

Gendered Realities: Exploring Property Ownership and Tenancy Relationships in Urban India

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Summary. — Gender is emerging as a central analytical construct in exploring landed property ownership and tenancy relationships in India. This article explores the nature of land tenure and landed property rights in slums in India from a gender perspective. The author raises key issues that need consideration in developing a gendered vision of urban land rights, tenure, and reform by documenting some of the central findings of her field research conducted in slums in Ahmedabad, India, in collaboration with the Self-Employed Women's Association (SEWA). In each case, the author also draws out policy recommendations for redressing discrepancies in women's ownership of urban land and housing.

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Key words — gender, land rights, land tenure, slums, India, South Asia

1. INTRODUCTION

The Ahmedabad Municipal Corporation (AMC) recently approved household-level infrastructure upgradation for *Madrasi Ni Chali*, an unserviced slum in Ahmedabad, India. Although somewhat distrustful of the AMC's intentions, the residents of *Madrasi Ni Chali* are anxious and eager to receive the benefits promised by the slum upgradation project, including secure land tenure, which they emphasize will also motivate them to attempt to upgrade their homes incrementally. Ratnaben lives in a straw hut in the slum with her husband, a factory worker, and four young children. She wakes up at 5 a.m. every morning to stand in line for water. The community of 150 households currently shares one water tap that works for only 1 or 2 hours every morning. There is no municipal garbage removal service in the community so residents pool money to pay a private contractor to rid the area of its refuse on a monthly basis. There is also no electricity in the community. Since kerosene is expensive, most residents, including Ratnaben, who embroiders wedding saris on contract, must finish their daily activities before sundown to minimize the use of lanterns. None of the families in *Madrasi Ni Chali* have toilets in their homes. There is one public toilet in the commu-

nity but whenever there is a storm, the shallow drains clog up and render it unusable. All residents are forced to use public areas like railway tracks and riverbeds as toilets. They are subjected to ridicule and women are also vulnerable to sexual assault.

That secure land tenure and adequate housing, or the lack thereof, have a significant impact on the lives of people does not require justification. This research was not motivated solely by the desire to demonstrate the relevance of land tenure, housing, and sanitation services in the lives of low-income urban populations. There is a large body of literature produced by policy-makers, planners, architects, and designers within governments and international agencies that addresses the importance of adequate and appropriate housing in improving the quality of lives of low-income families in the developing and developed world contexts. The increasing concern with housing low-income populations in the developing world has placed shelter prominently on the agendas of research and development agencies. However, far less attention has been paid within such debates to the specific land and housing needs of low-income women. Thus, while

* Final revision accepted: February 16, 2007.

research and scholarship on housing policy, for example, explicitly focus on why it is necessary to distinguish the housing needs of developing world populations on the basis of *income*, there is less emphasis on understanding shelter needs on the basis of *gender*. How important is landed property in women's lives? Do women in low-income urban communities have land and housing needs that differ significantly from those of men? What specific factors impede or facilitate urban women's ability to access and control landed property? How can state agencies and nongovernmental organizations support urban women's attempts to acquire land, housing, and sanitation services? What specific skills, opportunities, and legislative and policy changes do urban women need to empower themselves vis-à-vis men in the ownership of landed property?

My research seeks to answer a few of these questions in the context of urban India. It explores the challenges and opportunities facing low-income women in securing access to and control over land and housing in low-income settlements in Indian cities. I chose to focus specifically on urban low-income women for several reasons. Gender-related research on land and property in South Asia has almost overwhelmingly focused on rural women and their unmet needs for access to, control over, and use of agricultural land. Such research has stressed the need for gender-focused agrarian reforms by highlighting the role of the local community and the state in legitimizing oppressive male-biased arrangements through legislation and policies of various kinds (Cooper, 1988; Custers, 1987; Gupta, 1993). The corresponding land and housing requirements of urban women in terms of financial services, tenure, planning and design of living space, physical comfort, sanitation, space for income-generating activities, and access to public services have received low and woefully inadequate attention in research and policy formulation. This neglect mirrors a parallel gap within academic scholarship where the relationship between poor urban women and landed property has remained virtually unattended and little theorized. Therefore, the case for raising the visibility of these issues and building capacity for research and action is very pressing indeed; and this study, which focused on land tenure and housing for low-income women in urban areas in India, stands to fill not one, but several, gaps in research, capacity building, and policy formulation.

2. ORGANIZATION OF AFFILIATION AND CONTEXT OF RESEARCH

To conduct my research, I sought an affiliation with an organization that had a specific mandate to improve the living and working conditions of low-income urban women. I chose the Self-Employed Women's Association (SEWA), a trade union founded in 1972 to organize women in the informal sector in the western Indian state of Gujarat, partly because of the tremendous success it had enjoyed in promoting the causes of informal sector women, and partly because of the organization's ability to employ empirical research about its membership to support its activities and advocacy. SEWA's articulation of housing, housing infrastructure, and landed property rights for urban low-income women as one of its most pressing current priorities further convinced me to select it as an organization of affiliation. Discussions with the SEWA leadership revealed that although issues of ownership of land and property were assumed to be crucial to much of its urban membership, this was an area toward which SEWA was just beginning to turn its attention (Jhabvala, 2002). Thus, while SEWA has attempted to meet the shelter needs of its membership indirectly through micro-credit services offered by SEWA Bank for over three decades, and more directly through its slum upgradation and housing advocacy activities since the establishment of the Gujarat Mahila Housing SEWA Trust (MHT) in 1992, the momentum has been building up over the years for a grounded case study to explore the specific opportunities and constraints low-income informal sector women face in securing access to and control over landed property. The opportunity to fulfill such a timely research gap not just within academic scholarship but also within an organization committed to empowering women also influenced my decision to conduct the study in collaboration with SEWA.

With a membership of more than 460,000 in Gujarat and of over 680,000 across India in 2004, SEWA is currently by far the world's largest women's trade union (SEWA, 2004). In addition to constantly expanding and adapting its activities and services to suit the needs of its membership, SEWA has established strong links with national and international policy, research, and advocacy organizations. The International Labour Organization's Convention on Home Workers and the Supreme Court of India's recognition of the right to vend as a basic

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