

Women and Land Ownership: A Case Study of Sundarbans in West Bengal

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By

Mandakini Halder

Dissertation Supervisor: Dr. V.J. Varghese



Centre for South and Central Asian Studies

School of Global Relations
Central University of Punjab, Bathinda
May, 2013

DECLARATION

I declare that the dissertation entitled **Women and Land Ownership: A Case Study of Sundarbans in West Bengal** has been prepared by me under the guidance of Dr. V. J. Varghese, Assistant Professor, Centre for South and Central Asian Studies, School of Global Relations, Central University of Punjab. No part of this dissertation has formed the basis for the award of any degree or fellowship previously.

(Mandakini Halder)
Centre for South and Central Asian Studies
School of Global Relations
Central University of Punjab
Bathinda-151001
Punjab, India

Date:

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Mandakini Halder

CERTIFICATE

We certify that Mandakini Halder has prepared her dissertation entitled **Women and Land Ownership: A Case Study of Sundarbans in West Bengal** for the award of M.Phil degree under my supervision. She has carried out this work at the Centre for South and Central Asian Studies, School of Global Relations, Central University of Punjab.

(Dr. V. J. Varghese)
Assistant Professor
Centre for South and Central Asian Studies,
School of Global Relations,
Central University of Punjab,
Bathinda-151001.

Date:

ABSTRACT

Women and Land Ownership: A Case Study of Sundarbans in West Bengal

Name of student : Mandakini Halder
Registration Number : M.Phil-PhD/SGR/SCA/2011-12/01
Degree for which submitted : Master of Philosophy

Supervisor : Dr. V.J. Varghese
Centre : South and Central Asian Studies
School of Studies : School of Global Relations

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This dissertation is an attempt to look into the discrimination of women based on gender in accomplishing property rights with special reference to Sundarbans in West Bengal. The study highlights the fact that the concept and policies of landownership, which India inherited from the colonial rule, remain significantly gender blind due to the subordinate position Indian modernity/nation offered to women. The legal and policy interventions of late to bring gender justice in landownership and inheritance have achieved little success due to entrenched patrifocal social norms. Undertaken with a considered presumption that landownership and right of inheritance is crucial in achieving gender equality and gaining self and social respect for women, the study brings out socio-economic implications of land ownership to rural women in Sundarbans. It is found that landownership by women can make significant changes in their own lives and that of the family, materially and socially, though social, familial, administrative and economic obstacles blocks them in retrieving their share in the paternal property and claiming their husband's property. The women has to fight an embedded rural patriarchal commonsense in order to claim, own and manage landed property.

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ABBREVIATIONS

AL	Acquired land
ALRS	Agricultural Labourers
BTA	Bengal Tenancy Act
CBBP	<i>Chash-O-Basobaser Bhumi-dan Prakalpa</i>
EIC	East India Company
FAO	Food and Agricultural Organization
FHH	Female Headed Households
GOI	Government of India
GoWB	Government of West Bengal
G-P MEMBER	Gram Panchayat Member
HHs	Head of the Households
HSA	Hindu Succession Act
IL	Inherited land
ISA	Indian Succession Act
JHH	Joint Headed Households
JP	Joint Patta
L.S.G	Local Self Government
MHH	Male Headed Households
NGNB	<i>Nijo Griho Nijo Bhumi</i>
NGO	Non Governmental Organisation
OBC	Other Backward Caste
SC	Scheduled Caste
ST	Scheduled Tribe
UN	United Nations

UNDP	United Nations Development Programme
UNECA	United Nations Economic Commission for Africa
UNHR	United Nations Human Rights
UNICEF	United Nations International Children's Emergency Fund
WBEAA	West Bengal Estate Acquisition Act
WBLRA	West Bengal Land Reform Act

INTRODUCTION

Land has been recognized as a basic source of livelihood and primary source of wealth, social status and power, particularly in the developing countries like India. It provides employment to billions in the rural areas and is at the centre of the food production and nutritional health.¹ Since land is considered to be a basic asset, land ownership and land distribution is seen as crucial to the projects of mobility and social development in the modern times. It is increasingly realized that disparity in land ownership is one of fundamental reasons of socio-economic inequality. The condition of the most vulnerable sections of the society, whose lives revolves mostly on agriculture and related spheres, in this regard is appalling. It is estimated that 56.5 percent of Dalit households in India do not own any land other than their homesteads as in 2003 (Bakshi 2008: 9). Adding to the problem is the strong gender dimension attached to the issue of landownership. According to the global estimates given by the Food and Agricultural Organization of the United Nations (FAO), one quarter of agricultural land holdings in developing countries are operated by women, but low rates of female land ownership significantly obstruct access to financial assets, including credit and saving, resulting negative effect on food security and wellbeing (FAO 2010). The proportion of women landholders as a share of the total landholders is 9.2 percent, against 119 lakh farmland holders in India (FAO 2010a).²

India is one among the countries having highest ratio of gender disparity in the world and denial of land ownership to women is arguably one of the fundamental factors behind the problem.³ The ownership and control over land by women can potentially empower them in significant ways and lead to gender equality alongside

¹ According to the World Bank Report, published on 17th May, 2012, under the featured story "India: Issues and Priorities for Agriculture" nearly three-quarter of Indian families depend on agricultural. Available on <http://www.worldbank.org/en/news/feature/2012/05/17/india-agriculture-issues-priorities> (Accessed on 10 February 2013)

² There is no uniformity of opinion on the reliability of estimates available on this question. There are others who believe that women own only an estimated 1-2 percent of all titled land worldwide (Rabenhorst 2011: 4). The Indian case wouldn't differ.

³ According to economic survey of 2010, Gender Development Index of India is currently at 0.594, with India ranking 114 out of 155 countries; see "Gender Disparity Still Wide; India ranks 114th globally," 26 February 2010, *Times of India*.

addressing material and nutritional deprivation.⁴ Land is just not a productive asset and source of material wealth but a source of security, status and recognition. In the rural areas in particular though both men and women work together and in the absence of men women undertake the responsibility of agriculture completely, the landownership pattern remains highly unfavorable to women.⁵ The gender inclusiveness in access and ownership of land remains unrealized irrespective of legal structures created exclusively for the purpose due to the hegemonic patrilocality in our society and governance. In traditional or 'customary' societies, women's direct access to land through purchase or inheritance is often limited, yet they may have usufruct rights. In such societies women are usually the major household food producers and there are usually customary provisions for indirect access to land in terms of usufruct rights acquired through kinship relationships in the capacity of wives, mothers, sisters, or daughters. However, the usufruct rights do not grant enough security for women, instead fix them in dependency. The hegemonic patrilocality is such that even those women who are heading households are left with hardly any effective decision-making powers.⁶ Often women are left with only those rights conceded by their male relatives.

Apart from the crucial questions of women empowerment and gender equality, it is pointed out that landownership by women can immensely contribute to food security. According to the Food and Agricultural organization (2011), women farmers account for more than quarter of the world's population which comprises on an average 43 percent of the agricultural work force in the developing countries, ranging from 20 percent in Latin America to 50 percent in Eastern Asia and Sub-Saharan Africa (FAO 2011). Yet, it has been viewed that, compared to men, women

⁴ Lack of control over wealth and resources, even those earned by them, is seen as one of major reason for women's weak nutritional status in comparison to their male counterparts (Kishor and Gupta 2009).

⁵ Even in male-headed households, women often have prime responsibility for food production, while men commonly concentrate on cash crops. According to one estimate, rural women are responsible for half of the world's food production and produce between 60 and 80 percent of the food in most developing countries. In Sub-Saharan Africa and the Caribbean, women produce up to 80 percent of basic foodstuffs. In Asia, between 50 and 90 percent of the work in the rice fields are done by women; See <http://www.fao.org/docrep/x0262e/x0262e16.htm> (Accessed on 24 January 2013)

⁶ It has been found that through labor mobility, divorce, separation or death, there is an increase in number of women, becoming head of households with least social power, see "Why is gender an issue in access to land," available at <http://www.fao.org/docrep/005/Y4308E/y4308e05.htm> (Accessed on 10 February 2013).

relatively have far lesser access to agricultural allied assets, inputs and services. It is postulated that if women have appropriate and consistent access to and control over agricultural land and productive resources as equal to men, women can increase yield by 20 percent to 30 percent, which would raise the overall agricultural output in developing countries by 2.5 percent to 4 percent (FAO 2010-2011)⁷. This gain in production apparently can reduce the number of hungry people in the world by about 12 percent to 17 percent and can help in reducing diseases, besides increasing women's income (Patel 2012:19).⁸ The Indian scenario is not different either, because women as farmers, agricultural workers and entrepreneurs, constitute the backbone of India's agricultural and rural economy (Patel 2012: 20). Women are always engaged in looking after livestock, bringing up their children and doing other household chores, however their hard effort always remain unrecognized. They are also invariably paid lower wages than men for the same agricultural work (UNICEF 2007).⁹ Irrespective of these, they are denied with landownership. Land ownership titles are most often given in men's name which enables men to dictate the decisions concerning family, farming and women's lives. Although there are governmental initiatives in the form of legislations aimed at ensuring women's equitable access and ownership to land, too often this has not been accompanied by the necessary implementation mechanism or assistance to women to achieve the same (Brown and Chowdhury 2002: 1-3).

It is in such an alarming context of gender disparity in landownership the present study is undertaken to assess the extent and magnitude of the problem with special reference to rural India. The present study is restricted to Sundarbans which comes under the most backward and bucolic zone of West Bengal.

⁷ See in FAO Report, "The State of Food and Agriculture 2010-11", CH-2: Women's Work. Available at <http://www.fao.org/docrep/013/i2050e/i2050e.pdf> (Accessed on 5 May 2013).

⁸ See, Yojana, A Development Monthly, Vol. 56, June 2012 "*Empowering Women In Agriculture*".p.19

⁹ Oxfam estimates that women work around 60 to 90 hours per week, and time-use surveys reveal that across a selection of developing countries in Asia, Latin America and sub-Saharan Africa, women's working hours exceed those of men, often by a wide margin still paid lower wages; see in UNICEF Report, "The state of the world's children 2007", CH-3: Equality in employment.

REVIEW OF LITERATURE

The problem of gender driven disparity in landownership is gaining increasing amount of academic currency in recent times at the global and national levels. The problem is ubiquitous to the extent of nullifying the dichotomy between developed and developing world. The United Nations (UN) Special Rapporteur on Adequate Housing confirms that “whether ‘developed’ or ‘developing’, legal security of tenure for women is almost entirely dependent on the men they are associated with” (Benschop 2004). Irrespective various initiatives from national and supranational agencies the condition remain mostly unchanged. In the case of Africa, for instance, in spite of the efforts of the African Union/Economic commission for Africa and African Development Bank in developing a framework for land policy in Africa, which provides guidelines to ensure gender equality in land ownership and tenure security for women, the achievements remain minimal (UNECA 2008).¹⁰ There is a strong strand of literature that establishes the correlation between women’s land ownership and food security. The studies done under the aegis of FAO particularly emphasize this point.¹¹ It is argued that women’s multiple roles as engendered subjects as food producers, keepers of traditional knowledge and preservers of biodiversity, food processors and preparers of food for their families, women could act as key players in overcoming the problem of food insecurity (Karl 2009:11). It is also pointed out that though women do the majority of work and decisions related to food production and consumption, yet their capacity to make independent decisions about such issues is limited as landownership largely elide them (Hyder 2005: 330). Though they can contribute significantly to overcome food insecurity, due to lack of landownership they have little access to credit and other resources which are necessary for running the agriculture successfully (UNHR 2005).¹² There is another strand of literature that foregrounds the intersecting nature

¹⁰ Africa is considered to be the worst in relation to the rest of the world on the question of women landownership (FAO 2010)

¹¹ For a quick look See, “Women & Sustainable Food Security,” Available at <http://www.fao.org/sd/fsdirect/fbdirect/FSP001.htm> (Accessed on 24 January 2013).

¹² For details, see, “Women’s equal ownership, access to and control over land and the equal rights to own property and to adequate housing.” 61ST Session- Resolution of the Commission of Human Rights. Available at <http://www.ohchr.org/EN/Issues/Housing/Pages/WomenAndHousing.aspx> (Accessed on 20 January 2013).

of in capabilities of women as it is well established that women have lesser access to shelter, income, water, food, education and healthcare in comparison to men, leading to what is often called the 'feminization of poverty' (Rabenhorst 2011: 4-5). The denial of property rights to women as a result compounds their development-related problems, whether it is education, health or mental wellbeing (Steinzor 2003).¹³ It is also clear that there is a strong correlation between human development indicators in general and gender development indicators in most countries (UNDP 2006). This has converted gender development a precondition for human development as a whole and thereby the problem of women's property rights an important development issue (Giovarelli and Lastarria-Cornhie 2006).

The studies done in the context of India has placed modernity as an important turning point with regard to women's landownership. It not only strengthened the existing structures of patriarchal landownership and traditions of patrilineal but also eliminated the few pockets where women traditionally had usufructory or inheritance rights such as tribal communities or non-tribal matrilineal communities. With the advent of colonial period with its modern western systems of law and inheritance, the basis of matrilineality has been strongly affected as seen in the case of many communities in south India. The Nairs of Kerala who lived in matrilineal joint families termed as *Taravads* and followed *Marumakkattayam* system of matrilineal inheritance, for instance, has undergone this important transformation under the colonial rule. The colonial legal regimes redefined the customary practices of Nairs with regard to their matrilineal traditions with modern patriarchal/patrilineal commonsense which included redefinition of *sambandham* as concubinage, emboldening the figure of *Karanavan* as the owner of joint family properties, curbing of women's right to property and their sexuality within *Taravads*, legalization and validation conjugal and paternal relations, insistence on patrilineal descent and so on (Kodoth 2002, 2004; Arunima 2003, Gough 1952, 1959). The reforms within the community led by the younger generation was also as much led by modern western ideas of family, property and inheritance and sought to redefine women as proper wives, within a patriarchal institution marriage (Kodoth 2002, 2004). The reforms

¹³ The denial of landownership to women is pointed out as increasing their vulnerability to HIV infection and reducing their ability to cope with its consequences in the context of Sub-Saharan Africa (Strickland 2004:58, Human Rights Watch 2003)

were aimed at modernizing the community by delivering it its 'barbarous past' and creation of families based on conjugality and partitioning of properties accordingly (Arunima 2003, Anandhi 2005, Gough 1959). The postcolonial Indian government strengthened the process when it enacted the Hindu Succession Act (1956), with special provisions for those governed by *Marumakkatayam* Law by invalidating female line of descent and replacing it to a system of proper male line of descent (Agarwal 1988, Fuller 1976). This enactment has not been only limited to Kerala, but was applicable throughout the country, creating a situation in which the land access is being mediated through male members for the economic and social wellbeing of women (Agarwal 1988: 552).

It is also pointed out that irrespective of the principle of gender equality enshrined in the constitution the traditional values prevail among judges, government officials and civil society.¹⁴ The religious and community specific laws seem often come in the way of realizing the equality under the constitutional laws.¹⁵ The promise of equal citizenship remain unrealized for women as even today most of the inheritance and ceiling provisions relating to land as they are practiced continues to be highly gender discriminatory in the country, compounding the social and economic disability of women (Agarwal 2002, 1988).

The gender blindness of land reforms in India is the focus of another strand of literature. Land reform programmes were seen as effective in promoting rural development but never addressed the issue of women's access to land (Bardhan and Mookherjee 2006). In the case of West Bengal which is considered to be the first state to implement land reform programme, for instance, land reforms has arguably reduced inequality by reducing landlessness, but completely missed the issue of gender equality as land redistribution process has systematized men as entitled to

¹⁴ Mary Roy fought against the inheritance legislation of the Syrian Christian community in the Supreme Court and ensured equal rights for the Syrian Christian women in the ancestral property with their male siblings (See, Agarwal, 1995: A-49). The case of Muslim woman, Shah Bano, who was a divorcee and approached the court appealing for the alimony and after 7 years in supreme court under the Section 125 of Code of Criminal Procedure, passed the rule of giving maintenance. (See, "The Shah Bano Legacy", 10 August 2003, *The Hindu*, Available at <http://www.hindu.com/2003/08/10/stories/2003081000221500.htm> (Accessed on 6 May 2013)

¹⁵ Shruti Pandey, "Property Rights of Indian Women".

own land (Bardhan et al 2011: 1-2). The context of Kerala, the other state which has had 'successful' land reforms, is not different either.¹⁶ It is pointed out that land reforms only strengthened the patriarchal conjugal framework of property relations in the state, compromising women's independent right to property (Kodoth 2004a). There is also a realization of the practical difficulties involved in attaining independent property rights for women particularly maintenance of good relations within the family (Agarwal 1994, Sharma 1980, Kodoth 2004a). Considering the practical difficulties of obtaining independent titles of agricultural land and urban housing for women, it is advocated that as the first step joint husband-wife titles to property should be taken up (Unni 1999: 1281). Though states like Bengal has taken steps to implement the idea of joint titles as early as 1994, the success in this regard remains to be minimal sustaining the dependency of women (Gupta 2002). It is certain that land ownership can significantly reduce the vulnerability of women ensuring expansion of human capabilities and delivering them from their engendered subjectivities to proper individuals (Panda and Agarwal 2005, Gupta 2002, Devika 2007).¹⁷

SCOPE OF THE STUDY

In the context set by previous studies, the present research seeks to examine the extent and dimensions of the problem of landownership by women with special reference to rural Bengal. The role of women in agriculture, irrespective of all challenges and obstacles prevailing in the society is given special attention in the study. The study presume that in spite of their equivalent or more contributions than men in the agricultural production process and in spite of supportive legal instruments women are still deprived of their rights over property and very specifically to agricultural land. The study would enquire into the challenges and obstacles faced by rural women in owning and accessing the agricultural land. The diverse manners and ways in which landownership empower women alongside increasing agricultural

¹⁶ Land reforms have been lauded for its transformative effect on the social structure, facilitating 'social development' and economic benefits by distribution of land to maximum hands (Oommen 1994; Ramachandran 1997, Lieten 2002). The landlessness among the rural labour households declined drastically and by mid 1980s above 93 percent of all rural labour households in Kerala had land (Oommen 1994:134).

¹⁷ It is found, for instance, that Women owning land or house are facing significantly lower risk of marital violence than property less women (Panda and Agarwal 2005).

productivity are explored into. It is also important to find out the factors stand in the way of getting equal property rights realized for women, particularly rural women's knowledge of constitutional provisions regarding women's land rights apart from the structural impediments at the social and governance levels. The issues researched would have wide relevance as they are part of a global problem; the study is focused on the Indian state of Bengal, which is acclaimed not only for its 'successful' implementation of land reforms but also a state that is considered to be the first in implementing joint titles.

OBJECTIVES OF THE STUDY

The specific objectives of the study are the following:

- The attempt here would be to explore the magnitude of women's disempowerment to land and the challenges and obstacles faced by rural women in owning and accessing the agricultural land.
- The study would try to explore, how far the landownership of women will empower them in diverse ways and how it increase the agricultural productivity, which ultimately leads to food security and wellbeing of their families.
- The study would also make an attempt to explore, the rural women's knowledge of constitutional provisions regarding women's land rights and the existing structural impediments at the social and local governance levels for women in owning landed property.

METHODOLOGY

The study is largely exploratory in nature, done with the help of both primary and secondary sources. The primary sources of the study come from field work done in the Sundarban area. A survey of around 104 households with the help of a structured questionnaire has been done; the method of sample selection was through snowball technique. The study also draws from ethnographic field work in the

same area through extensive interaction with the rural men and women of different households in order to reconstruct a decent number of life histories. It also draws from government records, contemporary media and discussions with local government members. The secondary sources mainly consist of relevant books and articles apart from internet sources.

CHAPTERIZATION

The study is presented in three chapters apart from this introduction and a concluding section. The Chapter-1 narrates the historical milieu of the gender and land relations in India since colonial period in an attempt to set the context for presenting the research findings. It also narrates the various efforts by the government to address the problem. The Chapter-2 brings forth the findings of the field survey, particularly the quantifiable details, alongside an analysis of the same. The Chapter-3 recounts the women's life and their condition in rural areas and their struggle for land rights through the depiction of collected life histories. The concluding section will summarize the study.

Chapter 1

FROM A FEW HANDS TO MANY: TRAJECTORY OF LAND OWNERSHIP IN INDIA AND THE QUESTION OF WOMEN

Systems of property rights and landownership are embedded in history. The history of landownership in India is not different either as it is entangled in its larger socio-economic histories. It is largely a trajectory from ownership in a few hands to ownership to many with the turn to modern systems of proprietorship, at the same time falling short of equal citizenship in terms of gender. Prior to the British colonialism, Indian agrarian structure and landownership was feudal in nature. The feudal landlords formed the surplus appropriating class, while the peasants were cultivating the land as tenants. The land revenue was the major source of income for the state.¹ But though the feudal landlords owned the land, it was not their private property as understood today as the peasants had hereditary and customary rights over land for cultivation.²

English East India Company

India's turn to colonialism and modernity has been initiated during the 'Company Rule' from 1757 to the Queen's Proclamation in 1858. Starting with the conquest of Bengal, East India Company (EIC) extended its political sway over a significant area of India in a short time. EIC had to rely primarily on land taxes for meeting governmental expenditure. But taxation was not a thing unto itself; it was inextricably linked with 'ownership' and indeed with the entire structure of land rights. The company as a result had to create legal systems to the extent land ownership is secure and transferrable, so that land can be used as collateral, or seized in lieu of failure of repayment of debts or other contractual obligations

¹ The land revenue extracted from the peasants varied from 1/3rd to 1/5th of the gross produce. (Banerjee and Iyer 2002: 6)

² "Economic Impact of British Colonial Rule in India" available at <http://dialogue.hubpages.com/hub/Economic-Impact-of-British-Colonial-Rule-in-India> (Accessed on 26 January 2013).

(Swamy 2010: 2). This was essential for the EIC to ensure steady land revenue to run its government in India (Banerjee and Iyer 2002: 7).³

The battle of Plassey in 1757 and subsequent accession of *Diwani* rights of Bengal heralded the imperialist designs of the Company in India, surpassing their initial interests for trade and commerce. The Company was operating initially low profile and working through pre-existing institutional forms (Swamy 2010: 3). But the same was found inadequate as the Company's power and political designs has grown and as a result the company created the new administrative structures which allowed it to act as the de facto ruler. The creation of new legal and judicial systems for protecting the rights of landowners and punishing tax defaulters were central to this exercise. It also introduced different types of land settlements for collection of land taxes in India, viz. Zamindari system / permanent settlement, Ryotwari system and Mahalwari settlement. The land tax was primarily responsible for sustaining the government. These settlements were significant for landownership too as they individualised the liability for paying land tax and by implication with those who had "property rights" on the land (Banerjee and Iyer 2002: 10). The British for the first time in India has created the concept of 'private property' and thereby conferred security on the owners which eased the settlement and collection of land revenue (Bagchi 1992: 1). It was true that given the miniscule staff with which EIC operated and the complexity of landownership in the vast area to govern, the Company has to systematise the revenue settlement and the underlying question of landownership. Company had to rely on local intermediaries for the collection of taxes and in upholding the trade activities. The Zamindari system came handy in this regard as Zamindars were made responsible for payment of land tax and their military, judicial and administrative responsibilities as 'feudatory chiefs' substantially saved the EIC from investing on them (Bose 1993 C.f. Swamy 2010: 4). The system and the hierarchical structure it embodied accommodated a lot of middle peasants and intermediaries as 'landlords' between the zamindars and the actual tillers of the soil (Hanstad 2006: 3).

³ Land tax was the important source of revenue for Company government and even by 1841 it constitutes 60 percent of the total British government revenue In India (Banerjee and Iyer 2002: 7).

The turn to zamindari system was preceded by a few other experiments which were proved to be fleeting due to the enormous social cost they involved. Initially the Company followed time-honoured practise of revenue farming and for tax collection short time rights were sold to the highest bidder/ farmer (Swamy 2010: 4). This led to exploitation and resulted in complaints as revenue farmers coerce peasants for excessive payments. The famine of the 1770s which severely affected the people and killing one-third of Bengal population also brought the Company under pressure to improve upon its governance (Swamy 2010: 4). Philip Francis, member of the Calcutta Council and a critic of revenue farming, proposed that the zamindars should be given clear private property rights in land and land tax to be fixed in perpetuity with them (Swamy 2010: 4). However, this plan aimed at incentivising the owners for investing in their property was not been accepted.

A decade later when Charles Cornwallis became the Governor General, he endorsed a plan which was similar to the Francis plan (Guha 1963: 11). Cornwallis found that the government is handicapped because of lack of sufficient knowledge regarding the land revenue settlements. He also proposed settlement for a period of 10 years as a solution to the problem of fluctuating revenue. On 10th February 1790, the proclamation of Decennial settlement was issued, which brought ten years agreement with “the actual tillers of the soil” of all denominations such as zamindars, chawdhuries, talukdars (Goutam 2004: 5). However, this was invalidated by the proclamation of 1793, which made settlement with the zamindars and the assessment was made for forever (Guha 1963: 11). The failure of paying tax by zamindars led their property be ‘invariably’ sold by the government (Swamy 2010: 5). As pointed out already, the zamindars mostly freed themselves from managing their estates and collecting the rents from cultivators, leading to subinfeudation with several layers of intermediaries between zamindars and the actual cultivators (Ray 1979: 11).⁴ The zamindari system in practice created a situation in which the zamindars are seen as the owners of the land. Different from Bengal the British introduced the Ryotwari Settlement in parts of South India. Thomas Munro, the main architect of the system, introduced the title

⁴ In Bengal subinfeudation was particularly rampant and as many as 50 layers of intermediaries found to have existed between the zamindars and the actual tiller (Kotosky 1964 :19)

and tax assignment to be with the cultivator himself rather than with zamindars (Swamy 2010: 6). The British introduced the Mahalwari system in certain parts of British India according to which land settlement was done on the village and peasant farmers contribute their shares of revenue and village as a whole (mahal) paid the land revenue directly to the administration (Hanstad 2006: 4).

None of these settlements has given landownership rights to the tenants at the grass root level who actually tilled the soil. The British innovations in the tenure and settlement system have made the tenants at the will of the landlords and with least security of tenure (Banerjee and Iyer 2005: 1194). In Bengal the permanent settlement made cultivators the suffering lot as zamindars get impunity for their excesses from the Company administration (Islam 1979:15). The actual peasants, as a result lived, in extreme turmoil due to the exploitation of the zamindars (Bagchi 1992: 7).⁵ Further, the attempts made at protecting the rights of tenants like the Regulation V of 1812, due to its loopholes only facilitated for the eviction of tenants (Kranton and Swamy 2008: 970).⁶

The wide spread resentment against the permanent settlement resulted in the Bengal Rent Act-1859, which only re-enacted the provisions of the then existing law relating to the delivery of pattas, tenants occupancy rights and the illegal exaction and extortion of rents (Goutam 2004: 22).⁷ Evictions continued to be frequent, and the tenants were forced to switch from one plot to other (Rothermund 1978: 99). This has brought unstable landlord - tenant relationship, resulting in peasant unrest as seen in Pabna rebellion (Sengupta 1970: 255). The colonial administration was forced to introduce various limited pieces of legislation and Bengal Tenancy Act-1885 (BTA) was one of them which bounded the rental

⁵ See, Ascoli, "Early Revenue History of Bengal and the Fifth Report 1812", C.f. Bagchi 1992:7

⁶ The British assumption was that proprietary rights and fixed tax settled with zamindars would follow efficient collaboration and a complementary relationship between landlords and tenants and would result in increased agricultural production. It was believed that zamindars were capable, had technical knowledge and capital and tenants would supply their labor, which would increase production and revenue (For details, see, Appu, "Land reform in India, A survey of policy, legislation and implementation", C.f. Hanstad, 2006: 4)

⁷ If the tenant had occupied same piece of land for continuous 12 years, occupancy rights were made permanent and inheritable. See, Sen, "Agrarian structure and tenancy laws in Bengal 1850-1900" C.f. Swamy 2010:9.

up to 12.5 percent with no further increases allowed for fifteen years.⁸ This also did not reduce the influence of the zamindars and actual cultivators remained with no support (Rothermund 1978: 110).⁹ In response to the demands of the ryots, amendment was brought to BTA according to which various under-raiyats like Bargadars and Karshadars, who used to cultivate on temporary basis, were not defined as of settled raiyats. Their situation got worse due to the scarcity of land and phenomenal rise of rental demands on them.¹⁰

The colonial land revenue/settlement policies thus impoverished peasantry/tenants and made them vulnerable to indebtedness and frequent famines. The legal or illegal existence of intermediaries with proprietary rights made the condition of peasants/tenants throbbing. The British attempts at tenancy reforms has improved the lot of the peasants significantly in terms of security of tenure, but a lot more was left to the independent Indian government in the task of providing security and ownership rights to tenants and actual peasants.

Five Year Plans and National Framework for Land Reforms

The postcolonial Indian government has given considerable attention to the land question as evident from the primacy it received in the five year plans and as embodied in various policy documents by the national planning commission. The commission used to direct the state governments to bring a ceiling on agricultural landholding, to acquire land and distribute surplus land among the landless and marginalized.¹¹ The first five year plan (1951-1956) brought the first authoritative exposition of national tenancy reform policy, which became incentive to the states enact land reforms. The Land Reform Act of 1955 in Bengal, for instance, with its

⁸ See, Finucane and Rampini, *The Bengal Tenancy Act: Being Act VIII of 1885, with notes and annotations*, C.f. Swamy 2010: 10.

⁹ There were further attempts to strengthen the tenants. The 1928 amendment to the Tenancy Act, for instance, allowed occupancy tenants to sell their right. But the zamindars had to be given the right of pre-emption and a fee of 20 percent, making the rule inconsequential (Chatterjee 1984: 82, Swamy 2010).

¹⁰ National Encyclopedia of Bangladesh, available at http://www.banglapedia.org/HT/B_0420.HTM (Accessed on 20 November 2012).

¹¹ "History of Land Reforms in India" available at <http://js2012.wordpress.com/why-jansatyagraha-2012/land-reforms-in-india/> (Accessed on 1 May 2013).

successive amendments have two main provisions: 1) Sharecropper will have permanent and inheritable incumbency rights to land which is registered in their name but they have to pay legally stipulated share to the landlords, do not leave the land fallow and cannot sub-lease the land; except in such cases, the sharecropper will lose his right to the land only if the landlord wants to use the land for personal cultivation; these rights are inheritable but not transferable; and (2) the share that the landlord can demand from a registered tenant will be no greater than 25 percent of the production. (Banerjee et.al 2002: 242). The second and third five year plans fine-tuned the policy guidelines included in the first plan. It resulted in a situation in which virtually all states had adopted tenancy reform legislations, in different scales, by the end of the third five year plan. However, even by the end of the fourth five year plan (1969-74) the basic objectives of tenancy reform policies and laws had not been achieved. There was thus a necessity to accelerate tenancy reform in such a way as to make all existing tenants owners of land and to prohibit future tenancies (Hanstad 2006: 10). The fifth five year plan reiterated this directive, subsequent to which most of the states have either enacted land reform legislations or taken their existing legislations ahead. However, the policies and their implementation differed across the states. The Left front ruled states have done well and West Bengal is one of them. It was felt that even with the West Bengal Estate Acquisition Act of 1953 (WBEEA) and West Bengal Land Reform Act of 1956 (WBLRA), the objectives of land reforms were not fulfilled. Still state was to abolish the intermediaries and provide rights to the raiyats/ tenants. Consequently, in the late 1970s, state of West Bengal launched the Operation Barga which has given the opportunity to the hesitant sharecroppers to register themselves with the help of Barga officials. By 1993, more than 65 percent of an estimated 2.3 million share tenants had been registered making their rights inalienable and inheritable, (Banerjee et.al 2002: 243). Such interventions at the state levels, of varying degree and scale, have ensured the transfer of landownership from a microscopic minority to maximum hands. The policy at the national level of late is taking another significant turn to integrate land reforms to favourable agricultural production, and tenancy laws which could be completely free from restrictive conditions (Hanstad 2006: 11).¹²

¹² See, GOI, National Planning Commission, Tenth Five Year plan, 2003. Section 3.2.75, C.f. Hanstad 2006: 11

However, the question of women remained unaddressed in the land distribution initiatives for long as the emphasis of initial five year plans has always been on social aspect – landownership as a measure to reduce disparities in wealth and income, between landowner and landless, eliminates exploitation, security to tenants, equal status and opportunity to rural population. But in the sixth five year plan (1980-85) the issue of women’s land rights has found its place. It recommended that under the land reform programme all distributed land should be registered jointly in the name of both spouses. This is seen as the first document to recognize the importance of land to women in India (Rao 2005: 2514). However, in the seventh five year plan (1985-90) the directive on joint titling was not restated, rather it focussed on other issues like improving skills of women in agriculture and allied sectors through training and increasing the number of women beneficiaries of rural development programmes (Rao 2005: 2514). The eighth five year plan (1992-97) has made a strong recommendation for the married women that joint titles would be desirable for productive assets, houses and house-sites, and called upon the state governments to allot 40 percent of surplus land to women, particularly women headed households and rest be given as joint titles, though the actual outcomes remained limited (Rao 2005: 2514-15). However, in the ninth five year plan (1997-2002), Bina Agarwal being the member of committee on poverty alleviation, included an entire section on gender and land rights with an emphasis on distributing titles to women, the promotion of collective rights and group farming among women’s groups and providing women farmers with informative, inputs, credit and marketing support (Agarwal 2003: 199). The success remains extremely minimal though.

Access to Land Rights- Women in Colonial India

As pointed out already, the debates, reforms and transformations on tenancy rights throughout the colonial period remained gender blind; and the ancient laws of Mitakshara and Dayabhaga were invoked to justify the same. Though the colonial period initiated reforms in social and legal systems, it remained indifferent to the question of women’s landownership. On the other hand, the British were instrumental in re-ordering many matrilineal communities in India

that recognised women's rights to inherit landed property into a patrilineal and patriarchal framework. For instance, the matrilineal communities of present Kerala and South Kanara (presently in Karnataka) followed Marumakkatayam and Aliasantana systems respectively, where female and their descendents were the primary heirs, underwent transformation during the colonial rule (Schneider and Gough 1961, Agarwal 1988: 538).¹³ Malabar was the location of this transformation in Kerala. Even when the British retained many of the traditional systems of Malabar including landlordism, it was systematised in a modern and patriarchal common sense. As a result the prevalent feudal system and its concomitant practices were understood and re-defined in accordance with the notions of modern capitalism and patriarchal systems (Varghese 2006: 86-87). Part of the problem was the inability of the British to understand the complex customs and practices of the natives which made them frame customs in their own way (Kodoth 2005, Arunima 1996). The Nairs in Malabar is a case in point – a matrilineal community previously has been transformed into patrilineal traditions during the course of colonial modernity.¹⁴ The British judges and jurists, disabled with their paucity of knowledge on local customs and traditions, interpreted texts of matrilineal custom in Malabar and South Canara districts of the erstwhile Madras presidency through legal theorizing, dispute arbitration and precedents established by the civil courts (Kodoth 2002: 5). The British exponents of law were exposed little to the views of people and were guided by their own notions of a 'perfect' system of *Marumakkatayam* law, while the law of property among the 'marumakkatayis' was based entirely on usages. The interpretation of customs and rules, with an aim to create an intelligible and 'perfect' system of matrilineality, resulted in the re-definition of the principles of Marumakkatayam informed by modern ideas as much the anthropological theories from Europe (Kodoth 2002: 7).

It was also driven by the larger colonial civilizing mission that made the British judges and jurists to see the matrilineal customs with sense of acute uneasiness; they found it to be 'difficult', 'peculiar' and potentially anarchic (Kodoth 2002: 9). As a result, the flexible spaces in the customs were trimmed down into definitive rules

¹³ There were matrilineal communities in other parts of India, like Garos, Khasis, Pnars of Meghalaya and Lalungs from both Assam and Meghalaya (all tribal communities of North-East India). For details, see, Agarwal 1988.

¹⁴ Colonial modernity is an idea proposed by Partha Chatterjee, according to which modernity in the erstwhile colonies are mediated through colonialism and hence different from the western 'original' (Chatterjee 1997).

in order to make adjudication easy over the claims and contestations in the court of law. The senior male member of the family was elevated to the head of the *taravad*/household and his authority over the household was codified as natural (Arunima 2003: 95-7). The younger members and women were reduced to the status of legal dependents. The women were denied the distinctive rights they had enjoyed in the matrilineal tradition including the right to head the household (Arunima 1998: 117-18). The colonial law was also distinctly uneasy on the question of transfer of property from husband and father to wife and daughters (Schneider and Gough 1961: 391). It is also pointed out that though many new matrilineal *taravad* were set up, but “rarely” women alone were remembered as founder of a *taravad*; it mostly vested in the name of senior male (Kodoth 2002: 7-10, Arunima 1998: 117).

As Praveena Kodoth, argued, the colonial administrators interpreted the matrilineal customs according to the patrilineal ‘commonsense’ (Kodoth 2002: 46). There was absence of serious engagements with local expressions of matriliney; instead colonialism directed the system into homogenization of practices across region and social groups in the legal definitions (Kodoth 2002: 47). The elevation of senior male as the head of the *taravad* and the *taravad* property as indivisible apart from fixing all other members as dependents, with a proclaimed objective of saving the system from anarchy, made the matrilineal logic inherent in the system merely theoretical without any practical implications (Kodoth 2002: 47). Coupled with the colonial legal intervention were the buffets of social reforms, which also made the matrilineal Nair community to shift from *taravad* joint family to atomic families and from matriliney to inheritance along patrilineal lines (Arunima 2003, Kodoth 2002). The systematisation process, which transformed matrilineal customs and communities to patrilineal, continued in the postcolonial time as well. The special provisions of the Hindu Succession Act (HSA) of 1956 have unified the diverse laws and customs across regions including Marumakkatayam Law (Agarwal 1988: 538). For instance, unlike earlier, in case of Nayar women dying intestate, property now devolves to all her children, mother and even children of predeceased children rather only to daughters (Agarwal 1988: 552). The state policy like Kerala Joint Hindu Family System (abolition) Act of 1975 has further

limited the female inheritance rights in agricultural land among Nairs (Fuller 1976).¹⁵

The land reforms in postcolonial India, particularly in states like Bengal and Kerala, too disempowered women in terms of landownership (Kodoth 2001). From the Kerala experience it has been pointed out that land reform strengthened the patriarchal conjugal framework of property relations, compromising women's independent right to property (Kodoth 2004). This further reiterates the point that reforms that are not explicitly discriminatory towards women would have negative implications for the latter as reforms are conceived and operationalized in accordance with the prevalent gender norms. Taking family as a unit of ceiling and redistribution and not the individual, failed to give property rights to women as it failed to see family as a patriarchal institution (Kodoth 2001, 2004). It is also recognised that since land reforms enabled a one-time redistribution, within a system of patrilineal inheritance the next generations of women would also face effect of the same (Kodoth 2004). Needless to say, the situation in Bengal in this regard remains almost the same.

Thus, in the course of modernity, the legal reforms has taken away the previously recognised shares of females in both parent's properties and erased inheritance and land proprietorship accorded to women (Agarwal 1988: 552). The land reforms, on the other hand, in line with the existing patrifocal practices, fixed men as the head of the family and as the owners of land.

Diverse System of Property Rights for Women in India

The issue of property rights in India is not governed by a uniform civil code. It falls under the domain of private law and are governed by diverse systems of law in accordance with the customs and practices of different religious communities. These community/personal laws are largely patrifocal in nature and even the legal

¹⁵ Kerala Joint Hindu Family System (Abolition) Act of 1976 deemed the family members holding shares separately as full owners in an undivided family and significantly struck a blow to the remnants of matrilineal joint estates. It abolished the right of birth under the Mitakshara as well as the right by birth vested in females under the Marumakkatayam law. Marumakkatayam families were embraced by the Kerala Act and this matrilineal system of joint family property ownership was abolished. See Agarwal 1995, and for details, see, Sivaramayya, "Law: Of Daughters, Sons and Widows" (India Together) available at <http://www.indiatogether.org/manushi/issue100/sivarama.htm> (Accessed on 10 February 2013).

battles won, like that of the Mary Roy case (Philips 2003), did not make much difference in the lives and property entitlements of women due to the hegemonic patriarchal social norms. However, the subsequent amendments made into these property/inheritance laws largely ensured gender equality in principle though social customs prevents the actualisation of the same.

Property Rights of Hindu women varies according to their status in the family- as daughter, married, unmarried, deserted, wife, widow, mother and so on. It also varies according to the nature and kind of property, whether it is hereditary or ancestral or self-acquired; land or dwelling house; or matrimonial property.¹⁶ Prior to the enactment of Hindu Succession Act (HSA) of 1956, “shastric” (Hindu canonical) and customary laws which varied from region to region, governed the Hindus.¹⁷ The HSA of 1956 was formulated by drawing from the canonical and customary practices of different communities and schools- Mitakshara, Dayabhaga, Mayukha,¹⁸ Marumakkatayam, etc (Agarwal 1995). Under the Mitakshara system, women’s rights in the joint family property associated with the right to maintenance as incoming wives and unmarried daughters were entitled to marriage expenses and associated gifts (Agarwal 1995: A-40). Widows could inherit limited estate in the absence of male heirs and could not normally alienate their property. The school also makes a difference in the case of ancestral property and self-acquired property, apart from recognizing an entity by the name of ‘coparcenary’, which is a legal institution consisting of four generations of male heirs in the family (Agarwal 1995). Under the Dayabhaga system, man is deemed to be the absolute owner of all the property and could dispose it as he wishes. The ‘coparcener’ or the ‘rule of survivorship’ does not exist in the system (Agarwal 1995: A-40). Daughters and widows are recognized as heirs, and the women

¹⁶ Pandey, “Property Rights of Indian Women” available at <http://www.muslimpersonallaw.co.za/inheritancedocs/Property%20Rights%20of%20Indian%20Women.pdf> (Accessed on 20 November 2012).

¹⁷ Ibid, available at <http://www.muslimpersonallaw.co.za/inheritancedocs/Property%20Rights%20of%20Indian%20Women.pdf> (Accessed on 20 November 2012).

¹⁸ Sub-school of Mitakshara and that allow daughter as an absolute state. For details, see, Agarwal 1995 , Banerjee 1984)

inherit an interest in all property irrespective of whether it was ancestral or separate (Agarwal 1995: A-40). The women were incapacitated in this regard due to gender. This essentially means that under both the systems the Hindu women could inherit land only under highly restrictive circumstances, and at best they could enjoy a limited interest in it (Agarwal 1995: A-40, Agarwal 1988: 537). In contrast, men enjoyed the primary right to inherit and control immovable property; and although under Mitakshara they too faced certain restrictions in their power of disposal over joint family property (Agarwal 1995: A-40).

The HSA of 1956 was significant as it provided a comprehensive and uniform system of inheritance to Hindus, which was governed earlier by diverse systems. At the same time, the HSA have special provisions for matrilineal communities governed by Marumakkatayam and Aliyasantana systems as well as for Nambudiri Brahmins (Agarwal 1995: A-42). Although HSA addressed ownership of agricultural land but certain other types of interests in agricultural land, like 'tenancy rights' are exempted from its purview. This is the reason why the Hindu women's inheritance in tenancy land is depended on state-level tenorial laws, which in most north-western states specify an order of devolution that strongly favours male agnatic heirs (Agarwal 1995, 1988; Sivaramayya 1973). Due to the age old customs, women come very low in the order of heirs and these inequalities cannot be challenged as the land reform laws come under the Ninth Schedule of the Constitution (Agarwal 1995: A-44). Though this provision was meant to protect land reform laws from being challenged by entrenched class interests, it became an instrument in reinforcing entrenched gender inequality (Agarwal 2002: 14-15). This resulted in efforts to get the Hindu inheritance laws free from gender based discriminations. Consequently, the HSA got amended in 2005 and made sons, daughters, widows' equal claimants in a man's property, alongside the right of alimentation as wishes by the inheritor.¹⁹

In the case of Muslims, Shariat Act of 1937 substantially enhanced the Muslim women's property rights. Till 1937, Muslims were following the customary

¹⁹ The Hindu succession (amendment) act, 2005, (39 of 2005) from Hindu succession act, 1956 (30 of 1956), available at http://www.hrln.org/admin/issue/subpdf/HSA_Amendment_2005.pdf (Accessed on 4 May 2013)

laws, but the Shariat Act, the personal law of the community, included 'property rights' of the Muslims. Differences exist between Islamic and Hindu laws of inheritance, as Koran specified definite shares to certain individuals, the residue goes to the agnatic heirs and failing them to uterine heirs, bequests are limited to one-third of estates, i.e. maximum one-third share in property can be willed away by owner.²⁰ The law visibly placed Muslim women in a better position with regard to inheritance and landownership in relation to their Hindu counterparts. Under the Islamic law, where daughter is a customary heir (single child) of the deceased, she gains half the share of male and where co-exists with son or more daughters; female receives one-third and male two-third (Agarwal 1988: 540). In comparison to the Hindu law, the Muslim law was slightly different and each Muslim heir is definite and known before actual partition.²¹

In the case of Christians the property/inheritance law varies accordingly to domicile for all moveable property and by location of property in the case of immovables (Agarwal 1995: A-48). Christians from Cochin and Travancore are governed by Cochin Christian Act of 1921 and Travancore Christian Succession Act of 1916 respectively (Agarwal 1995: A-48). Both the acts followed immense gender inequalities in terms of property rights and inheritance. These laid down women (widow or mother) to inherit only life interest in a land or any immovable property and a daughter received *stridhan* which was fixed at one-fourth value of the son's inheritance share or Rs 5000, whichever was in lesser amount (Agarwal 1995, Agarwal 1988, Eapen and Kodoth 2002). The Christian tribal population of northeast India is governed by the customary laws and the rest by Indian Succession Act (ISA) of 1925 (Agarwal 1995, 1988). Under ISA, if the intestate has left none who are kindred to him the whole of his property would belong to his widow, whereas the intestate has left a widow and any lineal descendants, one-third of the property devolves to his widows and the remaining go to descendants and in case he left no lineal descendants but only persons who kindred to him,

²⁰ Shruti Pandey, "Property Rights of Indian Women".

²¹ Pandey, "Property Rights of Indian Women" available at <http://www.muslimpersonallaw.co.za/inheritancedocs/Property%20Rights%20of%20Indian%20Women.pdf> (Accessed on 20 November 2012)

then half the property devolves to his widow and remaining half goes to those who are of kindred to him (Agarwal 1995: A-48). The discriminatory provisions of inheritance against women in the Christian succession acts of Travancore and Cochin has been challenged in the courts many times. In 1956, the court had upheld the authority of pre-existing Travancore-Cochin laws for Christians (Agarwal 1995: A-49). But in 1983 the Travancore act of 1916 was challenged in the supreme court by a Syrian Christian woman namely Mary Roy on the grounds that this act has violated the constitutional guarantee of equal rights for both sexes.²² Mary Roy's case argued that daughters should have equal rights on her paternal property along with sons. The verdict of the Supreme Court made the provisions of ISA of 1925 applicable in the case of the Syrian Christian community. As a result of judgment, the daughters and sons can now share equally the father's property. But the judgment generated strong protest from the community demanding for excluding women from equal inheritance (Philips 2003).

The Parsis on the other hand are governed by the twice amended provisions of ISA-1925, which unlike other communities has provisions for gender equality in the rules of succession. Before the second amendment of ISA-1925 in 1991, ISA had already been amended in 1939 and according to which in deceased man's property widow and each son gets the double share of each daughter and if parents survive will get half of share; in the case of deceased woman's property, the husband, son and daughter gets equal share (Agarwal 1995: A-50, Agarwal 1988: 541-2). But the with the passing of second amendment in 1991, the difference in the succession of male and female property among Parsis has been removed and if the intestate leaves behind a widow/widower and children these heirs gets equal shares; if there are no lineal descendants and no widow/widower of lineal descendants, then the widow/widower gets the half of the property (Agarwal 1995: A-50).

Though in these diverse systems (laws), the status of women's property rights still remains limited, the subsequent amendments and judgements (except

²² for the details of this case see ' Mrs. Mary Roy Vs The State Of Kerala And Others' in All India Reporter (1986b), SCC 1011

Muslims perhaps) have attempted to bring gender justice in each customary law with regard to property rights and landownership.

Indian Modernity and Interiorisation of Women

Irrespective of such interventions and judgements pertaining to various communities, which have provided tools for women to achieve gender parity in land ownership and inheritance, it has not been translated into concrete achievements. The age old social customs and hegemonic patriarchy have been stumbling blocks in the path of achieving the same. The marginalisation of women is something which is deeply associated with the process of modernisation in India. It is pointed out that the modernity of India is not an import from the West as it is, so also is the concept and practice of nation (Chatterjee 1991). As a result, the modernity of India became unique, 'our modernity' as Partha Chatterjee calls it, which represents a mix of both western and Indian (Chatterjee 1997). Indian modernity and nation retained two distinct spheres in it, the outer/material and inner/spiritual spheres. In the material sphere the western civilization and ideas got ready entry, whereas in the inner/spiritual domain Indian nationalist thought denied entry to the west and kept it as its autonomous and sovereign domain to themselves (Chatterjee 1989, 1997). The inner/outer distinction also presupposes a separation of social space into *ghar* and *bahir*. The latter is identified as a domain of men and the former is identified as the domain of tradition and culture, importantly the domain of women (Chatterjee 1989: 624). This nationalist imagination fixed home/ghar as the women's domain with the onerous task of preserving tradition, whereas men are accorded with an exclusive sway over the outer/bahir. The women who are getting westernised and making an entry into the outer domain, compromising their traditional roles associated with home and their inner subjectivity has been a subject of ridicule in the nationalist imagination (Chatterjee 1989: 625-27). The role of men and women are accordingly defined, resulting in the making of en-gendered individuals (Devika 2007, Chatterjee 1989). Women in such an imagination and fixation became custodians of tradition and values of home as matters of the outer/material world are earmarked for men exclusively. The material activities associated the outer world like owning land and managing it became undesirable for women. The nationalist project thus disabled

women to reproduce themselves as dependents in the material domain, in a nation that lives in a heterogeneous time (Chatterjee 2005).

The norms of Indian modernity and nation, fashioned during the colonial times, continue its near complete sway even today. The findings from the field research of this study, discussed in the subsequent chapters clearly indicate this. The landownership and inheritance rights to women are denied and those women who want to gain it have to wage their battle against a patrifocal society and its social commonsense. This is irrespective of the fact that landownership is an important tool in achieving gender and material mobility for women. Denial of property ownership makes women more vulnerable in their marital life and things would be worse when they are either abandoned by their men or are widowed. Landownership can make significant difference in poor women's lives as it could serve as an un-replicable security against poverty, a means to basic needs in both direct and indirect ways (Agarwal 1988: 533). It can bring welfare, efficiency, equality and empowerment in women's life (Agarwal 2002: 4). But things remain mostly unchanged, as described in the subsequent pages, as the patrifocal social norms that view women as a subject of interior remains unyielding.

Chapter 2

Owning and Faring Better: Landownership and its Implications for Rural Women

Sundarbans, known as a favorite tourist destination, is also known for its underdevelopment and isolation. Though its underdevelopment and rich biodiversity has attracted public attention, serious research on the intricacies of its socio-economic development in general and gender in particular has been largely absent.¹ This informs the selection of the region for the present research, though it focuses only on select blocks of Sundarbans in the district of South 24 Paraganas. The Indian Sundarbans was part of the undivided district of 24 Paraganas till the year 1986, and is currently divided among the districts of North 24 Paraganas and South 24 Paraganas. Among the 19 administrative blocks of Sundarbans, 13 fall under the latter and 6 in the former (GoWB 2009).²

South 24 Paraganas district brings together both urban and rural life as it stretches from the metropolitan Kolkata to the remote riverine villages. Although blessed with rich arable lands, its geographical location and peculiarities restricts transport and communication in significant ways, posing a hindrance to the progress of the region. While a few sub-divisions in the district like Alipore, Diamond Harbour, lying close to Kolkata, are well connected by network of roads and railway, the others like Kakdwip, Canning and Baruipur suffer problems of connectivity and remain backward. The island blocks of the district, which covers

¹ In spite of its backwardness, Sundarbans is globally recognised as an area of unique ecological importance. It contains the world's largest mangrove forests and considered as one of the most biologically productive of all natural ecosystems. It also has the largest number of Royal Bengal Tigers and number of aquatic mammals. Available at <http://whc.unesco.org/en/list/452> (Accessed on 10 May 2013).

² See, "District Human Development Report: South 24 Paraganas," Ch-IX, Sundarbans and the Remote Islanders, p: 291. Available at <http://www.wbplan.gov.in/HumanDev/DHDR/24%20pgsSouth/Chapter%2009.pdf> (Accessed on 12 April 2013)

around 40 percent of the total area of district are located adjacent to the forests and suffer from inadequacy of infrastructure and benefits of modern development.³ It is apparent that underdevelopment will have major gender implications and it marginalize the women further from development entitlements (Kabeer 1994, Rai 2002, Parpart et.al 2002). The present chapter present the findings from the survey conducted as part of the study in select blocs of Sundarbans in South 24 Paraganas district, around the question of women land rights and its socio-economic implications. A household survey covering 104 houses with the help of a structured questionnaire have been conducted in two of the island blocks, namely Kultali and Pathar Pratima (See questionnaire as Appendix-1). These blocks are not only underdeveloped but also under-connected, and remain largely rural and agrarian.

Field survey is focused on three types of households: Male headed household (MHH) where male owns the land and heads the family; Female headed household (FHH) where female owns the land and is the head of the family; and Joint headed household (JHH) where both husband and wife jointly owns the land and hence arguably together head the family. These three types are chosen with an aim of comparing the conditions of women in each scenario, their socio-economic entitlements and development situation. The field survey is conducted in the villages of Sankizahan, Shyamnagar, Purba Gurguria, Purba Shyamnagar belonging to Kultali block and Ramganga, Srinarayanpur, Debichak and Banashyamnagar belonging to the Pathar Pratima block. The houses are chosen on a random basis through snowball technique. The interviews are conducted at each sample household, the informant's house, and primarily in Bengali language. Out of 104 sample households, 30 are MHHs, 62 are FHHs and 12 are JHHs. All the interviews are conducted during the period from 10th September to 10th October 2012.

³ See, "District Human Development Report: South 24 Paraganas." Available at <http://www.wbplan.gov.in/HumanDev/DHDR/24%20pgsSouth/Chapter%2009.pdf> (Accessed on 12 April 2013)

Understanding the Sample Households:

As Table 2.1 depicts, majority of the households surveyed are Hindu households followed by the Muslim and Christian households. The number of Hindu households in the sample is higher compared to their proportion in the population of the state.⁴

TABLE: 2.1
Distribution of Households by Religion

Religion	MHH		FHH		JHH		TOTAL	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Hindu	22	73.34	47	75.81	8	66.67	77	74.04
Muslim	4	13.33	10	16.13	3	25	17	16.35
Christian	4	13.33	5	8.06	1	8.33	10	9.61
Total	30	100	62	100	12	100	104	100

Notes:

MHH: Male Headed Household FHH: Female Headed Household JHH: Joint Headed Household

While Hindu households' constitute 74.04 percent of the sample 16.35 percent are Muslim and 9.61 percent Christian households. The district wise⁵ and block wise⁶ population data also suggest that present sample is not proportionate to the actual population.

⁴ According to the 2011 Census of West Bengal, Hindu population constitutes 68.10 percent compared to 30 percent Muslims and 1.90 percent others. Available at <http://www.scribd.com/doc/59771406/The-Changing-Religious-Demographics-of-West-Bengal> (Accessed on 28 December 2012)

⁵ According to the 2001 census, in South 24 Paraganas district, 65.86 percent are Hindus, 33.24 percent are Muslims and 0.76 percent is Christian. For details, see, "District statistical handbook-South 24 Paraganas." BAE&S, GOWB, 2009: 19, Available at http://s24pgs.gov.in/s24p/DSHB_S24PGS_2009.pdf (Accessed on 12 April 2013)

⁶ According to the 2001 census, in Kultali Block, 73.23 percent are Hindus, 26.66 percent are Muslims and 0.08 percent is Christian and in the Pathar Pratima Block, 90.43 percent are Hindus, 9.31 percent are Muslims and 0.20 percent is Christian. For details see "District statistical handbook-South 24 Paraganas." BAE&S, GOWB, 2009: 88.

TABLE: 2.2
Distribution of Households by Social Category

Social Category	MHH		FHH		JHH		TOTAL	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent
General	15	50	40	64.52	2	16.67	57	54.81
OBC	2	6.67	0	0	0	0	2	1.92
SC	10	33.33	19	30.65	10	83.33	39	37.5
ST	3	10	3	4.83	0	0	6	5.77
Total	30	100	62	100	12	100	104	100

Table 2.2 shows the distribution of households according to the social categories to which they belong. Major portion of the sample households belongs to the general category, followed by SCs and STs, while the share of the OBCs is the least.⁷

TABLE: 2.3
Marital status of the head of the households

Marital status	MHH		FHH		JHH		TOTAL	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Married	30	100	31	50	12	100	73	70.19
Unmarried	0	0	0	0	0	0	0	0
Divorcee	0	0	6	9.68	0	0	6	5.78
Widow/widower	0	0	22	35.48	0	0	22	21.15
Deserted	0	0	3	4.84	0	0	3	2.88
Total	30	100	62	100	12	100	104	100

⁷ According to the 2001 census, in Kultali Block, 47.3 percent are SC population and 2.6 percent are ST population, Available at <http://www.sadepartmentwb.org/Other/BLOCK%20Profile/South%202024%20pgs/kultali.pdf> (Accessed on 12 April 2013) In Pathar Pratima block, 23.7 percent are SC population and 1 percent are ST population, Available at <http://www.sadepartmentwb.org/Other/BLOCK%20Profile/South%202024%20pgs/patharpratima.pdf> (Accessed on 12 April 2013)

Table 2.3 shows the marital status of the head of the chosen households. In the households under survey, the heads of 70.19 percent households are married, while the widows, divorcees and deserted accounts for 21.15 percent, 5.78 percent and 2.88 percent respectively. Among the FHH, 50 percent of the households are headed by women who are either widowed or divorced or deserted and the remaining 50 percent are headed by the females who are currently married. These women got the land ownership mostly due to two main reasons, male migration and chronic illness of the male head.

TABLE: 2.4
Primary Income of the Household

Sources of Income	MHH		FHH		JHH		TOTAL	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Agriculture	30	100	62	100	12	100	104	100
Non-Agriculture	-	-	-	-	-	-	-	-
Both	-	-	-	-	-	-	-	-
Total	30	100	62	100	12	100	104	100

Table 2.4 reveals that the primary income of the surveyed households of all categories comes from agriculture.

TABLE: 2.5
Educational Status of the children in the Households

Educational Status	MHH		FHH		JHH		TOTAL	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Children Attended School Up to 12 th	31	79.49	18	29.51	3	27.27	52	46.85
Children Attended College	8	20.51	41	67.21	8	72.73	57	51.35
Children Pursuing School	0	0	2	3.28	0	0	2	1.8
Total Educated Children	39	100	61	100	11	100	111	100

The Table 2.5 throws light on the educational status of children in the sample households. Children enrolling in college are higher in the case of FHH and JHH, indicative positive outcome for children's education where women own land and head the family, with which they have maneuverability and greater say. On the contrary, it is the lowest in the case of MHH.

The Question of Land: Past, Present and Composition:

The average extent of land per household under the present survey is 1.40 acres. The MHH has the highest size of land as an average, that is 1.77 acres; where as it is 1.36 acres and 0.71 acres in the case of FHH and JHH respectively.

TABLE 2.6
Extent of Land Owned by the Households, Religion Wise

Religion	MHH (in acres)		FHH(in acres)		JHH(in acres)		TOTAL(in acres)	
	Total Extent	Average	Total Extent	Average	Total Extent	Average	Total Extent	Average
Hindu	36.16	1.21	61.03	0.98	3.15	0.26	100.34	0.96
Muslim	11.86	0.39	16.5	0.27	3.23	0.27	31.59	0.30
Christian	5.14	0.17	6.8	0.11	2.14	0.18	14.08	0.14
Total	53.16	1.77	84.33	1.36	8.52	0.71	146.01	1.40

Table 2.6 shows the landholdings of the households according to the religion they belong. The Hindus has the highest average size of land, while the Christians have the lowest extent of land as in average.

TABLE 2.7
Extent of Land Owned by the Households, Social Category wise

Social category	MHH (in acres)		FHH (in acres)		JHH (in acres)		TOTAL (in acres)	
	Total Extent	Average	Total Extent	Average	Total Extent	Average	Total Extent	Average
General	25.17	0.84	60.2	0.97	2.97	0.25	88.34	0.85
OBC	4.95	0.17	0	0	0	0	4.95	0.05
SC	14.81	0.49	20.05	0.32	5.55	0.46	40.41	0.39
ST	8.23	0.27	4.08	0.07	0	0	12.31	0.11
Total	53.16	1.77	84.33	1.36	8.52	0.71	146.01	1.40

Note: Here all JHH have received land from government.

Table 2.7 shows the landholdings of the households according to their social category. The households under the general category own maximum landings compares to other categories while taking the households as a whole. This is the case with MHH and FHH when they are considered specifically. But in the case of JHH the Scheduled Caste households have the highest average landholdings which are followed by households falling in the general category.

TABLE: 2.8
Share of Inherited and Acquired Lands by the Head of Households

Type	MHH (Acre)			FHH (Acre)			JHH(Acre)			TOTAL(Acre)		
	Co unt	Total Area	Aver age	Co unt	Total Area	Aver age	Count	Tota l Area	Aver age	Co unt	Total Area	Aver age
Inherited Land	22	42.56	1.42	16	14.83	0.24	N.A	N.A	N.A	38	57.39	0.62
Acquired Land	4	3.25	0.11	46	69.5	1.12	N.A	N.A	N.A	50	72.75	0.79
Both*	4	7.35	0.24	0	0	0	N.A	N.A	N.A	4	7.35	0.08
Total	30	53.16	1.77	62	84.33	1.36	N.A	N.A	N.A	92	137.49	1.49

Note: * In both, 4 MHH has 4.27 inherited lands and 3.08 Acquired Land

Table 2.8 shows the proportion of land inherited as well as acquired by the households. The JHH households mostly received their land from the government and hence are not included here. The MHH has the highest average share of inherited land that is 1.42 acres. It is only 0.24acres in the case of FHH. On the other hand, while 54 percent households in total own acquired land, it is the lowest in the case MHH and highest for FHH. About 13 percent MHH has both inherited and acquired land. This underlines the fact that although Inherited Land is quite significant in terms of number as well as average, women own land more as Acquired Property. This arguably is an indication to the hard work and meticulous application FHH has put in to acquire and increase their land size.

TABLE: 2.9
Family Land Ownership History of the Households

Parents: Gender wise distribution of land ownership	MHH (HHs)		FHH (HHs)		JHH (HHs)		TOTAL (HHs)	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Men	21	95.45	25	56.82	3	100	49	71.01
Women	0	0	5	11.36	0	0	5	7.25
Both	1	4.55	14	31.82	0	0	15	21.74
Total	22	100	44	100	3	100	69	100

* HHs- Head of the Households

TABLE: 2.10

Grandparents: Gender wise distribution of land ownership	MHH (HHs)		FHH (HHs)		JHH (HHs)		TOTAL (HHs)	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Men	4	100	3	60	1	100	8	80
Women	0	0	1	20	0	0	1	10
Both	0	0	1	20	0	0	1	10
Total	4	100	5	100	1	100	10	100

The Tables 2.9 and 2.10 reveal the history of landownership in the sample households. The gender wise land ownership of the parents and grandparents of the head of households is collected to the extent available. Though the data is inadequate to draw anything concrete due to the limited information available on grandparents, at least at the surface level there is a decline in the male dominance in land ownership from 80 percent to 71 percent between two generations. Significantly, in both generations certain women own land independently or jointly. It also indicates that though there is a marginal improvement, the male dominance in land ownership remains unchanged.

TABLE: 2.11
Women's Access to Paternal Property

	MHH		FHH		JHH		TOTAL	
Whether Women received share of their paternal property	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Received	0	0	12	19.35	0	0	12	11.54
Do not received	30	100	50	80.65	12	100	92	88.46
Total	30	100	62	100	12	100	104	100

As Table 2.11 demonstrates majority of the women did not receive any share of their paternal property. It is complete in the case of MHH, which indicates that women came without land from their paternal house and continues to remain so. However, 19.35 percent of women in FHH came with their share of paternal property. Among them, significantly, 75 percent got their share transferred to their own name; while the remaining 25 percent got it registered jointly along with their husband's name. None of the women in the JHH too received their paternal property. This also shows that good number of women in FHHs were successful in gaining ownership after their marriage, either through their maneuverability or through chance under certain circumstances.

Land and Agriculture: Agency of Women

Whether own land or not, women participate in the agricultural operations of the majority of households. The Table 2.12 make it clear that in most of the families there is strong involvement of women in agricultural work, in leading or in supportive roles.

TABLE: 2.12
Household's Working Profile on Agricultural Land

Composition Of Work Participation	MHH		FHH ⁸ (others)		FHH (married)		JHH		TOTAL	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Predominantly by head, but supported by spouse	0	0	0	0	1	1.61	0	0	1	0.96
Predominantly by head with support of children	0	0	11	17.74	6	9.68	0	0	17	16.35
Head with agricultural labors	7	23.33	9	14.52	15	24.2	0	0	31	29.81
Predominantly by head but supported by children and agricultural labors	0	0	2	3.22	5	8.06	0	0	7	6.73
Predominantly by head but equally supported by spouse and Agricultural labors	16	53.34	0	0	0	0	0	0	16	15.38
Head and spouse share works equally	5	16.67	0	0	0	0	12	100	17	16.35
Both head and spouse works equally but supported by agricultural labors	1	3.33	0	0	0	0	0	0	1	0.96
Predominantly by spouse but supported by head	1	3.33	0	0	0	0	0	0	1	0.96
Only head works	0	0	9	14.52	4	6.45	0	0	13	12.5
TOTAL	30	100	31	50	31	50	12	100	104	100

As seen in the Table 2.12, in all the JHH households, as in the case of ownership, the work is more or less equally shared by men and women. In the case of MHH, in more than 77 percent households women are participating in the agricultural

⁸ FHH (others) includes widow, divorcee and deserted.

work in the household land in one way or the other in varying. As far as FHH (married) women are concerned, only 1.61 percent receives support of the spouse and in the rest 48.39 percent of households' women drive agriculture with some involvement of children as well as with the support of agricultural labors support.

TABLE: 2.13
Nature of Controlling and Managing of the Property in the Households

Managing and Controlling Person	MHH		FHH (Others)		FHH (Married)		JHH		TOTAL	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Head of the family	7	23.33	15	24.2	20	32.26	0	0	42	40.38
Head and spouse	22	73.33	0	0	0	0	12	100	34	32.7
Head And Children	1	3.33	15	24.2	11	17.74	0	0	27	25.96
Head And Parents	0	0	1	1.6	0	0	0	0	1	0.96
Total	30	100	31	50	31	50	12	100	104	100

Table 2.13 exhibits the related issue of who in the households manages and control the property owned by them. It indicates that in majority of households the head of family controls and manages the property in which FHH is showing the highest and MHH is the lowest. In the case of currently married FHHs, women are managing and controlling the property either by themselves or with the help of their children, which is almost same with those FHH in which the head of the household is not currently married (others). On the other side, in the case where both head and spouse controls and manages the property, JHH is highest as all such household jointly control and manage property , while in the case of MHH also the joint management proportion is seen to be quite significant. Even when men own the land women actively associate in managing and controlling it. In the case FHH (married), head of the household gets no support from her spouse.

TABLE: 2.14
Control of Income and Expenditure in the Households

Controlling Person	MHH		FHH (Others)		FHH (Married)		JHH		TOTAL	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Head of the Family	20	66.67	29	46.78	15	24.19	0	0	64	61.54
Head And Spouse	9	30	0	0	16	25.81	12	100	37	35.58
Head And Parents/In-Laws	0	0	1	1.61	0	0	0	0	1	0.96
Head And Children	1	1.66	1	1.61	0	0	0	0	2	1.92
Total	30	100	31	50	31	50	12	100	104	100

However, such an active women agency in agricultural operations and in the management and control of the land is not translated into control over income and expenditure of the households. The Table 2.14 shows that head of the family controls the income and expenditure in 61 percent of the households. However, in the case of 66.67 percent of MHH head of the family exclusively control the income and expenditure of the household, and only in the case of 30 percent of such households women take part in the control of income and expenditure of their households, which is proportionately much lower to their participation in agricultural work and management of land. On the contrary, in the case of 35.58 percent of households both head and spouse equally controls the income and expenditure. In this category JHH is the highest with all the household exercise joint control, whereas it 25.81 percent in the case of FHH (married).

TABLE: 2.15
Cropping Pattern of the Households

Crops	MHH		FHH		JHH		TOTAL	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Paddy	15	50	20	32.26	3	25	38	36.54
Seasonal Vegetables	8	26.67	25	40.32	4	33.33	37	35.58
Both	7	23.33	17	27.42	5	41.67	29	27.88
Total	30	100	62	100	12	100	104	100

Table 2.15 exhibits the cropping pattern being followed by the households in their land. It is apparent that FHH are more innovative in terms of cropping pattern. While 50 percent of the MHH depend upon conventional paddy cultivation, two third of the FHH resort to seasonable vegetables or both paddy and vegetables. They have a better sense of intensity of cultivation and mixed cropping, which can potentially maximize their incomes. The productivity per acre of land would throw further light into it.

TABLE: 2.16
Production per Acre in the Households

Production per acre (in Quintals)	MHH		FHH		JHH		TOTAL	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent
less than 15 quintals	20	68.97	25	67.57	3	37.5	48	64.87
15 quintals- 25 quintals	7	24.13	4	10.81	4	50	15	20.27
25 quintals- 35 quintals	2	6.9	8	21.62	1	12.5	11	14.86
above 35 quintals	0	0	0	0	0	0	0	0
Total	29	100	37	100	8	100	74	100

Note: Rest 30 households hold less than acre of land.

As Table 2.16 shows FHH have better production per acre even while the average landholdings is smaller than MHH. It is understood usually that bigger size of holdings has the potential for more productivity than small holdings. Further in contradiction to this assumption, it is apparent that the profile of JHH is far better than the FHH.

TABLE: 2.17
Agricultural Production (In Quintals)

MHH		FHH		JHH		TOTAL	
Total	Average	Total	Average	Total	Average	Total	Average
771.8	25.73	1628.6	26.27	189.4	15.78	2589.8	24.9

The average agricultural productivity of households, as shown in Table 2.17, also clearly demonstrates that FHH fare better than MHH in average agriculture production per household. This is commendable because the average size of land

holding of FHH is lesser than MHH. FHH gives enhanced agricultural production regardless of their lesser landholdings as compare to MHH.

Land Ownership: Gendered Challenges and Implications

Owning and managing land is confronted with diverse challenges and obstacles in places like Sundarbans that suffers general underdevelopment. The following table presents the kind of challenges and obstacles the households confront in general in owning and managing the land and as reported by them.

TABLE: 2.18
Challenges/Obstacles in Accessing/managing the Land

Challenges/obstacles	MHH		FHH		JHH		TOTAL	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Lack of Profitability	22	73.33	40	64.61	6	50	68	65.38
Difficulties in agriculture mechanization	22	73.33	45	72.58	8	66.67	75	72.11
Lack of Marketing Facilities	20	66.65	40	64.52	6	50	66	63.46
Lack of proper funding institutions	25	83.33	55	88.7	10	83.33	90	86.54
Lack of latest technical knowhow	18	60	45	72.58	8	66.67	71	68.27
Lack of irrigation facilities	26	86.67	60	96.77	10	83.33	96	92.3

The problem of lack of profitability is felt mostly by MHH, 73.33 percent of them reportedly confront the problem, while it is 64.61percent and 50 percent in the case of FHH and JHH respectively. The FHH is more confident than MHH in running agriculture profitably. Difficulties in agriculture mechanization is been felt almost by same share of MHH and FHH, when it is slightly less in the case of JHH. Lack of marketing facilities for their products is a concern of all the three categories of households almost in same proportion. Lack of funding institutions is a problem for maximum households of FHH, followed by FHH and MHH, and may be because of lack of trust by funding agencies on women to gain profit and to pay back the loan. Lack of irrigation facilities also troubles more female headed households than others.

TABLE: 2.19
Challenges/Obstacles for Women in Owning/Accessing the Land

Challenges/obstacles	MHH		FHH		JHH		TOTAL	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Relatives objection	29	96.67	20	32.25	2	16.67	51	49.04
Social objection	18	60	2	3.23	0	0	20	19.23
Husband consider it demeaning if women own land	23	76.67	4	6.45	0	0	27	25.96
Husband/relatives don't get income from land	NA	NA	25	40.32	9	75	34	32.69
Children's objection	17	56.67	3	4.84	1	8.33	21	20.19
Women are not taken seriously	30	100	30	48.38	10	83.33	70	67.3

Table 2.19 shows the kind of obstacles and objections women are facing in owning as well as accessing land. In the case 96.67 percent of MHH, relatives object women owning land.⁹ It is less in the case of FHH and even lesser in the case of JHH. The male headed households feel greater social objection to women's landownership, whereas JHH don't consider it as a problem at all and FHH is least troubled by it. In the case 76.67 percent of the MHH husbands feel that it is demeaning for them if women in the household own land. However, a considerable share in FHH and the majority in JHH reported that husbands and relatives feel that they don't get income from the land if women own the land. Children's objection is another major hurdle in MHH, apparently due to the patriarchal and patrilineal commonsense the children imbibed in the households. More importantly, all the MHH reported that women are not taken seriously when it comes to the issue of land ownership. Interestingly, 48 percent of FHH and 83 percent JHH also share the same view; and that their opinions are not heeded as important.

However, irrespective of strong social animosity against women owning land, the survey has found that land ownership has got important implications on the condition and status of rural women.

⁹ The opinion of male and female of MHH is taken into consideration here and the count used is the average of both.

TABLE: 2.20
Land Ownership and Condition of Rural Women

Condition of women	MHH		FHH		JHH		TOTAL	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Respected within the family	4	13.33	62	100	12	100	78	75
Involved in decision making	3	10	62	100	11	91.67	76	73.07
Enjoy social respect	24	80	62	100	12	100	98	94.23
Interaction with outside world and freedom of mobility	13	43.33	59	95.16	12	100	84	80.78
Suffer Domestic violence	11	36.67	3	4.84	2	16.67	16	15.38

The Table 2.20 clearly points to the fact that land ownership can make a difference in the condition and status of women in many ways. The collated reportings from the three categories of households show that women in MHH is least respected within the family, just at 13.33 percent, where as in the case of FHH and JHH women are respected fairly well within their families. Lack of respect accorded to women would be directly connected to their decision making capacity too; only in 10 percent of MHH women are involved in decision making, whereas it is complete in FHH and near complete in JHH. The women in MHH lag behind their counterparts in FHH and JHH in gaining social respect too. Not even in half of MHH, women have proper interaction with the outside world and enjoy freedom of mobility; on the other hand landownership seems enabling the women of both JHH and FHH to interact with the outside world and exercise freedom of mobility. The incidence of domestic violence is also higher in MHH, as dispossession of landed property makes them vulnerable to it. At the same time it should be noted that landownership, independently or jointly, do not make women completely immune to domestic violence as even in 5 percent FHH and 17 percent of JHH women are subjected to domestic violence. However, on the whole it is clear that landownership enables women in significant ways and make their life and status better.

Sites of Empowerment: Landownership and Everyday Life of Women

The survey has attempted to look at specific areas in which landownership makes difference in women's life a little more closely. Attention is given to the agency of women and her social subjectivity in relation to the land question.

TABLE: 2.21
Decision Making on Crop Selection

Women's involvement/agency in Crop selection	MHH		FHH		JHH		TOTAL	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Involve	5	16.67	60	96.77	12	100	77	74.05
Don't involve	22	73.33	0	0	0	0	22	21.15
Partially involve	3	10	0	0	0	0	3	2.88
Refused to respond	0	0	2	3.23	0	0	2	1.92
Total	30	100	62	100	12	100	104	100

Even when majority of women take part in the agricultural work of the Male headed households, vast majority of them are not part of the decision making with regard to agricultural operations. As Table 2.21 shows that in 73.33 percent of the MH households' women are not involved in the decision of crop selection. Only 16.67 percent of the MHH involve women in the decision making of crop selection whereas it is 96.77 percent in the case of FHH and complete in the case of JHH. Landownership is the apparent factor that makes a difference here.

TABLE: 2.22
Land Ownership and Children's Attitude towards Women

Nature of children's Attitude	MHH		FHH		JHH		TOTAL	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Ill	17	56.67	0	0	0	0	17	16.34
Good	13	43.33	60	96.77	12	100	85	81.74
Refused to respond	0	0	2	3.23	0	0	2	1.92
Total	30	100	62	100	12	100	104	100

Landownership is even a factor in deciding the attitude of own children towards women as shown by Table 2.22. While women in FHH and JHH do not face ill-treatment from their children, in the 56.67 percent MHH, children ill-treat their mothers. The children’s attitude towards women in JHH and FHH are 100 percent and 96.77 percent respectively. Landownership thus has an important stake in having smooth kinship relations and emotional attachments between children and their mother.

TABLE: 2.23
Dispute between Children and Mother on Land Question

Whether land question brings dispute	MHH		FHH		JHH		TOTAL	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Involved in Dispute	23	76.67	5	8.06	2	16.67	30	28.85
Not involved in Dispute	7	23.33	50	80.65	8	66.66	65	62.5
Refused to respond	0	0	7	11.29	2	16.67	9	8.65
Total	30	100	62	100	12	100	104	100

The table 2.23 highlights that among the collected sample, 28.85 percent households are found to be involved in dispute between children and mother on land question, in which MHH ranks the highest. Arguably the reason behind the dispute in MHH was against giving the land ownership to their mother, or mother’s failure to convince her husband to appropriately distribute land among the children. On the contrary, in the case of FHH and JHH such disputes are far lesser. Only 23.33 percent MHH do not have dispute over land, whereas it is 80.65 percent in the case of FHH and 66.66 in the case of JHH.

TABLE: 2.24
Freedom on Decision Regarding Food for Children

Women's freedom to decide on their children's food	MHH		FHH		JHH		TOTAL	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Full freedom	1	3.33	52	83.87	8	66.66	61	58.65
No freedom	22	73.33	0	0	0	0	22	21.15
Partial freedom	7	23.33	6	9.68	2	16.67	15	14.42
Refused to respond	0	0	4	6.45	2	16.67	6	5.78
Total	30	99.99	62	100	12	100	104	100

Table 2.24 reveals the freedom available to women in taking decision regarding food for children, which also have seems to have strong intersection with their landownership. As shown in the table in 58.65 percent of households' women exercise full freedom to take decision on the food intake of their children, but when it is disaggregated it is only 3.33 percent in the case of MHH, while it is 83.87 percent in FHH and 66.66 percent in the case of JHH. In three fourth of MHH, women are availed with no freedom to decide on their children's food, due to the fact that they have no control over the land and resources/income of the households and has to rely upon the supplies being made by their men. Though they don't own any land, in a quarter of MHH women still manage to have partial freedom to decide upon the food being given to their children. This also underlines the fact that the landed property being owned by women allow them to spent fittingly on their children's diet.

TABLE: 2.25
Attitude of In-Laws towards women

Attitude of in-laws to women	MHH		FHH		JHH		TOTAL	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Ill-treating	6	20	3	4.83	0	0	9	8.65
Good	3	10	23	37.1	6	50	32	30.77
Partially good	3	10	9	14.52	3	25	15	14.42
N.A.	18	60	27	43.55	3	25	48	46.16
Total	30	100	62	100	12	100	104	100

Note: N.A. refers Absence of In-Laws in the households.

Table 2.25 exhibits the attitude of in-laws towards the women in the households under the study. Here too women in the MHH are more vulnerable to ill-treatment and abuses from the in-laws. Though the women in FHH and JHH are far better to their counterparts in MHH on this question, they too are not completely free from ill-treatment from their in-laws. The survey also tried to capture the perception of each household regarding the question of women's land ownership and its potential impact on the position of women in the family and their social respect.

TABLE: 2.26
Land Ownership and Women's Position in the family

Landownership and women's position in the family	MHH		FHH		JHH		TOTAL	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Will enhance	23	76.67	62	100	12	100	97	93.27
Will not enhance	0	0	0	0	0	0	0	0
Don't know	7	23.33	0	0	0	0	7	6.73
Total	30	100	62	100	12	100	104	100

As the Table 2.26 shows vast majority of households (93 percent) feel that the landownership will enhance women's position in the family. When 100 percent of FHH and JHH share this view, only 76.67 percent of MHH believe that

landownership will have a positive impact on the status of women enjoy with their families. Significantly, no MHH believe that landownership will not enhance women’s position within her family, whereas around quarter of them either did not respond to the question or are not sure about the outcome, arguably because of the patrifocal family atmosphere in which they live in.

TABLE: 2.27
Land Ownership and Social Respect

Land ownership and social respect	MHH		FHH		JHH		TOTAL	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Provides social respect	24	80	62	100	12	100	98	94.23
Does not provide social respect	0	0	0	0	0	0	0	0
Don't know	6	20	0	0	0	0	6	5.77
Total	30	100	62	100	12	100	104	100

Majority of the households (94 percent) also believe that landownership to women will enhance their social respect as shown in Table 2.27. As experienced by them, 100 percent of FHH and JHH share the view that landownership will enhance the social respect of women, while 80 percent of the MHH share the same view. The remaining 20 percent of MHH remain elusive on this question as they either refuse to comment or are not sure about the impact of landownership on women’s social respect.

Land Ownership and Food Security

Landownership of women is also seen as having a positive impact upon the livelihood of families. The survey also tried to find out whether landownership of women makes any major difference in the food security and health situation of the households. The availability of diet is used as one measure to understand the issue of food security.

TABLE: 2.28
Availability of Diets across the Households

Availability of diets	MHH		FHH		JHH		TOTAL	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent
All diets	12	40	45	72.58	5	41.67	62	59.62
Breakfast, Lunch & Dinner	9	30	17	27.42	0	0	26	25
Lunch and Dinner only	9	30	0	0	7	58.33	16	15.38
Total	30	100	62	100	12	100	104	100

Table 2.28 shows that approximately 60 percent of households are having all diets of the day available to them.¹⁰ However, only 40 percent of MHH have this advantage, whereas the proportions are 72.58 percent for FHH 41.67 percent for JHH. It is also important to note that 30 percent of MHH survives only with lunch and dinner. Three meals are available to 27.42 percent of FHH and 30 percent MHH have that advantage. The households where women own land thus have better food intake compared to households where men owns land. The situation of JHH in this regard is weak, but may be because of small size of landholdings they possess.

TABLE: 2.29
Availability of nutritious diet in the Households

Availability of Nutritious diet	MHH		FHH		JHH		TOTAL	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Available	18	60	47	75.81	6	50	71	68.27
Not Available	8	26.67	1	1.61	2	16.67	11	10.58
Partially Available	4	13.33	14	22.58	4	33.33	22	21.15
Total	30	100	62	100	12	100	104	100

Table 2.29 shows the response of households on the question whether nutritious diet is available to them or not. A quarter of MHH have reported that nutritious diet is not available to them and for another 13.33 percent it is partially available. Here

¹⁰ All diets means- breakfast, lunch, dinner, evening tea and food at intervals whenever necessary.

again, JHH households does not look very sound as to 50 percent of them nutritional diet is either not available or only partially available. This may be again because of the lesser extent of landholdings under their possession. On the other hand, 75.81 percent of FHH have reported to have nutritional diet at their disposal. This would be because of the fact that the resources are better utilized in the FHH than MHH, which ensures better health and nutritional outcomes for the members.

TABLE: 2.30
Availability of Milk Products in the Households

Availability of Milk and Milk products in the households	MHH		FHH		JHH		TOTAL	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Available	13	43.33	46	74.19	7	58.33	66	63.46
Not Available	8	26.67	1	1.61	0	0	9	8.65
Partially Available	9	30	15	24.2	5	41.67	29	27.89
Total	30	100	62	100	12	100	104	100

Table 2.30 represents the response of the various households with reference to the availability of milk and milk related products within the family. Out of the total households, in 63.46 percent of households' milk and milk related products are available for consumption. Here also the FHH is found to be faring better as the highest in number with 74.19 percent of them have milk and milk related products available for their consumption. On the other hand, the same is applicable only in the case of 43.33 percent of the MHH, which represents the lowest among the three. The related issue of prevalence of health problems may be used another indicator to assess the general wellbeing of the households.

TABLE: 2.31
Prevalence of Health Problems in the Households

Nature of prevalence	MHH		FHH		JHH		TOTAL	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Frequently prevalent	5	16.67	2	3.22	1	8.33	8	7.69
Not prevalent	13	43.33	38	61.29	7	58.34	58	55.77
Occasionally Prevalent	12	40	22	35.49	4	33.33	38	36.54
Total	30	100	62	100	12	100	104	100

As Table 2.31 indicates the frequent prevalence of health problems is highest among the MHH and lowest in FHH. In the case 61.29 percent FHH health problems are not prevalent at all, whereas the proportion is 43.33 percent and 58.34 percent in the case of MHH and JHH respectively. Here too the female headed households' record is far better than the male headed households, arguably due to the better diet and care available therein.

TABLE: 2.32
Prevalence of Addiction to liquor/drugs

Prevalence of addiction	MHH		FHH		JHH		TOTAL	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Frequently prevalent	14	46.66	5	8.06	1	8.33	20	19.23
Not prevalent	8	26.67	46	74.2	7	58.34	61	58.65
Occasionally Prevalent	8	26.67	11	17.74	4	33.33	23	22.12
Total	30	100	62	100	12	100	104	100

The survey also looked at the prevalence of addiction to liquor/drugs across the households as a measure to assess the general wellbeing level of the households, and as a potential reason for better utilization of available resources for the family. It is found that 19.23 percent households are facing problem of liquor/drug addiction among its male members. This is substantially higher in the MHHs— 46.66 percent MHH household face it fully and 26.67 percent partially. Whereas three fourth of the FHHs are completely free from the scourge of addiction among its male members, it is only 26.67 percent in the case of MHHs. Only 8.06 percent of FHHs fully faces the problem of addiction among their male members. This arguably indicates better wellbeing in FHHs as the households where women own and manage land are far better fared with regard to liquor/drug addiction.

TABLE: 2.33
Land ownership and management of family and children education

Land ownership and better management of expenses and education	MHH		FHH		JHH		TOTAL	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Can be better managed	28	93.33	62	100	12	100	102	98.08
Cannot be managed better	0	0	0	0	0	0	0	0
Don't know	2	6.67	0	0	0	0	2	1.92
Total	30	100	62	100	12	100	104	100

Table 2.33 depicts the views of women on whether owning land would help in managing the family expenses and children's education better or not. Out of total households, it has been found that 98 percent of women favor landownership which they believe would help in managing family expenses and children education better. The women in both FHH and JHH as a whole think landownership allow them to manage the family expenses and children's education better. In the case of women in MHH too, 93.33 percent claim that women's land ownership would enable the family to manage its expenses and children's education better than the contrary situation, whereas the remaining 6.67 percent of these women had no idea if with land ownership the family expenses and children's education could be better managed.

TABLE: 2.34
Opinion on Land Ownership and Agricultural Productivity

Women Landownership increases agricultural productivity compared to male ownership	MHH		FHH		JHH		TOTAL	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Will increase	25	83.33	34	54.84	6	50	65	62.5
May/May not increase	4	13.33	12	19.35	0	0	16	15.38
Will not make a difference	0	0	7	11.29	2	16.67	9	8.65
No comments	1	3.33	9	14.52	4	33.33	14	13.47
Total	30	100	62	100	12	100	104	100

Table 2.34 summarizes the opinion of women on whether land ownership to women will augment agricultural productivity compared to landownership by men. The women in vast majority of MHH (83.33 percent) believe that they owning land will increase agricultural production. On the other hand, women in FHH and JHH who owns land fully or jointly are less sure on this question. Women only in 54.84 percent FHH and 50 percent of JHH are convinced that ownership of land by women will automatically increase agricultural production.

TABLE: 2.35
Availing Loans for Agriculture

Loan for agriculture	MHH		FHH		JHH		TOTAL	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Loans taken	9	30	10	16.13	4	33.33	23	22.12
Loans not taken	21	70	52	83.87	8	66.67	81	77.88
Total	30	100	62	100	12	100	104	100

TABLE: 2.36

Quantum	MHH		FHH		JHH		TOTAL	
	Total loan (in Rs)	Average	Total loan (in Rs)	Average	Total loan (in Rs)	Average	Total loan (in Rs)	Average
Amount	77000	8555.55	54500	5450	15500	3875	147000	6391

Tables 2.35 and 2.36 shows the number of households which have availed loans for agriculture and the quantum of loans availed by them. While 33.33 percent of JHH and 30 percent MHH have taken loan for running agriculture, only 16.13 percent of FHH only availed loan for the same. However, 77.88 percent of the households either decided not to take loans or were not availed with the same. The average loan availed by the households goes in line with the average landholdings of the three categories of households. While MHH have taken Rs.8555.55 on an average as loan, it is Rs. 5450 in the case of FHH and Rs. 3875 for JHH. This also shows that maximum proportion of are able to manage their finances without resorting to borrowing.

TABLE: 2.37
Source of Money Borrowed

Sources of loan	MHH		FHH		JHH		TOTAL	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Relatives	3	33.33	3	30	1	25	7	30.43
Friends	3	33.33	6	60	3	75	12	52.18
Commercial banks	0	0	0	0	0	0	0	0
Agricultural banks	0	0	0	0	0	0	0	0
Private money lenders	3	33.33	1	10	0	0	4	17.39
Community funds	0	0	0	0	0	0	0	0
Cooperative institutions	0	0	0	0	0	0	0	0
Grameen banks	0	0	0	0	0	0	0	0
Total	9	100	10	100	4	100	23	100

Interestingly, the money has been borrowed from either friends and relatives or private moneylenders. As shown in Table 2.37, 82.61 percent of the borrowing households have done it from friends and relatives, while the rest of the households borrowed from private moneylenders. This highlights a sorry situation in which the households are unable to generate loans from institutionalized banks, community funds and cooperative institutions. The hurdles of getting loans from such agencies or lack of trust in such institutions would be suggested as reasons for such a situation.

TABLE: 2.38
Repayment of Loan by the Households

Nature of repayment	MHH		FHH		JHH		TOTAL	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Regular	5	55.56	6	60	4	100	15	65.22
Not regular	4	44.44	4	40	0	0	8	34.78
Total	9	100	10	100	4	100	23	100

As Table 2.38 shows, 65 percent of households regularly repay loan and it is 100 percent in the case of JHH and 60 percent in the case of FHH. The proportion of MHH households that regularly repay loan is the least among the three. This yet again confirms the argument that women can better manage the finance of the households and ensure that the money borrowed is utilized appropriately and is being paid back regularly. During the field survey women in such MHH informed that they are not being informed about the loan and sometimes their men misuse the loan taken for agriculture in gambling, liquor, etc.

TABLE: 2.39
Land Ownership as an Additional Problem

Whether women consider landownership as an additional problem over the existing ones	MHH		FHH		JHH		TOTAL	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Considers it as an additional problem	0	0	0	0	0	0	0	0
Don't consider it as an additional problem	30	100	62	100	12	100	104	100
Total	30	100	62	100	12	100	104	100

Landownership is denied to women often with a justification that women are incapable of managing difficult tasks associating with owning and managing the land. It is argued often that it would only add to their existing problems. However, the survey results make it very clear that women belonging to all categories of households do not consider landownership as an additional trouble. On the other hand, they expressed confidence during the survey that with the help of landownership they can resolve and overcome some of their existing problems.

Awareness Level and Support Systems

One of the major problems that are often pointed out as disabling women's empowerment, particularly that of rural women, is their lack of awareness regarding their legal rights. The awareness about laws which are enacted to ensure gender justice and end gender discrimination and governmental programmes devised with the same objectives is crucial in enabling the women to

make use of such tools for their advantage. The present survey found that awareness level among women in this regard is little and worrisome.

TABLE: 2.40
Women's Awareness about their Legal Rights on Land

Status of their awareness	MHH		FHH		JHH		TOTAL	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Aware	0	0	3	4.84	1	8.33	4	3.85
Not aware	29	96.67	44	70.97	10	83.33	83	79.81
Partially aware	1	3.33	15	24.19	1	8.33	17	16.34
Total	30	100	62	100	12	99.99	104	100

Table 2.40 shows the awareness of women about their legal rights on land, which are governed by their personal laws, is zero among the MHH. A paltry 3.33 percent of such households are partially aware of it. Importantly, the awareness of women in FHH and JHH too is not really significant- while women in 4.84 percent of FHH are reportedly aware of it, it is 8.33 percent among the JHH. Women in around 80 percent of the households as a whole are not aware of their constitutional/legal rights in this regard, which is highest in MHH and lowest in FHH. Same is the case with various governmental programmes of providing land to landless households and houses with inadequate land.

TABLE: 2.41
Women's Awareness of Different Governmental Schemes of Land Provision

State of Awareness	MHH		FHH		JHH		TOTAL	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Fully aware	0	0	0	0	1	8.33	1	0.97
Not aware	30	100	60	96.77	10	83.33	100	96.15
Partially aware	0	0	2	3.23	1	8.33	3	2.88
Total	30	100	62	100	12	99.99	104	100

As shown in Table 2.41 the women in MHH are completely unaware of it and women in FHH are near completely unaware of such schemes. More importantly, it is found that even in the case of JHH, all of whom have received governmental

land as joint titles, women in 83.33 percent of such households are not aware of the schemes at all. This means that women were just used by their men to gain the governmental land without even telling them the details of the scheme under which they received the land. Nor, women felt the need to find out the details of the programme before or during signing the papers.

TABLE: 2.42
Provision of Land by Government to the Households

Whether received land or not	MHH		FHH		JHH		TOTAL	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Received	0	0	0	0	12	100	12	100
Never Received	0	0	0	0	0	0	0	0
N.A.	30	100	62	100	12	100	104	100

As Table 2.42 shows all the 12 JHH have received land from the government while none of the FHH and MHH received it.¹¹ While 75 percent of the JHH received the land under the provision namely *Joint Patta*,¹² the remaining 25 percent received it under scheme called *Chaso Baso Baser Bhumi O Prokalpo* (CBBP).¹³ All the titles were given to the householders as joint titles, which confirm that whatever little shift taking place in rural areas towards joint titles is happening because of

¹¹ The size of the land received, varies in each case according to the different governmental land schemes.

¹² According to W.B.L.R Act of 1955, sec (49), the maximum area of land to be distributed to the landless person was one acre which was always registered only in the name of male beneficiary. (See, "Settlement Of Agricultural Land At The Disposal Of Government" Ch-XIII in the West Bengal Land And Land Reforms Manual." GoWB, 1991). However, since 1992, it entered into the national level programme of "Issue of *Joint Pattas*" which came into effect in West Bengal since 14.9.1992, under which the land were distributed jointly in favor of husband as well as wife of the beneficiary family to the extent possible (See, Memo No.7727-GE/ 277/92 dated on, 17th/ 26th August 1992 on "Issue Of Joint Pattas", GoWB, Office Of The Board Of Revenue and Memo No. 4/66-83/C/92 dated on 7/11th January1994 on "Issue Of Patta Jointly In The Name Of Husband And Wife", GoWB, Office of D LR & S and Joint Land Reforms Commissioner)..

¹³ CBBP scheme was a state level project of West Bengal (2006) aimed to provide agricultural land to the landless agricultural families giving priority to family which does not have homestead also, known as Homestead-Cum-Kitchen Garden Scheme (Cultivation and Dwelling Plot Allotment Scheme). Its fundamental commitment was to provide minimum 2.5 *cotta* of homestead land. It also committed to allot 10 *cottas* (16 decimals), i.e. almost ½ bigha cultivable land to the families who have not shifted to other vocation except selling of agricultural labor and lives in BPL condition (Guidelines of the scheme, GOWB, Department of Land and Land Reforms**). In the present study, the 3 JHH covered under this programme has received 10 *cottas* i.e. ½ bighas of land each.

governmental programmes, and not because of any underlying social change. It would also be interesting to see whether women ever approached government at local level, local self-government institutions and people's representatives at such institutions, in connection with issues of ownership and management of land in their households. The survey in tune with the awareness level mentioned above, shows that the majority did not approach the local self-government institutions and the Gram Sabha representatives.

TABLE: 2.43
Local Government and Land Ownership and Management of Women

	MHH		FHH		JHH		TOTAL	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Whether women approached Gram Sabha members on landownership & management								
Approached	14	46.67	12	19.35	0	0	26	25
Do not approached	16	53.33	50	80.65	12	100	78	75
Total	30	100	62	100	12	100	104	100

As Table 2.43 depicts only 25 percent of the households have approached the gram sabha members with their problems of land ownership and land management for women and among them 46.67 percent are the MHH women, which is much higher than women in FHH (19.35 percent). The very fact that 100 percent women of JHH, 80.65 percent of FHH and 53.33 percent of MHH did not approach the local government structures in this regard testify that women are either not aware of such mechanisms that would help them to sort out such issues or they are not confident in such institutions in resolution of their land related problems.

What was the nature of response the women who approached local government institutions and representatives received on the issue of land ownership and management? Women in majority of the households (65.38 percent) reported that the response was always negative.

TABLE: 2.44
Response of Local Self Government to Women on Land Question

Nature of Response	MHH		FHH		JHH		TOTAL	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Mostly negative	2	14.28	3	25	0	0	5	19.24
Always negative	12	85.72	5	41.67	0	0	17	65.38
Indifferent	0	0	4	33.33	0	0	4	15.38
Total	14	100	12	100	0	0	26	100

As shown in Table 2.44, women in as much as 86 percent of the MHH who approached always received negative response. It was 41.67 percent in the case of FHH, while in the case 33.33 percent of FHH local self-government institutions and representatives remained indifferent to the call of women.

The survey shows that multiple factors that work against women owning land in their name, irrespective of the governmental and legal interventions in this regard to promote gender equality. The indifference and lack of support from the government institutions at the local level is one thing and the social and familial antipathy against women owning land is another. But the households in which women own land fare better over households where men own land on multiple factors. The children in households where women fully or jointly owns the land gets better education and better diet. The agricultural productivity of the land owned by women, fully or jointly, is higher than the households where men own land. This is certainly because of intensive management and better investment of labor on the land. It is also found that land ownership by women is an important way of empowering women, as it not only improve her social respect and respect within the family and from in-laws, but also enable her to become part of crucial decision making within the households, in which otherwise she is not a participant, including the education of children. So also are her mobility options.

Chapter 3

AGAINST MULTIPLE TIDES: LIFE HISTORIES OF SOCIAL ENMESH, HOPE AND DENIAL

Life histories can be considered as a useful method to understand the complex issues of the individual lives and their social embeddedness which is not being captured by the quantitative interviews. It is a 'licensed voyeurism' which enable the researcher to unravel the intricate events and processes on any given issue in individual lives with its intensity, pleasure and soreness (Bertaux and Kohli 1984, Field 2007: 6). Life histories are considered to be an oral documentation under which the person's life is being narrated by the person himself/herself and being recorded by another (Langness 1965, Mandelbaun, 1977: 177). It is reconstructed at a particular point of their lives and is being narrated to the researchers for a particular purpose; and the reconstruction depends upon how the stories are told, which stories are told and how they are carefully interpreted and presented by the researcher (Kakuru and Paradza 2007: 289, Leydesdorff 1999: 597, Sarah 1992: 277). It could turn out to be "transformative or mutative" for the subject and the researcher as it connects the researcher with the subject and the storyteller emotionally neutralising the power gap between the researcher and the informant (Osella and Osella 2006, Kakuru and Paradza 2007: 289, Stratchey cited from Sarah 1992: 277). Importantly, the method releases the researcher from the lengths of quantification and claims of objectivity by humanising the subject and capturing disharmonious voices.¹

Life history method is thought to be useful in the present study in order to unravel the social, administrative and ideological underpinnings of the question of women's land rights. Land ownership is identified as one of the central factors in empowering rural women (Agarwal1994: 1455). It is also found that in spite of progressive legislations, due to the entrenched patrilocality, social, administrative and ideological obstacles are created in the way of achieving gender equality in landownership. The life histories of women collected from the field and selectively used here reveals the diverse factors and processes by which women are

¹ Etherington, K. "Narrative approaches to case studies." Available at <http://www.keele.ac.uk/media/keeleuniversity/facnatsci/schpsych/documents/counselling/conference/5thannual/NarrativeApproachestoCaseStudies.pdf> (Accessed on 30 January 2013).

excluded from landownership and the nuances of their struggle for land for survival and respect.² The select life histories presented here are exploratory in nature, but brings forth women's social and economic insecurity in Sundarbans and the social customs and political structures that mediates landownership. The stories also give glimpses of the role of Gram Panchayats, government offices, police, family, etc. towards women demanding their property rights. The women in rural areas demanding their share over land are ignored and are seen as "unauthorized" and "characterless" to/for claiming property rights. The life histories also bring out lack of manoeuvrability and empowerment of rural women in demanding landownership and appalling living as a consequence of demanding landownership.

Perils of Widowhood and Disempowering Social Norms

The prevalent social norms and patriarchal traditions, though varies from community to community, shackles women- in most cases. Women's vulnerability is said to be associated partly with the imposed seclusion and partly with the social stigma attached to the status of widowhood and divorce (Agarwal 1994:1467). Though the existing laws legitimise the women (girl) to inherit the paternal property and of their husband (after his death), the patriarchal social psyche often prevents this. Widowhood and separation situations in which women need landownership, most seems to be making her more vulnerable as revealed by the life story of Razia Begum.

Razia Begum is a widow from the Shyamnagar village of Kultali block and belongs to the Muslim community.³ She could study only up to 4th standard. She got married at the age of 15 and became a widow at 40. She is now 50 years old and has four children- two sons and two daughters. She owns 2 bighas⁴ of land, which she received from her mother after 15 years of her marriage when she was 30 years old. Razia was in great need of agricultural land at that time to generate more income as her husband was suffering of stomach cancer. Her husband was just a

²All life histories used here are collected during the same field research during the month of September-October (10 September-10 October 2012).

³The life history is reconstructed from Razia begum's own narration. All the names used in all the life histories are pseudonyms.

⁴ 3 bighas = 1 acre.

wage labour and whatever income he was earning was being spent on day to day expenses and then his prolonged treatment. Rattled financially, Razia asked her mother to help her out, as she has even sold off her whatever little jewellery she had for supporting children's education and husband's treatment. Razia's mother had become a widow immediately after her only daughter's marriage. Razia's father had only 2 bighas of land which he had sold for the purpose of her marriage. After his (Razia's father) death Razia's mother was making a living by working on other's field as a wage labour and made some savings by the time her daughter came calling for help. Razia's mother in consultation with her brother (Razia's maternal uncle) bought 5 bighas of land by spending around Rs 35000/- which was mobilised through selling her jewelleryes and from her own savings. She thought of giving 3 bighas of land to her daughter, out of 5 bighas, and to keep the rest with her. But her brother suggested giving Razia 2 bighas, considering the fact that she is alone and children are too small to manage the land, with an assurance of "amra to achi tokon sahajo kore debo" (we are there, we will help her). Believing this, Razia's mother has registered 2 bighas of land under the Razia's name. Razia also did not find a problem then and her mother thought that her brother and nephews are there to help Razia whenever needed. Razia's mother has kept those land papers of the remaining 3 bighas with her brother as she was staying alone, though near to her maternal home. Razia was struggling to manage the expenses with the land she received in 1992 with costs for treatment and household expenses. She found the 2 bighas insufficient for her and she thought if she would get little more, it might help her to manage things better. She approached her mother, who had already fallen sick by then. Making use of the situation her maternal uncle suggested that they would help her financially as the registration will take time. Razia's plight was precarious with mounting expenses for medicines and food and her son, who started working outside, was unable to support her. Her husband died in 2002 and in 2005 she lost her mother too. Being the single child of her parents she thought of claiming the remaining 3 bighas of land of her mother. The land papers were under the custody of her uncle and cousins and initially they were polite towards her on the

question, but kept on evading from land transfer by one reason or the other. Razia's sons could not help her out as the elder one has been working in Gujarat in a plastic industries and the second was a mental patient. Sometimes she was being accompanied by her daughter while going to her maternal uncle in her attempt to recover her mother's land. She kept on pleading for the land papers, but her cousins response was "tui ekta mein chele, bhalo hobe Jodi tui badi te thakis" (you are women, better be at home). They also warned her not to ask for the land as her mother has given it to them. Razia is certain that her mother did not have such intentions as she never informed her so. As she pleaded further, her cousins threatened her that had she continue to ask for land those 2 bighas of land she owns would also be taken away. Her cousins went to extent of severely beating her up. Tormented by this, she had approached to the Gram Panchayat members and also intimidated many of the neighbours regarding the problem and the physical assault on her, but none came in support of her. The neighbours were jealous as no women in the neighbourhood owned land. Many women in neighbourhood suggested Razia that "kono dorkar nei aro jomeen chaiwar keno ki tor kache ager theke ache" (no need of claiming more land as already you have some). They advised her to remain mum as it does not look nice for a woman to go on fighting for land from her relatives. Gram Panchayat members, on the other hand, remained mum in pursuit of their neutrality in the beginning and did not show much interest towards the matter. But as Razia pursued the matter without giving it up, they turned antagonistic. One of the Gram Panchayat members even advised her that, "tomar ekta chele baire kaj kore ar tomar kache ager theke jomeen ache, tai tumi tomar bhai der jonno chede dao keno ki ora tomar maar dekha sakhat koreche" (your one son is already engaged in work and you are also owning 2 bighas of land already, so just leave the matter as your cousins have also have taken care of your mother). The member also advised her to be pragmatic as "the registration and transferring of that land would be costing you much, so it's better to make a good relationship so that they would help you when you need it; if you need my help in this way, I can talk to your uncle." Another member have assured her help, on the pretext

of which has taken a backhander of Rs. 500/-, which also did not help. Razia continue her attempt to recover her mother's property; she find it necessary as she couldn't marry her daughters so far due to her pitiable economic conditions. Her daughter, Mumtaz, said that, the economic pressure and family disturbances have affected her mother mentally and physically. Her marriage is delayed due to her mother's condition and lack of financial capability.

This case reveals that a woman, who needs land for survival and for honouring her motherly responsibilities, is unable to recover the land owned by her mother, which should have legitimately come to her. The land has not only been misappropriated by her maternal uncle and his sons, but also unleashed physical violence and mental torture against the legal heir of the land. The legal claimant of the land, due to her status as a woman, did not get support from neighbours and local government representatives. Demanding of land by a woman is seen as inappropriate due to the prevailing social norms in this regard and demanding landownership by a woman who already owns some land is not comprehensible at all. The absence of solidarity among women is visible here, as women in Razia's neighbourhood strongly advised her against her battle for land and respect. The paradox as noticed in this case is that women are forced to demand land entitled to them in order to meet the explicit patriarchal expectations/systems like dowry.

Sisters should not Demand: Landownership and Kinship Relations

The sanctity of kinship relations as daughters and sisters would also seem prevails only if women do not demand but remain silent about their land and inheritance rights. The social norm is such that when a sister claims her share of paternal property against her brother it is deemed to be a shameful act. A woman, who is not married for some reason, has to live her life at the mercy of her father and thereafter at brother's magnanimity and not with dignity and self-respect by having her share of her paternal property in her name. This is the case even when the woman concerned is primarily managing the entire land and agricultural operations of the family as seen in the life history of Baisali.

Baisali is currently 31 and is unmarried. She lives with her father and mother in the Purbogurguria village and her only brother works in Calcutta. She could study only up to 9th standard. According to her she left her studies at the age of 15 because of her family's relatively poor economic condition. The family wanted to invest on the education of her brother, Kishore, who was two years younger to her. Thereafter she stayed at home and started helping her mother in the household chores apart from supporting her father in the agricultural work. Baisali did not get married because of some reason she did not want to disclose and has become the one who primarily pulls everything in the family. Her father Jagdish has near about 1.5 acre of land on which she works since she left school. By the time she became 25 years old, the entire burden of doing agriculture and managing home has fallen on her shoulder as her parents became unwell. She has been managing everything well and she even sent Kishore to Kolkata for doing his graduation. But her dedication to the family has not been counted when she wanted her share of her father's landed property. Her father has decided to transfer his entire land to his son when he was 27 years old. Kishore was never engaged or interested in agricultural work and as he was a graduate, he was moving with a hope of getting some job in the city. Baisali's father has his reasons to deny land to his daughter and he told Baisali once that "you are a girl and if the property is given in your name what relatives and neighbourhood would say? People may take advantage of the situation and try to hamper you. You can continue to work as you do now and enjoy the fruits of work, but let it be in your brother's name." Baisali raised her concerns that "if my brother will not allow me to work anymore, then what will I do? Where will I go? [She was worried because she had no other source of income and she was not that educated to go for other work, she was scared if her brother will not let her stay in the house] What would be my fate when both of you are no more?" She pleaded her father that, "[B]aba, please give me at least a little share of land so that I can live with a satisfaction that I have some security." Her mother too supported her demand. But Baisali's father had shown no positive response till now, although she is still continuing to work in the land and producing for the family. In the

meantime, last year, Kishore got a job in a call centre in Kolkata. Though he never showed any interest in doing agricultural work and managing the land, he never asked his father to give a share of the land to his sister. Her brother stays in Kolkata and come home once in a month or so and Baisali is taking care of everything at home and in their land. Baisali never discussed this matter outside her home and never thought of disclosing or seeking help from others as she feels that it will create many problems and unnecessarily bring outside interference. She continues to remain as a good daughter with a hope that her father might change his mind one day and she will be getting her share of the land. It remains to be seen whether Kishore would continue to consider Baisali as his sister if a share of land is transferred in her name. He is maintaining his stoic silence on the issue even though he is grown up to take decisions and advise his father what he feels right. He endorses his father's decision for him with his silence and leaves his sister to a position of perpetual dependency. The embedded social expectations and social stigma attached with landownership is visible from her father's worry that what people would think if he give share of the land to his daughter. The brother, on the other hand, even when having a stable income from his job outside is not showing any inclination to give a share of the paternal property to his sister as she legally entitle.

Rural Innocence and Patriarchal Institutions

The women in the rural areas face problems of landownership due to their lack of education and exposure and the resultant rural innocence. The democratic institutions and the bureaucracy they have to confront with in order to actualise their landownership on the other hand are deeply and formidably patriarchal. It is seen that lack of legal knowledge and lack of support circuits result in situations in which women are misguided and kept in dark by such patriarchal institutions. The existing laws against gender discrimination in property rights and protection of women against violence and harassment are not making much of a difference in practice due to the coupled effect embedded patriarchy and low awareness level among women. Sabitri's story is revealing in this connection.

Sabitri is 40 and is an unmarried daughter of a widow namely Dakini, who is 62 years old, living in the Purbogurguria village. Sabitri has schooling only up to 4th standard. She was the only child to her parents. In 1997 her father Raghuvir died out of heart attack when she was just 25 years old. Since then Sabitri has been taking care of her mother and home and couldn't marry due to these responsibilities. Her father had near about 2.5 bighas of land which he received from his father as his share of inheritance. She used work in this land along with her father which made her strong enough to undertake any work pertaining agriculture. Beyond cultivating his own land, her father used to work outside as a wage labourer to make additional income for the family. After the death of her father all responsibilities had fallen on Sabitri. Her mother was already sick. By cultivating in her father's land and working outside occasionally on daily wage she makes a living for her and her mother. She did not bother to get the land registered in her or her mother's name because she thought there won't be any problem as they are the only legitimate heirs to her father and for financial costs involved in re-registration. She never expected a dispute on this from her paternal uncle as they were not really in touch with them and moreover, the uncle concerned also received the same amount of land as his share from her paternal grandfather as her father. There was no trouble till 2004, when her uncle has fallen to huge debt due to crop failure. He borrowed money from private moneylenders by pledging his land. He approached Sabitri asking for a share of the production or income from their land in order pay back the debt and retrieve land from the moneylender. The persuasion started sweetly but has taken an ugly turn slowly. Sabitri put across her inability to support uncle as she was finding it difficult to manage the expenses of her home and her mother's treatment out of the income she generate from agriculture and wage labour. Her uncle told her that had his brother alive he would have definitely helped him and he threatened her that "do not forget that still the land is not transferred or registered neither in your name nor in your mother's name." Sabitri and her mother lives with this problem for last 8 years, constantly been harassed by her uncle and his sons. There was no one to help her; but as advised by a neighbour and

her father's friend she has decided to get her father's land registered in her name. Due to lack of education, economic problem and unaware of whom to contact, she took the help of the same neighbour for getting the work done. Sabitri said that, even when her father was alive, he wanted to transfer the land in both of his wife and daughter's name jointly, but couldn't do as it needed lots of money. Sabitri recollected that her father tried to transfer his land jointly to her and her mother's name. He couldn't do it as he was unable to mobilise the money required for the same. She also remembers that it was on the day he went to consult the Gram Panchayat members regarding the transfer of land jointly to his wife and daughter he had his first heart attack, which was one and a half year prior to his death. Her father's subsequent negotiations with the officials at the Block land revenue office has also been not successful as he was apparently given an answer that "it would take time and this cannot be done quickly as you want and also the registration fee will not be negotiable." Had her father been succeeded in transferring the land in both of her and her mother's name she would not have faced such problems now. In order to overcome the problem, initially she approached the Gram Panchayat members along with the neighbour and briefed them about the trouble she and her mother are undergoing. They consoled her by saying that "we will definitely do something for you, but that would cost you little bit, would you be able to manage?" She started paying money to the Gram Panchayat members as demanded by them in regard to this. For the last two years she has been chasing them only to get disappointing answers like "lot many work today, come later on" and "believe us we will definitely do your work" without any actual outcome so far. Sabitri feel that nobody is taking her seriously as she is a woman. They might have understood that she may not be able to pay them what they hinted. After that she went to the Block land revenue office, as advised by her neighbour, but the story was the same as the officials told her that the work can be done but they need some extra charges as they have to find out whether the records are really in her father's name. She was carrying those land papers, the patta, and when shown the same to the officers, one lower level officer told her that "jodi apni kichu den tahole

kaj ta hoy jabe” (if you can give something then the work will be done soon). When unsuccessful negotiations with the officials for getting the paternal property registered in her name was going on, the concerned uncle was threatening her to share half of the earning to him or to face dire consequences. Sabitri confessed that she is scared of leaving her mother alone at home while going for work or to these offices. She herself is scared that her uncle and sons would make an attempt on her life. Since her mother is keeping unwell, Sabitri wanted now the land to be transferred on her name. She had already spent a lot of money on Gram Panchayat members and Block Land revenue members (lower level officer) as bribes. Lack of proper awareness, and education as well as lack of support systems has been crucial in her failure to get the landownership legally on to her name. Initially the neighbours used to support her, but eventually they also stepped back. They are not helping even when the uncle and sons come and threaten and forcibly taking away their grain. Once the uncle came drunk to their house and attempted to beat her. Sabitri managed to save her mother from the attack. The neighbouring men also came to their rescue. Her uncle threatened them in front of all the neighbours that “jodi na dis tahole khub kharab hobe kintu” (if you will not give us the share, then anything bad can happen to you both). He has been using very abusive language before leaving the place. After a few days the uncle came in the company of his sons and forcibly has taken the two gunny bags of paddy from the store room of her house. Their pleading went unheard. They even called neighbours for help, but none turned up as women prevented their men from interfering for fear of her violent uncle. Sabitri did not make a police complaint as she feared that it will complicate the situation further, but informed the matter to the Gram Panchayat members and also made another application in Bengali to the Block land revenue office delineating the urgency of registering the land in her. The response of Gram Panchayat members was casual. They said “joto din tumi nijer name jomeen ta pachona toto din nijeder modhe dekhe nao” (till the time you get ownership in your name, settle it among yourself with mutual understanding). The Block land revenue officials were

also cold. Sabitri's struggle is going on for the last eight years without any success.

Sabitri's life story underlines the fact that the local government institutions and government offices are bit patriarchal spaces where issues of women are not given the attention it deserves. They keep on delaying acting on the matter and use such problems to make money through underhand payments. The lack of awareness of the concerned woman is also apparent; not sure of whom to approach and what should be done for getting the land papers transferred, she chases Gram Panchayat members and Block land revenue officials pleading her case. She is completely unaware of the process of getting the registration done in her name and the legitimate fee involved for the same. The lack of supportive systems for rural women is also apparent in this case. This is reinforced with the rural and administrative antipathy towards women who battle for landownership and apparently social stigma towards an unmarried woman and a widow. Such women are undergoing a situation of double marginalisation – marginalisation as women and as elderly spinsters/widows. The local government institutions too are found to be entrenched in patriarchal worldview. The following life history of Payal further shows the apathy of local representatives towards women's cause; even when she is deserted and robbed off with her paternal property.

Payal is a deserted woman from Srinarayanpur village of Pathar Pratima block. She was married in 2001 when she was 22 and she gave birth to a son in 2003. Payal was the only daughter of her parents. She lost her father when she was one year into her marriage. Payal's life took a different turn when after two years of her father's death her husband asked her to bring Rs. 30,000/- and asked his mother-in-law to transfer her property, though very small, in his name. The strip of land was received by Payal's mother from her husband and was planning to give it to her daughter. At the time of marriage, Payal's father has given half an acre of agricultural land to Payal's husband as part of dowry. The remaining 25 decimal of land had been registered in the name of Payal's mother and the tiny land includes one house and a small kitchen garden. Immediately after the death of her father, Payal's husband, Kulin, asked

her and her mother to give the land to him or else he will break the marital relationship. In 2004 Kulin deserted Payal forcing her to go back to her mother. Payal now has to take care of her paralysed mother and nine year old son. She is working as an agricultural labour in others' farms to earn a living. She completes all the household chores before proceeding for work. She is producing a little in her kitchen garden and with income from the wage labour she manages the family expenditure. Payal gets only Rs. 120/- per day for work, though her male counterparts gets Rs. 200/- for the same work and for the same duration of time. She does all kinds of works like ploughing, harvesting, sowing seeds, ripping etc. Payal manages things with greater difficulty and feel that if she had a little more land it would have been easy for her to manage family expenses and would have taken care of her son's education better. This would have also allowed her work in her own field in her own way in order to earn more and could have avoided leaving her paralysed mother alone in home. For four years since Kulin deserted her she did not claim the land her father registered in the name of the former as she was busy with her ailing mother and little child. She also hoped that her husband will change his mind and accept her back. But in December 2007 she came to know via her neighbours that Kulin got married again with someone else. It was a love marriage and Payal have no clue whether Kulin has taken dowry from his second wife too. She ascertained the same in person and then made a complaint in the local police station against her husband for marrying without getting a formal divorce from her. He was arrested and punished on this case. He was in jail for one year. From 2009 onwards, she has been claiming the land her husband received from her parents at the time of marriage as a part of dowry. She says that if she get at least half of that half acre of land she can make her living out of it and take care of her dependents. She has intimated the matter to her neighbours. Though many of them give her an impression that they are supportive to her cause, but remains indifferent. They usually tell her "chinta koris na sobthik hoy jabe, tui sudhu nijer cheler bhobisoter dike dhyan de" (you do not worry, everything will be fine, you just think about your son's better future). But there are neighbours who used to treat her as if she was doing some crime by demanding her

parents land back from her husband who deserted her and son and married again. They think that it is a shame to claim the land back; she should understand the fact that Kulin got married again and so is entitled to live his life. The Gram Panchayat members also have given her hope as they promised her to bring justice for her; on the basis of which she remained silent on the issue for almost two years. As her economic perils worsened, she approached to Gram Panchayat members again and to her husband too. The Gram Panchayat members' response was disappointing: "tumi ekta mein, ja ache tate khushi thako keno tumi parbena eto besi samblate ar tomar baba tomar sami ke diyechhe tai tomar kono adhikar nei" (you are a woman, be happy with what you have, you won't be able to manage more and legally your parents have given that land to your husband. The land is in his name. So you do not have any right to claim it). She went to her husband's place demanding the land only to be forcefully pushed out and beaten up by her husband and his second wife. As severely injured, Sabitri could not go for work for the next few weeks. She went to the Panchayat members with her injuries and told them, "dekhun amar ki obosta koreche ar ei obosta te ami kajeo jete parbona, ebar ami ki korbo, er pichone doctor dekhate korcha ke debe"? (See what my husband has done with me and in this condition how will I go for work? who will give the money to treat this?) They haven't done anything concrete except expression of sympathies. She has given up hope getting any support from anyone in this regard and currently lead a miserable life. She is not sure even whether she should file a divorce case or not, as she lost all her confidence to deal with the problem due to lack of social and institutional support and a pitiable economic condition.

Fighting Disability: Women Agency Changing Destinies

Any case of women demanding landownership is viewed as abnormal and widows particularly are expected live at the mercy of her relatives without making noises. A widow who makes a claim over her husband's landed property runs the risk of antagonising her in-laws and gaining a miserable life. However, there are

occasions where women shed the image of victim and fight their case against all odds to become successful. Such cases, as seen in the life history of Anjali, exhibit a resolute woman agency at work.

Anjali is a widow of 50 years old from Srinarayanpur village of Pathar Pratima block. She owns 3.5 bighas of land, out of 1 bigha was bought by her and she received the remaining 2.5 bighas as a share of her husband's property. Her husband, Nimai, was a truck driver and also had 5 bighas of land which he received as his share from his father's property. His brother, Ranbir, also received the same amount of land from their father. It was a joint family where Nimai, Anjali and their 2 daughters stayed with Nimai's father and brother and his family. Nimai's 5 bighas of land was taken care by Anjali as Nimai used to be always out of home in connection with work. Ranbir had no other employment and hence used to work on his share of land with the help of agricultural labourers. Anjali's life turned upside down when she lost her husband in an accident when she was just 35. Their daughters were 14 years and 12 years respectively when Nimai passed away. The daughters' education and family responsibilities has fallen completely on Anjali's shoulder. She has relied totally on the agriculture for sustenance and children's education. However, to her shock, after Nimai's death Ranbir wanted to get the whole land owned by his brother, on the ground that Nimai does not have any son. Neither the father-in-law nor the brother-in-law or any other relatives from her husband's side asked Anjali what she want and how would she manage her expenses and that of her daughters. Under such a situation, Anjali was forced to ask for transferring her husband's land in her name for making a living out of it. As both the parties stuck to their position, Anjali asked her father-in-law to call a meeting of neighbours and relatives to decide up on the matter, whether her demand was correct or not. Ranbir was quite sure that the elders will support him as women are not supposed to own land and after her daughters getting married what she would do with the land. In the meeting Anjali put across her case, and demanded at least half of her husband's property for herself and her daughters. Ranbir apparently has mobilised the family members against

her demand as to him it was against the social norms and traditions and a widow is not supposed to carry ownership. The social and kinship pressure on her to give up the demand was very high due to this. Anjali kept on reminding and requesting the assembled that she needs some security for her future which can be potentially given by ownership of land on which she has been toiling for long. Her daughters' education and thereafter their marriage has been her major concern. Her rationalities went unheard as her father-in-law stated that "amra to achi, amra dekbo to make ar amar natni der" (we are here to take care of your expenses and to take care of our granddaughters). He also offered to take care of his granddaughters' marriage. He was convinced that being a woman Anjali cannot handle if some problem arise pertaining to the land. On this assurance the meeting decided to overlook Anjali's demand and give ownership to Ranbir. The atmosphere within the household became hostile as she did not give up the demand. Anjali's decision to approach Gram Panchayat members and if necessary to the court has been rebutted by her father-in-law and brother-in-law alike. From this stage onwards they stopped her from cultivating the 5 bighas of land owned by her husband. She was not permitted to move out and was forced to do only household works. This was accompanied by domestic violence and she was often physically tortured by her brother-in-law and father-in-law. She could not even intimate anyone as was not permitted to go out of home and there was no phone at home. Gradually, Ranbir had stopped her elder daughter's education, by saying, "there is lot of expenses and for your daughter's education we cannot spend much as her marriage will also involve huge expenditure, so let her stop her studies and involve in household work." Though the younger daughter was allowed to continue with her studies, both of them were ill-treated at home. Father-in-law either kept mum or supported his son on all excesses. One day Ranbir has threatened to kill her. On the face of such violence and life threatening, one day when both Ranbir and father-in-law were not at home, she managed to escape from the house with her daughters and went to her parents' home. She informed everything to her parents and also intimated the Gram Panchayat about the denial of husband's property and the

domestic violence she has undergone. Gram Panchayat members were asking for backhanders of Rs. 1000/- for each consultations. Moreover, being males, they had a feeling that the women should not carry landownership. They haven't taken the matter seriously, but were expecting bribe whenever Anjali and her parents meeting them for help. Anjali started working on other's fields for making a living and with the little money saved out of it and selling her jewellerys she managed to buy 1 bigha of land. She started cultivating vegetables in it and was proved to be very profitable for her as she already had all experience of carrying out agriculture. After gaining some stability in this manner and resuming her elder daughter's education, she has taken up the matter of reclaiming her husband's property entitled to her and daughters and for which she had suffered tremendous domestic violence. After remaining silent for three years, with the support of her parents and daughters, Anjali approached the Gram Panchayat members in pursuit of her case. She brought down the bribe to Rs. 500 on each consultation and has taken them on board. She successfully made the Gram Panchayat to send a notice to her father-in-law and brother-in-law reiterating her claim over her husband's property. Then she approached local police and she has taken one of the Gram Panchayat members with her as a witness and support to the police station. A complaint was registered for the domestic violence, apart from making a claim over her husband's property. She was forced to bribe the police too, to ensure the smooth conduct of the case. Playing strategically and bribing people, she had created pressure on her brother-in-law and father-in-law. Consequently a compromise meeting was held in which police, Panchayat members and relatives assembled in a small community centre to discuss and sort out the matter. In the meeting, aware of the consequences otherwise, including a long legal battle, her father-in-law and Ranbir has agreed to give half of the land owned by Nimai to Anjali and her daughters. She got the land registered in her name and within one year, she had given her elder daughter's marriage at the age of 20. Anjali had given jewellerys and cash as dowry to get her daughter married. She is educating her second daughter and is planning to get her married when time comes. She has decided that once she get

her younger daughter also married, she will equally distribute the land among both the daughters (not in their husband's name) but would keep 1 bigha of land in her name. She hasn't planned yet what will happen to the 1 bigha of land after her death. She is currently staying with her parents and is taking care of them as well.

Anjali's life history highlights a resolute woman agency at work against gender based discrimination on landownership. It once again brings out the opposition to give land rights to women within marital life and widowhood and the ordeals she has to undergo for demanding her legitimate rights to survive and earn for her daughters. The domestic violence and social pressure on Anjali for giving up her claim was extraordinary. However, instead of wearing a robe of victim only to gain some sympathy out of it, she has decided to fight it out in a fitting manner by winning people by playing into a corrupt system and people. It also underlines the fact the women have to overcome the social stigma attached with demanding land to translate her legal rights into real entitlements.

Battles Half Won: Pragmatics beating Economics

However, battles completely won are largely exceptions. The obstacles are just not the deep rooted patrifocal social psyche, but economic incapacity to transfer landownership to women even when the concerned men are ready to do so. As emerged in the previous life histories, women essentially demands ownership for economic security, particularly when it is at risk. Such risks are being confronted by women not only from their husbands, parents, in-laws and relatives, but also from their own children. There are occasions in which husbands wanted to transfer landownership to their wives, at least a share in their property, but children object it. The following life history, of Lalbanu, is one such case where husband decided to transfer the ownership only to be objected by their son. Moreover, his decision was not actualised legally because of the poor economic plight. But this was not a battle to be completely lost for economic reasons; it could at least be partially won through imaginative manoeuvring.

Lalbanu is a Muslim woman of 45 years old and married to Dhanki Ghazi. Dhanki is working in Kolkata as a labourer in a leather factory and hence is away from home most of the times. He owns 1 acre of agricultural land which he received as his share in his paternal property. In her husband's perpetual absence due to his work, it was Lalbanu who was working in this land and doing agriculture. Even when her husband is at home he hardly work on the land. Lalbanu also used to go for work outside as a wage labourer during the off season. She lives like this for the last 25 years since her marriage. Sometime in the winter of 2010, she asked her husband "you are busy with your work in the leather factory and I am doing the agricultural work in our land, apart from working outside and at home. What would you give me? Wouldn't be you giving me anything?" Lalbanu asked her husband, what would her future if something happens to him; what security she has. She asked and cried: "will I be always working like a donkey without any security? What if in the future our son and his wife will not give any respect or two times meals to me? Where will I be going?" There were genuine reasons for her anxiety. Their son was not behaving well with her and he was ill-treating her often. Now, she also realised that she may not be able to work in the manner in which she used to work due to her falling health. She was really apprehensive about her son's attitude when she becomes unable to work or sick. She was getting cold and cough problem often during those days apart from suffering of asthma. So she asked her husband to give her a share of his land, which she thought would give her some security economically, socially, legally, physically and mentally. Her husband did not give a positive response at that time, but just said, "dekhi ami ki kotre pari, tumi sudhu sudhu bhul kotha bhabo" (I will see what I can do and you should not be thinking in such negative manner). One day, for some reason there was a fight between Lalbanu and his son Zaheer; and out of anger demanded a share of the land from her husband. Her husband got angry and beaten her and as she insisted on her demand it lead to regular physical and mental torture mostly by her son. However, apparently her husband was not against giving her a share. One day he told her that transferring of land will take lots of money as registration fee, which they

cannot afford. He said instead of wasting the money, “I will write in a paper as a Will and will give the copy of it to the Gram Panchayat members and give a share of the land to you.” When her husband was about to do this, their son mobilised a few relatives and Gram Panchayat members, who suggested him to give only one-fourth of the land to her and not half of it. But Lalbanu insisted for half of the land for the security of both of them, “why should I take one-fourth when I am working on the entire agricultural land?” She was furious that “why should you people have a problem when my husband does not have any problem”? Her son lost his cool and abused her badly in front of everyone. Gram Panchayat members reminded her that being the only son he should have the right to own his father’s property completely. Lalbanu didn’t know much about the law, but she was certain that landownership would only give her some security. After acrimonious debate the son and the mediators budged to her demand with the condition that after the death of Lalbanu the land will go to their son. The will was written in a white paper by her husband in front of all the assembled and the Gram Panchayat members, not willingly, put their signature and stamp. One copy of the will Lalbanu is keeping and another was given to the Gram Panchayat members.

Though this will, may not have the procedural standing and hence its legal validity may be debateable, Lalbanu is happy with the land transfer made by her husband in the presence of all and feels secure enough. She is relying on the social sanctity of the document. It was lack of money which forced them to take this route. Since the document was prepared in the presence of neighbours and Gram panchayat members, Lalbanu is not doubtful about its validity as it has got the sanction of the community, an effective mechanism in rural India.

Women who brings Shame: Moral Economy of Masculinity

The masculine mentality prevailing in the society however is pervasive. The ideology of masculinity and patrilocality is perpetuated through a benign language that women due to their inherent incapability should leave hard tasks like agriculture management and landownership to men and focus on her

responsibilities as a homemaker. Even when women are engaged in all activities of agriculture as efficient as men, sometimes even better, the same argument is invoked time and again to silence the women's land question. Though the existing laws support women in their struggle for landownership, it was the deep seated masculine mentality that works often as a stumbling block at the level of implementation. It is important to understand how men take the question of women's landownership in order to unravel the nuances of the overarching masculine culture within which women live.

In order to get such a general male perspective on women's landownership an interaction with an educated farmer would be useful. Pranab is a farmer from Shyamnagar village of Kultali block. He is 60 years old and is a graduate. Though a graduate in Political Science, he is still a farmer due to the family's agricultural background and responsibilities towards his younger brothers and sisters as the eldest son in his family. He has 20 bighas of land in total, out of which 5 bighas are bought by him by his efforts and rest was inherited from his father. He has given almost half of the property to his son, but nothing has been registered in the name of his wife and daughter, let alone the daughter-in-law. Pranab is carrying out agriculture with active participation of the family as he says cost of agricultural labour is high and returns from agriculture are low. His wife, son, daughter (sometimes) and daughter-in-law support him in agriculture. Pranab accepts the fact that the female members of the family are equally putting in their efforts into agriculture. But Pranab don't think of giving any share of the property to his family members except his son. He says that though women work equally with them that do not mean they should be given land ownership. For him, it is good that they are working "with us," but if they carry land ownership "they will start dominating us." Though they are contributing equally with their work, they are not equal as "men are much capable" in taking decisions and conducting agriculture. He correct himself as the landownership issue was posed, as "they only supports us" and "they are not supposed to move or interact with outside world and does not have even that much physical strength."

He also said that his family tradition do not allow women to own land as none of the women in the family received any land ownership so far. He is

apparently committed to uphold the same tradition. He doesn't see any valid reason to do so: "I am fulfilling all their demands, so there is no need of giving them land ownership. If the women in the family own land, then what society will say? The neighbours and relatives disdain us." He is also quite clear about women's sphere of activity: "women should take care of household work and supports her husband on field whenever required rather than carrying and demanding landownership." Pranab is concerned that if women are given landownership "then who will take care of the household works." He said, "If it is a question of having a secure and fulfilling life, then I am doing it, it is not necessary to give landownership."

This overarching masculine concern that woman's security and fulfilment of life is in the hand of men resurfaces in his argument again and again. For him, "land rights are not meant for women and women demanding such rights are fools because that is not their duty; such women disrespect the social and religious sentiments." He is quite convinced that "women who are demanding the land rights and marching and protesting on the streets are actually bringing their culture, their moral values and traditions down. Women should always remain in the line of household and reside behind her husband. They should demand only genuine things. Those who go out of the way would only bring shame for the family as well for the society." He has got his own plans for his daughter too: "I have decided and kept around 1.5 lakh rupees for my daughter's marriage; so there is no question of giving any share of land to her; but if in future it would be required, I will give it in her husband's name as he will be taking care of my daughter and also it will not create any ego clashes."

As demonstrated in the life histories narrated here, it is the deeply embedded patrifocal and masculine mentality of the society, and as eloquently represented in the words of Pranab, that disable women in achieving gender justice in landownership. The women are disabled within the families and at the community level. The specific difference at the community level and across various religions is not taken up for discussion here, but rural women in general face this problem more or less in equal intensity and magnitude. The supportive legal instruments are not working at the ground level as seen in the kind of apathy

from the local government structures and bureaucracy. The rural women's awareness in this regard is also seen pitiable; those who decides to fight it out also doesn't know where to go and what to do. The issue of landownership by women involves contestations and struggles at various levels. Even the ownership of land that should have legitimately goes to the widows after their husband's death have not been happening due to such multipronged contestations the women have to take. The ideology that denies landownership to women is getting reproduced through diverse apparatuses – family, social norms and customs, traditions, bureaucracy and local governmental institutions, alongside a stubborn denying male treatise.

CONCLUSION

The study has been a modest attempt to see the socio-economic implications of women's landownership with special reference to rural and backward areas. It set off with a presumption that land is not only just a site of production and an entitlement, but a crucial instrument in achieving gender mobility and equality. The denial of land ownership to women is seen as one of the fundamental factors behind gender disparity in development of developing countries like India. The gender inclusiveness in landownership remains unrealized irrespective of structures created exclusively for the purpose, apart from supportive judicial interventions, due to the hegemonic patriarchy in the society and governance. Apart from the aspect of women empowerment, it is also recognized that women's landownership can contribute significantly to the food security and the general wellbeing of the family. In such a background the study embarked on looking at the challenges and obstacles being faced by rural women in owning and accessing the agricultural land with special reference to Sundarbans in the state of West Bengal. It also looked at how far and what ways the landownership of women would empower them and contribute to the wellbeing of families. The study also made an attempt to see the structural impediments at the social and local governance levels that prevents women in owning land by looking at a few personal histories.

The history of land ownership in modern India starts with the colonial intervention on land settlements which created new hierarchies in land relationship and ownership apart from making the ordinary tenants vulnerable to eviction and exploitation. The rural/peasant unrest made the colonial government to think beyond its immediate revenue concerns and work on the security of peasants, which registered significant success in terms of ensuring the security of tenure. The reforms in this regard got spilled over and continued by the postcolonial Indian government as seen in the figuring of land reforms as a major policy agenda in the five year plans, kindling land reform initiatives in various states. Such initiatives, in varying scale and magnitude has been successful in dispensing landownership to the maximum by

taking it from a few hands. However, these initiatives were gender blind and did not make any thoughtful attempts to take women on board as men are fixed as the head of the family and thereby the owners of family assets. The personal and inheritance laws of communities were also not supportive to the women. More recent judicial and legal interventions, however, largely upheld equal rights for women in inheritance and landownership, though this has not been translated into actual outcomes due to embedded patrilocality in social customs and practices. The problem is endemic to Indian modernity which has accorded a position of subalternity to women, fixing them as the subjects of inner/spiritual domain and whose entry into the material/outer domain dismayed.

The field study in Sundarbans at first tried to have a quantified understanding about diverse implications of landownership to women and their families. Agriculture remains the primary source of income in the study areas, though quite a few households in the sample are engaged in non-agricultural jobs as well. An already underdeveloped area, Sundarbans offers additional challenges on the land question. The average size of the landholdings in the sample households is not big; amongst which the MHH has the highest average size. The households belonging to General Category own more land than OBC, SC and ST households. At the same time Female Headed Households have more share of acquired property over inherited property unlike MHH. Majority of the women are engaged in agricultural work of the households though are having no landownership in MHH. On the contrary, in the FHH women manage land and run agriculture with some support from children, but little from their spouse. Though there is improvement with regard to women's landownership across generations, it is marginal and the male dominance over landownership remains largely unchanged. The participation of women in the management and control of income and expenditure of the household and decision making remains weak across the households, though it is better in the case of FHH. Women's access and inheritance to paternal property remains negligible- it is zero in the case of MHH and less than 20 percent in the case of FHH. More often landownership is denied to women with a justification that women are incapable of

managing difficult tasks associating with owning and managing the land. However, the survey results make it very clear that women belonging to all categories of households do not consider landownership as an additional trouble and also expressed confidence that with the help of landownership they can resolve and overcome some of their existing problems.

It is also found that landownership by women brings significant positive outcomes to their households. The children of FHH have better educational attainment than their counterparts in MHH, even when the FHH holds lesser size of land. The children in households where women fully or jointly own the land gets better diet too. The incidence of health problems is lesser in female headed households. The survey also reveals that the women gain better respect within their families and extended kinship circuits if they own land. It also enables women with freedom of movement and facilitates emotional attachments between children and their mother, apart from gaining social respect. It is also seen that women's landownership have positive impact over the livelihood of the families as it gives better productivity and better food. It indicates better utilization of resources in FHH, as also indicated by far lesser incidence of liquor/drug addiction among them. It is also found that women manage agriculture better with good entrepreneurship and by efficiently managing the labor and other factors. FHH are more innovative in terms of cropping patterns and have better sense of intensive of cultivation and mixed cropping, which potentially maximize their incomes. The FHH availed loans lesser, but have better record of repayment. At the same time, women's awareness about their legal and constitutional rights in this regards remains minimal and the attitude of local government institutions and people's representatives towards women's landownership continues to be largely negative.

The life histories capture the sufferings and struggle women has to undergo in retrieving their share of property from parents, husband and in-laws. The misappropriation of land entitled to women by their relatives has been a common phenomenon and demanding of land by women is seen as inappropriate and against

culture and traditions. The powerful patrifocal commonsense in the society and governmental structures is seen disabling women who are ready to fight for their legitimate land rights. The struggle involves multiple dimensions and diverse locations - local government institutions, revenue office, police, family etc. The lack of legal knowledge and lack of support circuits result in situations in which women are misguided and kept in dark by such patriarchal institutions. It is also found that a strong sense of social stigma prevail against those women who demands their legitimate land entitlements. The prevailing social stigma also disables even the willing parents/husbands to give away land rights to women fearing loss of social respect. However, there are instances in which women won their cases, fully or partially, against all odds. The life histories also brings out a strong rural woman agency ready to fight gender based discrimination on landownership, calling for supportive and enabling mechanisms from the state and society to yield positive outcomes. The present study remains exploratory and preliminary, but calls for serious interventions to address the multiple structures and ideologies that disempower rural women from gaining landownership in its magnitude and specificities.

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APPENDIX

HH no:

Phone:

Case: 1/ 2/ 3/ 4/ 5

Central University of Punjab Centre for South & Central Asian Studies

Questionnaire for the study on Women Land Ownership and its Socio-Economic Implications

1. Area (village and ward):-.....
2. Interview Sl. no: Date:
3. Name: Gender: Age:
4. Religion: Caste: Category: Gen/OBC/SC/ST
5. Marital status: a) Married b) Unmarried c) Divorcee d) Widow/er
6. Family of the respondent (TABLE -1)

Sl.no 1	Name 2	Relation 3	Age 4	Education 5	Job 6	Place of residence 7	Whether own any land 8	If yes, how much 9
1								
2								
3								
4								
5								
6								
7								
8								
9								
10								
11								
12								

7. Number of people in the family who are co-residing in the house:
8. Total area of land owned by the family: Men..... Women.....
9. How many years you have been staying in this house?
10. Number of years in Sundarban area:
11. Is this house bought or inherited?
12. Is agricultural work contributing the primary income of the household? Y/N
13. Household income- (TABLE-2)

No of members employed T/M/W(1)	In non- agricultu re. Jobs T/M/W(2)	In agriculture T/M/W (3)	Total income T/M/W (4)	Income through job T/M/W (5)	Income through agriculture T/M/W (6)	Share of women's income (7)	Income from inherited property (8)	If others (specify) (9)

14. School attended or being attended by children (TABLE -3)

Sl.no (1) (use the sl. no as given in table 1)	Name of school (2)	Medium (3)	Fees (annual) (4)	Whether spent more year in a class (5)	Whether attended college (6)	If yes, what course (7)

15. History of landownership of the family (TABLE-4)

Yourself (Extent) (1)	Parents (Extent M/W) (2)	Grandparents (Extent M/W) (3)	Great Grandparents (Extent M/W) (4)	Parents of Great Grandparents (Ex/M/W) (5)

16. Who control the income and expenditure of the family?

a) Head of the family b) Head and spouse c) Head and children d) Head and parents/ in-laws

17. Who is controlling and managing the property owned by you?

a) Head of the family b) Head and spouse c) Head and children d) Head and parents

18. Distribution of landownership and income (TABLE-5)

Individual member (1) (Sl.no. from Table 1)	Extent of land owned (2)	How long (time period) (3)	Agriculture/commercial/ Other (4)	Income (total) (5)	Whether on rent or own cultivation (6)	Whether pledged/mortgaged. (7)

19. Agricultural land productivity (Only agricultural land) (TABLE-6)

Number of plots Specify ownership M/W (1)	Crops (2)	Per acre (in Quintal) (3)	Total production (4)	Total investment (in Rupees) (5)	Total monetary value (6)	Specify whether mostly managed by men or women
Plot 1 (sl.no. of member from table 1)						
Plot 2						
Plot 3						
Plot 4						

20. Do you find any sort of problem/obstacles in accessing/managing/owning your property (land)?

- 1) Yes 2) No

21. What are the challenges/obstacles/ in owning/managing/accessing the land?

a) Lack of profitability b) Difficulties in making agriculture mechanised c) Lack of marketing facilities d) Lack of proper funding through financial institutions e) Lack of latest technical knowhow f) lack of irrigation facilities g) others

22. Household's working profile on agricultural land:

a) Predominantly by head, but supported by spouse b) Predominantly by head with support of children c) Head with Agricultural labourers d) Predominantly by head but supported by children and agricultural labours e) Predominantly by head but equally supported by spouse and agricultural labours f) Head and spouse equally works but supported by agricultural labourers g) Predominantly by spouse but supported by head h) only head works

23. What are the major crops you are growing?

- a) Cash crops b) Food crops

24. Who is managing the production process of cash crops (if any)?

- a) Myself... b) myself and spouse together... c) My husband/wife... d) my parents/in-laws...

25. Who is managing the production process of food crops (if any)?

- a) Myself... b) myself and spouse together... c) My husband/wife... d) my parents/in-laws...

26. Do you work on others' field?

- a) Yes b) No

26a. If yes, what is the nature of remuneration?

1. Wage in cash 2. Wage in kind 3. Mix of both 4. Undefined 5. Occasional support only 6. Others (specify).....

27. Do you find any sort of problem in working on others field?

- a) Yes b) No

27a. If yes, what are they?

1. Not treated well
2. No fixed time as working hours
3. Wages are too low
4. Has to work even in harsh conditions
5. Has to cultivate even infertile land
6. Has to produce within given proper time
7. Others (specify).....

28. Do you think that landownership helps in increasing agricultural productivity?

- a) Yes b) No

29. Have you taken any loan for agriculture?

Y/N

30. If yes, how much?

.....

31. From whom the money is borrowed?

- a) Relatives b) Friends c) Commercial banks d) Agricultural banks e) Private moneylenders f) Community funds g) Cooperative institutions h) *Grameen* banks i) others.....

32. Are you regular in repaying the loan

Y/N

Women:

33. What are the challenges/ obstacles in accessing/owning the land?

1. Relatives consider me owning/managing land as objectionable/inappropriate.
2. Society consider me owning/managing land as objectionable/inappropriate
3. My husband consider me owning/managing land as demeaning for him
4. My husband and relatives raise objection as he/they don't get income from the land
5. My children says father should own and manage the land
6. I am unable to manage it as no one take women seriously
7. Others (specify).....

34. Do you find any sort of problem in working on others field?

- a) Yes b) No

If yes, what are they?

1. Find it difficult to manage household work and working outside
2. Not given equal wage as men
3. Wages are very low
4. Not treated fit for agricultural work as men
5. Husband and children oppose me working outside
6. Social stigma as a wage labourer
7. I am forced to work as my husband doesn't work

35. Condition of Rural Women... (TABLE-7)

Category (1)	Respected within family (Worse, bad, good, better, best) (2)	Involve in decision making process (Y/N) (3)	Enjoy social respect (Y/N) (4)	Interaction with outside world and freedom of mobility(Y/N) (5)	Suffer Domestic violence (Y/N) (6)
Women who own land					
Women who doesn't own land					

36. Agricultural productivity with land ownership/ without landownership (TABLE-8)

Category	Crops(2) C/F/M	Annual profit per acre (3)	Social Cond (4) W/B/G/ B/B	Access To Various Facilities (5) [Same 4]	Total annual productivity (6) (in ₹)	Share of production for family(7) ₹	Share of production for market (8) ₹
Women Who Own Land							
Women Who doesn't Own land							

37. Land ownership provides food security (TABLE-9)

Category	Daily meal (1/2/3/4/5) (Breakfast/Lunch/ supper/mid-time snacks)	Whether vegetables and cereals are part of the diet in sufficient quantity to all in the family [Available/not available/ partially available (Availability Of Nutritious Diet)]	Whether milk and milk products are available to all in the family Available/not available/ partially available	Frequent health problems in the household [Y/N/Occasional]	Addiction to liquor/drugs/smoking among men in the family [Y/N/ Partially]
Women own land					
Women doesn't own land (MHH)					

38. On women empowerment and social respect: (Specify whether the respondent owns land or not here) Y/N

- Whether she takes decision for the crop which needs to be grown?
(Involve/not involve/partially involve/ refused to respond)
- How children react to them? (ill / good/ refused to respond)
- Whether children made any kind of dispute over land question within the family?
(Involved in dispute/ not involved/ refused to respond)
- Whether she takes decision regarding which food is better for children?
(Full freedom/ no freedom/ partial freedom/ refuse to respond)
- How the in-laws are reacting towards her? (ill/ good/ partially good)

39. Do you think that land ownership is enhancing or will enhance your position in the family? a) Will enhance b) will not enhance c) Do not know

40. If yes, in what ways? a) Respect from husband & in-laws b) respect from children c) allow to take decision regarding children and family d) will have freedom to move and engage with the society

41. Do you think that you earn or will earn better social respect as a woman if you own land?
Yes/No/Don't Know
42. Do you think that you would have more governmental benefits if you own land than the male members of the family?
Yes/ No/ Don't know
43. Do you think that land ownership will allow you to take decisions by yourself?
Yes/ No/ don't know
44. Did you get a share of your paternal property in land when you were married off?
Yes/ No
- 44a. If yes, which one of the following is true?
a) land was registered/transferred in my name b) land was registered/transferred in my husband's name c) land was registered/transferred to me and my husband together
d) land was registered/transferred in my in-laws' name e) Others.....
45. Do you think that if you own land, you can manage the family expenses and education of children better? a) Better managed b) cannot be better managed c) Don't Know
46. Do you think that if you own land the agricultural productivity would be higher than man owning it? a) Will increase b) may/may not increase c) will not make difference d) do not know.
47. Do you think that by owning land women is just taking additional troubles and responsibilities over to the existing ones?
Yes/ No
48. Are you aware of the legal rights women have with regard to land ownership?
a) Fully aware b) Not aware c) partially aware
49. Are you aware of different government schemes issuing land titles (*pattas*) to the needy women/men? a) Fully aware b) Not aware c) partially aware
- 49a. Did you ever receive land from the government? a) Recieved b) Not recieved
50. Under which programme you are entitled?
a) *Nijo Griho Nijo Bhumi* (own house own land)
b) *Indira Avas*
c) Others (specify)
51. If its a joint title or individual title? a) Joint title in my and husband's name b) Individual title in my name c) Individual title in my husband's name d) Others.....
- 51a. Is it transferable/saleable or not? a) Yes b) No
52. Have you ever approached the Gram Sabha Members regarding your problems of owning/accessing the land?
a) Approached b) Not approached
53. What is the approach of local self government institutions/representatives regarding the question of women owning land?
a) Always negative b) Mostly negative c) Indifferent
54. What is the approach of the community and its leadership regarding the question of women owning land?
a) Always negative b) Mostly negative c) Occasionally negative d) Sometimes positive e) Indifferent