Understanding the Link between Tenure Security and Access to Services for the Urban Poor

Case Studies from Senegal and India

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> "Security of tenure is one of the most important catalysts in stabilizing communities, improving shelter conditions, reducing social exclusion, improving access to urban services, leveraging corporate and individual investment and improving the urban environment". –UN Habitat (2000)

Introduction

The merits of whether or not to grant the urban poor property titles to the land they occupy illegally, or even some degree of tenure security, comprises a central debate in urban poverty alleviation in developing cities. On the one hand, liberal critiques like that of Hernando de Soto argue that the granting of *full-scale* legal property titles to land allows the poor to leverage collateral for credit and loans, thus paving the way out of poverty (e.g. De Soto 1989, 2000). On the other hand, recent critiques endorsed by the United Nations Habitat program present a more cautious case calling for *flexible* forms of tenure security that are as important to households as legal status (e.g. Durand-Lasserve and Clerc 1996; Payne 2001; UN Habitat 2004). Both these critiques stand in contrast to standard practices of slum eviction and demolition, widely perceived as socially unjust, as well as years of expensive and largely unsuccessful World Bank slum upgrading projects. The latter, also known as "sites and services"-type projects, focused almost exclusively on providing slums with infrastructure and technical solutions to improving the qualify of life without making tenure a central priority (Werlin 1999).

Today, security of tenure has come to the fore as a powerful catalyst in the improvement of services and infrastructure in slums and peri-urban squatter settlements, although it, too, is not without its criticisms. The emphasis on tenure security as a pre-condition for infrastructure improvements is founded in the belief that only when there is lower risk of eviction will the poor invest in maintaining the services provided to them (UN Habitat 2004). Conversely, only when a household can demonstrate some security of tenure will a utility be willing to provide a connection to electricity or water. In an era when cost-recovery has become a *modus operandi* for utilities around the world, encouraging the poor to legally obtain and pay for an electricity and water connection is perceived as having multiple (i.e. cost recovery and pro-poor) benefits.

I argue in this paper that tenure security therefore seems to be the basis for a seemingly unlikely convergence between human rights and pro-poor goals on the one hand and a neo-liberal agenda emphasizing cost recovery, and increasingly, the withdrawal of the state, on the other. I draw from a literature review and fieldwork in Senegal and India to explore the strategic use of tenure security in the provisioning of urban services to the urban and peri-urban poor in Dakar and Bangalore.

The paper is structured in the following way: In Part II, I discuss urbanization in both Senegal and India. While the colonial histories, governing structures, and socio-cultural contexts of these two countries are very different, it is still useful to examine driving forces behind the proliferation of low-income and slum settlements. Part III sets out the theoretical underpinnings of tenure security as a precursor to urban services. Part IV then discusses two case studies in which services were provided by two organizations to the urban poor via tenure security arrangements. The first is of a quasi-government agency in Dakar, Senegal (Fondation Droit à la Ville or FDV which means "Foundation for Right to the City"), and the second is the water utility in Bangalore, India (Bangalore Water, Sewerage and Sanitation

Board or BWSSB). These are cases of two organizations that have enabled access to services for the poor via non-traditional tenure arrangements. In the case of FDV, it was through granting legal occupation of land, in the case of BWSSB, being flexible about tenure requirements in order to apply for a water connection. In the final part, I draw some overarching observations and conclusions from these two case studies.

2. Urbanization in Senegal and India

In this section, I discuss patterns of urbanization, urban sprawl, and urban poverty in Dakar and Bangalore. I suggest that urban poverty and the dearth of services for the poor is closely tied to the nature of structural adjustment policies in the case of Dakar, and to an over-emphasis on making the city globally competitive in the high-tech sector in the case of Bangalore.

2.1 Urbanization and Structural Adjustment in Senegal

Predictions that world population will be 50% urban in 2020 have already come true in many African countries, including Senegal, which crossed the halfway mark earlier this year according to a projection by the United Nations (UN 2002). Throughout Africa, explosive urban growth – caused both by natural increases in population, as well as rural-urban migration (Tacoli 1998) – combined with the collapse of government programs, have led certain scholars to paint a picture of "crisis" in African cities (e.g. Rakodi 1997; Stren and White 1989; Tostensen et al. 2001). Quality water, sanitation, shelter, electricity, garbage collection, and transportation services remain elusive to a majority of the population, necessitating alternative, and often illegal forms of service provision and access. Some estimates say that nearly 75% of urban services are provided through informal channels (Simone and Abouhani 2005).[1] Local production capacities, while historically thin, are increasingly being eroded by inflows of cheap foreign goods, leading to a growth of the informal economy (Simone and Abouhani 2005). These worsening trends, however, cannot be examined without considering the history of Senegal's post-colonial dependence on France, spiraling debt during the late 1970s, and structural adjustment programs.

Senegal bears the unenviable legacy of French colonial favoritism. Dakar, once the seat of the colonial empire, concentrated the educated political elite, while the interior was largely comprised of peasants mercilessly exploited for groundnuts, the chief export crop of the country. At independence in 1960, France supplied approximately 80% of Senegal's export revenue earnings (Gellar 1995). Such exclusive dependency on France and on groundnuts meant that Senegal's precarious economy was extremely vulnerable to external and weather-related shocks.

The origins of Senegal's debt crisis can be traced to a prolonged drought and a downturn in the terms of trade of two of its main exports from the mid-70s onwards. Six years of drought in this period had such a negative impact on the groundnut crop that it caused GDP per capita to fall 26% in 1978 (Lewis 1987). Compounding this was an increase in the interest rates of commercial banks from whom the government had borrowed heavily from 1974-1979 at floating market rates (Somerville 1991). Foreign debt climbed from $103 million in 1970 to over $2 billion in 1980. As neo-liberal development paradigms took force across the globe in the 1980s (Peet 2003), political elites in Senegal succumbed to external

[1] Informal provisioning in the case of water and sanitation are quite common, e.g. independent water vendors and trash collectors.

pressure by the Bretton Woods Institutions and accepted a set of structural adjustment loans geared at cutting government spending and reducing the country's trade deficit and foreign debt. A new phrase coined by then President Abdou Diouf – *moins d'etat, mieux d'etat,* meaning "a smaller government is a better government" – reflected the state's withdrawal from major sectors of the economy, especially agricultural subsidies. In large part, rural-urban migration can be explained by the discontinuation of government support for agricultural inputs, as well as prolonged drought (Fall and Gueye 2005).

In 1988, the IMF proclaimed Senegal to have achieved "growth with adjustment", but despite the high level of aid inflows, Senegal's debt continued to climb, reaching more than $4.3 billion in 1987, with a debt service burden of $400 million (Gellar 1995). Thus in the early 1990s, the IMF and Bank put even greater pressure on the government to cut back public spending, affecting areas such as education and health, gasoline taxes, and a reduction in the wages of government employees. In terms of urban welfare, the last straw came in 1994, when Senegal and other francophone countries underwent a 100% currency devaluation. One French franc was suddenly worth 100 CFA francs, instead of the former rate of 50 CFA francs. The impacts of devaluation were particularly severe on the poorer segments of the population, who were hit hard by prices of staples skyrocketing overnight (Gellar 1995).

Subsequent rounds of structural adjustment loans have been tied to the privatization of infrastructure sectors, such as electricity (which was the focus of my fieldwork), with the purported goal of improving the financial performance of the sector, rather than improving access to the 70% of the urban poor (predominantly living in peri-urban settlements) that are currently without access (Sokona et al 2003).[2] In 1999, the state electricity utility SENELEC was sold to the private multinational Hydro Quebec–Elyo. However, shortly after the sale, the inability of the privatized utility to meet supply targets, long blackouts, and riots protesting the loss of jobs to expatriates convinced the newly elected government to reclaim ownership and control of the utility (Dmbele 2003). In my conversations with officials at SENELEC and the Energy Ministry, I learned that while the government intends to go ahead with a new round of privatization, improving access continues to be off the reforms agenda. More disturbingly, these reforms are not cognizant of urban sprawl patterns, and currently fail to address how a growing number of peri-urban settlements will be serviced. Thus, as Graham and Marvin (2001) contend, not only is "urban planning poorly equipped to coordinate or control development across the regionally extending polycentric metropolis (116)", but infrastructure reform also does not sufficiently take into account outwardly extending growth.

We have already seen how sweeping macroeconomic changes were largely responsible for undermining economic opportunities and livelihoods in rural (through the withdrawal of subsidies), as well as in urban (through the influx of cheap foreign goods) areas. These changes, combined with widespread drought in the Sahel throughout the 1970s and 80s, led to unprecedented rates of rural to urban migration. Whereas once, migrants came to the city to look for temporary employment during the off-season, they now began

[2] In Senegal's rural areas, an even lower percentage has access to electricity – approximately 8% (Sokona et al 2003). However, rural electrification has received much attention in policy statements and international projects, leading to the creation of a separate rural electrification agency. My pre-occupation with peri-urban electrification stems from the conviction that this growing group risks falling through the rural-urban gap, unless explicit attention is accorded.

to install themselves permanently on vacant public lands in the city of Dakar (Fall and Gueye 2005).

Figure 1: Peri-urban settlement outside of Dakar where garbage collection is non-existent. Photo taken by author in 2005.

To counteract this trend, the state took to massive slum clearing during the 1980s – what was subsequently termed *la politique du bulldozer*, or the practice of forcibly evicting squatters and demolishing their settlements for urban development projects.[3] Displaced squatters were relocated to the urban peripheries of Dakar, to the settlements of Pikine, Medina Fass M'Bao, and Dalifort (FDV 2005). As these peripheral settlements expanded, new waves of urban migrants flocked to them, causing the population to grow from 100,000 in the early 1970s to over 1 million today in a total urban population of approximately 2.5 million people (World Bank 2002).

After enormous social unrest during the mid-1980s, the government finally abandoned its brutal slum demolition policies in 1987 (GoS 1998). This was accompanied by a new policy of slum regularization in 1991 based on the results of a major slum upgrading project undertaken by the German aid agency GTZ (World Bank 2002). Slum regularization was based on the belief that tenure security would enable utilities to services slums, since for instance, an electricity connection *requires* a legal title of occupation (SENELEC 2004). In the next section, I describe how slum regularization played out in practice in Dakar. I turn next to urbanization trends in the much larger, globally connected metropolis of Bangalore in southern India.

2.2. Urbanization and the IT Boom in Bangalore

Like Dakar, Bangalore's urbanization patterns can also be linked to a set of decisions made at the national level in the post-independence era. However, rather than tracing India's

[3] Slum demolition is common practice in many megacities of the global South, either to vacate land for private interests or to dissuade urban migration, or both. In a recent BBC article (3 February 2005), Vijay Patil of the Bombay municipality (aka "Demolition Man") says "We want to put the fear of the consequences of migration into these people. We have to restrain them from coming to Mumbai". See http://news.bbc.co.uk/2/hi/south_asia/4222525.stm

political economy during this era, I confine my analysis to specific planning choices concerning Bangalore itself.

As Janaki Nair (2005) chronicles, Bangalore, the capital of the south Indian state of Karnataka, is hurtling towards a destiny for which it is largely unprepared. Since independence, the city's population and expanse have grown roughly ten-fold to concentrate today 6 million people over a conurbation of 500 sq. km (as compared to 2.5 million in Dakar). Very few other contemporary Indian cities allow us to track the passage from small town to metropolitan status within a few decades as well as Bangalore does.

Following independence in the 1950s, the city housed many of the country's main public sector units and national laboratories with research and development complexes.[4] At the time, Jawaharlal Nehru, India's first prime minister, famously dubbed Bangalore as the "city of the future" implying that it was a destination for the intellectual elite and economically powerful of the country. With the arrival of Texas Instruments in the city in the 1980s, the city's attraction as a center for computer software and hardware development dramatically increased. The presence of a critical mass of engineers made Bangalore an attractive destination for Indian and multinational firms engaged in software and related services (Nair 2005). This was also an era in which the city experienced a significant real estate boom, as developers from Delhi and Mumbai descended on the market to convert large plots – many of which had colonial bungalows – into multi-storey apartment blocks (Benjamin 2000). Insisting on making the city a favored and cheap destination for new multinational and Indian corporations, the government aggressively pursued a strategy of isolated technology parks and corridors. Many critics have in recent past highlighted the problem of land speculation (e.g. pittances being paid to farmers) and illegal construction in and around the city, condemning the city for being grossly skewed towards IT interests (Nair 2005; Jamwal 2006).

Bangalore's success as India's technology boomtown exists in what Graham and Marvin (2001) call "enclave urbanism", or the emergence of pockets of high-end residential complexes with dedicated infrastructure, expensive shopping malls, and technology complexes complete with broadband internet connectivity. The situation of infrastructure access inside these parks is in stark contrast to the dearth of urban infrastructure in the rest of the city. The quality and capacity of roads, water, power, sanitation, and public transport networks have not kept pace with economic, demographic, and spatial growth (Harlankar 2004; Jamwal 2006).

Poverty is also pervasive in the city. About 25% of Bangalore's population lives in slums, and if the non-slum poor are included, approximately 40% of Bangalore's population can be classified as poor (Benjamin 2000). Most slums are located in the central and peripheral zones of the city, and at present, almost a third of Banaglore's population has only partial or no access to piped water. A recent study found that a significant proportion of the population depends on public fountains, many of which supply contaminated water because of poor maintenance (Connors 2005).

Given the prevalence of poverty in the city, critics have argued that the government's focus on the IT sector is perverse (Benjamin 2000). It is obvious that privileging the IT sector and foreign investment is increasing internal disparities in civic services, but the real question is: Is it actually causally related to the poor state of urban infrastructure? Audirac

[4] The city' s emergence as a center for information technology stems from decisions in New Delhi shortly after independence to locate strategically sensitive industries well away from borders and coastlands.

(2003) and others argue that it is; that the rest of the city's infrastructure is suffering as a result of the IT industry's newly generated growth. Specifically, Audirac points to the fact that the gap between public finance and urban service provision has drastically widened, due in part to the Karnataka government's "public largesse to IT firms (2003: 23)". This largesse, as mentioned above, includes a hefty package of subsidies, air and water pollution exemptions, and tax breaks on energy and fuel used by the IT industry to generate its own power. The claim that the IT industry and multinational firms are in part responsible for Bangalore's infrastructure dilemmas is a very bold one, and suggests that one of the ways in which some of Bangalore's infrastructure crisis can be alleviated is to require the IT sector to fund public infrastructure improvements since it is a major consumer of the city's resources.

Currently, however, such a politically contentious policy move has not been undertaken. Instead, the state government has instituted sectoral reforms to deal with Bangalore's infrastructure challenges, such as unbundling electricity distribution and proposing a World Ban/IFC-formulated water privatization agenda (although this was subsequently shelved on account of financial unviability). Water reforms have come under sharp criticism by citizen groups for their potential to further erode the ability of the poor to access infrastructure because of the increase in water access costs for the poor (Rao 2006).

Infrastructure and the deteriorating quality of the urban environment are becoming a unifying problematic for organizations and citizens who worry that Bangalore is not "planned" sufficiently enough to cope with such rapid urbanization and the influx of migrants from surrounding villages and states. The problem of slums in both Dakar and Bangalore has led citizen groups to advocate for more secure system of property rights for the poor. In Bangalore, the water utility is also expanding access to the poor by bending existing regulations and being more lenient about tenure requirements. In the next section, I review the basis for these actions and arguments.

3. Tenure security: Theoretical background

3.1. Debates surrounding slum upgrading, titling, and tenure security

Considerably influenced by the writings of John Turner, a number of multilateral institutions such as the World Bank and the UK Department for International Development, undertook slum upgrading projects during the 1980s and 90s (Werlin 1999). Embracing a favorable view of participatory development and a hostile view towards bureaucracies, Turner argued that the solution to slums is not to eradicate them forcibly, but to improve the living environment of slum dwellers. As a result, slum upgrading projects, carried out in cities such as Calcutta, Jakarta, Manila and Indore, aimed at improving slum environments and services through intricately engineered solutions, including concrete roads, community toilets, street lighting, and storm water drains. It was believed that once the squalor and unsanitary conditions were addressed, squatters – who often showed great organizational initiative – could also be trusted with maintenance and further investment in their surroundings (e.g. Davidson 1998). But as Verma (2000) points out, while many of these projects were initially lauded for their successes, subsequent evaluations raised serious doubts about the sustainability of the upgrading approach. What ensued was a gaping difference between the "on paper" and "on the ground" results of the projects.

Werlin (1999), too, exposes the "slum upgrading myth", explaining that the benefits of initial upgrading efforts in the 1970s proved ephemeral: by the late 1980s, there were leakages in sewage pipes, and the disposal of human excreta and solid waste in most Asian

slums continued to be near absent. Rebuffing Turner's earlier notion of a minimal state, Werlin argues that slum upgrading ideally "requires a very powerful as well as humanistic bureaucracy (1999: 1526)" to acquire the land for resettlement purposes and to adjudicate over the granting of tenure to slum dwellers. The notion that secure tenure is a pre-condition for infrastructure improvements was also echoed in a 1996 review of World Bank experience with slum grading which concludes that "secure tenure is the only way to avoid eviction for inhabitants of a newly equipped settlement and is essential for recovering infrastructure and service delivery costs (Durand-Lasserve 1996: 27)". In the end, Werlin concedes that what is needed is not "less government" but "better government" in dealing with the terrible living conditions of slum dwellers.

Werlin's emphasis on tenure security is consonant with Hernando De Soto's notion that "the greater the security, the greater the investment and vice-versa (1989: 24)". In his recent book, De Soto goes a step further in arguing that the lack of formal titling is perhaps *the* key reason why the poor are not able to turn their assets into liquid capital. Property titling provides the security to enable the poor to improve their informal settlements and collateral to mobilize fixed capital assets for loans (De Soto 2000). However, there are also voices that caution against the promise of titling, arguing that they derive from dualistic and simplistic conceptualizations of "illegal" and "legal" (not unlike the simplistic "public/private" dichotomy) that are so prevalent in Western thought (Varley 2002). Varley questions legalization as an engine of change, not only because she finds the distinctions between legality and illegality tenuous and often crosses the socio-spatial hierarchies assigned to them as in the case of Mexico, but also because legalization brings no guarantee that the urban poor are protected from other private forces, and even neighbors, from eviction.

3.2. Tenure security and human rights: A middle ground?

Varley's main criticism of titling – that it relies too heavily on culturally inappropriate illegal/legal dichotomies – is countered by yet another strand of literature. Recently, the tenure security argument has been invoked within a human rights framework by the UN Habitat in an Istanbul +5 background paper which says "there is compelling evidence world-wide that secure tenure is one of the most important catalysts for stabilizing communities. Such stability helps cities to attract corporate and individual investment, which in turn can improve access to services and the living conditions of the urban poor (UN Habitat 2000:3)". UN Habitat's Campaign for Secure Tenure invokes the Universal Declaration of Human Rights and the International Covenants on Economic, Social, and Cultural Rights, arguing that secure tenure is one of the seven components of the human right to adequate housing. Yet, as a qualifier, the UN Habitat asserts that titling is not the only form of granting tenure security; a variety of other flexible and creative mechanisms – indeed constituting a *continuum* of options (see figure 2) – are available for increasing tenure security. Geoffery Payne, one of the key authors on the UN Habitat's Global Campaign for Tenure Security "Urban Land for All" document highlights the complexity of customary, private, public, and non-formal tenure systems, and cautions against drastic intervention in land markets unless a full range of *de jure* and *de facto* tenure systems are first assessed (Payne 2001, UN Habitat 2004). The FDV approach to granting tenure to the peri-urban poor is precisely in this creative spirit, in that it opts against full titling and for a temporary (50 years) Right of Occupation contract with the squatter. Similarly, in the Bangalore case, the BWSSB does not facilitate full titling for slum dwellers, but rather accepts flexible forms of tenure security in

order to provide slums a connection to water. The modalities of FDV's and BWSSB's tenure security approach will be discussed in a later section. However, I would be amiss if I limited the human rights discussion to the UN Habitat's rhetoric that tends to downplay the highly political and contested nature of the rights discourse.

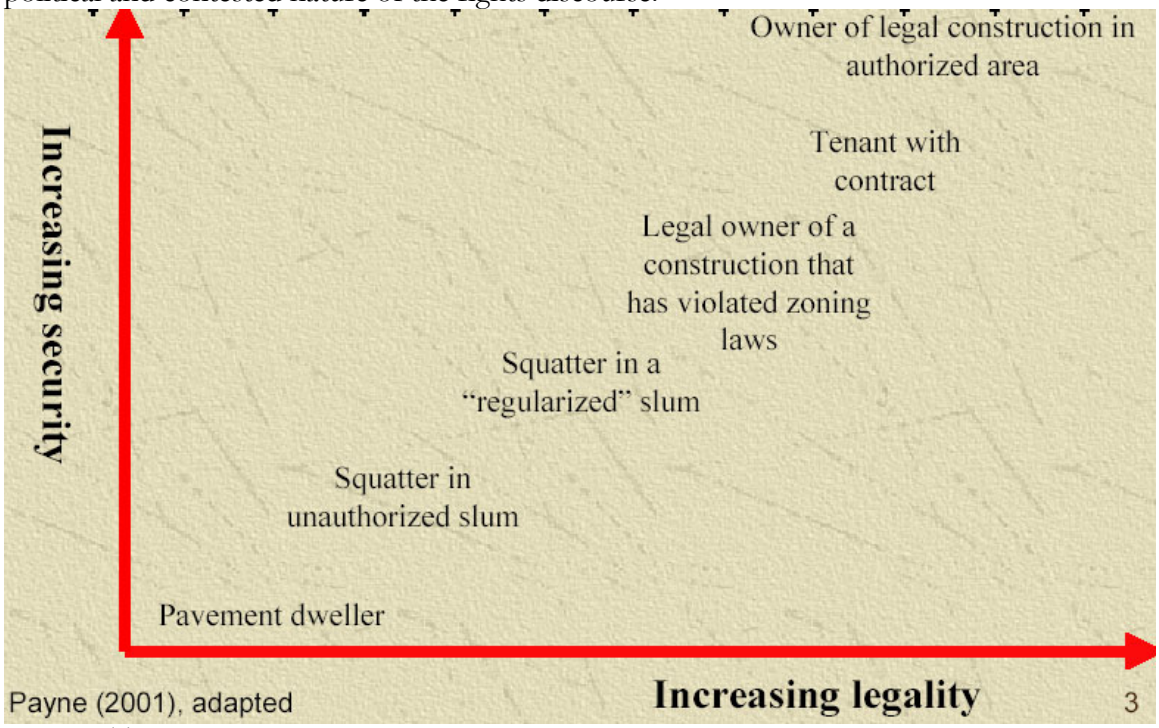

Figure 2: Tenure in developing cities is characterized by a continuum of options of differing security and legality.

Scholars, such as Mark Purcell and Don Mitchell following a tradition of a Lefebvrian urban scholarship have also discussed the city from a rights angle. In Henri Lefebvre's seminal 1968 work *Right to the City*, his primary position is that the right to the city is earned by the everyday act of living in the city ("la vie quotidienne"): those who go about their economic, social, and cultural routines in the city possess a legitimate right to the city (Purcell 2003).

Lefebvre's challenge also poses some important questions about the politics of the rights discourse, the nuances of which are picked up by Don Mitchell. In his book *Right to the City: Social Justice and the Fight for Space,* Mitchell chronicles the increasingly draconian anti-homeless laws in US cities, bemoaning the fact that landed property has become a prerequisite for legitimate citizenship. To Mitchell, the right to the city is a process of constant negotiation and struggle, and anti-homeless laws signal an erosion of this process. If the right to the city is in fact always a negotiation as Mitchell says, then it must also be seen as an inherently *political* discourse, hinging upon who is employing it, for what reason, and to what end. In the case of developing cities, it is not uncommon for politicians to extend tenure security to slums in order to win political favor. The question in this paper is for what strategic end does FDV and BWSSB deploy tenure security?

4. Case Studies on FDV and BWSSB

FDV in Dakar and BWSSB in Bangalore are both examples of how tenure security was used as a means to increase access to urban services. In this section, I detail the approaches of these two organizations (depicted in Figure 3 below).

	Dakar	Bangalore
Urban service studied	Electricity	Water
Current access level among poor	30%	40%
Organization concerned	Fondation Droit à la Ville (FDV— Right to the City Foundation)	Bangalore Water Supply and Sewerage Board (BWSSB)
Tenure security approach	*Quasi-government approach:* FDV provided tenure security and infrastructure in peri-urban slums. Funded by GTZ project	*Utility-based approach:* As part of pro-poor reform, utility relaxed tenure rules for access to water. Funded by AusAid project
Primary motivations	Cost-recovery Poverty alleviation	Cost-recovery Poverty alleviation

Figure 3: Table showing major characteristics of the two cases.

4.1 FDV's approach to slum regularization and tenure security

As the repercussions of structural adjustment programs, decentralization, and neo-liberal reform continue to be felt at the local level in Dakar, there has been an explosion of ideas and practices promoting "civil society" and "participatory" approaches to development. Fondation Droit à la Ville (FDV) is one such experiment in participatory development. It was created in 2001 as a response to the government's inability to provide adequate infrastructure in peri-urban neighborhoods in Dakar. As an organization, it is very much in partnership with the state and foreign lenders, and in fact works to advance the goals of the neo-liberal agenda of minimizing the state. In explaining why the organization came about, the chief urbanist of FDV explained to me that, in executing its own policy of slum regularization, the government was not seriously invested and had no expertise. FDV was thus established as an "autonomous, private operator" charged with the two-pronged task of 1) granting tenure security to peri-urban slum dwellers and 2) enabling access to infrastructure.

FDV is very much in partnership with the Senegalese government, and also has a wide network of partnerships with municipal governments, community organizations, other NGOs, urban planning departments, the private sector, and importantly, the German Aid

Agency, GTZ. One of its main stated goals is to "supercede the monopoly of the state as the soul operator specialized in slum upgrading and tenure regularization by involving private sector actors (FDV 2005)". Even though FDV is a quasi governmental organization, its mandate fits nicely into the neo-liberal agenda of minimizing the state. As Gabrielle Tati (2001) says community organization, wherever it is taking place, has more linkages with the goals of cost sharing or cost reduction in the public sector than it had in the past, reflecting a convergence between community groups and the neo-liberal mode of social provisioning. Why this seems palatable in the case of FDV, however, may be because of the organization's strategic human rights approach as evidenced by its name. The politics of the human rights angle of FDV is essential in understanding why, as a human face to neo-liberalism, FDV has had such apparent success.

Figure 4: In neighborhood where FDV works, infrastructure has been provided and many squatters are now upgrading their shelters.

FDV's approach does not involve full land titling, but rather a more creative system of assigning property rights. In this system, the goal is to first provide peri-urban squatters with a Right of Occupation ("Droit de Superficie") for which residents pay $4.50 per m^2 of land occupied. Through this right, the squatters are allowed to occupy the land for 50 years without the option of selling the plot and with the obligation to build a house. Presumably, the stipulation of not selling the land is linked to the government's fear of land speculation by private developers. Moreover, full titling is likely to have been much more expensive for the squatters. The funds collected from the occupants are then put into a revolving fund that is used to fund other slum regularization projects. Once a Right of Occupation is granted, a tender is put out for private sector involvement in building the requisite infrastructure in the slum. The cost of the infrastructure is borne by the German lenders, however it is expected that once the infrastructure (electricity poles, roads, pipes, etc) is set up, the residents will bear the recurring costs and the appropriate utility will take full responsibility for service provision (Diakhate 2005).

Cost recovery is a major component of the project, with an original target of $600,000 for the peri-urban neighborhood of Dalifort (World Bank 2002). Although this amount has not been recovered in full, the infrastructure improvements in the settlement

have been notable, with more than 600 households in Dalifort alone obtaining a water and electricity connection (World Bank 2002).

Over all, FDV's creative tenure security and cost recovery approach has enabled an improvement in access to electricity, water, and roads for peri-urban dwellers. In the words of the chief urbanist at FDV "As soon as you give slums even the least bit of infrastructure and a minimum of security, they will invest in their habitation. All it took was to grant them tenure security. Look at Dalifort. It's very modern now (Mbaye 2005)." Perhaps not too surprisingly, this view has much overlap with the rhetoric of the UN Habitat. Yet, the cost-recovery component of the plan resonates with the neo-liberal paradigm of service provisioning and increasing involvement of private sector actors in infrastructure sectors. In the next section, I show how the utility itself was flexible about tenure security arrangements in order to expand access to water in Bangalore.

4.2 BWSSB's approach to service delivery and tenure security

The Bangalore Water Supply and Sewerage Board (BWSSB) is a publicly owned water utility that is charged with the responsibility of providing water and sewerage facilities to the city. Due to rapid increases in urban population and urban boundaries, insufficient finances and cost constraints, BWSSB is struggling to maintain an acceptable level of service to Bangalore's population, especially its poor.

The BWSSB network leaves out a large proportion of the population from piped water delivered to the household. As a result, slums in Bangalore mainly get their water from private boreholes, water vendors, government tankers, public taps, and illegal tapping of BWSSB's network (Connors and Blockhurst 2006). Unless a household can provide proof of tenure, BWSSB doesn't service it, making connections rare in slums where households do not possess the requisite paperwork to demonstrate proof of tenure (Connors and Blockhurst 2006). As a recent report written on behalf of the World Bank's Water and Sanitation Program states, "BWSSB policy regarding land tenure requirements was a barrier to residents of informal settlements obtaining connections, as was the cost (Connors and Blockhurst 2006: 6)" Illegal connections were quite common in slums, especially those located in peripheral areas of the city. One estimate states that there are approximately 20,000 to 30,000 illegal water connections in Bangalore (Connors and Blockhurst 2006). BWSSB experienced revenue loss as a result of these illegal connections.

Between 2000 and 2005, BWSSB implemented a series of pilot projects aimed at expanding its coverage to the poor. The first of these projects was funded by the Australian aid agency AusAid, while the subsequent two operated through the new Social Development Unit arm of the utility itself. These pilots addressed the issue of lack of tenure in slums by passing a resolution to accept government-issued "lease-cum-ownership" documents rather than formal land titles as the basis for granting water connections. In a subsequent decision, the requirements for proof of tenure were made even more flexible as engineers began accepting ration cards, voter cards, and ID cards as proof of occupation (Connors and Blockhurst 2006). Through these pilot projects, approximately 5% of Bangalore's slums were able to legally connect to network, receive bills, and make payments (Connors and Blockhurst 2006). An important outcome of these decisions to be more flexible about tenure requirements is that the utility began considering the poor as customers that were capable of contributing to cost-recovery. In the Bangalore case, particularly, the motivation

behind granting tenure security, while ostensibly pro-poor, is very closely tied to the utility's own priorities of cost recovery.

5. Conclusion

My cases show that FDV was created in response to the government's inability to provide adequate infrastructure in peri-urban neighborhoods, and continues to justify its existence and its slum upgrading programs on this basis. By embracing the discourse of self-help and the merits of cost-recovery in their approach, FDV's mandate has strong overlaps with the overall state agenda to restructure social provisioning. Similarly, BWSSB's approach, while claiming to be pro-poor, is accepting flexible forms of proof of tenure in order mainly to expand their consumer base. In both these cases, there is a strategic use of tenure security as a means of enabling the utility to recover costs.

The Bangalore case differs from the Dakar case in an important way. In the Dakar case, an actual long-term right of occupation document was provided to slum dwellers. In the Bangalore case, the utility bent the rules of legal occupation by accepting atypical forms of "proof" of legal occupation. However, just because the water utility accepted these forms of proof doesn't necessarily mean that other utilities will also acknowledge these slums as having legal status. Moreover, granting slums legal status in this ad-hoc way simply to enable a service connection may not be sustainable in the long-term, especially if a new government comes to power and deems these slums illegal. Thus, arrangements that guarantee service provision across the board, as in Dakar, may be more likely to endure than those in Bangalore. Nevertheless, these cases are indicative of a broader trend of placing tenure security at the center of strategies to expand services to the urban poor.

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