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Once we were proud owners of this land': understanding the rural women's views on the impact of land sale in western Maharashtra, India

Introduction:

Land as a form of property is viewed as a family resource in many societies. Property becomes a representation of new and changing relationships within the domestic group (Viswanathan, 1989). Property relations determine the nature and extent of kin relations: holding land in common, in the belief that all those who do so are tied to each other and the land through blood and descent, makes for special ties (sometimes this could include an entire village or set of villages). At other times and places where land holdings are fragmented or the possession of land is contested kinship ties could come under great strain as families define and re-define limits of these ties on the basis of a kin's access to land (Geetha, 2007).

In the patrilineal societies where property passes primarily to male descendents (in some societies there are legislations to ratify claims of women descendents), there are important social and psychological consequences of these property arrangements. The boys grow up with a sense of a stake in the family and therefore accept it as entirely natural that they should wield both responsibility and authority in family matters. Girls on the other hand are raised to think that they 'belong' elsewhere and encouraged to consider themselves as 'propertyless' (Geetha, 2007). In certain societies (e.g. Bhumihars in state of Bihar, India) hegemonic masculinity puts land ownership in a place of great symbolic significance in the achievement of successful adult manhood. Being a successful man involves land ownership for some rural castes, in a way that women's identities very rarely seem to require¹. Male identification with provider roles and expectations are also connected to land and masculinities. Provision is not only about the production of a daily food supply, but also about intergenerational provision of heritable land assets for sons and dowries for daughters, since dowries are frequently financed indirectly through surplus agricultural production or directly via land sale (Jackson, 2003).

Some of these patrilineal societies are undergoing change. For instance, with the recent amendment in Hindu inheritance laws in India daughters have been given equal shares in land

¹ Matrilineal societies are much rarer than patrilineal, and even here land is generally controlled by men, even if inheritance is traced in the female line.

of their natal family. However Rosen (1978) in his essay 'Law and Social Change in the New Nations' argues that changes in law of inheritance have greater importance to the status of women and the structure of family life, particularly in those countries where property traditionally remained undivided among lineal kinsmen, 'so that wives (or even children) could not partake of the deceased's estate, new statutes offer a major challenge to longstanding practice'. However he contends that effective change in inheritance practices is one of the areas most resistant to reform because women may have to trade off new legal rights to retain the broader social support of their male kinsmen.

Though countries have their statutory inheritance laws, customs and social norms continue to govern the inheritance practices. New laws are most effective when they legitimize changes that are socially amenable and legal transformation is better as a reflector rather than an initiator of political or economic change. Laws established in the interest of greater redistributive justice are unlikely to be successful if they lack social support (Basu 1999).

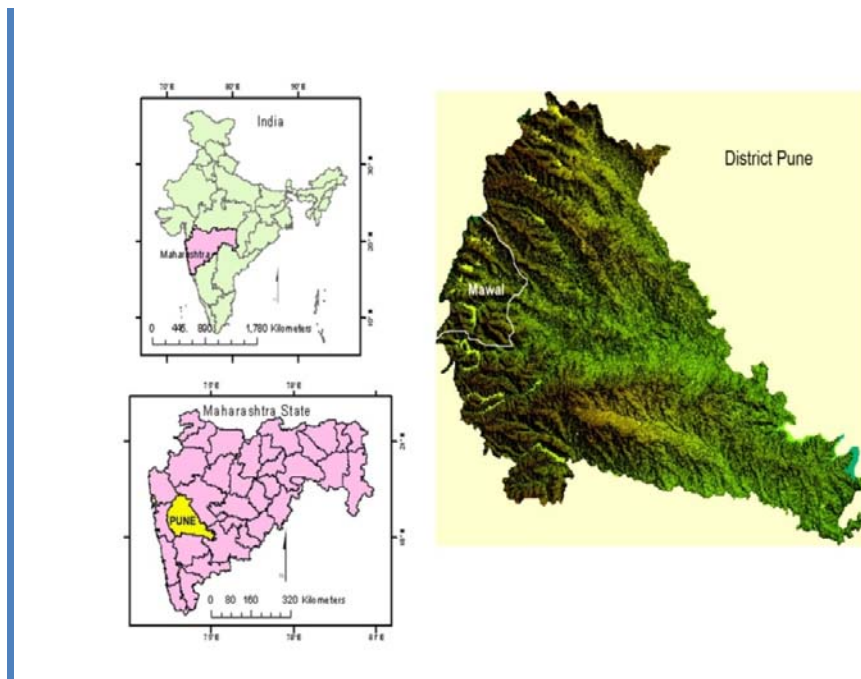
Research context:

In India the economic restructuring of 1990s leading to liberalisation, privatisation and globalisation (LPG) has altered government priorities and public perceptions about land. Land legislation across the country is being radically changed to remove all land ceilings and make agricultural land available for industry, infrastructure, mining, special Economic Zones (SEZs) or quite simply 'land banking' (Shrivastava & Kothari, 2012:194). As a result land- mostly for urban educated elite who are also powerful decision makers- has become more a matter of housing, investment and infrastructure building; land as a basis of livelihood – for subsistence, survival, social justice. It is important to understand how market forces influence the property relations within a kin-group. The studies on land deals tend to focus on large scale deals which are often forced upon the small landholders. These rarely focus on gender dimensions. There is need to understand the drivers and consequences of the 'voluntary' sale of land by the local people where real estate market is growing rapidly. Increasing occurrence of land sale may create new economic opportunities. At the same it may adversely affect the existing support mechanisms such as kinship networks. Women, who rarely have much say in the land transactions, have to bear the brunt of the land sale. In the Indian context there is paucity of studies from socially progressive and economically better off rural area focusing on how the women view the impact of increasing land sale on their lives.

In the recent years real estate market in India especially close to major cities has grown tremendously (Crisil, 2010). Rising land values have transformed real estate into a highly visible and lucrative business since 2000. The possibility of developing real estate colours how Indian land is valued, used, and traded. By developing new real estate practices in India, investors, developers, consultants, and government officials are transforming Indian land from a resource for agricultural or industrial production into a financial resource increasingly available to international corporations and investors (Searle, 2010).

The present study focuses on the rural area located in between the cities of Mumbai and Pune where booming land market has resulted in increasing incidence of land sale. There is a growing trend of buying a piece of land for constructing holiday home or just as investment. A number of changes in the physical as well social and economic realms of a rural society can be observed as a result of increasing incidence of land sale. Given the patriarchal character of the society women often have very limited say in the decisions regarding buying or selling of land. However they have to face the consequences of the land sale. The recent amendment in Hindu inheritance laws (which apply to the majority of population in study area) have made daughters coparceners in parental land. With the escalating land prices the daughters have an opportunity to benefit from the land sale.

Details of the field site:



Maval *tehsil* (an administrative unit of a district, comprising of number of villages) is located in Pune district in the state of Maharashtra in western India. Geographically Maharashtra occupies almost the central position in between South and North India and this is reflected in the making of its society and culture. Maharashtra has occupied a leading position in terms of industrialization in the country since the 19th century. The agriculture & allied activities sector contributes just 11 per cent to the State's income though about 55 per cent of the population is dependent on the agriculture & allied activities sector. Maharashtra is among the richest states in terms of contribution to the national economy. In terms of per capita income this state is one

of the top performers². However the incidence of poverty in the state has continued to remain close to the national average. The State is highly urbanized with 42 per cent of people residing in urban areas compared with a national average of around 28 per cent. Yet, the majority of the population (57%) live in rural areas (compared to an all India rate of 72%).

The Real Estate Transparency Survey³ 2011 carried out by the Confederation of Real Estate Developers Association of India (CREDAI) and property consultants Jones Lang LaSalle, Maharashtra ranks first as far as availability of market information and reforms in urban local bodies is concerned. The report explains that there is easy flow of information about the sector through real estate portals, financial statements of listed developers and real estate indices. However, Maharashtra lags way behind most states in terms of protection of property rights and for having a development that is both inclusive and sustainable. The report states, "Land records and registration services in Maharashtra are perceived as being corrupt. Enforcement of contracts is difficult. Repeal of Rent Control Act is still pending. Poor air quality and air pollution continue to be a concern. "

Pune is the most industrialised district in western Maharashtra mainly due to its proximity to Mumbai and the efficient transportation network that links the two cities (Bates, 2004). Its recent emergence as an Information Technology hub has resulted in a considerable growth of the urban population. *Tehsil* Maval is located towards West of Pune city. The total population of Maval *tehsil* is 400765. The sex ratio is 972 females to 1000 males and literacy rate is 81.50. There are 187 villages that fall under Maval *tehsil*, most of them are connected by tar roads with the exception of few which are located in more interior region.

Most of the area of *tehsil* Maval falls in the Western Ghats (ecologically sensitive mountain range) region and receives high rainfall (approximately 3000mm per annum). A part of the major highway connecting the cities of Mumbai and Pune passes through this *tehsil* making it an ideal location for property development for industrial and residential purposes.

Details of fieldwork:

The current study aims to understand rural women's views on the impact of increasing incidence of land sale. The study site i.e. Maval *tehsil* of Pune district in the state of Maharashtra, India was selected on account of two factors. Firstly I have a long association with the area chosen for the present study. As ownership of land has become a contentious issue due to escalating land prices, it is crucial to have good rapport with the respondents. I knew individual residents as well NGO functionaries in some of the villages in this area through my previous work. Secondly as per information from the Revenue Department officials this *tehsil*

² However relative high per capita income conceals enormous rural and urban contrast and regional disparities

³ This study was the outcome of a survey where the respondents, mainly developers, who were asked about parameters such as experience with government machinery, legal aspects, time required for permissions and corruption. Government policies and their track record for deciding on factors such as inclusive and sustainable development were also studied.

shows high incidence of land sale as well as land acquisition by the state for dams, highways etc. Reports in vernacular media and discussion with government functionaries indicated that the disputes between siblings over land claims are on the rise as the land prices have gone up in this *tehsil*.

During the first phase of fieldwork from September 2010- March 2011 semi-structured interviews were conducted with 245 women respondents from five selected villages. The aim of these interviews was to understand their views on the impact of land sale on their lives and to assess the awareness about inheritance rights, opinions on claiming the same.

From the semi-structured interviews certain respondents who were thought to be more interested in the study and/ or perceived to give useful insights to the study, were selected for in depth interviews. Snowball sampling was used to identify respondents, who could give details of land deals, conflicts related to land ownership, local political scenario. The respondents belonged to different villages and caste and age groups. They had varied educational and occupational backgrounds such as media, legal practice, agriculture, real estate agency.

Impact of land sale: Observations from the field

The following sections discuss major changes in the rural society that are directly or indirectly attributed to land sale. The changes discussed here are mainly based on the perceptions of the respondents, majority of whom were women. Though in many instances the women respondents felt unhappy about the changing scenario as a result of land sale and unable to have much say in steering the direction of change, this does not necessarily mean that they consider themselves as victims. The instances where the women have embraced these changes and used them to their advantage emphasize this.

Sale of land does not have homogeneous effect on the entire rural society. Usually the consequences are more severe for the asset-poor. The findings from the fieldwork reiterate this fact. However for certain landowning members of socially marginalised sections such as *dalit* improvement in economic status as a result of the land sale coupled with progressive changes may also provide an opportunity to move further in social ladder.

Physical changes:

In Maval *tehsil* one can observe notable changes that are directly or indirectly related to the rising incidence of land sale. The nature of association that the villagers had with the land they owned is undergoing significant change as 'land is gaining importance as a route or opportunity

through which a multitude of other assets become accessible' (Baumann, 2002)⁴. There are visible signs of land sale all over the *tehsil*. In many villages one can see a large number of plots fenced off advertising developers' details or luxury villas pretending to be farm houses. Fences of barbed wire or stone pillars around plots of land have become a familiar sight in Maval *tehsil* in the last 5-7 years. Some rich landowners have constructed stone walls around their farmhouses. They appear as islands of prosperity complete with the swimming pools, manicured lawns while the local women in the villages may have to walk long distance to fetch water.

Women are usually responsible for collection of fuel wood for cooking and fodder for cattle. They also help in collection the organic material for agriculture. Fencing put in place cause a number of difficulties for the local villagers. Most of the land sold is non-cultivated *warkas* land with brushwood and fodder. The new owners tend to fence off these plots thus making it difficult for women to collect fuel wood and fodder on it. 46 women respondents during semi structured interviews commented that they had to travel longer distances to collect fuel wood as *warkas* plots were fenced off by the new landowners.

Women in their late 30s and 40s pointed out that going to collect fuel-wood in groups was more than just a household chore. For a married woman it was an opportunity to get away from the four walls of the house and voice the complaints about her in laws and/or husband. As one key respondent narrated with nostalgia: 'On our fuelwood collection trips we used to have so much fun, no doubt it was a physically strenuous job but in the *rane* (open area with scrub forest with brushwood, mostly village common land or private non-cultivated land) we could crack jokes and laugh aloud (for a woman laughing loudly is considered as bad manners), gossip about fellow villagers, complain about mother in laws, have a quick nap under a tree, pick the berries in season. We often spent entire afternoon with the excuse of collecting fuel wood. But now as these *shethe-bhate* (traditionally *sheth* is term used for money lending merchant, however in this case it is in reference to rich urban buyers) have started buying more and more *warkas* land it is becoming increasing difficult to find suitable plots with brushwood'.

In the lean agricultural months harvesting of fodder provides additional income to women in some villages. A villager who owns large number of cattle leases a plot of non-cultivated *warkas* land which is often called as *gavati rane* (grassland) from a local landowner for mutually agreed amount⁵. Group of women in the village who are in need of work are hired to cut the fodder from this plot. The membership to this group may not necessarily depend on caste. However it is frequently the case. Usually women from landless or small landholding families take up this work. Occasionally women from a landed and influential family may also join them. The income through this work is used for children's education or other incidental expenses. Also in rare cases women from such erstwhile landed and influential families have to take up such work. 'Do not go by the palatial houses these families may own (by selling their land), their women

⁴ Baumann, 2002. *Improving Access to Natural Resources for the Rural Poor*, FAO LSP Paper, FAO, Rome

⁵ During the year 2011-12 the amount was INR 1000 per 1000 *pendi* (one *pendi* is a bundle of grass weighing approximately 2-3 kgs) harvested from that plot.

may have to work in other's farms even go for fodder cutting (*gavatala jatat*) as there is nothing to eat; commented one respondent.

Usually in every village there are certain areas which are considered to be unsafe for women especially young girls and newly married daughter in laws, but other than those women are allowed to move without much restriction. The fencing around sold out land plots and construction of farmhouses in and around the villages was seen as encroachment on physical space by many women respondents. These structures acted as reminders of presence of outsiders who were financially better off (*sheth/ partywale*) and did not share the values and norms of the villagers. The vehicular traffic of visitors, construction material etc raised safety concern as well.

Construction of farmhouses involves movement of people and machinery. Usually men from other parts of India are employed at the construction site or on the excavating machines. Many potential buyers from the urban area also visit the villages many respondents voiced concern regarding safety as migrant men labour frequented the village.

As one respondent who migrated to Pune city put it 'When I visit my village every month I see some new plot of land being fenced off. Right next to our hamlet a rich businessman from the city is building his mansion, few meters away from this a property developer has marked off plots for holiday homes schemes. I do not like to come here anymore, I feel like a stranger in my own village and that feeling is unsettling'.

Agriculture related changes

The majority of people in Maval *tehsil* practise agriculture and rice is the major crop. Certain reciprocal labour arrangements exist in the villages during the agricultural season. During paddy transplantation the *bhavaki* i.e members of the same patrilineage and neighbours work on each other's farm without having to make any payment, the landowner is expected to provide lunch. This reciprocal arrangement is locally known as *padkai*. Earlier this custom was widely observed. However it has become difficult to get the same support as people prefer to work on construction site or have migrated to a city. Tensions among family members over land ownership and/or sale was also cited as an important reason for this.

There is a widely shared perception that younger men especially those with some education are not much interested in agriculture as an occupation. 'Many of them consider it below their status to toil in a farm. Even if they do not find any work they would much rather sit idle than work on their farm. The young men from families, who have earned fortunes by selling their land, are often seen driving aimlessly or passing time at local restaurants. We are farmers by birth, earlier generations used to take pride in working the land, but not anymore' commented one woman respondent in her late 60's. Similar opinion was shared by few more respondents.

Many respondents were of the view that there is loss of interest in continuing agriculture. Especially educated ones of the younger generation were keen to migrate to the cities and willing to accept even petty jobs rather than working in the field. Wide spread incidence of land sale was viewed as a cause of concern and reasons why land should not be sold were discussed by the respondents. During the semi-structured interviews out of the 245 women respondents, 221 respondents thought that it was not advisable to sell land while 19 thought it should be done only in certain circumstances such as lack of other alternative, if one had surplus land or if one was harassed to sell the land by agents. The major reasons cited against selling of land were: money does not last long (65 respondents), agriculture is our livelihood (110 respondents), for future security (36 respondents), land is our mother and we get it only once (30 respondents).

Discussions with other respondents reiterated these views. The majority of respondents emphasised that a person whose family is cultivating land (mainly landowning but in some cases also tenants) is a farmer and s/he should take pride in that. With the increasing incidence of land sale they were apprehensive that their identity as farmer would be lost soon. They ridiculed the villagers who have sold their cultivable paddy plots to renovate house or buy vehicle or gold ornaments for the womenfolk.

It is becoming exceedingly difficult to get labour especially during peak agricultural season. In earlier days, landless people and marginal farmers used to hunt for work on farms but now many of them get work on construction sites of farmhouses. The new rich landowners can afford to pay more money⁶. As a result the daily wage rates have gone up for agricultural work as well.

New economic opportunities:

City based landowners often employ the previous male owner as security guard or watchman (the local term) to look after the land or house built on it. A room is built for him to stay on the site. The female member of his family is expected to cook and clean when the new owner visits on weekends or holidays. The respondents talked about these farmers turned *watchmen* in a derogatory manner. As one respondent remarked, 'These people were once proud owners now look at them they have become servants on their own land and have got into the habit of getting paid without any hard work - *malak hote te nokar zale, ayate basun khayache*'.

With more spending money new kind of enterprises such as restaurants, beauty parlours have been set up by the local villagers. Liquor shops and beer bars have also sprung up much to the dismay of women as alcohol consumption is perceived to lead to impoverishment and/or domestic abuse by the husbands. Some respondents commented that there was increase in

⁶ the daily rate in 2011-12 was INR 220

demand for products such as toiletry and certain kinds of food such as crisps, ready to cook noodles which were earlier perceived to be beyond the reach of a villager. They attributed this to the more spending money that the local villagers have due to land sale, more employment opportunities as well as exposure to the advertisements.

With increasing construction of farmhouses, holiday home schemes and renovation of local houses the demand for brick has gone up. Few farmers who own paddy land along a motorable road have converted their field into a brick kiln. Women are also employed at the brick kilns and are paid less than men as their work is perceived to be less strenuous. Soil for the brick kilns is excavated from nearby land. For the landholders it is a source of additional income. The idea of selling soil from one's farm was considered atrocious by one old woman respondent. She saw it as a sign of more dreadful things to follow as farmers have started selling 'their *kali aai* (mother) - the land'.

Buying a vehicle with the money earned by selling a plot of land is perceived to be a widespread occurrence. Out of the 245 women respondents with whom semi-structured interviews were conducted, 110 cited this as the most common cause for which either part or whole of amount from land sale is utilised. Some of the sellers purchase cars 'jeeps' as they are locally known, for transportation of passengers. As people have more money to spend visits to religious places by hiring the local vehicles is on rise. Members of women's self help groups often hire the local vehicle as it is perceived to be safer and more reliable. Most of the drivers employed to drive these vehicles are from local villages.

While discussing the long term financial viability of these transport vehicles some respondents were of the opinion that many of the vehicle owners did not think through this in detail. In such cases purchase of vehicles proved to be disastrous especially where there is competition to get commuters due to availability of high number of transport vehicles. The families who own these vehicles by selling their land but cannot afford to maintain them and thus end up with a liability are often ridiculed by the villagers.

With soaring land prices and increasing incidence of land sale the rural land holders are seen to possess more spending money. Therefore many insurance and small investment companies are targeting the rural market. Local educated youth and women especially those who have been associated with the self-help groups and thus have network at the local level are approached by these companies to work for them. They are paid commission on the basis of number of clients they can convince to subscribe to the insurance/ investment scheme. In some cases the women may not work directly with the companies but as sub-agents for the local youth. A single woman usually separated (either legally or informally) or widow is considered as ideal candidate for such jobs in contrast to a married woman with family responsibilities. These women sub-agents have good network with local women and are perceived to be trustworthy and approachable. Some women whose families have earned money through land sale or land brokering consider investing money with these companies as a safe option.

A recent change observed in the weddings is the venue. Earlier marriages used to take place at the bride's village. The members of *bhavaki* were expected to help out with the preparation including the expenses. The neighbours also used to lend a hand in collecting fuelwood, fetching water, cooking, serving and other work. However these support systems are breaking down and it is becoming increasingly difficult to host wedding at the bride's home. As a consequence more weddings are organised in the wedding halls which are located in larger villages or in villages located along a major road. Many of these wedding halls are owned by local politicians by investing the money earned from the land sale. For women respondents especially those in their 40's such wedding hall marriages did not seem to be enjoyable. In their opinion marriages in wedding halls result in losing out an opportunity of 'collective joy' (Ehrenreich, 2008).

Strained social relations

The respondents ascribed certain changes in the relationships within the kinship group as well as with the fellow villagers to the increasing incidence of land sale. Tensions in the spousal relations as a result of flux of cash from land sale and its eventual disappearance were also pointed out during the interviews. The respondents also discussed how some of the changes in practices associated with life events such as marriage and social events like *urus*- the annual village fair were in a way connected to the land sale.

Many respondents were of the opinion that *bhavaki*- the patrilineage continues to play an important role in life of a villager. In any village the important lineages play important role in social life. There are certain rituals which are supposed to be performed collectively by the members of the *bhavaki*. With escalating land prices the dispute over land among the *bhavaki* members is on the rise. In few cases the more influential male members of the *bhavaki* were said to take advantage of their position and misappropriate the share of others in ancestral land. These tensions invariably had an adverse effect on the interactions among the *bhavaki* members resulting in lack of support during agricultural season, weddings, performing annual rituals and other important events. Few women respondents from families who have become rich through land transactions found breaking up of *bhavaki* worrying as it made the male members of their families more vulnerable to potential dangers from rivals. Also for more religious minded women not being able to perform the collective rituals due to disputes over land meant latent risk of displeasing divine power leading to disaster.

Matters related to land have been traditionally seen as male domain and women are rarely consulted. However women have to bear the brunt of the decisions such as selling of land. Money earned from the sale of land does not necessarily get translated into family well being. In some cases the money is spent by the husband or adult son in alcohol, eating out (*party karne*). If a wife attempts to protest against this she may suffer from domestic abuse.

Loosening of ties with neighbours was seen as one of the adverse impact of land sale by some respondents. Earlier neighbours used to help out on each other's farms, women used to go together to fetch water or collect fuel-wood. In case of shortage of food or when the woman of the house was not supposed to cook during menstruation (this custom is still followed in many households) one felt free to drop in at neighbour's for food. However with money coming in through land sale these relations are beginning to change. This is especially true when one family sells a piece of land and earns a fortune, renovates house, buys a vehicle, expensive television set etc whereas the neighbour continues to be in the modest financial status. Some respondents in their 40's & 50's commented that during weddings, funerals or such major events the assistance of neighbours and other villagers was taken for granted. If there was shortage of anything in the kitchen one did not hesitate to go to the neighbours. During the spousal quarrels the neighbours often used to mediate. However with the disparity in financial condition (as a result of land sale or more cash income as a family member takes up work in city) the relationship between neighbours is undergoing a change. As one respondent put it 'our village does not feel the same, it is turning into a city! Earlier after dinner we used to sit together and chat. I did not have to think twice about asking for my neighbour's help. But with *jaminicha paisa* (money earned through land sale) that spirit of camaraderie is fading'.

Urus or the annual village fair is still the most important event on the village social calendar. It usually lasts for three days. During this festival people who have migrated to the cities visit the village, relatives and friends are invited for dinner, new clothes are brought, and special food is prepared. The respondents informed that in last 6-7 years some villages in Maval *tehsil* had to cancel the *urus* due to disagreements within the organising committees or among larger group of villagers. Factions in the village as a result of local level party politics was cited as a major reason along with dispute over land ownership and sale. For the majority of women respondents across castes *urus* is the time to enjoy themselves, visit their parental homes. It is also tied to the pride of the village and is seen as an occasion that fosters solidarity among the villagers. Hence cancelling of *urus* is hugely disappointing for the women respondents. It was perceived as an indication of lack of harmony at the village level.

Conclusions:

Land continues to be at the centre of rural lives forming the basis for identity and status within a family and community. Changes in land ownership patterns often have social and economic implications.

To understand the gendered nature of land relations it is important to consider how land is situated within livelihoods and what is happening to land relations in the particular agrarian contexts in question. It is also important to remember that 'the social relations that inhere in homestead land and gardens are very different to those of intensively cultivated infields or lowland paddy, or extensively cultivated dry uplands, or land with permanent tree crops. Land of differing value, location, soil type, topography, as well as land with differing tenure and

production relations – owned jointly or individually, inherited, purchased, rented, borrowed or share-cropped – will have distinctive kinds of social relations, norms and discourses that pattern their use’ (Jackson 2003).

The increasing occurrence of land sale is perceived to affect the rural society in a variety of ways. The physical change such as fencing has affected the sanitary practices, collection of fuel wood and fodder, access routes. Increasing extent of sale of non-cultivated *warkas* land had an adverse impact on the availability of organic material necessary for growing rice sapling. Availability of work on construction sites, loosening of kinship ties, loss of interest in agriculture are perceived to be the major causes for shortage of agricultural labour force.

Land sale is seen to have an adverse impact on supplementary income sources such as dairy, collection of minor forest produce, harvesting of fodder. However it has opened up new economic opportunities such as shops, restaurants, beauty parlours, wedding halls, renting of houses.

Relationships are said to be negatively affected among members of lineage, neighbours as a direct or indirect result of land sale. Increase in tensions between spouses is also ascribed to land sale. Rise in number of migrant men was seen as safety concern by some respondents. Disputes during annual fairs, changing caste dynamics were also associated with land sale. Fear of losing close association with land was voiced by many. Though agriculture is not considered to be financially viable, the majority of respondents took pride in their identity as farmers and were apprehensive that with the increasing occurrence of land sale soon they will lose this identity.

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