



Housing, marginalisation and mobility in Pakistan: residential security as social protection

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Abstract

Although security of residence is central to the social policy agenda in most developed countries, it has not been a prominent concern in most developing countries in recent years. In countries such as Pakistan, urban planning is skewed in favour of housing for the rich and the middle classes. In rural areas where traditional forms of social organisation dominate access to land, residential security and housing remain pervasive, yet mostly invisible, correlates of social marginalisation. Access to housing is examined here in the context of government interventions for residential security for the poor in three regions of Pakistan. It is argued that a transformative social protection agenda in Pakistan must include measures for residential security.

This paper presents findings on the links between housing and social marginalisation in rural and urban areas, and on the impact and limitations of past and current interventions. Collective action by socially marginalised people around housing in general, and government interventions in particular, is analysed to compare the relative strengths and weaknesses of different approaches to delivering social protection. Finally, there is an attempt at understanding the politics of social protection at the national and community levels. This synthesis paper draws extensively on more detailed empirical papers on each of the three government schemes for residential security and a fourth review paper which documents recent developments with respect to the scale and scope of social protection policy in Pakistan (Gazdar 2011; Gazdar and Mallah 2010, 2011a, 2011b).

Keywords

Social protection, housing, class-caste, marginalisation, migration

1 Social protection and residential security

1.1 Transformative social protection and citizenship

Transformative social protection, or the focus on measures that address structural inequalities, is a valuable perspective in societies where processes of marginalisation are particularly entrenched (Sabates-Wheeler and Devereux 2009). This approach to social protection is close to ideas relating to equal social citizenship in post-war Europe and the argument that the concept of citizenship must incorporate civil and political as well as social rights (Marshall 1950). The attainment of social citizenship rights is seen as a precondition for equality of status between citizens, which in turn is essential for the realisation of individuals' civil and political citizenship rights.

This study starts from the premise that exclusion and marginalisation are conditions of unequal citizenship (Kabeer 2002; Kabeer 2005). Unequal citizenship can operate at several levels. There are many who are excluded and marginalised on account of their uncertain legal status, such as irregular migrants or others who are denied full rights of formal citizenship on other grounds. Non-citizens can be numerous, even in developing Asian countries. In Pakistan, for example, it is estimated that irregular migrants and non-citizens number more than three million (Gazdar 2003). Then there are those who enjoy citizenship rights in law yet face systematic disadvantage due to persistent social inequalities. These effectively unequal citizens are difficult to classify into a unique group because there are many diverse dimensions of chronic social disadvantage such as gender, race, ethnicity, religion, caste and class. There can also be long periods where particular aspects of effectively unequal citizenship are invisible until there is wider public recognition. A transformative social protection agenda has its work cut out with respect to effectively unequal citizens.

Marginalisation can be defined as non-participation or disadvantaged participation in the main social, economic and political institutions. To the extent that marginalisation is a process of segmentation, collective action may be seen as a counter process. It is presumed that once marginalised individuals and groups are engaged in collective action for a particular purpose, they acquire political resources for gaining access to a range of other citizenship-based entitlements (Sharma 1992). However, seminal literature on collective action (Olson 1971) provides an account of the barriers to group formation. In much of South Asia, the problem is even more acute for

those who are isolated from the mainstream on grounds of gender, caste, religion or ethnicity. Social protection interventions that encourage prior collective action on the part of potential beneficiaries may contribute to countering marginalisation (Pellissery 2005).

1.2 Residential security

Residential security can be approached from several distinct perspectives. First, the right to adequate housing is enshrined as a fundamental right in the United Nations Charter and in many national constitutions. Second, the requirement of a fixed abode is a precondition for accessing a range of citizenship-based entitlements. Third, residential security can be viewed within the framework of secure property and tenancy rights. Finally, social and institutional arrangements for access to housing may be premised on prior hierarchies and inequalities.

1.2.1 Right to adequate housing

Housing is recognised as a fundamental right, expressed in international law as the 'right to adequate housing'.¹ The Constitution of Pakistan also mentions the commitment of the state to provide housing to all citizens who are unable to earn their livelihood on account of infirmity, sickness or unemployment (Constitution of the Islamic Republic of Pakistan 1973). Much of the policy debate on the right to adequate housing is concerned with defining adequacy (McMillen and Si-Wai 1994; Trebilcock and Daniels 2005). This discussion is mostly with respect to the physical environment and the availability of safe, healthy and sanitary conditions. The right to adequate housing has also been interpreted as relating to the security of possession and tenure. The United Nations Special Rapporteur on the right to adequate housing, for example, regularly reports on arbitrary eviction by government as well as non-governmental stakeholders (Rolnik 2009).

1.2.2 Administrative focus on fixed abode

The administration of most citizenship-based entitlements to social protection is usually linked to a fixed abode. Even proof of citizenship, which is often the basis for any other entitlement, requires an individual to demonstrate that he or she has a verifiable connection with a particular address. This is the case not only in Pakistan but virtually everywhere in the world. In some countries covered by SPA research, the shift from a fixed registration in a particular rural or urban area to a more flexible system of entitlements poses a major policy challenge for social protection (Duong, Liem and Linh 2009; Yu Zhu and

¹ The right to adequate housing is detailed under the Universal Declaration of Human Rights as well as other international human rights treaties and covenants listed in Appendix 1.

Wang 2009). Even in less structured systems, states count their citizens in relation to a specific location. The population census in Pakistan first physically marks all dwelling units in the country then counts the people who live in them. An individual's political participation is based on electoral rolls prepared through an exhaustive enumeration of residential addresses. Formal economic transactions such as property ownership, bank accounts and employment contracts are premised on linking an individual with a fixed location.

Citizenship documents such as the national identity card require verification of a permanent address by a government functionary. Reviews of social protection systems in Pakistan strongly advocated the use of national identity cards for administering citizenship-based entitlements (Kabeer, Mumtaz and Sayeed 2010). The recent expansion in cash transfer programmes, designed around increasing national identity card coverage, is being seen as a significant institutional advance (Gazdar 2011).

It might be argued, of course, that the administration of social protection programmes need not be linked to a fixed abode. The centrality of a fixed abode in the complete description of personhood in the context of modern citizenship can be seen as a historical and institutional bias in favour of settled communities and societies (De Jongh 2002). There are entire communities in Pakistan which are nomadic, semi-nomadic or transhumant (Gazdar 2007; Budhani, Gazdar, Mallah and Masood 2006).² Many of them, particularly those who do not own land anywhere, subsist on the margins of mainstream settled communities. If they choose a peripatetic lifestyle, many of them do so over the alternative of residential dependence and the possible loss of personal autonomy. Others, who are more powerful yet unattached to a fixed abode, often negotiate their economic and social entitlements through group membership which in turn is based on patriarchal kinship organisation rather than physical location. A responsive social protection system should address the needs and choices of those who will not have a fixed abode (Rogaly 2008). But it will have to be even more attentive in guarding against the exclusion of those who do not have a fixed abode because they are marginalised by mainstream settled communities.

1.2.3 Secure property and tenancy rights

Homelessness is an extreme condition of exclusion that typically affects relatively few people. Even for those who can claim to have a fixed abode, there are many shades

of security of possession. Understanding the gradation in the effective rights of possession and use is therefore a key concern here. Work on the informal sector has been influential in highlighting the role of insecure and unrecognised property rights in perpetuating poverty and inefficiency (Do Soto 2000). Poor people operating in the informal sector are unable to leverage their assets due to the absence of title, and therefore remain capital-constrained. While in principle this proposition applies to any assets held in the informal sector, it pertains mainly to immovable property in the form of home ownership. The policy prescription is the extension of legal title in the informal sector.

Table 1 Distribution of households by form of residential tenure (per cent) – census and survey findings

	Pakistan	Rural	Urban
Population Census 1998			
Owned	81	87	69
Rented	9	2	23
Rent free	10	11	8
Total	100	100	100
PSLM 2004–5			
Owner occupied	88	92	79
Rented	7	2	16
Subsidised rent	1	0	2
Rent free	5	5	4
Total	100	100	100

Sources: Authors' calculations based on Population Census 1998 and Pakistan Social and Living Standard Measurement (PSLM) survey 2004–5

Secondary data sources make little distinction between different grades of contractual security in ownership or tenancy. According to the 1998 population census and household survey data, most families in rural and urban Pakistan owned their homes (Table 1). These figures need to be read alongside the finding that over half the population of Karachi resides in localities that started life as irregular settlements with little or no security of tenure (Table 2). According to records kept by NGOs, around 100,000 families had been evicted by state agencies and property developers in the ten-year period up to 2007, a vast majority of whom had been enumerated in the population census and reported as owning their homes.

² These include Gujjar cattle-herders in the northern Khyber Pakhtunkhwa, seasonal harvest workers across Punjab and Sindh and pastoralists in Balochistan. Then there are individuals and families across the country who are involved in marginal economic activities, such as begging, mobile vending and waste recycling, who are treated as temporary migrants by their neighbours and officials even if they have resided in the same location for many years.

Table 2 Planned, unplanned and mixed localities and literacy rates of their residents

	Proportion of localities (%)	Proportion of population (%)	Literacy rate (%)
Planned	39.0	38.9	79.6
Unplanned	43.9	43.8	55.0
Mixed	17.2	17.3	67.6

Source: Authors' calculations based on analysis of Population Census 1998 data

A rural survey in 2005 which enumerated all households in seven villages across different regions of the country included separate probing questions into the ownership of homes as well as homestead land. While the survey was not nationally representative, it did offer an opportunity to combine a village census with more in-depth qualitative research in the same community in seven regions of the country. It was found that while 89 per cent of the 1,655 households covered by the survey claimed to own their homes, under half actually owned the homestead land on which their home was built (Table 3). There was a clear difference between ownership of land, possession of land, and ownership of the structure built on land not owned outright (Gazdar 2007). These and other further distinctions that vary from one locality to another imply that residential security cannot be measured on a binary scale of owners and non-owners, but needs greater attention to the processes that make claims of ownership and possession stronger or weaker. Access to homestead land, as examined in detail below, is correlated with the ownership of agricultural land. That around half of all rural households in Punjab and nearly two-thirds in Sindh did not own agricultural land is a benchmark indicator of the possible scale of residential insecurity in these areas (Gazdar and Mallah 2010, 2011a).

Table 3 Distribution of households by homestead and homestead land status in selected villages, per cent

Homestead	Owned	89
	Not owned	11
	Total	100
Homestead land	Formal private property	47
	Right of possession	29
	Someone else's private property	20
	Common property	3
	Other	1
		Total

Source: (Gazdar 2007)

1.2.4 Social and institutional arrangements

The rights-based, administrative and economic approaches to residential land security discussed above all assume a simple institutional setting defined by some combination of state and market. In many developing economies, however, there are specific social arrangements that determine an individual's position with respect to both state and market, and mediate access to housing and residential land. There are diverse arrangements within and across villages for determining rights of use of land for residential purposes. These, as will be shown below, are linked to a hierarchy of claims based on gender, class, kinship and caste. Processes of social marginalisation, therefore, are likely to become visible with regard to differential entitlements to homesteads.

Access to housing in urban areas is determined by market conditions, but markets themselves operate in spaces delineated by prior political action (Gazdar and Mallah 2011b). As shown above, over half of Karachi's population lives in localities that started life as irregular settlements. One of the largest working class quarters of the city at the time of national independence in 1947, which was inhabited predominantly by Afro-Baloch descendants of former slaves, had insecure tenure until the early 1970s. Early city master plans were skewed in favour of middle- and upper-class housing, with under a tenth of the residential area set aside for low-cost housing for the poor. It was not as though planners were unaware of the need to accommodate people of various classes. Laundry workers, for example, were allowed to set up on state land on an *ad hoc* basis near a planned colony to service the well-off residents. The marginalisation at play here was the privileging of the already privileged over others.

1.3 Context and questions

The three interventions selected for study – the Punjab Marla Scheme, the Sindh Goth Abad and Housing Scheme (SGAHS) and the urban Sindh Katchi Abadi Authority (SKAA) – were all programmes providing residential security to the poor and socially marginalised. These programmes, which started in the 1970s and 1980s, are presently in different states of activity. The Marla Scheme and SGAHS were mostly dormant when the research project was conceived, though there were signs of policy interest in reforming and reviving the latter. The urban SKAA remained active, though its pace of implementation had slowed down. Two of the interventions

(SGAHS and SKAA) were regularisation programmes for existing settlements, while the Punjab Marla Scheme aimed to create new settlements. The design of the two regularisation programmes required some level of prior collective action on the part of existing residents.

One of the reasons for selecting these schemes, particularly the rural ones, was that there was very little secondary information about them. Given the context of the areas in which they operated, these schemes appeared to have been very promising. Land ownership distribution is extremely unequal in Pakistan, with half of all rural households not owning any agricultural land, and the top 1 per cent owning a quarter of the total area.³ The post-independence land reforms were conservative in their approach and weak in their implementation. They were stalled through a court ruling in the late 1970s. Any scheme aiming to extend residential security to the socially marginalised in rural Punjab and Sindh would hold useful lessons for the future. The urban SKAA is better documented, but it too had not been examined from the viewpoint of social marginalisation. Urban planning in Karachi had virtually ignored the needs of the poor. Yet the city emerged as the preferred destination for migrants from across the country, who found themselves residing in irregular settlements.

The more immediate policy context was informed by major changes in conventional social protection measures (Gazdar 2011). Pakistan underwent a political transition in 2008 and this coincided with historic increases in fiscal allocations for targeted cash transfers to the poor. Expenditure on cash transfers increased threefold in 2008, and was then sustained at that level. There were also signs of the institutionalisation of social protection, such as legislative cover for an ambitious cash transfer programme, and the linking of cash transfers with the national identity card database. While it was too soon to tell if a paradigm shift had been achieved with respect to social protection, there was real scope for comparison and lesson-learning across interventions and over time.

The next section addresses the main research questions that prompted the study of the residential security interventions. What were the actual linkages between housing and social marginalisation at the community level? What were the impacts and limitations of government interventions? In what way did the government interventions encourage collective action on the part of beneficiaries?

³ Authors' calculations based on Agricultural Census (2000) and Population Census (1998)

2 Marginalisation and intervention⁴

2.1 Marginalisation and housing

2.1.1 Class, caste and the village in Punjab

The administrative village or *mauza* was the repository of various claims and entitlements to land resources in rural Punjab. In historical villages, the *mauza* was treated as the collective property of original owners who traced their claims through genealogical descent to individuals who had been recognised as village owners by the colonial state in the nineteenth century. These claims included the ownership of agricultural land but also shares in uncultivated wasteland and habitable areas within the territory of the *mauza*. The rights to residential land were originally thought to be in proportion to the ownership of cultivated land. The *mauza* was integrated with the state system through the land administration machinery.

The land revenue bureaucracy maintained a record for every *mauza* which listed a hierarchy of entitlements.⁵ At the top were the original owners or proprietors, followed by landowners who did not enjoy shares in common property, and then tenant cultivators who did not own any land but had rights to live in the village. The non-cultivator service castes were below the tenants and were considered village servants of the collective body of the original owners, who delegated their powers to the tax collector or *lambardar*. The service castes were allowed to stay on specific plots of land and could be asked to leave by the original owners. At the bottom of the hierarchy were farm servants who were not recorded as cultivators and did not have any claims on village resources. They were attached servants who lived in the houses of their employers and remained at their beck and call. Although Pakistan stopped collecting population statistics on caste after independence in 1947, earlier census data suggest that the non-cultivator service castes and farm servants make up around a quarter of the population of rural Punjab.⁶

This model of the *mauza* was replicated when modern villages were established on canal-irrigated state land in the early twentieth century. Those allotted agricultural land enjoyed the same privileges as the village proprietors of traditional villages, and interacted with the state machinery through their *lambardar*. The entitlements of other cultivator castes, the non-cultivator service caste, and the farm servants were identical to those in the traditional village. This formal system of records and entitlements was still intact to date. The division of rural residents into 'cultivator' and 'non-cultivator' castes and tribes remained part of the law, and the land revenue

department's official record of entitlements to the village, with its emphasis on genealogy and caste, was invoked whenever there was a transaction involving land.

Although the class-caste conjunction has weakened for some segments, particularly through the upward mobility of tenant cultivators among the agricultural castes, it continued in force with regard to access to land. Due to economic diversification, most of the non-cultivator service castes had acquired new occupations or worked as casual labourers. Some of them had also bought land and started farming. The relative position of those at the bottom of the class-caste hierarchy had changed the least. Many were still attached farm servants who lived in the homes of their employers inside a village or at farmhouses on agricultural land, worked for low wages, and remained in perpetual debt bondage.

Access to homestead land or residential plots had also diversified (Gazdar and Mallah 2011a). Landowners had converted their agricultural holdings into small residential colonies and sold plots on these to landless families, predominantly from the bottom of the class-caste hierarchy. Those who lived in these new colonies generally did not possess individual title, and were simply sold rights of possession by the original owners. There was a measure of arbitrariness and insecurity of property rights, particularly at the moment when such a settlement was getting established. The original owners still used their privileged position with respect to village land to exert power and influence over other castes and classes. Often their motives were to gain political advantage and thus access to non-agricultural sources of rent. Land reforms had not disturbed the basic institutional, legal and social basis of the traditional village, and economic change had opened opportunities for some while making the position of others more entrenched. For people of traditional non-cultivator service and labour castes, migration out of the village into urban areas was a promising source of mobility and change.

Improvements in agricultural productivity and the shift towards cash crops and dairy had sustained and intensified the exploitation of bonded farm servants. These farm servants were almost exclusively from the most marginalised castes in the village hierarchy who had been in servitude for generations. Few, if any, had ever enjoyed residential autonomy. Their enumeration in state census exercises and their ability to acquire basic documents of citizenship such as identity cards were mediated through their employers (Gazdar and Mallah 2011a).

⁴ Empirical observations relating to the SGHS, Punjab Maria Scheme and SKAA discussed in this section have been presented in detail in Gazdar and Mallah 2010, 2011a and 2011b respectively.

⁵ These observations about village-based records of land in Punjab are based on land revenue laws and codes reviewed and cited in Gazdar and Mallah 2011a.

⁶ This figure was calculated by the authors from the 1931 population census of Punjab, the details of which are reported in Gazdar and Mallah 2011a.

2.1.2 Landlord power and contest in Sindh

In sharp contrast to rural Punjab, in Sindh the *deh*, or administrative village, was not a significant institution (Gazdar and Mallah 2010). Rural settlements were fragmented along the lines of kinship groups. There were one or two larger villages in every *deh* which included families from various castes or kinship groups, but these too preferred to live in exclusive compounds or quarters. The main village was often on state-owned uncultivated land known as *bhadda* and, although there was nothing analogous to the original owners or village proprietors, those who owned agricultural land close to the inhabitation enjoyed rights of pre-emption in the use of the *bhadda*. The agrarian class structure, with large landlords, smaller owner-cultivators and then tenant farmers and labourers as its main constituents, was conspicuous. Landlessness and concentrated land ownership were common. While most people did not own any agricultural land, the few who did owned hundreds of acres. Many of the landless worked as tenant farmers of the landlords, though there was a shift towards hired or casual farm labour.

The traditional and contemporary arrangements for access to residential land or homestead could be understood through the framework of the landlord-tenant relationship. It was presumed in convention and endorsed by the rules of land administration that the owner of agricultural land will use his right of pre-emption over adjacent uncultivated land to build his own homestead and to settle his tenants. Many tenants were settled by landlords on their privately-owned land. There were also many smallholders who lived on their plots of land. The class relations between landlords and tenants were only partly buttressed by a caste hierarchy. Some castes or kinship groups in rural Sindh remained vulnerable to exploitative tenancy arrangements or bonded labour. These were mostly people from Hindu scheduled castes, such as Bheels and Kolhis. There were other historically marginalised groups such as the Khaskhelis, who were regarded as descendants of former slaves of the last native Sindh dynasty. There were also tenancy arrangements between landlords and individuals within their own extended families.

The agrarian structure of Sindh had been subject to a number of political shocks. Most recently, in the 1980s a wave of violence against landlords from outside the province had led to a change of hands. Many of the new landlords were individuals who had started their working lives as tenants or smallholders. The flux in the identity of

landowners had not seriously altered the concentration of land ownership. Conflict and flux, however, had affected not only the security of property rights to agricultural land but also made village settlements sources of contention. These conflicts had at times led to extreme outcomes such the eviction of an entire village (see Gazdar and Mallah 2010 for details of a specific case).

Besides the ownership of land, and often taking precedence over formal ownership, kinship group solidarity and political networks were the main sources of power. These were typically patriarchal forms of social organisation. Marginalisation, correspondingly, was associated not only with being landless, but with being without strong extended family or kinship group support. This explained the prevailing pattern of inhabitation, with numerous groups setting up hamlets, preferring physical autonomy from landlords and a sense of village ownership. These small hamlets, made up of 10 to 20 households, were vested with political significance by their owners, even those from marginalised castes and communities. The scattered settlements were an obstacle to the provision of infrastructure and effective public services.

2.1.3 Informal sector in Karachi

Urban planning in favour of middle- and upper classes was the main source of marginalisation with respect to housing and shelter in Karachi. As the city grew rapidly through migration, the informal sector became a major source of housing supply to the poor.⁷ Formal state systems adopted a *laissez-faire* attitude but state officials were involved with informal sector land developers in providing protection. There was a backlog of irregular housing stock in the 1970s, and more areas were added to this as migrants flocked to the city in search of economic opportunities or to escape conditions of social oppression.

Ethnicity played an important part in nearly all phases in the establishment and development of irregular settlements. Land developers were often from groups such as the Pashtuns, who were known for their ability to inflict and withstand violence, and from groups who could mobilise large numbers of people to assert and protect the illegal possession of state or privately owned land (Gazdar and Mallah 2011b). Irregular settlements acquired various infrastructures through a combination of political bargaining and collusion with rent-seeking state and public utility officials. Various state agencies remained sources of insecurity for many irregular settlements for

⁷ For estimates of the scale of informal sector housing, see Gazdar and Mallah 2011b

long periods of time, and evictions were common. Arrangements such as informal rights of possession and non-state means of contract enforcement became institutionalised as permanent features of urban life as successive waves of migrants relied on these mechanisms for the provision of land and other services.

While the main lines of marginalisation operated with respect to the class biases in urban planning, there were processes of marginalisation at work even within irregular settlements (Gazdar and Mallah 2011b). Some individuals and groups, particularly those connected with the initial land developers, were themselves sources of insecurity for people who were politically much weaker. Non-citizens, those belonging to marginalised castes and kinship groups in rural areas, and poor people from religious minorities were particularly vulnerable. They often found themselves cheated out of money because land developers had conducted multiple transactions over the same plot of land. The marginalised within irregular settlements were often willing to move to newer and less secure localities in return for a lower price.

2.2 Interventions, change and exclusion

2.2.1 Interventions

The Marla Scheme is possibly the only state or non-state intervention to purposively address the situation of those at the bottom of the class-caste hierarchy in rural Punjab. The scheme was initiated in the early 1970s by a populist elected government and fell into dormancy soon after the overthrow of that government in 1977. The stated aim of the scheme was to allot state-owned or acquired land to 'non-proprietors' in Punjab villages. Its mandate was interpreted on the ground as the identification of state-owned land in a *mauza*, its division into homestead plots, and the leasing of these plots to families of farm servants and bonded labourers at the bottom of the class-caste hierarchy in rural Punjab. In its early phase, the scheme included a role for local activists' committees alongside the land administration machinery, which had an institutional bias in favour of incumbent property owners. The scheme was restricted to those villages where either state land was available, or where the government was able to acquire private land. In both cases the scheme faced resistance from original owners who had an entrenched privileged position in the use of land resources within the *mauza*.

The SGAHS was initiated in the mid-1980s in the midst of a period of political ferment in rural Sindh. The aim of the

scheme was to regularise rural settlements located on state land or on privately-owned land. Its backdrop was the landlord-tenant system of rural Sindh, and the scheme responded to the concern that landless tenants did not enjoy security of residential tenure. The scheme was promoted as a first step towards the development of village infrastructure. Once a village had been regularised, it could be provided with basic amenities and public services. On paper the scheme required prior collective action on the part of potential beneficiaries. Residents of a village who did not have property rights over their homestead land were required to make a collective application to the land administration department, and if they fulfilled certain conditions the village would be leased by the government. A minimum of ten households was required in order to qualify for inclusion in the scheme. SGAHS in effect blunted landowners' customary and legal privilege of pre-emption over state-owned land adjacent to their holdings. Official records suggest that over 11,000 rural settlements out of an estimated 37,000 villages and hamlets had been regularised, and individual leases were awarded to over 700,000 beneficiary households. The scheme therefore claimed to have covered around a third of rural households in Sindh.

The SKAA, which was established in 1987, had its antecedents in earlier programmes for the regularisation of irregular settlements in Karachi. Irregular settlements on public land received an amnesty if at least 40 households could offer proof of residence up to 1985. It was mandated to notify, regularise and upgrade all existing irregular settlements in urban Sindh by 1992. The SKAA solicited applications from residents of irregular settlements or their representative organisations, and set up camp offices on site to facilitate the leasing process. A total of 539 irregular settlements were identified; 483 of them had been leased by 2005. Some applications were under litigation due to rival claims of land ownership, and a number of irregular settlements were deemed not to fulfil the criteria set out by the law.

As noted above, the SGAH and SKAA were programmes for the regularisation of existing irregular rural and urban settlements, whereas the Marla Scheme was aimed to create new settlements from scratch. Both the regularisation interventions required some measure of prior collective action on the part of the beneficiaries. Lessons learned from these schemes regarding collective action are discussed further below. The two regularisation interventions targeted the poor and the marginalised by implication. They were based on the correct presumption

that the existing settlements of the poor and socially marginalised were likely to be irregular to begin with. The Punjab Marla Scheme targeted the socially marginalised more purposively. Its intended beneficiaries were landless families at the bottom of the class-caste hierarchy in the Punjab village. Although the scheme did not explicitly mention the class-caste conjunction, the meaning was interpreted unambiguously on the ground by the activists' committees that were empowered to select beneficiaries. Later amendments removing the role of the local committees led to a looser interpretation of the landless, which blurred the focus on the class-caste hierarchy. The discussion in this paper will refer to the early phase of the Marla Scheme.

2.2.2 Change

The Marla Scheme was a significant moment of change for the most marginalised segments in the class-caste hierarchy of the Punjab village. The difference between the conditions of scheme beneficiaries and their counterparts who were farm servants in farmhouses was illustrative of its impact. Most of the scheme beneficiaries were still poor and many worked as casual wage labourers. They also continued to suffer caste-based exclusion in economic and social interactions. Many of the children were going to school and some had completed higher education. Large numbers of adults had acquired formal sector jobs, even if these were at low grades. There were some remarkable accounts of individual mobility through education and asset accumulation. Marla Scheme residents were all free from debt bondage. Some had sold their houses and moved on to towns and cities with greater economic opportunities and with weaker caste-based structures of exclusion. Scheme beneficiaries were regarded as an important factor in electoral politics and were able to access political representatives due to their voting strength.

The farm servants remained at the beck and call of their employers, worked for around half the wage rates prevailing in the casual labour market, were almost entirely excluded from schooling, depended on their employers' assent for basic citizenship processes such as applying for identity cards or voting, and were subjected to verbal and physical abuse. It is not surprising that the scheme beneficiaries compare their conditions with those of the farm servants and say that they have been 'freed from slavery'.

SGHAS, by contrast, was not a dramatic event in the villages where it was implemented. In some places the

scheme was implemented by administrative initiative, and in others it was used by protagonists who were already involved in a contest with more powerful rivals over homestead land. General political contest in which various groups vied for power and position along the lines of class, kinship group and party affiliation formed the backdrop into which the SGAS arrived. The scheme played an important role in several conspicuous stories of upward mobility of the socially marginalised in the context of an ongoing struggle. Exclusive settlements of close kin had emerged as significant political resources, and the dominant as well as marginalised groups invested much energy in maintaining these resources. Small hamlets or exclusive extended family compounds within larger villages were regarded as zones of individual and group autonomy and sovereignty. To a great extent, these social currents were associated with fluid power relations, even if there was little change in the inequality of ownership of agricultural land.

Landless tenants had asserted their control over village settlements through the numerical strength of their kinship groups. Landlords often retaliated by challenging the situation of a village on their private land or on state land which they presumed to control. Despite their overwhelming advantage in terms of land ownership, outcomes in the contest over the control of village settlements were far more equal. The SGAS has allowed the landless to invoke the law on their side and scored small but politically significant victories over landlords. These victories, in turn, were used to resist coercive labour demands, gain access to the state, and demand public goods and services.

The SKAA represented the culmination of decades' long local struggles for regularisation in many settlements. The act of regularisation put a seal on efforts at attaining secure property rights, but it was not the initiator of these struggles. The key moments of change in these struggles were instances when residents of an irregular settlement had successfully resisted the attempts of state agencies to evict them. The coming together of diverse groups of migrants to strike bargains with politicians and city authorities created new forms of solidarity and leadership. The SKAA regularisation reduced the dependence of individuals and groups on the original land agents who developed the land, and enabled them to engage in other forms of political bargaining for improved amenities and public services.

For the residents of irregular settlements in Karachi, regularisation and the greater sense of security had

important economic and social implications. The economic value of a plot in a regularised settlement increased substantially and owners found several ways of realising the benefits of this increase. They were more secure about renting out accommodation because they felt that with proof of title it was easier for them to eject non-compliant tenants. Some sold off their houses to acquire cheaper dwellings in settlements or parts of settlements that remained to be regularised. In general, homeowners gained by being able to sell and buy more securely, thus enabling mobility and the pursuit of economic opportunity. This was also the case for the beneficiaries of the Punjab Marla Scheme. In rural Sindh regularisation did not lead to the creation of assets that could easily command a market price. This was because of the strong desire to retain kinship group exclusivity in settlements. It appeared that the security of tenure created an economic resource or a political resource, but not both.

Migration to Karachi was a source of upward mobility for some marginalised groups, particularly from Punjab. Access to low-cost housing in irregular settlements allowed individuals and families from these groups to take up casual labour opportunities in the city. They also escaped from the entrenched class-caste hierarchy of their native villages and were left only with the burden of economic class. New forms of identity and social organisation were observed among some of these groups. The struggle for residential security in the irregular settlements of Karachi was an important catalyst for the coming together of otherwise fragmented communities. In some ways, Karachi was the end point of the story for the extremely marginalised groups from rural Punjab who had managed to escape conditions of bondage.

2.2.3 Exclusions

There were exclusions of different types in all three schemes. The Marla Scheme was limited to villages where party activists and the land administration had been able to find state-owned land for allotment. In places where the pressure from the activists was strong, the government even acquired land from private owners in order to establish the scheme. In villages where the scheme was blocked by influential local landowners and individuals in the land administration machinery, the target population continued to subsist in conditions of bondage. Landlords in beneficiary villages were able to replace their workers lost to the scheme with migrant bonded labourers from neighbouring villages.

In rural Sindh and in Karachi, some of the most marginalised were left out of the schemes or became beneficiaries only by chance. There had been evictions in rural Sindh despite the presence of the scheme, partly because the residents had not sought scheme protection in time. Landlords continued to assert their power over state-owned uncultivated and residential land in cases where they faced politically weak rivals. Even though local NGOs had been active in facilitating communities undergoing the process of regularisation, they too had ignored potential beneficiaries who happened to be scheduled caste Hindu tenants of a powerful local landlord. In Karachi, some irregular settlements where most residents were from extremely marginalised groups, such as beggars and petty mobile vendors, were not protected by SKAA at all. One of the city's larger irregular settlements where the majority were non-citizens also remained unprotected.

Errors of inclusion were not conspicuous in any of the interventions, or at least not at the outset. In the first phase of the Punjab Marla Scheme, with the involvement of local activists' committees, the purposive focus on the class-caste hierarchy ensured that the new settlements were not captured by the dominant groups. In fact, the upper castes' construction of social distance from the groups at the bottom of the class-caste hierarchy ensured that they were not interested in living with the majority of the scheme beneficiaries as equals. In the later phase of the Marla Scheme, however, when the focus on the class-caste hierarchy had blurred, cultivator castes and even original village owners enlisted as beneficiaries.

There was less scope for errors of inclusion in SGAH and SKAA since these were interventions for regularising existing possession and claims. Dominant groups, almost by definition, already enjoyed secure property rights. In SGAH, inclusion errors were reported to arise in the mid-1990s when many of the larger existing villages had already been regularised. At that stage it was suspected that existing landowners had initiated spurious applications for village regularisation on privately-owned land in order to become eligible for compensation. This element of the scheme was suspended in 1996.

2.2.4 Collective action

The two interventions for the regularisation of settlements required some prior collective action on the part of the beneficiaries. Since a settlement was the starting point of both SGAH and SKAA, it was presumed that individuals

and families living in a settlement had a collective interest in regularisation. The rural scheme allowed for as few as ten households to come together for an application for regularisation. The urban intervention required a minimum of 40 households. To the extent that beneficiaries were socially marginalised, it might be expected that they were also fragmented and isolated.

This was true to a great extent in Karachi where irregular settlements had arisen on publicly- or privately-owned land through informal sector activities. The main protagonist in these cases was an economic or political entrepreneur who first mobilised individuals to settle unused land, and acted as a go-between with various formal state institutions. The often long and drawn-out path towards regularisation created incentives for individuals and groups to act together, generally under the leadership of an entrepreneur. Migration also contributed to the consolidation of individuals with prior links into communities. In some cases, those with little prospect of group-based solidarity in their home villages, such as those at the bottom of the class-caste hierarchy in Punjab, had invented new collective identities in Karachi. In the home regions, virtually the only route of upward social mobility of individuals from these groups was to break ranks from their castes. Ethnicity was another conspicuous identity marker that was in evidence, which often found expression in terms of political mobilisation of Pashtuns, Urdu-speaking Mohajirs, Sindhis and others. Individuals from diverse kinship groups who would not necessarily coalesce into collective efforts in their home regions were able to cooperate with one another on the basis of a shared language or regional background in their quest for residential security.

Kinship group-based collective action was almost a defining characteristic of settlements in rural Sindh. The exclusive settlement was seen as a site of solidarity and power, regardless of the prospect of regularisation. Regularisation merely endowed greater strength to kinship groups already on their way to establishing their sovereign spaces.

The requirement of prior collective action in the regularisation of settlements was not an outcome of deliberate design, but a natural precondition for any intervention that presumed the existence of a collective entity such as a settlement. While in principle it might be possible to design housing regularisation for individual households, in actual practice such an approach will have prohibitive transactions costs.

The experience of the two regularisation schemes suggests that in societies with strong kinship relations, classical collective action may not be a binding constraint to group formation and mainstreaming. Even those who are the most marginalised and isolated, such as those at the bottom of the class-caste hierarchy in central Punjab, are able to form wider networks of support as soon as they acquire some measure of autonomy. The Bheel and Kolhi landless tenants in rural Sindh who were excluded from the regularisation scheme did not lack collective organisation. Other factors, such as their exclusion or distance from formal state mechanisms, and their ability to access political processes, also matter.

3 Conclusions

Pakistan is arguably in the midst of a major up-scaling in the size and reach of social protection interventions, including cash transfer programmes and state land grants targeting poor women. This might be a good time to revisit some past residential security interventions for the poor and the marginalised, which have not received sufficient attention in the analysis of social policy and social protection. Although these interventions are no longer very active on the ground, they offer insights into processes of social marginalisation and hold lessons for social protection policy, not only in Pakistan but beyond.

The ebbs and flows in social protection interventions in Pakistan have been closely related to national political currents, and notably the space given to populist democratic politics. Some key interventions were first introduced with the coming to the fore of elected political parties that needed to mobilise support bases among poor and marginalised urban and rural communities. These interventions were vulnerable to political shifts, particularly at moments when democratic politics were replaced by military government. In the case of a significant intervention targeting the most vulnerable segments of the class-caste hierarchy (Punjab Marla Scheme), the reversal was particularly dramatic. An intervention that left a deep imprint on the ground was virtually absent from the institutional memory of government.

Access to housing is mediated through formal and informal institutions, laws, custom and urban planning practices. Residential security needs to be interpreted in the context of these diverse arrangements and cannot be measured on a binary scale of ownership. Marginalisation too must be understood with respect to prevailing institutions. In Pakistan, access to housing in rural areas is linked to the ownership of agricultural land, which is extremely unequally distributed. In addition, the village-based record of land rights and archaic systems of land ownership are themselves powerful instruments for the perpetuation of marginalisation. Schemes for housing security in rural areas have countered some features of social marginalisation that have been built into the institutional architecture of land administration. Although these schemes have remained largely unnoticed, they have been more effective in this regard than conventional land reforms. There has been resistance to the deep institutional changes necessary for the most marginalised to gain access to housing. These institutional changes would go to the heart of existing power relations in society. Pushing ahead with an agenda of housing rights and security for the poor will require and lead to the

abandonment of some of the legal and institutional props of social inequality.

Caste continues to be a pervasive aspect of the rural hierarchy in some of the more developed regions of the country. There is no public acknowledgement or social policy engagement with the issue of caste or a caste hierarchy. This is a major blind spot, particularly with respect to some regions. The traditional class-caste hierarchy continues to dominate rural life in these regions. Those at the bottom of the class-caste hierarchy are vulnerable to bonded labour. Not only the government, but also non-governmental organisations and wider civil society, are guilty of inattention to the class-caste hierarchy. The only significant government intervention that purposively targeted the most vulnerable segments in the class-caste hierarchy happened to be a housing scheme for the poor.

Regularisation can be viewed as a low-cost method of asset transfer to the poor. It has the added advantage that irregular settlements and housing stock are, almost by definition, held by the poor and the marginalised. Inclusion errors are likely to be low, even if the chances of exclusion are high. Since regularisation programmes generally require some collective action among existing residents for procedural purposes, it may be expected that they will create incentives for collective action. In societies where kinship-based social organisation is pervasive, collective action can be expected to occur along the lines of kinship groups and ethnicity.

The micro politics of some of the interventions was at least as important as national politics. The intervention for village regularisation supported an increasing tendency towards the fragmentation of rural settlements which was already underway. Fragmentation could be seen as a strategy on the part of the landless to assert their autonomy from landlords in a region with a highly unequal distribution of land ownership. While it offered the marginalised a measure of economic, social and political sovereignty, village fragmentation also posed a serious challenge to the provision of public goods and social infrastructure. The prime beneficiaries of the rural regularisation scheme were those segments among the landless who were already in a state of contestation with the landlords. The scheme failed the most marginalised who were too weak politically to contemplate challenging landlord power in the first instance.

Urban planning has been skewed in favour of middle- and upper-income housing at the expense of low-cost

housing for the poor. The regularisation of irregular settlements has effectively overturned the formal policy framework favouring housing for the well-off. There remained serious exclusions with respect to non-citizens and some other extremely marginalised grounds. While all residents of irregular settlements were marginalised from the mainstream city in the first instance, the successful process of regularisation revealed margins within margins, and the heterogeneity of social marginalisation.

The design of social protection interventions needs to pay attention to the broader political and institutional context. In some countries where state institutions have been weakened or were never strong to begin with, alternative social protection interventions need to be assessed for their longer-term implications for state resilience. The reliance on collective action may lead to the strengthening of caste- and kinship-based social organisation to such an extent that it contributes to state fragility. The objective of equal social citizenship will not be met if patriarchal social organisation continues to dominate state institutions.

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Appendix 1

International covenants and treaties pertaining to the right to adequate housing

International Agreement	Whether ratified by Pakistan
Universal Declaration of Human Rights, Article 25	Yes
Convention on the Elimination of All Forms of Discrimination Against Women, Article 14	Yes (13 July 1985)
Convention on the Elimination of All Forms of Racial Discrimination, Article 5	Yes (11 April 1996)
Convention on the Rights of the Child, Article 27	Yes (12 December 1990)
Convention Relating to the Status of Refugees, Article 21	No
International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, Article 43	No
International Covenant on Economic, Social and Cultural Rights, Article 11	No



