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Women's Right to Land: Voices from Grassroots Movement and Working Women's Alliance from Gujarat



Dr. Meera Velayudhan

Aga Khan Rural Support Programme (India)

AKRSP(I) *a profile*



PROGRAMME AREAS OF AKRSP (INDIA)

Bharuch, Surat and Narmada districts are some of the poorest areas in the state of Gujarat. A very poor tribal community live on undulating and degraded land that was once heavily forested.

Junagadh district on coastal Kathiawar Peninsula faces a problem of salinity due to overexploitation of groundwater. Natural resource are either degraded (like the dry Meghal River) or out of bounds for the tribals and other disadvantaged people (such as around the Gir Protected Area).

Surendranagar district is one of the most drought-prone districts of Gujarat. Most villages in this district face an acute shortage of water.

In MP, AKRSP(I) has begun work in Khandwa and Burhanpur districts which are home to marginalized tribal populations who live in poverty despite the rich natural resources base.

Kutch district is extremely drought prone, AKRSP (India) provides training to organisations coping with drought in the district. It works in collaboration with other AKDN agencies to drought proof several villages.

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ABOUT THE AUTHOR

Meera Velayudhan, a Ph. D in History, has been involved in gender studies and advocacy since the 1980s. Focusing on strategies of organization of women in varied contexts, her major work includes an ILO study of women workers and structural changes in coir industry in Kerala, and ICES (Colombo) South Asia study "Gender & Governance" focusing on women Panchayat members in Kerala. Her current focus is on policy analysis (gender & culture) and is an active member of the WGWLO network.

Mailing Address:

Ms. Meera Velayudhan, Ph.D.

Mobile: 9824208407

Home: +91-(79)-40026747

Email: meera_velayudhan@hotmail.com

FOREWORD

Dr. Bina Agarwal wrote a very significant book “A field of one’s own” which examines the status of agricultural land ownership by women farmers in South Asia. Inspired by this book, we at AKRSP (India) decided to conduct some studies of our own to examine the status of land ownership in Surendranagar (multi caste area) and Bharuch district. The studies confirmed what Dr. Bina Agarwal has written; land ownership by women was negligible. AKRSP(I) organised a workshop to share these findings and invited Bina Agarwal to provide an overall understanding on this issue to field workers from 15 NGOs in June 2002. This workshop evoked a good response from NGO leaders and over time the Working Group for Women and Land Ownership (WGWLO) was born. In the first four years, i. e till 2007 AKRSP (India) was also the secretariat.

This document traces the journey of WGWLO, the work being done by NGOs and rural women federations in Gujarat at the village level; the struggles they have faced, the strategies adopted to highlight this issue and their efforts to influence state policy.

This document therefore traces two journeys, both of which are separate but interlinked. The journey of an idea to its operationalisation at the field level by the many NGOs and CBOs, and the journey of a network of NGOs which seeks to both be a supporter of the activities on the ground and an agency to improve policies at the government level.

Meera has met many people and participated in field events to get an idea of what has really happened; and issue she has been a part of WGWLO also enjoys a wider view which gives an advantages over an external researcher. I hope this document is useful to all those who are involved in the struggle to get rural women due place in our society.



Apoorva Oza
Chief Executive Officer

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The contribution of many individuals and the network of NGOs on Working Group on Women and Land Ownership (WGWLO)¹ have made it possible to complete this process documentation and I owe them all my sincere appreciation. At the outset, I would like to express my thanks to the leaders of network NGOs and consultants for organizing several workshops, discussions and meeting on “Women & Land Ownership” including various Livelihood Issues contexts. They shared a large number of notes, including concept notes, planning formats, letters shared among member NGOs, action research materials and supportive documents from the grass roots to develop this piece of document. Dr. Bina Agarwal, Apoorva Oza, Chief Executive Officer, AKRSP (India), Nafisa Barot, Executive Director UTTHAN, Neeta Hardikar, Director, ANANDI, Meena, KMVS, Rajesh Kapoor, COHESION, Poonam Kathuria, SWATI, Sejal Dave Co-coordinator, WGWLO, Dharmishta Chauhan, formerly, AKRSP (India), Shilpa Vasavada, Convener, WGWLO, Geeta Oza, Behavioural Science Centre (BSC) and NGO leaders in VIKAS, Kiran (CEE). Prof. Suradshan Iyengar (Director, GIDR), Ila Pathak, (AWAZ), and many others are always there to share their perceptions, valuable inputs and notes collected at different times.

I am extremely grateful to Apoorva Oza, Executive Director, AKRSP (India) who first initiated me to document this process and provided with me with constructive suggestions along with the valuable financial and research support from AKRSP (India).

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Dr. Meera Velayudhan

* Working Group On Women And Land Ownership (WGWLO), a Gujarat based network of 23 NGOs set up in the last part of 2003, emerged in a context where women’s rights to land ownership has gained more recognition in international conventions, the national planning and policy processes and research. The group’s strength has been *its process role as well as its informal structures, both informing each other* and facilitating exchange, joint strategizing, collective analysis, and documentation and thereby develops more informed responses to challenge the inequities. While the structure of the group remains informal and the secretariat is now shifted from AKRSP(India) and housed with another member NGO, three committees are evolving, focusing on grassroots, networking, advocacy and research, respectively and placing newer challenges to linking and co-ordination and decision making process. With federations being directly represented in the working group, the transformation is already taking shape.

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Introduction

Contextualizing Women's Land Rights

A. Why Land Rights For Women?

The large majority of the poor women and men from developing countries, South Asia in particular, are rural and dependent on agriculture. Studies have shown that a key factor linked with rural poverty is access to land.¹ In the context of South Asia, Agarwal analyzed that arable land is the most valued form of property, for its economic, political and symbolic significance. It is a wealth-creating and livelihood-sustaining asset.² It has also been termed as a metaphor for power, wealth and status.³ In regions where agriculture dominates livelihoods, land is also important for women for reducing the risk of poverty and enhancing food security. Land also increases aggregate wage rates and access to credit. Studies show that property and asset ownership by mothers leads to better outcomes for the survival, education and health of children, than assets owned only by fathers. Independent land access could create an enabling environment for women's agency, thereby setting in motion a process for social and political empowerment.⁴

Figure 2 Farmwoman preparing a portion of her agricultural land with cow dung and mud to harvest the grain she had from the field she has received.



B. Rethinking the household

Agrarian reforms through 1950s and later took place at a time when gender equality was marginal to the policy agenda and women's organizations lacked their current visibility. Hence, in most government land reform programs and land transfers, women's land rights remained marginal. Land reforms program continue to be premised on the assumption of the household as homogenous or the 'community' as a united collection of households. The household is perceived as the unit of allocation of resources. Studies on the household have demonstrated significant inequalities within and between households in the distribution of resources and decision-making and the fallacy of the unified household with its income pooling and sharing assumptions.⁵ Amartya Sen's work challenged the unitary model of the household regarding intra-household gender relations. Referring to the Indian experience, Sen pointed to the conflicts of interest that exist within households.

Sen also held that the household is most usefully represented as a case of 'cooperative conflict.' The solution that is finally adopted is the result of the bargaining ability of the couple. However, the couples do not come to the bargaining table with equal power. In addition to self-worth, there are two important factors that determine a person's bargaining power. These are the actual ability of each member to earn an income or to bring valued resources into the household and the value given to that contribution by other household members.⁶

In a path breaking study of gender and property in South Asia, Agarwal argued that the huge gender gap in property ownership and control was a critical determinant of women's economic and social status. Analyzing how gender relations are constituted and contested and looking at traditional rights and practices in specific com-

munities and contemporary laws, Agarwal extends this bargaining approach to gender relations outside the household. Placing more emphasis on the external constraints to women acting on their self-interest, moving beyond intra-household relations to other arenas of power relations within which women are located was significant. Research and policy had ignored these dimensions.⁷

Agarwal's work became a reference point for studying gender, land and other resource rights, with Sen himself acknowledging its impact on his work. Studies thereafter identified a large number of institutions beyond the household which are gendered. These include communities, labor markets, property institutions, judicial systems, land administration and local governance.⁸ Some focused on gender as social relations, on subject positions and subjectivities, on meshing of *shared* and *separate* interests within households and on power residing in material assets as well in discourse.⁹ These contexts, it was argued, made women's struggles for land more complex.¹⁰ Another study points to the socially embedded nature of land as resource and the mutuality and inter-dependence between men and women in the productive use of land. More than gender identity, it was the cross-cutting identities of ethnicity, kinship, education, marital status that motivate women to both stake their claim to land as well as oppose the claims of other women and men. Men too adopt different subject-positions depending on their own experiences and context¹¹. Land was linked with family and kinship relations and structures social relations in South Asia. It defined identity, hierarchy, status.¹²

C. Public Policy

In the mid 1970s, a government committee noted the sharp decrease in numbers of female cultivators and an increase in the number of female ag-

ricultural labor in India.¹³ The Committee stressed that land reforms was the key measure and without effective steps to redistribute land, the condition of women agricultural workers could not improve significantly.¹⁴ In the late 1970s and also in the context of the UN Women's Decade (1975-1985), women's voices, studies and advocacy in India focused on *joint titles* in land distributed by the state and this found recognition in the Sixth Five Year Plan (1980-1985). The land redistribution by the state would cover three million hectares or 1.6% of arable land.¹⁵ This directive on joint titles was not reiterated in the Seventh Five Year Plan (1985-1990) which focused more on upgrading rural women's skills and expanding their opportunities in rural development programs. An official draft National Perspective Plan for Women presented during this period did suggest women's access to land for economic independence and improved position within the family.¹⁶ The Eighth Five Year Plan called for joint titles to spouses in productive assets, houses, house sites and directed state governments to allocate 40% for women, particularly women heads of household, in the surplus land under the Land Ceiling Act¹⁷. The Tenth Plan carried a section which focused on not only in increasing women's work opportunities but also increasing the productivity of women farmers. It refers to the National Sample Survey (NSS) data on high female employment and suggests increasing women's access to productive land by regularizing leasing and share cropping of uncultivated agricultural land by women's groups.¹⁸ Implementation of land reform programs in India, as in other countries of the region, continued to be premised on the notion of a unitary male-headed household, with titles being granted only to men, even where women such as widows, deserted, etc., were clearly the heads of household.¹⁹ Other factors too informed public laws and policies that discriminate against women. Apart from assumptions of men as main

earners and women as the dependants, there were also perceptions that giving women rights in land could lead to decrease in farm sizes, fragmentation and thereby adversely affect farm productivity.²⁰ Land reforms were also blind to the ways in which gender based inequalities in access to land exacerbated married women's (unpaid) work loads, economic insecurity and bargaining power within households.²¹ Advocacy strengthened by women's studies in 1980s in India stressed that the concept of "household" needed to be broken open and that the disparate locations of individuals within households appeared to get enlarged the lower one went down in the asset / income scale.²²

Identifying the avenues through which women obtained land, Agarwal categorized them as: inheritance, transfers from state, tenancy arrangement and land purchase. These could be in the form of ownership, usufruct (right to use) and cover varying degrees of freedom to lease out, sell, mortgage, bequeath. Emphasizing the difference between legal and social recognition and between recognition and enforcement, Agarwal argued that inheritance was more important since 86% of arable land in India was private. Lacking all India data on women's asset ownership, sample surveys on inheritance patterns pointed to low land ownership (with regional variations) by women as daughters and as widows. As widows, where titles were given, it was mainly joint titles with sons who effectively controlled the land.²³

D. Platforms & Networks

Since the 1990s, women's engagement with issues of land rights have led to varied land alliances and coalitions in post colonial developing nations in particular. In several African countries, these have emerged in the context of new legislations or constitutional changes in land tenures. A large number of women have played lead-

ership roles in platforms such as the Uganda Land Alliance, the National Land Forum in Tanzania, the Zambia National Land Alliance, National Land Committee in South Africa, Kenya Land Alliance, Rwanda Land Alliance, and the Namibian NGO Federation (NANGOF) for land rights of women, pastoral communities, landless. Regional networks have been formed across countries as Land Net in East Africa. In countries such as Mali, Senegal and Madagascar, women's organizations have been formed so that women's rights and entitlements to land are incorporated when changes are made in land laws.²⁴ In South Asia, the development of networks on women and land is a more recent development and have begun to influence international and national processes and development agendas.

In the Context of Gujarat

A. Changing Land Policy

When the Indian National Congress announced its agrarian agenda at its Karachi (1931) and Faizpur (1936) sessions, its focus was on land reforms to reduce rents, abolish Zamindari system, end intermediaries between state and cultivators.²⁵ However, this agenda was also directed at attracting diverse constituencies. So, the populist slogan, *Khedut ni Zamin* (land to the tiller) was played out over the decades as a complex story of the inter linkages of class and caste, state and polity.²⁶ Following India's independence in 1947, land reforms were initiated in three phases. In the first phase of the 1950s, abolition of intermediaries was the focus. The next phase was directed at ending tenancy, in particular sharecropping. The third phase from 1956 aimed at regulating the size of individual holdings through a land ceiling, and then distributing excess land among landless labor and marginal farmers. The Central Government's role was limited to giving directives and support, the formu-

lation and implementation of land policy being the responsibility of the Indian states.

Gujarat state was formed in the 1960s following bifurcation of the erstwhile Bombay state.²⁷ In terms of historical, socio-cultural and physiological background, Gujarat consists of two sub-regions, namely, mainland Gujarat and peninsular Gujarat. Gujarat's land tenure systems shaped during the colonial era, were distinct.²⁸ Several legislations largely eliminated intermediaries and *zamindars* in 1950s.²⁹ The land ceiling legislation under newly formed Gujarat state in 1961 not only placed limits to existing holdings and future acquisitions, but also directed that surplus land be distributed to landless labor, small holders, co-operatives of scheduled castes and tribes. The Land Ceiling legislation passed through five amendments before 1976 and a 1973 amendment placed a ban on purchase of agricultural land by non-agriculturalists and allowed "male dependants" of a farmer's household to be independent landowners. Benefiting from the white/ dairy co-operative movement and the green revolution, the rising urban entrepreneurial class/caste still maintained its *khedut* identity in the 1970s. In the early 1980s, the emphasis shifted from land policy to schemes that periodically leased government land to the poor, some to *dalit/advansi* co-operatives and not without opposition from landed sections. The move from *khedut ni zamin* to *nana (small) khedut ni zamin* could not make progress. The 1980s also saw changes in the law disallowing purchase or sale of agricultural land beyond the 8 kilometers residential limit, providing opportunity for wealthy farmers and others to buy the land of vulnerable small & middle farmers. This limit was completely done away with in mid 1990s. Also removed were restrictions on conversion of agricultural land to non-agricultural status for industrial purposes. This was also interspersed with schemes for distribution of government wasteland for the poor. A new Land

Policy was announced by the state government in 1996, where persons holding *navi sharat* (new tenure) would be able to sell it after converting it into *juni sharat* (old tenure). The barrier put earlier to sale of such land was directed at protecting beneficiaries of land distribution from money-lenders, etc. In 2003, all such tenures were automatically converted as "old tenures." Loss of pastureland and forest land owing to degradation and commercial use, mark the transition in the land related issues in Gujarat. The impact of these processes has not been uniform across regions and classes and in particular on the poor, rural and tribal communities which depend on agriculture and forest for sustaining their livelihoods. That these have differential impact on men and women in terms of their work load and roles, increase women's dependence and vulnerabilities, erode their existing knowledge and skills, creating an over all insecurity for women are recognized but need more in depth investigation. While micro studies in select districts of Gujarat have suggested that landlessness had not increased³⁰ and that the sustainability of small and marginal farmers were the areas of concern, very scanty information are available on gender dimensions, except that home stead plots³¹ and varied land based livelihood activities for women have proved to be viable and also increased their agency, wherever attempted. Land has also been cited as a key resource by rural women themselves in select district of Gujarat and as reducing their vulnerability to poverty.³²

B. Popular Movements

Apart from the 1930s tribal struggles under the Kisan Sabha³³, the two main pre-independences were mainly Gandhian: the Bardoli and Kheda Satyagrahas led by middle and upper caste peasants, although with popular support. The post independence movements were led by varied Gandhian organizations and the prominent

among these was the Pardi Satyagraha (1953-1963) of Adivasis on tenancy and right to grow food crops on grasslands. Other movements involving Adivasis in the eastern forest belt of Gujarat in 1980s and 1990s were mainly led by voluntary organizations on issues such as registration of land in the name of tillers, access to minor forest produce, wages of forest workers.³⁴ Although few oral testimonies and narratives point to women's participation in these movements, the environment for focusing on gender issues was clearly lacking.

However, since the past ten years or earlier, several issue based networks involving NGOs and other civil society actors focusing on gender and governance, violence against women, food security, health, etc have emerged, creating a fairly enabling environment for engendering the development discourse and practices in Gujarat. This was also the context in which GWLO emerged.

Emergence of GWLO: The Process

A. Understanding the significance of women and land ownership

In June 25-26, 2002, The Aga Khan Rural Support Program (India)* organized a workshop in Ahmedabad, on "Land Ownership as a Livelihood Issue for Women" inviting Dr. Bina Agarwal to conduct the same. The workshop involving 15 NGOs, 37 participants discussed the nature of the issues involved and its significance for the social sector. The context of this initiative is significant in that it emerged from gender

mainstreaming processes within AKRSP (India) which drew the attention of its own field and other staff to the active role that women play in agriculture and their lack of control and ownership over a crucial resource such as land. Also, the impact of the seminal work by Dr. Bina Agarwal, "A Field of One's Own", led to informal discussions with individuals and organizations which suggested that very few groups had really worked on this issue.³⁵ A micro study was also conducted in April 2002 in Narmada, (Surendranagar), looking at tribal and caste contexts and the social, administrative and legal barriers to women's land ownership. However, the issue required more focus and extensive study.³⁶ Hence the major purpose of the workshop was to sensitize and introduce the key issue of women and landownership to NGO staff in Gujarat.³⁷

The workshop examined why it was critical for women to have land rights from different perspectives: livelihood enhancement, welfare improvement, women's empowerment.

The advantages of land ownership by women were highlighted. Many government schemes to avail benefits of crop loan, biogas, subsidy programs, membership of irrigation society, housing title were linked to land ownership/ titles. It provides security to married women, widows. Women, more than men, consider land as key to livelihood security.² Land ownership provided opportunities for women to enter decision making processes and gain confidence to face heavy odds.³

² Kutch Mahila Vikas Sangathan (KMVS), Kutch representative, Alkaben narrated a case in reference. The government planned to build railway tracks which would also pass through agricultural land. The government decided to purchase these plots from their owners after paying a minimum rate as compensation. Male farmers from adjoining plots of land who had the option of keeping their land, also began to sell their land for cash benefits. Most of the men used this cash to pay off their personal loans. The wives of these men stated that they would never have sold the land if the land had been in their names.

³ A married woman with two sons was deserted by her husband. However, she had two acres of land in her name. Availing credit schemes and development programs, she began to cultivate her land. Her husband who stayed on in the same village and did not contribute anything, put many obstacles before her. The caste Panchayat too stood by her. Her land gave her confidence to face all odds of life- Case Study by KMVS.

B. Several apprehensions persisted⁴

- *Land ownership for women will lead to land fragmentation and hence low productivity.* It was argued that the issue of land fragmentation was only raised when women demanded their share in land. If a family had, say, six sons and no daughters, this argument would not be put across. Also, many forms of production such as horticulture, plantation of timber yielding tree, etc., are independent of the size of the land. Studies of the pre- Green Revolution period in 1950s and 1960s clearly show that small size farms had a higher value of annual output per unit of cultivated area than large sized ones. The issue of land holding and economies of scale depended on several factors including nature of crops grown (food crop or cash crop), the quality of land

(irrigated, non-irrigated, fertile or infertile, etc. Land consolidation could be undertaken to prevent fragmentation. For example, 4 or 5 plots could share irrigation water from a common source. However, the issue of decision-making and management needs to be addressed too.

- *Daughters married outside the village cannot control land in her maternal place.* There are cases of sons migrating to urban areas for work, they share in the land in their village remains intact. They may receive share of produce from the land and can also claim and exercise their rights to land anytime. Hence daughters residing outside the village can also exercise such rights.
- *Land ownership by women can lead to family disputes and break ups.* This was a fear ex-

Figure 3 Saurashtra Kutch women exchanging soil and grains from their villages



⁴ Explanations to these queries were provided by Dr. Bina Agarwal who conducted the workshop.

pressed by many including policy makers. Underlying this was the perception of family as a cohesive unit. Brothers too fought with each other for property.

A discussion on legal loopholes and the *gap between law and reality* followed. Dr. Bina Agarwal presented macro level data which showed that only 13% of women inherited any land as daughters. Regionally, the figure ranged from 18% in south India to 8% in north India. This meant that 87% of them did not own land. Women as widows fared somewhat better. Only 51% inherited some land whose deceased husbands owned land. However, their shares were not recorded formally in village land records. There were social, legal and administrative constraints to women's ownership of land.

The findings of a micro- level study was presented by IIFM students.³⁸ The study commissioned by AKRSP (India) was conducted in field areas- two tribal as well as two caste villages in district Narmada /Surat and Surendranagar. The main points highlighted were:

- 7.74% women inherited some land in tribal areas as compared to 4.63% in caste villages

- These shares were not recorded formally. Informal ownership was more prominent in tribal set up while in the caste villages only young widows had informal ownership of land.
- The feeling of insecurity among widows from the castes was very high, with the nature of ownership being informal.
- Even where they had formal ownership, it involved struggle to gain ownership

According to Agarwal, there were *only few examples of the issue of women and land ownership developing into mass movements*. While women have participated in large numbers in peasant movements such as the pre-independence Tebhaga and Telangana movements, the 1970-1980s Shetkari (Maharashtra) and Bodhgaya (Bihar) movements, when land was actually transferred, most of it was male ownership. However, individual NGOs did develop varied intervention strategies. For example, Deccan Development Society (DDS) in Andhra held that processes that enable poor women to access land have to be collective , multi-pronged and must explore new types of institutional arrangements. The process must create "space" for communi-

Table 1. The comparative analysis in the study highlighted the following:

Tribal	Caste set up
In cases of very small landholdings, women first to be denied land ownership	Despite large land holdings, no thought of giving land to women
More egalitarian and open to giving land to women	Strict patriarchal setup where it is believed that control over women will be lost once women own land.
Informal ownership predominates and rights to such ownership undisputed. Hence no formal ownership for women too.	Despite awareness of significance of legal ownership, cases of formal ownership by women rare particularly in cases of elderly and upper caste Darbar women.
Remarriage of young widow perceived as livelihood option apart from giving her land ownership	Remarriage not socially accepted. With no land ownership, widows are left with nothing
Daughters having <i>ghar jamai</i> given land	No practice of <i>ghar jamai</i> . In absence of male inheritor, the land goes to the nephew. In exceptional cases of <i>ghar jamai</i> , the land given to <i>jamai</i> only
If a married woman returns to her parental home or is married in the same village and is unhappy, she is given land	In situations where a woman comes back to her parental home or is married in the same village and is unhappy, her livelihood is taken care of but land is not given to her.

ties to reconfigure gender roles so that women can effectively exercise ownership, management and control of land and land based resources. Their strategy of collective farming as an option combined with struggle for individual land rights for empowering women, enhanced food security and social status of poor, *dalit* women. Also, for collective farming to work, the initiative for such organization should come from farmers themselves who would be the decision-makers. No part of the income derived from such activity was given to the state. The entire income was shared among cultivators. With *multiple cropping* practices, the possibilities of complete crop failure too was substantially reduced. The entire strategy was transformatory since it empowered women to counter many institutional barriers at household, community, state, market levels. Data also pointed out that lease groups worked better than purchase groups. Purchase groups were prone to splits as each person has her/his share and do not care much in case of a dispute. In case of lease groups, ownership remained with the group as a whole and hence there were more chances of its sustainability.

C. Need for separate focus and strong emphasis

The participants that attended the June, 2002 workshop cited above represented NGOs that were involved in different levels of natural resource management and gender empowerment activities and hence their expectations too varied. These included lack of legal knowledge, legal loopholes and legal advocacy, insights into

why women were denied assets when their work in agriculture was so crucial, how to link this issue with women's empowerment, understand the linkage between asset ownership, efficiency and sustainability, how did patriarchy impact women's land ownership, what social, processes are involved. There were several queries concerning government schemes and how women are deprived of its benefits owing to lack of asset base or role in decision making processes. Asset ownership and dowry, collective farming issues, lease group versus purchase groups, approaching the issue as a rights and livelihood issue were other concerns. However, they recognized that a whole new perspective was placed before them. Few NGOs present at workshop had taken up the issue of women's land ownership and they faced several problems.⁵ Some organizations shared that they had not given a thought to this issue. To most organizations, this issue was incremental to their overall agenda. They acknowledged that NGOs need to make a "mental jump" as this was not just a rights issue but also key to livelihoods. It was also recognized that this was an issue that needed separate focus as well as strong emphasis³⁹

Group exercises were conducted to make (a) action plans for respective NGOs (b) a common action plan. As part of the common action plan, all NGOs present agreed to create a forum at state level. As a follow up, each NGO would prepare brief case studies from their field areas. AKRSP (I) would initiate in depth case studies to be documented and this could serve as a starting point

⁵ *Case Study presented by ANANDI:* Forest Department had taken land for 15 years from the village panchayat as part of rehabilitation program and would return the land when asked. Years went by but the panchayat did not ask for return of the land. Women from mandals (collectives) demanded that the land be returned and distributed among landless and land titles given in women's names. A sarpanch who refused to help was not elected and the new sarpanch was supported on condition that he would help in transferring land in the name of women. The struggle with forest department for return of land was ongoing. *Case Study by MAHITI:* Mahiti promoted a group of 100 women, registered the collective and took 20 hectares of land from government on lease. Although the land faces threat of salinity and its productivity is not high, cultivation is ongoing and women have an alternative for their livelihood.

for other NGOs involved. AKRSP (I) also proposed that if such a working group was floated, it would be willing to house the Secretariat.

The Early Steps

A. The Working Group

Informal discussions continued among the NGO groups involved with AKRSP (India) serving as the hub. The effort was to promote a *working group* of NGOs focusing on the issue of women and land ownership separately. Two options were discussed. The working group could be housed in AKRSP (India) and simultaneously, the possibility of Mahila Swaraj Abhiyan, to take up the issue of “ women and land ownership” could also be explored.⁴⁰ .

Figure 4. Shows the logo of WGWLO



The working group could share experiences among themselves, document examples of what was happening in Gujarat and in India. A follow-up meeting was held in November 2002 and the first formal meeting was held in January 2003 at Ahmedabad where the objectives and mandate of the *NGO Working Group On Women and Land Ownership (WGWLO)* was formulated.

The objectives worked out focused on three levels:

1. To make efforts at grassroots by community awareness, creating forums for support and

ensure implementation of existing laws of Government Of Gujarat so that women own land in their name

2. To influence Government and Non- Governmental Organizations towards the thinking on the issue of women and agricultural land ownership
3. To make efforts for policy advocacy to change aspects in laws/policies of Government of Gujarat which are a hindrance for women to own land in their name.

B. Housing the Secretariat

The AKRSP (India) agreed to house the Secretariat after the decision was taken that a member NGO would house the Secretariat.

C. Participatory Study

Three orientation workshops were conducted for field workers/senior staff of member NGOs. Instead of different NGOs attempting different strategies to begin with, it was decided that a *collective study* would be undertaken by WGWLO so that field experiences and analysis can inform strategies to be developed. In February 2003, a workshop was held with identified staff of NGOs to be involved in “a study on women and agricultural landownership in Gujarat”. (Annexure 1) At the workshop, each participant developed a checklist for the study in his/her identified villages. The study aimed at the following:

- To know the status of women’s agricultural land ownership- both formal recorded and informal
- To understand perceptions of men/women with respect to women’s agricultural land ownership so that strategies may be developed for future interventions
- To understand stakeholder perceptions- of the *Talati & Mamlatdar* (Village and Tehsil level Revenue Officials)

- To understand the problems faced by women after owning land and impact of women's land ownership

To identify cases of women's land ownership, government land records were checked through the *Talati*. Discussions were held with women and men at village level to identify cases of informal ownership and individual interviews were conducted with women having formal as well as informal ownership of land. Interviews were conducted with women farmers who do not own land as well as with men who had not given land to women. Group discussions were held with men and women respectively, the *Panch* or caste leaders, *Talati* and *Mamlatdar* at village levels to assess social perceptions on women's land ownership.

Figure 5 Talati training by WGWLO members at Bardoli



The study involving 12 NGOs, covered 10 districts (tribal and non-tribal) encompassing 15 Tehsils and 23 villages (single caste and multi-caste). One or two villages were covered from each Taluka, the criteria for selection being its multi caste composition, preferably, and not being too skewed in terms of land ownership between men and women. Detailed interviews were done with 225 of the total 561 women who

owned land. Two reflection meetings were held during the course of the study, one of them being held in June 2003 when the 40% of the study had been covered and discussions were needed on the difficulties faced.

A workshop was held in September 2003 to discuss the study on women and land ownership. The objectives were to look at the checklist prepared by members of NGOs involved in the study process, what were the individual strategies worked out by NGOs, planning for the next year and a half and look at legal and policy changes needed. Two panels were formed involving Prof. Suradshan Iyengar (Director, GIDR), Ila Pathak, (AWAZ), Poonam Kathuria (SWATI), Kiran (CEE). They provided feedback on methodology and findings. The method was to select 1 or 2 villages representative of the area, random sampling, case study and interviews. 75% to 100% of respondents were contacted and only a few NGOs contacted 50% of the respondents. The study pointed to low level of land ownership by women in rural Gujarat, the link between land ownership and marital status, rights as daughters, vulnerabilities (eg widows), ownership and government schemes, perceptions and role of caste leaders and revenue officials. Land ownership did increase women's confidence and role in decision making, including selecting their own cropping patterns. At the same time, women needed support- financial, knowledge inputs as well as inputs on marketing. The study also opened up possibilities on strategies- to focus on private land, taking up cases of widows as an entry point and pressing for changes in the design of government schemes so that families are motivated to transfer land in the name of women. Sensitization of revenue officials on the one hand and leaders of caste/ community institutions were other possible strategies. A significant aspect that emerged from the study was the need to create wider awareness among rural women

in general, among married women who are also members of women's collectives. To a large extent, women did not question the prevailing land ownership pattern and wished to avoid conflicts that may arise within the family if they did so. Hence, addressing these concerns required an approach that had to be multi-pronged.

Organizationally, the study served as a strategy for entry point to understand and address the issue of women's landownership at the grassroots level as well as to enhance the understanding of field staff of member NGOs towards the issue. The NGOs involved put in their own human and financial resources for the study, while WGWLO provided for food and logistics for collective workshops. Such investment by member NGOs and involving their staff own working directly at grassroots level helped the process of sensitization of staff on the issue as well as to build their capacities.

D. Study on Government Schemes

One way of approaching the issue of women's land ownership was for member NGOs to look at ongoing programs involving government schemes. WGWLO initiated a study on government schemes, "Altering gender blind government schemes with respect to women and land ownership" to see how schemes could be altered to motivate families to transfer land in their name. The findings were presented at a planning meeting held in Ahmedabad on 9 December, 2004 by students of IIFM who conducted the study. The findings were:

- Men were primary beneficiaries wherever land ownership was a pre-condition to avail government schemes
- Very few schemes offered differential incentives to women's property ownership
- A pre-condition for asset transfer in joint names did create positive feelings among women who own the same in joint titles.

It was also decided that district level data would be collected on specific schemes of government in terms of how many units of the scheme had been implemented in past two years in the district, how many total beneficiaries had availed of the scheme, what was the sex disaggregated data on beneficiaries (men/ women/ joint beneficiaries). The schemes to be considered by different member NGOs included PIM, Van Vadi (TSP), housing in earth quake areas & under Indira Awas Yojna, regularized forest land at Baria, RRWHS, biogas, Producers Company (state level data), PIA village of Hariyali Guideline, Sardar Awaas Yojana. At central level, WGWLO would press for data from Gender Resource Centre, Ahmedabad, on schemes, then prioritize few schemes, identify department under which the scheme fall, check on schemes with 30% participation by women, collect GRs of schemes such as LI, CI, SSNL, PIM, Biogas, 100 sq meter plot, 1983 GR of joint ownership for regularized forest land.

E. Collective Agenda

It was decided that a collective agenda through common activities should be jointly worked out, with time frames. Within six months, at least two cases of women were to be taken up and land transferred in their names. Process documentation should be done in the differences in cases and the strategies used. *Centre For Social Justice* would facilitate legal guidance. At least two issues of newsletter of member NGOs should focus on issue of women and land ownership. Within four months, staff meetings should be held to mainstream the issue as a development issue and also make it an organizational issue. District level events should be planned by women's federations and NGOs and memorandums should be presented to district officials. Also, more efforts should be made to gain visibility through use of media, holding press conferences during

such events. Also emerging was the need to understand the laws that govern the lives of women from diverse communities. Data would be collected on customary laws of different communities. Shilpa Vestavia, Convenor, WGWLO and Neeta Hardikar, Director, ANANDI-Dahod took the responsibility to prepare a checklist for the same. It was stressed that there was a need to understand the personal laws, their positive points and the limitations.

F. Reaching Out To Networks & Media

Even as the study enhanced the understanding of field and other staff of member NGOs on the issue of women and land ownership and in the process provided the basis for developing strategies in their own work areas, WGWLO began to reach out to other networks by holding workshops and meetings. These included a workshop with *Sajjata Sangh*, a network of NGOs involved in participatory NRM interventions in Gujarat. They took up the issue with the Director, Land Records. Efforts were made to link the issue of women's land ownership with the issue of violence against women and NGOs have started to look at the issue in an inter-linked manner. Constant interaction and discussion with *Charkha*, a

network of development communication in Gujarat led them to take up the issue in its annual writing competitions in 2004 and 2005. In collaboration with *Charkha*, a media brief on women and land ownership was held on International Women's Day (8th March, 2004). Subsequently, several articles were written by *Charkha* as well as by staff members of member NGOs of WGWLO in different newspapers. Women land ownership issue also received wide coverage in both Gujarati and English newspapers. Contact was established with *Women Writers Collective, Gujarat, Mahila Swaraj Abhiyan*, a network on women in governance, *Ekal Nari Sangathan, Kutch*, a network focusing on issues of widows and other single women and *Astha*, a Rajasthan based NGO working with single women. Meetings were held with some funding agencies to influence their partners and work, in particular from livelihood perspective.

G. Documentation

Production of communication material and documentation by WGWLO progressed steadily. Positive cases of women land owners was documented from 3 districts of Gujarat. Cases of different types such as struggle of women for land

Figure 6. Documentation of WGWLO, Figure 7. Media coverage on the issue of Women & land rights



ownership, successful struggle with the support of women's groups, men who have transferred land in the name of women were documented by the group. Processes too were documented where to highlight the varied aspects that motivate or prevent women's land ownership. Cases of collective farming as an option for getting land to women's groups were also documented. The group also attempted to make existing documentation available from *Astha* and established contact with a Delhi based NGO, *Jagori*, which is strong in documentation on gender issues.

A drama script and two songs were written by the group. A booklet was published in December 2004 in Gujarati targeting rural women. It included basic understanding of the issue, few case studies of successful struggle by women, cases of male support, basic understanding of legal provisions, drama script, songs. Two newsletters, *Saptarang* and *Ujas* published by NGOs and *Panchayat Saheli* published by the network, Mahila Swaraj Abhiyan, focused on the issue of women's land ownership, organizing single women members. A booklet by *Astha*, a Rajasthan based NGO organizing single women and narrating case studies of 35 was also disseminated. The booklet showed that most of the cases were solved through peer pressure. The Gujarati translation of the booklet "Are We Not Peasants too?" by Dr. Bina Agarwal was published. The initiative to translate the book was taken by AKRSP (India). Its value was widely appreciated by NGOs, activists and others.

H. Legal Training

The Centre for Social Justice (CSJ) prepared a comprehensive note for legal support to member NGOs. While member NGOs of WGWLO were involved in raising awareness on the issue, there was also a realization that removal of social constraints need due legal interventions. CSJ visited NGOs to assess training needs, conduct trainings

in February 2005. Checklist for preparation of cases was sent to member NGOs as well as attempts were made to promote a group of lawyers on this issue.⁴¹

Framing Issues, Developing Strategies

A. Developing Multi-level Strategies

The study by WGWLO on women and agricultural land ownership pointed to possible strategies as entry points including an initial focus on widows, advocacy for incorporating incentives in various government schemes so that men are motivated to transfer land in the name of women from their household. As the questioning of the prevailing land ownership pattern in favour of women at the household level was a sensitive, addressing the issue at grassroots required more discussion. It was in this context that a workshop was organized on "Strategies To Own Land In The Name of Women" was organized by WGWLO in Ahmedabad in October, 2004, with Dr. Bina Agarwal once more attending as the Resource Person, after two years, at a key moment in WGWLO's journey. 30 participants from member NGOs attended the same. The workshop began with some individual presentations by member NGOs- *ANANDI*, *Karmasangh*, *Saarthi*, *Utthan*, *Grass*, *KMVS*, *Vikas*, *DSC*, *Cohesion*, *AKRSP Sayla*, *AKRSP Netrang*, *Swati*, *Viksat* – on strategies to build commitment at organizational and community levels. Group discussions were also held on these strategies as well as on efforts to seek government's co-operation and how cases were directly addressed at household level.

The strategies at organizational level and those used to integrate the issue into ongoing programmatic interventions were discussed since the issue was initiated by one or two individuals in an NGO and as a new issue, its internalization and acceptance by all in the organization was important. Once a commitment was built at the organi-

zational level, extending the understanding among all staff would be the next step. The types of problems faced by NGOs included lack of legal knowledge and court procedures, government's non-co-operation, convincing one's own NGO, community resistance, land fragmentation/ land shortage, non availability of land with government, land records not updated, incorporating land issues in organizational programs, family resistance.

The strategies that emerged *to build an organizational mandate* were as follows:

- Field visits to identify cases by one person and rough documentation of varied types of cases of women. Linked with the field area and with ongoing work, it leads to a positive feeling and struggle
- Interactive debate and group discussions at organizational level to raise/ orient on the issue of women's land ownership helps build consensus among staff and bring out the fears and perceptions among staff.
- Link the issue of women and land ownership with the mission of the organization so that it is not perceived as a stand alone issue.
- Invite other network NGO member for staff orientation along with an internal resource person which provides insights into what has been done and what could be done.
- Having leader/s of the NGO as facilitators for orientation workshop with staff so that a message is conveyed that the organization is serious about the issue

Strategies used *to create an understanding among staff* were the following

- Study/survey of women owning land in the field area where the NGO is working helps provide factual information on land ownership and types of cases involved.
- Involving as many staff as possible for the

study to widen the understanding among staff.

- Laying a target for individual contact with women who own/ struggle for land for all staff members as a follow up of orientation workshop provides an opportunity to listen to women, understand their problems and, thereby, linking it with their own work and mission
- Focus on only a few villages/clusters/staff to begin with to demonstrate that the issue can be addressed, and would help remove fears in the minds of staff that their pace of work was being disturbed.
- To integrate and discuss the progress in monthly planning/review meetings so that it becomes part of reporting system, remind everyone to take action, get feedback on problems faced.
- To hold small group discussions with staff using resource material to clarify confusions and provide factual information.
- Take the opportunity of putting a condition for joint ownership for new assets created in crisis/disaster situations as men are then open to all suggestions
- To give women ownership over assets in NGOs' own projects such as RRWHS, Sanitation Units, to create an environment and empowering effect.
- Identify strategies to integrate issue in ongoing programs of the NGO so that the issue is mainstreamed.

To create legal awareness on women's land ownership, following strategies were developed:

- Train/ conduct workshops on basic knowledge on legal aspects to understand the intricacies of the issue.
- Have a back up support of an agency or private lawyer for NGO/ Sangathan, say once in 15 days for two hours each. Individual

cases could be referred for legal guidance if staff is not fully equipped or if a legal aid centre is lacking.

- Have a group of lawyers available to network members so that a lawyer is available when needed by NGOs in different places.
- Distribute print, video material on legal aspects as back up support to staff of NGOs.

Strategies were evolved *to integrate the issue of women's land ownership within ongoing programs*. At the community level, women are not aware of the option of land ownership. Many women think that it is not needed. Hence, it was important to raise the issue with women. Men too resist when the issue is raised at community level, hence male sensitization too was important. At community level, women who own land have no control over it and most decisions are taken by men only. One of the reasons for this was women's lack of access to information and new technology.

The strategies used were as follows:

- Workshop with different categories of women including women who have struggled to get land, are struggling, Mahila Mandal leaders. This will enable married women from Mahila Mandal to realize the significance of the issue and support such cases. On the other hand, those struggling for land are encouraged listening to positive cases.
- Discussion on the issue in the women's federations to build support in the apex body to support cases of women and encourage Mahila Mandals to take up the issue.
- To discuss the issue in cluster meetings to build a mandate among apex body to support cases of women and Mahila Mandals to take up the issue
- To have an issue based committee- on women's land ownership- within federations to identify cases and carry them forward.
- Involve women who have struggled for land in the Mahila Manch committees so as to raise sensitivity and acceptance of the issue

Figure 8. Rural women's dialogue on women's land rights



- Collective Farming by women which also makes it easier to handle individual cases. Women sense ownership and control over land.
- Video films on women who own land would assist in relating to the issue
- Create support mechanism for women who fear losing maternal support if they demand share of land from parents/ brother

For *male sensitization on the significance of women's land ownership*, the following strategies are used:

- Hold discussions with caste leaders who are very influential on decisions on this issue
- Identify men who have transferred land in the name of women and facilitate their playing the role of resource person/create partnership with other men sensitive to the issue. This will help convince rural men more effectively
- Conduct second level workshop with men and women together to help women overcome resistance following their participation at the first workshop
- Identify men who have daughters only
- Identify childless men who are concerned about their wives being rendered destitute after their death
- Identify men who are part of village institutions like Yuvak Mandals, user groups
- Encouraging making of wills in the name of women in self owned property
- Build wider support in community by informing family, panchayat, local women's group while adding name of women in land titles/wills
- Document case studies of how resistance was overcome so as to analyze what strategies could be used.

To give control to women who own land, training in agriculture should be imparted including

new information, technology so that it prepares the ground for access to land in a legal manner. *At the household level*, women who own land, particularly widows and daughters, did not have control over it owing to encroachment. These are individual cases, so the strategy developed are as follows:

- To focus on widows, single women as entry point at community level as their legal ownership is not disputed
- Visit such cases individually to collect authentic information and speak to the woman concerned in confidence
- Counseling of both parties to convince encroachers so that other pressure tactics are not needed
- Pressurize with help of Sangathan for encroachers to give up land owned by women. Since Sangathans work in local environments, it may be difficult to exercise pressure all the time, so legal and moral support could be provided.
- Have legal documents (*karnama*) of contentious cases written in public when the person is alive so that a person does not go back on the agreement.
- Associate with widows and other vulnerable women in the process to build their capacity and to be encouraged to take up such cases in future.

At the Government level, Talatis play a key role in land records entry as do the *Sarpanch* whose biases and non- co-operation can change the situation for women. The strategies used in this context are as follows:

- To meet Talatis at individual level helps more in removing their biases
- Conduct meetings with Talatis helps when they are known to be having positive attitudes towards women

Figure 9. Dediypada mamlatdar felicitating women who acquired land in their name



- Conduct joint workshop with Talatis and Sarpanch since they are active players at village level and it was important to develop their understanding on the issue.
- Involve women and male Sarpanch to enable recording titles and to support women who are struggling as well as widows
- Identify positive women and male Sarpanch and encourage them to facilitate the issue
- Sensitize Sarpanch to assist vulnerable women to retain their legal land holdings and titles
- Sarpanch ensuring that all women who are formal owners of land are called for varsai
- Demonstrate with data, the gap between policy and implementation.
- Involve government too address non- implementation at community level. For example, wasteland given for collective farming should be available for the same.
- Put public pressure on Talati so that he/she is forced to act
- Have public hearing of cases for demonstrating accountability of government
- Facilitate camps for registration of land records (varsai entry) for the Mamlatdar to enable easier entry of women's name in land records
- Raise the issue during Talati's meeting with District Development Officers for providing space for discussions
- Mahila Mandal, Mahila Manch raise the issue in the *Gram sabha*, a legitimate public forum to which the Talati and Sarpanch are accountable.
- Build support through a positive Talati, involving him/her as resource person in trainings, meetings.
- Felicitate Talatis who record maximum number of cases of women's land ownership
- Influence Talatis through Sarpanch since the Sarpanch is the reporting Officer.

B. The regional focus

At the October 2004 workshop on strategies, some member NGOs suggested mainstreaming the issue of women and land issues by integrating the

same in forthcoming events/ campaigns on food security, single women, and violence against women. Following a discussion, it was decided that though this issue could be placed at these events, there was a need for separate and special event on this issue since much ground had already been covered. Also, instead of a state level event, special events with regional focus should be held as the study as well as experiences of member NGOs gave insights into the variations in the cultural pattern between the eastern tribal belt of Gujarat and the Saurashtra-Kutch area, which was non tribal belt. The cultural diversities informed gender based land ownership pattern and the perceptions of the men-women regarding women's land ownership. Hence, it was decided to hold two different sammelans, regionally: one in Saurashtra-Kutch, a region with a strong patriarchal and feudal set up, and the other to be held in the tribal belt of Dahod. For horizontal learning, some representative women would attend both events. The objectives of the events worked out collectively were as follows:

1. To establish the importance of the issue among rural women
2. to influence other actors in the development sector such as media, support organizations, academic institutions
3. To influence government schemes, policies related to the issue of women and agricultural land ownership

C. Changing Role of Secretariat

With increased activities of WGWLO, the role of the Secretariat also grew. Functions and co-ordination too widened. A meeting was held on November 26th at Ahmedabad to discuss the changing context, with the Secretariat developing a role of its own. A full time Co-ordinator was needed.⁴² Also, the responsibility for some of the functions, events in particular, could be taken up by member NGOs. Both financial and

human resource planning had to be considered before deciding on future actions. A separate funding proposal for the Secretariat was prepared, with defined activities and outputs. Sejal Dave was appointed as full time Co-ordinator in March, 2005, prior to the regional sammelans.

Environment building

Following the collective study on women and agricultural land ownership, the second collective effort at the field level was the organization of two regional *sammelans* to create wider awareness among rural women. Titled as "Swa Bhoomi: Mahila Ane Jamin Maliki," the *Saurashtrara-Kuchchh* sammelan was held at Samakhiali on April 12 and 13, 2005, with 270 rural women and 16 men participating. The women represented 24 blocks of 8 districts of Saurashtra-Kutch. 66 staff members of 14 member NGOs and 9 were invitee NGOs. The second sammelan was organized at *Limkehda* (Dahod) on May 5-6, 2005. From the grass roots, 224 village women and 11 men from 17 blocks of 12 districts attended the event. 60 NGO workers from 15 NGOs were closely involved in the event. Working with limited funds, the major contributions came from the member NGOs. All NGOs bore their own travel costs. For the first time, a focused and information rich sammelan on the issue was being held. Hence, new materials were developed by the member NGOs themselves. Photography and videography was also organized by member NGOs drawing support from management students of EDI. These not only energized the process but also brought in a tremendous sense of ownership on the issue within the group.

The events began on a lively note. At Limkheda, during registration, each NGO was asked to provide names of two of their women members present: one, who had struggled for land and succeeded and another, whose struggle was on-

going. One of them was asked to bring a handful of soil from her village. Each of these members stood by a table covered with soil (signifying agricultural land) and on which models of house, field, cattle, men, women were placed.. Alongside, tribal women from *Devgad Mahila Sangathan* sang songs on prejudices that women faced, their work, property rights, empowerment, composed by the women themselves. Parallel to this, inaugural panel members along with the second woman representative from each NGO, moved to another table depicting the map of Gujarat. They lit individual lamps, placed them in districts from which belonged. This activity was aimed at highlighting women's close relationship with the soil and land and their identity as farmers, irrespective of the caste/tribe/community or region they came from.

A. Asset mapping

A simple form of asset mapping of participants was conducted at both the events. On a huge cloth, rows for different forms of property ownership and columns for those who owned it, man, woman, jointly, or did not own, were made. As each participant walked into the venue after registration, they put a *bindi* on the relevant category. The Kachchh- Saurashtra asset mapping (given below), for example, revealed that out of the total 157 participants who were involved in the exercise, 20 % of women owned agricultural land. Of them, 10.43 % women received land as widows, whereas about 65.94 % women were landless. The asset mapping in at the Limkheda (Dahod) sammelan (shown below) showed that out of the total 119 participants who owned land, only 9.9% women owned agricultural land and a mere 1.6% owned land in joint name. Though there is a tradition of giving land to daughters among tribal communities, only 0.8% received land as daughters. About 5.5% women were landless. (*Annexure 2*)

B. Providing Macro- Contexts

Inaugural panels were also designed to provide a macro context to the Sammelan. In the Dahod sammelan, the inaugural panel comprised of Dr. Kalpana Shah, retired professor who had been closely associated with the tribal women's issues for about fifteen years, Truptiben, a social activist (Arch Vahini, Vadodara), revenue official, Shri Damor (Mamlatdar, Limkehda), and Girirajsinhji, (Director, Saarthi, member NGO). Sharing her experiences from the several studies she had conducted on tribal community, Dr. Kalpana ben cited a few examples.

- Where land of tribal had been encroached; women have to fight at two levels – one to get back the encroached land and secondly for her right over the land that she ploughed.
- A study on dairy business showed that the business improved with greater work by women and families possessing milch animals became prosperous. However, the income and the control over it remained in the hands of men, leaving women in the same miserable conditions.
- In tribal families, many cases of widowed women being forcefully ⁴³ branded as witches and compelled to leave the village. In a study of such women, it was found that all the women who were forced to leave their village owned land in their name.

Truptiben narrated an example from Sei village, Narmada district, where new land was distributed by government to be held under joint ownership of spouses. However, when officials visited the village, they found that there was no such land in joint titles. Later it was found that husbands had coerced their wives to give up joint titles. It was only after considerable consultation and when an understanding developed on the

whole issue that women recognized their right to own land in joint ownership and finally received land in joint names.

Ms. Sophia Khan gave a macro perspective of the issue on women's land ownership: She talked about right to live with pride and dignity as one of important human rights declared. Sharing insights from an International Labour Organization study, she said women:

<i>Do 67% of world's work</i>
<i>Earn 5% of world's income</i>
<i>Own 1% of world's property</i>

This showed the stark disparity between women's work contribution and their property rights. Speaking on legal processes involved in transferring land from one person to the other, she pointed to the gaps in laws and suggested possible interventions at the policy level. A message conveyed strongly by her and repeatedly used by women later was: "*Satta and sampati vina sashaktikaran nahi*" (There is no empowerment without power and property).

Another method followed at the inaugural session was to share the findings of WGWLO's study, as at the Limkheda sammelan, highlighting various types of cases. Two of the cases were presented by the women themselves. This created a tremendous impact and the original idea of the group discussion on: 'Whether women should have land in their name' was changed and instead, the focus was shifted to discussing the difficulties in getting land in the name of women and solutions (drawing from cases of women who struggled and succeeded), livelihood enhancement due to land ownership and benefits availed due to such ownership, deprived of government schemes owing to lack of land ownership. The outcome of group discussion were shared in an interesting and appealing folk form

– *Bhavai* - which enabled women to follow the deeper and complex issues underlying women's land rights. It also helped imparting issue related information.

C. Addressing Social Perceptions/Bias

Arguments and counterarguments for women's ownership of land were done using creative and lively participatory methods, again combining group discussions with folk drama in which, Rangla, a character, moved around, listening to all the arguments and counter arguments. Through the Rangla – Rangli characters supported by Nayak, using satire and humor, traditional perceptions in a patriarchal set up were enacted. The effects on women owing to less or no control over land were thus presented in a simple way and engrossing the audience.. Groups were formed based on different colored badges and matching flags, and a statement was given to them "Women should not own Agricultural Land". Participants of each of the groups were asked to take a stand , if they agreed with the same or not and then two subgroups were formed based on the stand taken. A debate ensued between each sub-group: one favoring women's land ownership and the other opposing land in women's name. The discussion on women's right to land as daughter or as wife suggested that most women were of the opinion that rights could be claimed as a wife but as daughter, they asked, "how can one ask for a share from what is a brother's right?". However, in all the six subgroups, women who favored land ownership by women were able to convince the other side with examples and arguments. At the end of the discussion, women in all groups acknowledged that women must own land in their name.

D. Lateral Sharing, Learning

Panel discussions also provided examples of struggles of women from other states of India,

the strategies used so that women are convinced that they can get land in their name as also the importance of the role of Sangathan (women's organization) in this. Panel members from Ekal Nari Shakti Sangathan (, Rajasthan) and Mahila Samakhya , (Uttar Pradesh) spoke on their efforts made on a large scale for individual titles to land for women as well as land for collective farming. They narrated how most land related cases of single women were solved mainly through peer pressure approach. Two cases of widows who struggled for land from the in-laws were discussed at length. Revaben Mahila Samakhya) also narrated positive cases.

E. Understanding legal /revenue procedures

Knowledge based sessions on revenue and legal procedures were held using interactive games and exercises developed by member NGOs. The most popular was the *Prashna Potli* form, in which a panel of experts from different fields: lawyer: Shehnaz(KMVS), Revenue Officials (Senior Talati, retired Mamlatdar) and social activist, Sumitra (ANANDI) answered different questions put across by women related to their own individual cases. This turned out to be the most popular exercise. In fact, the session had to be shifted from one stall to the main hall and the time for the exercise was extended.

The *Prashna Manch* form was also used and extended to all the participants instead of being a group exercise. The panel included : Mahendrabhai (lawyer), Mojliben (Sarpanch) who had helped eleven women to get land in their name , Manojbhai (NGO-ANANDI) who had been associated with revenue procedures and Panchayt functioning for long, , Ramilaben, a Nyay Samiti (informal justice committee) member, Narendrabhai, lawyer (Saarthi.). Questions related to land, legal and administrative aspects were asked to the panel and panel suggested relevant answers. Participants were again divided

in three groups on the basis of the badges colors and three parallel games were played at a time in three different stalls: *Saapsidy* (Snake and Ladder), *Prashna Potli* (Question bag) and *Dhamal dhoko* (Passing the Parcel). A skit performed by staff of Kutch Mahila Vikas Sangathan (KMVS) with women taking an oath or 'Shapath' to assist transfer of land to women, either as daughter or wife. After the skit, the actors invited the audience to participate in taking the oath collectively.

The oath

As a woman: Just the way I have struggled for my land rights, I will facilitate and help my daughters, daughter-in-laws, and sister-in-laws to get their land and which is their right.

As a member of the women's collective: I will make efforts to get name of women in Khedut pothy.

I will help all those women who desire to get their share of land.

I will make efforts to sensitize men to help women's land ownership

The *Open Sessions* held later pointed to the enthusiasm and understanding the regional events had created among the women as also the growing determination. Women's highlighted the same.

Ramaben: "I have land, but had not thought of giving it to my daughter. Now, I will give land to both my daughter and daughter in law.

Popatba: "Listening to the struggling women's stories, I feel as if there is fire in my heart. When I became widow at the age of 30 years, none of my brothers helped me. Learning about women's land ownership and the security it can give, now I will struggle for my land for which I need the support of the women's group."

Devalben: “My father is planning to buy some land, I will ensure my share”.

Rakshaben: “I gave my land to my relatives for farming and after about 5 years, they tried to take control of it. When I asked them to return my land, they refused. So I struggled with them and even with the police to get back my land. I received my land recently, ploughed and came for this event”.

F. Approaching Government

Group exercises were conducted to reflect on the problems women face when approaching government officials and in following procedures to get land for individual or collective purposes. To convey their suggestions to the government and to create a collective environment, these suggestions were written down on the long cloth. Following the group discussions, women put their signature or thumb impression on the cloth. Their problems were placed before a Panel of experts from different fields: government, development sector and academician. The panelists responded with the significant suggestions: The panelists included: Sushma Iyengar (Kachchh Navnirman Abhiyan), Apoorva Oza, CEO, AKRSP (India), Dr. Amita Shah, Professor, Gujarat Institute of Development Research (GIDR), Shri Chandira, Deputy Director, Agriculture and Horticulture Department, and Shri. Sanghavi, Manager, Gramin Bank (Surendranagar) . The panel was briefed by Jignyasha Joshi (Utthan) and Falguni Lohil (Cohesion) on the study undertaken by the group, the proceedings of previous day and the suggestions for government that emerged from the group discussions. Ms. Alka Jani (KMVS) chaired the session, inviting panel members to respond. Insightful suggestions were given by individual panelists and included the following:

- The loan repayment can be made through more number of installments with low interest rates.
- Women can also create farmers clubs wherein and approach bank managers for credit facilities for income generating purposes
- There should be a law supporting automatic joint ownership of land for the spouse
- Encourage women farmers to participate in the agricultural trainings conducted by the agriculture department
- Understanding the roles of local government officials, such as talati, gramsevak and suggesting measures to the state government to make them more efficient in implementation of the same
- At the family level, NGOs should help women to put forward the issue at the family level in a sensitive manner and gain support of male family members
- NGOs initiating work on this issue should contextualize it as part of a movement in their field areas by identifying and supporting 2-3 cases per village
- Conviction on the issue by women was important. For example, Maharashtra has a law on joint property ownership but as women were not convinced to struggle against either a brother or husband, the law failed in action.
- There was a need to closely look at the benefits sharing as well as roles and responsibilities of the members of women’s collectives who undertake collective farming.
- There was a need to look as the issue of women’s land ownership holistically as schemes are time bound and may end in a few years.
- A rights based approach was important as living with pride and enjoying a desirable occupation was a constitutional provision

The events facilitated a direct dialogue between rural women and government officials. High level

officials from the state government included Ms. Vilasini Ramchandran, (Revenue Secretary), Mr. B.P Chauhan (Deputy Collector, Dahod) Mr. Vasava (the Regional Officer) . The issues focused on were: government scheme modification for women user groups, waste land distribution to vulnerable women and women's groups, credit facilities for land improvement, sensitizing Talatis, land measuring and land recording process. The revenue secretary felicitated the change agents with a gift and a certificate and expressed support to women who were legally entitle to land and other productive resources. The significance of using innovative participatory methods was evident. A great deal of communication material too was produced by member NGOs. WGWLO gained more insights into tribal and non- tribal contexts. For example, the percentage of ownership of land as daughter was higher in the tribal than in the Saurashtra- Kachchh region. Women in Saurashtra- Kachchh recognized the need for women's land ownership but more as wives than as daughters. As daughters, women were hesitant to challenge a brother's rights over land. There were cases of brothers throwing out married sisters when they returned to their natal home in distress. Parents were more willing to give shares to a daughter but brother-sister in law were much less willing to give to sisters. In tribal areas, daughters (without any brothers) are denied their due share by male cousins.

The events led to greater awareness among different stakeholders on the significance of women's land ownership. It led to information exchange- legal, administrative, strategies by women's collectives and also pointed to the emerging policy implications. Felicitating women and men showing new direction, energized all present . Strategies were shared on individual cases of women as daughters, as widows and cases involving women's collectives. The events

not only addressed landed women but also landless women. There was also wide media coverage, new cases started to come before NGOs and some men also coming forward to transfer land in the name of wife/daughter. Other NGOs also expressed interest in joining WGWLO. The dialogue involving member NGOs, government officials and rural women also opened the way for sustained interaction between WGWLO and the government departments, particularly the revenue department.

Capacity Building & Advocacy

A. Paralegal Action Research

As an increasing number of women began to approach the women's federations and member NGOs for support in gaining land ownership, it was felt that legal knowledge, in particular those related to revenue needs to be strengthened. Knowledge building would be most effective if it was carried out while the interventions were ongoing. Also, there was a need for data to understand the policy changes constraints, if any. An action research was designed for preparing paralegal workers, identifying social barriers, legal and administrative constraints. Paralegals were identified by NGOs and were either staff or workers of Sangathan. They were selected by member NGOs based on how the concerned NGO placed the issue of women's land ownership within their own agenda and organization. Nine NGOs and 10 Sangathans were involved and among the 25 paralegal s trained, 17 were female and 8 male. So that the basis is created for translating the learning into action and help planning and review, it was initially decided that each paralegal worker would take up 100 cases and facilitate applications for the same during six months period. From these, 25 cases each would be carried forward and documented. Not all paralegal workers were able to enlist 100 cases

and in some cases, two paralegals preferred to work jointly as the issue was new to them. Hence, the collective target was reset at 1500 individual cases. Few organizations availed of the honorarium for paralegals, as some had integrated the work into their ongoing program interventions. About 10% of the cases, selected randomly, but looked at in depth, focused on widows and currently married women (wives). The initial trainings were significant since this was a knowledge based activity. CSJ took a lead in designing and conducting the trainings, with key inputs from other member NGOs. Expert lawyers combined their lectures with interactive sessions, taking up real cases. Also suggestions were given on the kind of cases which was easier to take up initially. These included the following:

- Daughters demanding share in parental property , particularly in families without a son
- Currently married wife demanding share in her husband's land
- Widows demanding right in her late husband's land
- Women's collectives demanding wasteland for livelihood activities
- Cases on exclusive/joint ownership in any government allotted land

Varied strategies were used such as holding discussions with women's collectives at the village level, linking up with committees of women's collectives, mechanism to link the issue with other ongoing activities where a forum existed. Four reflection workshops including on strategies used to identify cases and processes followed, field visits, data analysis were conducted from December 2005 to April, 2006. The paralegals identified 1376 cases, actually handled 1170 cases and 904 applications were submitted. These cases concerned private land (ancestral/husband's land), public land, women's/joint ownership, collective ownership by women.. It was evident that

women had to negotiate at varied levels. They also lacked resources and were pressed for time to follow up on the complicated administrative procedures. Vulnerabilities (eg. widowhood) were compounded with social practices , including decisions being made on their behalf by the informal community/caste organizations, dominated by male village elders and relatives. The experiences of the addressing varied types of cases, barriers women faced at social, legal, administrative levels facilitated the development of a perspective among the paralegals on women's land ownership. The study also revealed that in many villages, land titling was not complete. When brought to the notice of the revenue department, they expressed an interest in holding *varsai* camps along with WGWLO. This in turn led to more intense grass roots level work for mobilizing people for *varsai* camps to prepare applications, to follow up on submission of applications.

B. Enhanced Role for Women Sarpanch

With increased activities at the grassroots level, special attention was needed to sensitize and build capacities of different stakeholders to play their due role in enhancing women's rights to land ownership. In July 2005, Mahila Swaraj Abhiyan (MSA) regional co-ordinators joined the Kachchh and Dahod planning meeting and campaigns on widow *varsai* entry by WGWLO. Identification and documenting of some cases were also undertaken by MSA. The action research that followed was directed at enhancing the understanding of the role that women sarpanch (elected panchayat member) could play in expediting land ownership in women's name and the barriers that women face. Orientation workshop, regional workshops and reflections led to women sarpanch taking up cases, follow up on them, exercise their power both with the officials and with natal and marital households of women.

C. Trainings of officials

The significance of combining mass campaigns with training of local officials was highlighted by the paralegal action research process. This implied not only generation of training material but also linking up with varied institutions involved in training of government officials working at local levels. Using a preliminary training design, its field test was made possible when SPIPA invited WGWLO to conduct gender sensitization trainings for TDOs. In collaboration with Gender Resource Center (GRC, Ahmedabad), this training was conducted by three WGWLO members, Shilpa Vasavada (Convenor), Alkabena (KMVS) and Laljibhai (MARAG). Training with Mamlatdars and two trainings with Talatis were also held at government training centers in Junagadh and Gandhinagar respectively. The Panchayat department suggested scaling up the training by extending it to other districts. While seizing such opportunities to sensitize local officials, WGWLO members also held discussions with the Development Commissioner to facilitate state/ district level trainings of revenue officials.

Advocacy

A. State level

Alongside varied levels of activities, including efforts at legal change or changes in design of schemes/ program, a consultative process and dialogues were initiated with various government departments since March 2005. Issues had become more clearer, strengthened by the insights provided by the study on women's land ownership in Gujarat, the two regional sammelan, and later the paralegal action research. The following issues were taken up with the departments:

1. *Revenue Department*: organizing varsai entry camps, activating gender focal points at district level, GR modification to facilitate joint

titles, wasteland distribution to women's collectives, informal continuous dialogue with WGWLO

2. *Women & Child Development Department*: facilitate inter- departmental mechanism, help collect GRs related to the issue from various departments
3. *Gender Resource Centre, Ahmedabad*: Assist in training of local revenue officials (Talatis, Mamlatdars) and other local officials in collaboration with WGWLO, assist in collecting sex disaggregated land related data.

With evolving grassroots understanding of the group, WGWLO periodically met/wrote to Secretaries of departments of Gujarat government and submitted suggestions. The issues highlighted in the dialogues related to private land, public land, individual ownership, ownership by women's collectives, steps to be taken up by Revenue department for sensitization of government officials. The action points highlighted were as follows:

- a. Incentives to motivate transfer of land in the name of individual women only (reduced transfer fees, higher subsidy, low interest rate to women land holders).
- b. Joint titles for land distributed by government
- c. Individual land lease to single women
- d. Leasing land to women's collectives (Long term lease, institutional mechanisms, priority in *Saathni* land)
- e. Special support to women land owners (agricultural outreach services, credit access)
- f. Special assistance in legalizing widows' claims to land
- g. Sex disaggregated data on land ownership

Alongside these dialogues, mass actions through a " Arju Arpan Karyakaram" or submission of applications for joint, individual, collective land ownership, were held at Block levels on October

7, 2005. Local officials such as Collector, Mamlatdar, Talati, and elected panchayat members such as Sarpanch, were invited. Applications were submitted at Rajula, Sanand Bavla, Devgarh Baria, Ghoghamba, Nalia, Anjar, Rapar, and Dholera. These functions were held either at the Mamlatdar's office or at a public place in the Taluka.

B. National Level

WGWLO joined as a member of the *Consult For Women and Land Rights* (CWLR) a national level forum.⁴⁴ This provided an opportunity for learning and sharing from women's experiences in other states and contexts. It also gave an opportunity to link up with national level advocacy processes on women's land and resource rights and for legal changes. Cases from the field were placed at a public hearing held at Allahabad organized jointly by CWLR and the National Commission For Women. Members also attended workshops on women & property held at Pune and a series of meetings held at Uttaranchal. The group participated actively in processes at Delhi to recommend changes in the Hindu Succession Act (HAS) and a dialogue process was initiated for the same in Gujarat.⁴⁵

A 12 member delegation from WGWLO participated in multi-stakeholder, inter-regional dialogue involving prominent activists and researchers from India organized by CWLR in Delhi on November 13-14. Here, WGWLO made a presentation on its work in Gujarat. It also facilitated a presentation on Gujarat government's views on this issue which was put forward by Director, Gender Resource Centre, (Ahmedabad). The dialogue was strengthened by presentations from international delegates. As a delegate from Nepal put it: "*The issues are the same, but each one of us had picked up one aspect and worked on it in our way. This exchange helps me to strategize better*".⁴⁶ Earlier, WGWLO hosted two of the inter-

national delegates from Sri Lanka and Uganda. They visited the field areas of Sanad Bavla women's collective. During a day long meeting for mutual sharing of work being done, WGWLO members learnt about the struggle for women's land rights in the context of Tsunami in Sri Lanka and the enactment of a new land law in Uganda. They accompanied WGWLO members during meetings with the Revenue Secretary, Government of Gujarat. In their meeting with the Director, Gender Resource Centre, Priti Oza, they learnt of the efforts to speed up the enactment of the Gender Equity Policy which was framed through a multi-stakeholder process of dialogues..

C. Sensitizing stakeholders

Participation in Gujarat Social Forum: So as to create awareness of the issue of women and land ownership at a broader platform, share the strategies that were adopted by member NGOs/sangathan/individuals and disseminate information on procedures of transfer of property, WGWLO co-ordinated events on this issue. These included a rally, screening of documentaries, 3 seminars, setting up of a legal enquiry stall. The seminars focused on the status of women and property rights in Gujarat, tribal women and property rights, alternate strategies for ensuring women's property rights. Over 100 women participated in the events. A broader understanding of land issues of tribals, the changing customary laws in tribal communities emerged from the seminars. Following the events, several women approached local NGOs and WGWLO received letters asking for communication material and guidance on the issue.

A State Level Seminar was held in Ahmedabad in November, 2006 with workshop sessions focusing on women's ownership in private land, strategies and mechanisms for enabling women access and ownership of land, women's access to land

based livelihood, women's land rights in varied movements- dalit, tribal, pastoral communities, Muslims. Dr. Syeeda Hameed, member National Planning Commission and the chief guest, lauded the efforts of state level networks such as WGWLO and the CWLR at the national level and varied other interventions which had led to the recognition of the issue in the 11th Five Year Plan. It had also enhanced her understanding on the issue. The Secretary, Joint Secretary, Women & Child Development Department, few officials from other departments of Gujarat government, Director Gender Resource Centre, who attended the seminar expressed support and assured that women's resource rights would be addressed through the Gender Equity Policy which had been adopted by the state government.

The workshop highlighted the work on land rights and how it had given the women involved, a different perspective towards realization of their resource rights. Thus various women's forums

working as information centres, panchayat resource centres, women's federations, women's justice committees, legal aid centres, women in canal societies; etc had started to address this basic issue, asking for their land rights and also supporting other women to ask for their land rights. There have been various strategies which each of these have employed to reach out to rural women on the issue. There are both common issues and obstructions coming up in these cases Based on the sharing of these various strategies/ mechanisms, the need was to draw common lines and recommend recognition for these forums on the issue as also provide them official support to take the issue forward.

In a macro- context that is adverse, women have to manage their livelihoods with very limited access to resources. Lacking access and ownership over land, especially private land, women lost out on extension services, credit, development initiatives from the government or opportunities in

Figure 10. Mr. JS Rana - Principal Secretary, DWCD Government of Gujarat sharing the state governments concerns on women and land rights in a State Level Seminar held in Ahmedabad in November, 2006



diversifying their livelihoods. The case thus becomes stronger for increasing women's access to common land to support women's livelihood. If common lands are given to women's collectives, they could be better utilized to promote their livelihoods, either to meet the fuel wood or fodder requirements or to take up diversified livelihood options such as salt production, prawn cultivation, aromatic, horticulture plantations, etc. One of the Gujarat government's input in this regard was in the form of a GR in 1987, for allocating wasteland to groups of poor on long term for livelihoods. The watershed program has also built on this by giving preference for only women's user groups for common land (cultivable wasteland) development. While information dissemination on these is an issue, what was significant was that at grassroots level, it involved a long and endless struggle to get land transferred in their names, even as collectives.

The seminar also provided the opportunity to open up a dialogue with the different movements, especially those dealing with land based resources. Linkages with platforms (eg. Adivasi Mahasabha, BAAG, dalit movement) was important as was the need to look at practices at grassroots, the diversities (caste, class, region), women's role in them, the informal dispute resolution mechanisms.

The Network

WGWLO: As A Working Group

Introduction

It is acknowledged that facilitating engagement for changing embedded power relations by connecting diverse actors at varied levels, developing shared purpose is a key role that Networks can play in the development sector. However, the context of its emergence and the early steps taken, shape the linked nature of work and quality of

participation in the shared space of network. Processes within AKRSP (India) - gender mainstreaming processes at the field level, the new knowledge gained on rural women and land, the micro-study in one of its own field areas to further understanding on the issue, collective analysis,⁴⁷ provided the background for initiating a dialogue with other organizations on the issue of women and land.

The first workshop in the latter part of 2002 conducted by Dr. Bina Agarwal prepared the grounds to develop a common understanding on women and land ownership, highlighting as it did the varied approaches to looking at the issue and how to locate gender within the dialogues. NGOs interested in an issue which was relatively new and challenging, decided to promote a working group in 2003. *Three years on, the working group has gained a distinct identity as WGWLO.* Following informal discussions, reflections and exchange of views, a meeting of partner NGOs on 19 January, 2006 at Ahmedabad reviewed its objectives, focus, common activities and the organizational implications. Many member NGOs were now focusing on the issue of women and land and the issue was live at the community level and the group's support to NGOs played a key role in carrying forward the processes at the field level. Besides, it was the opportune moment to strengthen advocacy that had been initiated in 2005 and for this it was important to persist with *the grass roots approach.* At the same time, it was imperative that the grass roots reality be placed before the Government, to press for policy changes and hence the need for the group so strengthening *advocacy* was imperative. . Also, in the context of land becoming a scarce resource and the significance of the issue, the working group decided to continue working on the issue for three more years and then review its work. *Also, the scope of the issue would be widened- from focusing on agricultural land to multiple usage of land*

and sub groups could be formed, each focusing on specific forms of land use such as land for agriculture, forest land, salt farming, corporatization, etc. The *role of the working group* would be one of co-ordination, to provide conceptual direction to members, documentation and sharing, finance.

Issue Adoption and Structure

While the group had moved ahead in three years, the process was by no means linear. Firstly, NGOs who initiated the working group and were part of this journey came with varied expectations. The women's rights, livelihood approach drew many of the NGOs. As NGO leaders put it, "We focus on livelihoods and resource base of the vulnerable, in particular women".⁴⁸ Another held, "we were involved in land development activities. This perspective opened up many possibilities."⁴⁹ Those NGOs working on aspects of natural resource management also saw an opportunity to foster, add value to, find clarity in their work. A NGO leader clarified, "The watershed program had limited scope in terms of equitable distribution of resources since women and other vulnerable sections lacked land ownership. Was this an issue of policy, legal or one of implementation. From the workshop with Bina Agarwal, the implementation aspect became clear. At the same time, we needed to find our answers from the grassroots level reality. The inputs provided by a group such as this, we felt, could help build a movement on the ground"⁵⁰ Inter-linkages of issues (e.g. violence against women and land/resources) as a move towards empowerment, attracted others.⁵¹ Field experiences in working with rural women had revealed that the work that women put in and their entitlements did not match.⁵²

However, since the issue of land was sensitive and was clearly not the focus of NGOs or part of their agenda, it was important to find ways so

that the perspective is internalized within organizations, among its leaders, at different levels. To pitch a new idea at an organizational level involved setting in motion other processes as well in the field. It could not be done in isolation and the issue was also new.⁵³ Also, the grassroots base of NGOs varied, some focusing on landless/*dalits* while others on small and marginal farmers, including tribals. Their institutional bases too were different and ranged from women's federations, *sangathan* (broader women's organizations), co-operatives. These features, as well as experiences of the working of varied issue based networks, to an extent informed the decision by NGOs to commit itself informally for 3 years, and as a *working group*, to bring this as issue within development sector, to have no funding based relations among members, to mainly look at social issues initially and no advocacy efforts for at least 2 years, until clearer understanding of grassroots reality developed.

It was decided that one of AKRSP (India)'s staff, Shilpa Vasavada, a gender expert, would play the role of the Convenor. Each NGO should be willing to spare one staff for at least ten days in a year. Since the issue of women and land ownership could not be addressed as a short term one, NGOs should be committed for at least three years. It was also agreed that relationship between the groups would not be funding based, that the working group will not give any funds to concerned NGO member⁵⁴. Efforts would be made by member NGOs to build a mandate within their own organizations, take up few cases initially so that field experiences inform their understanding on the issue.

Issue adoption, which is a process function, involved three factors, namely, the *role of the Convenor*, the *composition of the working group* and, *housing the Secretariat within a member NGO*. The role of the Convenor, its scope in terms of it be-

ing out put based and in terms of the direction in which the group would move, was discussed within AKRSP (I)⁵⁵ and role also evolved with inputs from various NGO women leaders⁵⁶ The Convenor's role in keeping regular touch, not meeting too often, open/transparent communication facilitated the initial trust building process and at the same giving direction and stressing on output delivery provided the element of efficiency without different actors feeling burdened.⁵⁷ Having some one to constantly think around the issue, proving a leadership face, an informed leadership and developing a consultative process involved tremendous efforts.⁵⁸ To build an organizational mandate on the issue, member NGOs invited resource persons from other organizations, an input facilitated by the Convenor. This played an important role in issue adoption process within organizations.⁵⁹

At the same time, NGOs needed *flexibility* to decide at their own pace, the amount of time and human resources to be placed on the issue. Organizations could also choose to focus on this issue in one or two of their work areas, draw on the learning's which could facilitate its acceptance in other program areas.⁶⁰ To connect diverse actors at varied levels, developing a shared purpose, the linked nature of work and quality of participation in the shared space was important and here the Convener played a key role in the network "being"- knowing members, facilitating their interaction in the early trust building process, giving direction and leading. As Shilpa put it, "we did not insist on a rights based approach."⁶¹ A member NGO leader put this in perspective saying, " we have a rights perspective but we are not purely a rights based organization. We integrate rights into our work."⁶² The Convenor's role also shaped the working group's structure, enabled it to develop as a cohesive unit, with members perceiving it as not being too tight and hence giving scope for dynamism.⁶³

Although the *structure of the group was informal*, with only a three year commitment initially, the activities initiated were more defined, planned, with roles for different actors emerging in the process. While the role evolved in the course of the interventions, the scope of the role was systematically discussed within AKRSP (India), where the group was housed and involving the Convenor, gender expert with significant inputs by its Director⁶⁴, collectively in the working group and within individual NGOs. Inputs were also provided from women leaders from other NGOs⁶⁵ Also, the interaction between member NGOs not being funding based, the relevance of the issue for individual members, its location within their own agenda and its ownership assumed significance. *Flexible funding support* by AKRSPI (India)⁶⁶ to the working group helped the initial issue adoption process and provided the space to assess the human resource needs as the activities developed and also to look for other sources of support. Other sources of support too have been flexible.⁶⁷

The *combination of field level activists and NGO leaders in the working group* in overall planning, review, analysis and the subsequent development of concrete action plans (regional planning meetings) met the challenge posed to decision making by the informal structure of the working group and where entities (member NGOs) participate voluntarily but some may not be part of decision making. However, trust is also important as the group included NGOs working with varied priorities. Hence, it was important to convey that decisions made are in interests of all. In facilitating this, the Convenor and later the Coordinator have played key role in network "being"- knowing members, facilitating their interaction in initial trust building process, sounding out informally what is the thinking on issues, considering varied suggestions, circulating notes, prior to the meetings⁶⁸ The combination of NGO

leaders and field level activists also enabled individual NGOs to identify the kind of cases to be taken up at the field level.⁶⁹

On the other hand, field level activists knew the grass roots reality and they were able to draw ideas on strategizing and training design from NGO leaders, from various organizations." The annual review meetings and regional planning meetings always brings freshness to our work and on how to move forward. Also, the field realities are being put across at national and, to some extent, at international levels" ⁷⁰ .

Figure 11. Mrs. Vilasini Ramchandran awarding a tribal paralegal worker on women and land right



The perception of field level leaders of *the Secretariat* was put across succinctly by a member of the working group: " In Kuchchh, the women's federation have developed independent registered bodies, the sangathan, and now the KMVS is the knowledge centre facilitating sharings ,capacity building. WGWLO Secretariat not only disseminates information , but also supports grassroots processes. For instance, we may plan a *varsai* camp at the local level, but it is pushed or carried forward owing to the support of the Secretariat."⁷¹ Many groups, in particular, the smaller ones, acknowledged the support in carrying forward *varsai*, capacity building and

sharings gave a broader picture of grassroots reality, the varied categories of cases and encouraged women to move ahead accordingly.⁷²

The functions of *the Secretariat* included recognizing opportunities and sharing, internal information sharing and co-ordination, capacity building of members, co-ordination support on legal issues, research, documentation and communication material generation, involving new members, event management, follow up on government schemes, Advocacy, Donor Liasoning, etc. As the activities of the group increased, the role of the secretariat too increased , with defined activities and outputs and with a full time *Co-ordinator* , Sejal Dave, appointed, prior to the regional sammelan in mid 2005. The Co-ordinator's tasks included field visits to look at individual as well as collective efforts to strengthen different levels of the planning process of the group, at the state and regional levels. Feedbacks were provided and assessments made of where inputs made or were needed, thereby having a positive impact on the quality and level of participation.⁷³

Engendering civic engagement calls for a more reflexive approach and the ability to communicate to constituencies more openly through the use of *participatory action and research methodologies*. These also do not place unrealistic demands on civil society organizations. In addition, by placing greater emphasis on dialogue and participation, with a regional emphasis, they enhanced, through *tooling of varied actors*, the potential to engender important shifts towards a wider consciousness and hence, open the possibility for varied levels and meaningful forms of engagement for different actors. The *participatory study* on women and land ownership, the *paralegal action research*, the *creative and participatory methods developed and used collectively* at the sammelan, not only facilitated this but also ownership on the issue at the grassroots level.

The group's key contribution to civic engagement has been its ability to increase the capacities of NGOs, grassroots level institutions such as the women's federations, women's justice committees, legal aid centres, information centres, panchayat resource centres, village development committees, women in canal societies etc. on how to address the issue of women and land ownership, how the issue can be put forward /introduced at field level in varied contexts, identification of cases/types, what are the perceptions at the community level, how to dialogue with land administration.. Many of them are able to assess changes (created by the interventions) internally at level of organization and externally, at level of process, of influencing activities. The *regional and decentralized approach* developed through the field experiences and learnings was significant, at the same time, the value added by linking and co-ordination, enhanced the capacity of the working group to act in several regions on the basis of shared ideas, provide space for varied ideas to be articulated and build consensus. .

The group's strength has been *its process role as well as its informal structures, both informing each other* and facilitating exchange, joint strategizing, collective analysis, documentation and thereby develop more informed responses to challenge the inequities. The way in which the different NGOs have been addressing the issue, this knowledge being brought into the collective analysis and learning informing future actions- has been a two way process which has also enabled field workers to recognize/distinguish the working group's role and its own efforts more to an extent. Alongside, more analysis has also emerged on gender issues, in particular through the regional approach. Case studies and analysis on different aspects have also fed into various lobby notes put up at state and national levels. Cases/studies, voices of rural women leaders suggest a growing recognition of this issue as an extension of their own activities, awareness of the new roles, widening its scope beyond the institutions (eg federations) or institutions taking on new roles as women's resource rights groups for a region..

Figure12. SAAPSIDI Participatory form of imparting revenue laws



While, members have worked separately and together, pursue institutional objectives that are influenced by joint strategy development by working group and the shared understanding & analysis, its internalization by Team and field level leaders, not all member NGOs have carried it forward in their field level processes. Groups working among landless and focusing on public land and collective ownership (eg. co-operatives) face greater barriers. However, they have been able to push the gender analysis and focus within these organizations.⁷⁴ The more recent decision to focus on multiple usages of land has provided an opportunity to address such challenges. Those groups with strategic objectives closer to the working group play the role of “gate keepers” of the group and are able to assess how to pitch a new idea. Others come in when relevant or find collective analysis useful. However, both Convenor and now the Co-ordinator of the working group have maintained regular contact with such organizations, giving them a sense of being part of the group.

The working group’s journey in addressing issues on women and land ownership has been complex, given the sensitivity of the issue, the growing scarcity of land as a resource. Women and land ownership has not been part of development discourse and development agenda within the state. .At the same time, the growing engagement on gender issues within the state since late 1990s, reflected in the number of issue based networks, with different NGOs involved in gender empowerment activities, has also provided a more conducive environment for integrating issues of women and land. The group has also impacted other issue based networks (violence against women, women & governance). and these linkages (eg. violence and land, declining agricultural holdings) need analysis in terms of how the group needs to evolve in future .While persisting with the grassroots approach and sup-

porting NGOs carrying out processes in the field on women and land, the challenge for the group also lay in influencing other sections, players, in particular movements and networks involved in land issues so that the issue is mainstreamed in development dialogue and the gender analysis developed by the group is shared within these movements. ⁷⁵ Several groups have stressed the need for more data on land. With the increased scope in work, more understanding needs to emerge in terms of land situations at the district levels and women’s asset bases and other gender dimensions, transition in customary entitlements/institutions. ⁷⁶ Others have held that the group having an identity of its own was not so important as sharing the gender analysis that developed through field processes and joint strategizing. ⁷⁷ Some hope the working group will develop into an organization leading movements for land rights but see the need to first mainstream the issue at varied levels, through the working group.⁷⁸ Groups also see the need from playing an instrumentalist role (eg. focusing on programs/projects) to moving towards empowerment.⁷⁹

At the level of the state, women’s land and other resource rights are gaining increased recognition at national level owing to advocacy. However, their translation into the development agendas of state governments, as effective programs at grassroots level, is lacking owing to varied reasons- the lack of gender analysis while designing programs, administrative and legal barriers, overall patriarchal mind sets and lack of awareness among women themselves. Linking and co-ordination has widened the reach of its actors to varied and diverse contexts, thereby strengthening the information base of advocacy.

With the grassroots approach informing advocacy, the group has also been able to facilitate dialogue between rural women and policy mak-

ers in the state, hold inter-departmental dialogues, and has now found a foothold in training institutions of government.

The working group is now directly supporting field level processes facilitated by federations, sangathan, or user groups/committees. Some have become part of the working group. The groups structure remains informal but functions are becoming more defined, with three committees emerging- the grassroots, networking and research/advocacy committees, and are in the process of defining roles. This is a move towards de-centralized decision-making and will involve changes in the role and hence the tasks of the Co-ordinator, in strengthening Advocacy in particular.

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- 28 There were three types of land tenure systems during colonial period in Saurashtra- occupancy, girasdari, barkhali. Under occupancy tenure, land was held by the cultivator directly from the state. Except in few principalities, the cultivators did not own the land. In the other tenures, there were mainly intermediaries between cultivators and the states. They were girasdars who included talukdars, bhagdars, mulgiris, barkhalidars, the majority being Rajputs. They were landlords with property rights who collected shares of agricultural produce from the cultivators without tilling the land. This system also existed in mainland Gujarat.
- 29 The Rajput landlords lost their land ownership to the former cultivators- mainly from Kanbi- Patidar middle castes who formed the base of the Indian National Conference during the freedom struggle in this region. They constitute 12% of Gujarat's population today. In contrast to Saurashtra, mainland Gujarat had few zamindaris and the peasant landowners were Brahmins, Baniyas, Kanbi-Patidars using low caste tenant tillers.
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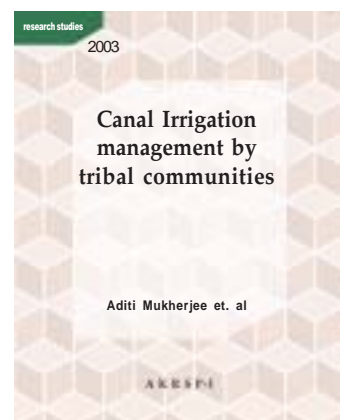
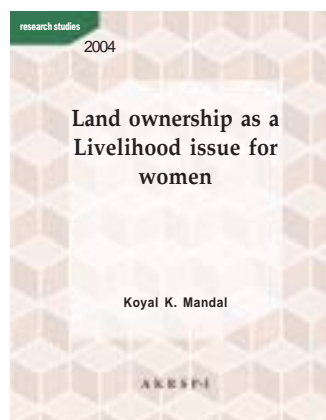
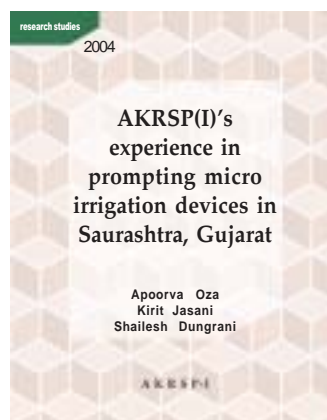
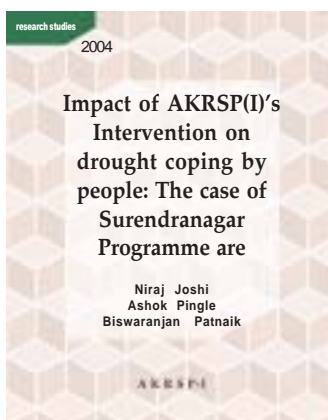
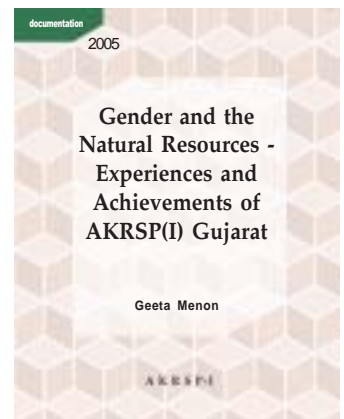
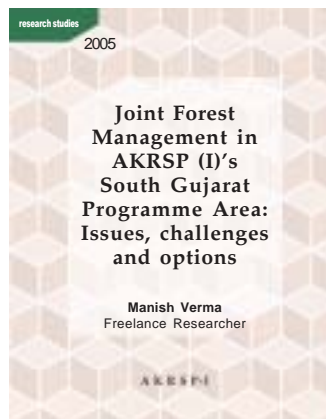
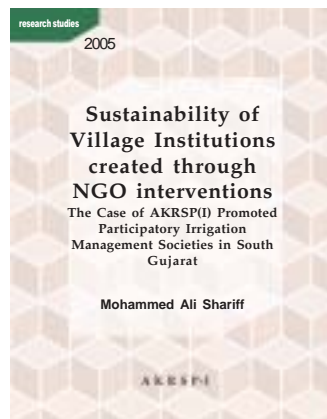
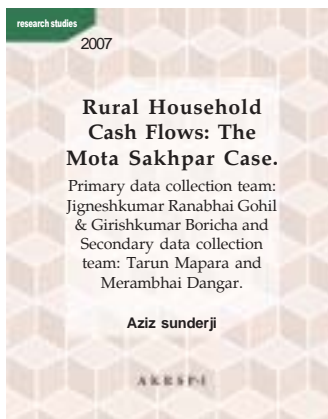
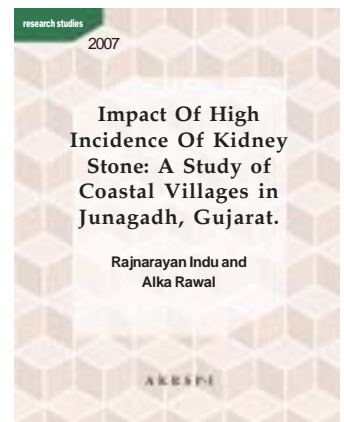
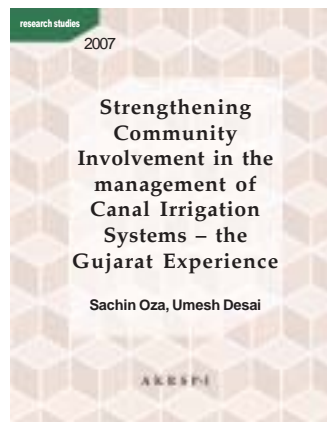
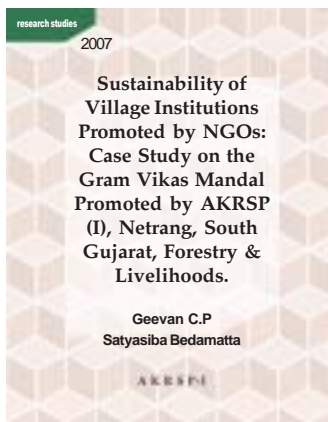
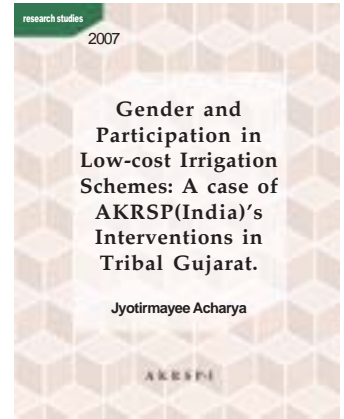
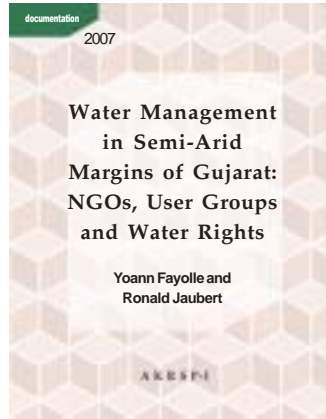
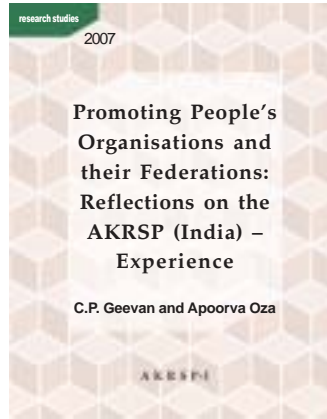
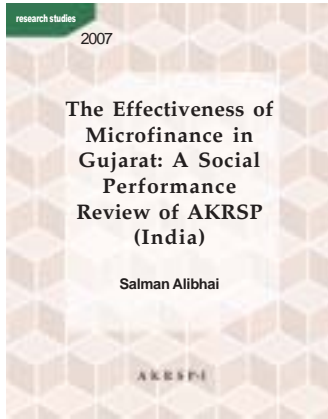
- ered relations with Valiben. Her uncle also filed a case in Lunawada but at the end of two years, Valiben emerged as the winner. Even now, this is not an acceptable norm in society and this triggered off a fight on Dhuleti day when. Valiben and her children were beaten up.
- Kusum ben from Saaktala village (Dahod) returned to her parental home due to severe family conflict at her in-law's home. Within 15 days her husband died. The parental family, not supporting the daughter, deserted her and threw her out of the house. She tried to go to her in-law's house but that door too was closed forever. Her brother or parents refused to take her back home and or listen to her demand for her share in the land. They even did not give her the ration card. Disgusted, Kusumben complained to the police but saw no results. Forsaken, Kusumben broke into tears while narrating her pains and said , - "I am alive with the support of the sangathan
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- 49 Interview with leaders of member NGO, Cohesion
- 50 Interview with Nafisa Barot, Executive Director, UTTHAN
- 51 Interview with Poonam Kathura, SWATI
- 52 Interview with Dharmishta Chauhan, formerly, AKRSP (India)
- 53 Interviews with member NGO leaders on why they joined this initiative
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- 55 Interview with Dharmishta Chauhan: The Convenor of the group, Shilpa Vasavada, was a Consultant with AKRSP (India)
- 56 Interview with Shilpa Vasavada, Convenor, GWWLO
- 57 Interviews with NGO leaders in the working group
- 58 Interview with Poonam Kathuria, SWATI.
- 59 Interviews with leaders of member NGOs.
- 60 Interview with Dharmishta Chauhan, AKRSP (I), Ahmedabad. Dharmishta has since joined the Gender Resource Centre (GRC), Ahmedabad.
- 61 Interview with Shilpa Vasavada, Convenor, GWWLO
- 62 Interview with Rajesh Kapoor, COHESION
- 63 This emerged in interviews with field level staff in particular of member NGOs..
- 64 Interviews with Shilpa Vasavada, Dharmishta Chauhan and Sejal Dave on valuable inputs provided by Apoorva Oza, Chief Executive Officer, AKRSP (India) as also reflecting on the issue continuously..
- 65 Interview with Shilpa Vasavada and informal discussions
- 66 Salary and travel support to Convenor – Rs. 4 lakhs and commitment of another Rs. 6 lakhs by AKRSP (India)- interview with Dharmishta Chauhan.
- 67 Support from Open Meadows at the initial stages, Action Aid India and from OXFAM for events/ consultations (state level).
- 68 A large number of notes, including concept notes, planning formats, letters shared among member NGOs are evidence of the same. Also interviews with staff and leaders of member NGOs confirm this.
- 69 Interview with Meena, KMVS
- 70 Ibid
- 71 Ibid.
- 72 Interviews with field level women leaders.
- 73 Interview with Sejal Dave, Co-ordinator, GWWLO since March 2005
- 74 Interviews with Geeta Oza, Behavioural Science Centre (BSC) and NGO leaders in VIKAS
- 75 Interviews with varied NGO leaders of the working group
- 76 Interviews with NGO leaders from SWATI, KMVS
- 77 Interview with NGO leaders of VIKAS
- 78 Interview with Nafisa Barot, UTTHAN
- 79 Interview with Rajesh Kapoor, COHESION

Annexure 1

Not much data was available on the status of women's land ownership in state and to understand the same, the group started with a state level study in the year 2003. The study was also conducted since member-NGOs had substantial reach at the grass-root level and felt the need to raise mass awareness in rural areas on government enactments and land laws as well as the inheritance patterns. The study revealed the following :

- Only 11.8% women owned land of which 47.3% owned land on widowhood, which reflected that only after widowhood, women were eligible for land rights though inheritance rights existed..
- Out of 11.8%, 44% owned land given by their husbands to avail of government subsidies. This was reflected into two villages of Kutch where the farmers owned large tracts of land and where water is scarce. The state government , in an attempt to positively enact women's land ownership, subsidized irrigation scheme for those with 2 acres of land. Hence, many male farmers, to avail benefits of this scheme, transferred their land to the names of other family members, including women.
- 5% women's land ownership was due to the fact that there were no male heirs in the family.
- Women received little support in the community from leaders, *sarpanch's* or *panch* (*informal community organization*) for land ownership rights..
- Women lacked awareness on legal entitlements to land and this was one of inhibiting factors.
- Implementation of legislation entitling women to land was found to be weak owing to lack of support from the land administration.

AKRSP(I):Recent Publications



Women's Right to Land: Voices from Grassroots Movement and Working Women's Alliance from Gujarat

The Working Group On Women And Land Ownership (WGWLO), a Gujarat based network of 23 NGOs set up in the last part of 2003, emerged in a context where women's rights to land ownership has gained more recognition in international conventions, the national planning and policy processes and research. At the national and state levels, within development dialogue and actors, in mass movements or in networks focusing on land and other forms of resource rights, women's entitlement and rights to land ownership remain marginal, even where such rights are acknowledged. There were other challenges as well, such as lack of information and understanding on the status of women and agricultural land ownership in the state, awareness levels and perceptions of rural women and communities, legal rights and its implementation, role of land administration and state policy. It was in this background that a unique journey and exercise in networking was initiated by AKRSP (India), drawing on its own learning in the field on women's empowerment and the seminal work of Bina Agarwal on the issue, bringing together NGOs working on issues of natural resource management and women's empowerment. Using a more reflexive approach and communicating more openly to constituencies through a creative use of participatory action and research methodologies at the grass roots level, committing human and financial resources as per their own priorities, led to a sense of ownership within the staff and organizations. At the same time, it increased understanding of grass roots realities and opened up possibilities of strategizing at varied levels- organization, household, community, government. Several factors shaped the participation level and structure of the working group that evolved namely, interaction between member NGOs not being funding based, the working group comprising of NGO leaders and grassroots leaders in the initial years, commitment to work together for three years, housing the secretariat within a member NGO, key role played initially by a Convenor also from within the group, and later, by the Co-ordinator.

Building capacities of village level institutions, supporting processes at the grassroots level and the resulting field experiences/learning led to the development of a regional and decentralized approach. The value added to this by linking and co-ordination enhanced the capacity of the working group to act in several/diverse regions , provide space for varied ideas to be articulated, build consensus positions and strengthen the information base for advocacy. Material production, documentation, dissemination of information combined with the groups strong process role-facilitating exchange, joint strategizing and collective analysis- have led to the capacity building of grass roots level institutions (women's federations, women's justice committees, information centres, panchayat resource centres, etc) to address the issue of women and land ownership. The group has also linked with other networks in the state focusing on gender issues- (violence, governance). On the other hand, the group's grassroots approach has strengthened the base for advocacy and to bring grassroots realities before policy makers/government. Training of local officials involved in land administration and finding a foot hold in government training institutions are part of the multi level strategies developed by the group and have led to design and production of training modules.

As the issue of land is still alive the group, decided to continue its role of supporting processes and to play a more pronounced advocacy role. Widening the levels of engagement, share its strategies and learning with other constituencies- networks, movements working on issues of land (tribal, *dalit*, pastoral etc) are at the heart of the activities. While the structure of the group remains informal and the secretariat is now housed with another member NGO, three committees are evolving, focusing on grassroots, networking, advocacy and research, respectively and placing newer challenges to linking and co-ordination and decision making process. With federations being directly represented in the working group, the transformation is already taking shape.

AGA KHAN RURAL SUPPORT PROGRAMME (INDIA)

central office

9/10th floor, corporate house
opp. dinesh hall, ashram road
ahmedabad 380 009
Tel: +91-79-66312451/61
Fax: +91-79-66312471
Email: mail@akrsp.org

registered office

sorijini house, 2nd floor
6, bhagwandas marg
new delhi 110 001