India and Africa, where the number of urban poor has exceeded the number of poor people from rural areas. The slum situation in the developing countries is attributed to the lack of adequate buildings for people having low incomes (Iacoboaia C. 2009). Literature shows that the emergence and growth of slums in different countries has been attributed to diverse reasons (Musole 2009) such as structural changes on the work market (Romania), hostile housing policy (USA). In Lebanon, poor urban policy, economic forces and military conflicts resulted in slum emergence (Habib, Mahfoud et al. 2009). Slums have been summed up as the spatial manifestations of urban poverty, social exclusion, and inappropriate government policies (Khan and Kraemer 2008). According to (Tibaijuka 2008), women in the slums live without land rights and tenure security. There are impediments to women inheriting or owning land and property

2.13.2. Slum Upgrading

Slum upgrading became an option when it became clear to governments that the massive slum clearances of the 1970s were not effective solutions to the rural-urban poor immigrants (Werlin 1999). Slum upgrading projects have been attempted through various approaches. Some approaches involve the upgrading of physical facilities such as water supply, sanitation, roads, street lights, footpaths, and land readjustments (Mehta, Janus et al. 2008). This improvement of the environment without the construction of better housing was expected to result in the slum dwellers improving their homes and living conditions due to the tenure security and access to credit (Werlin 1999).

Other approaches in slum upgrading have embraced more aspects of the slum. These include, in addition to physical facilities, a number of social services like education, health facilities, multi-purpose community facilities (Mehta, Janus et al. 2008), and when carried out in a participatory way, can result in community empowerment (Imparato and Ruster 2003).

Slum upgrading has been reported to lead to reduction in waterborne diseases and related deaths (Werlin 1999). Slum upgrading has also been associated with increased economic growth, decline in crime rates and better education (Mehta, Janus et al. 2008).

For the purpose of this research slum upgrading will be taken as stipulated by the UN-Habitat as “physical upgrading of housing, infrastructure, environment; social upgrading through improved education, health and secure tenure; governance upgrading through participatory processes, community leadership and empowerment” (UN-HABITAT 2003)

2.13.3. Deprivations affecting Women in the Slums

Urban poverty is attributed to deprivations that poor households experience which hinder their efforts to obtain higher levels of wellbeing. They include: inadequate and unstable incomes, inadequate, unstable or risky asset bases (such as lack of education and housing (Iacoboaia 2009)), inadequate provision of public infrastructure (piped water, sanitation, drainage, roads and footpaths), inadequate provision of basic services, limited safety-nets for those unable to pay for services, inadequate

protection of poorer groups through laws and rights, and powerlessness of poorer groups within political and bureaucratic system(Baud I., Sridharan N. et al. 2008) . When women lack stable income they have no avenue to access or control land through the purchase.

Gender gaps results in certain deprivations. In urban slums these gender gaps impact negatively more on women than men. The slums women live within restrictive gender structures .Their levels of education are low and employability is therefore reduced. As a result women rarely secure jobs beyond the informal sector. Furthermore , even when they secure jobs they still earn less than men (UN-HABITAT(b) 2008). With regard to landed rights, women start off from a disadvantaged point; their access to land depends on their relationship to a male. Despite a policy framework in the Policy for the Empowerment of Women 2001, discrimination against and the violation of the rights of the female continues(Sharma, Gupta et al. 2007). Due to a combination of all these neighbourhood characteristics there is stigmatization, discrimination and geographic isolation of the slum population and especially the women. However the deprivation seen as affecting women more negatively is the lack of access and control of land in the slums(Bassett 2005).

India is a patriarchal country where sons are prized and girls are devalued in society for various reasons (Sharma, Gupta et al. 2007). Girls are regarded as a liability because she will eventually belong to her husband's family and therefore spending on her will benefit another family not to mention her dowry payments. Historically, societal mores, (religious beliefs, caste system, class inequality) have combined resulting in the marginalization of vast populations globally. In India, the social structure resulting from this combination has impacted on the women by oppressing them.

Although the slum women dwellers may be aware of their particular environmental priorities, policy discussions tend to centre on the more visible and measurable problems. Furthermore, these decisions are made for them without any consultation. Deprivations results in inequalities in the distribution of resources, lack of access and control of land, paid labour and education place women in a disadvantaged in their capability to participate and benefit from the broader processes of development (United Nations 2009).

Summary:

The gender gaps in society results in deprivations which, impact upon women more negatively. These deprivations include lack of inadequate incomes, lack of education and housing. The deprivation which impact women more negatively than the others is the lack of access and control of land. Lack of land rights leaves women with nothing to use as collateral and they have to seek tenancy housing which leave them with an extra economic load.

2.14. Land Administration for Informal Settlements

Demands on stronger land rights need modern land administration systems that can handle the registration of both the formal and informal land rights in a country (Burns T. 2007). The rapid urbanization globally has resulted in informal settlements in urban areas that have proved to a challenge to many governments. Most of these informal settlements lack the entire necessary infrastructure and are categorised as slums. Slums therefore, form that part of the informal sector in land holdings. The slum dwellers usually occupy small spaces belonging to the government, local

organizations or absent land lords. The vast numbers therefore, make it impossible to adhere to the planning regulations as pertains to plot size when adjudication is being carried out. Furthermore the buildings in slums are constructed without reference to building codes. When governments take long to register rights in these informal settlements, informality occurs and can result in speculation, land price increases and illegality. The nature of the land rights in the slum therefore calls for innovative land tools and the re-engineering of LASs to avoid widespread informality (Beall and Fox 2007).

Rapid urbanization in India now impacts even class II cities with over 300,000 inhabitants like those found in Karnataka (Das S. A. and Kimoto K. 2009). Land rights in the informal settlements are not recorded in the formal LAS but due to the geopolitical conditions, the slums require regularization to give citizens security of tenure. When LASs are not accommodative to include the informal settlements large sections of the population are left without security of tenure. In Karnataka, estimates using the 2009 slum data show that approximately in all slums, there are 51,914 people. 19,953 have been regularized and hence have a deed copy. The remaining 31,961 are in slums awaiting regularization but are in the system. These figures translate to 62% slum dwellers in non upgraded slums live without any tenure documentation.

However the India government have re-engineered the existing LASs and have started formalization programmes that recognise informal settlements rights (Government of India 2008). One key success indicator for engendered LASs for the informal settlements is community participation at all stages during the upgrading process. Every community is unique and involving the locals ensures that their particular needs are addressed accordingly (Watkins 2006). In addition to participation, LASs for slum upgrading projects that consider community development activities for income generation, access to facilities for all people are considered to have equity. With regard to women's access to land access and ownership, LASs should further have tools to enhance and monitor sustainable and continued land use by women (GLTN 2008).

2.15. Regularization of Irregular/Informal settlements in India

Regularization is here considered as the process of formalization of property rights and includes the identification of interests, adjudicating them and then registering them. Registration can result in the mapping of rights holders and the issuance of a title or deed but can also be just the recording of rights on paper in the presence of authoritative persons (Meinzen-Dick and Mwangi 2009). In the slums in Karnataka, the adjudication of rights was carried out by a religious authority in charge of 26 slum colonies on behalf of the KSCB. This record of rights was then forwarded to the KSCB.

Informal settlements fall into two categories. One category refers to those w people who prefer their relationship with land to remain unofficial (those who subdivide their land outside regulation) while the second refers to those whose land uses remain outside the formal system available in the country like the illegal squatters (Wallace and Williamson 2006).

In India irregular settlements fall under two broad categories of squatter settlements and illegal subdivisions occurring on public or private land. The squatter settlements are referred to as slum but have different local names depending on states. These local names are jhuggi, jhompri, jhopadpatti, butment and basti. The squatters occupy land and proceed to build houses without any regard to building regulations. On the other hand the illegal subdivisions are as a result of sales from illegal

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developers who have violated zoning regulations but have quasi-legal status (Durand-Lasserve and Royston 2002).

Policies for slum regularization require that plot owners form cooperative society with more of the responsibilities falling on the co-operators (Durand-Lasserve and Royston 2002). The regularization of the different type of settlements requires different policy and practices. When the squatter settlements are given land tenure rights over government land, it is undertaken as a welfare measure. These tenure rights are known as patta. Tenure rights are issued in-situ or under relocation on freehold, lease or licence. Individual tenure is granted where the squatters get each a plot. Recently group tenure is issued to owners of G+1 to G+3 flats (Durand-Lasserve and Royston 2002). Under the Slum rehabilitation scheme, tenure is granted after redevelopment. The patta is issued in the name of the woman. Restrictions on these pattas include alienation, but they can be inherited and can be mortgaged to obtain a housing loan. When the housing is constructed by the slum clearance authorities, the patta cannot be mortgaged further. There are restrictions on renting and sale of plots acquired through slum upgrading projects (Durand-Lasserve and Royston 2002).

To qualify for a patta, one has to be an indigenous resident of the state in question. Identification is through a bio-register and Ids and possession slip issued by the concerned authority. When squatters are on private land, the government acquires the land through the Acquisition Act of 1956 and then subdivides it and then issues pattas.

Although regularization is intended to improve the livelihoods of slums dwellers, at times negative impacts have been reported. Regularization and the titling process results in the loss of income for women. Most slums are located within localities where daily wage jobs are available. When upgrading is done on a relocation basis, slum dwellers lose their means of livelihood. As a whole, women are the most hit, but even worst hit is the woman with small children who depended on the short distances from house to work. Most of these women usually go home to feed the young ones. In the process of getting a title/deed the most vulnerable members who need the daily wages most lose out. (Government of India 2007)

In rented slum dwellings there are three actors; landlords, brokers and tenants. The process of regularisation and titling and, eventual upgrading result in a rise in monthly rent. The tenant has to pay the new higher rate or move out. Single men who are in urban slum for employment reasons have no problem sharing crowded rooms. But single women with children find themselves in a disadvantaged position. They need their privacy but cannot, in most cases afford the higher pay. Women in such situations have been forced to seek “protection” from the brokers or a man in the neighbourhood against their will and have resulted in disastrous results like contracting HIV and other STDs and even more unwanted babies. This illustrates how regularization and the provision of titles can contribute to loss of equity and the introduction of exploitive landlord/broker-tenant relationships (Durand-Lasserve and Royston 2002).

Regularization has further been reported to impact negative on the slum dwellers, both males and females. The process of regularization has been perceived to give impunity to all laws of urban development. As a result, illegal industrial activities sprout up contributing towards environmental degradation such as pollution.

Regularization comes with a cost. The allottees have to remit a monthly fee to the local authority. In cases where the plot owners build their own houses, they get funding from non-formal lenders. Whether the loan is given by the authorities or private lenders, the regularization tend to lock the

slum poor in highly exploitative relationships with their debtors (Toulmin 2009). The value of land in most upgraded areas go up and most families find themselves unable to service their loans. Distress sales have been reported and the many cases involve women. However in well-organized neighbourhoods where the women wings are strong, the cases of women losing their land have been much lower (Durand-Lasserve and Royston 2002). Furthermore, when regularization and hence private tenure result to be economically unsustainable, the poor citizens are forced to resort to tenancy making their poverty situation direr.

Regularization and the provision of freehold to the informal sector has been reported to encourage more squatters to start new settlements in the hope of one day gaining access to formalization (Augustinus 2003).

Summary;

The process of regularization has both positive and negative impacts on women. In engendered LASs, the issuance of a joint title has been reported to give access to land to married women while widowed women acquire both access and control through titling and also acquire tenure security. However in other situations, the regularization in house-renting slums result in a rise in rent fee and this has implications for the woman tenant and can lead to exploitation and/or loss of use-rights for the women. The monthly fee remitted to the authorities has been reported to erode the economic situation in the lives of the slum women.

2.16. Gendered Initiatives in Indian states

The government of India has put into place a number of initiatives with the aim of delivering women's land rights. There are constitutional provisions that promote equity. The Constitution states that "the State not discriminate against any citizen on grounds of religious, race, caste, place of birth or any form" (Thorat 2002). In the Indian constitution the following Act and Articles spell out how all citizens should benefit from the national cake:-

- Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act of 1989
- Article 14 -states that men and women have equal rights and opportunities in the political, economic and social spheres.
- Article 15(1) - prohibits discrimination of persons on religious, race, caste or sex differences.
- Article 15(3) - allows states to make affirmative discrimination in favour of women
- Article 16- Equality of opportunities in matter of public appointments for all citizens
- Article 39(a) - That State shall direct its policy towards securing all citizens equally the right to means of livelihood. Clause (d) of the same Article calls for equal pay for equal work for both men and women.
- Article 51 (A)(e) – Seeks the renouncement of derogatory practices towards the dignity of women (Government of India 2007).

It is further stressed that "The State shall promote with special care the educational and economic interest of the scheduled castes/tribes and shall protect them from social injustice and all forms of exploitation"

Furthermore, the NCMP for women committed itself to avail "Complete legal equality for women in all spheres will be made a practical reality, especially by removing discriminatory legislation and by enacting new legislation that gives women, for instance, equal rights of ownership of assets like houses and land" (Government of India 2007).

In the Eleventh Five Year Plan (EFYP, women were recognized for the first time not just as equal citizens but were respected as contributors to economic and social growth (Karnataka Government 2008). The Plan came up with an ambitious agenda with monitorable goals specifically targeting women. These included raising the girl/boy sex ratios of children below six from 927 to 950 by the year 2017. The plan also sought to allocate about 33% government programs funding to benefit women and children. Women's health was also addressed in the areas of diet related anaemia. Another aim of the plan was to reduce the school dropout rates in primary and secondary levels. The approach of the EFYP was motivated by the recognition that every woman and child has a right to develop their full potential at the same time respecting differential needs of women from diverse backgrounds (Karnataka Government 2008). Major schemes such as Swadhar, were initiated purposely for providing shelter, food and clothing to vulnerable women and by 2008, 21464 women had benefited in various ways. The hostel schemes under the EFYP had benefited women by giving hostel accommodation to 6976 women (Karnataka Government 2008). All the above initiatives by the Indian government have as their main, objective the delivery of women's rights through several avenues like education, health, shelter and land rights.

2.17. Karnataka Case Study

2.17.1. Land ownership and the Caste System

Land ownership in India cannot be unpacked without making reference to the caste system. The Indian caste system categorizes the citizens into four major groups. The top is referred as the Brahmins (priestly castes) second is the Kshatriyas (warrior caste), third is the Vaishyas (trading and artisan castes and fourth is the Sudras (labouring and servant castes). A fifth group exists but is outside the caste system and is traditionally referred to as out-castes or untouchables. Today they are known as Dalits or in official documents as Scheduled castes (SCs). Since caste is acquired by birth, one cannot change his or her caste. The caste system is all concerned with purity and pollution of human beings. The untouchables (SCs) and women of any caste were considered depraved and polluted.

The SCs together with other marginalized groups such as the Scheduled Tribes (STs) and Other Backward Classes (OBCs) have been severely isolated throughout Indian chronicles. With no native land, the SCs, STs, and OBCs worked as landless labourers in the agricultural sector (Jatava, 1997). Although articles fifteen and sixteen in the Indian Constitution contest the subsistence of caste discrimination, the SCs, ST and OBCs continue to be deprived of the right to own land, the equal right to education, healthcare as well as job opportunities. With the exception of a small number of beneficiaries of the quota system in education and government jobs, the trio are relegated to menial tasks like construction workers, street sweeper, carvers, cobblers and removers of dead animals (Artis E, Doobay C et al. 2003).

The SCs, STs, and OBCs have been migrating to urban areas in search of a better means of livelihood. Since most have little education, they can only be employed in the informal sector earning daily wages. They cannot afford decent housing and end up squatting vacant government or private plots. (Baud, Pfeffer et al. 2009). This has implications on the slums seen that the composition of the slum population comprises of SCs, STs and OBCs

2.17.1. Cultures affecting Women in Karnataka

The ratio of females to males has been decreasing in India. In 2001 the census showed that for every 1000 boys under the age of six, there were 927 girls. Research shows that couples do not mind having a daughter if there is a son, but a daughter's arrival is often socially and emotionally unwelcome if they already have another daughter (Sharma, Gupta et al. 2007). One of the most quoted reasons for male-child preference is the economically crippling payment of dowry system. Dowry is given to the groom's family as a token of appreciation for accepting the girls into their family.

The birth of a son is considered essential in Hinduism. In some parts of Karnataka, parents would give their daughter to the "gods" to plead for a boy. This practice which is in principle a form of prostitution is referred to as devadasi practice. 95% of girls who become devadasis are born into impoverished scheduled caste families.

In their report appraising the issue of women's rights in Karnataka, (Brown, Ananthpur et al. 2002) indicated that approximately 7.2% of women lived in landless households while another 24.8% owned less than 0.2 hectares. Even in cases where women have legal rights to inherit and are aware of their rights, women have often failed to make their rightful claims due to the suffering that her dowry caused her family, even though she has no control over how the dowry paid on her behalf is used (Brown, Ananthpur et al. 2002)

Dowry issues and early marriage are examples of deep-rooted gender oppression on women. The main factors that contribute to the magnitude of the problem of women in the slums are poverty, illiteracy, caste system and landlessness, lack of economic opportunities, rural-urban migration, population growth, political instability and weak implementation of legal provisions (Government of India 2008).

2.17.2. Land Administration in Karnataka

Land Administration in Karnataka came under a limelight recently because of the Bhoomi project which, according to some LA effectiveness analysis like the number of documents issues per month, was a resounding success (Prakash A. and Rahul De' 2007). However others have criticized Bhoomi by asserting that it was just a process of digitizing old records without reaping the full benefit of the technology. The data in the database cannot be accessed by other departments for verification. As a whole, the Bhoomi rural project was seen to lack convergence (Thomas 2009).

Research in man-land relationships and land administration show that, effective land registration is an essential prerequisite for the operation of a vibrant formal land market (Brits, Grant et al. 2002). Registration and titling improves tenure security and contributes to higher outputs. Land administration therefore needs to evolve in order to keep up with the changes in societies' requirements. Within the international community, projects have been designed to improve the LA for the effective of land delivery,

Karnataka was colonised by the British and this influence resulted in land laws embracing dualism of western systems and cultural systems. (Brits, Grant et al. 2002). In Karnataka, the division between state and private land is very distinct. The LAS in Karnataka is a registration of deeds system. Although all ethnic groups are equal before the law, land inequality is evident and effects are more felt by the minority ethnic groups such as the Scheduled Tribes and women. The women are further affected by cultural restrictions (Brits, Grant et al. 2002).

Land reform has been a major feature in LASs in order to address such inequalities inherited from the colonial system. Karnataka imposed restrictions on the areal extent that an individual can have in landholdings (Brits, Grant et al. 2002). In this aspect another part of the land reform involved the decentralisation of the LAS. The registration is carried out in 199 sub-registries at the city/Taluk level but with control from the central point for the direction in the land titling activity. The aim of this decentralization was emphasizing improved service delivery to the citizens and gain public confidence by curbing corruption which thrives in centralised systems (Olima 1997; Brits, Grant et al. 2002). To increase service to the citizenry, private surveyors were incorporated into the system in 2001 to work on registered private property.

2.17.1. Legal Framework: Land Reforms and Tenure Systems in Karnataka

In India, the legal framework is a blend of the British administration and the post independence land reform (Brits, Grant et al. 2002). Within the Indian Constitution which also applies to Karnataka, Land and Tenures are addressed in an exclusive legislation and administration jurisdiction of the States as provided by Entry No. 18 of List II of the Seventh Schedule to the Indian Constitution. Within this provision, the laws that govern all land issues are laid down as follows (Alternative Law Forum 2003).

Karnataka Land Reforms Act, 1961

Karnataka Land Revenue Act, 1964

Karnataka Town and Country Planning Act, 1961

Karnataka Municipalities Act, 1964

Karnataka Municipal Corporations Act, 1976

Bangalore City Planning Area, Zonal Regulation (Amendment and Validation) Act, 1976

Bangalore Development Authority (BDA), 1976

Bangalore Metropolitan Act, 1960

Industrial Areas Development Act, 1960

Regularization of Unauthorized Construction in Urban areas Act, 1991

The transfer of immovable property between two willing parties is provided for by the Indian Transfer of Property Act. In Karnataka the acquisition of title over land is possible through purchase, allotment by Government bodies and inheritance or succession. The laws that govern acquisition are:-

Indian Transfer of Property Act, 1882 (sales)

Bangalore Development Authority (Allotment of Sites) Rules, 1984

Karnataka Land Revenue Act, 1964 (inheritance of agricultural land)

Religious laws of succession (for non-agricultural land)

The acquisition of land through transfer, allotment or inheritance follows government regulations and procedures. For acquisition through purchase, the sale transaction has to be registered and a fee is paid to the Revenue department. Stamp duty is payable for urban land. There are procedures to follow to ensure authentic ownership such as encumbrance certificate of 30 years. All taxes payments have to be up-to-date before a sale can be transactional (Alternative Law Forum 2003).

Land allocated by government bodies falls within two categories; for housing purposes and industrial purposes. The land for housing is allotted by the BDA requires that a person be domiciled in Karnataka for at least fifteen years. Once allotted, the applicants are required to pay a fee and then the property is registered in their name. When land is allocated for industrial use, the KIADB is the responsible body. Requirement includes report as to the intended land use and a fee ranging from Rs.

500 to Rs.10, 000 per acre. Industrial land is acquired under the “lease cum sale agreement” which initially allows use for at least six years. This land can be resumed by the KIADB if the implementation of the intended project does not follow the laid down procedures and regulations (Alternative Law Forum 2003).

Inheritance is governed by a mix of religious and legal frameworks. The government acknowledges Christian, Hindu and Muslim laws in inheritance cases when a title owner becomes deceased. The religious laws affect only non-agricultural property. The names of inheritors under the religious laws are not reflected in the government's land records. For agricultural land, the succession is reported to the relevant officer under the Karnataka Revenue Act who records the information in the “Record of Rights” which is evidence of title to the land (Alternative Law Forum 2003).

Widows or widowers with lineal descendants are entitled to one third of the property while those with kindred are entitled to a half of the property. If there are no family members the widow/widower inherits all. If there is no inheritor, the land is acquired by the government.

2.18. Land Acquisition in Karnataka

Land in Karnataka can be acquired through the following laws:-

1. The Land Acquisition Act (Karnataka Extension and Amendment) Act 1961
2. The Karnataka Industrial Area Development Board Act 1966
3. The Karnataka Slum Improvement and Clearance Act 1973. (KSICA)
4. The Urban Land Ceiling and Regulation Act 1976. (Ravindra 1996)

The above laws allow land acquisition via different modes. Compulsory acquisition occurs under the Land Acquisition Act and the Slum Improvement and Clearance Act. Acquisition through negotiations occurs under the Urban Land Ceiling and Regulations Act while acquisition of surplus land occurs under the Urban Land Ceiling Act (Ravindra 1996).

Under the KSICA, land can be acquired for the purpose of infrastructure improvement or for the rehabilitation of the slum dwellers. For this purpose the land acquired should be within close proximity of the slum preferably adjacent or surrounded by the slum under rehabilitation. Notification is by Gazette upon which the land is vested in Government free from all encumbrances (Ravindra, 1996). Land acquisition through the KSICA is compensated at one hundred times the property tax payable and not at the market rate. This has implications when prime plots are involved.

The laws were put in place to accomplish certain purposes by the local authority as mandated in their mission and vision statements. The KSICA 1973 is aimed at the improvement of the living conditions of the slum dwellers while the Urban Land Ceiling and Regulation Act 1973 aims at the equitable distribution of land (Ravindra, 1996).

The changes in policy in Karnataka have been heavily influenced by political willpower or the lack of it. The Chief Ministers have been reported to announce numerous policies which are not implemented once he leaves office. The Urban Land Ceiling and Regulation Act for example, have met with some criticism. There are critics who argue that the ceiling on agricultural land makes it difficult to use the land sustainably (Kadekodi, Kanbur et al. 2008). These authors further state that the failure of governmental reform and legislative measures has resulted in land being owned by the upper/dominant castes (Kadekodi, Kanbur et al. 2008).

Summary;

In Karnataka there have been land reforms which resulted in constitutional provisions that promote equity in the distribution of the land resource. There are legal and regulatory frameworks that are explicit about the removal of any form of discrimination against women in their pursuit to acquire their rights including land rights. There are also other initiatives to uphold the welfare of women through the improvement of their health, education and shelter.

However the, there are cultural and societal norms and practices that inhibit the delivery of women's land rights even in the after such legal machinery have engendered the LAS.

2.19. Conclusion on Literature reviewed

From the literature reviewed on the subject of Engendered LASs and the delivery of women's land rights, there is indication that innovations to LASs alone do not delivery women's land rights, access or control and neither do the poor societies feel empowered.

There is need to have gender-sensitive land policies that are designed with explicit guidelines on the issues of women's land rights and which promote practices that are equitably beneficial. At the same time the policies should cater for the equitable management of all information pertaining to land records for the authenticity, accuracy and up-to-datedness to ensure delivery of women's land rights and tenure security

Women's access and control of land is considered vital because it enhances their empowerment in the making effective decisions in the homes. When women have land rights, they can use the land as collateral to invest in non agricultural activities to improve the welfare of the whole family. From the literature it became clear that there are appreciable differences between families depending on who is the land rights holder. When land rights are held by women, there are complex benefits pertaining to poverty alleviation to the whole family.

There have been efforts and initiatives at global level involving the academic community, international bodies and government with the concerted effort of ensuring the equitable distribution of resources. Efforts have been put into place to innovate LASs to improve delivery of land rights in an equitable way. There have been efforts to agitate government to put into motion land reforms which are gender-sensitive. Innovations in LASs range from methods of data collection, recording, updating, titling and analysis as well as information sharing. New tools like the Gendered Land Analysis (GLA) have been developed with the objective of improving the delivery of women's land rights by LASs in place already.

Many countries, including India has constitutions policies, and legal frameworks, that protect the rights of women with regard to land ownership

However, in India although there are good policies in existence, there are no pro-poor tools to implement the policy. Other factors which hinder the delivery of women's land rights include institutional practices like lack of updating and cultural practices which all combine and deny women their land rights even in the presence of engendered LASs.

3. Methodology and Data Collection

3.1. Introduction

This chapter gives detailed information on the design of the research, the study area and population, the data collection approaches, data management and analysis.

The whole process of data collection and analysis aims to inquire the following:-

- Tenure and poverty issues that the slum dwellers feel need urgent addressing
- Current practices in the LAS tools used for slum upgrading
- How women's equal access to land is enhanced during upgrading
- How areas under engendered LAS differ from non-gendered LAS in terms of Human and Physical capital
- How various castes and tribes are empowered and how women and men differ in levels of empowerment

3.2. Overview

A multiple methods approach is employed in this study to acquire qualitative and quantitative data. Baseline data on tenure security, gender, cultural mores and empowerment was needed in order to study the impacts of engendered/non gendered LASs after slum upgrading. It was anticipated that perception of tenure security and women empowerment would be high in slums where gender equity had been taken into consideration during the slum upgrading processes. The survey was intended to focus on how the gendered LAS had delivered land rights to women in the slums during the regularization and upgrading process. Further the research sought to understand how secure and empowered the slum dweller felt after the upgrading had taken place. The larger part of the sample therefore is comprised of women slum dwellers while the smaller portion is made up of men slum dwellers, officials, and non-slum dwellers.

Initially this research targeted the house-heads wife. During the data collection, it became necessary to revise the questionnaire to include other younger women in the household particularly the daughters-in-law. This was to make it possible to collect data on the future plans/wishes of parents for their children seen that the older women had children who were all out of school and were married (girls) and the sons were already in some form of employment. Also revised were data collection questions to inform at what levels of education the grown-up children had attained in these households, reasons for terminating education and what caste they belonged to.

A purposive sampling was used to select slums that were engendered and non-engendered during upgrading. This would allow the investigation on the impacts of engendered or non-engendered LASs on levels of tenure security perceptions and empowerment in relation to gender and caste. The different types of slums were selected to allow comparative research to provide a framework to identify, analyze and explain similarities and differences that occur when different types of LASs are

used during upgrading. The selected slums have been upgraded more than 5 years. For the individual households, random sampling was used.

3.3. Study Area

The study area is Mysore, Karnataka, in India.

3.4. Bounds of the Study: Criteria for Selection

To establish whether engendered LAS actually deliver women's land rights, the focus was on the legal framework and whether it was followed during the design and implementation of the regularization and upgrading process in the slums. The focus was the delivery of women's land rights starting from the adjudication (GLTN 2008). From the adjudication of land rights, it became evident that the process was engendered: the deed issued had all names of family members including the unmarried daughters. The authority in charge of slum upgrading, the KSCB, has started doing constructing G+3 flats (3 upper floors) in-situ upgrading instead of relocating the slum dwellers to available land far from the urban centre. This has been done with consideration to the available places of employment. Most slum dwellers usually put up their dwellings near the places they work. The cost of travelling to work has been avoided and women can be able to go home to look after small children. There were women in the upgrading committee and multi-complex social halls have been constructed in all upgraded slums. From these considerations, all the LAS used during slums upgrading was found to be engendered. This necessitated investigating whether the process of implementation was engendered. The further criteria considered included the strength of the women's wing movement (number of women and number of years in place) and accomplishments e.g. CBOs, credit facilities for engendered slums.

3.5. The Research Sample

The research sample in this research is taken from two slums. One slum here referred to as gendered slum, had been regularized in with an engendered way. The women participation was adequate. This gendered slum had been notified in 1980 and regularized around 1999. The total population in the slum was 445 by 2009 and were a mix of SCs, STs and OBCs. From this gendered slum, a sample of 22 respondents filled the questionnaires. The slum which didn't have adequate women participation is here referred to as non-gendered. This slum was notified in 1975 and was regularized around 1980. The population was approximately 340 by 2009 and was comprised exclusively of SCs. From the non-gendered slum, the sample comprised of 9 respondents. The research also interviewed officials from both the authorities and the slum community. In total there were 36 respondents.

3.6. Ethical Considerations when conducting research in the Slums

Research allows governments and other organizations to get information on the existing situation and the actual need in a society. High quality research needs to be conducted with integrity that meets high ethical standards. Research ethics takes into consideration how researcher behaves and treats others as the research is conducted (Connolly 2003). The researcher should avoid exposing the population to external risks such as unintended harm on the well being of isolated or socially identifiable communities which could affect their social economic, legal or political life (NARCH 2004). Care should also be taken during research to avoid social risks which could stigmatize such communities or reinforce existing misconceptions.

This research was guided by the four pillars of research ethics namely:-

- Respect for persons- (Maintain Confidentiality)
- Justice- (Do not use compromised populations)
- Integrity-(Being honest with the participants and drawing conclusions that are legitimate)
- Beneficence-(The research should not harm the participant physically, emotionally or psychologically)(Connolly 2003; Majumdar 2004).

From the onset, the researcher informed all participants that the research was for educational purposes and explained what type of data was required. During the pilot study, it had become evident that women didn't want to give information in front of men. In this respect, the researcher always requested to go inside the house which was always readily accepted. Young women (recently married with no children) were not keen to discuss their aspirations for their children. When interviewing such candidates, the research enquired first whether she would like to discuss the future of her children. When the question was declined, that part of the questionnaire was omitted. Informed consent was therefore sought before starting to fill the questionnaires.

Some researchers, when dealing with vulnerable groups give them false hopes of better things to be achieved through the research like the construction of infrastructure or that the research findings will be used to make the authorities avail what was lacking. When confronted with questions about constructing schools and giving the slum people jobs, the researcher informed them that there was no funding attached to the research.

3.7. Data Collection Approaches

The data was collected using questionnaires, focus groups and interviews and researcher observation

3.7.1. Questionnaires

The questions were formulated in order to inform the inquiry on whether /how the gendered LAS in Karnataka had delivered women land rights. Since the law caters for joint ownership, research sought to know if there were and contributing factors that hindered the delivery of women's land rights in the presence of an engendered LAS. The access and control of land is said to deliver security of tenure. This research also wanted to understand the tenure perceptions after delivery of land rights to the women. When societies have land rights and feel secure, empowerment is expected to follow suit. This is through actual measurable indicators or by perception. The questionnaires had a combination of single select, multiple select and open ended questions. This approach was used for inquiry with considerations to what engendered LASs should offer to the community and also to get information and understand how the delivery of land rights had impacted the livelihood after the regularization and upgrading process. It was also assumed that the awareness and sensitization campaigns have influenced the slum dwellers into seeking to improve their lives through education and other self improvement strategies such as home industries. It was too assumed that they would make informed decisions for the future of their children and prioritize their preferences. The questions therefore were structured but left options for context specific preferences. This part of the research was informed through the following questions:-

What would you like your daughter/son to have in future that you don't have today?

What do feel would improve your standard of living right now?

What do you consider to be the greatest factors/reasons that prevent you from improving your standard of living at the moment?

To understand whether the regularization process was engendered, and how the access of land rights had impacted the slum dwellers and empowered them, three indicators were used. The engenderedness and impacts of access and control of land were considered during and after upgrading. The indicators used are women participation, education and employment. To inform on engenderedness during the upgrading process, investigation sought to know if there were components of the three indicators in the design and implementation of the project. These three indicators were chosen because of their direct and quick results in improving welfare and livelihoods as well as improving women's access and control of land rights

3.7.2. Focus Group Discussions (FGD)

The approach of FGD is a qualitative method that allows in-depth interviews with a small number from a group of homogenous people. For this research women in CBOs and/or Women's Wing were sought. Using the same focus as the questionnaires this method further sought to establish the benefits of slum upgrading as far as their group was concerned. The impact of the CBO on the welfare of the family was investigated. One focus group was composed of men alone while the other was all women. The objective of collecting data from these two groups separately was to act as a method of data triangulation

3.7.3. Interviews

This part of the investigation employed a responsive interviewing model. This approach allowed the respondents to express their insights on the slum regularization and upgrading projects. From these in-depth interviews, the researcher expected to understand how the slum upgrading processes were designed in an engendered way to benefit all members of the society. Interviews targeted officials in the KSCB and the MCC as well as slum dwellers representatives.

The researcher targeted both female and male officials with the aim of engendering the research itself and to understand if there were any differences in the way the slum processes were perceived by women and men officials. This method of inquiry was used in order to inform on the needs of slum dwellers during upgrading had been addressed and how the authorities handled such negotiations. This method was further used to understand how both sides (authorities and slum dwellers) perceived the slum dwellers land rights and to shed light on how land is important to all actors with respect to poverty alleviation in the slums.

Three officials were interviewed within a period of five weeks. The first interview was conducted at the beginning of the research and used to ask the head of KSCB to describe how the upgrading committees had been constituted with regard to gender sensitiveness. This interview also hoped to gather information of how the authorities perceive their success with not just the physical upgrading, but what social change they had achieved within the regularized slums.

The second interview involved a KSCB senior female. Her choice was influenced by the need to understand what her impact had been on the addressing of the needs of the slum women because being a woman, she could identify with them. The researcher sought to know if the needs of the women were given the same merit as the men's. Also important to the researcher was whether the voice of the women could be "seen" at the end of the upgrading process.

The third interview was administered to a slum female official who had been in office for 10 years in various capacities. Her choice was also unique because her particular slum was unique. The slum

community had been told to relocate to another site but they had all joined forces and had refused to move. Her involvement with the authorities as an insider was hoped to give more information and triangulate what the authorities had said concerning the benefits to the slum communities.

3.7.4. Observation

The local language was a barrier to the researcher. Observation on body language was important in order to see what emotions the questions elicited from the respondents.

3.7.5. Data Management

The primary quantitative data was entered into an EXCEL spreadsheet.

The secondary quantitative data was imported into GIS software (ArcGIS 9.3) for the purpose of spatial-thematic analysis, manipulation and map production.

3.7.6. Data Coding

Data coding was minimal due to the small numbers and range of thematic data collected. The qualitative and quantitative data were encoded manually using a thematic approach. The different themes were identified from the research questions and encoded along the lines of aspirations for children, education levels, economic and social deprivations, land rights, equity and equality, tenure perceptions, employment opportunities engaged.

3.7.7. Data Analysis

For the open ended interviews discourse analysis was the preferred method. This was necessitated by the various responses. The answers were grouped into categories to enable quantitative measurements. These categories were based upon the research objectives.

For the secondary census data, thematic spatial analysis was used in a GIS environment.

For the overall results, comparative analysis was done to investigate whether engendered LAS deliver women's land rights during the regularization and upgrading in and also to prove/disapprove the working hypothesis.

3.7.8. Data Triangulation and Verification (Validation)

Social economic data needs to be triangulated and verified in order to ensure logicalness. During data collection, verification was done on a daily basis. This was accomplished using range and presence checks involving going through the answers written and recollecting what was said in the field. Checks on a daily basis were necessary to avoid forgetting as questionnaires piled up.

Triangulation was carried out by combining all the techniques used such as questionnaire feedback from slum dwellers, non slum dwellers, Slum board officials and slum community representatives, focus group discussions and interviews.

3.8. Use of GIS and Spatial-Thematic Mapping In Engendered LAS

Maps have been used as evidence for the identification of location of rights. They are used in field verification in conjunction with surveys. They can be at large scales either as topographic-maps or ortho-photo maps. Ambiguities in physical identification has been known to delay policy implementation (Durand-Lasserve and Royston 2002). In Delhi, slum regularization was delayed due to geo-locality haziness.

For the representation of quantitative information of “slum tenure” areas and the levels of empowerment in Karnataka, thematic visualization is used. In order to depict the results on empowerment, education and employment quantitative attributes were used an integrated GIS analysis performed to produce spatial-thematic maps. This involves the combination of spatial and aspatial quantitative data (Guo, Gahegan et al. 2005). The spatial-thematic maps depict the results gender-sensitive analysis in the slums at ward level. The application of quantitative thematic input variables in map has the potential to show spatial patterns in gender-sensitive research and to inform on where policy implementation is lacking and is used for testing the hypothesis in this research

The choice of the spatial-thematic method of analysis and depiction is favoured due to its capability of displaying statistical surface data by exhaustively partitioning the spatial component until homogenous units are reflected (Mennis and Hultgren 2006). In the Karnataka case, the spatial homogeneity lies in a “ward with gendered slum ” or “ward non- gendered slum ” while the attributes homogeneity are the education and employment which are analysed in a criteria-sifting operation to show areas (polygons) with low or high levels of empowerment

3.9. Conclusion

This chapter has described the methods, tools and approaches that were employed during the fieldwork. Also indicated were the types of data that each or combined approached produced. These included questionnaires, interviews, FGDs and observation.

Qualitative and quantitative primary data was collected while only quantitative secondary data was collected.

The whole approach was guided by the theoretical framework of chapter two

4. Findings on Women's Land Rights Delivery

4.1. Introduction

This chapter aims to report the investigation on whether the engendered LAS delivered women's land rights during the regularization and slum upgrading process in Mysore. The investigation also seeks to understand whether the implementation was engendered and what were the effects if it was not engendered. Further, this investigation seeks to find the perceived tenure security and empowerment resulting directly from acquiring land rights. This investigation is guided by the research objectives as spelt out in chapter 1.

By using two slums, primary data of 2009 and secondary data of 2001, the gender-sensitive analysis is performed to identify gender gaps.

One slum is considered engendered due to the engenderedness during implementation; strength of the women's wing, the number of women participants during regularization and number of CBOs in place. It is referred to as gendered slum throughout the results and discussion.

The other slum is considered non-gendered due to a low level of women participation during regularization and the lack of women's wing and CBOs as a result of hostility from the men in the slum. This slum is referred to as non-gendered in this thesis.

4.2. Research Findings on objective 1: To investigate and document current the legal frameworks that guide the LAS tools for regularization and slum upgrading

This section of the research presents the findings from secondary and primary sources to inform on the regulatory frameworks, laws and policies that were available to guide the engendered LAS on the delivery of women's land rights during the regularization and upgrading process. The relevant laws are highlighted. The rights of women to own land with regard to the Constitution and inheritance practices are discussed. Conflicts between laws or Acts are discussed.

This part of the research also gives an insight about the tenure system that was used during regularization of informal settlements. Practices that inhibit women's access to land and landed property in the slums are discussed.

4.2.1. Legal and Constitution Framework for women's rights and land ownership

All citizens of Karnataka are entitled through the Constitution and the land laws to equal rights. The acquisition of land rights and title is provided for by various Acts of Parliament. Constitutionally, Article 15(1) and (2) provide for the prohibition of discrimination on the basis of sex while Article 15(3) has the potential to evoke affirmative action policies for women and children. However the recognition of women's equal right is implicitly handled by Article 14. It states that "The State shall not deny to any person equality before the law or the equal protection of the laws within the territory

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of India. Until 1979 Article 19 recognized the right to land, housing and/or property by women. However this recognition of right to land by women diminished when Article 19 was omitted in the 44th amendment.

In Karnataka the acquisition of title over land is possible through purchase, allotment by Government bodies and inheritance or succession. The laws that govern acquisition and transfers are:-

Indian Transfer of Property Act, 1882 (sales)

Bangalore Development Authority (Allotment of Sites) Rules, 1984

Karnataka Land Revenue Act, 1964 (inheritance of agricultural land)

Religious laws of succession (for non-agricultural land)

Prohibition of Transfer of Certain Lands Act, 1978

The legal system is of essence when women acquire land through inheritance or through marriage. According to the Indian succession Act, a widow is entitled to a third of her husband's property when there are linear descendants and entitled to half the property if there are only kindred (Karnataka law). At the same time, the government respects religious laws to take effect in the inheritance of non-agricultural property.

The legal framework was applied to both gendered and non-gendered slums. The allocation of housing plots was implemented by the Karnataka Slum Clearance Board (KSCB) under the Karnataka Slum Areas (Improvement and Clearance Act), 1973

There are restrictions imposed regarding the sale of land in Karnataka. Under the Section 4 of the Karnataka Scheduled Caste and Scheduled Tribes (Prohibition of Transfer of Certain Lands Act) 1978, the land granted by the Government in favour of an SC or ST cannot be transferred (Alternative Law Forum 2003). This law is in effect in all slums. All the respondents (100%) in both slums indicated that they were prohibited them to sell, rent or mortgage their property. However the respondents were not aware of the law prohibiting them to sell the allocated land. They attributed this to discrimination on caste basis.

Further, a Karnataka State policy circular demands that all members of a household must be informed when another member of the household wants to transfer land. This provision safeguards the land rights of women from possible secret land transfers.

In both gendered and non-gendered slums, 100% of women with husbands indicated that they had no fear that the male house-head could transfer the land. They attributed this trust in the fact that "this is where his children live, so he can't sell the plot". From the widowed respondents 100% were the custodians of the deed/title but all indicated that they were only keeping it and would finally hand it over to the sons. There was no indication in both slums about transferring the deed/title rights to the sons. The women said that they would hand over the original document over to the sons.

4.2.2. Acquisition through Government Allocation

The slum dwellers acquired land through the allocation process. Land allocated by government bodies falls within the category for housing purposes. The land for housing allotted by the BDA requires that a person be domiciled in Karnataka for at least fifteen years. Once allotted, the applicants are required to pay a fee and then the property is registered in their name.

In the slums, there are two Acts that facilitate women's access and control of land. When slum dwellers are allocated government land, the Bangalore Development Authority (BDA) (Allotment of

Sites) Rules of 1984 are applied. This land is allocated for the purpose of housing only. When the informally occupied plot belongs to another party other than government, acquisition is carried out by the government to settle the slum dwellers. This acquisition by the government evokes the Karnataka Slum Improvement and Clearance Act 1973 (KSICA) for the improvement of the lives of slum dwellers.

The slum women acquire and lose land rights as she goes through various stages in her life. When she is young and live in an informal settlement in the urban areas, she has no land rights. If the slum she lives in does not become regularised, she continues into young womanhood without any land rights. If she gets married to a man in an informal slum, she continues to live without access or control of any land. She can be evicted at any time.

If she lives in an informal slum with her in-laws, during regularization, she acquires land rights through the allocation of a joint deed together with her husband through the BDA or KSICA Acts.

In the gendered slum, all five single girls had access to land rights but all indicated that they had no control over how it could be used. However these girls indicated they were aware that no transactions could be carried out without their consent when they were still unmarried.

4.2.3. Acquisition through Inheritance

Inheritance is governed by a mix of religious and legal frameworks. The government acknowledges Christian, Hindu and Muslim laws in inheritance cases when a title owner becomes deceased. The religious laws affect only non-agricultural property. The names of inheritors under the religious laws are not reflected in the governments land records. Under the Hindu personal, property is divided into two categories: self acquired and ancestral property.

Muslim succession is governed by un-codified Muslim personal law which grants widows and daughter a right to family property although smaller than the men.

In Christian religion, when a person dies interstate the Indian Succession Act of 1925 applies. Widows or widowers with lineal descendants are entitled to one third of the property while those with kindred are entitled to a half of the property. If there are no family members the widow/widower inherits all. If there is no inheritor, the land is acquired by the government (Brown and Chowdhury 2002).

For agricultural land, the succession is reported to the relevant officer under the Karnataka Revenue Act who record the information in the “Record of Rights” which is evidence of title to the land (Alternative Law Forum 2003).

In the event of the demise of a husband, the slum women inherit the land together with all her offspring sons and any daughter who is not yet married. Eight widow respondents from the two slums all indicated that they were administrators of their late husband’s estate. All the widows had the copy of the deed in their custody but all indicated that they were keeping it in trust for their sons. They also indicated that they would not claim their part of the inheritance but would pass on the property to their sons. The reason given for not making a claim is that the sons take care of them when they grow old.

Although most married women still had their names and had rights over their patrimonial land, they didn’t make any claims. This was confirmed by nine women from the gendered slum and four from the non-gendered slum. The women in both slums all indicated that they came from slum families, and there wasn’t really any property to inherit; the plot allocated by the government was not even adequate for the brothers.

4.2.4. Women's Land Rights through Purchase.

Women can also acquire land through purchase. The transfer of immovable property between two willing parties is provided for by the Indian Transfer of Property Act.

Most of the slums women do not hold permanent employment and even those who have home industries generate meagre income. Although the KSCB has put into place employment initiatives to help the slum dwellers earn some income, according to all 31 respondents from both slums, the wages were low and it was impossible to save and acquire property. One of these initiatives which the researcher witnessed already ongoing is the “street sweeping” project (Fig 6 below). From every household, two adult members are employed to collect rubbish and sweep streets. Most of these street sweeping jobs are taken up by women while the men look for construction works employment.

Without any possibility of saving funds from these daily wage jobs, the slum women therefore have little chance of acquiring land rights through purchase.

Another reason cited for the lack of access and control of land by women through purchase was attributed to the SCs/STs being denied sale of land by other castes even if they were economically capable. This discrimination was cited by five respondents from the non-gendered slum and nine from the gendered slum. The Act for transfer of property is not discriminative but societal norms were quoted as the only reason that slum dwellers could not acquire land rights through purchase. The legal system advocates for equal treatment of all citizenry without discrimination and people can acquire land through purchase as long as there is an agreement between the two concerned parties. This Act does not exclude certain castes. However empirical evidence shows that the SCs, STs and OBTs experience difficulties when they try to purchase land outside their designated area. This finding shows that even when engendered LAS, the land tools do not guarantee the delivery of land rights through purchase equitably to all citizens.

4.2.5. Tenure System used during Slum regularization

The struggle by slum dwellers in urban areas is driven by the need for land to build on or to get tenure of land they already occupy. Land Tenure system in the urban slum defines how land rights are held within the communities. The tenure systems come into place during the process of regularization of the irregular or informal settlements. For this research, the gendered and non-gendered slums investigated were those whose land use had been formalized following illegal occupation of government or private vacant plots. Regularization had been carried out in-situ and under relocation.

The tenure rights for both gendered and non-gendered slums were issued as a welfare measure from the government and are known as Patta issued on freehold basis. The two slums had been regularised differently. The gendered slum was regularised through relocation. The houses constructed were of the G+1 type consisting of 12-16 flats (Figure 6 below). This setup of many families living in a flat necessitated the issuing of Community Based Land Tenure (CLT) or group tenure. Each family allocated a slum dwelling unit was issued with a copy deed certificate that included all members of the households occupying a flat.



Figure 6: The G+1 flats in the gendered slum

The non-gendered slum had been regularized in-situ on a single plot basis .The households were each allocated a plot and individual deed copies were issued. Families have started to construct new units due to the access of tenure and security that they now feel. See Fig 7 below.



Figure 7: A new slum house on a single plot in the non-gendered slum

4.3. Findings from objective 2: To investigate and document whether the implementation process was engendered and whether women's land rights were delivered

This part of the analysis investigated the level of women participation at the decision making level and how the women has been appointed to the slum upgrading committee. The procedures that were followed to ensure that the names of women from the slums to be relocated were maintained in the

register/records were also analysed. Tenure security is analysed with reference to the holding of land rights. The analysis also investigated how the needs of the women were addressed during the design and implementation process.

4.3.1. Women's Participation during Regularization and Upgrading process

It was hypothesized that the involvement of communities through participation during the formalization processes, delivers land rights and other resources equitably. The recording of new land rights during the adjudication with community involvement is seen as a tool for avoiding conflicts in future. Since the upgrading process was multi-pronged, the specific needs of different members of the society concerned were taken into consideration and incorporated into the whole process. An example of a unique need would be a crèche for mothers who cannot afford to pay for house help but need to be away for some time to attend adult classes. This need would only be required if the slum being upgraded has some young people. A slum with the older generation would have no need for a crèche. Questionnaires administered sought to know how many women from the slums were involved in the decision making before and during slum adjudication period, whether they were elected or nominated, by whom and whether the community members were satisfied with the number of women representatives. The questionnaires were identical in engendered and non-gendered slum.

4.3.2. Pilot Study findings on women's participation

During the pilot research, the male respondents both single and group discussion had indicated that there were women in the committee. It was not clear whether these women had volunteered or had been appointed but everyone agreed that their participation was supported by the whole slum community.

In the group discussion there were a total of seven males and one of the respondents was a political representative, the equivalent of a councillor. The number of women participants given varied and they could not agree on the exact figure. Some said two women, others said five women had participated during the upgrading of the slum. But one thing they unanimously agreed with was that the number of women was sufficient. The response was prompt and quick while most other questions in the discussion group had been debated heatedly before an answer could be given. The researcher probed further and enquired whether more women would not have more ideal. The males indicated that they were capable of solving all women's problems. One odd thing that the researcher observed during the whole period we were there, about 45 minutes, not a single women or child came near where the interview was being conducted. In fact none left their houses. They all stood at the door steps looking at the on-goings.

4.3.3. Findings from the slums on women participation

In the engendered slum (see Table 3 below) there were nine male respondents; one said that the number of women who participated was sufficient while eight men said the number was not sufficient. They all said they felt it was important to have more women in the committees so that their complaints could be listened to. They were also not sure of the exact number but majority said they were few. Again they indicated that the women had been appointed by the whole slum community.

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When the men were asked what the contribution of women was and what the results were, it became clear that the women's contribution included organization of women into groups and had resulted in CBOs being constituted.

Twelve women in the engendered slum said they were not satisfied with the number of women who had represented them. They also confirmed what the men had said concerning the appointment by the whole slum colony. They too were not sure of the exact numbers. When they were further asked to explain why they couldn't recount the numbers, they indicated that the numbers kept fluctuating and that not all women would be available at the same time. They indicated that the role of the women was to identify the needs of women and then take the request to the male slum representatives who would then forward them to KSCB officials. Asked why the women could not present their needs directly to the KSCB officials, they indicated that at the time of upgrading there were no women who spoke or understood English. This was odd given that most meetings were conducted in the local language.

In the non-gendered slum, all nine respondents (100%), two men and seven women indicated that the number of women in the committee during upgrading was not sufficient. Although all agreed that the women had been appointed by all the slum colony members, it was hinted that some hostility from men in this slum could have resulted in less numbers. Two of the women respondents who insisted that the questionnaire be administered indoors informed the researcher that the men in this colony were totally against any developments for the women. Four years ago, the women's wing had been dismantled by the men. A crèche which used to occupy a section of the multi-purpose hall had been closed down. At the time of the research, women-based activities were not taking place in that hall.

Categories	No. in Gendered slum who felt women participation was ok	No. in Gendered slum who felt women participation was not ok	No. in non-gendered slum who felt women participation was ok	No. In non-gendered slum who felt women participation was not ok
Female	1	12	0	7
Male	1	8	0	2
Totals	2	20	0	9

Table 3: Perception on women's participation during regularization and upgrading

4.3.4. Findings on how the women's needs were addressed

The researcher sought to know how the needs of the women had been addressed by the women representative. It became evident from the respondents from the non-gendered slum, that the women had identified their needs and forwarded them to the women representatives. These women representatives had then taken their needs to their male counterparts in the committee but were not present in the bigger committee which included the local authority officials. When the researcher enquired why the women could not present their needs to the local authorities, the women said the

men always prevented them by saying they could handle all the problems in slums. One man respondent who had retired from the university said the women were a bit timid and were not capable of standing their ground when resistance from the men came their way during slum discussions.

The researcher enquired about the fate of the women with respect to access to funds now that the women's wing had been dismantled. Two women informed her that an outside project, the Kiriya Pushpa Family Helper Project, which is Christian based, had started a welfare women/children oriented. Through this organization, the women were able to save funds on weekly or monthly basis and secure loans. Two women respondents informed and showed the researcher evidence of loans repayment. Both women had taken loans for the purchase of rickshaws. One respondent had purchased it for her brother and the other for her son. These two women are the ones who had insisted on administering the questionnaires indoors.

Through observation, the researcher could detect a lot of bitterness in the two women. They spoke with a lot of headshaking and tongue clicking and in whispers at times but still very heatedly. These two respondents indicated that they were saddened by the closure of the crèche although they didn't have small children. They highlighted the need to have a place to take the small children so that the women could have time to engage in home industries like liquid soaps or other small business like vegetable vending. The women insisted that the men did not want them to become economically self-reliant so that they could depend on them all the time. These two women respondents said "in the slums, when a woman doesn't have her own money, her children will always sleep hungry". They further informed that there was a drinking problem in the slum and that the men always spent all the money they earned on alcohol leaving very little for household spending. This was the reason that the women felt strongly about the women participation. One of the younger woman respondent asked "how do you expect the men to talk about a problem like alcohol when they are the ones involved"? They could not stress enough on the need to have the crèche operational so that women could have time to engage in some economic activities.

In the gendered slum, the women had forwarded their needs to the women representatives who had taken them forward to the KSCB officials. In this slum, so problems had been reported with respect to the way their needs were handled. The men had faithfully forwarded the women's needs.

Summary:

The findings from both the gendered and non-gendered slum indicate that the authorities had intentions of implementing the regularization and slum upgrading process in an engendered way. The slum colonies were given the opportunity to elect/appoint their women representatives. However the findings indicate that societal factors had prevented the women from fully participating in the whole process. Their participation was curtailed by the male behaviour who felt that they could handle all the women's problems. Hostility from men in the non-gendered slum further contributed to the breakdown of the women's wing.

These finding points that, lack of engenderedness during the implementation using an engendered LAS in the non-gendered slum had negative impacts on women's empowerment in terms of participation. The women could not participate fully and effectively and they felt that their needs had not been addressed equitably. The lack of engenderedness had prevented the LAS from delivering women's rights and they couldn't therefore enjoy the full benefits of an engendered LAS.

4.3.5. Recording of Rights and Updating of Land Records

During the negotiations between the slum dwellers and the authorities, the first requirements were the names of all members of a slum community. These records were kept by both parties. This process was conducted jointly by committee's members from the KSCB and slum community. At the time of the regularization/upgrading, whether by relocation or in-situ process, the adjudication of rights was based on a household and both male and female members were recorded in a land -register. Requirement for prove of identity being the Karnataka State ID card or a ration card for the older members. The slum upgrading coordinators also indicated that photographs were taken as a further means of identification. These measures were taken to ensure that female rights are recorded and no one was omitted during the final house/plot allocation. The upgrading co-coordinators informed the researcher that in the slum where the upgraded houses were of the G+1 type, each family received a copy of a deed for the whole plot. This is indicative that all slum members own the plot jointly and the CLT tenure was for the whole plot. However, when the officials were asked to elaborate on the framework guiding such joint ownership of property, they replied that for the slum dweller that was not necessary due to the regulations that prohibit them from doing any transactions.

All the mature respondents in the gendered slum indicated that there were no cases of members of a slum whose names had been omitted between relocation and upgrading. The cooperation within all slum members in the engendered slum was very obvious. One elderly man said “we would not have left out any of our women even if the husband had died”

In the non-gendered slum, which had been upgraded in-situ, the same procedure had been followed. No names had been omitted. However, two women said that there was a form of corruption during the allocation of plots. The male officials had allocated themselves plots along the road and in the “best areas”. It was also obvious that some the plots were of different sizes in different parts of this slum. However it was not possible to establish how such differences in size had occurred. From the data collected, the process of adjudication of rights had been carried out in an equitable way as spelt out in the framework documents for regularization and upgrading.

However, even though the process of adjudication of rights was equitable at the time of regularization, the lack of record updating had locked out some women from the land registry records. These are women married into families after regularization.

In the gendered slum five young women indicated that they didn't have land rights while in the non-gendered, also five young women didn't have any land rights since they got married after regularization.

From Table 4 below, results indicate that in the two slums, there were a total of ten young women who did not have land rights. However in the two slums all men whether young or old had land rights. 100% of the mature respondents confirmed that the names of young married women were not recorded in the deed/title of the family they were married into. All respondents confirmed that the documents were not updated until all revenue had been remitted to the authorities. These findings indicate that engendered LASs are inhibited by institutional practices from delivering land rights to young married women whether the implementation is engendered or not.

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Categories	No. in gendered slum with land rights	No. in gendered slum without land rights	No. in non-gendered slum with land rights	No. In non-gendered slum without land rights
Female	8	5	2	5
Male	9	0	2	0

Table 4: Male and Females who have rights Vs those who don't have rights

4.3.6. Perceptions on Tenure Security

It was hypothesised that the access and control of land rights within the slums after upgrading would elevate the perceptions of tenure security. The findings are varied and the reasons given were slum specific.

In the pilot study when the respondents were asked whether they felt secure due to the access and control of land, they all acknowledge that the regularization and upgrading had enhanced not just their feelings but they had tenure security too. Although all of them could not conduct any transactions due to the money owed to the KSCB, the most important need for them had been to have a property of their own without the fear of eviction. They indicated that before regularization, the possibility of being evicted always hung on their lives. One male respondent said, “When we went out in the morning to look for daily wage jobs, we were never sure whether we would have a place to sleep in the evening”.

In both gendered and non-gendered slums, the respondents said they felt secure except two women said they did not (Table 5 below). One was a widowed young respondent while the other said her reason could not be recorded. Even the women respondents who had indicated that their names were not included in the copy of the deed said they felt secure. The researcher wanted understand how these women could feel secure when their names were not on the deed copy. They informed the researcher that the family bonds in the slums were strong. They indicated that they had faith in the family they were married into; they would not reject one of their own.

The researcher enquired from the women in the non-gendered slum why they would felt secure since they had already indicated there was friction between them and the men. They informed the researcher that the men were against the women being engaged in economic activities but they had no control over others individual property.

In the gendered slum the researcher enquired whether they understood the type of group tenure / CLT that they had been issued with and RRR that are involved. Even though there were no clear guidelines on the CLT, 20 dwellers from the gendered slum indicated that they still felt secure.

The widowed respondent who didn't have perceived tenure security was asked to elaborate why since the social fabric appeared close-knit. She explained that since her name was not in the deed, she lived in constant anxiety because she had no way of claiming her inheritance. When the researcher asked her to elaborate, she responded “my in-laws just need to imagine that I have a male friend and that

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will be the end of me”. The cultural norms do not allow her to remarry and any suspect behaviour would result in being excommunicated by her in-laws. Tenure security of young widows therefore, is impacted upon by cultural norms and the institutional practices.

In the non-gendered slum, all nine respondents indicated they felt secure including the young married women’s whose names were not included in the deed. The researcher informed the young women, that in the unfortunate case of divorce or death of a husband they would not be able to claim their share; they said they were not worried. When they were asked to elaborate, they said “people in the slums don’t divorce; only upper castes do that”.

Categories	No. in Gendered slum who feel secure	No. in Gendered slum who don’t feel secure	No. in non-gendered slum who feel secure	No. in non-gendered slum who don’t feel secure
Female	11	2	7	0
Male	9	0	2	0

Table 5: Slum dwellers Tenure Security Perception after Regularization and Upgrading

Summary

The regularization and upgrading in the slums using engendered LAS had contributed to perceptions of tenure security whether the implementation is engendered or not. Although control of the property is limited in terms of being able to do any transactions, the slum dwellers still felt secure. Even the women respondents who didn’t have access to land rights still felt secure. This was attributed to the strong family and community bonds in the slums.

4.4. Findings from objective 3: To examine social economic issues that women felt needed urgent addressing after regularization.

This section summarises the findings of the questionnaires administered to inquire into the immediate needs and priorities of both men and women in the upgraded slums. The results are shown in a comparative way to show the different responses from two slums upgraded where the implementation was gendered in one and non-gendered in the other. The comparison is done between 22 respondents from the gendered LAS and 9 from the non-gendered LAS. The respondents comprised both men and women, young and old, married and unmarried, owning property or not.

This part of the analysis sought to understand immediate preferences for their children that would contribute towards their personal development. Also analysed were the needs of the slum women that they felt would reduce their deprivation levels and contribute towards poverty alleviation and the factors which hinder their moving out of poverty.

The negative impacts of regularization as experienced by the slum dwellers are also analysed.

4.4.1. Preferences for children for personal development after regularization

With the assumption that after the sensitization and awareness programs carried out during upgrading, slum dwellers would have more aspirations for their children, this part of the research inquired into preferences for the development of their children and enquired into education, employment, property ownership, land ownership and marriage. The results are shown in Table 6 below.

From both slums 29 (94%) out of 31 respondents indicated that they would like their children both male and females to have better education and get good employment. Eight out of the total 31 (26%) specifically indicated government employment as the preferred type of job that they wished their children would be offered.

From the gendered slum, 6 (27%) indicated that they would wish their male children to acquire land but 14 (64%) indicated that they had no wish for their male children to acquire land. From the 9 respondents in the non-gendered slum 3 (33%) indicated that they would wish their sons to wish their sons to own land but 6 (67%) said they would not wish their sons to own land. Three respondents said they were not capable of thinking whether they would wish for the children to have land. For daughters, results show that 3 (14%) out of 22 from the gendered slum said they would wish them to own land but 17 (77%) said they had no wish for their daughters to own land

On property ownership by sons, which they stated clearly as a house, 18 (82%) out of 22 said yes and 2 (9 %) said no from the gendered slum. From the non-gendered slum, 6 out of 9 (67%) indicated that they would like their son to own property while 2 said no. In the gendered slum, for daughters, 2 (9%) said they wished them to own property while 20 (91%) said no from the gendered slum.

In the non-gendered slum, 7 (78%) said they would like their daughters to have property while 2 said no.

On marriage, 20 (91%) from the gendered slum indicated that they wished both sons and daughter to be married in future while 2 women indicated that they couldn't think about the future. 8 (89%) respondents from the non-gendered slum said they would like their children to marry. One lady said no.

During this part of the research, the respondents were emphatically told that with regard to land, the researcher was not asking for the ability to purchase land but wanted to know what as parents they wished their children to have in future. This was necessitated after the researcher found it odd that most of these parents had no wish for children to acquire land or property and repeatedly said "No" very firmly. Majority of parents who indicated that they would not wish their female children to acquire property gave the reason that the girls will eventually get married and they do not need property as they would be taken care of by the husband.

From these findings, it appears that the sensitization program about the equal rights for all children had either been inadequate or the cultural norms are so deeply rooted that these parents still don't think that girls have a right to acquire land through purchase or inheritance.

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Respondents wish for sons	Gendered	Non Gendered	Gendered	Non Gendered	Gendered	Non Gendered
	YES		NO		Cant think	
Education	20	9	0	0	2	0
Employment	20	9	0	0	2	0
Land	6	3	14	6	2	1
Property	18	6	2	2	2	1
Marriage	20	9	0	0	2	0
Respondents wish for daughters	Yes	Yes	No	No	Cant think	Cant think
Education	20	9	0	0	2	0
Employment	20	8	0	0	2	0
Land	3	2	17	7	2	0
Property	2	7	20	2	2	0
Marriage	20	8	0	1	2	0

Table 6: Results on respondents' preferences for their children

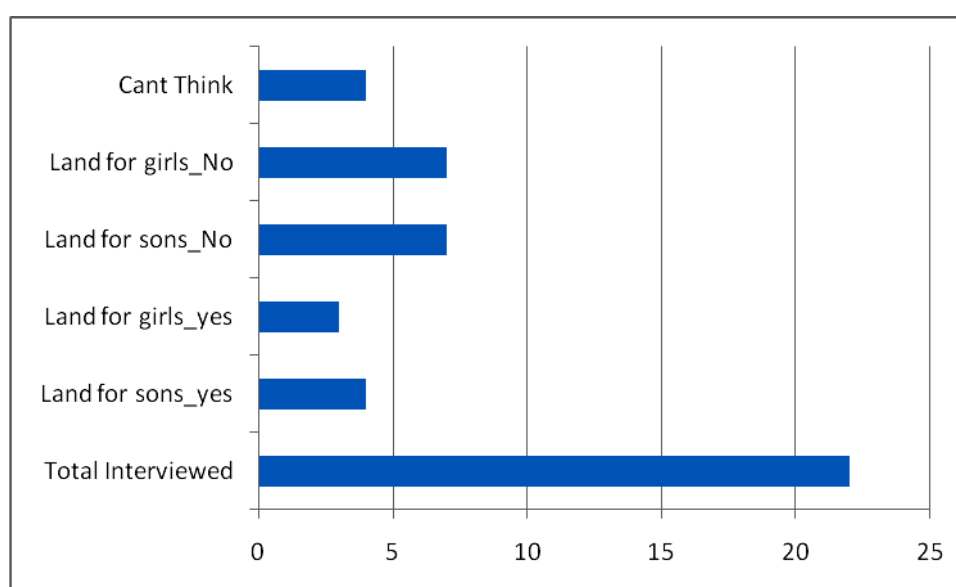


Table 7: Parents Future preferences for their children in the gendered slum: Source author

4.4.2. Factors that inhibit the slum dwellers from rising out of poverty after regularization

The slum dwellers are still considered Below Poverty Line as confirmed by the KSCB officials who were interviewed. This applies to slums which were regularised and upgraded more than 30 years ago. The access to land rights is said to help alleviate poverty. The researcher then sought to understand what factors inhibit the slum dwellers from rising out of poverty.

The findings for the factors that inhibit are shown in Table 8 below. The respondents from the gendered slum had 17 people accounting for 77% who indicated that lack of good education prevented them from moving away from poverty. They explained that with a good level of education, one had better chances of securing permanent employment. Next on their list of hindrances was lack of permanent employment and was pointed out by 16 people equivalent to 72%. These respondents indicated the permanent job was important whether in private sector, NGOs or the Government. Another hindrance cited was the caste divisions which were pointed out by 15 people (68%). The caste divisions were seen as one way was used by all governments to deny the lower castes their rights. They indicated that in the government the lower castes could only occupy 33% of all posts. It was hinted that an employment was granted on caste basis not on academic achievement. The daily wage jobs have been blamed for perpetual poverty due to the meagre earnings. The money earned from daily wages was hardly enough for household needs. Furthermore this type of employment was not guaranteed. The families indicated that they lived in permanent anxiety with little or no money to purchase basics like food. Nine respondents (41%) indicated specifically that for them lack of government employment was the greatest hindrance to their personal development. They said that the government is the most respected employer.

Hindrances	No of respondents	%
Lack of good education	17	77
Lack of permanent job	16	72
Caste division	15	68
Daily wage jobs	13	59
Lack of government job	9	41

Table 8: Hindrances to better life in the gendered slum

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From the non-gendered slum, the hindrances on top of their list was the daily wage jobs mentioned by four people (44%), followed by lack of permanent and government jobs with three people each (33%) and last was the lack of education which was mention by only one person representing 11% of the nine respondents. See Table 9 below.

Hindrances	No of respondents	%
Lack of good education	1	11
Lack of permanent job	3	33
Daily wage jobs	4	44
Lack of government job	3	33

Table 9: Hindrances to better life in the non-gendered slum

4.4.3. Preferential needs for slum dwellers for improving their lives after regularization.

After investigating what hinders the slum dwellers from rising out of poverty, it was found necessary to understand what they considered important for the improvement of their lives.

The analysis indicates that (Table 10) the women respondents felt that their wellbeing depended on their sons or husbands securing permanent jobs. This response was given by 9 (41%) in the gendered slum and 2 (22%) women from overall respondents. All 22 (100%) respondents from the gendered slum felt that the monthly fee paid to KSCB was high and a reduction would leave them with funds to use for other household needs like food. Only 2 respondents from the non-gendered slum felt the need for a reduction of the fee.

Although water is provided and is available all the time, the taps in the gendered slum are shared by 14 families. Approximately 55% of the respondents from this slum indicated that they would preferred to have individual taps inside the house while only 2 respondents those from the non-gendered slum indicated the need to have a tap inside the house. In the non-gendered slum, all houses have an individual tap outside the house. The women respondents indicated that although the distance was less than ten metres, some time were wasted queuing as most women do their household chores at certain hours. Five women indicated that the water point was unhygienic with clothes and dishes from different households were all washed in the same spot. All the respondents from both slums said the water was available at all times but not always safe to drink and that they suffered from stomach problems. Even when they boiled the water, it was not easy to keep the young children from drinking the non-boiled.

Access to loan facilities was highlighted with members from both slums indicating that they wished they could get loans from banks. Currently they have no access because the deed for the slum dweller cannot be used as collateral. The respondents in the gendered slum said they would use the money to start businesses while those in the non-gendered slum said if they got a loan they would construct a bigger dwelling house.

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Needs for improving wellbeing in the 2 slums	No of respondents in gendered slum	% in gendered slum	No of respondents in non-gendered slum	% in non-gendered slum
Gov. employment for sons and husbands	9	41%	2	22%
Reduction in monthly fee to KSCB	22	100%	2	22%
Park/ open space	1	5%	1	11%
Water inside the house	12	55%	2	22%
Access to a loan	3	14%	2	22%
Change in employment laws	0	-	1	11%

Table 10: Needs for improving wellbeing in gendered and non-gendered slums

4.4.4. The Impacts of regularization

This section of the research was to investigate the impacts of regularization and the upgrading process. Of particular interest are the perceived feelings of wellbeing like happiness, confidence. Also actual impacts of the whole process like empowerment in terms of improvements in human capital are investigated. The numbers of employed and nature of jobs held by the slum is researched.

4.4.5. Positive Impacts of regularization

The package of the regularization and upgrading process include the construction of infrastructure such as roads, multi-purpose social complexes, Temples, the provision of water, electricity and access to open spaces for children's recreation. The houses were constructed under relevant schemes such as the HUDCO, JNNURM schemes while the infrastructure was provided by under separate schemes like the ADM scheme.

It is hypothesised that the cleaner environment, better housing, infrastructure and tenure security brings about positive feelings of wellbeing. Representing the majority of respondents from both the gendered and non gendered slums, one lady said “we are happy with the clean environment. The houses are better looking. Our friends from outside the slums can now visit us without feeling embarrassed”.

In the gendered slum all 22 respondents unanimously agreed that the regularization had benefited them in term of accessibility due to construction of roads. One main advantage mentioned was the accessibility by vehicles into the slum in times of emergency. The construction of schools, and hospitals were also highlighted as important developments that came with regularization. Before that, they had to travel long distances to get medical treatment. The children have benefited from the nearby schools.

All the respondents from both slums said the water was available at all times. The households in the non-gendered slum have individual taps and this saved time.

In the non-gendered slum, in various plots, the owners have constructed an upper level to accommodate the son's young family. The regularization and hence access and control of land rights have enabled these families to construct bigger houses, something that would not have been possible without land rights.

In the gendered slum, they all indicated that the formation of CBOs was beneficial because now they could get loans and invest in small scale businesses. This source of funds was important to the slum dwellers because they cannot use the copy deed as collateral to secure loans from banks.

4.4.6. Negative Impacts of Regularization

Despite the better houses, roads, hospitals and schools that were constructed during the implementation of the regularization process, the slum dwellers indicated that there were also negative impacts.

In the gendered slum, which has G+ 1 flat, the units were allocated per household. In this context, a household consist of a house head, whether male or female together with all the unmarried children both sons and daughters. A few years after regularization, these sons marry and bring their wives into the same house. All 31 respondents from both slums reported that overcrowding was a problem. During the research period the researched witnessed families with 7 members in the small one roomed units measuring approximately 3m by 5m. This room serves as the living area during the day and becomes sleeping quarters during the night. The women indicated that there was no privacy and they couldn't live comfortably. Life in these small houses, as one university graduate girl put it, "was very inhibiting. You have your mother and sisters-in-law within three meters all the time. These are people we would like to keep at a longer distance because we respect them". This overcrowding has been reported to cause friction in families due to different personal needs.

More than fifteen young boys and girls around 12 years from the gendered slum said "when you have a big family you cannot do your school work peacefully especially when there are small nieces and nephews around".

The young couples said it was uncomfortable but there was nothing they could do about it especially because they didn't want to move back to the illegal slums. Before regularization and upgrading, the young men usually construct their own hut leaving the mother and daughters to their own privacy. But once the upgrading takes place, the whole family is allocated one unit.

Overcrowding has also been associated with the emergence of new slums. When the overcrowding becomes unbearable, the young couples move back to an illegal slum where they start the process all over again by notification seeking regularization.

Another negative impact reported by all 31 respondents from both slums is the monthly fee which acts as a mortgage. Before upgrading, there were no payments to make. Some families said the bills had become too much. They respondents indicated that they felt helpless when they considered the length of time it would take them to repay the fee since most of them had no guarantee of securing permanent employment. There have the water and electricity bills to pay. Asked whether they didn't have electricity before, they responded that they had illegal connections and therefore no payments were necessary. The researcher witnessed such illegal connections in the non-upgraded part of this slum.

Another negative impact of regularization is the loss of small businesses. Before regularization, all people are on individual plots. Some keep goats and chicken or vegetable kiosks. After regularization, keeping of animals is forbidden. All 22 respondents from the gendered slum confirmed that many had lost their only source of income after the upgrading. However, those from the non-gendered slum indicated that animal keeping was still practiced secretly and had not felt this negative impact of regularization.

Some disturbing information came from a girl who had already finished her education from the gendered slum. She informed the researcher that she wouldn't like to get married to a rich family because women in rich families are not supposed to work. Their duty is to the husband and to raise a family. It was considered an insult to a family if their daughter-in-law worked. This information shed light on the reason why there are so many young women who left university but cannot continue with education. Most of them had come from non-upgraded slums and had therefore been married into "better-off" families. The regularization of slums therefore, denies the young women the opportunity to work even if they are educated because of cultural norms.

4.5. Finding from objective 4 : To compare gender gaps in empowerment between wards with slum areas upgraded under engendered implementation and those under non-gendered implementation.

It was hypothesized that when a Land administration system for slum upgrading has a capacity building component, the land rights are delivered equitably and that the education will further contribute towards employment. The education in engendered LASs comes in two phases. The first is the awareness and sensitization campaigns that are to be given to the community before and during the process of adjudication. The second type of education is the one that people acquire by attending academic institutions as a result of becoming aware of the need for personal development after the upgrading process. It was assumed that with the better living environment and access to land rights, slum members would yearn to improve their lives and also be in a position to be engaged in meaningful employment

Empowerment is measured in this research through both quantitative and qualitative analysis. Statistical analysis and perceptions are both factored to inform this research. The indicators used are education and employment (quantitative) and perceived feeling (qualitative) about empowerment.

4.5.1. Findings on education

It was assumed that the regularized and upgrading project would incorporate one, a capacity building component and that two, that the slum dwellers education would improve after upgrading in terms of school-termination levels. As well as the levels at which education was terminated, this research analysed the reasons behind the termination of education for both men and women. The objective of this analysis was to understand what factors hindered the full positive impact of access and control of land rights from being realised by the slum dwellers.

4.5.2. Findings in pilot group

In the pilot study, the male respondents said that during the slum regularization, the community had been educated on what restrictions and responsibilities came with access to the land rights. They were made aware that the names of the women in a household would be included in the copy of the deed. They were also informed that they could not rent, sell or mortgage the property.

In terms of educational infrastructure, the upgrading projects had a mandate to construct schools and multi-purpose halls. One male respondent informed the researcher that a special women's training hall had been constructed to accommodate women's adult literacy classes which coincides with the young children's timetable. This way, the women were able to gain some level of literacy without worrying about their children.

On personal development, the male respondents had terminated their education before proceeding to college. Both male respondents had been forced by economic pressure in their families. They terminated their education therefore to get employment to support their ageing parents and younger siblings.

They had also been sensitised on the importance of education for the purpose of securing employment. These two respondents were aware of the 33% quota set aside for SC/ST and OBCs for all government posts.

The only woman respondent in the pilot study had stopped schooling before proceeding to college. When asked to give reasons, she indicated that her parents had insisted on her getting married. Asked why her parents would not hold on until she finished her education, she indicated that as much as she wanted to get some technical skills, the dowry would have increased if she had waited to finish school and get married at an older age. Since most marriages are arranged within the castes, when negotiations are finished, the young girl cannot refuse or request to be allowed to finish schooling. This female respondent indicated that she was happy that a school had been constructed nearby. Her children were already attending school. She said that both she and the husband were keen to give their children as much education up to college because they had realised it empowers people and allows entry into better paid jobs.

4.5.3. Findings on education from the slums

In the non-gendered slum, the three old women respondent had no formal education at all. Nonetheless, two of them indicated that they had received life skills after the slum upgrading. One had learnt skills on running a small business while the other had gained tailoring skills.

The two male respondents had received formal education. One was old and had not gone to college due to the need to support his family. The other young male had finished his first degree and was pursuing his MBA. The two male also confirmed that there life skills programs that were offered by the Kiriya Pushapa family helper centre and the women were benefiting immensely.

In the gendered slum, all the young women respondents had acquired some level of formal education. From the thirteen respondents, three young married females had left at pre-university. When the researcher enquired the reasons for terminating education while at University, all the female

respondents gave the reason as pressure from parents to get married. The researcher enquired from the three young women respondents who had dropped at pre-university whether they would be willing to continue and finish their education after the children were bigger but they all said no. One young lady didn't even have a baby as she was newly married. When the researcher suggested that it was possible to continue with education even after marriage, the young female looked absolutely shocked. She said married women don't leave their children to go back to school.

Three older women respondents had no formal education. The remaining five had various levels ranging from class five to ten. All eight married women who had received any education indicated that they had left school in order to get married.

The researcher also learnt that the daughters of the older women respondents had all left school to get married, according to the mothers, "before they got too old and failed to get a husband and to avoid paying too high a dowry".

One young unmarried female was still pursuing her university education while another was in her pre-university level. The girl at University indicated that she wanted to put off getting married till she finished her education. She informed us that she had already discussed the issue of holding off her marriage with her parents so that she could pursue her degree.

In the gendered slum also there was one male respondent pursuing his MBA while another was in pre-university. One male respondent had terminated his education at pre-university due to family needs. He needed to start working to support his ailing parents.

Summary: findings on education.

From this part of the research, findings indicate that the project was designed in an engendered way and the education component was considered. The three components of an engendered LAS, participation, education and employment were incorporated. The slum colony was educated on the RRRs, what strategies would alleviate poverty at household levels in the future and had actually provided facilities for both children and adults to acquire education and life skills. The deeds were issued as joint and the daily wage program was mentioned as making a difference in the economic situation in households. From these findings, it can be seen that together with land rights, the projects had delivered other rights to the women with the possibility in future to empower them and alleviate poverty in the households.

From the analysis of the data on education, the necessary infrastructure had been constructed to facilitate education for both children and adult literacy and life skills. The analysis has also revealed that the women in both slums all terminated their education due to pressure from their parents to get married when they were still young. The reason given for this is that when girls get older, they might not get a husband and may be forced to join the devadasi women. Another reason is that the older a girl gets, the more dowry is demanded by the groom's family. Many of the young married female respondents had been married off before they were 20 years old. The older women respondents had been married at even younger ages. Some of them had been married at the early age of thirteen. The men who had terminated their education before college had done so due to family needs and had left to secure employment. The empowerment that the access and control of land rights by the women brings to a society seem to improve the education levels only to a certain extent. The cultural practices clearly play a big role in hindering the opportunities to reap the full benefits of the empowerment accrued through engendered implementation of an engendered LAS.

4.5.4. Findings on employment from primary investigation

Employment is one of the most important sources of empowerment. It is an immediate resource that poor people use to improve their livelihood. Furthermore employment has been reported to empower women since it is instrumental in enabling women to gain knowledge, confidence, skills and opportunities that are vital in improving their social and economic status. This part of the research analysed the type of employment that was available to the slum dwellers.

4.5.5. Findings on employment in pilot group

In the pilot study, all three respondents indicated that the type of employment available to most slum dwellers was the daily wage paying jobs at construction sites either carrying blocks, building, painting, site clearing or street sweeping. They all considered the employment as one of the reasons that hinder slum people from moving out of poverty. The young female respondent was not engaged in employed since she had to take care of her two young children. The odd observation was that the nursery was less than twenty metres from her house and her mother in-law who was quite elderly was working.

In the pilot one of male respondents had a permanent job in a university. The other male did not have any employment. When the researcher enquired how the family met its household needs, he responded that his wife worked on the daily wage jobs and was at that moment working on the street sweeping program. This male was visibly drunk and yet he had no employment and he appeared ok about his wife taking care of the household needs. The researched wanted to find out why he could not seek the street sweeping work. His response was that sweeping was not a job for a man.

4.5.6. Findings on employment in the slums from primary investigations

In the gendered slum (Table 11), all the young married women were not engaged in any employment. The researcher sought to understand the reason why they had no employment even though most of them had gone up to pre-university. The women in this slum also said looking after the family was paramount and securing employment took a back seat. When probed further, they said that even the family they were married into would not allow them to work. It was considered a man's pride to provide for his family. The only young female respondent who was engaged in house-work employment was widowed. She indicated that since her husband was dead she had to fend for her personal needs.

Since most of these young respondents were not around during the upgrading, they said they could not comment on how the access to land rights had impacted on the employment of the slum dwellers.

Four of the older female respondents were engaged in self-employment. Asked whether the regularization had contributed towards the economic activities, they responded in the positive. They explained that after upgrading, they had formed CBOs and had saved funds and later acquired a loan to start their business. They indicated that before acquiring the land rights, forming these groups was difficult because they always lived in fear of being evicted and as a result, people were not keen to pool money in case it became impossible to trace each other. The one with a tailoring job in her house also indicated that being in one certain place gave their customers guarantee and confidence and work could flow in constantly.

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Two male respondents who owned their own rickshaw taxis indicated that after upgrading and acquiring land rights, they could get a loan to start their business. They said that knowing you had a place of your own leaves one in peace to concentrate on the job. The other two male respondents from this slum were employed on permanent basis while the rest two were employed on wage basis. From this gendered slum all the males were engaged in some form of employment. They attributed this to the vicinity of potential hiring places. They indicated that when slums are upgraded by relocation and taken out of town, the people faced difficulties securing work due to the distances travelled. The daily wage jobs pay minimally so they cannot afford to pay bus or taxi fare.

In the non-gendered (Table 12), slum two of the women respondents were self employed, one as a vegetable vendor while the other had a tailoring machine and a constant clientele. The other five women were housewives. When the researcher asked why they could not get involved in the home industries, the indicated that they were completely occupied with the task of raising up the children. This included even the one who had gone up to pre-university.

In this non-gendered slum the only two male respondents were employed in the daily wage sector. The younger was also doing part-time education to secure his MBA. Even with a degree, this young man was employed as a house painter at construction sites. This young respondent lamented that although the country's economy was bad and recruitment was not vibrant, there was discrimination in the way SC/ST/OBCs were able to secure jobs in the government. The 33% quota system, he said might appear to an outsider to favour them but it cuts off the lower castes from getting jobs. He gave an illustration. If the government want to employ 10 accountants and already 3 are from the lower castes, they will not increase the number even if the posts are still vacant and lacking members from the higher castes. The researcher was not able to verify this claim from an authoritative person. The researcher wanted to know if the regularization and upgrading had given them any advantage in securing jobs now that they were officially recognised. The two respondents said the upgrading had no impacts whatsoever on job security.

Nature of employment that Women are currently involved in	No. of respondents	Type of salary	Nature of employment that men are currently involved in	No. of respondents	Type of salary
Tailoring	1	daily	Rickshaw driver	2	Daily
Vegetable kiosk	3	daily	Vegetable kiosk	2	daily
House –help	1	daily	Bus driver	1	Monthly
House-help	5	X	Daily wage	2	daily
Students	3	X	Gov employee	1	monthly
			Student	1	X

Table 11: Employment by types in the gendered slum

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Nature of employment that Women are currently involved in	No. of respondents	Type of salary	Nature of employment that men are currently involved in	No. of respondents	Type of salary
Tailoring	1	daily	Daily wage	2	Daily
Vegetable kiosk	1	daily			
House-wife	5	X			

Table 12: Employment by types in the non-gendered slum

Summary

The findings on employment from both slums indicate that young married women stay at home and look after their families. The in-laws do not favour the women married into their household working as this is seen as an insult to their family pride. This affects even women who have dropped out of university. The older women in the slums are the ones who are engaged in self-employment, doing tailoring work or vegetable vending. The women indicated that access and control of land had contributed toward the employment and improved their economic levels.

The male respondents from the gendered said that access and control of land had contributed positively in self improvement especially in securing loans from the CBOs to start small businesses. The locality of their slum has an advantage to securing daily wage jobs. However, in the non-gendered slum, the respondents indicated that access and control of land had not impacted much on securing permanent employment. Some graduates were still engaged in the daily wage jobs.

4.5.7. Findings on Empowerment: Gender-Sensitive Analysis in GIS.

Using the GLA tool, analysis was performed used secondary data from the 2001 census. The gender-sensitive indicators used were education and employment. The data availed had only one temporal dimension. Dynamic comparative analysis was conducted to understand the gender gaps with reference to employment and education between the males and the females. The thematic maps depict the spatial and quantitative gender gaps in the wards where the two slums were located.

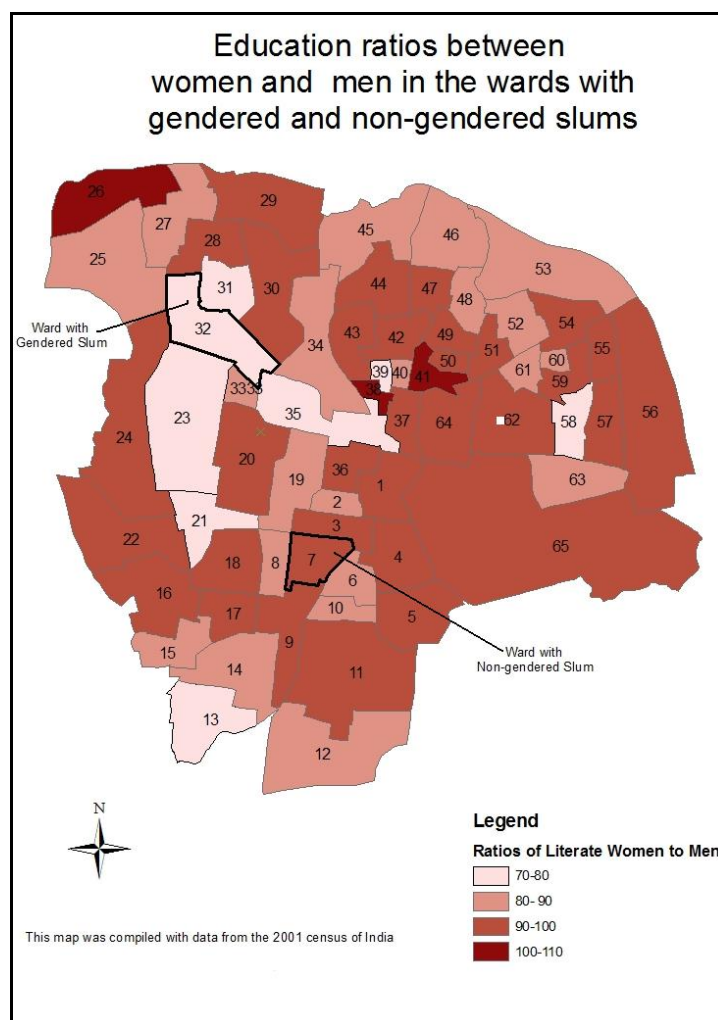


Figure 8: Gender gaps between men and women in Education in 2 wards in Mysore

In this map Fig 8, value is used in the symbology to depict variations in the literacy ratios to facilitate comparative analysis. In ward 7, with the non-gendered slum, the ratio of literate men to women is in the 90-100 class. This translates that for every 100 literate men, there are 90-100 women. The actual figure calculated from the statistical data available is 91.

In the ward No.32 with the gendered slum, the ratio of men to women falls in the 70-80% class. Actual figure is 80. This shows that for every 100 literate males, there are 80 literate women. These comparative results using gendered-sensitive analysis show that the women in the ward with the non-gendered slum have fewer literate women as compared to the men.

Overall, the ward with a non-gendered slum has better ratios of literacy between women and men compared to the ward with a gendered slum.

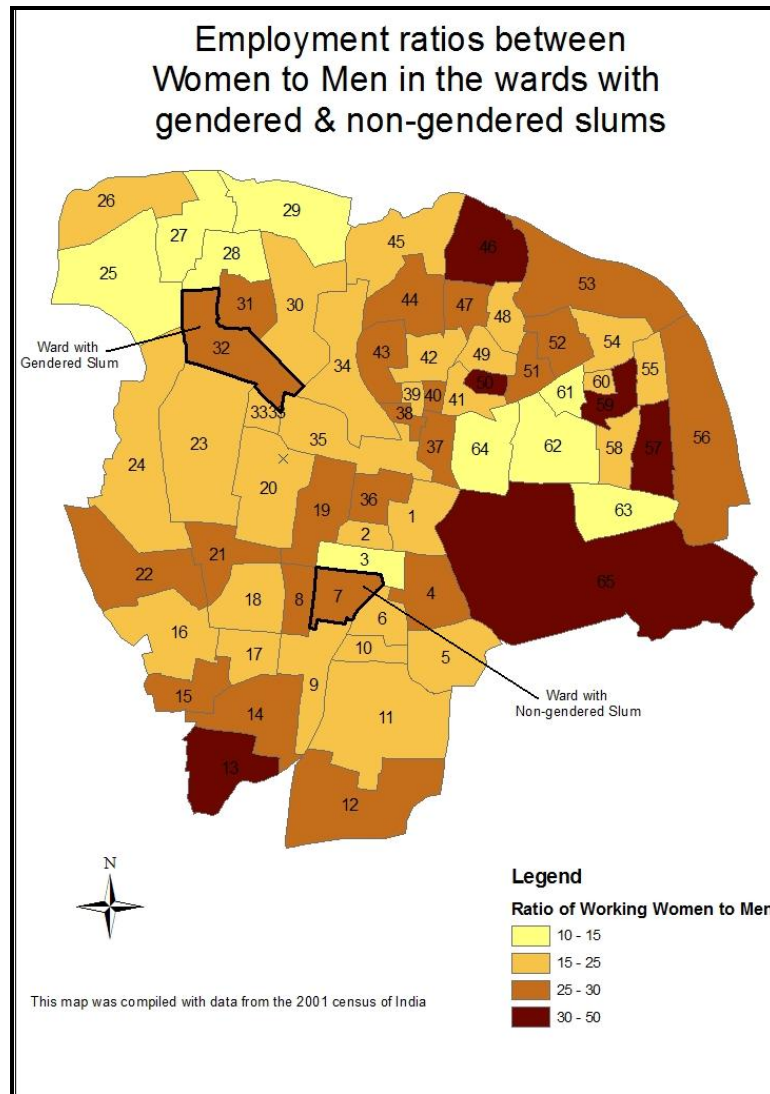


Figure 9: Gender gaps between men and women in Employment in 2 wards in Mysore

In the map Fig 9, value is used as a quantitative symbol to depict the variations in the ratios between working women and men for gender-sensitive comparative analysis in the two wards. Using a natural break classification, the ward with the non-gendered slum (No7), is in the 25-30 class. This includes all types of jobs in the various sectors. This ratio interprets that for every 100 working men, there are only 25-30 women who are employed. The actual figure calculated from the statistical data availed is 26 women.

In the ward No.32 which has the gendered slum, the ration of employed men to women also in the 25-30 class. Actual ratio is 30. This shows that for every 100employed males, there are only 30 employed women. Results from the gender-sensitive analysis show that there are fewer working women in the two wards and as both fall in the same class, the differences are minimal.

In terms of gender gaps in employment, in these two wards the gap is yet to be closed despite regularization having been accomplished more than ten years ago.

4.5.1. Findings on Perceived Empowerment

With the provision of infrastructure such as roads, electricity, water, schools, multi-purpose halls, delivery of land rights, tenure security, women participation, and daily wage programs, it was assumed that the slum dwellers would have an enhanced perception of empowerment. This part of the analysis sought to understand whether the members of the two slums under investigation felt empowered and what had contributed most to their perception. The researcher also wanted to understand if there were any hindrances to feeling or becoming empowered.

To understand the issue of empowerment, the researcher posed questions such as, do you feel more advantaged than the slum dwellers that are living in non-upgraded slums. Are there things you can do now, that you couldn't do before the delivery of land rights? Are there improvements in your life, like new assets since you got land rights?

In the pilot study, the only female respondent indicated that she felt empowered although she didn't have access to land rights (her slum was in the process of being upgraded but she was assured of a unit). She attributed her feeling of empowerment to the provision of schools within the slum. She informed of her intentions of starting tailoring lessons and eventually be able to start her own small business.

The two male respondents in the pilot study indicated that they didn't feel more advantaged than the people from the non-upgraded slums. They indicated that they had the same problems in securing employment. Landed rights didn't enhance their opportunities of being employed in the government, one of the respected employers. They indicated that being from the lower castes; there were jobs that one could not secure. They cited many graduates from the slums who were engaged in daily wage jobs. One respondent lamented "we thought with university education, our children would have equal opportunities as the higher castes. Now we seek same daily wage employment with our educated children"

In the non-gendered slum, out of the nine respondents, only two felt they were empowered. One was a woman who had benefited from the Kiriya Pushpa credit facilities and had purchased a sewing machine and a rickshaw taxi for her brother. She informed the researcher that now the family was financially stable and were in the process of building another floor to accommodate the brother upstairs. The access of land rights delivered by the regularization process had allowed them access to further funding.

The male respondent who felt empowered indicated that after regularization and the resultant access to land rights, he together with his brother had put up a very good one story residential unit to accommodate all six members of the family. He went on to explain that without the land rights, they would not have constructed a permanent structure and all their earnings would not have been beneficial to them. He elaborated that with the daily wages one cannot save in financial institutions but can purchase the building material piecemeal.

In the gendered slum, nine respondents indicated that they felt empowered. Those were the ones with university education, permanent government employment, owned kiosk or rickshaw taxi. They indicated that it wasn't just the regularization and access of land rights alone but the locality of the rehabilitation that had contributed to their feeling of empowerment. They informed that their slum was in a strategic locality in terms of employment opportunities.

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The other thirteen respondents who said they didn't feel empowered even with the access of land rights were mostly those young married women who had dropped out of ore-university. They informed the researcher that by getting married into an upgraded slum from a non-upgraded one was equivalent to rising one rung on the social ladder. According to the interpreter who was a slum dweller herself, when a lady gets married into a richer family, they will not allow the lady to work. For these respondents, marrying into a family with access to land rights denied them a chance to work. Furthermore their own parents had to pull them out of college because a suitor had been found in a richer family. The men indicated that access to land rights had imposed on them financial burdens in the name of the monthly fee, which according to an MSc graduate male in this slum would take at least fifty years to pay it off.

Categories	No. in Gendered slum who feel empowered	No. in Gendered slum who don't feel empowered	No. in non-gendered slum who feel empowered	No. in non-gendered slum who don't feel empowered
Female	9	13	2	7

Table 13: Perceptions of Empowerment

Summary

In terms of empowerment, there were mixed feelings. Some members felt empowered by the close vicinity of the school for children leaving them with time to pursue life skills and start economic activities. Others felt that access to land rights enabled them to invest on their piece of land; something one could not do in a non-upgraded slum where one doesn't have land rights. Still others felt empowered because the locality of the rehabilitated slum contributed to securing jobs.

The young women felt that the access of land rights in their husband family had made them lose opportunities of finishing college and also denied them the opportunity to seek employment. They didn't feel empowered by the regularization and access to land rights.

Other respondents who indicated that they didn't feel empowered attributed it to monthly fee which came with the access to land rights while others said they had lost their some business with the regularization and the eventual access to land rights.

4.6. Findings from In-depth Interviews : Triangulation

The in-depth interviews were conducted with four different people to understand more on the how engendered LASs in Karnataka had delivered women's land rights during the regularization and upgrading processes. These interviews were also conducted as a triangulation to confirm or refute what other information had been collected from the other methods.

Findings from first interview

This interview was conducted with an official with the KSCB to understand how the local authority officials ensured engenderedness in delivery of land rights during the implementation of the regularization and upgrading process in the slums.

He informed the researcher that the choice of female slum representatives was left to the slum colony as an indicator of community participation. However guidance was given so that the representatives chosen would be able to communicate the needs of the women during the whole process.

With reference to the delivery of women's land rights, he informed the researcher that the law required the name of the woman be recorded first then followed by the man in a household where husband and wife were alive. The names of all other members in a household were also recorded in the register which was then copied and forwarded to the board. The copy of the deed issued to members who live in G+ flat bears all the names of family members who live in a flat. This was meant to prevent any illegal transactions by any one member. By preventing illegal transactions, the women's land rights are protected.

The official informed that further considerations to the women had prompted the authority to start the construction of G+2, G+3 flats so that the slum dwellers especially the women would not be taken away from the places where they could secure wage employment.

During allocation of units in the G+ flats, the old and incapacitated were given preference and allocated the ground floor units.

He further informed that the board had started employment programmes that targeted members of regularized slums to assist them in earning some income. Such initiatives include the street sweeping wage employment which had benefited many women in the slums who had no other means of generating income.

The researcher further wanted to know how the landlessness of SC/ST and OBC was accommodated by the town planning Act. On the issue of equity for all citizens he said that there was framework that allow for 5% of urban land to be set aside for slum rehabilitation purposes during layout planning. Using the 2001 India census population data the total population for all lower castes (SC/ST/OBCs) combined was 189,613 while the total population including all castes was 769,389 for Mysore. The lower castes according to the 2001 census constituted 24.6% of the total population. This translates to 5% area being set aside for 25% of the population.

The issue G+ flats have elements of 3D-Cadastral. When he was asked to elaborate what framework the allocation was based on he indicated that at the moment the most pressing objective was to upgrade the slums without taking slum dwellers far away from their places of daily wage jobs. It became clear that the 3-D cadastral for the combined ownership was not based on any regulatory framework.

He revealed that the education component was handled by NGOs on the ground. There were adult literacy classes offered in the evenings in some slums with the cooperation of NGOs and the local authorities. The NGOs pay an honorarium to the facilitator graduate. Sensitization on human rights has mainly been conducted by the NGOs.

The researcher enquired how the board handled inheritance matters. The board official said there were laws that guide the inheritance and that in the slums, there were no cases of contested property arising after the death of a person. He further informed us that there were cases where property had been

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inherited by a non family member. The person in question had been taking care of the ailing widow. No one had contested the will.

Findings from Second Interview

The second interviewee was a woman from KSCB offices. Her choice was influenced by the need to understand the official point of view from a woman's perspective.

The researcher asked on what considerations were given to households that had many family members. She confirmed that as long one was not married all members were given one dwelling unit. When the researcher pointed to the obvious overcrowding in the upgraded slums and that the young married women had no land rights, the officer again confirmed that the deeds could only be updated upon completion of payment.

She informed that the greatest empowerment avenue for the slum people was education. She indicated that although many young married women don't get employment outside the home, this was important for the future of the children. She indicated that those children with mothers who had attained high levels of education were able to give home tuition and their children performed better in school as compared to those with illiterate mothers.

When the researcher enquired about the registration and titling documentation, she indicated that after upgrading was completed, all administrative matters were handed over to the MCC council.

The researcher wanted to confirm about the closure of houses upon failure to remit the monthly fee. She confirmed that upgrading had a negative impact on the slum dwellers. Most of them are in the BPL category and even those who are employed, most were on the daily wage employment. The monthly 810 rupees set payment to the KSCB was too high for some families and in some instances the family fall behind on payment forcing the KSCB close houses temporarily to make them pay.

Findings from third interview:

This woman was sought because she was a slum dweller and an official. Her interview was deemed important because her information would shed light on what initiatives had benefited the slum women as a result of access and control of land.

The first part of the interview was an overview of the CBO, women's wing movement and the objectives of the initiatives on the ground.

The OKKUTA movement was started in 1993 by RLHP. She had been an official of the Voice of Women Federation in various capacities.

From Mysore, Mandya and Chamarajanagar there are 10,000 members in the OKKUTA group. There are 30 women in the committee whose main duty is to advise the other slum women on:-

- Hygiene
- Family health
- Education for all members of the family especially girls to finish their education before marriage.

Members usually meet once a month with 2 representatives from each slum area.

These meetings formulate the agenda for family counselling because most parents do not have the awareness to make the right decisions and to prioritize for their children.

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In the schools, books and lunch is provided for the last three years since Kumaraswamy became PM of Karnataka. Well-wishers also give donations in books and other items such as clothes.

She indicated in the three mentioned above district mention above which had constituted the OKKUTA group, only SC, ST and OBT lived in the slums. These castes do not have native agricultural land by virtue of the caste system. So they wander around and occupy vacant plots and then start negotiating for formalization and allocation of a house/plot.

She mentioned overcrowding as a problem in the slums houses. Officially, young couples can apply for a new house but before they are allocated, most of them move to a new un-notified slum.

Some slums have foreign (non-Karnataka) dwellers and other castes that come looking for work possibilities in the urban areas. Due to lack of affordable decent housing, they start to live in slums. However, there are no Brahmans living in Mysore slums. They are the priest caste so they are assured of a job in the temples and business premises homes performing religious rites.

When there is a need in the slum that require official intervention, like a school or water shortage, or infrastructure, the women and men in the slum come together and start soliciting from the KSCB for the provision of the amenities.

She informed us that the unity of slum dwellers had benefited them. In one particular slum, the area was considered unstable for G+1 or G+2 flats. The occupiers were given an option to relocate but they declined. The owners were therefore not eligible to receive a house constructed under the housing scheme. After negotiations, they were allotted a plot and allowed to construct their own houses without any uniform building code. The infrastructure will be constructed under the KSCB schemes. In this slum, the copy of deed has not been given to the rights holders although they were declared in 2005. She confirmed that the registration and issue of records was not effective.

Most of the women in this slum who are employed work as sweepers and cleaners. The others are housewives with no means of generating income for themselves. They depend on the husbands' income. Most of these husbands and the young men work on daily wages or have their own rickshaw taxi. The scooters have been purchased with funds from loans acquired from the CBOs.

When asked to comment on the issue of dowry and its relation to women's rights. She informed us that parents in slums took loans from CBOs to pay dowry for their daughters. Dowry is considered one way that keeps families in poverty as most families take a long time, even 10 years or more, to pay back the loan. Meanwhile, other siblings might be affected by the dowry in terms of the level of education they can go to or the food they eat. Single parenthood is taboo in India so a family will go to all lengths to see their daughter married off. This, she continued is one reason that girls drop from University to get married. If the negotiations between the two families are complete, then a girl has no choice but to terminate her education. After marriage the girls do not return to complete their education. Dowry therefore has direct negative impacts on women's rights because parents with more than one girl prefer to pay dowry instead of paying for college. She also informed us that dowry forces some parents to give their daughter away to the devadasi system but it's done so secretly. When a woman is given away to this system, she will never have the opportunity to have access and control of land because she ceases to be part of the society and becomes a servant of the gods.

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According to this respondent, the biggest hindrance preventing the slum dwellers from moving out of poverty is lack of awareness and lack of education. This leaves them in a position where they cannot make informed choices concerning themselves or their children.

She informed us that the advantages of regularization and upgrading are the access of funds from their CBOs. Her highest preference for her children is to get a university education and get a permanent government job. She informed that the government as an employer is highly respected and sought after.

Finding from fourth Interview

The next interview was conducted with a MCC official. This respondent was sought so that the issue of records in the land registry could be understood.

The researcher asked the respondent to give an overview of how the slum land information from the KSCB was incorporated with the rest of the land records from non-slum land parcel data. The respondent informed us that the organization was moving from analogue to digital using the GIS tool. The new digital data base has a main objective a database for revenue collection. He revealed that the slum data was not incorporated in the MCC because they were in the BPL category. Most BPLs are considered as revenue pockets and no revenue is collected from the slums. It was not clear how the slum data is handled by the MCC after the regularization and upgrading although the KSCB indicated that after upgrading, the slums are handed over to the MCC.

Summary:

From the in-depth interviews, findings confirm that the LAS was engendered but in some cases the implementation was not engendered. This resulted in ineffective participation by the women or women not reaping all the benefits of upgrading like the use of the multi-purpose complex in the non-gendered slum.

Dowry has a negative impact on the rights of women such as education and access and control of land rights. Although dowry is outlawed, the practice still continues unabated.

Although upgrading did not put the slum dwellers on the same level with the higher castes, the upgrading and hence delivery of land rights has had positive impacts on the lives of women as well of their families in the slums.

5. Discussion

5.1. Introduction

In chapter 4 the primary and secondary data was analysed. The primary data was analysed with the objective to determine whether engendered LASs deliver women's access and control of land during the regularization and upgrading processes. Further this analysis sought to determine what prevents delivery of women's land rights in the presence of engendered LAS. The data was also analysed to determine whether the access and control of land delivered tenure security and whether it results in empowerment. The secondary data was derived from the census of India 2001 and was analysed to determine the gender gaps in empowerment using gender-sensitive analysis. The indicators used for empowerment are education and employment. This chapter discusses the results against the literature. Section 5.2 discusses the Constitutional, Legal Rights and Land Reform and implications on women's land rights. Section 5.3 describes the innovations in LASs that have been designed to ensure the delivery of women's land rights. Section 5.4 discusses women's access and control of land rights. Section 5.5 discusses the use of Geo-ICT in enhancing the delivery of women's land rights. Section 5.6 discusses tenure rights and the guiding frameworks. Section 5.7 discusses the hindrances to improved livelihoods. Section 5.8 discusses preferences for improving livelihoods. Section 5.9 discusses the impacts of regularization. Section 5.10 describes the gender gaps with reference to education and employment using gender-sensitive analysis. Section 5.11 discusses perception of tenure security and empowerment

5.2. The Constitutional and legal rights and women's land rights delivery

The Indian Constitution acknowledges the existence of the discrimination that affects some castes and forbid such practices. The Constitution is clear on the issue of fundamental human rights and has made efforts to eradicate inhuman practices within its boundaries. The Constitution states that "the State not discriminate against any citizen on grounds of religious, race, caste, place of birth or any form" It is further stressed that "The State shall promote with special care the educational and economic interest of the scheduled castes/tribes and shall protect them from social injustice and all forms of exploitation. To ensure these efforts are realised, there are Acts of Parliament such as the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act of 1989 which was put into place to safeguard the rights of these minority groups. Article 14 states that men and women have equal rights and opportunities in the political, economic and social spheres while Article 15(1) prohibits discrimination of persons on religious, race, caste or sex differences. Article 15(3) provides for states to make affirmative discrimination in favour of women. Article 16 advocates for equality of opportunities in matter of public appointments for all citizens.

But despite these Constitutional guarantees, the lower castes continue to be deprived of their rights to own land, education and employment equitably. The lower caste women are affected by this continued discriminatory practice more than her male counterpart. Since the Constitution allows for equity, it would be expected that during the planning process of urban areas, the land would be allocated equitably to all citizens. However, findings indicated that only 5% of the whole of urban regions is set aside for allocation to the lower castes. Using the 2001 India census population data the total population for all lower castes (SC/ST/OBCs) combined was 189,613 while the total population including all castes was 769,389 for Mysore. The lower castes according to the 2001 census constituted 24.6% of the total population. This translates to 5% area being set aside for 25% of the population. This empirical evidence points that, despite Constitutional provision for all citizens to be treated equally, the lower castes have not been treated equally with reference to land ownership.

But while Indian Constitution recognises the need for equal rights to both men and women, the benefits of these provisions are not fully reaped by the women. India also respects the personal laws based on religion and customary laws in issues of inheritance, marriage and divorce and when they are applied in land and property, they tend to discriminate on gender lines with the women losing out. Even with engendered policies in place, the drafting of wills in married couples has been used to block and deny women's their rights when a spouse passes away. The mix of Constitutional, personal and legal machinery which conflict with each other, continue to deny women access and control of land and this is a major concern for many lower caste communities in Karnataka.

In Karnataka, a lot of effort has been initiated with regard to delivering women lands rights. The NCMP for women made a commitment to women to avail "complete legal equality for women in all spheres will be made a practical reality, especially by removing discriminatory legislation and by enacting new legislation that gives women, for instance, equal rights of ownership of assets like houses and land". In Karnataka, land reforms programs have legislated and promoted the joint titling of land. The findings revealed that this joint titling had actually been accomplished at the time of regularization and upgrading process in the slums in Mysore. Furthermore women received titles to land the government program implemented with a specific focus on women. From the analysis in previous chapter it becomes clear that delivery of land in an equitable way requires policies and frameworks that are dynamic and evolve as the man-land relationship evolves with time due to accommodate changes in community needs in harnessing resource. It is argued that an adequate land policy is one that reduces disparities in wealth and income; provide security at the same time eliminating exploitation and promises equality of status and opportunities.

5.3. Engendered LASs and the Delivery of Women's Lands Rights

Land administration systems have undergone innovations with the main objective of delivering land rights equitably. By taking onboard all actors involved and interested in land matters, the Karnataka system was engendered. Engendered LASs are assisted by certain tools to enable the equitable and effective land delivery. These tools which act as the cornerstones include Policies, Land Reforms, regulatory frameworks, organizational institutions, and gendered land tools. These tools play importance and relevant roles and contribute toward the improvement delivery of land rights for both men and women. Gender explicit policies that shape property rights play a major role in economic growth, equity of distribution and sustainability of the base resource. But policies alone cannot deliver land without national and local administration machinery such as gendered land tools to facilitate the

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recording and dissemination of information about land to help implement the policy. The guidelines in policies about how the land as a resource is to be managed, need to be followed keenly at implementation stage so that the engendered LAS can deliver women's land rights.

An engendered LAS identifies the guiding principle, objectives, processes, the players involved and affected together with their roles from design phase to the implementation phase. From the analysis of the data, it was found that the Government of Karnataka has explicit guidelines with clear objectives about the agenda of the whole process of regularization and upgrading. This is spelt in Directorate of Municipal Administration Revised Guidelines 2009-2010 as being poverty reduction and empowerment to the urban poor through community structures like NHGs, CDSs. The KSCB also constituted committees comprised of local authority officials, religious leaders NGOs and slum representatives. This was confirmed by the slum dwellers and also by the slum officials in both slums.

The LAS in Karnataka was engendered and had elements of promoting and improving gender equity. Some innovations for promoting equity included the provision of joint titling. Based on the findings in chapter 4, it was realised that at the time of regularization and adjudication process, the recording of rights included both husband and wife. In fact, the process went further; the names of all children including the daughters who were not married were also recorded on the copy of the deed. At the time of regularization therefore, the engendered LAS delivered women's land rights.

With respect to the UN guidelines as spelt out in the GLTN, if engendered LAS are implemented in an engendered way during the adjudication process, the agenda of the projects such as slum regularization and upgrading can be realised. One of the needs that gave rise to innovate LASs came about after realization that women's access and control of land is not always guaranteed during the registrations process. The requirements of an engendered process include components such as participation which is inclusive. In Mysore, the authorities constituted committees which were inclusive. The slum communities were given the freedom to choose their representatives who were capable of highlighting the unique needs of the diverse groups. But empirical evidence show that the community disharmony in the non-gendered slum denied the women their right to participate effectively during the regularizations and even afterwards. This disharmony resulted in the disintegration of the women's wing. Although the women's wing disintegration would be expected to impact upon negatively, in a strange twist of events, the women became more aggressive and went on to reap the benefits of external assistance offered by the Kiriya Pushapa project. Many women in this non-gendered slum have started economic activities as a direct result of the men's resistance to their development. It become evident that even in the presence of an engendered LAS, community problems can inhibit engendered implementation.

Apart from the adjudication of rights, LASs are charged with equitable management of all information pertaining to land to promote social stability, security to invest on land improvements for the increased productivity and improved livelihood and developments. Engendered LAS should embrace both the formal and the informal sectors. The land records registries within LASs require to be updated continuously, accurate, designed to standards to facilitate revenue collection and to have transparency for transactability. However, in Karnataka, organizational practices that guide the updating of the land registry were found to be inadequate. The land registration information for slum areas was recorded during the regularization and upgrading time. The records have not been updated to include new family members such as women who are married into these families after the initial

recording. The records can only be updated when the full fee for the property is paid. The slum dwellers indicated that the payment period can drag on even to more than 40 years. This was confirmed by the local authority officials and slum committee officials. This lack of up-to-date land information affects both the gendered and non-gendered slums. These organizational practices/guidelines therefore are the barriers that prevent the engendered LAS from delivering land rights to young married women in the slums.

Engendered LASs extend beyond the formal areas to encompass the informal areas and contains disaggregated data to avoid deficient tenure information. The land information needs to be stored in formats that are easy to update and access by the decision makers as well as the citizens. However, the land information in Karnataka pertaining to slums is not incorporated into the city council of Mysore's land information database. The reason given for this omission was attributed to revenue collection procedures. The slum dwellers are all below the poverty line and do not pay tax and their inclusion in the Land records data base was not obligatory. With reference to the population percentage that slum dwellers take up in Mysore, this translates to approximately 25% being left out purposely from the urban database.

5.4. Women's Access and Control of Rights to land

The lower caste woman's access to land rights is affected and hindered by a complex mix of inter-connected and non-connected factors: caste, cultural practices and institutional failings. It has been demonstrated that when women have access and control of land and other assets, there are appreciable differences in the welfare of the whole family as compared to when such rights are held by men. It would therefore be expected that LASs aim is to deliver land rights equitably. From the empirical data, it has shown that in the non-gendered slum, even illiterate women made informed decisions and had high aspirations for their families.

One indicator of the lack of empowerment and economic dependency in women is the low numbers in property ownership. In Karnataka, the slum population data of 2009 show that from a total of 51,914 people, only 19,953 had been regularized and therefore had access to land rights. The rest 31,961 accounting for 62% were still living in informal settlements awaiting formalization and had no access or control of land. This figure does not take into consideration those living in slums which have not been notified and are therefore not part of the officially recognised informal settlements. This means that the numbers are still higher in reality. Within the slums the ratio of men to women is approximately 1:1. From the 62% of people with no land rights, then approximately 30% is comprised of women. Considering that it has been demonstrated that families where women have land rights fare better, then this figure has implications for poverty alleviation within the slum families in Mysore.

In principal, women can acquire land through purchase, allotment by government, inheritance or succession. The realization of gender equality in matters of land and property inheritance has been a challenge for the slum women in both gendered and non-gendered slums. For one, even in the presence of engendered LASs and engendered implementation, the size of the property is so small that most women feel there is no need to make claims on their inheritance. Furthermore, most of the slum women were originally in informal settlements. So even if the law provides for the women to inherit, there is nothing to inherit.

Although Article 39(a)- gives assurance that State shall direct its policy towards securing all citizens equally the right to means of livelihood with Clause (d) of the same Article calling for equal pay for

equal work for both men and women, the women in Karnataka do not have equal access to paid labour. Paid labour is one avenue that women can acquire land. Assuming that the availability of work is evenly distributed among all women in Mysore, empirical evidence using the GLA tool indicates that the gender gap in employment in both slums is quite wide. In the ward with gendered slum, for every 100 employed men, there are only 26 employed women while in the ward with non-gendered slum, for every 100 employed men, there are 30 employed women. This piece of evidence suggests to the inability of women to acquire land rights through purchase.

It has been advanced that the access and control of land empowers women whether they use the land directly or as collateral. However it has become evident that the framework within Karnataka does not deliver full control of land neither to the men nor to the women. Even the tenure documentation issue is only a copy. However even with partial land rights control, the non-gendered slum has some flexibility in how they can use their land. A number of families have started to construct G+1 houses to accommodate all members especially the mature married sons. This flexibility to control the use of land is not available to the gendered slum dwellers because the upgraded houses are flats. The possibility of enlarging their houses is not a reality.

5.5. Geo-ICT and the delivery of women's Land Rights in the Slums

The use of Geo-ICT technology in LASs has been proposed as one avenue to improve the delivery of land rights equitably. The ease of record updating and information delivery is optimal for equitably land information delivery. In Mysore, there is a GIS system that was being inaugurated at the time of research. However the slum land information was not part of the initial program because the slum dwellers are all below the poverty line (BPL) and the digital project was essentially for revenue collection. The out-of-date land records for slum areas would have been brought to date more speedily. Due to the agenda and objectives of the GIS project, the very poor and especially the slum women who need to have access and control to land rights do not benefit from such national initiatives. These findings indicate that even with Geo-ICT available to improve the updating of land records and hence, improve land delivery, institutional project agendas blocked out the capability of this technology from delivery land rights to the women.

5.6. Tenure Rights in the Slums

Karnataka has a registration of deeds system and currently there are about five tenure regimes in place. These are state owned, customary, indigenous, cooperative/joint and private individual tenures. In addition to these five, there are squatters and extralegal tenure and common property resource (CPR) tenures. The Squatters and extralegal tenure is unlawful and under Section 76 of the Karnataka Land Reforms Act 1961 the Tahasildar¹⁶ can take Possession of the land by removing any obstacles. Within the slums, tenure rights are realized during the regularization process of irregular or informal settlements. The tenure rights (Patta) in both gendered and non gendered slums were issued on complex mix of freehold basis and Community Based Land tenure (CLT). Freehold is the highest form of ownership which describes the complete bundle of rights that can be held privately at any point in time. Accordingly Freehold owners have unlimited freedom to dispose of their land through inheritance or sale in part or whole respecting existing restrictions.

However although the land in the slums is issued under free hold and has provisions for unlimited freedom to dispose the land through sale or inheritance, the Karnataka Scheduled Caste and Scheduled Tribes (Prohibition of Transfer of Certain Lands Act) 1978, prohibits transfer through sale of land granted by the Government in favour of an SC or ST. This Act protects the women from losing their inheritance because secret transactions cannot take place.

Authors argue that secure tenure is an avenue for access to other economic and social opportunities, such as credit, infrastructure, public services, and other livelihood opportunities. But the slum woman cannot use the tenure documentation as collateral. The upgrading requires that the slum dwellers pay a monthly fee for the value of the property. This agreement is usually for approximately 25 years. During the period the slum dwellers are paying this fee, they cannot mortgage their property. Furthermore, they cannot rent their dwelling units because the land falls under the restrictions of the Prohibition of Transfer of Certain Lands Act of 1978.

These two frameworks are contradictory but the prohibition regulation is the one which has an upper hand. The officials argue that this is for the good of the slum dwellers so that they do not sell their property and become homeless again. This prohibition also prevent fraudulent individuals from acquiring a property on grounds of being landless and then disposing of it only to start the whole process again. While a majority of the male slum dwellers feel that this prohibition Act is unfair to them, a good majority of women especially in the non-gendered slum said that this Act was good for the women because it prevented men from selling the property. With the drinking problems in the slum, the men would sell the property and leave the women and children suffering. It was also indicated that although this Act appear to be oppressive, it acts as a safety net to prevent the “land sharks” from buying the land and constructing high class residential. Considering the deprivations that women suffer in the non slums, the Scheduled Caste and Scheduled Tribes (Prohibition of Transfer of Certain Lands Act) 1978 in a way protect women’s land rights by ensuring that women have continued access and control of land in the slums.

5.7. Hindrances to improved livelihood of the slum Dwellers

The slum dwellers are all in the “Below Poverty Line” category many years after regularization and upgrading. While the upgrading package had all the engendered components of participation, education and employment generation, the slum dwellers indicated that certain issues prevented them from improving their standards of living. In the gendered slum, education was cited as the number one culprit. This tie with the findings from the gender-sensitive analysis which indicated that in this ward, the gender gap in education was wider than in the ward with the non-gendered slum. Education in the non-gendered slum was cited as the least hindrance; again confirming the gap analysis which showed that in this ward with the non-gendered slum, the gender gap in education was not very wide; it was 100:90 (men: women), close to 1:1. Although both men and women in gendered slum indicated the lack of education as the hindrance to improving their livelihoods, most of the young married women stayed at home with no possibility of looking for a job because they considered the raising a family as a full time occupation. The number one hindrance in the non-gendered slum was cited as

The second in position in both slums was the lack of a permanent job. Again this ties with the gender-sensitive analysis which showed that the employment gender gap is wide in the range of 100: 30 in ward with gendered slum and 100: 26 in the ward with non-gendered slum. The slight difference of

approximately 4, in the gendered slum was attributed to the close vicinity to employment offering places while in the non-gendered slum, the distance from employment places acts as a hindrance for those in the non-gendered slum. In the non gendered slum, in second place was lack of government employment. Lack of government employment was considered last by the respondents in the gendered slum.

In the gendered slum, caste divisions was cited as a hindrance but the slum dwellers in the non-gendered slum didn't mention it specifically as a hindrance although they had indicated there was caste discrimination in the way people were hired.

The gendered slum was more aware of the issues that were a hindrance to improving their livelihood as compared to those in the non-gendered slum. There was contradiction with regard to government employment; while the people in the gendered slum said there was caste discrimination in the way the government hired, in the non-gendered slum, the government was said to be a respected employer.

5.8. Preferences for improving livelihoods of the slum dwellers

In order to improve their livelihood, both slums felt strongly about the need for a reduction of the monthly fee paid to KSCB. They all said that due to the daily wage jobs that most of them were engaged in, the flow of income was not constant and the earnings were meagre. The gendered slum had all 22 respondents unanimously agreeing about the reduction but in this same slum, the lack of government employment which is a sure source of constant income had been last on their hindrance list showing that they didn't consider it highly.

In the non-gendered slum, access to loan facilities, water inside the house, reduction in fee and government employment for sons and husbands had the same priority level at number one. In this slum, their preferences reflect what they had indicated as hindering them from improving their livelihood.

The odd preferences were those from the gendered slum. In second place for improving their livelihood, they mentioned water inside the house when their top two hindrances had been lack of education and a permanent job. Furthermore education was not mentioned even in life skills and they had indicated that education was their number one hindrance to improving their livelihood.

In the gendered slum again, they had indicated that caste division denied them access to certain jobs due to the 33% quota reservation system for lower castes. However, they didn't consider change in employment laws as one way that would contribute to the improvement of their livelihood. The need to change employment laws was cited by the non-gendered slum as one preferred way to improve their livelihoods.

Both slums lacked open spaces for recreation. From the planning design, it was seen as an item which had been omitted on purpose. By upgrading a slum in-situ, there would no extra room for the provision of recreational facilities. This lack of such facilities goes against the laws which advocate for equal treatment without any discrimination on caste or religious considerations. In all other non-slum residential areas, recreational facilities were included in the plan.

For the improvement of the future of their children, both slums had education, employment and marriage for both sons and daughters as their highest preferences. This was evident in the numbers of ongoing school children in many of the households where the questionnaire was administered.

In both slums, (Table 6) land was not seen as an asset that would improve the future of their future. They actually said no even when prompted on whether they would want their children to acquire land elsewhere. These slum dwellers appeared limited in their capacity to make plans for the future. They seemed satisfied with the one plot that had been allocated to them even in families where there was more than one graduate child who had future prospects of securing a high salaried job.

In both slums too property for both sons and daughters were viewed as asset for the improvement of the children's future. But for these slum families, by property for the sons they meant the very small dwelling unit they were living in while for the daughters it was the husband's house. They all indicated that they were not considering extra property.

From the way these slum adults expressed what they would prefer for the future of their children, it appears that the sensitization and awareness programmes that were part of the regularization and upgrading had not quite enlightened the slum dweller on how to improve their lives and those of their children. Furthermore, the bigger part of these programmes had been left to the NGOs and other well-wishers. The locality authority although they have good aims in their manifestos, they do not have tools on the ground to implement or monitor whether the poverty reduction strategies they have on paper are working on the ground.

5.9. Impacts of Regularization on the Slum Dwellers

The regularization and upgrading of the slums have had both positive and negative impacts on the dwellers of both slums. These impacts are both tangible and perceived.

In both slums, all the people were benefiting from the construction of roads, hospitals, schools and the provision of water.

In the gendered slum, the women were benefiting from the multi-purpose hall which housed different activities vital to their improvement and empowerment. However, although the same facility had been provided in the non-gendered slum, hostility from the men had resulted in the closure of the activities such as crèche and women based activities. The men in this slum did not seem to be aware that it was their own children who would miss out on education. By closing the crèche so that the women would have nowhere to take the children as they gained life skills and started home industries, these men were oppressing their own women and yet they complained when that as lower castes, they were oppressed by the system. In this same slum, there was a drinking problem. By denying their women a chance to generate some income or to gain some skills, the men did not realise that it result in less capacity to meet their household needs. In this non-gendered slum, the multi-purpose hall had not benefited the women or the children. This non-gendered slum had education as one of their preferences for the improvement of their children in future and yet, they were denying them the basic foundation in education.

In the gendered slum, the formation of CBOs through the women's wing had enabled the slum dwellers to engage in small entrepreneurs like vegetable kiosks. However the non-gendered slum had not enjoyed this facility due to the breakdown of the women's wing due to hostility from the men. Again this self defeating attribute in this slum was denying themselves from benefit from the facilities that had been provided for them by the local authorities.

The process which the authorities follow to allocate dwelling units does not consider the size of families and whether the family future requirements in terms of space required. Families with seven

grown up but unmarried sons are allocated the same dwelling unit as a family with only one daughter. As a result of this lack of family size consideration, overcrowding was one of the negative impacts reported as a result of regularization.

The planning regulations prohibit keeping of animals in the residential areas after upgrading. In the gendered slum loss of small business from animal had occurred due to the G+1 type of flats. However in the non-gendered slum where the houses are on individual plots, illegal animal keeping still continued. The slum dwellers do not seem to have received enough sensitization on the need to keep the environment clean. Both slums had complained of stomach problem but they still didn't realise that animal keeping was against the urban regulations which they were expected to adhere to.

5.10. Empowerment through education and employment: Closing the Gender Gaps

The lower caste women in the gendered slum seem to have accepted the position imposed upon them by the cultural discriminatory practices while those in the non-gendered slum appear ready to take their rights by any means. This was evidenced by the way the women in this non-gendered slum became fearless and took advantage of the assistance offered by the Kiriya Pushpa project as a result of which many have empowered not only themselves but also their family members through home industries businesses.

When lower castes fail to get full education, they have no access to avenues of personal development such as the reservation system which caters for the 33% in employment.

The above section has highlighted that in order for policies to be equitable; they had to be gender sensitive and explicit so that they are not interpreted to suit certain people or to lock out others. Although there is provision in the Indian Constitution for equality the Article 14 dealing with equality is implicit. It reads as “The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India”.

Empowerment through education has different levels and can result in different types of awareness. During the slum upgrading process, education comes in form of awareness campaigns to create awareness and educate the community whose land is being adjudicated on their rights. What laws, rules and framework that the land rights will be held. The slum dwellers were not given any educational sessions by the local authority officials. The sensitization was left to NGOs. As a result of this, when the slum dwellers were informed about the prohibition Act, they attributed it to social discrimination and segregation.

The other type of education is secular and life skills for the adults to empower them in securing employment. Engendered LASs can deliver the education component by the construction of schools and providing other facilities like tutors for adult learners. The knowledge gained is expected to empower the people by reducing poverty levels, and close the gender gaps by reducing the disparities.

However, the land policies do not appear to have contributed to the reduction of disparities in the way LASs touched ground in Mysore. The results from the gender-sensitive analysis using the GLA tool in a GIS environment indicate that there are gender gaps in education as well as employment with clear low figures for the women. In the ward with the non-gendered slum, the education analysis results indicate that for every 100 men who are literate, there are only 91 literate women.

In the ward with the gendered slum, for every 100 literate men, there are 81 literate women.

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In terms of gender gaps when literacy is considered, the ward with the non-gendered slum fares better; it has 100:91 compared to 100: 81 in the ward with a gendered slum.

When employment is taken into consideration, the ward with a non-gendered slum has a ratio of 100:26 while ward with the gendered slum has an employed ratio of 100:30. This means that in both slums, for every 100 employed men, there are less than 30 women employed.

From these two results it is clear that although women in the ward with non-gendered slum have a higher ratio in education, the women in the ward with a gendered slum have better ratios in employment although only slightly better.

Reasons that might explain these disparities include distances from the available work-places. The ward with non-gendered slum is far from the industrial zone where a lot of wage jobs are available. The non-gendered slum is in a fully built-up so there are no construction works going on which is another source of employment.

The better levels of education might be attributed to the resistance which the women have put up after the men in this ward proved difficult. The majority of women take their children to the Christian based schools which as noted in the findings are attracting a lot of non-Christian families. In this ward, the women have benefited from the Kiriya Pushpa project in terms of personal development.

5.11. Perceptions of Tenure Security and Empowerment

It was expected that regularization, upgrading, access and control of land would lead to enhanced perceptions of tenure security and empowerment. The slums dwellers both men and women attested to feeling secure even if they only had a copy of the deed. Empirical evidence indicated that even those young married women who didn't have land rights expressed feelings of tenure security based on the bigger family's security.

However majority of the slum dwellers do not feel empowered. They do not feel that there is anything they can do to improve their lives which the people in the non-upgraded slums cannot do. It became clear that they have no better opportunities to employment and had no access to credit facilities from banks. Land can be used as collateral but there is a framework that hinders land issued in favour of SCs/STs to be used as collateral until the entire fee owed to KSCB has been paid off. The only motivation which makes the slums to seek tenure documentation is to avoid eviction by the local authorities.

6. Conclusion and Recommendation

6.1. Main Conclusion Statement

The LAS in Karnataka was engendered. However this engendered LAS only delivered partial land rights to both men and women. In the gendered slum, they have access rights only. In the non-gendered slum, they have access and partial control rights. Both slums have no control rights in land transactions. The young women have no land rights at all due to lack of upgrading of land records in the KSCB land registry.

6.2. Conclusion

The main aim of this study was to investigate whether engendered LAS actually delivery women's land rights in the regularization and upgrading process in the slums in Mysore. Also to investigate what factors on the ground can hinder the process from being implemented in an engendered way. To achieve this aim, gendered land tools were used in a comparative study conducted between two upgraded slum areas in Mysore where one was implemented in a gendered way and the other was implemented in a non-gendered way. In this study it was also investigated how the acquisition of land rights had impacted on the lives of the slum dwellers. The perceived tenure security and empowerment were also analysed.

To address the main aim four objectives were formulated:

1. To investigate and document current the legal frameworks that guide the LAS tools for regularization and slum upgrading.
2. To investigate and document whether the implementation process was engendered and whether women's land rights were delivered.
3. To examine social economic issues that women feel need urgent addressing after regularization
4. To compare gender gaps in empowerment between wards with slum areas upgraded under gendered and non-gendered implementation.

1 To investigate and document current the legal frameworks that guide the LAS tools for regularization and slum upgrading

Based on the findings of chapter 4, it was found that the Indian Constitution acknowledges the existence of discrimination that affects some castes and has put in place Acts to counter such practices. The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act of 1989 was put into place to safeguard the rights of these minority groups. However, in Karnataka this Act has not been adhered to. In urban areas according to planning laws, only 5% of the total area is set apart for allocation to the lower castes. Using the 2001 census statistics, the lower castes constitute 25% of the total population. This translates to 25% of the urban population being allocated only 5% of the area.

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This planning law affect all slum dwellers no matter whether the LAS was implemented in a gendered or a non-gendered way.

One the other hand, in Karnataka, the land reforms have legislated and promoted the joint titling of land. The study revealed that this joint titling has been implemented and in both slums. The names of the women who were married at the time of regularization were all included in the copy of the deed. There were no differences in the joint titling in the two slums and this shows that the land reforms and formworks were not affected by the non-gendered implementation in one slum.

The land inheritance practice in both slums was found to be matrilineal and the land is handed down from father to son. As the study revealed, daughters do not claim their rights even if their names are recorded as co-rights holders at the time of regularization. This shows that the cultural norms in inheritance in Mysore are followed more than the legal law.

The study found that the tenure system in the slums is based on the Community Based Land Tenure (CLT) in both slums and the tenure rights are freehold. The CLT was issued to prevent illegal transactions by any member of the slum. The deed copy is issued for the whole slum area and this prevents any transactions. During the study, it was found that this was favoured by the women. Although the land in the slums is given out on freehold rights, the Karnataka Scheduled Caste and Scheduled Tribes (Prohibition of Transfer of Certain Lands Act) 1978, prohibits transfer through sale of land granted by the Government in favour of an SC or ST. The women feel that this is to their advantage. It was found that the local authority has put this as a preventive measure to protect the slum dwellers from scrupulous land sharks who might want to buy these properties.

2: To investigate and document whether the implementation process was engendered and whether women's land rights were delivered

The processes that lead to the regularization and upgrading of slums in Mysore had continuous negotiations between the slum officials and the local authority officials. The local authority in Mysore allowed the slum dwellers to choose representatives of their choice with guidelines to include women as well. This all inclusive participation was aimed at improving the delivery of land rights equitably.

The study found that in the gendered slum, a good number of women participated in the committees during the regularization and upgrading process. In the non-gendered slum, hostility from the men had resulted in few women participating. However, in both slums, these women only participated up to the slum level. It was revealed that the women would take their needs to their male counterparts who would then forward them to the local authority committee. During the study the men had indicated that they were capable of handling all the slum issues on behalf of the women. This shows that the women had not participated at all times and suggests that in the Mysore slums, the women are still not considered to be on the same level as the men. However, even in the gendered slum where the choosing of women had been found to be harmonious, the study found that majority of slum dwellers indicated that more women were required in the slum committees so that they can represent their needs more effectively.

Although the women participation was viewed as inadequate in both slums, the recording of women's rights had been accomplished. All the names of the women, including unmarried daughters had been recorded in adjudication register and later included in the copy of the deed. There was no contested ownership in both slums at the time of the study. This was attributed to strong family ties and the thoroughness of the local authority team.

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After the initial recording and delivery of land rights, LASs continue to update the land records to effect changes. However this study revealed that the KSCB slum land records were out of date. This has resulted in the names of all women who have joined slum families through married being omitted from the land registry records and therefore they don't have land rights in both slums. At the time of the study the lands office in Mysore was going digital. However, the land records from the slums would not be included because the digital records are for revenue purposes and the slum dwellers are all below the poverty line and do not pay tax.

But despite having no rights, all the women whose names were not on the copy of the deed indicated that they felt secure. Again this was attributed to strong family ties. This study shows although the LAS in Mysore delivered land rights to the women at first adjudication, the lack of upgrading (institutional practices) has failed to deliver land rights to all women. Even with digital environment, the lands record from the slum areas could not be updated. This shows that project agendas can deny some members of the society their land rights.

There is a Prohibition Act that prevents land granted by the government in favour of lower castes from being transferred. Further a Karnataka policy prohibits the property allocated to these lower castes from other transactions like renting out or mortgaging. These frameworks result to the delivery of partial lands rights. The women have access but not control of the land they occupy.

3: To examine social economic issues that women feel need urgent addressing after regularization

The process of regularization and upgrading has not improved the lives of the slums dwellers. They are still living below the poverty line.

In the gendered slum, lack of education and permanent employment were considered as hindrances for them to improve their economic status and improve their livelihood but they don't consider highly the securing of a government job as their top preference to improve their status.

In the non-gendered slum, what they deemed as hindrances, they sought to rectify by indicating them as preferences for improving their livelihoods.

The preference for education and employment for the future of their children both sons and daughters was considered highly in both slums. This leaves one to wonder whether the daughter of the future slum dweller will be able to utilize the education gained seen that most of the young married women had all terminated their university due to parental pressure to get married.

The wages they earned do not seem to cover their daily household needs but in the non-gendered slum, the men drunk almost on a daily basis leaving very little for the family spending. To compound this problem, the men in this slum did not want the women to be engaged in economic activities.

The cost which came with regularization and upgrading in the form of monthly fee to KSCB has become a hindrance to all families in both slums and they all felt that a reduction should be effected. The reduction of the fee would translate to a longer payment period. The longer they stay without paying off this fee, the longer they would take to get the original deed to fully own the property. These slum dwellers did not seem to consider what repercussions some of their preferences would have on them later.

4 To compare gender gaps in empowerment between wards with slum areas upgraded under gendered and non-gendered implementation

One of the main aims of regularization and upgrading of slums as spelt out in the KSCB manifestos was to address poverty through gainful employment to the urban unemployed or underemployed through the setting up of self-employment venture or provision of wage employment. The study found that the KSCB had put into place initiatives to assist slum dwellers to earn some income and improve their livelihood status. One such initiative was the street sweeping project which gave wage jobs to at least one member from each house-hold to work in the surrounding areas.

Using the 2001 census statistics, this study found that there are gender gaps in education and employment in the two wards with the two slums. The gender gaps in literacy show that, the ward with the non-gendered slum fares better; it has a 100 men against 91 women compared to 100 men against 81 in the ward with a gendered slum. With regard to gender gaps in employment, the ward with the gendered slum fares slightly better with 100 men against 30 women compared to 100 men against 26 women in the ward with the non-gendered slum. The employment gender gaps are more acute in both slums compared to the education gaps.

The differences in the gender gaps in the wards have been attributed to geo-locality. In the ward with the gendered slum, the employment gap is slightly better because this area is close to a lot of potential employment places. The ward with the non-gendered slum is in an exclusively residential area without many nearby places for employment. As mentioned in chapter 4, the working distance has implications for women's employment potential. The difference in education gap was attributed to the education institutions that have been constructed in the ward with non-gendered slum together with the long period after upgrading.

During the study it was found that the slum dwellers feel secure but majority of them do not feel empowered. These slum dwellers relate empowerment with the availability of employment. Since most of them are on daily wage jobs, they still don't feel in control of their lives as these jobs are not guaranteed.

6.3. Recommendation

This study considered two slums in a whole district with 66 wards. The sample used was also small comprising of 31 slum respondents and 4 officials. The gender-sensitive analysis did not have a two-dimensional temporal quantitative data.

Further research recommended is the use of a bigger sample like the whole district and utilize disaggregated data that has two temporal data sets. This would then be used to investigate whether the gendered land tools contribute to the effectiveness, efficiency and equity in the delivery of land rights. The gendered land tools can then be used to monitor whether land governance is improved and what factors contribute positively or negatively. The study population for this would be chosen to represent a wider community with more diverse man-land relationships than those in the Karnataka slums. An example would be to upscale the use of the gender land tools to include a whole ward comprising non-slum and slum individuals.

The whole aim of using the gendered land tools will be trying to get an answer on how women's land rights can be best protected in the national land policy and land law. This part as policy measures is intended to focus on innovation in land tenure, reform and land administration to protect women's land right.

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8. Appendices

8.1.1. Questionnaire for Leaders, and Government Officials

“Engendered Land Administration Systems: Mysore Slum upgrading

Introduction

I am Serah Kahuri. I am studying at ITC, Netherlands. I want to carry our research on living conditions in Mysore. I would also like to understand whether the land rights were delivered equitably with the LAS that was used.

This information is purely for academic purposes. The names of people interviewed will not be made known to third parties unless permission is given. The research results will be made available to the Mysore residents if they need a copy.

Respondent from: _____ Date: _____

Slum upgrading Process

Q1 Did the administration educate the community concerning their land rights before the upgrading process?

Yes _____ No _____ Not sure _____ Can't remember _____ Was supposed to _____

Q2 If yes: What was taught during those education sessions?

Q3 In what ways do you think the education beneficial to them?

Q4 How many women were in the local committee?

None _____ 1 _____ 2 _____ 3 _____ 4 _____ 5 _____ Any other _____ Can't remember _____

Q5 How many men were in the local committee?

None _____ 1 _____ 2 _____ 3 _____ 4 _____ 5 _____ Any other _____ Can't remember _____

Q6 **How the women** who participated in the committees chosen?

- By administration – Specify who _____.
- By the women leaders _____.
- By NGOs leaders _____.
- By religious leaders _____.
- By volunteering _____.
- I don't know _____.

Q7 Where were the women who participated in the committees **chosen from**?

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- The administration – Specify who _____.
- The women leaders _____.
- NGOs _____.
- Religious leaders _____.
- Local women _____.
- I don't know _____.

Q.10. Were you satisfied with the number of women participants? Yes _____ No _____

If No, would you have wanted more or less: More _____ Less _____
_____?

Why? _____

Land Rights questions

Q1 How was the land acquired? Buying _____ Government allocation _____

Q1 Have all people registered their land? Yes _____ No _____

Q3 What type of land right do they hold?

<i>(tick in the correct column space)</i>	Communal land	Individual land
Squatters and extralegal right		
Statutory right		
Customary right		
Common Property Resource right (CPR)		

Q6 How long is the duration of the land right? _____ Years.

Q7 What type of documents or evidences do they hold for the land?

Q8 Is there a provision to include a married **woman's** in the deed?

Yes _____ No _____ There's no law for that _____ Doesn't matter _____

Q9 Do you encourage men to include **wife's name** in the deed?

Yes _____ No _____ There's no law for that _____ Doesn't matter _____

Q.10 What was most beneficial thing to the women after the upgrading process?

- Education facilities for children _____ Equal employment opportunities. _____
Roads _____ Water taps. _____
- Social facilities e.g. Social halls for gatherings _____ Access to credit _____
- Health facilities and care _____
- Access to Business/markets activities _____
- Any other _____

Q12 Do you think the women feel more secure since the upgrading took place?

Yes _____ No _____

Why? _____

8.1.1. Questionnaire for Slum Dwellers

Questionnaire

Introduction

I am Serah Kahuri. I am studying at ITC, Netherlands. I want to carry our research on living conditions in Mysore. I would also like to understand whether the land rights were delivered equitably with the LAS that was used.

This information is purely for academic purposes. The names of people interviewed will not be made known to third parties unless permission is given. The research results will be made available to the Mysore residents if they need a copy

Code of respondent: _____ Date: _____

General Family questions:

- Q1 Gender: Female -----Male-----
- Q2 Are you married? Yes _____ No _____
- Q3 How many children do you have? _____
- Q4 Do you have a **son** in:-
- Primary school _____ High school _____
 - College _____ Working _____
- Q5 Do you have a **daughter** in:-
- Primary school _____ High school _____
 - College _____ Working _____
- Q6 What would you like your daughter to have in future that you don't have today?
- Education _____ Employment _____ Land _____ Property _____
- Q7 What would you like your son to have in future that you don't have today?
- Education _____ Employment _____ Land _____ property _____
- Q8 What do feel would improve your standard of living right now?
- Education _____ roads _____ sanitation _____ change in land laws _____
 - Community involvement _____ any other (Specify) _____
- Q9 What do you consider to be the greatest factors/reasons that prevent you from improving your standard of living at the moment?
- _____

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Slum upgrading Process

Q1 Were you given any awareness information by the administration concerning your land rights before the upgrading process?
Yes _____ No _____ Can't remember _____

Q2 If yes: Was the education beneficial to you? Yes _____
No _____

Q3 What did you learn from those education sessions?

Q4 What was the women representation in the administration committee?
None _____ A few _____ Can't remember _____ I don't know _____

Q5 How many women from the slums were in the committee for upgrading?
None _____ 1 _____ 2 _____ 3 _____ 4 _____ 5 _____ Any other _____ Can't remember _____

Q6 Do you **know how the women** who participated in the committees were chosen?

- By administration – Specify who _____.
- By the women leaders _____.
- By NGOs leaders _____.
- By religious leaders _____.
- By volunteering _____.
- I don't know _____.
- By the slum dwellers _____.
- By the CBOs _____.

Q7 Do you know where the women who participated in the committees **were chosen from**?

- The administration – Specify who _____.

Engendered Land Administration System – Mysore Slums Upgrading

- The women leaders _____.
- NGOs _____.
- Religious leaders _____.
- Local women _____.
- I don't know _____.
- The CBOs _____.

Q8 How did the women participate in the upgrading process?

Q9 What did the women say?

Q10 How were the suggestions made by women handled?

Q11 Were you satisfied with the number of women participants? Yes

No _____

If No, would you have wanted more or less: More _____ Less _____?

Why? _____

Land Rights questions

Q1 How did you acquire your land?

Inheritance _____ Buying _____ Government allocation _____

Q2 Have you registered your land? Yes _____ No _____

Q3 What type of land right do you hold – fill in table below:-

<i>(tick in the correct column space)</i>	Communal land	Individual land
Squatters and extralegal right		
Statutory right		
Customary right		
Common Property Resource right (CPR)		

Q6 How long is your leasehold? _____ Years.

Q7 What type of documents or evidences that you hold for your land?

- Deed / village register + map _____
- formal titled or registered documents _____

Engendered Land Administration System – Mysore Slums Upgrading

- Oral word from Slum leader_____
- Electricity Bill _____
- Other_____

Q8 Can you read? If No then who translated the writings of the deed?

Lawyer_____ Community leader

Other_____

Q9 If a married **woman**, would you like your name to be included in deed?

Yes _____ No _____ Doesn't care _____ Doesn't matter _____

Q10 If a **man**, would you like your **wife's name** to be included in deed?

Yes _____ No _____ Doesn't care _____ Doesn't matter _____

Q11 What was most beneficial thing to you after upgrading process? (Tick 1, 2, and 3 in order of importance)

- Education facilities for our children _____ Employment opportunities. _____
- Roads _____ Water taps _____
- Social facilities e.g. Social halls for gatherings _____ Access to credit _____
- Health facilities and care _____
- Access to Business/markets activities _____
- Any other _____

Q12 Do you feel happier or more secure since the upgrading took place ?

Yes _____ No _____

Why? _____

Q13 Describe the process of acquiring your deed. Was it fast, cheap, easy or confusing?
