

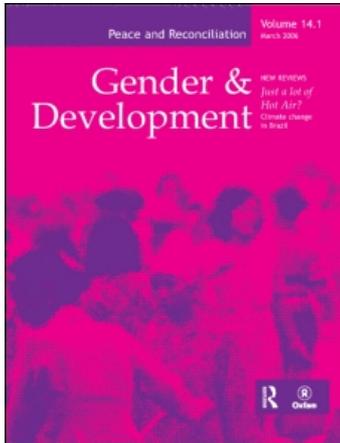
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Elderly single women and urban property: when a room of one's own becomes a curse

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Elderly single women and urban property: when a room of one's own becomes a curse

Nitasha Kaul

In this article, I rely upon the case study of a single, lower-middle-class woman from Delhi, to gain understanding of the everyday experience (rather than the right) of property ownership in an urban setting. The story will show how the right to property is not an end in itself. The actual experience of exercising the right is mediated through gender and socio-cultural interactions within the local community. In a context where the legal and administrative recourse is biased against women and crime against them is quite frequent, women owning property – especially when they are elderly – makes them easy targets of brutalisation without any protection from the communities in which they live.

Key words: property; community; gender; violence; policing; women-headed households

Gender-sensitive development practitioners and women's movements have often relied on the language of rights and entitlement to secure the goal of gender equality, in the hope that this will lead to better lives for hitherto marginalised women. Demands are made on the state for legislation to give an equal right in property to women. A success in changing the law is lauded as a milestone.

While legal changes of this kind are steps in the right direction, we also need to go beyond the juridical approach, to make changes that have a real impact. The everyday oppression and discrimination experienced by women is caused by social attitudes which are reflected in the law. Laws are easier to change than attitudes. In many contexts, making demands is seen in culture as 'unfeminine' and upsetting to the harmony of society: a premium is placed on women's conformity to gender norms, docility and sacrifice. The notion of gender equality is deemed to be a modern fad. These attitudes amount to hurdles to women realising their rights in a practical sense. These hurdles are worse for older women, since they are less likely to be able to rely upon their peers to understand and appreciate their demands for equality with men. One strategy for individual women to adopt to enforce their rights is to take collective action with other women, or alternatively appeal for the support of a more powerful patron. Older single women often have no one to rely upon to help protect and enforce

their rights. States reflect patriarchal norms, commonly assume the male-headed household to be the norm, and have little patience for women made single out of choice, divorce or widowhood, and no appreciation of their specific needs and problems.

Mapping this article

In this article, I rely upon the case story of a single, lower-middle-class woman from Delhi, to gain understanding of the everyday experience (rather than the right) of property ownership in an urban setting. The woman is elderly and near retirement age. She is widowed and works as a teacher, and is a single parent, with daughters. There are no close male relatives. After a long lifetime of work, she has managed to become the owner of a small flat in outer Delhi. The story demonstrates that policymakers should not consider women attaining the right to own property – or even realising this right – as progressive ends in themselves. The actual experience of exercising the right to property ownership is mediated through gender, age, caste, class, social expectations, cultural norms, and state-society interactions.

A note on the methodology of my case study research is in place here. The research is based on a slice of life-story of a woman related to me (given the sensitivities involved, this connection provided access and understanding that may not have been possible had I not known the subject personally) but to avoid a bias, I consciously let her voice be the primary material. I confine myself to making analytical arguments out of research material gathered through informal conversations as well as semi-structured interviews spread-out in 2007–09. All following quotations come from within this period and from follow-up telephone interviews in summer 2009. Research on gender and development tends to focus mostly on poor women, more often than not in rural areas. Problems faced by educated, elderly, middle class women living outside the familiar familial setup tend to fall outside the radar of development practitioners, due to their focus on poverty (Jackson 1998). Yet, these women commonly find the state an alien and inhospitable institution, and remain vulnerable to societal violence, even while they may have acquired economic independence, and a relatively decent standard of living. If their educational and professional status fails to protect them, we can only assume the situation to be worse for other elderly women.

Urban geography and community formation

Community formations take different forms in different places. Most Indian families from the middle and lower-middle class live in 'colonies'. Colonies are a familiar part of the urban landscape in India. This term refers to a housing type with several dozen buildings and hundreds of families (sizes and numbers vary). Increasingly, colonies are either walled or demarcated. These housing associations are run by their own

welfare committees, which are often called 'Resident Welfare Associations' (RWAs). RWAs are meant to be registered with the government, but this requirement is often flouted.¹

RWAs are meant to foster goodwill and provide mutual help, embodying a sense of community. The term 'community' suggests horizontal comradeship, a sense of togetherness, a subsumption of differences through mutual understanding. But a close observation of the RWA reveals relations of asymmetrical power and hierarchies. RWAs operate on the traditional gendered division of labour with senior patriarchy taking the control of the organisation, younger males responsible for door to door work, and women almost absent from the hierarchy except as performing secondary roles (for example, gardening charge).

The RWAs, and more widely the colonies themselves, reflect and replicate prejudices common within the wider society. Women living alone, whether single or widowed, are an oddity in such context of colonies, and, as we will see with my research subject, often viewed with suspicion or hostility. Professionally successful single women do present a threat to social norms, since they challenge the common assumption of women as dependent on male relatives for safety, security and wellbeing.

Ms M (not her real name) is an educated woman: a teacher in a well-functioning government school, who is nearing the age of retirement. After her husband's untimely death, she was responsible for raising her children on her own. 'I didn't know I had economic freedom, but I realised the pros and cons of independence', she says. The economic vulnerability of the family increased as there was only one earner and Ms M, due to various reasons, could not rely upon support from her own parental family or her in-laws.

As a government employee herself and the wife of a deceased government officer, Ms M was entitled to subsidised accommodation allotted from the government. However, the public housing system is bureaucratic, cumbersome and complicated with little inter-departmental coordination. She and her husband worked for different parts of the government and hence the co-ordinating bodies for their housing claims were different. Ms M was not able to hold onto the government allotted flat in which she had lived with her husband after his unexpected death, because the tenancy had been issued in his name. Lacking any connections with senior officials or politicians, she could not persuade her husband's department to accept alternative government accommodation issued in her name by her own department, which would have allowed her to continue staying where she was. As government allotted tenancies usually have long waiting lists for the entitled level of accommodation, she was forced to shift from one rental flat to another further away from central Delhi to its outer parts. This change of geographical location also meant confrontation with a different, more intrusive and less cosmopolitan, socio-cultural milieu. Moreover, these localities were long commutes away from her place of work in central Delhi and she

simultaneously lost any neighbourhood networks that existed in the place where she had lived with her husband. At last, she decided to gain some stability and buy a flat of her own for the first time in her life: 'I had never considered home ownership. My husband and I always planned to retire in some small hill station'.

Ms M found that her savings and earnings were inadequate to rent or buy property in any desirable area (it is worth noting that the areas most amenable to women being able to live on their own without being troubled – that is, the 'posh' localities – are also the ones with astronomical rents and real estate prices and suit corporate employees, rather than those in government services). There were no government help schemes available to her. There are a very few hostels for single women in India, provided by organisations such as All India Women's Conference (AIWC).² Ms M had a daughter living with her, and had not suffered destitution. She did not get any help from the state or voluntary organisations, and ended up following the advice of a male relative, rationalising to me that, 'A man maybe more capable and worldly-wise, and so I followed him'. She eventually secured a flat in a new colony in the outskirts of expanding Delhi by relying upon bank housing loans and her deceased husband's provident fund payment. Her choice of the area was dictated by her limited budget. The process of buying the flat was complicated, she had to give several small bribes to get the paperwork done, and even at the payment stage, she had to request a male relative to assist with the negotiations and deliver any significant sums of money in cash when required by the property dealer. In retrospect, she felt that due to her limitations, she was overcharged for the flat in comparison to others in the same locality who were able to negotiate directly.

Ms M moved in while the colony was still being built, and the infrastructure was not totally in place. After two years, the colony was fully occupied, and basic amenities were secured, after much running around the offices and bribing at every level by individual owners. In being able to get such services as a telephone line or utility meters, she, like every flat owner, had to liaise separately with the providers. Eventually, a RWA sprang up (though those running the RWA mistakenly referred to themselves as 'Regular Working Authority' and never registered themselves officially). Ms M settled into her life, living with her university student daughter, and bought a small car to make commuting for work easy.

In conventional terms, property ownership in the forms of a flat and a car could have been a testimony to the success of this single educated elderly woman in the rapidly changing modern India. But this was not to be. As the community consolidated and the colony filled up with people, Ms M's perception was that she was increasingly marked out as different. She felt that the very fact that she got up in the morning, went out by car to a school to teach while her daughter went to the university to study, came back in the evening and stayed within her house without much interaction with the neighbours, without being dependent on any man, and without having to rely on her family or the wider community to survive, seemed not to

be seen as a good thing. In her view, the community resented her autonomy. 'You see, even some women who were themselves not well educated or stayed at home, felt threatened by me'.

One neighbour started a campaign of harassment against Ms M. Though this woman neighbour claimed to be a respectable housewife, Ms M felt that she was motivated by greed, and had strong connections with police as well as violent thugs. This woman, in turn, accused Ms M of arrogance, insularity and even theft. 'She circulated rumours that I was a witch and indulged in black magic, she claimed that my flat was haunted. She even gossiped that seeing me was an ill omen', lamented Ms M. The harassment reached its peak during a dispute over a shared electricity meter. After a year of severe verbal assaults, veiled threats, and ultimately a physical attack, where she was slapped and humiliated, Ms M abandoned her hopes of living in her flat, and sold it along with her car. Ms M sees the campaign as motivated by a desire to force her to sell out her flat at a lower-than-market price, so that the neighbour could get hold of it.

Ms M now lives as a tenant in another colony. Had she been a tenant when faced with harassment, she could have moved out with less to lose, but being the owner-occupier of the property gave her the illusion of security, which turned out to be false. If she is correct in her analysis that the motive for her harassment was greed and economic benefit, it is significant to see how the campaign against her used a vocabulary of social norms that can be most easily directed against single elderly women.

Community and moral policing

Single elderly women living on their own are an oddity in the colony setup in Delhi. Their vulnerability to being pushed out of their own property has been documented before, notably in the recent case of Lotika Sarkar, a famous feminist former law professor at Delhi University, who after the death of her husband was been forced to take refuge with her distant relatives as her own house has been occupied by an Indian Police Service (IPS) officer who claimed to be her 'adopted' family. This caused an uproar in the popular press but has led to no action so far (*Mainstream* 2009). In contrast, in the case of Ms M, there were no relatives who would take her in, and the value of her property was low in comparison; nor is she sufficiently prominent a person to attract any media attention.

The fact that it was a woman who victimised Ms M questions simplistic notions of men as the primary actors in enforcing patriarchal norms, and women as victims. At the level of everyday life, women often face indirect violence from other women, reflecting the deep-seated influence of patriarchy (Kandiyoti 1988). According to Ms M, other women felt threatened by her independent life: 'Most women in the locality sat on Tuesday afternoons and Saturday nights for kirtan [public religious chantings].

They resented that I did not come for these occasions. But I had a long commute every day to work and a tiring job and did not have the time or energy to sit in on the long religious chanting ceremonies. They did not care for education or jobs.'

Ms M perceived her treatment as going unchallenged by the wider community as owing to the negative attitudes in the community toward single women: 'A woman must have something lacking to never find a man if she is a spinster; her character must be flawed and immoral if she is a divorcee; and her karma or deeds in previous life must be sinful if she becomes a widow, because the misfortune of widowhood is a punishment from fate'. In these widely shared common-sense terms, single elderly women may deserve pity, but cannot claim respect. This perception is borne out by the fact that Ms M's other neighbours not help her during the harassment. The community did not actively conspire to throw her out. But it refused to support her and by its silence implied consent with the harassment that forced Ms M to move out and make a distress sale of her assets. Ms M was told by another neighbour of a property dealer's words: 'She is on her own. We will call four thugs, smash a couple of whisky bottles outside her door, and she will flee in fear' (Kaul 2009)³ and when she complained to the RWA chief, she was told bluntly 'These things happen. We cannot do anything', knowing that she had no other supporters.

Ms M stated, 'People generally do not interfere. They think, why is she being singled out? She must have done something to deserve this ... When I moved here, people stared at me surprised and shocked for I was alone. They could not digest this. "Do you have no brother or in-laws?" they would ask me'. Ms M points out that men generally avoid getting involved in disputes between women. For this reason, the local body or the RWA, which had only male members, declined to interfere. The RWA members openly talked about their responsibility to 'protect women and property' and took pride in erecting high boundary walls to keep the poorer villages next to the colony out, and construct gateposts to check outsiders, but did nothing to stem the violence inside.

Ms M felt that the fact that she had a young daughter living with her, and not a son, made her more vulnerable. For some initial time after moving into the locality, she falsely maintained that she had a son who lived in another city in order to gain acceptance, though when the census takers came, she had to reveal the truth about her imaginary son. We are talking about a social setup where, at every step, a woman is expected to belong to a man. Ms M related how even shopkeepers expected the 'man of the house' to make key financial decisions. When she would go to buy something expensive while setting up the new flat, shopkeepers would often say 'Don't worry about the price, we will discuss it with Sahab [the husband who 'ought' to be the head of the household]. In another instance, a man from another part of the colony came to ask for something, he said 'Call your husband. What is the point of talking to you?', not realising she was the household head.

The community members seemed to resent Ms M's aloofness and interpret it as haughtiness and arrogance. Could she have tried more to mingle and thus avoid this? Cultural expectations and the necessities of professional life work at cross purpose here. Her work meant she'd be away for the entire day and long commute left her tired with no time to socialise. 'People actually resented my independence. This single woman lives in luxury, she has a flat and a car, they'd taunt. She has no husband to care for or serve', Ms M said.

There is a rapid emergence of walled communities in urban India, each priding itself in providing security through exclusion of the poor and scrambling with full support of the police to monitor and control the movements of servants, maids, and workers coming in from outside. In this case, the consolidation of the community by drawing walls between itself and the neighbouring village was paralleled by increasing intolerance of those insiders who did not fit in within. The failure of the community to be supportive of this elderly single woman when she faced a harassment campaign from a neighbour can be explained by their resentment and lack of sympathy borne out of Ms M's success in owning property without having to depend on a man.

In the face of social hostility, Ms M could have turned to the state for help. However, there were good reasons for her choosing not to do this.

The distant state embedded in society

Gender and development literature recognises that the state is an institution which is embedded in the norms of wider society (Kabeer 1994). Ms M did not even consider formally appealing to the police, for the policemen in her locality belonged to the same caste as her tormentor and she did not have faith in their impartiality. The arrival of policemen at her flat to investigate would have added fuel to the fire of gossip. As Ms M pointed out, the reputation of policemen in Delhi is extremely low, and having them come in would have been portrayed as another confirmation of immorality – 'she has no shame in letting in strange men into her flat'.

Recourse to the judicial system would also have been much more complicated than it would appear. This would have immediately placed Ms M in an antagonistic position against her neighbours and community. Legal cases typically drag on for years on end, and the atmosphere of the lower courts itself is highly unfriendly to women. 'Do you really want to run around from pillar to post in the courts with your young daughter? What will remain of your shame?', Ms M was warned by a police station officer when she approached him. In a context where a respectable woman is one who conforms, one who does not challenge anyone, one who remains demure and knows 'her place', an elderly single woman struggling to secure police and court support to protect her rights will be perceived very negatively. Ms M's conclusion was,

'Only two types of people can live in India, those with money or with power. All others are insects'.

Ms M was also sceptical of the various potential strategies which have been set up to help women in crisis: 'All the talk about helping women is a sham. In fact, if you call on the domestic violence helpline set by the government, often no one picks up the phone'. Women's Crime Cell in Delhi⁴ is notorious for its ineffectiveness according to Ms M. 'There was no one to turn to. I did what I felt was the only option. I left.' Her conclusion was, 'Women should not live alone. Call me orthodox if you will.'

Conclusion and policy implications

Maybe Ms M was wrong in her assumption of hostility of the state and civil society. But the fact that an educated working woman with years of experience behind her had this cynicism itself is a testimony to the failure of the state and civil society to make themselves more women-friendly.

In relation to the specific situation of elderly women living in colonies, there are clear issues which require addressing. Both the state and civil society must move away from a romanticised notion of community. Urban landscape is replete with conflicts, oppressions and inequalities. They must ensure that those claiming to be community leaders (including the RWA governing bodies) are scrutinised and held accountable. The civic authorities must monitor local RWAs more closely and implement the legislations in place. RWA leaders should be encouraged to be more participatory, and sensitised to gender issues. Mandating that all RWAs have a proportion of women committee members might be an option, but this participation should be active and not tokenistic.

RWAs should be given special responsibility to provide welfare to the vulnerable individuals living within their colony. Effective grievance redressal mechanisms should be put in place with a clear eye to the class/region differences in the different localities (for example, the huge difference between West Delhi and South Delhi – the former is where Ms M can afford to live and the latter is generally more affluent and tolerant). This process can begin with some detailed research studies that comprehensively assess gender, age and welfare concerns in 'colony'-style urban habitation settings. These studies can then provide the focus for developing a set of best practices that can be used to monitor the welfare of households with non-traditional forms of vulnerability, a kind of gender social audit.

Pushing for policy requires evidence and at present there are insufficient incentives or mechanisms to gather such evidence in the case of the particular social problems of women-headed households that are neither in dire poverty nor affluent enough to afford enlightened residential enclaves – yet these are the majority. One mechanism which might help influence and raise awareness within government and state institutions could be a focus group or an organisation of women-headed urban

households that can share stories, learn lessons and filter recommendations upwards to policymaking circles.

Ms M herself felt that she would have been supported had there been a helpline that women facing harassment or violence within their community can call, to overcome the isolation, obtain advice and learn about their possible options, without having to consider the financial – not to mention social – costs of police or judicial recourse.

In conclusion, property is vital in contexts in which elderly people have inadequate pensions, if at all, since it is one of the only ways in which they can achieve security. Yet, policymakers in developing countries who are seeking to promote the rights and welfare of older people, and in particular older women, need to be aware that in locations where the legal and administrative recourse is biased against women and crime against them is quite frequent, women's ownership of property makes them easy targets for violence. As people become older, their vulnerability increases. An elderly single woman who has to take care of herself without the support of her extended family is not the norm in developing countries, and her particular interests and concerns thus often fall outside the radar of development policy makers, practitioners and researchers. For development to work for everyone, it is important that concerns such as Ms M's are understood and addressed by the state and civil society, and that the gender and age-related norms which oppress them are challenged. In an urban set-up where real estate is booming and social relations are breaking down, elderly women are seen as the easiest targets to buy cheaply from. If they do not sell, they can be bullied out of their homes by threats. Physical threats are preceded and accompanied by character assassinations which have clear gendered overtones. The legal recourse is impossibly difficult even for the educated, and the administrative and policing parts of governance is itself ineffective or inaccessible, if not actively colluding. In spite of the 15th Law Commission's report 174 in India on women and property and the legal equality, in practice women continue to suffer.⁵ As countries such as India get urbanised, women join the workforce and traditional family setups modify, we will surely have more elderly women owning property to provide them with some personal security. We must ensure that through gender-sensitive changes in the community, civil society and state, women in Ms M's situation have somewhere to turn for help.

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Notes

- 1 RWAs should be registered with Ministry of Personnel, Public Grievances, and Pensions under the Societies Registration Act 1860.
- 2 All India Women's Conference (AIWC) hostels cater only to single women with no family (there are 22 working women's hostels in the country). Alternatively, AIWC focuses on temporary refuge to destitute women through crisis intervention centres of 'Bapnu Ghar' ('Father's Home'). It is worth noting the irony that refugees for abused women adopt the patriarchal norm and call themselves 'Father's Homes' instead of 'Mother's Homes'. See http://www.aiwc.org/bapnu_ghar.htm.
- 3 Association of women with alcohol in India is perceived in terms of immorality. In early 2009, there was an infamous case of physical attacks on women for going to pubs.
- 4 Delhi Police prides itself on being a pioneer in setting up a Crimes Against Women Cell in 1983 (see http://www.unafei.or.jp/english/pdf/PDF_rms/no69/05_P77-84.pdf) and in August 2005 it launched another initiative to improve its image and effectiveness (Parivartan/Transformation, see <http://www.delhipolice.nic.in/parivartan/parivartan.htm>) but Delhi's high crime rate against women continues unabated.
- 5 The Law Commission of India's 174th Report on 'Property Rights of Women: Proposed Reforms under the Hindu Law' issued in May 2000 can be found online at <http://www.lawcommissionofindia.nic.in/kerala.htm>.

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