



## **Land Access, Productivity and Female Labour Force Participation**

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## Introduction

Inaccessibility to land and other productive assets not only limits women's bargaining power within the household but also severely restricts their economic opportunities. For women in developing countries, land is an important means of improving their socio-economic conditions as well as ensuring the realisation of several human rights including the right to food, water, livelihood, health and security.

Women's access to land can play a crucial role in improving several development indicators and enhancing the overall nutritional status of the family. Several studies conducted around the world, especially against the backdrop of developing nations have concluded that women's land rights not only have a direct bearing on the women's welfare but also have a positive impact of the well-being of their children. According to a study based in Pakistan, individual land ownership by women has a positive impact on children's food and nutrition security (Rehman et al., 2019). Similar results have been noted in Nepal, wherein children of women who had secure land titles were 33 per cent less likely to be malnourished (Allendorf, 2007). Analogous results have been found in Ethiopia where women's land rights were associated with a higher calorie intake among children and 36 per cent fall in the household food insecurity (Ghebru, 2013). In Vietnam, female held land use was not only associated with higher levels of nutrition but also with a lower incidence of illness among children, increased health insurance coverage, raised school enrolment, and reallocation of household expenditures toward food and away from alcohol and tobacco (Menon et al, 2013).

Recognising women's land rights and ensuring full control can also have an impact on agricultural productivity and promote more sustainable practices in the field. In some countries like Ethiopia and Rwanda, land ownership among women has led to higher long-term investments and greater efforts towards soil conservation as well as tree planting (Ali et al, 2011). The gains from land ownership are also seen in the adoption of technology, greater participation and contribution in institutions.

At the centre of most of these positive advances is enhanced bargaining power which acts as an enabling mechanism for women and allows them to have greater participation in decision making in matters related to the household, their work and in some instances the community.

Women's relationship with the land is often dictated by laws of marriage and inheritance.

In several countries, despite constitutional amendments the prevalence of customary or religious laws as well as social pressure prevents women from inheriting and therefore independently controlling land. This is especially pervasive in emerging countries which are historically patriarchal. India is no exception to this; here social norms and customs often overrule constitutional guarantees when it comes to women's land rights.

In India, the Hindu Succession Act of 1956 (HSA 1956) is the fundamental law governing the inheritance rights for four religions namely Hindus, Jains, Buddhists, and Sikhs. Since Indian inheritance laws are enacted according to religious contexts, Muslims and Christians have their own set of property laws. This law brought about changes in the laws of succession, which previously evolved on the basis on regional customary laws and ensured rights to a woman's property. However, this act only provided for women to jointly inherit their father's directly acquired property and did not safeguard equal rights over ancestral property. The persistence of discrimination under this act prompted several states to amend HSA laws to allow women to inherit both acquired and ancestral or joint family properties. Between the 1970's and 1990, five states-Andhra Pradesh, Tamil Nadu, Karnataka, Kerala and Maharashtra amended state laws to promote gender equity in inheritance rights. Following this, in 2005, the Government of India enacted the Hindu Succession Amendment Act (HSAA), which ensured an equal share in an ancestral property for men and women applicable to all states.

Although the amendment has increased the likelihood of women inheriting land which has had positive externalities on their education, the deep-rooted persistence of bias against women owning and inheriting land has severely limited the scope of the law.

According to a comprehensive index constructed by the Centre of Land Governance, despite their high participation rates in agriculture and its allied activities, only 12.8 per cent of Indian women hold agricultural land (Agricultural Census, 2011). Even within this, the average size of women's landholding is 0.93 hectare (ha), which is much lower than the land held by men (1.18 ha). While this figure improved marginally in 2015-16 to 13.8 per cent, the average size of landholding declined overall to 1.08 hectare. For the women who do own land, ownership doesn't always translate into control of the land. The accessibility to land varies by region, with northern and eastern states performing much worse as compared to the southern and north-eastern regions. Lakshadweep,

Meghalaya and Andaman and Nicobar Island top this list with the southern states occupying the remaining seven positions.

These trends are despite the high percentage of female participation in agricultural activities, especially as labourers on account of out-migration of male members for better-paying jobs, the growing number of women-headed households and the development of labour-intensive cash crops. According to the data of 2017-18 published by the National Sample Survey Office, more than 70 per cent of rural women workers are engaged in agriculture and its allied activities. As per the census of 2011, out of the total female main workers, 63 per cent were agricultural labourers and 36.9 per cent were cultivators.

Weak land rights for women who are increasingly responsible for the cultivation could lead to a loss in welfare and productive inefficiencies (Agarwal, 2003). Without formal ownership, women cannot use land as collateral for obtaining credit or even selling it for money. The women who work on these lands often have no control over the cash flows or returns from the yield as well as the investment decisions. Further, they systematically left out from availing benefits of government schemes or other facilities as the land they till are not in their name and requires submission of land title record, limiting beneficiary base to landowners. As a result, women are often excluded from unions and groups which play an important role in strengthening overall bargaining power as well as enhance knowledge and awareness.

With the exception of operational landholdings, the gender-disaggregated data on ownership of assets including land is not available for the

country or at the level of the state. Although this has been recognised by the Department of Land Resources which has supported several states to modernise and digitise their land records through the Digital India Land Record Modernisation Programme launched in 2018 (DILRMP), the states have failed to capture gender-disaggregated data as a part of this programme. The absence of adequate land ownership data from a gendered lens adversely impacts the formulation of policies which are not informed about the realities around landlessness, inheritance and land control by women. Without an updated disaggregated dataset, the policymakers cannot accurately assess the impact of land reforms including the amended inheritance laws.

Although in the recent times' steps have been undertaken by the government to promote property holding among women and legally providing for mechanisms to inherit parental and spousal property, the impact of the same is largely unknown on account of data deficiencies.

Provisions have been included under the Pradhan Mantri Awaas Yojana, a scheme providing housing subsidy, which mandates female head of the family to be the owner or co-owner of the house. Providing concessional home loans to women as well as charging a reduced stamp duty has also been adopted by several states to promote property and land ownership among women. However, the complexities around land ownership and control warrant a multi-dimensional intervention that aims to address both, the societal and the economic barriers prevalent for women in this sphere. Against this setup, the following steps can be taken into consideration.



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## Steps moving ahead

### 1. Recognising women as farmers

Women as farmers perform a range of activities from weeding, sowing to harvesting, packaging and even marketing of agricultural products. These are undertaken on their family lands for which they are not compensated or on leased lands. Women's increasing loss in access to cultivable land as indicated by the fall in the proportion of female cultivators and a simultaneous rise in the proportion of women as labourers highlights an urgent need to address and support women as farmers. Presently, an individual is recognised as a farmer on the basis on their land titles as a result women are often unable to avail or participate in governments schemes and programmes. There to make systematic changes in the eligibility and participation restrictions to include women and recognise them as farmers.

### 2. Addressing inconsistencies between the state and central laws

The Hinda Succession Act of 1956 had initially kept agricultural lands out of the purview of the Act through Section 4(2). This was later repealed in 2005 assuming that Hindu women would inherit agricultural land similar to other immovable property. However, given that agricultural land is in the exclusive domain of state legislature, the ambiguity surrounding women's right over agricultural lands persists. Legal loopholes such Zamindari Abolition and Land Reforms Acts (ZALR) which governs

agricultural land holdings in some states, such as Uttar Pradesh, does not grant same rights to women in inheritance as their male counterparts. As a result, in most agrarian states, women do not inherit agricultural landholdings. Even in Delhi, while widows are given inheritance rights, daughters are not given the same right.

### 3. Data

As mentioned previously, the lack of updated and publicly accessible data on asset ownership at the national and sub-national level severely limits the scope and targeting of policies. It also takes away the ability of multiple stakeholders to adequately assess and comment on the progress made by a programme or scheme and more generally as a society. There is an immediate need to not only collect and make available the data on asset ownership but also collate it in a manner that allows analysis of the data by gender and also by different classes and regions.

### 4. Raising awareness

Over the years, the laws governing land rights and the provisions have undergone several changes to promote equality and ownership among women. However, women remain largely unaware of their entitlements and the mechanisms of safeguarding the same. There persists a need to undertake national-level campaigns to only communicate the rights and benefits accrued to women and society from equitable land ownership to gradually remove the societal bias against women owing all kinds of assets especially land.



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## References

1. Agarwal, B. (2003). Gender and Land Rights Revisited: Exploring New Prospects. *The State, Family and Market. Journal of Agrarian Change*. 3. 184 - 224. 10.1111/1471-0366.00054.
2. Ali, D., Deininger, K., & Goldstein, M. (2011). Environmental and Gender Impacts of Land Tenure Regularization in Africa: Pilot Evidence from Rwanda. *Journal of Development Economics*. 110. 10.1016/j.jdeveco.2013.12.009.
3. Allendorf, K. (2007). Do Women's Land Rights Promote Empowerment and Child Health in Nepal?. *World Development, Elsevier*, vol. 35(11), pages 1975-1988, November.
4. Rehman, A., Ping, Q., & Razzaq, A. (2019). Pathways and Associations between Women's Land Ownership and Child Food and Nutrition Security in Pakistan. *International journal of environmental research and public health*, 16(18), 3360. <https://doi.org/10.3390/ijerph16183360>.
5. Ghebru, H & Holden, S. (2013). Links between tenure security and food security: Evidence from Ethiopia. *ESSP II Working Paper 59. Addis Ababa, Ethiopia: International Food Policy Research Institute (IFPRI) and Ethiopian Development Research Institute (EDRI)*.
6. Menon, N., Rodgers, Y., & Nguyen, H. V. (2014). Women's Land Rights and Children's Human Capital in Vietnam. *World Development*. 54. 18–31. 10.1016/j.worlddev.2013.07.005.



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