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WHEN WOMEN FARM INDIA'S LAND: HOW TO INCREASE OWNERSHIP?

"We had tongues but we could not speak, we had feet but we could not walk. Now that we have land, we have the strength to speak and walk".[1]

Women have since long played a crucial role in India's agricultural production, and the trend that sees men shifting to non-farm activities further increases their responsibility. The situation of women cultivators is one of tremendous vulnerability: without land titles, they are not recognised as farmers, and thus are not able to access credits and government benefits. This policy brief outlines avenues to address the gap between the reality of many rural women and their entitlements.

Peasants without Land

Women have traditionally assumed most of the workload involved in producing seedlings, sawing, weeding, transplanting, threshing and harvesting.[2] The trend that sees a growing number of men shifting to better paid non-farm rural employment or migrating to cities increases their role in the sector. Today, 75 per cent of the full-time female rural workforce is in the agricultural sector, against 59 per cent for men.[3] Furthermore, while men have diversified activities and typically ally some agricultural work with other employments, the female workforce has remained primarily dependent on agriculture: in rural areas, 62.8 per cent of working women quote agriculture as their primary occupation; in contrast, the share is 43.6 among men.[4]

The reality beneath these trends is one of tremendous vulnerability. Women's involvement in agriculture is higher among vulnerable farmers – an estimated 56 per cent of the female workforce involved in agriculture is in dry-land regions;[5] it is particularly concentrated among small and marginal farmers, and among poorer groups such as Adivasis and Dalits. About one third of female cultivators are unpaid workers on a family farm; those who labour someone else's land receive wages that are at the bottom of India's depressed wage scale, and at least 30 per cent lower than those of their male counterparts.[6] In the absence of adequate support for house chores, the feminisation of agriculture comes as an additional burden for many women, with often dire consequences for their own and their children's health.

"When I go to the field my elder daughter takes care of (my son); she is five years old... The children keep falling ill, but I have to go out and work; we have to fill our stomach in some way or another."[7]

Despite their role in agriculture women hardly own any land. Data uncertainties cloud assessments of the amount of land owned by women, but estimates suggest that less than 5 per cent of agricultural land is operated by women in Uttar Pradesh and no more than 14 per cent in Kerala, where the percentage is highest among all Indian states.[8] A growing body of evidence shows the price of this dispossession, not just for women cultivators but for the overall development of rural India. Without land titles, women have very little access to credit, and are often barred from government schemes to support farmers or extension programmes. At a time when policy makers are concerned about the agricultural sector's poor performance, these systemic obstacles to the productivity of a growing share of the rural workforce do little to overcome the challenges. Based on experience from existing interventions, research and policy debates, this paper suggests:

- Increasing access to land titles for women farmers, by implementing existing policy frameworks.
- De-linking entitlements for farmers from land ownership, and increasing women's access to rural development schemes through affirmative action.
- Supporting women farmers' collectives.

Context

Land alone cannot be the answer to harsh conditions of rural women. Literacy rate among women farmers remain much below the 65 per cent average for the entire female population.[9] In the absence of targeted support, such disadvantages limit women's ability to access government schemes or experiment with new technologies: poor literacy was the difficulty most frequently cited by 45 officials responsible for extending inputs to farmers interviewed in the Oxfam baseline survey.[10] Girls often learn to farm at their parents' home, but as they are married off to increasingly distant families, power relations in the new household and the different ecological context prevent them from translating their knowledge into practice.[11]

Clearly, basic human assets, supportive networks, and adapted infrastructure are key to improve the condition of rural women. But evidence suggests that control over land has a positive impact, not just on women's productivity as farmers, but also on their exposure to domestic violence,[12] their ability to take decisions about household expenditure and about the education of children.[13]

Policy Interventions

"Please go and ask the (government) why when it distributes land we don't get a title? Are we not peasants? If my husband throws me out, what is my security?"[14]

Since the Sixth Five Year Plan (1980-5), the government has stated its endeavor to give joint titles when distributing land and home sites.[15] But figures show the challenges of implementation: an Oxfam baseline study finds that only 9 per cent of 1456 women farmers across Bihar, Odisha, Uttar Pradesh and Uttarakhand share a title with their husbands. Even in regions where governments have been more proactive in distributing them, the quality of land is often poor.

The Ninth Five Year Plan (1998-2002) made more specific recommendations on how to revive the agenda, with a greater focus on single land titles for women. In 2005, the Hindu Succession Act was amended to give married and unmarried daughters a right to a share of ancestral land and property equal to that of sons. But, as was the case for previous attempts, issues of implementation undermined the impact of the reform: studies suggest that very few women are aware of their rights to inherit and that those who are aware fear antagonising local power holders, including their family members.[16] Clearly, land is a central piece of the power dynamics defining a woman's position in her family, her community and when interacting with the State.

▸ Increase access to land titles for women

More than 30 years after the endeavor to provide joint titles to women made it into the Sixth Five Year Plan, the government can rely on a diverse set of policy tools to increase women's access to land. The challenge is one of implementation.

Single titles should be prioritised when regularising government land. The 12th Five Year Plan's new focus on single titles is a significant step ahead compared to the earlier emphasis on joint titles.[17] While a massive privatisation of government land is undue, people who depend on government land should be regularised and given titles in the name of women; commons should be demarcated. Finally, where private land is not available for redistribution, government land is worth drawing on for the proposed Homestead Bill that would entitle millions of women to 0.1 acre of land.

For private land, joint titles should be generalised. While joint titles may not provide the same level of autonomy, a number of arguments suggest that they are a good alternative to single titles: the idea that husband and wife should have equal rights over land has made inroads into rural India – the Oxfam baseline found that only 28 per cent of respondents favoured full ownership by the husband;[18] but social norms remain adverse to women's single ownership of land – even those women who obtained land titles through government programmes often hesitate to transmit titles to their daughters.[19] Furthermore, while many states have done little to distribute joint titles, some regions such as Tripura, Odisha, and of Bihar have made progresses that are worth pursuing and replicating. Similarly, the provision of joint titles for husbands and wives under the Forest Rights Act is worth drawing on and strengthening. Too often, administrative hurdles discourage even those who are willing to shift from single ownership by the husband to joint titles: fees and legal documents that provide a space for one name alone are common obstacles. State and district authorities should prioritise lifting these obstacles, building awareness among bureaucrats and the population, and monitoring the implementation of existing provisions.

Implement the Hindu Succession Amendement Act 2005. The law outlines a framework for gender balanced inheritance practices for a majority of India's population.[20] This could be a game changer, but dismal implementation has undermined the real impact of the reform. District court rules have not been revised; officers are not held accountable for seeking female heirs; the law's implementation is not monitored. As a consequence, local bureaucrats who grapple with insufficient resources and clashing priorities have done little to implement the law. The central government, and more importantly state and district authorities should contribute setting priorities differently: clear guidelines need to be passed on to local authorities, and their performance in ensuring gender balanced inheritance practices should be monitored.

Remove legal obstacles for leasing land to women farmers' collective. In most states, laws prevent peasants from leasing-in land. As a consequence, informal leases have spread, with often unfavourable

conditions for both owners and tenants: they are insecure, and lease-periods are often of no more than one year, thus reducing incentives to make investments aimed at improving productivity. While leases can prolong unequal power relations, examples such as Kudumbashree in Kerala or the Deccan Development Society in Andhra Pradesh,[21] which support women's collectives in leasing land, show that such arrangements can be beneficial when properly framed. In light of this, laws should be amended to allow selected leasing of land for women farmers' collectives, protect rights of tenants and owners, and favour longer leasing periods.

The proposed Land Reform Policy provides hope for the landless.[22] Even if implemented flawlessly, the reforms above will not overcome stark inequalities in land distribution. Estimates based on data from the 2003-4 National Sample Survey suggest that the all-India gini coefficient of land holding is as high as 0.76 (where 1 is maximum inequality), and that more than 41 per cent of the population does not own any land other than a homestead.[23] In light of this, attempts to revive the long-overdue land reform are a thorny but crucial agenda for real change. Examples like Kerala, West Bengal and Jammu & Kashmir, where a wave of reforms in the 1960s increased access to land – even if only homestead land – shows that modest parcels can make a difference for the landless.[24]

▸ De-link entitlements for farmers from land ownership, and increase women's access to schemes through affirmative action

The ambitious agenda for change in land holdings needs to be backed by more pragmatic reforms to address concrete hurdles faced by a majority of women farmers. De-linking entitlements for farmers and land titles is one concrete measure that could have tremendous impacts on the lives of rural women. The definition of farmers as individuals who "possess some land – either owned or leased or otherwise possessed" and are engaged in agricultural activities dominates policy frameworks and broader public opinion.[25] This de-facto prevents a majority of women from accessing benefits such as subsidised inputs from government extension schemes, credits, and government Kisan Kredit Cards, which entitle farmers to low interest loans.

In addition, affirmative action will help overcome gender discrimination. Currently, extension services and information to modern farming technologies reach just 5.7 per cent of all farmers – most of whom are medium and large.[26] Women are almost completely left out.[27] When asked about challenges that limit their interaction with female farmers, extension officers mention difficulties of working with illiterate women, or women's primary involvement in household chores.[28] To overcome such disadvantages, all schemes aimed at supporting farmers should include a mandatory reservation of at least 33 per cent for women.

▸ Support women farmers' collectives

Models such as Kudumbashree in Kerala, the Deccan Development Society in Andhra Pradesh, and Oxfam India supported Pragati Grameen Vikas Sansthan (PGVS) collectives of landless lower caste communities in Bihar suggest that collectivisation can help address some of the challenges faced by women farmers.[29] With the support of the government or NGOs, the model can help them lease in or acquire even where land is scarce. It can help overcome the disadvantages of small and marginal holdings – higher prices of inputs; limited bargaining powers with retailers; poor integration in the supply chain.

The Oxfam baseline shows that women farmers' collectives are relatively widespread not just in regions such as Kerala, Andhra Pradesh and Bihar that are known for their successes in that regard – 21 per cent of the 1456 women respondents across parts of Bihar, Odisha, Uttar Pradesh and Uttarakhand are part of such collectives.[30] Their responses also show the need for support: an overwhelming majority of collectives do not lease or own land, sometimes because they lack seed money or are unable to find landholders willing to lease out land to a women's collective. Bihar, where a high 78 per cent of members of the collectives surveyed in the baseline were leasing land, shows how a conducive policy environment can make a difference in that regard.[31] A land policy that allows collectives to lease land and provides individual titles for each members, as well as seed money and access to credit are crucial components of success.

Beyond this, evidence from several projects suggests that benefits for women's empowerment may include other dimensions if interventions are carefully designed. Indira Kranthi Padham in Andhra Pradesh has made zero tolerance to violence against women a priority. New members have to pledge that they will oppose violence, and a gender focal point in each group ensures the linkage with the police and legal aid cells. Similarly, in Kerala, members of Kudumbashree are trained to identify and rescue survivors of violence, and are supported by institutional linkages with the police and the Panchayat. Evaluation reports for the two projects document several benefits: members feel more confident to venture out alone; they are in a better position within the household; they are less exposed to violence.[32] Such positive outcomes suggest that women farmers' collectives could contribute curbing rampant violence against women in rural India, provided safeguards are included in their design.

The discussion above suggests that providing women with a 'field of (their) own'[33] can contribute rebalancing unfavourable power relations, and lift some of the obstacles they face as farmers. Experience and evidence-based policy debates have outlined the framework needed to increase their access to land: it is time to implement it.

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