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Executive Summary

The Global Land Tool Network (GLTN) aims to go beyond designing pro-poor, gendered and scalable tools in theory; it wants to support the design of land tools that get developed and tested on the ground. All of the tools envisaged by GLTN have a clear space and need for grassroots participation in their design and implementation. This publication sets out GLTN's initial thinking on how effective and genuine grassroots participation can be a fundamental element of development of land tools at scale. The publication suggests twelve criteria for ensuring and assessing quality grassroots participation, which are distilled from various case studies and lessons learned by partners. It then sets out four ways in which grassroots participation can be integrated in land tool development: (1) development of large-scale land tools by any stakeholder; (2) scaling up of community-led land initiatives; (3) strengthening the capacity of the grassroots to engage in land administration and management; and (4) promoting grassroots participation amongst GLTN partners.

GLOBAL
LAND
TOOL
NETWORK

Contents

1.0 Introduction

There are few more contentious and complex problems in the world than those dealing with land and secure tenure. Many religions have firm rules on land and inheritance, most communities have deeply ingrained cultural traditions, and every government faces the challenge of land differently with its own vast array of laws and with varying degrees of political will. In many countries the rules work against women owning land for a range of reasons from poverty to custom. In wealthy countries land records cover most of the territory and are generally well kept. However, few developing countries have more than 30 per cent of their land accounted for by land records. Land records are also often linked to the middle and commercial classes which can exclude up to 85 per cent of the population in some countries, the majority of whom live at the grassroots. In many countries, there is large-scale corruption associated with land. In post conflict societies, land is a key issue as it is often closely associated with the conflict. Sound land governance approaches, based on the principles of equity and human rights, are primary in building peace.

The involvement of the grassroots is crucial at all stages of land-related processes since local and affected people often understand the many ways in which illegal and unfair land practices take place. However, many pro-poor land policies have been, and are being, developed and implemented with weak grassroots participation. This has often led to project failure or outcomes that do not assist women or people living in poverty. At the same time, many planners and officials are reluctant to include grassroots in large-scale projects. They are also wary of community land solutions that may not be scalable.

Many commentators agree on the need to 'build on the success of large scale informal land delivery, as well as addressing its shortcomings', areas which already involve the grassroots. As Sait and Lim noted in the Islamic context:

> *Even where well-intentioned donor-driven efforts to establish modern land systems succeed, the obduracy of informal norms, practices, and processes leads to unattended dualisms that undermine the prospect of integrated and unifying land policies.[1]*

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1 S. Sait and H. Lim, *Land, Law and Islam: Property and Human Rights in the Muslim World* (London: Zed Books and UN-HABITAT, 2006), p.

Box 1. Obstacles to women's participation in land reform

Why do land systems fail women? Several complications serve to impede women's access to, control and ownership of land and housing. These include patriarchal colonially imposed systems of land ownership, dual legal systems that allow for discriminatory provisions of customary law to prevail; HIV/AIDS which deprives women of their livelihoods and often forces them off land and housing and lastly, women's ignorance of their own rights. In order to successfully create land systems that protect women's land and housing rights, such obstacles which are unique to women must be considered. Yet the lack of women's interests and needs in land laws, policies and other processes has also been attributed to the lack of women's participation in their formulation and implementation.

Traditionally, the involvement of men in land processes was viewed as sufficient - it was assumed that women and children would equally enjoy the benefits as dependents. Now, it has been increasingly recognised that women's priorities and concerns in land are separate issues from those of men, and that land reform and other land processes have often had detrimental effects on women. Traditionally held communal land rights are diminished when individual land holding is introduced. Limited rights such as the right to pick fruit or gather wood on another's property may be eliminated by the introduction of formal land systems.

1.1 What is the Global Land Tool Network?

The Global Land Tool Network (GLTN) is an emerging international network that aims to take a more holistic approach to land issues. Its goal is to support people, at national and local levels, to use land tools that are pro-poor, gendered, and scalable.[2] Hosted by UN-HABITAT, the Network works through partners, which include government, intergovernmental organizations, civil society and professionals. However, it wishes to place a strong emphasis on inclusion of the grassroots.

The Network has committed itself to work on eighteen land tools that may potentially help people living at the grassroots (see Box 2). This activity includes studying, debating, designing, sharing and implementing various land tools. UN-HABITAT has also recommended that the tool development process in each of these fields of activity should contribute towards: (a) policy-making; (b) management; (c) capacity building; (d) research (e) teaching (f) advocacy; (g) conflict resolution. [3] GLTN aims to go beyond just designing pro-poor, gendered and scalable land tools *in theory*; it wants to support the design of land tools that get developed and tested *on the ground*.

All of the GLTN tools have a clear space and need for grassroots participation in their design and implementation. While some tools demand high levels of participation (e.g. co-management approaches) other seemingly technical tools (land tax, regional land use planning, enumerations) have clear roles for grassroots participation.

1.2 What is grassroots participation?

In the context of GLTN, it is important to have a clear understanding of the types of persons who constitute the grassroots. This is especially critical in any global endeavour where the terminology differs widely between countries and contexts. We suggest three understandings of grassroots:

1. People experiencing land poverty.
2. Users or potential users of land systems.
3. Social movements.

The first is of principal importance, the focus being on those persons who are disempowered at the local level due to lack of land tenure and access and poverty.

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2   See www.gltn.net.
3   UN-HABITAT, 'Design of Global Network to Develop Pro-Poor Land Tools' (2005).

Turning to participation, grassroots participation is defined as:

> [A] planned process whereby local groups are clarifying and expressing their own needs and objectives and taking collective action to meet them.

This definition indicates that grassroots communities have a role beyond simply giving their views and have an active role to play in assisting in the development and implementation of the tools.

But this must be genuine and effective. Since the 1980s, civil society organizations and many development agencies have championed participation, particularly grassroots participation. Unfortunately many processes highlighted as participation may not be satisfactory and are often viewed as tokenistic, or a method of rubber-stamping decisions already made.

Moreover, there needs to be a rights-based approach to participation that sets clear and effective standards for participation processes. The human rights dimension includes classical civil and political rights such as right to vote, freedom of expression and freedom of association which create the foundation for more focused participatory processes. The right to participation is also a key element of economic, social and cultural rights, as well as the right to development. Since access to land is often a core component of many of these rights, 'participatory processes' should therefore be critiqued according to standard human rights criteria, namely whether they (i) enable community and individual empowerment towards realisation of human rights; (ii) include women and marginalised groups; (iii) provide sufficient and accessible information; (iv) are transparent; and (v) contain minimum standards and accountability mechanisms to ensure that the participatory process is held to these standards.

Criteria are described in the next chapter for assessing grassroots participation in order to determine whether it is genuine, effective and rights-based. These criteria include for instance, the degree of community ownership of the process, the quantity and quality of information provided or the accountability mechanisms established for the process. When few, if any, of these criteria can be met, the proposed method of participation in the process should not be called grassroots participation.

1.3 Opportunities and challenges: GLTN and grassroots participation

The Network has stated that it aims to ensure genuine grassroots participation in its land tool development initiatives, in order to ensure that high quality, pro-poor, gendered and useful tools will be designed and used in practice. This is important since there are "not many global land legal networks and the few that exist tend to be

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Box 3. Criteria for assessment

Land tool development should be evaluated according to whether it:

1. gives sufficient control to grassroots participants.
2. builds on existing networks, community processes, customs and norms.
3. initiates new networks to include the most marginalised groups.
4. focuses on community strengths and land systems.
5. uses representative mechanisms as processes are scaled up.
6. is clear on objectives.
7. contains effective information strategies.
8. meets immediate needs and resources to avoid participation fatigue.
9. invests in capacity of grassroots participation at early stage.
10. addresses need for political support and social transformation.
11. adopts minimum standards for participation process.
12. contains accountability for participation and includes dispute resolution.

Photo © Suzie Mutter

focused around technical concerns only"[4] although the GLTN also has a strong technical orientation.

By developing and implementing a grassroots mechanism, GLTN will hopefully be able to bring the grassroots in as a critical partner in participating in tool development with other stakeholders in any particular country. This will ensure a feedback loop between technical and governance issues and improvement of accountability for ensuring affordable pro-poor land tools. It will also support community and user involvement and maximise policy impact and upscaling. The mechanism should be able to build a bridge between planners, professionals and the grassroots.

To ensure grassroots engagement, some capacity building will also be necessary. Knowledge must be disseminated *to* the grassroots as well as collected *from* the grassroots. However, in many regions, such as in rural Africa, access to information technologies (on which this Network will be primarily relying) is limited, as well as access to electricity and telephones. Print material by itself has not been found to be an effective way to communicate. This is one of the challenges which GLTN will have to deal with in order to deliver appropriate land tools. However, creative ways can be used to overcome such barriers, such as use of peer exchanges and follow-up communication strategies.

There are also some challenges in integrating the work of grassroots and civil society organisations within the GLTN.[5] The first is that the methodology of GLTN is technical in orientation while many of the civil society partners identified for involvement are often concerned with law and policy reform, challenging abuses of land rights or focused on directly empowering communities.

The second is that civil society partners may not feel comfortable with the tool list as is currently expressed by GLTN. For instance, Tool 4c on expropriation and compensation gives a strong emphasis in its title on compensation, when other remedies are also often sought by affected individuals and communities. These include declarations of

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4   Global Land Tool Network, 'The Global Land Tool Network - Why, What and How: Report from a workshop at the Sida headquarters in Stockholm 24-25 November 2005' (2005), 22.

5   See Designing A Grassroots Mechanism For The Global Land Tool Network, Workshop Report, 14-15 March 2007, Nairobi, Kenya. The MDGs have been subject to similar critcism. See, A. Saith, 'From Universal Values to Millennium Development Goals: Lost in Translation', Development and Change Vol. 37, No. 6 (2006), pp. 1167–1199.

invalidity, restitution, regularisation and adequate resettlement. Consultations should occur with grassroots groups on the meaning of each tool and whether the content or title should be addressed. GLTN could provide short descriptions of each tool and provide these to partners for comment.

Third, there are clear tensions between some current and potential civil society partners and some other members of the GLTN in terms of policy approaches. These challenges will need to be addressed by GLTN as it moves forward, either accommodating and redressing the concerns or acknowledging that it cannot work with all envisaged partners.

1.4 Grassroots mechanisms tool

GLTN's work on the grassroots mechanisms tool should provide critical guidance on the question of how to implement effective grassroots participation. It should be able to answer the following questions raised by the above agenda: How do we determine what is genuine participation? Which groups constitute the grassroots? Who can speak for the grassroots? How do we create participatory structures? What structures do we have for smaller processes and larger processes? Do the grassroots have sufficient capacity or does the GLTN need to invest in that? How can this be done in practical ways that are cost effective and sufficiently discussed and negotiated without involving a billion people?

After consultations in Oslo in March 2006 and a specific workshop in 2007, GLTN's work on grassroots mechanism has been categorised under four pillars, set out in Box 4. Some of these are similar to those proposed for the gendered mechanism while others are different or additional.[6] The functions are designed to commence simultaneously – and influence each other's development - though the activities within each function will obviously be phased and incremental. The proposed four functions will be discussed after the next chapter on general participation criteria.

> **Box 4. Proposed functions of the Grassroots Mechanism**
>
> **1. Ensuring grassroots participation in large-scale land tool development**
> • Evaluate, develop and promote a set of approaches for grassroots participation for use in design and implementation of new large scale land tools.
> • Evaluate, and help adapt, existing large-scale land tools to ensure effective grassroots participation.
>
> **2. Scaling up community-led initiatives**
> • Develop criteria for assessment and create inventory of scalable/replicable community land tools.
> • Support scaling up/replication of selected community-led initiatives and unblocking of existing initiatives.*
> • Ensure grassroots leadership in coordinating the development of specific GLTN tools (e.g., co-management approaches (tool).
>
> **3. Strengthening the capacity of the grassroots to engage in land administration and land management**
> • Review existing capacity strengthening activities in regard to grassroots participation in land administration and management.
> • Develop a programme for capacity strengthening for land tools.
>
> **4. Promoting grassroots participation approaches amongst GLTN partners**
> • Identify GLTN partners that could/should better incorporate grassroots participation in tool development.
> • Develop activities to promote grassroots participation approaches to partners.
> • Help partners include grassroots participation in all aspects of tool development.

* This paper focuses primarily on scaling up grassroots land tools as opposed to unblocking existing initiatives. However, GLTN could focus on unblocking initiatives to scale up grassroots land tools where it has the capacity to affect the process.

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6 It should be noted that another approach is that contained in a 2005 paper prepared for the proposed GLTN gender mechanism. It has eight stages, though they are not necessarily meant to be seen as sequential.

2.0 Criteria for assessment and for promotion

Drawing on the case studies, as well as many other experiences and stories, we have developed some lessons learned which could be used as criteria to assess grassroots participation in land policy, administration and management. It is important to highlight that these lessons are not rules. Grassroots participation processes at their best are highly flexible, and responsive to the local context. Box 5 sets out these proposed criteria in more detail.

2.1 Give sufficient control to participants

The greater the stake grassroots people have in a land process or in land management and administration, the more likely it will be successful. Below, we put different degrees of participation[7] which show the continuum of involvement by grassroots people that can be possible, with each type increasing their control over the process.

Passive involvement - greatest dependence on outsiders: Grassroots people are present but they only receive information. They do not have an opportunity to express their own views.

Information giving: Grassroots people answer questions from outsiders, but they have no opportunity to decide what those questions are nor do they influence later decisions because the information gathered is not shared.

Consultation: The views of grassroots people are taken into account, but decisions are made by others who are under no obligation to accept their viewpoints.

Functional participation: Grassroots people are involved in groups brought together by outsiders to meet their objectives, with them only involved after the planning phase of that process.

Interactive participation: Grassroots people are closely involved in the planning, needs analysis and information gathering, and decision-making phases of the process. The outsider favours their viewpoints, giving them an incentive to stay actively involved.

Self-mobilisation - greatest control by people at the grassroots: Grassroots people take the initiative in planning, needs assessment and information gathering, setting of objectives, and taking collective action. Outsiders provide technical support and play a facilitating or catalytic role.

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7   Adapted from Dr. Rodney Jackson, 'Community Participation: Tools and Examples' (Paper presented at the Management Planning Workshop for the Trans-Himalayan Protected Areas, Leh, Ladakh, 25-29 August 2000).

2.2 Build on existing networks, community processes, customs and norms

Participation processes should respect and aim to build on existing networks, community processes, local customs and norms. Anyone involved in design of processes should therefore learn in a particular context about:

- How information is shared (word of mouth, TV, radio).
- How processes are organized (local leadership, committees, organizations).
- How decisions are made and by whom.
- How decisions are implemented and by whom.

This applies to the national level where there may be methods by which grassroots people already participate in social development processes, including political and governance participation systems. Some examples of building on existing processes are given in Box 6.

Box 5. Building on existing processes

Namibia
In designing the Flexible Property Registration System, it was discovered that the existing social land tenure could not easily be codified. Community leaders were asked to decide what would be the appropriate evidence of various rights at any particular time when the individual land records are changed and transfer is effected.

Indonesia
A government program for increasing community participation in the development of environmental infrastructure had trouble getting people to come to meetings. Using a "*social vehicle such as religious activity, social activity, or routine meetings that were already occurring*" was more effective.

Customary law in Tanzania
The Village Land Act 1999 recognises customary rights as property rights if they conform with constitutional principles, e.g. non-discrimination. In essence, the law permits the formalisation of individual and communal uses, though there was an over-estimation of local government capacity and under-estimation of the resulting use conflicts.

Land records in South Africa
Davies and Fourie argue for the establishment of land records offices at local level, within informal settlements, that are integrated into the local authority system. The local authority would provide the technical expertise and pay an employee while communities would develop and help manage the records. These localised land records would help both the community and the local authority manage the ever-developing settlements over time and ensure that the system can flexibly respond to changing tenure and social needs.

Land sharing in Thailand
Well-organized communities have negotiated with private landowners to provide them with part of the land they were occupying in order to build apartments which would minimise the need for any evictions. Government authorities could play a role in helping less-organized communities reach such solutions and provide a framework for such negotiations.

2.3 Initiate new networks to include marginalised groups

Existing networks and community participation mechanisms sometimes exclude the least powerful members of a community. It has been said that, "Male dominated NGOs, trade unions and professional associations are unlikely to prioritize the gender interests of poor women." But resorting to open processes to try and include

marginalised groups is not always successful. Mwero notes that women were often eliminated from the early stages of a land process since "men would turn up and claim privileged land rights and women got nowhere because they did not attend." The exclusion of marginalised groups can be addressed in several ways, such as:

• Creation of parallel participation processes.
• Creation of separate planning zones.
• Use of quotas.
• Outreach and information awareness.
• Support for new networks, groups and organizations.

2.4 Focus on community strengths and land systems

Good participatory mechanisms highlight what all the stakeholders see as their strengths and opportunities, rather than just highlighting their problems. In this way, the process inherently moves people forward in thinking and action, building confidence and enthusiasm, and by assuming that there are actions that the community can take to address their concerns.

Through carefully-built alliances and open discussion, a nuanced understanding of the different systems can be brought together as appropriate, and this should be a key feature of GLTN's work. Even when different tenure regimes are in conflict, there are many examples where customary and informal approaches have been incorporated within a wider system.

2.5 Use representative mechanisms as processes are scaled up

When trying to scale up a land tool at a regional or national level, tens of thousands of people become the grassroots participants. It is therefore impossible to involve every person in all the processes. Special care must then be taken to design mechanisms by which the diverse groups likely to be affected by the process can be represented at key stages of decision-making. Ideally, the process of designing and controlling the setting up of the representation mechanisms should be driven by people at the grassroots whose views and interests are to be represented. A representative participation process can occur in many ways and there may already be good practices within communities.

Where organizations are used as the vehicle through which grassroots representation is achieved, GLTN and its partners may need to consider to what extent the internal practices of the organization are also participatory. Making sure that representatives also use participatory processes may be done by asking the organization to describe its own participatory processes (e.g. through a brief questionnaire) when it is selecting representation to be involved in a Network-related activity, or being asked to make major decisions.

2.6 Be clear on objectives

If people are participating in a process, they should have clarity about why they are there, and what the process aims to achieve. Clear objectives are essential to planning methods of putting ideas into action, achieving real change. Otherwise "purposeless involvement through unplanned and unfocused meetings has led to damaging encounters of accusations, recriminations and counter recriminations leading to polarization between a council and its citizenry."

Ensuring clear objectives are agreed on with grassroots, and all stakeholders, should be mainstreamed in all large-scale land tool development. It is particularly relevant when undertaking pilot projects since these have the potential to do harm and consume community time. General consultations/workshops are more likely to be just an irritant for participants if they lack clear objectives. In facilitating processes for selection of pilot projects, GLTN should ensure that there is sufficient community participation in the initial investigation and design of a possible project, as well as in implementation.

2.7 Create effective information strategies

Information strategies are a key part of effective strategies. When operating on a large scale, not all the grassroots can be directly involved in the process but they may all be affected by the outcome. Information is a key way to ensure that concerns are identified at the grassroots level and benefits shared.

Some countries have had rather unfortunate experiences where slum upgrading projects have not provided information in any language to the supposed beneficiaries despite apparent development of an elaborate communications and information strategy. The use of technical, foreign language in national and international development processes has been widely criticised.

Using plain language is not the end of the effective communication story. Some communication methods are passive (pamphlets, booklets, posters, lectures, manuals), while others improve participation (workshops, discussion groups, role plays, case studies). Participatory communication methods should be used where ever possible, enabling people to build on their existing knowledge, share their own stories.

2.8 Meet immediate needs and resources to avoid participation fatigue

Better participation is achieved when it is directed towards meeting people's immediate needs even when the process has longer term objectives. A range of activities to support immediate needs can be used to help build the endurance for long term and sustained action,

such as security of tenure, land reform etc. The emphasis on savings groups amongst some urban poor grassroots networks is one example, where short term loans for emergencies and small-scale income-generating activities may be available and participants know that the amounts could support part of the land purchase/house construction. Another example is providing assistance from forced evictions in the short-term.

In many communities, the need to improve lives is urgent. But GLTN has also recognised that sustainable land reforms that will improve the lives of people living in poverty cannot be developed overnight and has committed itself to a 25 – 40 year time frame.

2.9 Invest early in capacity of grassroots participation

If people are to have control and responsibility over processes, skills training and capacity strengthening processes will need to be developed. What skills do they have? What skills do they need to develop? The process should enable one to identify training needs to develop essential skills for participation. Many of the successful case studies ensured time was spent in training grassroots participants in various skills. This might be enumeration and mapping, skills for developing an alternative city or rural master plan, understanding different tenure types and tenure laws. Sustainability requires that the training methods used can be replicated. Concentration of skills in a few people is risky since these people may leave or later lose legitimacy to act. See further Section 5 on capacity building.

Having control over a process does not mean that the grassroots are expected to do everything. No one can do it all. Many social development processes will fail unless timely, useful technical expertise is integrated into project planning, decision-making and implementation. The trick is how to stop the experts from using top down approaches. In many identified good practices, an NGO was available to provide technical support on participation methods, technical land issues and assistance in resolving community conflicts and creating bridges with government authorities and professionals. Moreover, grassroots groups often have many skills which they can share with other actors in the process.

2.10 Address the need for political support and social transformation

Securing political support for innovation and new ideas is an important strategy for effective implementation and reform. For example, changing a land tenure system is likely to require new legislation. Land tools are essentially political if they affect power or economic relations.

Where the desired programme is not driven by government, political will can be fostered through a variety of steps. These includes fostering key relationships with government, placing pressure on governments through elections, advocacy and courts or being successful in achieving things without government support, which can greater interest by government and wider popular support. Providing ways for government authorities to participate in grassroots processes may also be useful. Multilateral and donor agencies may be useful in mediating political support.

2.11 Adopt minimum standards for process

Adopting minimum standards is necessary in order to evaluate the quality of a participation process but it is rarely done. Many in the participation processes have been limited to information sharing or consultation. These processes were generally viewed by groups as superficial, many seeing it merely as a ploy to engineer legitimacy. Minimum standards should address who is entitled to participate, rights to access information and how decisions will be made. Consideration should also be given to whether grassroots groups have the right to veto certain decisions. In the case of the indigenous peoples, this principle has been key in the struggle for participation over decisions that affect their use of ancestral lands.

2.12 Accountability for participation and inclusion of conflict resolution systems

It is best to work out how the process will be monitored and evaluated at the same time as the objectives are determined. These are directly linked to each other. In accordance with a rights-based approach, there should also be a mechanism by which communities can make complaints about a land tool process, including concerns about the participatory approach. Such a pro-active approach to accountability ensures that the process can learn and improve over time.

Land tool development inevitably creates conflict. While legislation and policies may shift the balance of power in theory (and possibly create protective behaviour by those whose interests are threatened), it is at the implementation stage that conflict usually erupts. For example, progressive slum upgrading, land reform, planning processes, or land taxes will often provoke reaction. However, conflict resolution systems often exist in many formal and informal land administration systems but they are generally confined to questions of occupation and ownership and need to be extended to all land tools covered by GLTN.

"GLTN and its partners should provide input on whether approaches sufficiently includes genuine grassroots participation."

The Baan Mankong ("Secure Housing") program was launched by the Thai government in 2003 with the aim of improving housing, living conditions, and tenure security for 300,000 households in 200 Thai cities within five years. It is innovative because poor communities plan and carry out improvements to their living environment themselves and work on city-wide upgrading programs together with city authorities, national agencies and local actors. Funds for upgrading are channelled to poor communities directly; loans are given to community networks that then lend on to their member organizations. The program is implemented by the Community Organizations Development Institute (CODI), a government agency that brings together government officials, academics, and community representatives. By 2008, the Programme had commenced 512 projects involving 54,000 households in 1010 communities in 226 cities.

One community member described the process as follows: "Soi Amon community has 320 households. They had moved from the private land to this new site because the owner was going to evict them. The owner sold the land to them for 40 million baht for 40 rai. They had managed to save 10% of the purchase price over the past 3 years. The project started in 2007 with two phases. Each house costs about 150,000 baht. The community made all the materials themselves so material costs were 50 per cent cheaper than commercial prices. The community also provided jobs for people within the community and subcontractors showed them how to make the materials. The community surveyed houses, took photos of houses to show architects their dream houses at community meetings. They built 126 houses in the first phase and 194 houses are planned for the second phase. 110 houses have been built and 70 families have moved in." (Extracted from forthcoming GLTN assessment of Baan Makong).

3.0 Large-scale land tools and grassroots participation

GLTN's focus is on land tools that can operate at scale. This covers tools that operate at the sub-national (e.g. city or region) or national level and that involve relevant government institutions/other stakeholders. It should not be assumed that the land tools are simply the extension of the current conventional land administration to the "unreached". It might also mean the recognition, partial reform or support for customary and informal laws.

However, when operating at this large-scale level, there is a tendency for government officials, donors and other stakeholders to be unwilling or unable to properly engage with people living at the grassroots. This situation applies to top-down initiatives and seemingly bottom-up initiatives such as the recognition of customary law systems or informal occupation. This situation may result from several causes:

- Not knowing how to engage the grassroots, especially at scale.
- Low awareness of the need to involve the grassroots at all stages.
- Lack of political will.

GLTN partners can play a role in addressing all of these reasons to varying degrees. This chapter concentrates on how GLTN partners can assess large-scale land tools for grassroots participation and work to improve the situation on the ground. Much work needs to be done in:

- Gathering experiences from around the world.
- Assessing these experiences against a set of agreed upon criteria.
- Developing analyses on what approach might be appropriate for each GLTN tool.
- Engaging with GLTN partners on specific tool design and implementation.
- Promoting these approaches amongst GLTN partners
- Evaluating assumptions and conclusions in light of the ongoing experience of GLTN and its partners.

And this work also needs to be developed in a participatory manner.

3.1 Gathering experiences

Over the years, many lessons have been learned through a wide range of grassroots participation experiences in the development of large-scale land tools. GLTN has drawn on these experiences through a background paper[8] and a grassroots mechanisms workshop held in March 2007.[9] Several of these case studies appear in this chapter. Some of these case studies were prepared by grassroots organisations

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8   See Langford and Goldie, *Creating space, changing the space*, prepared for UN-Habitat (2007) and case studies provided by Huariou Commission, COHRE, SDI and Hakijamii.

9   See presentations and workshop report at www.gltn.net.

and GLTN particularly encourages documentation, enumeration and other fact-finding processes that involve grassroots groups leading the process. The dissemination of these case studies could be done through user-friendly publications, an online database and inclusion in training programmes designed for GLTN partners as well as for the grassroots.

3.2 Applying the criteria to the GLTN tools

In the current phase of work the draft criteria for participation (in chapter 2) for application in large-scale land tools are being assessed and evaluated in the national context. For example, GLTN carried out an evaluation of community-led enumeration at scale in a slum upgrading project in Kisumu, Kenya, in October 2007 to see what lessons could be learned. The experience showed that local communities could carry out technical enumeration work which led to a number of short-term benefits as slum upgrading was likely to be some time off. However, it was clear that communities needed to fully understand why they were being asked to do the exercise and to ensure proper liaison from the beginning with local authorities in order to integrate the information into official systems. Given the potential for high levels of grassroots participation in enumerations for tenure security, GLTN is giving particular focus to this tool and plans to organise a workshop for grassroots and professional practitioners in 2009 to develop a manual.

In the future, strong attention should be given to other tools that strongly relate to grassroots concerns. For example, anti-eviction tools (e.g. tool 1.b on continuum of land rights and tool 4.c. on expropriation and compensation) and co-management approaches (tool 1.f). Co-management, whether applied to low-income informal settlements or irrigation schemes, describes a situation where land management-related tasks (such as land information and records, tenure upgrading) are carried out jointly by a community and by another actor.

Other GLTN tools also have a strong inbuilt grassroots participation or are of particular direct relevance, such as:
1e.   Statutory and customary
1h.   Family and group rights
2a.   Citywide slum-upgrading.
4a.   Regulatory framework for private sector
4b.   Legal allocation of the assets of
       a deceased person (estate administration,
       HIV/AIDS areas)
6d.   Land access/land reform

This should also be done in collaboration with GLTN partners working on the gender mechanism tool (6e). Moreover, grassroots mechanisms should be inserted in all GLTN tools as far as possible.

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Box 7. Grassroots participation in GLTN tool design and implementation at the country level – example of tenure security

GLTN and its partners are most likely to receive requests from governments and other actors to assist with the design, implementation or evaluation of tools at the country and local level, or GLTN may instigate those processes.

For example, GLTN may receive a request to assist with improving tenure security for a particular area or group of persons. This is a core component of many GLTN tools, including land readjustment, continuum of land rights and land records and administration. The request would obviously need to meet the criterion of being pro-poor and take account of women's rights and needs. GLTN could play a key role in such a scenario, for example by:

1. ensuring preliminary studies examine the existence and rights of all relevant grassroots groups in the project area or focus (e.g., tenants, women, indigenous peoples);
2. working to promote a participatory approach in the design, implementation and monitoring of any scheme and disseminate good practices, including selection of pilot project sites;
3. promoting support for grassroots capacity building and representative models of participation where needed;
4. supporting regular participatory evaluations of the project that include examination of grassroots participation.

Early successes in community-driven slum upgrading have led to the creation of nationally-driven government programmes. One example is Thailand's Baan Makong settlement upgrading programme where government provides funding to an NGO which provides loans to communities which must mobilise themselves with professionals.'

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3.3 Engaging with GLTN partners to implement grassroots mechanisms

GLTN and its partners should be involved in the ongoing review, design and implementation of tools to ensure adequate grassroots participation. If for example, GLTN supports efforts at the national or international level (whether in a region or globally) to review tools or design new tools outside a particular project or context, then a participatory process should be used to initially test the land tool before it is piloted or recommended to others. Box 7 gives an example of how such a tool might be tested through a process of community, NGO and multi-stakeholder consultation. However, such processes are costly, and thus existing participatory structures should be used as far as possible, and evaluation might need to be made as to what is feasible in the case of each tool.

If GLTN wishes to develop global tools, it could use the process set out in Box 8. However, it may only give a glimpse of which could work locally.

GLTN may also be called upon to help in the upscaling of community land tools, which may result in the development of large-scale land tools. This function is analysed in chapter 4.

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Box 8. Grassroots participation in design of global tools

Stage 1
Draft pilot tool with participation of GLTN partners (including NGOs, grassroots partners, international organizations, professional organizations and experts). The views of relevant national NGOs who may not be GLTN partners should also be obtained.

Stage 2
In a sample of countries, conduct silo reviews of different stakeholders. This would include selecting a sample group of communities in relevant urban, rural or other area in the country/or number of countries as is relevant. These should be communities that have had experience with such a tool and would be addressed by such a tool. Local NGOs should assist in the selection.

Stage 3
Local facilitators should be briefed to carry out consultations with these communities through focus groups or workshops. These should be organized through existing community structures where possible and appropriate though separate meetings may be necessary with particular marginalised groups.

Stage 4
After receiving the views of all stakeholders, the land tool should then be reviewed, publicised on the GLTN website and appropriately promoted.

Stage 5
The tool could be further tested through multi-stakeholder reviews at the national or regional level or through pilot projects at the country or local level.

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4.0 Scaling up grassroots initiatives

The Global Land Tool Network (GLTN) is clearly committed to developing and implementing pro-poor and gendered land tools at scale. Within a wide array of land systems (ranging from formal to informal), there have been numerous grassroots initiatives to improve access by the poor to improved land tenure and land administration and management services. However, most of the focus of scaling up often concerns national pilot or local authority projects and programmes. Less focus is on tools developed directly by grassroots groups, although in many cases there is an overlap between these types of scalable projects and initiatives.

4.1 Context for scaling up

One visual way of envisioning the context for scaling up process is to recognise a triangular system of the land rights delivery (See Figure 1). This picture indicates that the delivery of pro-poor and gendered land tools is dependent on land that is available and accessible in processes facilitated by properly functioning institutions and stakeholders. The level of detail and inter-relationship is intentional. There are many entry points for scaling up and in some or many cases, multiple entry points are needed.

Land tools developed in many grassroots initiatives can potentially be scaled up (whether fully or partially) to a local, regional or even national level. An example is given in Box 9 of enumerations by grassroots groups in Mumbai which were then scaled up to the municipal level and included in official planning. In other cases, the community tool may already be large-scale in size (for example, a customary land tenure system) but to be sustainable a process for formal recognition is needed, subject to principles of equity, human rights and participation in the design of the recognition process. At the same time, other grassroots initiatives may only be appropriate or feasible in a certain context, or scalability may be significantly dependent on removing political, legal or other blockages. However, in the scaling up process, the need for ensuring effective grassroots participation at scale becomes paramount again.

Box 9. Slum upgrading in Mumbai, India

Today thousands and thousands families live on the streets of Mumbai and have little political support. After years of insecurity and demolitions, they began to develop tools that are now used by federations in other cities of Africa and Asia. This includes the creation of baseline surveys and cadastral maps, study of vacant lands, housing savings schemes and affordable settlement and house design. These tools, used by a capable and mature federation, form the ingredients necessary for land negotiations with city governments.

In 1985, soon after the Supreme Court ordered the demolition of pavement structures in Mumbai, SPARC conducted its first survey of pavement dwellers on all the arterial roads of the city. For the first time data became available on pavement dwellers, which are a distinct group from slum dwellers. It broke many myths about pavement dwelling and proved that these families were gainfully employed in the informal economy and paid high fees for basic services such as public toilets, water and electricity.

Today, Mahila Milan has household data and cadastral maps of 25,000 pavement families, and the federation has assigned every structure a number that is marked on every door which matches the household survey and cadastral maps. This helped win the trust of city administrators and planners: the city has verified the data and now uses it as its official data on families living on the streets.

Box 9. Costa Rican women take control

Guarari is a housing a complex of approximately 7, 000 houses on the outskirts of San Jose, Costa Rica's capitol city. It came into being as a result of the demands of a group of women living in the slums of San Jose. The women, who represented more than 30,000 mostly rural families, rejected official housing programmes that applied traditional building and town-planning regulations. They approached CEFEMINA, the Feminist Centre for Information and Action, to assist them in their struggle and commenced massive land invasions, which resulted in thousands of persons (mostly women) moving from the urban slums onto peri-urban state owned lands that were standing vacant. The government eventually decided to work with the invaders.

A volunteer group of women technicians designed a new type of housing to meet the needs expressed by the women of Guarari. Government experts yielded to pressure from them, especially since the projects the women put forward were less costly than the alternatives. To get a house in the new development, each family had to put in 700 hours of work. Not all this time necessarily had to be spent on the building site. Other options included looking after children, preparing collective meals and serving on committees.

The project was also assisted by the creation of a Special Commission on housing and a law called 'Real Equality for Women' which gives women the right to either be the sole holders of land rights or at least share the title with a partner

Figure 1: A Land Rights Delivery Matrix and Entry Points for Scaling Up
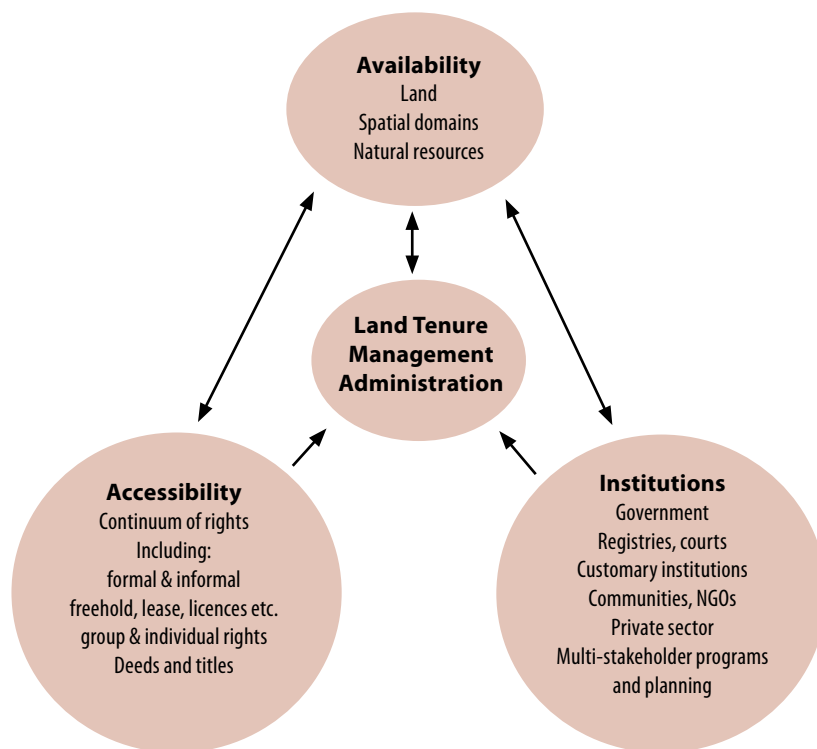
4.2 Threshholds and choice of scale

In the case of land tenure, management and administration, the threshold size for scalability is highly dependent on the particular land tool and the context. The only discernible rule of thumb from the literature seems is that it must be 'large'! A programme for a forest community may not be viewed as 'at scale' except if the forest and the relevant community is 'large': the World Bank, for example, granted loans to the Vietnam government to sustain and develop livelihoods in two forests which reportedly involved 11,113 local households and 26,237 ha of forest land. Thus, the first approach to scaling up is geographical expansion but it could occur through horizontal replication (repeated in other localities or districts) or vertical integration (by the land tool being included in the institutional framework at a higher level) or a mix of the two. Which approach is chosen or emphasised would be highly contextual and appropriate to the tool.

However, thresholds could also be created which go beyond geographical head counts of people to benefiting particular groups across a locality, region or nation, for example women, indigenous peoples, tenants, peasants, persons with disabilities, informal settlements etc. A third conceptualisation would be systems of law since these often cross local and national boundaries, and one can particularly think of common law, civil law, Islamic and Dutch-Roman law systems. For instance, the decision by the Australian High Court that indigenous peoples possessed native title before the advent of colonialism has been adopted by many common law courts.

Therefore, we might be able to accept that 'at scale' could involve the following levels as set out in the Box below.

Figure 3. Threshold sizes for scaling up

Geography Large locality	City, rural, Focal region, Forest, Indigenous ancestral territory, Water catchment area, Post-conflict zone, Small island, Land affected by large-scale infrastructure project, Sub-national/regional, National, Other countries		
Target Groups	Rural dwellers, Peasants, Small-scale farmers, Tenant farmers, Landless	Urban dwellers, residents of informal settlements, low-income tenants, low income owners in slum conditions, internally-displaced; and	Women, Indigenous peoples, Minorities, Persons with disabilities
Legal systems (including policy)	Civil law, Common law, Customary law, Islamic law		

4.3 Criteria for assessing scalable land tools

Although scaling up is perhaps more art than science, we can identify a number of factors that GLTN should pay attention to in evaluating a grassroots land tool for scalability and should address in any design of scaling up processes. These factors are set out in Box 12.

The criteria for assessment should be developed by testing it against various successful scaled-up community initiatives. This can be initially done through analysing past case studies. The criteria should also be reviewed after a certain time, after initial inventorying and support of community land upscaling has commenced.

4.4 Creating an inventory

Only a small number of community land tools are highlighted in this paper. Attention should be given to gradually identifying different community land tools according to the 18 land tools that GLTN is attempting to develop. After the criteria have been identified, GLTN and its partners should therefore commence an inventory of community land tools. The inventory should cover scalable community land tools that:

1. Have already been upscaled (including analysis of the process).
2. Are of general interest to GLTN and partners.
3. Could be upscaled with support.

This inventory could be done through desk reviews, consultation with partners and a workshop on the topic. The community land tools, particularly those in categories a. and b. above, could then be highlighted on the website, summarised in a publication, discussed in a workshop by GLTN partners and promoted in various GLTN forums.

21

Box 12: Factors to consider in scaling up grassroots land tools	
1. Areas	*The land tool should address land related areas ignored by current institutions, e.g. tools that empower the poor and/or redresses institutional disadvantage.* The intervention for the scaling up a land tool should address key aspect of the land delivery matrix – availability, accessibility and institutional performance. It may require new laws and programmes, for example to improve security of tenure or adjudication of women's property rights, or a greater focus on improving the ability of institutions to operate at scale.
2. Objective	*Assess whether the tool/s is/are pro-poor and gendered, being sufficiently responsive to land related needs of women and marginalised groups.*
3. Scale	*The choice of scale must be appropriate and feasible for the tool, significant in terms of geography, targeted groups or legal system and should be developed according to a participatory analysis.* Choosing the level of scale requires an assessment of whether the tools or aspects of them are generally and specifically transferable. While scaling up implies a significant increase in the reach of the tool there may different modes of scaling up which can be chosen, such as geographical expansion (horizontal replication or vertical integration), reaching targeted groups, for example women, indigenous peoples, tenants, peasants, persons with disabilities, informal settlements, or reforming the legal and policy framework. The choice of scale should be made according to a participatory analysis.
4. Environment	*Receptive political, policy and legal environment*. There should be a receptive political, policy and legal environment for upscaling and if not, this should be addressed in the project or with accompanying strategies. Review of the political and legal environment is necessary to minimise the possibility that opponents of the project will use the law to resist scaling up and to also ensure sustainability for the project. Where such obstacles exist, they will need to be incorporated into the project design. Such strategies may include local-to-local replication of land tools (when opposition is national), more centralised scaling up when opposition is local (often relevant to marginalised minorities at the local and regional level), incorporation of losers into the project to minimise opposition, exposure of opponents to the benefits of the project (e.g. workshops, exposure trips) and ensuring political mobilisation or litigation by civil society and other actors to minimise political opposition and amend or challenge laws.
5. Participation, Demand-driven	*The scaling up process should be genuinely participatory and demand driven-driven.* Participation is not only a crucial element in scaling up processes (including in overcoming political obstacles) but its shape is also critically important and may vary according to context. Key consideration needs to be given to who participates, particularly women and marginalised groups. There are also many trade-offs to consider. Centralised scaling up models can sometimes achieve economies of scale through a national funded scheme or programme for example but if genuine centralised grassroots constituencies have not been developed to deal with such a programme then grassroots participation may lag behind the design and implementation process. Empowerment of the grassroots with information and technical expertise such as GIS is crucial in ensuring they can play an effective role in the process.

6. Incentives and costs	*There should be sufficient incentives and costs of scaling up should be affordable for the project to be scaled up.* Ensuring there are sufficient incentives for targeted actors in the design of a scaling up is essential. However, resource constraints mean that not all incentive-based systems may be feasible. In many cases, there are cost-effective means of scaling up from effective information and participation strategies through to carefully-calibrated incentive structures that match eventual rewards to effort. Subsidies, sometimes of a significant magnitude, may also be required and multi-sectoral approaches that provide more immediate improvements in livelihoods may encourage wider and effective participation.
7. Operationalisation	*The operationalisation of the scaling up should be appropriate in terms of level of delivery flexible and appropriate sequencing, capacity building of stakeholders, technical support and clarity of roles.* Operational models will vary considerably between contexts. They usually need to be appropriately devolved but only after local stakeholder analysis to determine that there is sufficient local political will to achieve pro-poor and pro-gendered outcomes. The decisions on the sequencing of steps should be informed by the sequencing that was adopted in the successful local or pilot land tool and take account of possible obstacles in the scaling up process. Each stakeholder should also be given clear roles and the documentation and manuals behind scaling up should be 'owned' as far as possible by all those involved.
8. Accountability	*Ensure scaling up process has minimum accountability standards, participatory monitoring, conflict resolution processes and mapping for unintended consequences.*

A portion of the website could also be set aside for organizations to post examples of what they are doing.

One of the key challenges in reviewing any prior experience is the difficulties in verifying facts. Most case studies on land or other development issues are written by persons who have been involved in implementation.[10] There are many ways to address this. The first is to conduct a review of the literature to determine if others have evaluated the project. The second is for GLTN to conduct on-site evaluations, particularly where the lessons learned from a community land tool may be of significance to its work. The third is to commission peer or independent reviews. The fourth is to ask the individual/entity submitting to nominate independent referees who could attest to the validity of the case study. For example, GLTN has recently commissioned two evaluations to assess the scaling up efforts of NGOs and grassroots groups in Thailand and Indonesia on slum upgrading and continuum of land rights respectively.

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10 See www.mit.edu/urbanupgrading/upgrading.what is/scaling-up.html. Some of the examples do not include the many difficult issues and failures involved in certain upgrading projects while other entries are more transparent.

4.5 Supporting scaling up with GLTN partners

As discussed above, the inventory process should include assessing and identifying community initiatives that could be scaled up or community-backed initiatives that have been blocked when going to scale and analysing how they could be unblocked. This activity may overlap with the grassroots participation in development of large scale land tools but the focus is clearly on evaluating and supporting existing but scalable community land tools and community-led initiatives.

Partners involved in the GLTN may be able to immediately identify specific areas where such action could be taken. Proposals for supporting the upscaling of various community land initiatives and unblocking existing initiatives should be reviewed in a transparent and objective manner by GLTN and its partners, with grassroots participation as far as possible. These proposals should be assessed according to the criteria in Chapter 2 and Box 12. GLTN plans to host a workshop in the second half of 2009, to evaluate potential pilot projects to be supported and to mainstream the grassroots mechanisms work in the Network.

Strategic partnerships should also be formed across the GLTN network in order to ensure that the scaling up has the highest chance of success. Of course there will be a limit to what is financially feasible due to resource constraints. GLTN may be able to play the role of indicating to grassroots groups or other organizations where they might be able to find funds as well as generally urging governments, donors, professionals to devote more resources to this area.

5.0 Strengthening the capacity of the grassroots

One of the key lessons learned emerging from chapter 2 was the need to build the capacity of the grassroots to initiate and participate effectively in land tool processes. For instance, in a report on best practices on security of tenure and access to land, UN-HABITAT made the following recommendations: [11]

• Capacity to run group-based tenure arrangements should be built in NGOs, communities and local authorities.
• Local communities should build capacity to run local land records and to undertake land administration.
• The development of NGOs should be encouraged and capacity should be built so that they can give technical assistance on fostering social cohesion and dealing with diverse issues.
• Para-legals and land administrators from the community should be trained to assist with land administration, legal advice and regularisation as well as ongoing maintenance.

The phrase 'capacity building' was not developed in the context of local grassroots communities. Rather it emerged in the discourse used to encourage and describe certain forms of external donor and UN support to government authorities in developing countries. Odindo Opiata has pointed out that the use of the word 'building' displays an underlying paternalism. In the case of communities (and often governments too), there is already existing capacity. Viewing communities as empty buckets to fill with information risks a waste of significant resources and time and a lower likelihood of achieving concrete outcomes. The challenge is therefore to strengthen existing capacity through appropriate partnerships and it is in the sense that word 'building' is used here.

The word, 'capacity', has equally been challenged by many GLTN civil society partners for envisioning a more technocratic approach in working with communities and other stakeholder. Community mobilisation/ organisation and knowledge about rights are affirmed as at least equally important. Indeed, the successful case studies presented in this working paper generally evince a mix of the two. Therefore capacity should be understood as embracing both technical-related knowledge and individual and collective empowerment.

A range of capacity strengthening approaches has already been discussed in GLTN's concept paper on grassroots mechanisms. GLTN partners identified the need, however, for a wider investigation of what capacity strengthening approaches have worked in practice and under what conditions. A first paper on capacity strengthening initiatives by and for grassroots women's groups has been prepared

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11 UN-HABITAT, Handbook on Best Practices, Security of Tenure and Access to Land: Implementation of the Habitat Agenda (Nairobi: UN-HABITAT, 2003), p. 96.

by Huairou Commission and is available on the GLTN website. A second working paper constitutes a desk/web review of grassroots capacity strengthening initiatives and a preliminary review of what existing resources are available for capacity strengthening and some preliminary criteria for assessing capacity strengthening processes.

5.1 Types of Capacity Strengthening Processes

The case studies reveal that a wide range of capacity strengthening processes were used. More successful projects tended combine different approaches and could be characterised as: 'learning techniques', 'learning the law', 'learning by doing', 'learning by exposure'. However, the success of these capacity building approaches was very much predicated upon the level of overall 'empowerment' of the community. This was highly conditioned on community mobilization as well as the quality of community leadership and the legal, social and political environment.

Box 13: Different types of capacity strengthening

Learning techniques
In Mindanao island in the Philippines, indigenous peoples used a mapping technique called participatory 3D modelling (P3DM) which involves visualisation of their territories in scaled relief models with use of GPS data and use of computers for data storage and analysis devices. SDI federations in Malawi have developed techniques for community-driven enumeration of urban settlements at scale.

Learning the law
In Madagascar, campaigns were undertaken to improve land literacy through a wide range of means from trainings, to posters, documentaries and audio tapes. Where such legal empowerment is instituted at the village level in can have remarkable impact. A village by village information campaign in Laos led a massive increase in joint registration of farms by women and in crease in mortgages taken by women to improve farming operations.

Learning by doing
In Nicaragua, MOVIMONDO not only helped farmers with knowledge about obtaining legal land titles for their farms but helped the 300 farmers identify the border parcels according to the law and 100 landless families access land. In Pakistan, 129 families organised and negotiated their own resettlement and used the visualisation process to design their future houses.

Learning by exposure
Huairou Commission identifies that there is 'a great need for exchanges of experience between grassroots women' and SDI federations have a long standing tradition of supporting 'local learning and innovation [through] a regular programme of local, regional, national and international community exchanges.' DAMPA in the Philippines helped mobilise informal settlement communities to work with the government to improve the official Land Administration and Management

Program
Through household surveys and other research, the residents themselves determined the status of land ownership of occupants and the boundaries of occupied lots and peer exchanges helped in the early phases of this work.

Empowerment component

Capacity strengthening processes tended to be more successful where they included a strong empowerment component or were built on a platform of a strongly empowered community. Sometimes the design of a programme can be empowering if it creates incentives for mobilisation and cooperation. In other cases, more aggressive forms of empowerment may be necessary in order to ensure land tenure or implement other land tools such as litigation. The Quilombos communities in Brazil have used petitions and internet platforms and legal defences against private interests seeking to delay titling of their land. Action-oriented learning (and to much lesser extent workshops) also help mobilise communities and increase their level of political empowerment. Enumerations, visualisation activities, participatory planning processes all appeared to strengthen community cohesion.

Sustainability

Sustainability requires that training methods be replicable: "Projects that train officials or NGO personnel in participatory techniques will eventually fail unless they include a strong, primary mandate for the trainer to train others." Concentration of skills in a few people is risky since these people may leave or later lose legitimacy to act. A number of the case studies included train the trainer dimensions.

5.2 Moving forward

Strengthening capacity of grassroots groups is certainly not something that GLTN and its partners can do alone but contributions can be made and innovative practices can be developed and supported. Capacity strengthening can also be combined with capacity strengthening of other stakeholders in their area which would also help partnering. There is a strong need for mutual knowledge transfer between professionals and the grassroots, and the GLTN grassroots mechanism can play a key role in facilitating and promoting this transfer.

Some of the key criteria that GLTN might ask before supporting a project could include:

- How was the need for capacity strengthening identified? If it was a bottom-up request, do the actors have legitimacy in the eyes they are seeking to assist? If a top-down approach, how was the need for capacity strengthening identified and to what extent will grassroots communities be able to control the capacity strengthening process.
- Has the existing capacity of grassroots communities on the issue been clarified before the intervention is made?
- Are the capacity strengthening processes designed in such a way that communities will be able to act on the knowledge, skills and empowerment they may have attained? Is there a process for follow-up?
- Is the capacity strengthening process at scale or have the potential to be scaled up? How cost-effective is the process at scale? Does it

require costly external funding or is it easily replicable and create incentives for communities to participate actively in capacity strengthening processes?

• Is there a possibility for other stakeholders to benefit from grassroots-focused capacity strengthening processes?

GLTN should host a workshop to consider how capacity can best be strengthened and how grassroots organisation and professionals can share skills. New training packages should be suggested. GLTN and the grassroots mechanism should then proceed to develop tailored capacity strengthening training packages in order to reach targeted communities. These might target grassroots groups or communities:

• In GLTN target countries.
• Involved or affected by large-scale land tool processes with which GLTN is engaged.
• Trying to upscale community land tools.
• Developing innovative capacity strengthening programs/projects.

The projects should focus on areas relevant to GLTN, including land administration and management as well as development of effective participatory mechanisms.

The types of project could include:
• Training workshops.
• Training of trainers.
• Community exchanges (see box below).
• Information materials accessible to the grassroots.
• Support for more informal means of capacity strengthening.
• Learning by doing: e.g. pilot projects such as enumerations (see case study on Afghanistan below), land record management.

There should be a continual learning loop whereby these projects are constantly evaluated. In addition, consideration should be given to developing training packages for mutual transfer of knowledge between planners/professionals and community groups. Moreover, there should be opportunities for grassroots groups to use the new "capacity" and implement projects and this should ideally form par of the follow-up process to the capacity strengthening

Many capacity strengthening activities in grassroots land administration and management occur at scale, whether sub-national areas such cities, rural regions, large forests or indigenous territories and, in some cases, national programmes or replication overseas.

In some cases, this operation at a scale occurred through the scaling up of a local grassroots land tool or a pilot project or the gradual expansion of a land-related programme to include more beneficiaries. For example, an incremental housing development programme sponsored by a Pakistan keeps expanding to included new settlements

and has been replicated in other parts of Pakistan. In other cases, the programme began at scale and sought to include capacity strengthening processes for communities with the program design and implementation.

One important lesson is that scaling up capacity strengthening and land-related activities appear to proceed quickly where transaction costs are low. Highly centralised supply-driven organisation of capacity strengthening processes seemed to deliver fewer results than those programmes which created stronger demand from communities. Examples that would fall into the latter would be (1) local community processes that were successful and were replicated elsewhere as other communities were more receptive to the message (2) centralised land-related programmes that incentivised community mobilisation and capacity strengthening which was necessary in order to reap the benefits and (3) potential denial of rights which created demand for knowledge and use of land rights.

NGOs at some level often appear to be the glue in all scaled up processes, particularly in the transmission of information. Therefore, decisions of NGOs as to which types of capacity strengthening processes to include appears to be key in practice where grassroots communities are not mobilised at the regional or national level. Norfolk and Liversage note that in Mozambique the land reform program was held back by lack of capacity in the land ministry, district and provincial offices and amongst NGOs.

In addition, consideration should be given to developing training packages for mutual transfer of knowledge between planners/ professionals and community groups. Grassroots groups often have considerable capacity and knowledge and can be peer trainers as well as experts to train outsiders (see Box 13).

6.0 Institutional arrangements

6.1 Promoting grassroots participation within GLTN

GLTN's work on ensuring that effective grassroots mechanisms are promoted and embedded in land tool development processes should ideally be co-led by grassroots representatives. This is a challenge for GLTN. It is an international network based on a limited set of partnerships with international agencies, donors, States and civil society. Moreover, the targeted grassroots groups represent a very large number of people.

The current leadership within GLTN on developing grassroots mechanisms has been by official international civil society partners, namely Huairou Commission, Slum Dwellers International, Hakijamii and the Centre on Housing Rights and Evictions. At the Nairobi grassroots mechanism workshop, the participants indicated that these civil society organizations should continue to play this facilitating role with two recommendations:

1. There should be an attempt to gradually draw in more rural-focused organizations and international organizations/associations with grassroots membership.

2. The grassroots be actively involved in the work of GLTN and that activities not be confined to participation by experts, professional civil society representatives and international agencies, but also include sufficient grassroots participation in these processes.

To meet both these recommendations, GLTN partners, particularly civil society organizations, GLTN and its partners should gradually develop a roster of grassroots groups and individuals with expertise in various areas and who could be called upon to assist the Network. This list could be the basis of an ad hoc grassroots network that could cooperate with GLTN.

Consideration has also been given to developing a more formal grassroots

"GLTN and its partners should gradually develop a roster of grassroots groups and individuals with expertise in various areas"

panel or forum of individuals from existing grassroots organizations and some civil society organizations to be associated with GLTN.

6.2 Language and communication

Effective grassroots participation requires attention to different languages, the complexity of language and various communication forms. Consideration should therefore be given to funding as many documents in other languages where they are relevant. Since GLTN has a strong focus on Africa and Islamic tools, French and Arabic might be prioritised followed by Spanish. Basic information on GLTN's website should be made multi-lingual as soon as possible. Where GLTN is engaged in the development of a particular land tool, particularly at country level, significant attention should be given to using a language spoken by the grassroots groups involved in the process, or at least ensure interpreters and translators are used.

Where appropriate (for instance in capacity building exercises or tool development processes), consideration should be given to less formal modes of communication, such as radio and theatre.

Editing for plain language, providing translations and interpreters and using non-conventional communication forms can be an expensive exercise but it is indispensable for having an impact and going to scale regional, nationally and globally. A portion of the GLTN budget should be allocated for this purpose but in order to ensure cost effectiveness, trusted local translators and interpreters should be preferred over international or western-based professionals.

6.3 Evaluation of GLTN's work on grassroots mechanisms

The work by GLTN on grassroots mechanisms, like its other activities, is at an early stage. However, an evaluation should be conducted within three years (by end 2010) of the extent to which it has successfully:

- developed adequate criteria for grassroots mechanisms.
- promoted it effectively amongst GLTN partners.
- applied it in practice during tool development
- sufficiently engaged the grassroots in its activities.
- been piloted.

The evaluation should also determine whether the GLTN framework and methodology should be adjusted to ensure more effective inclusion of grassroots mechanisms in practice and grassroots participation within GLTN. The evaluation should involve some participation by the grassroots themselves.

The Global Land Tool Network

The main objective of the Global Land Tool Network (GLTN) is to contribute to poverty alleviation and the Millennium Development Goals through land reform, improved land management and security of tenure. The Network has developed a global land partnership. Its members include international civil society organizations, international finance institutions, international research and training institutions, donors and professional bodies. It aims to take a more holistic approach to land issues and improve global land coordination in various ways. These include the establishment of a continuum of land rights, rather than a narrow focus on individual land titling, the improvement and development of pro-poor land management, as well as land tenure tools. The new approach also entails unblocking existing initiatives, helping strengthen existing land networks, assisting in the development of affordable gendered land tools useful to poverty-stricken communities, and spreading knowledge on how to implement security of tenure. The GLTN partners, in their quest to attain the goals of poverty alleviation, better land management and security of tenure through land reform, have identified and agreed on 18 key land tools to deal with poverty and land issues at the country level across all regions. The Network partners argue that the existing lack of these tools, as well as land governance problems, are the main cause of failed implementation at scale of land policies world wide. The GLTN is a demand driven network where many individuals and groups have come together to address this global problem.

For further information, and registration, visit the GLTN web site at *www.gltn.net.*

About this publication

This publication, from the Global Land Tool Network, presents a the grassroots mechanism it plans to promote for the effective inclusion of local community groups (grassroots). The involvement of the grassroots is crucial at all stages of land-related processes. However, many pro-poor land policies are developed and implemented with weak grassroots participation, leading to project failure or outcomes that do not assist women or people living in poverty. This report provides detailed criteria to assess grassroots participation in order to determine whether it is genuine, effective and rights-based. It then goes on to describe approaches for achieving such participation via four strategic activity areas:

1. Ensuring grassroots participation in large-scale land tool development.
2. Scaling up community-led initiatives.
3. Building the capacity of the grassroots to engage in land administration and land management.
4. Promoting grassroots participation approaches amongst GLTN partners.

Taken together, these approaches define how GLTN sees grassroots mechanism operating within the development of land tools. They will prove helpful to programme planners and decision makers at different levels of the land sector.

UN◉HABITAT

GLOBAL LAND TOOL NETWORK

GLTN contributes to the implementation of pro-poor land policies to achieve secure land rights for all
www.gltn.ne