

# Women's Land Rights in South Asia: Struggles and Diverse Contexts

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In south Asia, since the 1970s, previously marginalised sections of the rural poor started to organise themselves in movements. In recent years, most of these struggles have been directed against the impact of the liberalising state on the rural poor. For the vast majority, there has been an erosion of livelihood avenues, food insecurity, a loss of assets – owing largely to the loss of their traditional access and control of natural resources. Food security is threatened by loss of biodiversity and loss of knowledge. Women who suffer the most from these trends have in all movements related to these issues, participating intensely, widely and also in leadership roles. While many of these movements have been documented, very little is known of women claiming their rights within these movements. At the same time, many other struggles of women are ongoing for land and other resource rights. These efforts have been isolated but exchanges of experiences are growing and suggest a range of newer strategies are emerging, thereby opening up possibilities for more effective response and common struggles.

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A large majority of the poor women and men from developing countries, south Asia in particular, are rural and dependent on agriculture, a critical productive asset and source of livelihood. However, women are denied rights in ownership and control of land and few have direct access to land in their own right. In India, landownership by women is not more than 2% (Agarwal 1995). Throughout south Asia,<sup>1</sup> and to a lesser extent Sri Lanka, women's landownership remains very low (SANGAT 2008). As south Asian women have historically played significant roles in peasant movements and it is only a few decades since countries in the region gained independence from colonial rule, this new era gave hope for justice, equality, security and livelihood – principles that underlie the constitutions of many of the countries in the region (ibid). At the same time, inheritance patterns in landed property vary within and between countries in south Asia and further, by region, religion, caste, community and ethnicity. These variations have been traced back to the colonial heritage when inheritance and marriage laws were viewed as personal laws of specific communities. Laws enacted later have accommodated customary, religious and pluralistic traditions. Variations also persist, as in India, in relation to inheritance of agricultural land in the tenurial enactments of different states (Agarwal 1994). The liberalisation of states in the region since 1970s-80s, with several nations assuming varied forms of political authoritarianism, provides the wider context in which the engagement with legal rights of women in land emerged since the 1990s. This engagement has become more nuanced as recent field experiences from the region discussed below suggest.

## Women's Struggles, Diverse Contexts

**Pakistan:** About 68,000 acres of state-owned land in Punjab<sup>2</sup> are the site of the most significant popular struggle in Pakistan in recent times, led by Anjuman Muzahreen Punjab. The centre of this tenant struggle was Okara district where the military claimed to own 17,000 acres of land. The source of this struggle was the attempt in 2000, under Pervez Musharraf's military rule, to unilaterally introduce new rental contracts and payment of rent in cash in place of the prevailing *battai* (harvest share as rent) system. This move was in direct contradiction to the policy announcement the same year that "all state land would be allotted to the landless farmers" and to the order to all four provinces to provide ownership rights to farmers who had been working on state land for a long time. What began as a peaceful protest, a

dharna, in October 2002 in Okara, reached a flashpoint in May-June 2003 with the Pakistan Rangers<sup>3</sup> surrounding the farms, cutting off electricity and water supplies and arresting male members of tenant households. It was at this stage that women joined the struggle, a struggle for survival. As one of the women leaders of this struggle, Nazli Javed put it,

Women formed a thapa<sup>4</sup> force. It was meant to wash the brains of the Rangers. Whenever the harvest was ready and the Rangers approached, women would run with the thapas and stop their vehicles. Once a senior officer who we surrounded pleaded that his only child was a daughter and hence he wanted to settle the issue. The Rangers used social pressure too on menfolk, subjecting farmers to forced divorces.<sup>5</sup> Women and children too are part of different forms of protest and now after eight years, no crops have been given to the military which control the land (SANGAT 2008).

The presence of thousands of women in such protests also received wide coverage in the media. Women in Pakistan have a history of leading and initiating public protests for justice, as is evident from the Women's Action Forum – a platform of women's organisations' action in the early 1980s against the Zia military regime against unjust laws – the first public protest of any kind at that time. However, rural women sustaining struggles of peasants for land, and standing up to the security forces, add a new dimension to a mature women's movement in Pakistan which has, through its own struggles for equality and justice, developed a deep understanding of its link with democracy.

**Bangladesh:** Alternating between a representative rule and a military-backed political rule, the lack of transparency in enactment/changes in laws concerning women and the different actors involved, emerged dramatically in Bangladesh in July 2008 when women activists stumbled on the fact that the caretaker government had reversed the National Policy for Advancement of Women (NPAW)<sup>6</sup> passed by the Awami League government in the late 1990s. The new policy dropped provisions of equal rights in property and assets, and struck out inheritance, property, assets, housing and land rights from the list of prerequisites for women's economic empowerment. These changes in policy followed the protests by Islamic fundamentalist groups and clerics to an announcement by the government itself of a National Women Development Policy on 8 March 2008.<sup>7</sup> When women activists approached the Law, Justice and Parliamentary Affairs Minister, Moudud Ahmed, he expressed surprise that the Awami League government could give equal inheritance rights to women. He said, "No government in Bangladesh can commit equal shares in inheritance. It is a very nice deal but will go against Quranic principles". These policy changes "go against the main spirit of the Bangladesh liberation war which was the establishment of peasant rights over land as well as the constitutional provisions of equality", asserted Sultana Akter Rubi, a supreme court lawyer and rights activist (Rubi 2008).

There was a specific government declaration to distribute 4.6 million acres of *khas*<sup>8</sup> land to the landless and to rural poor. The significance of land rights was highlighted by a survey by SAMATA, a rights-based organisation working among rural poor, which indicated that a piece of land, an acre, can ensure food for a household of five members and give the household dignity and

social status (ibid). SAMATA formed the Women Action Committee (WAC) which organised and identified women at household levels, provided legal trainings on procedures and how to approach land administration for *khas* lands including water bodies. Through the efforts of WAC, the landless received 33,381 acres of *khas* lands (one acre for each household, with joint titles) and 80 acres of water bodies on lease (ibid). Mass meetings, with a large presence of women (75% of the gathering) were organised in Rajbari district by the Land and Agrarian Network for Development (LAND) for *khas* land for landless, and water bodies for fishing community households (ibid). What drew so many women to this struggle? Single women present<sup>9</sup> stated that joining other women enabled them to negotiate; and with ownership of land, they would be able to resist harassment. Many women saw the common interest of the husband and wife in acquiring *khas* land and some were already living and working on such lands which were not leased to them, despite several petitions.

We are all involved in this struggle for *khas* land, it is a hard struggle since we have to fight the *jotedar* (rich peasant) and *mahajans* (traders/moneylenders) as well as the police who side with the rich and influential. Look at Ameena, so many false cases have been filed against her and others in the struggle. We have come to show that the law and the people are with them (ibid).

**Nepal:** Although land rights has been the main agenda of peasant struggles in Nepal since the 1940s, the slogan "land to the tiller" did not perceive women as independent tillers. Academic and development discourse also ignored the issue of women's land rights (Basnet 2008a). However, since 2004, in particular, a broad civil society alliance was forged – the National Land Rights Concern Group (NLRG) was formed which, in turn, initiated the National Land Rights Forum (NLRF), or Peoples Organisation (PO), involving 0.8 million rural poor, landless, tenants and 996 activists (Basnet 2008b). The activities included policy debates, research, dialogues with political actors and government officials as well as mass actions. Organisations such as the Community Self Reliance Centre (CSRC) which played a key role in building the NLRF have been advocating women's land and property rights. A report by the Nepal Women's Commission (2004) on women's asset and property ownership, covering 65 of the 78 districts of Nepal, revealed that only 0.78% of the houses were legally owned by women, 5.25% women held landownership certificates in their name, 5.45% women owned livestock, 17% owned property such as ornaments and only 16% earned a regular income (Dhakal 2004). Lobbying for the inclusion of women in the Land Reforms Commission as well as reaching out to the 33% women elected to the constituent assembly were part of these efforts (Basnet 2008b). Sustained campaigns and advocacy by women's organisations led to not only some changes in women's inheritance rights but also in women's land rights, surfacing in debates at the community, political party and government levels and finding a place in the peace process and in the political transition dialogues (ibid).

**Sri Lanka:** The ethnic conflict in Sri Lanka displaced over 8,00,000 in the north and east while the more recent (2004)

natural disaster, the tsunami displaced another 8,00,000, including those displaced by the conflict, some more than once (CPA 2005). While the conflict highlighted the gender dimension in landownership, the government's development plans in the tsunami areas brought the gender dimension in land and property rights to the forefront. This included a re-look at the constitution, the systems of customary and personal laws, and in particular what was being practised on the ground (Wanasundera 2005). The right to land and property is not expressly guaranteed as a fundamental right in the Sri Lankan constitution, although "adequate housing" and "adequate standard of living" are part of the directive principles of state policy. The constitution upholds equality and non-discrimination. On the other hand, customary practices gave women from all communities rights in landed property. Varied laws prevail in terms of property and inheritance rights – the Kandyan law, Thesawalamai (Tamil customary law) and Muslim Law, which give women legal rights, while under the general law women enjoy equal rights (ibid).

When the Centre for Women's Research (CENWOR) in Sri Lanka called a meeting in 2007 of civil society groups to learn and share research findings on women's land rights, the mismatch between legal rights and ground realities was evident. Where legal sanction was lacking, it was more difficult to address the issues. In the Land Development Ordinance (LDO 1935), which forms the basis of distribution of state lands, the heir in the male line (eldest son, male cousin) is recognised by the state. The household is viewed as a homogeneous unit and land is distributed to the male heir as head of household. Even in cases which come before the land *cutcherry* this practice is followed (Sriwardena 2008).

The Women's Housing Rights Program (Wanasundera 2005) began to engage with the government on the issue of joint titles to land. The LDO gave land title only in the name of one person. Nothing was found in the law that denied joint ownership. Grants of state lands to the tsunami-affected were being allocated under the LDO. The common perception was that this ordinance did not permit joint ownership in the allocation of state lands. The land commissioner's department revealed that there was no express prohibition in the law conferring joint ownership titles. It had emerged as a practice for the sake of administrative convenience. The land commissioner initially held that joint titles were part of the law but in practice the single title was more convenient since couples fought over land. He, however, agreed to act on this issue only if the attorney general gave him the authority. The attorney general was approached through the ministry of land, a list of questions was submitted, and a positive reply was received in early 2008 in favour of joint titles. It was decided that a government circular would also be sent to the local levels.

### Male as 'Head of Household'

The concept of male as head of household, at the heart of the issue of joint titles, was reflected not only in social perceptions and in the thought process of government officials, but also in the national accounting systems (e.g. census), government programmes and schemes, birth and marriage certificates, voter's list and so on. This disregarded the Department of Census and Statistics' own data showing 30% households being female

headed. As revealed in a study by Emmanuel (2006),<sup>10</sup> many households were headed by women owing to conflict, death threats to men during war, natural disaster and migration. The male head of household concept ignored the ground realities, the economic contribution of women to the household, the contribution of other members of the family in decision-making, the different types of families, even among those which are female headed (ibid). A survey among women landowners showed that 44% of women had inherited property, 8% received it as gift, 20% purchased it and 28% acquired it by other means including encroachment. Sixty-four per cent of women had clear titles. In the coastal areas affected by tsunami, Muslim women owned 95% of the land. However, 85% of the land given by government or the private sector after tsunami was in the name of husbands, where the original title holders were women and 85% held that the form for such grant of land contained the category "head of household". It is notable that 30% of the women took legal action to claim property held in their name, 31% lodged complaints and 10% initiated other action (COHRE 2007).<sup>11</sup>

**India:** In India, agrarian reforms through the 1950s and later took place at a time when gender equality was marginal to the policy agenda and women's organisations lacked their current visibility. Hence, in most government land reform programmes and land transfers, women's land rights remained marginal. Apart from the personal laws, tenurial laws also impacted women's landownership in varied ways since land laws remain a state subject. However, owing to intense lobbying by women's organisations, academics and even policymakers, joint titles and other land-based entitlements found a place in the five-year plans since the 1980s (Velayudhan 2008). It took almost half a century to amend (2005)<sup>12</sup> the Hindu Succession Act (HSA 1956), giving Hindu women equal inheritance rights to agricultural land and overriding the state tenurial laws. Daughters, including those married, also became copartners in joint family property. However, legal changes remain a vision as ground realities and the diverse forms and levels of engagement on women's land rights suggest.

Following the strike for minimum and equal wages by women agricultural workers in 1989 when women refused to harvest the crop, the Mahila Mazdoor Evam Laghu Kisan Morcha was formed with the support of DISHA (Saharanpur, UP). In June 2006, a campaign called "Aaroh" was launched, along with other organisations,<sup>13</sup> in 10 districts of UP for recognition of women as farmers (Tiwari 2008). A survey preceding this campaign covering 10 villages of these districts and 2,500 women farmers revealed that women were perceived as labourers and not as farmers. In January 2007, the Mahila Kisan Hit Adhikar Yatra or procession covered five gram panchayats.<sup>14</sup> Women farmers from each gram panchayat handed letters to the pradhan of the villages demanding access to the government schemes for agriculture. Representations were made to district magistrates for recognition of women at policy levels. Using varied folk forms including a play "Mahila Kisan", travelling on foot and in bullock carts, the campaign/*yatra*, since 2008 has been extended to all 70 districts of UP, with DISHA itself directly promoting the

campaign in 14 districts of western UP. This includes orientation meetings at local and later at district levels, visits to government departments to gather data on women farmers, to banks for Kisan Credit Cards in the name of women and to tehsils to determine women's membership in Mandi Samitis. A state-level workshop held in Lucknow involved organisations from 50 districts.<sup>15</sup>

### Role of Women's Organisations

Organisations have emerged focusing on specific categories of rural women, such as the Ekal Nari Shakti Sangathan<sup>16</sup> (ENSS, formed in 1999 and now extending over 27 of the 33 districts in Rajasthan). Focusing on widow rights to land, ENSS decided to adopt the strategy of direct action at the local level instead of approaching the courts. According to Chaggibai Bhil, a leader of ENSS, "in the 27 zillas that we work, we cannot be going to court all the time. There have been 150-180 cases in past five years, 60 in the past year alone. Where there are barriers, those cases go to court, sometimes there are setbacks too. Court cases are lengthy, take a lot of energy" (SANGAT 2008).<sup>17</sup> When a widow approaches ENSS, a committee is sent to the *patwari* (revenue clerk) to look at land records. A date is set by ENSS for claiming the land, the collector is approached but he generally sends a revenue official. High level police officials, an elected member of the panchayat, as also members of other civil society organisations are invited. The *patwari* reads out the title, usually to the brother-in-law, who may not show up. In declaring the title, women's organisations, policy, administration, elected representatives and sometimes caste panchayat members are involved. As Ginny Srivastava, a founding member of ENSS, put it, "she farms her land, feeds her children, gains dignity and justice becomes a reality". This approach has been successful with lawyers giving only legal advice (*ibid*). ENSS has been formed in Himachal Pradesh where one of the demands for single women include two acres of land on long-term lease from the government's pool of surplus land. In Kutch, Ekal Nari Shakti Manch (ENSM) was formed after the earthquake and now extends over seven districts in Gujarat. Demanding land for single women, the ENSM pointed out that a May 2005 GR by the state government had allocated 45.6 lakh hectares of wasteland to corporates and big farmers on a 20-year lease. To date, ENSM has succeeded in getting property rights, including land for 215 women; 7,200 applications have been made to the local administration and 25 women have got a house/plot from the husband's property (*ibid*).

The outcome of laws, state policy, a government programme for women's land rights on the ground with varied interests/actors is located within a nested hierarchy of local governance institutions. This involved negotiations, winning cooperation (if not support) at these many levels and leading to a multi-pronged strategy, as the experiences of the Working Group on Women and Land Ownership (WGWLO), a Gujarat-based network of 23 organisations, indicate (Velayudhan 2008). This is perhaps one of the few state level networks in India working on women's land rights, suggesting the significance of separate focus and emphasis by establishing the importance of the issue among rural women, building organisations of support, influencing the development dialogue in the state among the different actors at local

levels including the land administration and policy. Two participatory studies by WGWLO played a significant role in developing strategies. The study of women's agricultural landownership in Gujarat (WGWLO 2004)<sup>18</sup> covered 10 districts, 15 tehsils and 23 villages. The study pointed to the deprivation of a basic productive resource for rural women, land in a state showing high indicators of economic development.

In the 23 villages studied, 4,188 men (81%) as against 561 (11.81%) women owned land. The land is owned jointly or individually or in the marital place by women. Of the 403 cases of landownership by women for which data could be collected, 193 or 47.89% owned land following widowhood, 167 (41.43%) were given ownership to avail benefit from government programmes, to escape land ceiling, get tax benefits and save expenses of paying bribe to the *talati* (revenue official) for entry of the name in the land records (*talatis* took lesser bribes from women). In 18 (0.04%) of the 403 cases, women received landownership because the parents had no male heirs. There were three cases where women owned the land since their husbands were not farmers and hence not entitled to own land. There were 10 cases from tribal and Muslim communities who received land when their husbands married a second time. In case of second marriages which may be common, though not socially acceptable, the *Panch* (informal organisation of caste/community leaders) pressurises the husband to give part of his land to the first wife. From the 23 villages, 111 cases of informal ownership of land by women were identified. In-depth interviews of 60 such cases showed that 28 were widows. As a widow pointed out, "Today I am scared of my brother-in-law and father-in-law not giving my share. Tomorrow when my son grows up, I will be scared of him taking away the land in his name, leaving me nothing to depend on" (*ibid*).

### Tiding over Difficulties

Women not only owned less land than other household members but also land of poor quality – low productivity land. The study also brought out the link between landownership, marital status and categories of women – as daughter, wife and widow. There was very little social support for a daughter's claim to land. Comparatively, there was more support for widows from the maternal family and from sons, and to a lesser extent from the *talatis*. There were cases of land transfer by the husband to provide security to the wife in the eventuality of his death. The opposition to land transfer came mainly from her in-laws. The study also showed that women landowners paid their land tax regularly. Some women landowners cultivate the land themselves and also market the produce. Women, including married women landowners took part in deciding the crop to be sown. As a woman landowner stated, "Since it is my field, only I will decide what to sow, who else will do it?" (*ibid*). At the same time, many women, in particular widows, have changed cropping patterns owing to lack of access to credit, knowledge, guidance and support from family members. Women landowners faced several constraints such as lack of financial support during crisis, denial of water on a shared basis during irrigation, lack of information on agriculture, lack of implements to cultivate on time and over-charging

or unwillingness of the tractor owners to till the land. Widows faced the widest range of such constraints. The caste panchayats play an important role in rural life and carry patriarchal mind sets as is also the case with the local revenue officials – talati, mamlatdar – with a few exceptions.

As women's federations and NGOs faced an increasing number of women wanting to secure landownership, the need for legal knowledge became more pressing. A paralegal action research (December 2005-April 2006) enabled a group of 25 paralegals to emerge through a process where they themselves identified 1,376 cases, handled 1,170 cases and submitted 904 applications to the local land administration. The cases concerned private land-ancestral land/husband's land, public land, women's/joint ownership and ownership by women's collectives. These provided insights into the types of cases, barriers at social, legal and administrative levels, while the paralegals themselves developed a perspective on women's landownership (Vasavada 2007). An action research with another state level network working on gender and governance, the Mahila Swaraj Abhiyan (MSA), was conducted so as to understand the role that women sarpanch could play in expediting cases of women's landownership. Orientation and regional workshops led to women sarpanch taking up cases, following up on them, exercising their power both with the officials and with natal and marital households of women. These early steps by the WGWLO prepared the ground for building ownership of the issue among different sections of rural women, building support groups, developing strategies for negotiations at the local levels and identifying policy issues (Velayudhan 2008).

### Case of Andhra Pradesh

That land reforms and justice for the rural poor, women in particular, an active agenda, was brought to the forefront by the Andhra Pradesh Vyvasaya Vrithodaala Union (APVVU) which was formed as a federation of trade unions in 2001. Its roots go back to 1987 when 17 groups initially struggled for equal wages. The organisation then focused on release of bonded labour in Ibrahimpatnam and linked their release with employment guarantee and a rehabilitation package which included land. A study conducted on the government's programme for distribution of ceiling surplus land showed that 60% of the land distributed reverted back to the rich landlords. APVVU launched a non-violent struggle and women in the forefront raised slogans such as "Men have sold/lost the land, women will fight for land and get it back". The union's strategy was to identify land that was available and launch direct action. Women's leadership, action research and direct action are at the core of this strategy. Approximately 1,82,000 acres of land have been taken from landlords who illegally occupied public land. About 90% of this land was distributed among women – 60% to dalits and 30% to adivasis and 10% to backward castes in Anantpur and Kurnool. The APVVU then started a collaboration with the Deccan Development Society (DDS) (Rao 2008).<sup>19</sup>

DDS started its activities in the semi-arid Deccan region of Andhra Pradesh. The initial work involved digging of wells by men. However, soon the wives began to press DDS for loans. This taught a lesson to DDS – to keep their ears open to what women

are saying. The DDS strategy was to lay claim to common lands: first map the arable lands, and then organise dalit women to gain control of the same. Very poor women used to collect stones for building bunds, earning Rs 100 for 10 days work. Their survival was at stake, and the formation of women's organisations-*sangams*, served as the base for developing survival strategies and building alternatives. Women's survival strategy was multiple cropping. With the adoption of multiple cropping, the possibility of a complete crop failure was reduced. Women grew 89 traditional varieties. They preserved the seeds. There were no external inputs, they used manure. Their traditional knowledge was being eroded owing to the promotion of chemical agriculture. An analysis of the public distribution system (PDS) indicated its bias towards the upper classes. Bajra, ragi and millets grown by the poor were not used by the PDS.

Women were organised in each village and 100 acres were cultivated using government programmes such as the then Jawahar Rozgar Yojna (JRY). A grain bank system was developed in 3,000 grain banks in 78 villages. Dalit women documented 132 varieties of uncultivated greens. Jatras were conducted to promote people's knowledge. Food security at the household level was crucial. Control of seeds as also having a variety of seed banks can ensure such security. One of the leading sangam members, Lakshamma had knowledge of 81 varieties of seeds. Earlier, dalit women were dependent on landlords for seeds, which made them prey to their oppression if the women defaulted on payment. Now landlords ask for seeds and have to show respect to women. De jure control on land was not sufficient, de facto control and what was grown on the land was important.

The International Crops Research Institute for the Semi-Arid Tropics (ICRISAT) scientists worked with women farmers on seeds to learn from them what took longer to cook, check the taste, etc. There is a debate which centres on what kind of agriculture needs to be promoted; a debate involving experts, scientists and women. The Andhra state plan is being opposed as it will push 60% of the people out of agriculture. Its key strategies are: all inputs are externalised, markets are out of control, seeds are out of control. The fight of rural women is for land, low input agriculture, organic, own inputs, face external market (sell/buy from each other), seek support of government programmes, wherever possible, to these alternatives. There was a need to believe that the poor, women in particular, do have answers once the issues are understood.

### Conclusions

Since the 1990s, women's engagement with issues of land rights have led to varied land alliances and coalitions in the post-colonial, developing countries in particular. In several African countries, these have emerged in the context of new legislations or constitutional changes in land tenures. In south Asia, since the 1970s and 1980s, previously marginalised sections of rural poor have started to emerge in movements of peasant organisations, tribal/indigenous, dalit, landless, environmental and also in women's movements. In recent years, most of these struggles have been directed against the impact of the liberalising State on the rural poor. For the vast majority, there has been an

erosion of livelihood avenues, food insecurity, assetlessness, owing largely to the loss of their traditional access and control of natural resources – forests, pasture land, agricultural land, the coasts, water and water bodies. Food security is threatened by loss of biodiversity and loss of knowledge. Women, who suffer the most from these trends, have in all movements related to these issues, participated intensely, widely and also in leadership roles. While many of these movements have been documented, very little is known of women claiming their rights within these movements. At the same time, many other struggles of women are ongoing for land and other resource rights. These efforts have been isolated but exchanges of experiences are growing and suggest a range of newer strategies, data and

analysis emerging, thereby opening up possibilities for more effective response and common struggles. Central to the varied levels of engagement and in diverse context, is the gap between the law, policy reform and actual practice. It is at the community level that such gaps are most glaring and hence need to be addressed. These include social norms and perception, lack of an enabling land administration, lack of awareness including legal awareness among women themselves, and the wider economic and political dynamics. This has made organisational strategies multi-pronged – community approach, raising awareness, conducting participatory research, building capacities at different levels and among different actors, advocacy – and widening the concept of justice at its centre.

## NOTES

- 1 SAARC countries India, Pakistan, Sri Lanka, Bangladesh, Nepal are the context of this paper.
- 2 The British colonial administration had first leased what were then known as "Crown lands" in 1908, setting up military farms to produce subsidised grain and dairy products for the British Indian Army. After Partition, management of the farms – scattered around Lahore, Okara, Sahiwal, Khanewal, Sargodha and Multan, mainly in the Southern Punjab – passed to the Ministry of Defence and the provincial government. Male tenants and their direct descendants who cultivated the land for more than two generations and changed the land into one of the most fertile lands in the country, had the right of permanent occupancy. In the military-run farms, the farmers handed over part of the harvest shares or battai system (as per the Punjab Tenancy Act, 1887) to the military, one of the largest landholders in Pakistan.
- 3 The Pakistan Rangers are a paramilitary force for border security. The military did not hold the legal title to the land under dispute, the Okara Military Farms but held a long-term lease from the Provincial Punjab government.
- 4 A wooden bat traditionally used by women to wash clothes at river or canal banks.
- 5 The Rangers targeted sons-in-laws of tenants who refused to consent to the new contracts, torturing them to agree to divorce their wives. The aim was to publicly shame fathers-in-law since divorce was perceived to bring dishonour to the bride's father and his family in the rural communities.
- 6 The NPAW had been formulated as part of post-Beijing process and adopted in 1997.
- 7 The caretaker government had formed a 20-member committee "to identify inconsistencies in policy as per Islamic rules and suggest steps". The changes in policy followed. See SANGAT (2008): *Report of the South Asian Workshop on Women's Land and Other Land Based Resources*, held on 21 July, Colombo
- 8 Public land and includes water bodies.
- 9 Female-headed households are 12% of all rural households but they rarely get a chance to acquire khas land, according to Dr Abul Barkat's study *Political Economy of Khas Land in Bangladesh* (2001).
- 10 This survey was part of a national survey of eight districts conducted by the Centre for Women's Research (CENWOR), Colombo.
- 11 COHRE Report (2007): "Post-Tsunami: Women and Their Right to Own Property: Report of 100 Case Studies from Southern and Eastern Provinces in Sri Lanka". COHRE has also prepared a gender guideline to tsunami.
- 12 The HSA Amendment (2005) was based on the 174 Law Commission Report. In response to the questionnaire circulated to organisations and individuals prior to the report, 88% of respondents asked for changes to the discriminatory clauses on inheritance of agricultural land.
- 13 The campaign is being coordinated by Gorkhpur Environmental Action Group (GEAG), a premier NGO of the state. The campaign covers 10 western districts of Uttar Pradesh, namely, Muzaffarnagar, Meerut, Bijnaur, Bulandshahar, Muradabad, JP Nagar, Ghaziabad, Rampur, Aligarh and Saharanpur. Disha implemented the campaign in these districts through its partner organisations and directly in Saharanpur district.
- 14 Khera, Mewat, Bargaon, Bhojpur, Dasa Majra, Gathera villages.
- 15 A GEAG study of agricultural extension in eastern UP (2004) showed that among the 250 *Kisan Mitras*, only one was a woman and date in 2006 that all *Kisan Mitras* were male. Another survey showed that women's participation in farmers training programme was nil and women's participation in the land committee of the gram panchayat was the same. Most women were unaware of the Mandi Samiti.
- 16 The term *Ekal Nari* or single women, unlike its popular perception, not only comprises single, unmarried women but also divorced, abandoned, widowed. At least 8% of all females in India are widows. Besides, there large number of women who are separated, abandoned, thrown out or walked out, stay single by choice. If 10-12% of all women fall in this "single women category", the number could be over 55 million.
- 17 Report of National Workshop on Women, Land and Property Rights with Special Reference to Single Women held on 3-4 October, Kangra, Himachal Pradesh. A follow-up workshop was held in February 2009 in Saharanpur, organised jointly by SANGAT, DISHA, JAGORI rural.
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