Land for Housing the Poor

Angel . Archer . Tanphiphat . Wegelin . Editors

Land for Housing the Poor

Edited by Shlomo Angel, Raymon W. Archer,
Sidhijai Tanphiphat and Emiel A. Wegelin

Select ✶ Books

Table of contents

IX There are even alternatives to private or public land ownership

X Acting on the land issue

III
Responsive governments have intervened to make land tenure more secure

Land tenure for the urban poor

Shlomo Angel *

"Let us set a limit to the amount of land an individual may own, give the excess land to those who really need it, and put a stop to the concentration of land ownership in the hands of the few."

Tung Chung-shu, an official of the
Han Dynasty and a contemporary
of Emperor Wu (140-86 B.C.)[1]

Introduction

Observers of slums and squatter settlements in the Third World have often noted that, left to their own resources, poor people gradually improve their shelter over time. Poor as they are, they invest very considerable. amounts of energy, resources and ingenuity on the construction and improvement of their houses. Consequently, it has been suggested that government, which cannot build houses for everyone by itself, must recognize and legitimize these constructive efforts by removing obstacles and constraints to house improvement and by providing essential public services. Given the freedom and the opportunity, people will gradually mobilize their savings, their labor, their creative abilities and their social networks to house themselves.

This *gradual* approach to housing improvement requires the acceptance of slum and squatter communities as legitimate forms of urban housing which, in principle, must be improved rather than destroyed. Slum clearance must be abandoned in all but exceptional circumstances, and replaced by slum improvement and consolidation. Efforts to construct public housing for poor families must be abandoned as well, in the face of impossible financial constraints, and replaced by the opening of new serviced areas where low-income people can build their houses gradually over time.

*Shlomo Angel is Professor of Human Settlements Planning at the Asian Institute of Technology, Bangkok, Thailand.

Admittedly, the adoption of this approach has been slow and tenuous. In many official quarters the participation of the people in housing themselves is still considered heretical,[2] and slum upgrading and sites-and-services programs are still strongly opposed. Powerful interests within the private sector continue to press for large public investments in subsidized housing construction, and have by no means been subdued. Gradual housing policies have thus been either slow or impossible to materialize with the result that housing conditions in most cities remain almost intolerable, as if by design, and virtually nothing is being done on a significant enough scale to prevent further deterioration.[3]

Still, as rural migrants and expanding urban families continue to create and expand popular settlements, the promise of the gradual approach gains ground and the vision of the total eradication of slums and their replacement by orderly urban development fades into oblivion. Realistic politicians and administrators are increasingly willing to experiment with gradual approaches that at least show promise of being replicated on a sufficiently large scale. A significant number of such experiments has indeed been implemented during the last decade and useful experiences with gradual approaches have been accumulating.

The aim of this paper is to articulate a number of lessons learned from these experiences, with a special focus on the issue of land tenure. Since the insecurity of tenure and the fear of eviction are considered to be serious obstacles preventing house improvements in slums and squatter settlements, tenure security and freedom from eviction are the natural means for removing these obstacles. Improved land tenure security is, therefore, generally accepted to be the foundation of the gradual approach to housing.[4] Unfortunately, it is usually accepted without adequate questioning. To understand the land tenure issue more thoroughly, a number of questions must be further explored:

(1) How does tenure security affect popular investment in house improvements?

(2) Is tenure security a sufficient condition for generating improvements?

(3) Under what conditions can political action on land

tenure take place?

(4) Can tenure change be effectively administered?

(5) Are there potentially harmful consequences to tenure change?

These questions cannot be settled by theoretical reasoning alone. Answers must be sought in the field of experience. Indeed, the preliminary answers given below are drawn from the experiences of eight cities which have given varying degrees of emphasis to the land tenure issue in their pursuit of gradual housing policies. Each of these cities has a substantial and growing slum and squatter population, and each has made an effort to confront this situation in a unique manner. These individual experiences are difficult to generalize, but an attempt has been made to focus on the more universal issues, and to suggest that many of the particular experiences of individual governments could be important lessons for others pursuing similar gradual housing strategies.

I Tenure security and housing improvement

In the slums and squatter settlements of Third World cities there appears to be a demonstrable relationship between the level of land tenure security and the condition of houses. Tenure security, whether backed by documents, by promises or by hopes, is fundamentally subjective. The feeling of security is an expectation, a speculation that the house is not likely to be destroyed and that eventually the right to stay will be legalized and made legitimate. If such expectations are high, people can safely invest in their houses without running the risk of losing their savings. If expectations are low, people are inhibited from improving their houses and use their savings for other purposes. Housing conditions under conditions of insecure land tenure are, therefore, likely to remain unsatisfactory for long periods of time.

The association between security of tenure and the condition of houses is not a new insight. It is a central issue in the writings of Charles Abrams and John Turner in the early 1960s,[5] and earlier references to it are made by the various Latin American writers in the late 1950s and the early 1960s.[6]

This section examines the data from recent studies in

Karachi, Bombay and Jakarta on three aspects of this relationship. In Karachi, an estimated 1.6 million people out of a total population of more than 5 million live in *katchi abadis*. These illegal settlements cover an area of approximately 3,600 hectares, more than 90 per cent of which is government land under the jurisdiction of the Karachi Metropolitan Corporation.[7] Since most of the land is publicly owned, and since the government has occasionally granted 99-year leases to established squatter communities, squatters realistically entertain the hope that the government will eventually grant them tenure security.

A study in Karachi documented the relationship between hope for secure tenure and house improvements and found that for any given income group, households with higher hope for secure tenure invest more in their houses than houses with some or no hope.[8]

A second Karachi study, covering 250 squatter settlements, found hope for secure tenure to be strongly related to government actions, particularly the initiation of public works in the settlement.   Provision of services by authorities, surveys, collection of taxes, and official announcements were found to be associated with increased levels of hope.   The four most important hope-giving items were found to be the presence of municipal water supply in the area, the availability of electricity, a sewage system, and collection of taxes by government officials. The study concluded with a high degree of confidence that the condition of houses was significantly better in settlements which had more hope-giving items present.[9] These "signals" from the authorities were interpreted by residents as measures of recognition of their settlement and provided a measure of security that the settlement will eventually be regularized.   Consequently, people invested in their houses without fear of demolition.

This behavior on the part of settlers appears to be rational in light of the fact that over the years a number of communities in Karachi have been officially "improved" (provided with infrastructure services), and "regularized" (provided with long-term leases) after improvements have taken place.   Although this was done in the absence of an overall policy, regularization and improvement have gone hand in hand, and in the majority of cases regularization followed improvement.

Elsewhere, however, where such precedents do not exist, infrastructure improvements may not imply regularization. Such improvements by themselves need not necessarily create expectations of legal land tenure and consequently may not bring about accelerated house improvements. This has largely been the case with the Kampung Improvement Program in Jakarta. This program, initiated in 1969, has concentrated on the improvement of public infrastructure in the city's low-income residential areas. By the end of 1979, the city will have upgraded the physical infrastructure in kampung residential areas covering 7,380 hectares or approximately 90 per cent of the total residential area in Jakarta's kampungs, benefitting some 3.5 million persons.[10]

In implementing the program, the land tenure issue has been avoided, largely because of its complexity. The Indonesian system of land ownership is a combination of western law and traditional law. Under traditional law, there are various rights on land, the most important of which are the right of ownership and the right of building. There are also secondary rights such as the right of lease and the right of lodging. These rights are legally recognized but are usually transacted without proper registration. Registration is expensive and complicated since every house may have several different rights belonging to several different persons.

Land tenure conditions in the improved kampungs have thus remained unchanged, with no prospects of change in sight. As a consequence, no significant house improvements have taken place after new infrastructure was installed. A recent study compared house improvements in 140 kampungs. Some of these kampungs had their infrastructure improved, some were to be improved, and some were never to be improved. The study inquired whether households initiated improvements and repairs on their houses during the three years prior to the survey. No significant differences between improved and unimproved kampungs were found.[11]

In the case of Jakarta, therefore, expectations of legal tenure were not raised by the implementation of the infrastructure program. In the case of Bombay, however, they were. Unfortunately, the latter have turned out to be false expectations with dire consequences for the residents, as the experience of the

Janata Colony demonstrates.[12]

The Janata colony in Bombay was designated as a resettlement area for evicted squatters from various parts of the city after 1949. Plots of 30 square meters were allotted to squatters, letters of allotment were given, and rent for the land was charged. All these official gestures were perceived by the residents as increasing their tenure security. Over the years, the settlement grew into a small township, housing a total population of 72,000 in 1975. Infrastructure improvements were carried out in the colony in 1958, 1969 and 1972, further reinforcing the people's perception of security. Residents invested in the community on a significant scale. Schools were built, as were temples, mosques, churches, dispensaries, ration shops, restaurants, a police station, government offices, businesses, and public wells. A number of small industries producing saris, furniture, and garments for export, as well as flour mills operated in the area.

The consolidation of the colony over the years did not prevent the Department of Atomic Energy, which owned the adjacent lands and desired the area for expanding residential quarters for its employees, from launching an effective campaign to evict the colony in 1975. The Bombay Municipal Corporation mobilized a large police and paramilitary force in May 1976 and evicted the entire population of the colony.

An alternative site was offered 5 kilometers away, but only the original 3,500 households were offered plots at the new location, this time measuring only 15 square meters.

These apparently contradictory public actions occurred because different sectors of the public administration were empowered to act in the same area without consultation or agreement between them. On the one hand, the Maharashtra Slum Improvement Board sought to exercise its authority to upgrade the area. On the other hand, the Municipal Corporation and the Collector sought to exercise their authority to demolish the area under the Maharashtra Vacant Lands (Summary Eviction) Act, which considers all slum areas to be legally vacant. The latter, pressured by the Department of Atomic Energy, prevailed upon the police and the military to eradicate the township.

In Bombay, mass evictions continue to take place hand in

hand with massive programs of environmental improvements. Expectations of permanent tenure are naturally reduced, and consequently popular investment in housing beyond the minimum necessary for provisional shelter cannot take place.

Evidence from Karachi, Bombay, Jakarta and elsewhere suggests that there is a strong positive relationship between security of tenure and house improvement. Security of tenure appears to be a precondition for channeling resources into houses that would be channeled elsewhere in the absence of a satisfactory "investment climate" in slums and squatter areas. The actual expectation of permanent tenure is an important condition for the consolidation of houses in these settlements, but infrastructure improvements divorced from such expectations are not.

The relationship between infrastructure improvements and other government actions in slums and squatter settlements and the level of expectation of permanent tenure is not uniform. They can lead to increased expectations as in Karachi, they can leave expectations unchanged as in Jakarta, and they can create false expectations as in Bombay. Consequently, since expectations of permanent tenure spur housing investments, they can lead to improved housing as in Karachi, they can leave housing conditions unchanged as in Jakarta, or they can lead to considerable losses as in Bombay. It is the actual level of expectations that affects decisions to invest in improving houses and, in calculating the risk of such decisions, people need to take into account the entire spectrum of government actions. House improvements are therefore more likely to respond to comprehensive and established government housing policies than to haphazard instances of improvements or promises of secure tenure by politicians and government officials.

II   The insufficiency of tenure security

While it is true that the absence of secure land tenure contributes to the stagnation of houses and to the lack of interest on the part of the people in housing improvement, simple improvement of tenure security appears to be an insufficient condition for channeling the people's resources into housing.

Other very important conditions need to be present. Places where people are eager to build and only the stubborness and heavy-handedness of the authorities prevent them from doing so may not be as common as places where poverty and other serious constraints prevent people from improving their houses even though they enjoy considerable tenure security.

This section explores the experiences of three cities, Colombo, Port Moresby and Mexico City, that have engaged in slum and squatter upgrading programs which include the improvement of tenure security, often among a number of other measures of housing assistance. For different reasons in each case, the granting of legal land tenure appears to have been an important but insufficient condition for increasing their investment in housing.

In Colombo, an important redistributive program specifically aimed at improving the housing conditions of the urban poor was introduced in 1973 as the Ceiling on Housing Property Law. This Law sought to restrict house ownership of any individual to a maximum of two dwellings.[13] The government expected that thousands of tenants would get an opportunity to own homes for the first time, that ownership of housing property would be diffused among a very large number of families all over Sri Lanka, that slum landlordism and other forms of exploitative landlordism would be severely curtailed, and that as a result the housing stock in the country would be better maintained and improved by the new owners.

Of a total estimated population of 611,000 in Colombo in 1973, 57.45 per cent lived in tenement slums, subdivided houses and shanty towns. Tenement slums, commonly referred to as "tenement gardens", contained 19,576 units and housed a population of 136,876, 22.4 per cent of the city's population.[14] As a result of the legislation in 1973, 11,366 of the total 19,576 tenement slum units were transferred or "vested" with the Housing Commissioner, and approximately half of the tenants of these units had received Preliminary Agreements for the purchase of these units by 1977.[15] In addition, an unknown number of units has been transferred directly to tenants through private transactions.

A survey conducted in Colombo in 1977, four years after

the enactment of the Law, could not identify any significant investments in house improvement in the tenement gardens. Residents were found to be too poor to be able to afford improvements without outside financial aid.[16] Where conditions of absolute poverty exist, the people are unlikely to be able to afford major house improvements regardless of the level of tenure security. Considerable improvement in economic status may be necessary before real investments in house improvements can take place.

A study carried out in Mexico City in 1974 found that where there are significant variations in the economic status of squatter households, house consolidation and improvement vary accordingly. The better the economic status of the households, the higher the investment in house consolidation.[17]

Approximately 40 per cent of the built up area of Mexico City is occupied by "colonias proletarias", illegal subdivisions in which self help is the normal process of construction. Most of these subdivisions are organized by entrepreneurs who sell plots to occupants. A few have been established by organized squatter invasion. Government agencies eventually intervene to install essential urban services and, occasionally, to legalize tenure. The settlements chosen for study in 1974 had all obtained legal tenure in 1952, 1968 and 1974 respectively.

A house consolidation index was constructed as a composite score of building materials used in the house, available services, finishes, and the number and functions of rooms. The average level of house consolidation in each of the settlements was found to vary largely according to their age; the older the settlement, the higher the level of house consolidation. At the same time, a remarkable range of levels of consolidation was found within each of the settlements. To explain this variation, levels of house consolidation were correlated with a number of socio-economic variables. Within each settlement, house consolidation was not primarily a result of the number of years of residence in the settlement. Income variables were most significant in affecting the level of upgrading achieved. Not only household income but level of education and type of employment as well were found to be positively correlated with house consolidation.

The study concluded that there are "consolidators" and

"non-consolidators" in each of the settlements.[18] Consolidators are characterized by more stable and higher incomes, higher levels of education, and more skilled jobs. They come from urban rather than rural backgrounds and have stayed in the city for longer periods. House consolidation is largely restricted to the aggressive and better equipped members of squatter communities. Those who lack education, contacts and skills have lower incomes and a lower level of surplus savings that can be used for house improvements.

While the studies of Colombo and Mexico City emphasize the economic constraints to house consolidation in conditions of improved tenure security, the studies of Port Moresby focus on social and cultural variables that inhibit house improvement. These studies show that even in conditions where people can potentially invest in house consolidation, they may choose not to do so or may be unable to do so because of social and cultural pressures.

A migrant settlement improvement program was initiated in Port Moresby in 1973, following the publication of the Papua New Guinea Government White Paper entitled *Self-help Housing Settlements for Urban Areas*.[19] The aim of the program was to upgrade Port Moresby's migrant settlements, approximately 15 in number, which housed 25 per cent of Port Moresby's total population of 123,000.[20] To date the upgrading process has been completed in all settlements which are located on government land, and in one of the settlements located on customary land belonging to the local tribes.[21]

The settlement upgrading program attempted to maximize the involvement of the community in the planning and execution of improvements. Improvements consisted of cadastral surveys, allotment of 450 square meter plots to individual households, infrastructure development amounting to 600-750 Kina (US$ 840-1,050) per plot, construction loans of 250-750 Kina (US$ 350-1,050) per household, and technical assistance in construction. Settlements were extended wherever necessary to accomodate the excess population on new serviced plots.[22]

Yet the program has achieved only modest success in generating housing improvements. People have started building, using construction loans, but many have had to leave their

houses unfinished as loans were insufficient to complete them. The settlements are dotted with timber frames of incomplete houses, some of which are already several years old, while families continue to inhabit their old shacks.

A study of one of the settlements found that the clan responsibilities of household heads required that any visiting members of the clan be housed and fed for as long as they needed. The settlement was characterized by large households with one or two working members. The larger the household, the more difficult it was to generate savings for house construction.[23]

The promise of a long lease was not a sufficient incentive to complete the houses. Neither was it a sufficient incentive to repay the loans. Fifty-three per cent of the households had failed to begin to repay the loans, even though some of the loans were granted in 1976 for repayment in four years. A total of 92 per cent of the amount loaned was still outstanding by 1980.[24]

A second study in Port Moresby cited the cultural traditions of different tribes as important reasons for the variations in house improvements. The Goilalas, for example, build very poor houses and put much of their energies into a complex system of festivals held periodically in different parts of Port Moresby. The Koiari, on the other hand, put their energies into their religion and into improving their communities and their houses.[25]

A study of the exceptionally successful Talai settlement in Port Moresby showed that two years after upgrading started in 1975, 57 new houses had been built.[26] Residents of Talai were found to have a higher degree of commitment to remain in town for the rest of their lives, compared with two other surveyed settlements where people preferred to invest in their home villages. The residents of Talai were all migrants from the Gulf Province, joining a well-established Gulf Province community in Port Moresby. This enabled them to obtain access to information as well as privilege, and provided the necessary advantages over other groups in competing for resources within the urban system.

The settlement improvement program in Papua New Guinea, which combined all the elements necessary for the success of such a program, from community organization to housing loans and secure tenure, still fell short of mobilizing squatters to participate in improving their houses. In addition to serious

economic constraints, the commitment to stay in the urban area as well as cultural traditions and the level of urbanization, played a significant role in determining the level of participation in housing improvement.

In Colombo, Mexico City and Port Moresby, actual house improvements were largely left to self-help processes, which were expected to be self-generating and self-sustaining. This has usually resulted in the underdevelopment of many houses, leaving the poorer households largely without a real opportunity to improve their shelter.

Tenure security, in order to be an effective tool for housing the poor, should be conceived as an important component in an integrated program aimed to bring about improvements by mobilizing the people. The desire for house ownership and the consequent willingness of the people to save through investment in their housing need to be tapped. When there are no savings, no investments can be expected. When other obstacles to the improvement of houses appear, they must be confronted and overcome. Since the situation in which developing slum communities find themselves is dynamic, the ability to articulate objectives and concentrate community efforts becomes a necessity. Community organization becomes an important component of the housing process itself. The gradual improvement of houses hinges on the ability to elicit the participation of the people in house building and on the precise understanding of their self interest, their abilities and their limitations. In the absence of such understanding, the granting of permanent land tenure, even when accompanied by a rich variety of assistance programs, may fail to generate the desired results.

Having discussed the relationship between land tenure and house improvement, the relationship which lies at the basis of the gradual approach to housing, we must now venture beyond the housing issue and into the more fundamental issue of control over the allocation of resources in society, an important one of which is land.

III   The politics of land tenure

The gradual approach to housing requires political intervention in the operations of the housing market. Its persuasiveness rests on the failure of the formal housing market to provide adequate housing at affordable prices to the urban poor. This failure is usually blamed on speculative land prices, inappropriate building standards, unresponsive financial institutions, and a serious misunderstanding of the culture of the poor. At the core of this failure, however, is the inability of the market system in general, and the urban land market in particular, to supply adequate land for housing the poor.

The pursuit of land tenure for the urban poor, particularly through the demand for the legalization of tenure in squatter areas, implies the alienation of land from the land market by political means. The issue is one of control over urban resources and the exercise of power to allocate these resources among the different members of society. This necessarily implies a confrontation, implicit or explicit, between different interest groups seeking to control the use of urban land to their advantage. Such control is gained and maintained through the use of power. In fact it can be safely postulated that any substantial change in land ownership patterns implies a corresponding change in the structure of power and its distribution. It has often been remarked that the distribution of land ownership is a mirror image of the distribution of power and influence in society.

The success of the gradual approach to housing thus relies on a coalition between the squatters and those forces in society which have an interest in granting them secure tenure. The limited evidence from the experiences of Manila and Karachi discussed below suggests that such forces may be revolutionary or reactionary, and may originate from the grass roots or from the ruling elite. There is no a priori reason to believe that all measures for granting secure land tenure to the poor are necessarily progressive.

While the ensuing discussion focuses on the experiences of two cities, Manila and Karachi, the land tenure issue has actually been dealt with by central governments and not by city governments. In both cases the issue has attracted the attention of politicians at the national level and has produced legislation at

that level as well. Action on land tenure is not a technical or an administrative issue, but a strategic one, fought and resolved at the highest levels of government. In this respect, the focus of the gradual approach is not on architecture, engineering or finance, the traditional domains of housing professionals. The focus is rather on the understanding of power and its exercise. The need for this understanding cannot be overemphasized as it lies at the core of all effective housing action. Admittedly, in some cases it may be necessary to couch the arguments for the gradual approach in non-political terms and to focus on its financial and administrative advantages. As a strategy this may be correct in specific cases. In general, however, a realistic assessment of the political environment in which housing programs must be implemented, the interplay of conflicting interests, and the shifting fortunes of power and influence appears to be necessary. Without it, it may be difficult to explain why beautiful ideas, so complete and logical in themselves, fail to strike a bell in the minds of the most responsible politicians of the day.

The experience of Manila suggests that the struggle for tenure, by providing a large number of squatters with a unifying cause, can form a base for an urban mass movement capable of initiating change.

An estimated two million people live in 415 squatter settlements in Manila, comprising 40 per cent of the city's population.[27] The largest single concentration of squatters in the city is in the Tondo Foreshore, an area reclaimed from Manila Bay in the 1940s and intended originally for industrial sites and port expansion. The area, which was left vacant, was settled by squatters after World War II. By 1979, the population in Tondo was estimated to be in excess of 200,000.[28]

In 1970, after almost fifteen years of attempts to organize the local residents to pursue the land tenure issue, over fifty neighborhood organizations in the Tondo area, with a total membership of 20,000 people, joined together to form the Zone One Tondo Organization (ZOTO) with the goal of pressing their demand for land ownership. The organization employed various strategies aimed at gaining recognition from the authorities as well as from charitable organizations working in the area, and utilized pressure tactics and public campaigns to further its goals.

The struggle for secure tenure provided the unifying cause for the large numbers of neighborhood groups in the area which ranged from mothers' clubs to youth groups, from the Garlic Peelers' Association to the Fishermen's Cooperative. Once effectively united with a common cause, the community was able to pursue a number of important objectives, above and beyond the goal of tenure security. During the years following its inception in 1970, ZOTO has engaged in a number of campaigns aimed at widening its power base on the one hand and using this power to bring pressure to bear on government and private enterprises on the other. These campaigns focused on many topical issues: the demand for regular rice rations to residents, the organization of assistance to typhoon victims in the area as well as flood victims outside the area, confrontation with companies seeking to exploit foreshore land, negotiations with relief and religious organizations working in the area, etc. The demand for legal land tenure, however, remained ZOTO's unifying theme.

The declaration of martial law in 1972 dampened the organization's effectiveness and resulted in a number of arrests and demolitions in the Tondo area, but activities continued. Presidential Decrees 569 and 570, issued in 1974, created the Tondo Foreshore Development Authority and initiated the preparation of the nearby Dagat-Dagatan site for the relocation of large numbers of Tondo residents. The Tondo people, led by the Coordinating Council of Tondo Foreshoreland's Citizens' Organizations, defied martial law restrictions and marched to the presidential palace in protest of the new decrees, which abolished previous laws promising land ownership to the Foreshore residents.[29]

This action resulted in the issuance of Presidential Decree 814 in 1975 which established a land tenure system in the Foreshore area. This decree called for a new plan for the area, based on the principle of "maximum retention" and minimum resettlement. Houses were rearranged or demolished to make way for roads, infrastructure services were installed, and lots were offered to residents on a lease basis with an option to purchase after five years. The original price of ₱ 5.00 (US $ 0.68) per square meter of land has been retained as promised to the

residents in earlier agreements, but an additional ₱ 0.95 (US $ 0.13) per square meter per month was to be levied from the residents to cover infrastructure costs. This decree was again viewed by the people's organizations as falling short of guaranteeing tenure security and beyond the people's ability to pay, but the opposition did not deter the National Housing Authority from vigorously pursuing its plans for reblocking and infrastructure development as well as its plans for the resettlement site.

ZOTO and the Coordinating Council have, in the meantime, led to the establishment of the Ugnayan ng Maralitang Tagalunsod (Alliance of the City Poor), an umbrella organization of nine federations of people's organizations and fifty unfederated people's organizations working in the squatter areas of Metro Manila. This organization, established in 1977, proposed to widen the struggle for tenure to a struggle for a just and decent life, to confront the problems of high prices, unemployment, squatter eviction and inhuman housing, and to call for the nationalization of industries and the acceleration of genuine agricultural land reforms.[30]

While the real achievements of these organizations cannot be assessed at this time, the usefulness of the land tenure issue as a basis for the effective organization of the urban poor is clearly evident. Once organized to struggle for tenure, poor people can further their struggle for economic and social justice. The land tenure issue thus provides an effective tool for forging a grassroots mass movement. Its effectiveness in specific political circumstances relies, however, on a constructive response from government. Government may respond by acceding to the demands, by cooption of leaders and the manipulation of the issue to suit its needs, or by outright repression.

The specific response of the government will, in general, depend on its perception of its interest in supporting demands for tenure. Its interest may be progressive or reactionary, as the case of Karachi demonstrates.

Promises of secure land titles have been given to squatters in Karachi by politicians of all creeds, some dating back to the early post-independence era. Pledges by local politicians to "do something" about the tenure issue are a day-to-day occurrence in the *katchi abadis* and have rarely been taken seriously by the

residents since they have usually not been fulfilled.

When the issue was taken up by the central government, however, the picture changed. During the Bhutto administration (1971-1977), politicians at the provincial and national levels increasingly used the land issue in election campaigns. Bhutto himself announced the granting of long-term leases in two large townships in Karachi - Lyari and Baldia - shortly before the elections of 1973. The issue was further advanced into the limelight during the election campaign of 1977.

These announcements served to greatly increase the feeling of security among the affected residents. They had little practical effect, however, and were tactfully ignored by the bureaucracy which did not possess an adequate machinery to issue the promised leases to the squatters at that time.

When General Zia ul-Haq assumed power and declared martial law in 1977, elections were indefinitely postponed and political activity was banned. The martial law administration did, however, turn to the land tenure issue as a means of legitimizing itself as a popular government concerned with the plight of its people. General Zia went beyond the usual promises to grant long-term leases in specific locations and announced that as of 1 January 1978 proprietary rights would be conferred on the inhabitants of katchi abadis on government land throughout Pakistan.[31] This announcement was followed by enabling legislation a few months later, Martial Law Order no. 67: Regularization and Development of Katchi Abadis, issued in Sind in May 1978. The military authorities had more power to compel local authorities to issue leases to the slum dwellers, and instructed them to report periodically to martial law headquarters on their progress in issuing leases. While actual progress had been slow and cumbersome, the political goals of the announcement have largely been achieved. The government has taken a strong stance on the tenure issue and has acted on its promises.

Politicians are well aware that squatters can play a variety of political roles. They can be led to participate in a revolution seeking to destroy the existing political order on the one hand, and they can be organized into a conservative force upholding the existing regime. When seeking power, politicians can use the land tenure issue to radicalize the squatters. When in power,

they can use it to heighten the conservatism of squatters by appealing to their need for secure possession of their property.

By initiating a land tenure program the political elite strikes a stance in favor of the masses. This stance may, however, involve serious political liabilities. It may invite strong opposition from influential landlords. It may also encourage the masses to go beyond the tenure issue into more broad-based social issues which the ruling elite may not be able to handle.[32]

In Pakistan, confrontation with landlords did not arise as the great majority of squatters occupy government lands. The issue of the transfer of tenure rights on private lands was debated in the Inter-provincial Conference convened in October 1978 to finalize the implementation procedures for the land tenure program initiated by General Zia in January of that year. Significantly, the conference avoided a confrontation with landlords and recommended that land tenure regularization on private lands should proceed through individual negotiations and compromises between the landlords and the residents with the close involvement of the local administration.

The compensation to be received from private landlords and its relation to the actual market value of their lands would obviously depend on the bargaining power of the landlords. This, in turn, would depend on government support for landlords when they wish to evict squatters and on the militancy of the squatters themselves. It may also depend on conditions in the land market and the potential use of occupied lands for profitable development. Finally, it would depend on the existence of effective legislation and administrative machinery for implementing actual changes of tenure. Needless to say, all these conditions affect the relative power of landlords, squatters and government agencies.[33]

The experiences of Manila and Karachi show that the land tenure issue extends far beyond the limited technical and administrative concerns which occupy housing officials. It also extends beyond the limits of local government and into the realm of national politics. In their pursuit of tenure as a national political issue, squatters find themselves at a relative locational advantage, being close and visible to the sources of power and authority. Their concentration in metropolitan centers enables

them, especially when they are well-organized, to enter the arena of competition for the allocation of national resources, be they land, services, or other privileges. Government, on its part, is well aware of the danger of an uncontrolled and frustrated squatter population resorting to the streets. This threat to its authority and ability to rule may force government to control and subdue attempts at organizing the squatters or alternatively to work with the squatters to further its own political goals.

The dynamic interplay of political forces can, and sometimes does, provide a fertile ground for action on land tenure reform. Whether such reform does in fact take place and whether it acts to the benefit of the poor cannot be determined in advance. It will depend on the resolution of conflicting interests in specific historical circumstances and on the extent to which the voices of the squatters and slum dwellers are heard when such resolutions take place.

IV   The administration of tenure change

Political commitment to tenure change may be effective in initiating and passing appropriate legislation, but this legislation will not necessarily lead to any real change unless it is accompanied by a corresponding commitment by the bureaucracy to implement the change. The bureaucracy does not necessarily follow in the footsteps of any new legislation, and often pursues its own self interests. Even when it is in its interest to implement new legislation, it may face serious difficulties which are all too often ignored by politicians when generous promises are made.

Modest experience with the administration of tenure change in Colombo and in Lusaka suggest that it is at best difficult and complicated. Land tenure systems which have evolved over long periods are often confusing and disorganized. The attempt to introduce order into land tenure registration often multiplies the claims of ownership, and vastly increases the number of land disputes. If the transfer of private lands is involved, the need to deal with large numbers of individual landlords and prospective landowners places a heavy administrative burden on officials. Even if only the transfer of rights on public lands is involved, the insistence on correct bureaucratic procedures usually results in

complex chains of activity extending over long periods of time. Such complications are not necessarily foreseen by politicians.

The administrative procedures involved in implementing tenure change may be particularly complicated when the government is involved in the transfer of private land holdings to slum dwellers, as the case of Colombo demonstrates.[34]

In Colombo, in accordance with the Ceiling on Housing Property Law of 1973, all owners of surplus houses over and above those necessary to house all family members in individual units are required to declare them to the Housing Commissioner, and transfer them to tenants within one year. Surplus houses which are not transferred are then automatically vested with the Commissioner. The Commissioner then arranges for the sale of houses to the tenants occupying them and for the payment of compensation to landlords. In addition, the Commissioner is responsible for handling applications for the transfer of houses which are not surplus houses, but are inhabited by protected tenants who cannot be evicted in accordance with previous rent control legislation. In such cases, the Law stipulates that the consent of the landlord is required for the transfer of ownership to tenants. Many landlords refuse to grant such consent, as these houses are their only houses and they wish to repossess them. The Commissioner must decide on the allocation of such houses after proper inquiry on a case by case basis.

The administrative machinery created to cope with this complex task was wholly inadequate. The Ceiling on Housing Property Branch was provided with a total staff of 72, including typists, graduate assistants and a driver, and a total budget of Rs. 7.5 million (US$ 482,000) between 1974 and 1977 to implement the Law. Within the Branch, six different units had to attend to its various responsibilities: the Owners Branch, the Tenants Branch, the Legal Branch, the Investigation Branch, the Accounts Branch, and the Board of Review. Each had complex roles, responsibilities and procedures to fulfill and inadequate resources with which to fulfill them.

The Ceiling on Housing Property Law was enacted together with the Common Amenities Board Law as it was envisaged that the government would have to attend to the maintenance, repair and provision of infrastructure services in the tenement gardens

once they were vested with the Housing Commissioner. Indeed, the government suddenly found itself in the role of a slum landlord, which it had taken on for an indefinite period, with the ensuing difficulties and complaints from dissatisfied tenants. Over and above these difficulties, the Common Amenities Board has found it extremely cumbersome to carry out environmental improvements in areas where houses have been transferred to residents. Where roads had to be widenend and houses moved or destroyed for one reason or another, there was little cooperation from the affected new owners.[35]

Four years after the enactment of the Law, a total of 9,226 tenement units were vested with the Commissioner. Surveying of almost 80 per cent of the units had been completed. About half of the tenants of these units had obtained preliminary agreements for the acquisition of their units. Compensation procedures had not been finalized, and no compensation was paid to owners as of 1977.

It is not difficult to suggest simpler or more effective forms of implementation of tenancy reform than those practised in Colombo, where the political commitment to reform was not translated into an effective administrative commitment. In addition, the participation of tenants in the transfer process could not be solicited and they were left unorganized, uninformed, and incapable of taking over the administration and maintenance of their communities. The most important lesson, however, is that the actual process of transfer of tenure to the urban poor needs to be considerably simplified and swiftly executed to achieve the desired results. The experience with squatter improvement in Lusaka provides a good example of an attempt to simplify the process of transfer.

Approximately 50 per cent of Lusaka's population of 500,000 live in large, low-density, squatter settlements, each one housing 30,000 to 75,000 people. By 1972, the Zambian Government had reversed its early intention to clear the squatter areas and rehouse the people and had initiated squatter upgrading activities on a large scale.[36]

In 1974, the Zambian Parliament enacted the Housing (Statutory and Improvement Areas) Act with the objective of providing tenure security in upgraded squatter areas as well as in

new sites-and-services projects. The Act introduced the Occupancy Licence as a mechanism for providing tenure to squatters, without the necessary costs and complications of issuing legal titles. The Occupancy Licence scheme was aimed at providing households with a legal guarantee that they could remain in their houses without fear of eviction and at protecting their investments in house and land. Given the large number of households, this scheme had to be cheap, fast and easy to implement.

The Occupancy Licence, issued by the Lusaka Municipal Council, provides a person with the right to occupy a building for 30 years. The occupant does not own the land, which belongs to the Council but, subject to his payment of municipal charges for services, he is legally protected from eviction. He can improve his house, sell it or mortgage it without restrictions. There is no record on the Licence of the amount of land attached to the house. Once the land has been gazetted as an Improvement Area by the Minister of Housing, all existing house locations are marked and numbered using an air photograph of the area. This demarcation forms the basis for identifying the property and is properly entered in a register of titles.

Land disputes in the upgraded squatter areas are resolved by leaders of the community, and are subject to customary law. Zambian customary law, in parallel with traditional laws in many other countries, considers the actual use of any plot of land to be the main criterion for the claim of ownership. Normally, all disputes are handled in communal discussions. Those which cannot be resolved are transferred to traditional courts, where hearings are conducted without legal representation and conflicts are usually resolved briefly and efficiently.[37]

The process of issuing Occupancy Licences is still subject to numerous disputes involving claims and counter-claims by various owners and tenants of individual houses. It does not address the issue of the original ownership of the land nor the issue of its legal transfer. These issues involve various disputes, power struggles and problems of compensation that arise in cases where private individuals own the land. It does, however, provide an important insight into the possibilities of simplifying the process of providing tenure security without complicated surveys, legal proceedings and bureaucratic forms. As urbanization in

Zambia progresses, as pressures on land increase, and as tradi-
tional systems lose their effectiveness in handling land disputes,
the Occupancy Licence scheme may encounter unforeseen difficul-
ties. Since it is still in its infancy, it is too early to evaluate its long-
term usefulness. It may, however, be gradually upgraded into a
legal title scheme as property boundaries become more consoli-
dated and eventually recognized in the years to come.

The Lusaka experience suggests that simpler land tenure
arrangements may be easier to implement and that proper
attention must be paid to the desired form of land tenure before
a commitment to a complicated administrative process takes
place.[38] For the effective implementation of tenure change, an
appropriate tenure arrangement must be found, proper
administrative mechanisms need to be erected in advance,
procedures must be simplified, and sufficient resources must be
available for swift action. In the absence of bureaucratic
preparedness, the good intentions of politicians and legislators
may be drowned in an endless sea of petty officialdom.

V   Possible consequences of tenure change

Improved houses are not the only possible consequence of
tenure change and indeed not even a necessary consequence, as
noted earlier. Moreover, change in tenure conditions may have a
number of adverse effects, which may be quite unpredictable.
Since experience with changes in urban land tenure is rather
limited, the discussion in this section is limited to three examples
of possible consequences, largely negative in character, which
have been observed in Karachi and Mexico City.

The first important consequence is that once a satisfactory
measure of informal tenure security exists, the willingness to
obtain and to pay the price of official legal titles is considerably
reduced.

In Karachi, as well as in a number of other cities, increased
de facto tenure security appears to reduce the need of individual
squatters for official legal titles. Once tenure at the community
level appears to be secure, titles are not essential and the
willingness to pay for them is considerably weakened.

According to Islamic law, land is perceived as one of the

endowments of nature which is available for use by all those in need. Every member of society is automatically entitled to the land which he puts to use. The occupation of land by squatters for their purposes is not perceived as illegitimate. Yet on many occasions, representatives of katchi abadis have approached the Karachi Metropolitan Corporation to ask for land tenure "regularization", rather than for improvements in infrastructure.[39] One explanation is that only legal titles provide complete security of tenure.   Another explanation focuses on the merits and demerits of legal titles for different groups of slum dwellers.

Squatting in Karachi is generally not a spontaneous process. It is usually organized by entrepreneurs with political or bureaucratic connections who obtain tacit approval for squatting on government land at a given location in exchange for money or favors.   They usually build a house, start a block-making business, and prepare plots of land laid out in a regular pattern, often following municipal regulations. These plots are then sold, leased, or given free to friends, relatives and family acquaintances. These entrepreneurs usually act as leaders and representatives of the community, and approach the municipality for the provision of public services and leases to the land. Their interests lie in capitalizing on the increased exchange value of their property, which they expect to be higher when land documents are available. Considerable pressure is thus exerted by these "leaders" on the Karachi Metropolitan Corporation to issue leases.

Yet when residents of katchi abadis were questioned directly, leases were rarely mentioned as an urgent need.[40]   For the ordinary residents, willingness to pay lease charges is related to the degree of improvement of public services in the settlement. If they perceive that payment will guarantee the provision of services, they are willing to pay a small sum as a lease charge.

In Karachi, once the area has been recognized by the authorities as a permanent settlement, further legal assurances are no longer necessary. Tenure security is perceived correctly as a communal rather than an individual issue.   Hence, once improvement works are carried out and a few residents have obtained leases, the interest in obtaining leases decreases and those with leases feel less inclined to continue to pay the lease rates.

There are other reasons for the refusal of residents to seek or accept legal tenure. In Lusaka, for example, 30 per cent of the families that were offered formally registered serviced sites in squatter resettlement areas disappeared shortly after accepting them. One hypothesis advanced was that many of these settlers were engaged in illegal or semi-legal occupations and preferred the unregistered status of squatter houses to a properly registered Occupancy Licence.[41] Fear of taxation was cited by the inhabitants of Mexico City's *colonias proletarias* as another reason for refusing legal titles.[42]

A second possible consequence of improved tenure security is the displacement of the original lower-income population. A study of a legalized squatter settlement in Mexico City provides some evidence to the effect that the provision of legal tenure indeed results in attracting higher income households, and that these households tend to develop the better houses. A survey of 85 households was conducted in Isidro Fabela in Mexico City in 1974, six years after it had been granted tenure.[43] A comparison made between residents who arrived at the settlement before and after legalization in 1968 found that while most of the pre-legalization arrivals fell into the "middle and upper consolidating" categories, the majority of new arrivals (70 per cent) fell into the two highest "upper consolidating" and "consolidated" categories. In general, the newcomers fell into two major groups. A high proportion were city born, younger and better educated. A minor group was comprised of tenants and sharers, who generally fell into the "incipient" and "lower consolidating" categories, not having any incentive to improve their houses. Overall, however, newer settlers had better houses than older ones. The study could not, unfortunately, determine whether those who left the settlement acquired better or worse houses or whether their economic well-being has improved or worsened as a result of the move.

A third possible adverse effect of the legalization of tenure may be the implicit sanction given by government to continuing illegal incursions into new unoccupied sites. An important example of this effect is provided by the experience of Karachi, which has already been described earlier.

Following the announcement of General Zia in 1978 that all

squatters on government lands will be granted proprietary rights, the local authorities hurriedly proclaimed the date of the announcement as the cut-off date for legalization and announced that all new incursions will not be tolerated. They could not ensure, however, that existing slums were properly surveyed to distinguish them from new ones. Neither were they able to provide legitimate alternative sites for new migrants and other potential squatters to settle in.

Thus, squatting in Karachi, encouraged by the prospects of legal tenure, continues unabated despite the official policy of evicting new arrivals. Trucks and wrecking squads occasionally venture out to prevent the formation of new settlements but rarely take aggressive action. Peaceful agreements are usually reached, and statistics and survey plans are tactfully adjusted. Entrepreneurs continue to lay out extensive new illegal subdivisions on government property, largely following municipal zoning regulations and infrastructure development plans, in clear expectations of future legalization. No one seriously expects the government to take a different attitude towards squatters who arrived before 1978 and squatters who arrived after 1978, because in principle their situations are identical.

While it is possible for the authorities to forgive past illegal action and to sanction the granting of tenure to squatters who have occupied an area for a number of years, they cannot be seen to give encouragement to new arrivals to continue to break the law. At the same time, they may not have the necessary administrative machinery to insure that the granting of land tenure in prescribed areas does not create new confrontations with squatters which the tenure granting policy sought to avoid.

All three possible consequences of the legalization of tenure may be quite serious. None are easy to avoid. Whether they need to be avoided is an important question as well. As long as the granting of tenure improves the economic well-being of the poor, and as long as their displacement is voluntary, there are reasons for proceeding with tenure granting programs regardless of whether they do or do not displace poorer residents. The latter may be able to find better housing if adequately remunerated for their old premises. Since the evidence is inconclusive, however, we must acknowledge at this stage that tenure granting

programs may harm the poor rather than assist them and may, in the long run, benefit the not-so-poor. In addition, unless adequate preparation is made, mainly in the form of the preparation of land for new arrivals on the one hand, and the legitimate prevention of new squatter settlements on the other, both of which appear almost impossible to implement , the legalization of tenure is likely to provide an incentive for illegal incursions into new lands.

Conclusion

Housing policies in many developing countries are currently undergoing important transformations from the earlier emphasis on slum clearance and public construction of flats to the new emphasis on the gradual improvement of existing housing stocks in slum and squatter areas, coupled with the creation of new serviced areas in which people can gradually improve their shelter over time.

The relaxation of building controls and the elimination of the threat of eviction through the provision of legal land tenure are perceived by some of the proponents of the gradual approach as necessary and sufficient conditions for houses to improve over time, largely through the efforts of the people themselves. Although much of the evidence discussed in the previous sections is fragmentary and situation-specific, it suggests that the relationship between land tenure and house improvement is not simple. Houses do tend to be better where tenure is more secure in the legal sense, but they also improve over time without an increase in tenure security, as long as actual eviction or the threat of eviction do not make investments in house improvements irrational. In general, the degree of improvement of houses in any particular settlement varies considerably. Some residents improve their dwellings more than others. Some are too poor to improve their houses at all. In most cases, the granting of legal tenure by itself is not sufficient to generate house improvements. Variations in levels of improvement tend to depend on the socio-economic conditions of residents, and sometimes on various cultural circumstances. The effective mobilization of squatter communities is needed where the spontaneous energies of the

people do not manifest themselves. Other incentives such as loans, technical assistance, and community organization for self-help and mutual-aid construction are often necessary. In short, "freedom to build" is usually not enough.

The literature on housing policies for developing countries is dotted with assertions that legal tenure is a necessary precondition for the improvement of houses in squatter areas. Such assertions are usually advanced by technical advisors without an adequate exploration of the political dimension of tenure change. The control over urban land is indeed a political issue, and the pursuit of legal tenure requires a deep understanding of political conditions and available strategic options. The demand for tenure, while theoretically correct, can be difficult to pursue in practice. Its political costs may in some cases be perceived by politicians to exceed the economic costs of public construction programs.

The pursuit of land tenure for the urban poor is not restricted to a particular ideology. It can be and is pursued by politicians of all persuasions, if it appears to be in their interest to do so. When political conditions are right, tenure legalization can be introduced. When political conditions are not right, as in cases where the land-owning groups and other groups demanding capital intensive construction wield considerable influence and the ruling elite cannot afford to alienate them in exchange for the support of the urban masses, land tenure legislation is not likely to be introduced.

Finally, while the pursuit of land tenure for the urban poor by political means is relatively easy to grasp and the arguments in its favor are strong, the actual implementation of land tenure change by public authorities is fraught with complications. The administrative machinery needed to effect a massive tenure change program requires a control over the bureaucracy that may be largely missing in most developing countries.

In addition to the administrative complications, there are numerous side effects of the granting of tenure which must be confronted. Lack of incentive on behalf of the residents to pay for the land or for improvements once security has been assured, invasion of legalized areas by higher income groups, and further squatting as a result of blanket promises of secure tenure are

some of the most obvious examples.

Since the gradual approach relies heavily on the energies of others for it to succeed, it requires a good understanding of the conditions and causes under which these energies appear. This applies to the residents of slum areas, as well as to politicians and administrators. It is this understanding which must be nurtured and developed. It is an understanding based on a keen assessment of self-interest on the one hand, and an acute observation of habits and behavior on the other. It is an understanding founded on the observations of changing present conditions, rather than on a desire to replace existing realities with non-existent ones. It is an understanding grounded in experience, rather than in speculation.

The emerging picture, given the evidence accumulated to date, is that legal tenure is not an essential precondition for the gradual improvement of housing, but the ultimate goal of a sustained housing struggle over the years to come. As the gradual approach to housing becomes more accepted, consolidated and refined, the granting of legal land tenure to the urban poor will gain in legitimacy, precision and effectiveness. The frustration of governments with traditional public housing programs, mounting political pressures for housing action, and the success of slum improvement and squatter improvement programs will all strengthen the gradual approach to housing. Those pursuing such programs may benefit from a deeper understanding of the many-faced issue of securing land tenure to the urban poor which must, sooner or later, become an integral component of their activities.

Acknowledgements

Notes and references

1. Quoted in Hui-sun Tang's Foreword to *Land Reform in China,* Taipei, Taiwan, 1954; reproduced in Tai, H.C., *Land Reform and Politics: A Comparative Study,* University of California, Berkeley and Los Angeles, 1974, p. 83.
2. An analysis of the prevailing myths preventing the transition to the gradual approach appears in Angel, S. and Benjamin, S., "Seventeen reasons why the squatter problem can't be solved", in *Ekistics,* vol. 41, no. 242, January 1976, pp. 20-26.
3. An extensive description of the various interests acting to maintain the unsatisfactory conditions in slums and squatter settlements is given by Burgess, R., "Petty commodity production or dweller control? A critique of John Turner's view on housing policy", *World Development,* vol. 6, nos. 9-10, 1978, pp. 1105-1133.
4. See, for example, the analysis of Sarin, M. in Sarin, M. (ed.), *Urban Slums: Slums and Squatter Settlements in the ESCAP Region,* United Nations Economic and Social Commission for Asia and the Pacific, Bangkok, 1981, p. 2.
5. See for example, Abrams, C., *Man's Struggle for Shelter in an Urbanized World,* Massachusetts Institute of.Technology, Cambridge, 1964; Turner, J.F.C., "Dwelling resources in South America", *Architectural Design,* vol. 33 (August 1963); and Turner, J.F.C., "Barriers and channels for housing development in modernizing countries", *Journal of the American Institute of Planners,* vol. 33, no. 30, May 1967.
6. A number of early Latin American writings are cited by Merrill, R., "Toward a structural housing policy: an analysis of Chile's low income housing program", unpublished Ph.D. thesis, Cornell University, Ithaca, New York, 1971, p. 7.
7. Karachi Metropolitan Corporation, "Explanatory memorandum on the KMC budget for 1978-1979", p. 71; quoted in Wegelin, E.A., "Money for slum upgrading", *Pakistan Economist,* vol. 19, no. 2, 13-19 January 1979, pp. 13-21.
8. van der Harst, J., *Low Income Housing,* Joint Research Project IV for Urban Development and Slum Improvement, Karachi, 1974, p. 10. Similar results are reported by Wegelin and Chanond in this volume.
9. van der Linden, J., *The Bastis of Karachi - Types and Dynamics,* Free University, Amsterdam, 1977.
10. Urban Projects Department, the World Bank, *Indonesia Third Urban Development Project,* Staff Appraisal Report no. 2211a-IND, Washington D.C., 1978, p. 5.
11. See P.T. Resources Jaya Teknik Management Indonesia, *Kampung Improvement Program Jakarta - Surabaya: Analysis and Evaluation of Impacts of KIP Implementation in Jakarta,* 1979, Table 2.16, p. 46.

12. The case of the Janata Colony is documented by Das, S.K., "Case study: Bombay, India", in Sarin, M.(ed.), *op. cit.,* pp. 162-163.

13. The National Assembly, Government of Sri Lanka, *Ceiling on Housing Property Law no. 1 of 1973,* Government Press, Colombo, 1973.

14. Marga Institute, *Housing in Sri Lanka,* Marga Research Studies 6, Colombo, 1976, p. 80.

15. See Indrakumar, S., "Analysis and evaluation of Sri Lanka's Ceiling on Housing Property Law", unpublished M.Sc. thesis, Asian Institute of Technology, Bangkok, 1977, p. 61. In the cases of tenants whose monthly rent is below Rs. 25 (US$ 1.61), the transfer of title is outright at no cost to the occupant. This policy was adopted to encourage the occupants to make housing improvements without encumbering them with payments required for the purchase of their premises.

16. See Indrakumar, S., *op. cit.,* pp. 63-80. The families surveyed had average household incomes of Rs. 243 (US$ 15.60) per month, or Rs. 25 (US$ 1.61) per capita per month. Since the time of transfer of ownership only 18.6 per cent have invested in house repairs, at an average value of Rs. 164 (US$ 10.53) by 1977.

17. Ward, P.M., "Self help housing in Mexico City", *Town Planning Review,* vol. 49, no. 1, 1978.

18. *Ibid.,* pp. 46-47.

19. Ministry of the Interior, Papua New Guinea, *Self Help Housing Settlements for Urban Areas,* Government White Paper, Port Moresby, 1973.

20. Norwood, H.C., "Port Moresby: pattern of settlement among migrant and urban villages", in Valentine, C.A. and Valentine, B.L. (eds.), *Going Through Changes: Villagers, Settlers and Development in Papua New Guinea,* Institute of Papua New Guinea Studies, Port Moresby, 1979, pp. 73-90.

21. The alienation of customary lands for public use is a very complex issue, requiring sensitive political negotiations which are likely to continue for some time. The settlement improvement program in Port Moresby cannot be extended to customary lands at present and has thus largely come to an end. For a detailed discussion of the issue of customary land, see Lea's contribution in this volume.

22. See Varpiam, T.T., "Urban settlement improvement and extension in Papua New Guinea: an evaluative case study of Horse Camp Settlement, Port Moresby", unpublished M.Sc. thesis, Asian Institute of Technology, Bangkok, 1980, chapter IV, pp. 28-43.

23. *Ibid.,* p. 60.

24. *Ibid.,* p. 76.

25. Norwood, *op. cit.,* p. 79.

26. Bryant, J., "Why self help housing is necessary - but difficult", in Norwood, H.C. (ed.) YAGL-AMBU Special Issue, *Urbanization and*

Housing in Papua New Guinea, vol. 6, nos. 3-4 (September-December 1979), pp. 25-34.

27. National Housing Authority, Republic of the Philippines, "Priority projects of the National Housing Authority, Experts Forum", (mimeographed), 5 May 1978; quoted in Keyes, W.J., "Case study: Metro Manila, Philippines", in Sarin, M. (ed.), *op. cit.,* p. 69.

28. Sembrano, M.A., Imperial, S.S., Felix, N.S., *Case Studies on the Improvement of Slums, Squatter and Rural Settlements: the Philippines,* Draft Final Report submitted to the United Nations Centre for Housing, Building and Planning, Institute of Philippine Culture, Ateneo de Manila University, Quezon City, 1977, p. 12.

29. *Ibid.,* p. 94.

30. Ugnayan ng Maralitang Tagalunsod, *Backgrounder* (mimeographed), Manila, 1978.

31. Haq, General Mohammad Zia ul, Press Conference, Islamabad, 1 January 1978.

32. This discussion largely follows the observations of Tai who compared the experiences of eight countries with agricultural land reforms. His observations appear most pertinent to the discussion of urban land tenure issues. See Tai, H.C., *op. cit.*   .

33. When the bargaining power of landlords is sufficiently weakened, they will usually agree to sell the land to the squatters or concerned government agencies. This has been the case in Hyderabad where small landlords have been frustrated by their inability to evict squatters and by the lack of government cooperation in evictions from areas which have been occupied by squatters for twelve years or more. As a result, landlords have agreed to sell the land to local residents at nominal values or to sell or donate them to the Social Welfare Department. Most of these slums have now been organized by the Urban Community Development Program of the Municipal Corporation of Hyderabad. Proper land titles have been issued to residents, who have now rebuilt their houses by themselves. See, for example, Kumar, Y., "An exploratory study of the progress of Habitat-Hyderabad", unpublished M.Sc. thesis, Asian Institute of Technology, Bangkok, 1980; also Municipal Corporation of Hyderabad, "Notes on slums in the twin cities with reference to their growth and the issue of pattas for house sites", Circular, 26 March 1979.

34. The discusssion is based on the findings of Indrakumar, S., *op. cit.,* chapter IV, pp. 36-62.

35. See Eswaran Selvarajah's contribution in this volume.

36. Lecture given in Bangkok by Richard Martin, 25 July 1979.

37. The discussion of the Occupancy Licence appears in Martin, R., "Land tenure and title registration", paper presented to the Seminar on Improving Low Income Residential Areas in South East Asian Cities, Bandung,

Indonesia, 29 October - 17 November 1979, pp. 21-24.

38. For a comprehensive discussion of various forms of tenure in urban areas and their corresponding advantages and disadvantages, see Doebele, W.A., "Selected issues in urban land tenure", in Dunkerley, H.B., et. al., *Urban Land Policy Issues and Opportunities,* World Bank Staff Working Paper no. 283, Washington D.C., 1978, pp. 99-177.

39. This discussion is largely based on the observations of Yap, K.S., "Some reflections on the regularization of katchi abadis", unpublished note, Karachi, 1978.

40. See Schuringa, M., Salahudin, A.K., Meyer, E., and Yap, K.S., *Baldia Evaluation Survey Report: A Study of Improvement of Living Conditions in a Katchi Abadi,* Karachi Slum Improvement Project, Karachi, 1979, p. 66.

41. See Lusaka Housing Project Evaluation Team, "George Essential Resettlement - the drop outs", Working Paper no. 7 (mimeographed), Lusaka, 1977; quoted in Martin, R., *op. cit.,* p. 33.

42. See Sudra, T., "The low income housing system in Mexico City", unpublished Ph.D. dissertation, Massachusetts Institute of Technology, Cambridge, 1976.

43. See Ward, *op. cit.,* pp. 44-45.