Illegible Claims, Legal Titles, and the Worlding of Bangalore

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Dans Revue Tiers Monde 2011/2 (N°206), Pages 37 à 54
Éditions Armand Colin

ISSN 1293-8882
ISBN 9782200927318
DOI 10.3917/rtm.206.0037
Une analyse ethnographique des politiques de titrement à Bangalore (Inde) éclaire quant aux contestations présentes des formes d’appropriation des territoires, lorsque les pratiques populaires sont confrontées à des élites convoquant de nouvelles options légales et institutionnelles, dont l’e-gouvernance, pour globaliser la ville. Nous mobilisons l’approche de Bourdieu et Wacquant, exprimée en termes de « champs de force », pour exposer deux aspects de ces jeux politiques : i) en quoi le sol, ses aspects matériels, sont ancrés dans un environnement émotionnel profond, et ii) en quoi ces dynamiques sont caractérisées par une fluidité politique façonnée par des alliances, mouvements et contre-mouvements entre groupes en compétitions. Les deux études de cas présentées ici invitent à considérer l’idée de politiques d’opacité. La représentation de telles politiques est nécessairement discontinue et amène à rejeter les récits cohérents et logiques des réformes foncières, qui dépolitisent pour justifier des modèles d’intervention bien définis.

**Mots clés :** Urbain, tenure foncière, titrement, propriété, Bangalore, Inde, globalisation, e-gouvernance, pratiques matérielles, nouveaux régimes institutionnels, dynamiques politiques, pratiques populaires.

Bangalore holds a particular place in India’s global aspirations with its Information Technologies (IT) and Bio Technology (BT) economies. However, this city, like other Indian ones, has a heterogeneous small firm based economy dominated by silk, garment, mechanical production, and associated trade and...
services¹ (Fig 1). Narratives on the city’s globalization tend to hegemonize the role of IT and relegate small firm based economies to being remnants of tradition and informality resulting from rapid urbanization and fracture of the planning process (see Nair, 2005; Heitzman, 2004; Dittrich, 2007). Such a view creates fear and insecurity – unless cities develop land settings and regulations to attract corporate capital, they will miss out on “economic development” and fall into an anarchic abyss. Policy makers, advised by international financial institutions, mobilize the new global imperialist ideas epitomized in De Soto (2003) – the digitizing of land titles for greater legibility as the centre of several new laws and institutional frameworks. Corporate lobbying for such policy changes prompted De Soto’s meeting with India’s Finance and urban development minister in February 2010², and perhaps not surprisingly, has been at the centre stage of the World Bank, Asian Development Bank, and other large donors.

**Figure 1 : The Land Economy Relationship**

1. Mahadevia (2008) notes that the National Sample Survey data of 2001 reveals that only 4% of Bangalore’s labour force was in its IT industries. NCEUS (2007) report on “unorganized workers” suggests that as much as 67% of economic value addition happens from activities they refer to as the ‘un-organized’ economy in the Indian metros.

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Paradoxically, most of the city’s economies based around small firm trade and manufacturing have evolved in non-master planned settlements, which are characterized by “illegible” titles. This, then raises the question of whether the push for titling programmes is a way to ensure territory for big business to locate in the rapidly urbanizing peripheries. Are policy prescriptions promoting a fear of “slums / unplanned development with unclear titles” ways to deal with competing claims to territory that they would otherwise allocate to corporate groups?

Titling programmes and associated institutional architecture, supposedly to create clear titles, in reality disembeds existing forms of claims to re-imbed new ones. Claims to urban land are historically embedded in different layers of social and legal relationships (Benda-Beckmann, Benda-Beckmann, Wiber, 2006). The heterogeneity of tenure forms, rather than tradition, reflects the plurality of socio-legal processes underpinning land claims. Thus, illegibility surrounding land claims reflects a political condition rather than a normative one. Titling programmes such as the one considered in this paper are more appropriately set within what Blomley (2003, p. 121) terms as the “Violence of the Frontier, Survey, and the Grid”. Resistance to projects for reconfiguring land claims to transform control over economy and property both in colonial (Russell, 2006; Dossal, 2010) and contemporary times (Sridhar, 2010) mobilized customary forms of land tenures. Another, more commonplace, form of subversion is the appropriation of administrative procedures via “file notings”, minutes of council meetings, and petitions (Hull, 2008). A consideration of such practices shows local government as a “porous bureaucracy” (Benjamin, 2000) that strengthens “de facto” land tenures.

Adapting Ranciere’s (1998, pp. 30-33) conception of “policy” as “policing”, we suggest that it is important to understand titling programmes beyond their normative claims by focusing on the politics that is worked through them. Our conceptual agenda is to avoid a focus on specific projects and policy frames, which, disciplined by the rationality of data, obscures the politics of reconfiguring property via titling. The pro-titling camp, cutting across ideological perspectives, imagine titling as a way to create an efficient market, or else, to ensure the enforcement of the “rule of law” for equitable resolution of competing claims. In effect, both are predicated on legibility, and miss out important political realms that necessitate “opacity”. The anxiety, as Bagchi astutely points out, is to frame categories to convert populations and the economy into a project. Instead, we mobilize land to materialize how groups come together for housing, economy and how a particular “Globalized” Bangalore is produced (Goswami, 2004).

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3. File notings are recordings of comments, discussions, amendments to what is proposed, and decisions on a particular issue under consideration by the State. It provides a track of the decision making process.

The unease with a “programmatic” approach is also a self-critique of our earlier research on the politics of digitizing land titles in Bangalore’s periphery, where the analysis fell within the realm of “E-Governance” favouring large developers and corporate groups. However, our subsequent ethnographic research revealed large developers aiming to consolidate large contiguous parcels being challenged by local groups occupying land with claims embedded mostly in local government land administration (Benjamin et alii, 2008). The latter can be viewed as a counter to big business embedded into higher end policy circuits. In seeking a more fluid and open-ended concept, we draw on Bourdieu and Wacquant (1992)’s force field, which suggests that society is an ensemble of several semi-autonomous spheres or fields “within which people compete for scarce resources” (idem, 1992, p.97). Power relations within a field and between fields not only structure human behaviour but also the opportunities to claim resources. Actors embedded in these fields intersect within a wider political economy where different force fields collide and interventions via policies or projects affect their competing dynamics. Thus, titling programmes and other types of interventions may be seen as efforts to shape / reshape power relations in an ongoing struggle around property. This approach with its emphasis on relational forms of power, particular historicity, and influence of multiple and intertwined institutions, often purposely opaque, provides a way to understand the nuanced dynamics of contestations around land. It allows for a consideration of multiple rationalities rather than viewing “resistance” in an oppositional mode, which tends to form a mirror image of what is resisted. Such an approach re-shapes ethnographic representation that rejects coherent, logical narratives, which de-politicize, case study in favour of neat translations into “policy prescription”. Instead, we recognize discontinuities and contradictions as representations of the complexity of claiming land. This is especially important when land whose material aspects embody deeply emotional values is shaped by a politics of fluid alliances, moves and countermoves by competing groups.

The section below, “Practices of Claiming Land” describes mechanisms of claiming land by relatively poorer groups in Bangalore. These grounded understandings contextualize the politics of a programme “Bhoomi” framed to digitize land titles. Our conclusion suggests that what is really at stake is globalized contest over reframing property and its political management.

5. In the Goan politics against the CRZs and SEZs (Sridhar, 2010), local groups mobilize Portuguese and pre-Portuguese land tenures to reject the frame of property laws of the later land administration. See also Adv. Andre A. Pereira, 11.2004 at http://www.goasu-raj.org/gen/articles/19.asp
THE PRACTICE OF CLAIMING LAND

This section illustrates how caste and institutional politics shape claims over territory followed by the practices of tenure that shapes the settings for small firm economies.

The Ethnic and Political Spaces for Claiming Land

This section starts with the ethnography of a settlement named Gudde set in South Bangalore’s periphery, amidst IT parks and SEZ – on village common land allotted by the State. Village settlements that extend into “revenue” layouts, industrial districts created in the late sixties and seventies, are being appropriated for setting up Information Technology Parks in the nineties.

Its history reveals the complex and discursive political process of claiming territory, underpinned by overlapping land tenure. The process of staking claims on Gudde, as in many other places in the city, has centred on tapping into local politics for appropriating land and lobbying the local state to extend basic infrastructure and to regularize land.

CLAIMING THE GUDDE

Hidden from view behind an old village settlement is the “Gudde settlement”, sited on top of one of the three hills in a locality dominated by IT parks and SEZs. Based on the genealogy, one can differentiate the following territories. The old settlement on top of the hill which evolved between 1960-74; developments on the slope on all four sides of the hill during the periods: 1986-87; 1988-90; 1996 – until now, referred to henceforth as the new settlement. The old settlement is made up of two parts: a resettlement colony, and a private subdivision on common land, where two caste groups viz., the Dalits and the Thigalas dominate.

Until the mid eighties, the allottees did not occupy land. Initially, a group of three men working in the same neighborhood occupied the private layout on the common land with the assistance of a neighborhood level political activist, and as is a common practice, brought in their relatives to consolidate their claims. What started as a squatter settlement, gets more complicated: in the mid 1980s, Praja Vimochana Sanga (PVS), a political organization working for the Dalits, mobilized poorer groups predominantly from the Dalit caste to occupy land in different parts of East Bangalore including the Gudde. Around the same time, a group of Thigala caste households settled on the land adjoining the resettlement colony. Following this occupation, the Dalit movement splintered into five groups at the state level, which led to each of the groups capturing different parts of city territories to settle their constituency. Three different groups claimed land on the downward slope on four sides of the hill. By then, the original settlers together with Thigala leaders, taking advantage of the organized occupation by PVS and other Dalit organizations, occupied even more land including a plot for their temple. They captured land that was relatively inaccessible at the foot of the hill, cleared it of undergrowth, and sold it to members of castes other than Dalits. The increase in the Gudde population provided them with a political constituency to contest the village council elections (and subsequently, the municipal elections, as these areas urbanized). PVS in alliance with the old settlers started the process of negotiations with the then village council to “regularize” the settlement and to extend infrastructure. The election of a local leader three times in succession to the village council and later, to the

6. This section draws on field research in Bangalore’s Southern Peripheries undertaken in 2006 and 2008.
7. A socially and economically disadvantaged group listed as a scheduled caste in the Indian Constitution.
8. Thigalas are a caste group native to Southern Karnataka and border states of Tamilnadu.
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city municipal corporation, enabled the group to secure infrastructure investments. By the mid-nineties, demand for low-income rental properties increased in Gudde with changes in East Bangalore’s economic landscape and immigration of laborers from other Indian States. At the time of our fieldwork in 2007, some residents produced documents, which they claimed as official titles legitimizing their occupancy. These were mainly General Powers of Attorney (GPA) issued by previous occupiers. Today, there are more than 1200 families in Gudde, and occupation of new territory and densification of existing plots continues, assisted by local government action for regularization and infrastructure extension.

The Gudde story highlights three issues about such competition within the force field of land occupancy and regularization, and its intersection with those shaped by titling programmes:

The first relates to the importance of political and cultural resources, particularly the symbolic and material resources of caste and ethnicity that groups mobilize to establish claims on land/territory (see also Benjamin and Bhuvaneswari, 2001). A dominant tendency in describing the influence of caste and ethnicity is to essentialize identity (see for example Kuduva, 2005; Nair, 2005). In contrast, a significant aspect in Bangalore, is the way groups9 (rather than only individuals) appropriate flexibly caste or ethnic identities and forge inter-caste alliances to claim land (Raman, 2010). Nuijten and Lorenzo (2006: 6, 17,18) make a similar argument when they look at the politics of ‘community’ based claiming in the Peruvian highlands. Such practices led to the evolution of diversified forms of land supply and tenure forms and the patterns of ethnic control over territory in different parts of the city. Here, “place” characteristics were shaped not only by contemporary mainstream political processes, and by the economy of small firms, but also drew on local imaginaries and interpretations of historical settlement of different ethnic groups.

A second aspect is the community’s link with the municipality’s institutional space via which they lobby to regularize land or secure investments for basic infrastructure. Investing in the state and becoming a political constituency are closely related to the occupancy of territories and its regularization. The embeddings of the institutional processes to generate a GPA are extensive and remain morphed with complex layers of claims, making a “clear resolution” almost impossible. While many GPAs held by residents are “unregistered”, their very extensive presence in urban India has created a legal-administrative sphere, setting in motion the governmentality of land regularization around basic services and infrastructure. This politics of status quo may be explained in great part by the fact that most occupants with fragile claims loses out when an administrative process to clarify “ownership” empowers powerful groups who are not physically occupying their plots. This politics of ambiguity is strengthened when porous legalities (Santos, 1995) around the GPA are intermeshed with a

growing political constituency to pressure local elected councils into initiating extensions of infrastructure and services under a land regularization approach that contests Master Planning. Thus, claims via “occupancy”, strengthened by actions of local government to improve basic infrastructure, further layer such institutional complexity.

Third, at the heart of this contestation is the way in which property is being re-configured, rather than a discussion of norms. Ownership remains ambiguous, and increasingly so with several parallel narratives of ownership claims: one view is that the hill forms part of a sacred territory connecting different hills, but is shown as agricultural land in government records. Another one is that it is a kharab (waste) land that was allotted to a private housing cooperative. A third version by settlers who hold GPA to their sites is that part of the land is owned privately and that the State cancelled the allotment to the housing cooperative following a legal challenge. Each of these claims is difficult to verify, especially if clear “legible” titles for Gudde territory are to be created through titling programmes.

We now present the case of HK Colony, whose history illustrates the complexity posed by multiple individual and collective claims, layered with multiple institutional contestations over both authority and ownership.

HK colony in Bangalore’s South-Eastern periphery is a resettlement colony on land claimed by the Forest Department. Currently, it is occupied by two tribal groups – nomads selling trinkets and jewellery, and a settled community involved in collecting forest flowers and honey. The colony was created to settle the nomads who were promised land for housing and cultivation. Until recently, they returned to their houses once every three or six months. In order to protect their houses, the nomads rented them out to other settled tribes from the surrounding villages, who subsequently occupied land with the support of officials from the Social Welfare Department. Seizing the opportunity, leaders of the nomadic tribe also supported the tribes from surrounding villages in their bid to capture land. Hakkupatras11 for the housing sites were given to fifty families in 1964, but the site boundaries were not demarcated. Similarly, land for cultivation was identified but individual plots were not marked. Over time, local leaders lobbied the Village Council (VC) and Revenue Administration to survey and allot numbers12 for their housing sites. Following this, the VC issued khata13 certificates to many occupants and extended access roads and electricity to the colony.

While the occupancy of nomadic tribes is recognized by the Revenue14 Department, it is difficult to trace the paper trail of land allocation. According to an activist organization working with the community, a government order to de-notify 350 acres of forest land for the colony was issued in 1962, but the land was not transferred by the Forest Department to the Revenue Department. While the residential colony is shown on the map of the Forest Department, land allotted for cultivation is not marked. Not only has the issue not been resolved despite repeated communication between the revenue administration, Forest Department and Social Welfare Department, but also now the file with the order is “misplaced”. This is

10. Draws on Raman’s (2010) field research on land conflicts in Bangalore’s periphery.
11. This is a form of title.
12. Getting a plot of land surveyed and ensuring that a number is allotted and entered in the records of the Revenue administration is a first step to regularizing land claims or to secure titles.
13. Khata is a record of property claims issued by the municipality.
14. Department in charge of land administration and titling.
The HK story is yet another illustration of the complexity of fixing claims to a particular territory. The contestations described above are not reducible to “adverse possession” as is argued in justifying titling programmes. The boundary between legality and illegality is blurred in the HK land. It was allotted under a government scheme, which then flows into an organized occupation supported by different parts of the State. Contestation to the claims authorized by one part of the State stems not from outside, but internally, from its other parts. The titling programme purportedly implemented to create “clean” “legal” titles is to be understood against this backdrop of ambiguous legality and illegibility of land ownership. The new real estate dynamics and the political climate geared towards worlding Bangalore created a new twist in the conflict. A private real estate organization – a powerful enterprise in the city – claimed that it has the General Power of Attorney for the cultivable land allotted to HK colony settlers. Following the intervention of local political activists and the revenue minister, the company concerned backed out but may attempt to reclaim it with political shifts. Subsequently, a sympathetic senior bureaucrat from the Social Welfare Department organized a meeting between the bureaucrats of different departments, to undertake a joint survey. The survey revealed a new problem. It came to light that a substantial portion of the land had been allotted by the Land Grants Committee of the State government to a clique of lawyers and real estate agents. Two other events followed: a transfer of senior bureaucrats from the departments concerned stalled the process of issuing hakkupatras; second, the decision of the Land Grants Committee was cancelled leading to a lawyers’ alliance contesting the decision at the Karnataka Appellate Tribunal (which they won). The HK colony residents appealed against the decision in the High Court. On the basis of an affidavit filed by a Principal Secretary supporting the colony residents’ claims, the High court ordered the Revenue and other concerned departments to produce their documents relating to land allocation. Until 2009, the holders’ khata prepared under the bagur hokum scheme was not issued as the case is still subjudice.

The next section materializes the way in which tenure is claimed by groups via a variety of mechanisms to strengthen political claims over locations, with particular

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15. This is a tenure form that recognizes the unauthorized practise of agriculture as a prelude to its taxation and its subsequent regularization.
The Practice of Tenure and Economy

Land tenure forms in the State of Karnataka are influenced by different historical regimes, as the State was formed in 1956 by merging territories under erstwhile control by princely state and the British. Besides, the Indian Constitution as an overarching legal–institutional structures, Government Orders (GOs) and their bindings on line agencies and local administration, interventions by local governments, and contests materialized in what historians’ term as “fugitive materials” shape claims. Moreover, customary norms still influence the functioning of local government and their politics. Tenure forms thus reflect a range of interventions and events, and are underpinned by different histories, institutional procedures and regulations. Each brings together different types of social and at times, ethnic groups whose claims to strengthen de facto tenure are highly politicized.

The above discussion points to a significant aspect of territorial contestation materialized in competing tenures, being not one of “modernization” but rather reflecting contests over economic and physical spaces. To understand this further, we highlight three key findings from our earlier work relating how land is implicated in the financial strategies of groups in different economies, which are as follows:

- land based financing is a dominant strategy used by both small firm based economies and large economies;
- the connection to land and its local politics to establish de facto claims also shapes their connections to other social groups and helps consolidate a political constituency that bridges workers and management;
- the diversity of land and built property tenure forms opens up opportunities for small firm based economies to plug into land based financing circuits, which are made possible via forms of de facto tenure – and not dependent on absolute titles (Fig. 1);

Reference:
17. These include administrative orders, office registers, petitions, powers of attorney, letters, memos. See Hull (2008) and Benjamin (2005).
19. See also Benjamin et alii (2008) and Benjamin 2004 for land tenure forms found in Bangalore.
20. According to studies by Schenk & De Wit (2001), as many as 70% of Bangalore’s industries are located in privately created industrial estates, or mixed-use residential areas.
– flexibility of land development in settings developed outside the master planning framework allowed for the evolution of diverse property tenure options.

We can see from various arguments in this section, how deeply problematic De Soto’s perspective is: that without titling, the “native” world lies beyond emancipation, is disorderly, and devoid of economy. In contrast, Indian cities and towns, like other locations in the Global South, have been built around small firm economies of commerce and manufacturing whose linkages now move internationally. Given the connections between land tenure and economy, it is hardly surprising that a significant aspect of city and even provincial politics relates to the regularization of mixed land use, and to the conversion and regularization of peripheral land. In the following section, we suggest that the rationality of “land titling” projects is shaped by a particular type of political economy to neutralize competing claims over location, forms of territorialization, and regulation of land use. In the next section we illustrate this, using the case of titling programmes called Bhoomi and its successor Nemmadi, implemented by the Government of Karnataka since 2003.

COLLIDING FORCE FIELDS AND THE POLITICS OF TITLING

“...One would appreciate that system like Bhoomi actually snatches power from panchayat [elected village councils] members”\(^\text{22}\), Rajiv Chawla IAS, and “chief architect” of the BHOOMI\(^\text{23}\) and

“(U)nless the “old system [of land management and recording] was killed” the new program would never succeed\(^\text{24}\), B. V. Sarma, Director, National Informatics Center.

The “worlding” of Bangalore, not surprisingly, has resulted in an increased competition on various types of land developed outside the master planning process and in particular, common land such as gomala land and “kharab” (un-surveyed vacant) land. Earlier, such types of land used to be granted to poorer groups among others – but today, these are increasingly acquired for allocation to IT parks and high-end real estate development. In the earlier section we suggested how small firm economies’ interests for policies towards land regularization and basic infrastructure provisioning collide with the demands

\(^{22}\) Comments by Rajiv Chawla on a report prepared by the authors on the Bhoomi programme for the Indian Institute of Information Technology, Bangalore (IIIT-B) research programme on E-governance and Information and Communication Technology for Development (ICT4D) in 2004.

\(^{23}\) For a detailed critical programmatic analysis of the Bhoomi programme, see: http://casumm.files.wordpress.com/2008/09/bhoomi-e-governance.pdf

\(^{24}\) Presentation at the IAS Officers Club, Bangalore, March 2004.
from corporate economies for vast tracts of land. Since the late nineties, elite civil society groups including some posed as NGOs, the dominantly corporate oriented “English print and TV media”, “reformist” high level bureaucrats, and big business have come together to demand “reforms” in institutional procedures and policy frameworks. Their efforts, purportedly to cut down on “corruption” and “unplanned development”, focused on curtailing administrative procedures, which provide space for a politics of regularization to consolidate and facilitate development outside master planning.

These competing groups mobilize different institutional and political circuits, which adapting Nuijten (1998), we suggest to be seen as competing force fields (see Fig 2). The “force-fields” that cohere around the political lobbies for land regularization compete with those that lobby for master planning attempting to provide relatively large plots with “clean” titles. Several scholars have demonstrated the embeddedness of the Indian State in society and the significance of the everyday state (Gupta, 1995; Fuller and Harris, 2002). While these authors recognize the overlapping boundaries of the state and society, in explaining certain practices and relationships between state and society, the discussion gets locked into debates over corruption. The official narrative on the impact of titling programmes in terms of enhancing accountability, efficiency and “transparency” is questioned by the findings of several studies (Benjamin et alii, 2005; Raman, Bawa, 2011). Hence, we reiterate our suggestion of the importance to focus on the politics worked through titling programmes.

**Figure 2 : Competing Governance Circuits**
The politics of structuring property in land are not just about issues of poorer groups pressuring street bureaucrats and politicians via the local government institutional space, but also about elite groups lobby higher levels of government to resist these pressures from below. For example, take the case of land occupied by squatters to be subdivided of which part is rented, and others sold. Their mobilization of political and bureaucratic alliances extends services and infrastructure – but also spurs land markets via more stable yet de facto tenure. At the same time, large developers and their allies lobby the state to declare a larger territory as an ‘IT corridor’ which could destabilize the squatter settlement previously described. An international financial venture capitalist, although aware of the possibility of squatter occupation, operates on assumptions of their ability to reclaim the land from the squatters – accounted for when mobilizing legal-financial instruments. Here, both the poor and elites are, in their own way, speculating on land and mobilizing various parts and scales of the State via different circuits to shape laws and regulations in their favour. Smith (1996:123; 304: Map 7.2: L81)’s detailed ethnography of competing claims differentiates between the claims of ‘occupant tenants’ being on the spot, and as ‘tenants at will’. Drawing on Smith, Bangalore’s international airport for instance, can be read not just as a hegemonic space to represent it’s globalised future, but rather, as being constituted into layers of contesting claims materialized into an ‘Occupancy Urbanism’ (Benjamin, 2007: 541, 546: Map 3, and Diagrams 7a,b,c): One relates to territorialisation materialized via the Bangalore International Airport Authority (BIAL) and associated planning authority’s ‘Public-Private Partnership’ (PPP) supported by globally invested financial instruments. A competing layer is of much smaller land developers who partner with village councils to reinforce their de facto claims via ‘regularisation’ programs. The PPP can be conceived as tenure that shapes real estate surpluses just as customary forms – pointing to a frame of analysis does not seek a resolution of conflict via social movements based resistance, or a narrative that validates individual entrepreneurship. Instead, ‘Occupancy Urbanism’ as a conceptual frame views city dynamics in an open-ended way, unencumbered by the anxiety of a grand narrative (Benjamin, 2007: 545). In this milieu, interventions like Bhoomi may serve as a tool to alter the relative power of different kinds of socio-political networks and, in effect, their members’ claims on land. We highlight two aspects of this politics below.

Reconfiguration of Power over Administrative Practices

The two quotes introducing this section epitomize the view of programme architects: move out the “messy local politics” in order to modernize the system for economic development. The source of corruption in the pre-Bhoomi system was traced to the following aspects: ambiguity in land records and its control by
street bureaucrats at the local level (Chawla, Bhatnagar, 2004). The website of the Revenue Department has illustrations of customary forms of recording land and overwriting on these records as examples of ambiguous land records. Marking the “local” as a dysfunctional space that is non-transparent, unaccountable and inefficient, the programme architects rationalized the shift in the locus of control to higher scales of administrative bureaucracy and digitized one type of land records, namely the Records of Tenancy and Cultivation (RTC). Systemizing land cadasters via computerization also forms a core initiative for a “reforming” economy and is actively promoted by organizations like the World Bank, to limit the influence of local agents and to address corruption.

We suggest that “overwriting” in older land titles has little to do with “bad records.” Territories are occupied by an ever-changing bundle of competing claims that Razzaz (1994) and Moore (1973) show to be constituted as semi-autonomous social fields built up both by social conventions and legislation. Thus, “overwritings” and the “grayness” that surrounds titles and various tenure forms may represent layered histories of claims. Moreover, unlike earlier development programmes driven by the modernization agenda against feudal society, the intent of the Bhoomi has been to remove “corrupt” local politics to allow for an agenda of IT led Economic Development. Thus, Bhoomi, when viewed from a force field perspective, illuminates how power relations were sought to be altered: by weakening the influence of local institutions, their force fields dominated by small economic actors, popular classes and their alliances become weakened.

Reframing Tenure

The collapsing of diverse types of common, customary, and grant land, into “public land” or “gomala” land, is central to the politics of “Worlding Bangalore”. At the World Bank’s Annual Conference for Economic Development’ held in New Delhi in 2004, the chief architect of the Bhoomi attributed the programme’s success to reducing more than 1500 tenures across Karnataka to 256. Further, interpretation of “legal” titles was reduced to one type of record despite land occupants relying on different types of records to secure claims. Transfer of rights or mutation, for example, can be registered, entered in revenue records, recorded in property books maintained by local government, or then entered on a stamp paper with village council members standing in as witnesses. Many such practices are further implicated in how village or city councils use these records to extend services and infrastructure, which in turn reinforces de facto land tenure. After the introduction of Bhoomi many of these records were inadmissible in court, as only a digitized Record of Transfer Certificate (RTC) was considered to be a legal title. Both forms of

26. Post-Bhoomi, centralization of information and decision making power at the higher scales of the administrative hierarchy, has in fact compounded the difficulties for relatively weaker groups such as small farmers to negotiate with the State in order to record changes or rectify mistakes in their titles.
reduction have been regressive for less powerful groups like very small farmers, as the State mobilizes the rhetoric of “public use” and “illegality” to justify acquisition and consolidation of large tracts of land for mega projects and allocation to the private corporate sector (see Benjamin et alii, 2005, pp. 35-38). In addition, control of information facilitated by a centralized database, together with the power to influence decisions on the Bhoomi programme by an alliance of a select group of technologists and senior bureaucrats, reinforces the power of the private corporate sector (Raman, Bawa, 2011).

If Bhoomi is an attempt to dis-embed claims from the local, there has been a counter politics enacted at various levels. The issue of complex tenures has always posed a challenge, if not a subversion of new “reform” initiatives and their accompanying techno-managerial instruments (Benjamin et alii, 2005). Much of the lower and middle land bureaucracy remains politicized by popular practices concerned with de facto tenure. Thus, administrative actions operate at a realm outside of programmes and policies. For instance, a controversial issue has been the regularization of more than 400 000 small land holdings via a program known as the “Akrama-Sakrama” (meaning “to set past wrongs right”). Efforts to curtail regularization have a longer history well into the mid-nineties, when the then law secretary, a senior bureaucrat, sought to re-draft the Revenue Act and the Town Planning Act to close down possibilities for de facto regularisation. Later, in 2006, the same revenue secretary post retirement partnered an elite civil society organization to mount an extensive media protest against a declaration for land regularization programme. In 2009, while these elite groups filed a case to restrict legislature action for regularization, the state government pressured by local councils, “quietly” linked it to “betterment charges”. Such counter politics can be viewed to destabilize the force fields of large developers and their institutional allies, and thus suggests the fluidity of force fields around land in Bangalore. There are other factors destabilizing the ‘force fields’ of the elite. The sustainability of titling programmes, whose financing logic rests on the dynamics of the real estate market, is threatened by the decline of real estate markets in the city. In addition, parastatal organizations involved in land acquisition in Bangalore and other Indian cities are in crisis with a spate of successive land scams.

There are renewed attempts to reconfigure the force fields of land in favor of large developers:

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27. The issue of incomplete and inaccurate recorded tenure forms in digitized titles was raised in a workshop held by the Deputy Commissioner in Mangalore on 13th April 1998, and, subsequently in the Government of Karnataka’s internal review of the Bhoomi programme in 2007 (Also see Raman, Bawa, 2011).


29. Source: Field notes of interview with the manager of COMAT implementing the Nemmadi Programme in Bangalore on September 2010.
The proposed new laws city wide survey and digital mapping of properties\textsuperscript{30}, including the land titling bill and its associated regulatory authority, plan to license large developers (at the cost of smaller ones), and to form the Bangalore Metro Planning Board to supervise the functioning of its elected body managed planning council. Large developers have lobbied for a long time to declare real estate as an industry, and issue licenses in order to root out “run of the mill” developers. The land titling authority seeks to neutralize further the powers of the revenue department over the creation and maintenance of land records.

\textbf{CONCLUSION}

This article is an attempt to push discussions on Bangalore’s globalization beyond the policy makers’ anxieties to position cities upwards in global hierarchies. We propose in this article to move the analysis of titling programmes beyond the policy, project and programmatic frameworks, and into the realm of property, to conceptualize contestations over land and territory in globalizing cities. We adopted the “practice force field approach” in this paper to lay out how titling programmes intersect with the politics to structure property in land and particularly, to grasp the practices of power. The materiality of land, specifically the ways in which popular groups connected to small and medium firm economies claim territory, and the “multiple embeddedness” of their claims in pluralist social and legal practices is illustrated by the discussions in the section on “practices of tenure”. Under such conditions of legal and institutional pluralism, contestations to claim territory manifest themselves as struggles to limit claims through defining the nature of law or which institutional process is prioritised. In effect, contestations is about reducing the multiple claims to a particular territory. As Keebet and Franz von Benda-Beckmann and Wiber (2006, p. 15) have pointed out, “\textit{what property is at one layer cannot be reduced to property at another layer}”. This form of reduction is what was precisely attempted \textit{via} Land titling programmes, as we show in the section on ‘colliding force fields’. The Bhoomi programme, which ostensibly sought to reform the process of authorizing claims to territory, was structured to serve the territorial interests of high end corporate economies against a variety of small and medium enterprises in the city.

What makes this corporate capital “large” is precisely the policy and programmatic domain that treats capital as hegemony devoid of any significant fractures. Here, the identity of “corporate” groups (large trade and manufacturing business groups, financial institutions) merges with “policy makers”, which is reflected in the induction of senior bureaucrats as advisors and consultants. Exposure of Nira

Radia tapes at the national level, since end November 2010 and land related scams in several Indian metropolises that expose corporate lobbying implicating senior journalists and media personalities, and the widespread politicization of policy.

Nevertheless, the politics of reconfiguring property via titling programmes is incomplete and uneven. Despite the high level political support for the Bhoomi programme, its effects on the ground remained surficial. The disruption to Bhoomi’s assumed hegemonic power emanates from below through subtle and erosive strategies. It is this “resistance” beyond social movements that may explain why large business groups lobby for a range of legislation on land titling and registration and real estate licensing, new forms of surveys, and re-configured institutions. While critical scholarship following the global financial crises of 2008 has rightly contested the linear assumptions of capital and its effects, the value of the method and approach outlined in this paper points to other material realms of contestations implicated in the materiality of land.

We see here a particularly useful role for constructing an analytical frame of globalization’s influence on land settings as one of colliding institutional realms, materialized under the influence of “large” capital. Similarly, at the other end, the politics of Gudde brought to the fore, popular groups drawing flexibly on their ethnic and regional identities to materialize their claims via de facto land tenures, and their authorisation via the municipal or local government terrain. Situating these dynamics on the analytical plane of force fields is useful to explain the uncertainty inherent to the contestations to claim urban land/territory. It allows us to move away from a reified cultural construction of identity and also raises questions about categories such as “pro-poor governance”, “transparency”, “accountability” that underpin the positivist argumentation set within the programmatic frame of Bhoomi. Moore’s seminal work on semi-autonomous social fields is another influential lens used to conceptualize contestations over land claims (Razzaz, 1994). Here the boundaries of the field are considered to be static. In contrast, as Nuijten (1998, p. 35) points out, the boundaries of fields in many instances are fluid and it remains as a space of “struggles aimed at preserving or transforming the configuration of forces” and there is thus an uncertainty inherent to any field.

If this complexity and uncertainty is inherent to the urban situation, then what does it tell us about research methods? If we consider the illegibility and opaqueness of city politics as being an essential feature, and an opening of political space via its uncertainty, then we are likely to encounter narratives that are disjointed, replete with gaps, hesitations, and vacuums, including diversions where the “informant” retains a well justified suspicion of the researcher. This rejects the imperative for a neat well-ordered detailed case study that informs and illustrates the main text as another version of the older colonial survey. We argue for the rejection of the normative perspective in analysis where case studies...
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remain illustrations of “good governance”. No longer can both the informant and the researcher remain at ease. Researching cities will necessarily involve uneven trajectories with at times deep and hidden crevices.

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