

WOMEN, LAND OWNERSHIP AND AGRICULTURE: PROBLEMATISING THE DEFINITION OF A FARMER

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ABSTRACT

Agriculture is the backbone of the Indian Economy and its society. But what do we picture when we hear the word “agriculture;” a farmer, a field, and agricultural tools? The farmer, which is the most crucial component of the occupation, has been “defined” in constitutional terms for the benefit of viable legislation. This is where the problem begins, as the very definition of the term “farmer” is exclusionary, leading to skewed benefits of agricultural schemes to a certain section of society. Farmers have been defined in India concerning ownership of land; the one who owns land is the only one who cultivates. Most of the agricultural land owned in India belongs to men, as the society is patrilineal at best and patriarchal at worst. In this essay, my objective is to problematize the definition of the term “farmer” used in agrarian schemes within the country, concerning the lack of land ownership that women face. The scheme used to explain the issue is from the state of Telangana, namely the “Rythu Bandhu Scheme.”

KEYWORDS: Agriculture, Farmer, Land ownership, Rythu Bandhu Scheme, Telangana.

INTRODUCTION

“*Jai Jawan, Jai Kisan* (Hail the Soldier, Hail the Farmer)”¹ When Shastri gave this clarion call, India was under dire circumstances. Today, while India stands tall on its military and political credentials, the *Kisan* still faces varying kinds of distress all over the country. This is ironic, as India’s economy still depends hugely on its agrarian sector, with the farmer being a significant stakeholder in the country’s developmental discourse. The governments (both union and state) recognize this and attempt to address the farmer’s grievances through various schemes and programs.

As agriculture comes under the State List of the Indian constitution², it is left to the state governments to interpret and define what the term ‘farmer’ means. The flexibility of definition is also applied to the schemes run by the union government. Often, these definitions lead to the perpetuation of gender disparities and consequently widen the gap between men and women.

The paper will attempt to address this very issue, through the prism of Telangana’s Rythu Bandhu Scheme. After providing a brief account of the scheme, the lacunae of the same regarding land ownership will be discussed thoroughly, with a particular focus on the issue of land ownership and gender disparities. Before concluding, the paper will recommend a two- pronged solution. For this paper, the term land should be interpreted as ‘agrarian land.’

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RYTHU BANDHU SCHEME: A CRITICAL SUMMARY

The Agriculture Investment Support Scheme, popularly known as the Rythu Bandhu Scheme (RBS) was launched on May 10th, 2018. It is a direct cash benefit transfer scheme that involves payment of the Rest. 5000/acre (previously Rest. 4000/acre) to every landowner for Kharif and Rabi seasons. The scheme’s purview extends to even those individuals who own land in the forested region³. Presently, the money is directly transferred from the State government’s account with the Reserve Bank of India, through the e-Kuber platform. Following is the classification of land, according to its size:

1. Marginal: Any land size up to 1 hectare
2. Small: 1-2 hectares
3. Semi – Medium: 2-4 hectares
4. Medium: 4- 10 hectares
5. Large – More than 10 hectares

Heralded as the ‘goldilocks’ for solving the income security crises amongst farmers, its design poses a significant concern. The scheme exclusively considers only those farmers who own land. This leaves out a wider section of the society, which comprises those who are engaged in agricultural activity but are not landowners (Agricultural tenants, Sharecroppers, etc.). Even without considering the gender perspective, this selection is quite discriminatory, as India has a sizeable

population engaged in agriculture, without having any possession of that land.

Having understood the exclusionary aspect of the scheme, it is crucial to comprehend how it further facilitates the widening of the gender gap. According to the Agriculture Census (2015-16)⁴, in Telangana, roughly 88% of the landowners owned marginal and small landholdings. Amongst these, only 23% of the landowners were female. A similar figure is reflected in all sizes of land, implying that land ownership is heavily dominated by men.

The Employment-Unemployment survey⁵ of 2015 estimated the rural population of Telangana to be roughly 82 lakhs. Amongst the females who were covered (15-59 years), approximately 44 lakh women were employed in all kinds of activities. It can be safely assumed that the majority of these women would be either self-employed, on contract labor or as casual laborers in the agrarian sector. According to the NSSO's Situation Assessment of Agricultural Households⁶, in Telangana, an overwhelming majority of women who do unpaid work belong to agricultural activities. Additionally, the issue is compounded when realized that the older women were not counted in the survey, as they also work diligently in the field.

Combining the observations, we can say that most of the women who work in the agrarian sector have no ownership of the land. The RBS, unintentionally, through its exclusionary eligibility criteria for the beneficiaries, ends up benefiting the men of Telangana.

When such perverse gender domination exists, it is crucial to comprehend the reasons why this happens.

WHY LAND OWNERSHIP IS DIFFICULT FOR WOMEN?

Land can be acquired and owned through inheritance, market purchase, or government allocation⁷. As most of the agricultural land owned in India is private, effectively, only inheritance and market purchase can lead to land ownership. It is therefore important to understand the impediments that women face to owning land through these specific mediums.

The most visible reinforcement of the patrilineal mindset is when it comes to inheritance. In most cases, those who die after writing a will do not include the name of their daughters, as they are the 'other.' The notion of them being married to another family and associated stereotypes regarding the same become a roadblock for their share in the land.⁸ It is also undeniably true that among married women, the share of a widow is widely accepted, but any other share in the land is

simply against the supposed 'socio-religious' construct of the society.

Moreover, the possible anticipation of a conflict with the brothers and the 'ill-will' of society stop the women from even filing a case in court for their rights. It is rather unfortunate that although the law recognizes men and women to be equal, the social and religious order fails to do so. It is not just the marital status of the women that reinforces patrolling. The engendered stereotypes about men being authoritative and responsible for the 'outside' vie vies the delicate and domesticated women for the 'inside' and also restrict them from exercising any agency.

It would be then assumed that those women who have joint ownership of land have similar control over decisions as compared to their spouses. Unfortunately, the number of joint land ownerships is too small to hold any significance in Telangana⁹. Even if they are counted as important, the perpetual gender roles disparage any scope of improvement.

When it comes to market purchase, there are a lot of challenges to acquire land. As the majority of women who are engaged in agriculture barely make any money, whatever they earn is usually spent on either debt repayments or family expenditures. This leaves them with either no money or a paltry sum of money to spend on their expenses. Furthermore, as these women do not own any major assets (jewelry, shares, bank deposits, etc.) they cannot borrow from institutionalized channels, which could consequently facilitate the market purchase of land.

WHAT ABOUT BENEFITS?

It is not just the inability to purchase land that is an issue. The other issue is the procurement of benefits exclusively for men. As men have effective control over both the land and the money allotted through RBS, they rarely, if at all, consult their spouses over how the money needs to be spent. The lack of control and ownership is something that is not just unfair from the legal standpoint; it is also unfair for all practical purposes. As the men migrate towards the urban areas, it is the women who effectively run the field, if the family happens to own one. Otherwise, there has been a noticeable increase in the number of women engaging in agricultural activities. This 'feminization of agriculture,' where 80% of all economically active women in India work in the fields¹⁰, is rather discouraging in that they do not even have recognition, let alone a decision-making agency.

OWNERSHIP TO WOMEN AND THE WAY FORWARD

With all the problems recognized and understanding the context of Telangana, the following is my two-pronged recommendation that attempts to address the entire issue comprehensively:

1. The definition of a farmer should be amended and implemented in the RBS as follows:

“Any individual that is involved in the agrarian sector (crop production, harvesting, and post-harvesting processes)”

This definition is all-inclusive, as it considers the entire sector in a holistic manner. In addition to that, it is one of the few definitions that counter gender disparities in the best feasible way. This kind of broad definition served as an inspiration for opening the benefits of the PM-KISAN Yojana¹¹ to the wider public.

2. The following measures should be undertaken to encourage land ownership among women:

- If any land is distributed by the government, then it should be either in joint ownership of the couple or in the sole ownership of the woman. In case the ownership is provided solely to the woman, then she must have the rights to possess/mortgage/sell the land till her lifetime.
- With the money procured under RBS (post-implementation of the new definition), budget and smart investment campaigns should operate across the state, so that the women spend judiciously on agriculture, and invest for the generation of further income.
- They should be provided with legal aid at nominal costs for them to resolve property/inheritance disputes from their families.¹²
- In the long term, education amongst women should be encouraged, along with steps taken at home to challenge gender stereotypes.

The land is an important asset as it provides the owner with tangible security against various kinds of weather of life. For women, it becomes more crucial as their crises often end up affecting their survival. The paper attempted to highlight the definition-based issue of a popular scheme in Telangana. Progressively, the issue with the scheme, in consonance with land ownership was thoroughly explained. In the later section, the paper recommended certain measures that would provide a fillip to address these complex issues. Conclusively, to honor

the *Kisan* of Telangana, it is crucial to bring long-lasting changes, as it is the only constant that exists.

NOTES

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