**Unpacking Gendered Access to Land: Intra-household sharing of land rights in Rural Tamil Nadu**

**Abstract**

*This paper examines intra-household access to land in rural Tamil Nadu, India, arguing that household members do not have equal access to their household’s land. Drawing on the ‘bundle of rights’ metaphor, this paper unpacks the various rights that household members can derive from household land. Ethnographic data reveals that women have the most limited bundle of rights compared to men in their household. Social norms and practices prefer sons to inherit land, restricting women's access to land. This paper argues that simply registering land in women's names does not necessarily give women greater control over household land, as management rights are shaped more by gender norms than legal ownership. This suggests that solely increasing women's landownership is insufficient to challenge the underlying social practices that perpetuate gender inequalities in land access. The paper highlights the importance of understanding intra-household dynamics to address the complex barriers women face in accessing land.*

**Keywords:** Gender, India, Land, Property Rights, Women

# **Introduction**

Land, especially arable land, holds immense economic, political, social, and symbolic value (Agarwal, 1994). In agricultural societies, access to land determines one’s ability to exploit labor or be exploited (Chakravarti, 2001). In India, access to land is highly unequal. Since the 1980s, studies have consistently shown that women in India rarely own land (Sharma, 1980; Agarwal, 1994). Despite introducing equal inheritance rights in landed property for sons and daughters and higher educational levels among women, landownership among women remains low. The effects of inheritance provisions on women’s landownership differ significantly between states (Jain *et al.*, 2023). Institutional barriers and gendered social norms continue to deter women from claiming and securing land rights (Agarwal, 1994; Rao, 2011b; Rao, Pradhan and Roy, 2017). Increasing women’s access to land requires challenging these gendered norms.

In India, access to land is characterised by several dimensions. First, landownership is intricately connected with caste; dominant high castes own most of the land while the lower socially disadvantaged ST and SC castes have only limited access to land (Moses, 2003; Thangaraj, 2003; Besley *et al.*, 2016). Second, property inheritance systems differ based on religion, with the main laws being the Hindu Succession Act and the Shariat Laws (Application) Act (Rao, 2007; Saxena and Parthasarathy, 2016). Third, the Government of India only recognised the importance of landownership for women for the first time in 1980 when the government drafted the Sixth Five Year Plan in which the government recommended registering reallocated land under the joint title of husband and wife (Rao, 2006). Therefore, many studies on women’s landownership compare households, for example by caste, marital status, and religion (Thangaraj, 2003; Velayudhan, 2009; Mangubhai, 2014).

However, Fafchamps (1998) highlights a conceptual difference between access to land within households and across households. This is important because while Tamil households typically pool their resources (Clark-Decès, 2014), this does not mean that all household members have equal interests and preferences towards the allocation of those resources (Agarwal, 1994). For example, women typically allocate a larger portion of their income to household expenditures compared to men (Quisumbing *et al.*, 1995; Meinzen-Dick *et al.*, 1997; Rao, 2006; Allendorf, 2007; Sraboni *et al.*, 2014; Rao, Pradhan and Roy, 2017). One important factor in resource allocation decisions is ownership of property or other assets (Agarwal, 1997). This suggests that the arrangements of access to land within the household could have an impact on intra-household decision-making and consequently household wellbeing. Jane Guyer (1988 in (Kevane, 2000) argues that these gendered preferences in income allocation do not stem from inherently different values between men and women but result from their structurally different situations. This paper therefore aims to examine how access to land is allocated within households.

Similar to Yanagisawa’s (2008) argument that not all community members have equal access to communal lands; I argue in this paper that not all household members have equal access to household property. There are clear differences between legally and socially recognized land rights, and between recognition and enforcement of these rights (Chowdhry, 2017). A useful approach for analyzing property relations is a ‘bundle of rights’ metaphor (Meinzen-Dick *et al.*, 1997). Schlager and Ostrom (1992) identified five independent rights for common-pool resources that can combine to form a ‘bundle of rights’: access, withdrawal, management, exclusion, and alienation. Johnson (2007) emphasises that a bundle of rights is a descriptive and analytical theory rather than a new normative idea. This suggests that a bundle of rights metaphor is useful to understand and explain the complex ideologies and practices related to property relations to demonstrate that gender matters more when it comes to access to household land than official ownership. This is important because it problematises the argument that landownership increases women’s decision-making power and impacts how intra-household relations regarding land and benefits derived from land should be viewed by academics, governments, and policymakers.

Based on ethnographic data collected in a village in rural Tamil Nadu, this paper unpacks access to household land by identifying the various bundles of rights held by its members. It demonstrates that the five rights identified by Schlager and Ostrom (1992) for common property also apply to intra-household access to private land. This article analyses how local practices, beliefs, and behaviors about access to land result in intra-household differences in rights to land.

This paper is structured as follows. The next section outlines the current situation of gendered land rights in India and defines the ‘bundle of rights’ metaphor. This is followed by an explanation of the research methods and location. The paper then explores gendered meanings, patterns, and practices related to landownership in the village of Katuyanur. Since most land transfers occur through inheritance, the gendered practice of land inheritance is discussed next. Finally, intra-household differences in land rights are examined using the ‘bundle of rights’ metaphor before concluding the paper.

# **Gendered Land Rights in India**

Gender equality in landownership is an important goal in itself, but there are additional benefits associated with landownership. Rights provide a certain degree of social power (Ribot and Peluso, 2003), suggesting that land rights play an important role in social inequality. Bina Agarwal (1994) argues that landownership is crucial for women’s empowerment in South Asia. Specifically, women’s landownership strengthens their ability to participate in decision-making within both the household and the community (Allendorf, 2007; Rao, 2011a; Santos *et al.*, 2014). Ursula Sharma (1980), an anthropologist and influential academic on Indian women, property, and production, wrote in 1980 that while there might not be a single key link to explain the influence of women’s access to land or labor participation on their societal status, uncovering the distribution of land rights and women’s situation in the labor market provides a first step in a theoretical analysis of women’s social positions.

The Government of India did not recognize the importance of landownership for women until the draft of the Sixth Five Year Plan in 1980, which recommended registering reallocated land under the joint title of husband and wife (Rao, 2006). India's New Agricultural Policy, published in 2000, states that women will be granted property rights whenever possible and that women’s Self-Help-Groups (SHGs) will be encouraged to regenerate wastelands (Rao, 2006). However, the implementation of such national policies and recommendations depends on the political willingness of the separate state governments (Goli and Maikho Apollo Pou, 2014). Furthermore, most land in India is privately owned and transferred through inheritance (Agarwal, 1994). The amount of land reallocated through land reform is only marginal, thus limiting the impact of land reform. Inheritance practices and the limited impact of national policies thus seriously hamper the increase of women’s landownership.

Inheritance laws for India’s Hindus have evolved over the past decades to grant women greater inheritance rights. Initially, the Hindu Succession Act (HSA) of 1956 only provided daughters and widows to inherit ancestral property if there were no male coparceners. In 1989, the Government of Tamil Nadu amended the HSA, making unmarried daughters coparceners eligible to inherit ancestral property, though this excluded daughters married before the amendment came into force (Mookerjee, 2019; Agarwal, Anthwal and Mahesh, 2021). The Hindu Succession Amendment Act of 2005 (HSAA), finally granted sons and daughters equal rights to inherit agricultural land, including already married daughters (Rao, 2007; Velayudhan, 2009). Inheritance for Muslim women in India is governed by the Shariat Laws (Application) Act of 1937, which stipulates that women inherit half of what men inherit (Rao, 2007). Land inheritance laws have increased women’s actual landownership as well as improved the perception of women owning and claiming land (Revathi, 2017). Based on data from India’s Agriculture Census, Oosterbaan (2022) found that overall, landholdings operated by women increased by 18% between 1995-6 and 2015-6.

Despite legal provisions, women of any religion rarely inherit land (Agarwal, 1994; Saxena and Parthasarathy, 2016). While women use courts to resolve land-related disputes, the implementation of the HSAA still has significant progress to make (Agarwal and Naik, 2024). Additionally, women are reluctance to claim inherited land, reasons for which are many and complex. For example, claiming landownership can harm social relationships within the family, community, or village (Agarwal, 1994), could restrain women’s mobility to find work (Rao, 2006), or could increase women’s work burden and responsibilities while decreasing men’s contributions to the household (Rao, 2006). Furthermore, men’s greater opportunities for better paid non-agricultural employment result in higher contributions to household finances compared to women’s low-wage agricultural incomes, motivating women to invest in relationships rather than landownership (Rao, Pradhan and Roy, 2017). Simultaneously, women’s increasing dependency on men due to these gendered economic inequalities makes landownership exceedingly important for women (Santos *et al.*, 2014). As women’s economic position within the household, or their ability to survive independently, when they cultivate land owned by men is restricted by practical difficulties of accessing credit, inputs, and agricultural extension services (Rao, 2008).

Gender equality in access to property is thus more complex than merely providing laws to support women’s landownership through inheritance. Property relations are intertwined with gendered meanings and identities within the household, community, village, state, and market (Rao, 2017), which are largely generated and maintained through kinship systems (Hartmann, 1981; Kevane, 2000). Although kinship systems vary across India, most are variations of a patrilineal social organization (Dube, 1997). The perception of men as the head of the household, persistent not only within communities but also among government officials, statistics, and processes, lies at the heart of gendered land titling (Velayudhan, 2009). Sharma (1980) shows that ideologies in the organization of production through property and labor define women’s dependency on men. Consequently, women are denied rights to own or control land (Velayudhan, 2009) and only have access to resources such as land through men, while men usually have independent access (Moser, 1993). This leaves women extremely vulnerable in situations of marital breakdown, as women have no economic resources to support themselves (Agarwal 1992).

Property relations refer not only to legal ownership but include various arrangements. Sharma (1980) emphasizes that landownership is not equivalent to effective control over land. Devereux (1996) describes this as the ‘fuzziness’ of property relations, emphasizing the prevalence of weaker claims over resources, such as control and access, which are generally “guided by social norms rather than legal contracts” (1996, p. 1). Viewing land rights as including but not limited to ownership allows for distinctions between control, ownership, and other forms of access to land. Access relates to “the ability to benefit from things” (Ribot and Peluso, 2003), not necessarily ownership of the ‘thing’. The conceptual difference between ownership and access has important implications; owning a resource does not necessarily mean that benefits can be derived from it, and deriving benefits from a resource does not necessarily mean owning it.

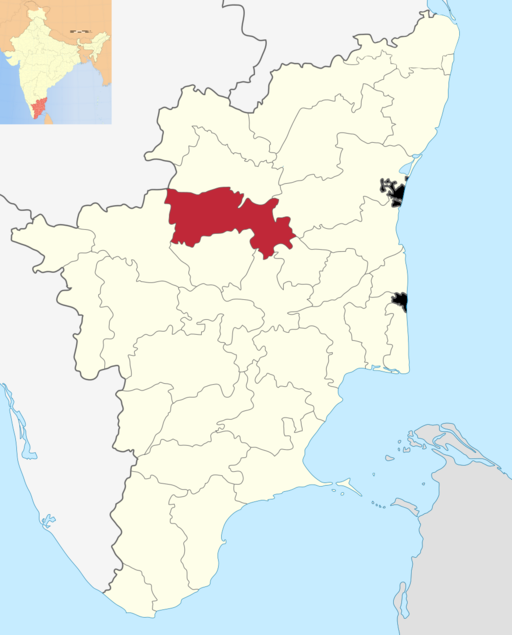
A useful approach for analyzing property relations is the metaphor of a ‘bundle of rights.’ This metaphor explicitly recognizes various arrangements of access to property (Meinzen-Dick *et al.*, 1997). Schlager and Ostrom (1992) identified five independent rights that, in various combinations, can make up a ‘bundle of rights’: 1) access, the right to enter a defined territory; 2) withdrawal, the right to take produce from a territory or resource; 3) management, the right to adjust and transform the use of a resource; 4) exclusion, the right to decide who else gets access; and 5) alienation, the right to sell, rent, or lease the resource. The right to alienate is often considered the defining right of landownership (Doss, Summerfield and Tsikata, 2014). While Schlager and Ostrom (1992) identified these rights for common-pool resources, they can also apply to other types of resources (Meinzen-Dick *et al.*, 1997). A bundle of rights shows gender differences; women may have rights of access, withdrawal, and management to private land, but are less likely to have exclusion and alienation rights (Doss, Summerfield and Tsikata, 2014). Using the bundle of rights approach for common property to understand the differences in access to household property between household members thus helps to understand women’s socio-economic position and decision-making power, in which exclusion and alienation rights play the most important and differentiating role.

Studies thus consistently show women’s lack of landownership and argue that increasing landownership would increase their decision-making power. However, as institutional barriers and gendered social norms are stated to be the main challenge to women’s landownership, these same barriers and norms may influence intra-household resource allocations. A bundle of rights metaphor can be useful to understand how ideologies and practices relate to property relations and to demonstrate that gender matters more when it comes to access to household land than official ownership. This understanding is important because it may problematise the assumption that landownership increases women’s decision-making power.

# **Research Methods and Location**

The research presented in this article is based on 25 weeks of ethnographic fieldwork in the village of Katuyanur (pseudonym). The fieldwork took place over three visits between June 2018 and September 2019 and was part of a larger research project in collaboration with Periyar University in Salem, South India. Consequently, the fieldwork was conducted in Salem District. The initial selection of potential research locations was based on the 2011 population census and guided by several criteria:1) the area needed to be classified rural; 2) represent multiple caste groups; 3) be primarily agricultural with significant presence of cultivators and wage labourers; and 4) include various land types and land holding sizes. Using these four criteria, a block within Salem District was first selected, followed by a Village Panchayat (an administrative unit containing multiple villages or hamlets). The final selection of the village was made in consultation with the local VAO and Panchayat Secretary to identify the most suitable villages based on the same four criteria above. After visiting the eight shortlisted villages with the assistance and introduction of the VAO, I made the final selection based on my experiences, impressions, and conversations during these visits. Katuyanur was one of the eight villages and was selected as research location because it met all the four criteria and its centrally located hamlet facilitated participant observation. The proximity of the houses made it easier to interact with people from various households compared to other villages where houses were more dispersed. Additionally, during my visit, the villagers in Katuyanur appeared particularly friendly and welcoming. They seemed open to speaking with me, were willing to host me, and had space for me to stay with one of the local families.

Katuyanur is a small village in Salem district, one of the 38 districts in Tamil Nadu, India (see Map 1). Located at the foot of the Yercaud hills, the village is surrounded on three sides by a Reserved Forest. About 45 years ago, the only households in Katuyanur were Malayali. The Malayali, meaning “hill people” (Rekka and Kumar, 2014), are the largest Scheduled Tribe (ST) community in Tamil Nadu, making up 45% of the ST population. Local narratives suggest that many Malayali families lost their lands due to starvation, forcing them to sell or exchange their lands for food. Gough (1982) and Nathan (1998) also describe severe and chronic droughts in South India during this period, leading to poor harvests and food shortages. Families from Backward Classes (BC) and Most Backward Classes (MBC) bought these lands, often selling land elsewhere to purchase larger and cheaper plots in the starvation-stricken area of Katuyanur. The now landless Malayali households resettled on a small stretch of land owned by a relative.



Map 1. Map of Salem district, Tamil Nadu, India. Source: Wikimedia Commons

Despite the influx of BC and MBC households, the majority of Katuyanur’s population of approximately 800 remains Malayali, most of whom are relatives. Katuyanur consists of 178 households: 16 BC, 61 MBC, 12 SC, and 89 ST. All households are Hindu. The village now comprises of a dense hamlet of 59 houses aligned in six parallel streets, surrounded by arable lands where the remaining 119 households are located. The entire population of the hamlet belongs to the Malayali community, none of whom own arable land. However, a few of these households do have access to arable land through relatives. Among the landowning households, the population is a mix of castes (16 BC, 61 MBC, 12 SC, and 30 ST) with the majority MBC households. Most land in Katuyanur is privately owned land. Thus, the village of Katuyanur is a mixed-caste, agricultural village where most farmers are marginal or small farmers, and where ST households are severely disadvantaged in terms of access to arable land. In this aspect, Katuyanur is not much different from other agricultural villages in Tamil Nadu.

During my fieldwork, I lived with a family in Katuyanur who largely facilitated my access to the research population. My host-family, an ST family without access to arable land, consisted of six members. The father, Sethu, is the former villager president and current secretary of the Forest Rights Committee, while the mother, Rani, is a shopkeeper and agricultural wage laborer. Both Rani and Sethu were born in Katuyanur, and most of their neighbors are relatives. They have four adult children: two sons and two daughters. The eldest son has been working in Kerala since dropping out of school in year 10, returning home for several days every month or two. Their second son is in college, balancing his studies with state-level athletics competitions. The eldest daughter completed her undergraduate degree in engineering. During my first stay in the village, she was always at home and helping with the shop, but when I returned seven months later, she had married and moved out. The youngest daughter is studying at a government industrial training institute. Their house was one of the larger buildings in the ST hamlet comprising three rooms, a kitchen, two bathrooms, a shop, and a spacious roof terrace. The compound in front of the rooms was a concrete driveway shaded by roofing sheets. Their shop, the only one in the village, is frequented by many villagers from the ST hamlet and the surrounding area.

During this fieldwork, I interviewed 33 villagers and 7 administrative figures. I relied on an interpreter during interviews, as my proficiency of the Tamil language is sufficient for casual conversation but less so for conducting interviews effectively. The 33 villagers represented 20 different households: 14 ST, four MBC, and two BC households (see Table 1). All interviews and data collected were recorded anonymously with written informed consent obtained from all interviewees.

The participants were selected mostly through convenience sampling as villagers visited the shop of my host family, which provided many opportunities to meet people and ask if they wanted to participate in my study. On most days my interpreter and I walked around the village visiting houses and interviewing anyone home and willing to participate. The study included eleven landowning households (green in the table), nearly all of whom small or marginal farmers, and nine landless households (yellow in the table). Among these households, women were more likely to be named on the house *patta* compared to the land *patta* (the darker shades in the table indicate women owning (housing) land). There were no joint (*kuttu*) *pattas* within households, instead, *kuttu* *pattas* were with neighbors. If more than one household member is named on a *patta*, these are separate individual *pattas*, not *kuttu pattas*.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Household** | **Caste** | **Ownership status** | **Land size (acres)** | **Land patta M/F/J** | **House patta M/F/J** |
| 1 | MBC | Landowner | 7 | M/M/F |  |
| 2 | BC | Landowner | 6 | M |  |
| 3 | BC | Landowner | 4 | M |  |
| 4 | ST | Landowner | 3 | M |  |
| 5 | ST | Landowner | 2.5 | M |  |
| 6 | ST | Landowner | 2 | M |  |
| 7 | ST | Landowner | 1.75 | F |  |
| 8 | MBC | Landowner | 1.5 | M |  |
| 9 | MBC | Landowner | 1 | M |  |
| 10 | MBC | Landowner | 1 | M/F |  |
| 11 | ST | Landowner | 0.5 | M |  |
| 12 | ST | Landless |  |  | F/F |
| 13 | ST | Landless |  |  | F/F |
| 14 | ST | Landless |  |  | M/F |
| 15 | ST | Landless |  |  | M (kuttu patta) |
| 16 | ST | Landless |  |  | No patta (poramboke) |
| 17 | ST | Landless |  |  | F |
| 18 | ST | Landless |  |  | F (kuttu patta) |
| 19 | ST | Landless |  |  | F |
| 20 | ST | Landless |  |  | F |

Table 1. Household Characteristics.

The 33 participants are presented in Table 2. The household numbers correspond to the household numbers in Table 1 and the color and shading similarly indicate household landownership and women’s landownership, respectively. In total, 21 women were interviewed and 12 men. All interviewed men were married, while three women were widowed, one separated, one unmarried, and the remaining 16 women were married.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Household** | **Respondents\*** | **Age and relationship** | **Sex** | **Marital Status** | **Occupation** |
| 1 | Nirmala | 39 (wife) | F | Married | Farmer |
| Murugan | 48 (husband) | M | Married | Farmer |
| Devika | 21 (daughter) | F | Unmarried | Student |
| 2 | Pandi | 27 | M | Married | Farmer |
| 3 | Kumar | 54 (husband) | M | Married | Farmer, bus driver, cattle-keeper |
| Anita | 47 (wife) | F | Married | Farmer, cattle-keeper |
| 4 | Amudha | 37 | F | Married | Agricultural wage labour, farmer |
| 5 | Priti | 34 (daughter) | F | Widow | Tailoring |
| Sundar | 65 (father) | M | Married | Farmer |
| 6 | Chitra | 24 (daughter-in-law) | F | Married | Farmer, agricultural wage labour |
| Hema | 50 (mother-in-law) | F | Married | Farmer, agricultural wage labour |
| 7 | Vijay | 50 | M | Married | Farmer, agricultural wage labour |
| 8 | Prema | 60 (mother) | F | Widow | Farmer, cattle-keeper |
| Radha | 35 (daughter) | F | Married | Farmer, cattle-keeper |
| 9 | Ambika | 33 | F | Married | Cattle-keeper |
| 10 | Nila | 29 (daughter-in-law) | F | Married | Farmer, cattle-keeper, agricultural wage labour |
| Sanjit | 60 (father-in-law) | M | Married | Farmer |
| 11 | Anuja | 22 | F | Married | Agricultural wage labourer |
| 12 | Sethu | 49 (husband) | M | Married | FRC Secretary, Village President |
| Rani | 39 (wife) | F | Married | Shopkeeper, agricultural wage labourer |
| 13 | Saravavan | 65 (husband) | M | Married | Wage Labourer Spraying Chemicals |
| Sarada | 55 (wife) | F | Married | Cattle-keeper |
| 14 | Mohan | 56 (husband) | M | Married | PDS Shop Employee |
| Jaya | 46 (wife) | F | Married | Agricultural Wage Labourer |
| 15 | Vishal | 42 (husband) | M | Married | Driver (bus, lorry) |
| Sobia | 35 (wife) | F | Married | Agricultural wage labourer, tailor |
| 16 | Raghavan | 49 | M | Married | Contractor |
| 17 | Gayatri | 46 | F | Separated | Farmer, agricultural wage labour |
| 18 | Apsana | 34 | F | Married | Agricultural wage labourer |
| 19 | Uma | 55 (mother-in-law) | F | Widow | Agricultural wage labourer |
| Nandhini | 34 (daughter-in-law) | F | Married | Nursery schoolteacher |
| 20 | Santhi | 55 (wife) | F | Married | Agricultural wage labourer, cattle-keeper |
| Balaji | 65 (husband) | M | Married | Agricultural wage labourer |
| \*All respondent names are pseudonyms | | | | | |

Table 2. Participants’ Characteristics

While preliminary data analysis took place in the field during writing up of notes from interviews and observations at the end of each day, the most comprehensive periods of data analysis took place in between the field visits to Katuyanur and in the months after returning from my final stay in the village. After transcribing all the interviews, data analysis of these transcripts and all fieldnotes was done with the help of NVivo. Coding and categorising all sections of the transcripts and fieldnotes, based on the research objectives, led to thirty-one separate topics. I used these topics I to uncover patterns and connections between sections of the interviews, between sections of the fieldnotes, and between the interviews and fieldnotes. The codes I used to organise and sort the data were a combination of codes derived from my topics of interest developed based on relevant literature and codes based on topics that came up from the data recorded in the interviews and fieldnotes. During the data analysis before my final visit to the field, I made notes on where data was thin, where clarifications were necessary, and where follow-up questions arose. I used these notes to revise my topic list before returning to the field to ensure all topics that required additional attention were included.

# **Women and Land: Meanings, Patterns, Practices, and Negotiations**

Land is not merely a material asset; it is entwined with gendered meanings and identities within the household, community, village, state, and market (Rao, 2017). Property plays a significant role in structuring the identity of social groups, and the continuity of these groups depends on inheritance practices (Benda-Beckmann, Benda-Beckmann and Wiber, 2006). While land is an important asset in rural societies, people’s connections to land make it personal and deeply intertwined with memories, social relationships, and connections to past, present, and future generations. Current landowners in Katuyanur associate their land with their ancestry and would never willingly part with the land of their parents and forefathers. They relate to the hard work their ancestors invested in becoming landowners and the subsequent time, money, and labor they have put into the land. A 60-year-old farmer mentioned he would never leave farming or his land, his home; as the second generation to take care of the land, he does not even want to think of leaving it behind, and after him, his son will take care of it. Pandi, a 27-year-old farmer, gave up his job outside the agricultural sector to return to his village and help his mother cultivate their 6 acres of land. He intends to stay in the village because “this is where my grandfather stayed and where he died.” Landowners thus directly associate their land with their ancestors instead of considering it an asset they can relinquish. As Benda-Beckmann, Benda-Beckmann and Wiber (2006) already argued, land serves as a red thread connecting past and future generations.

Women’s experiences differ from men’s because they do not spend their entire lives in the place where they were born. From a young age, girls are told by their parents that after marriage, they will move to their husband’s home. A 24-year-old farmer expressed that she feels more connected to her husband’s land, where she now lives, because she knows she cannot return to her birthplace. Similarly, Radha, a 35-year-old farmer, argued that she cannot be happy in her husband’s home if she keeps thinking of her natal home. While the land where she was born is close to her heart, she believes she should not long for it because she got married in Katuyanur. As women recognize the futility of longing for their birthplace, their attachment to their husband’s land grows over the years with each new memory created. Radha explained that even though only her husband was born on the land they own, she has developed a strong bond to it. Her mother Prema, who moved to her son-in-law’s house after becoming widowed, also expressed a strong connection to the land owned by her son-in-law while placing her right hand on her chest. Ambika, a 33-year-old dairy farmer, moved to Katuyanur after marriage, and feels a powerful connection to her household’s land despite not being born there. She said:

My heart is attached here; this area is where my children were born. This is comparable to seeing my children. Before their birth, I did not know who my children were, but now that I have seen them, they belong with me. Similarly, my heart now belongs to this place.

Women’s greater attachment to the land where they live after marriage, compared to their birthplace, partly results from conditioning and self-protection. A woman may feel she belongs her birth home, but her parents, husband, and in-laws tell her otherwise. Even though women create new memories and emotional attachments in their husband’s household and village, this does not replace the emotional connection to their natal home and village. Women’s experiences related to ancestral land and home thus differ from men, who spend their entire lives in the place where they were born.

## ***Gendered Landownership***

Almost all land in Katuyanur is private property, with the Government of Tamil Nadu issuing *pattas* to the owners. Landownership in Katuyanur is obtained through four mechanisms: government donation, purchase, intra-household transfer, and inheritance. Intra-household transfers can be an early inheritance or *patta* transfer for eligibility in government schemes. The Panchayat Secretary noted that the number of households owning arable land in the Panchayat Village has decreased over the last 40 years, as people sold their lands to cover expenses like marriages and medical bills. However, selling land is not very common in Katuyanur, primarily because land is considered part of ancestry, as explained above. Among the interviewed participants, none of their households had sold or bought arable lands in the last 40 years.

There are no official statistics on women’s landownership, but the local Village Administrative Officer estimated that in the Panchayat Village that includes Katuyanur, women hold between 11% and 17% of land and housing *patta*s. In a sample of 1,000 households in Salem district, only 18% of the households with land had women owning land jointly or alone (Dagdeviren and Oosterbaan, 2022). Among the interviewed households in Katuyanur with access to arable land, there were 15 *pattas*, of which four were in women’s names (various castes, and all these women received the land while married) and none were in both spouses’ names. Housing *pattas*, which only exist within the ST hamlet, are predominantly registered in women’s names. Among the participants’ households, there were 11 housing *pattas*, held by nine women and two men.

In the four households where women owned arable land, there were clear, practical reasons for registering the landin a woman’s name. As an only child, Pushpa had no brothers to inherit her father’s land, so she inherited it all. Gayatri cultivated land registered in her deceased mother-in-law’s name. Her parents-in-law, who had worked hard as wage laborers, saved enough to buy this land over 40 years ago. Gayatri explained that households often registered land in women’s names at that time because men tended to waste their resources on alcohol, including land. To prevent impulsive land sales for alcohol, her parents-in-law registered the land in the mother-in-law’s name. Although alcohol abuse was given as motivation, it might also reflect Malayali history of matriarchal descent (Ehrenfels (1943) in (Kumar-Range, 2001). For the last two households, ownership was a mere formality to access entitlements. Saravanan and Sarada wanted to benefit from the government’s Housing-For-All scheme, which provides a ₨.2 *lakh* subsidy to build a house on a plot registered in a woman’s name. To qualify, they transferred a small part of their arable land to their daughter-in-law. The fourth household owned over 5 acres of land, classifying them as a big farm according to government standards, making them ineligible for agricultural subsidies and schemes. They addressed this by officially dividing the land among three household members, one of whom a woman. With these separate *pattas* they obtained marginal/small farmer certificates, allowing them to apply for the government’s subsidized agricultural schemes. None of these four women who owned arable land had asked for or demanded this landownership. Their ownership was merely an instrument for the household to maximize household benefits.

In households where women own housing land, a similar conclusion was reached. Among the nine ST women named on the housing *patta*, six received their plots from the government, two received housing land from a male household member to become eligible for the Housing-For-All scheme, and the last woman bought housing land together with her husband, registering it in her name. Thus, in these households, women’s landownership was also primarily for practical and strategic reasons to benefit the household, rather than for the personal benefit of the women. Also important to note is that women are more likely to own marital property or new property than to inherit natal property.

None of the women with a *patta* in their name had joint ownership with their husbands. Although a few participants explicitly opposed joint ownership, most saw some benefits in it. They noted that with joint ownership, neither wife nor husband can decide alone to sell the land or use it as collateral for a loan. Additionally, when one spouse dies, the surviving spouse can continue using the land and decide what happens with it. Despite these benefits, they did not think joint ownership was necessary. Prema argued that joint ownership is only necessary if spouses are not on good terms or cannot agree on things. Villagers thus had mixed feelings about joint landownership but agreed that it provides good security for women in old age. Three landowners argued that children are more likely to care for their parents in old age if the parents own land. In this context, joint ownership would be most beneficial because if spouses do not own land jointly and the sole landowner dies first, the surviving spouse has no right to sell or transfer the *patta* to anyone of their choice, potentially leading to neglect by their children. While villagers, both men and women, are aware of the highly gendered landownership, they do not consider it a problem and thus do not see the need of joint ownership.

However, if a spouse dies, the specifics of ownership become crucial, as the name on the *patta* determines the likelihood of disputes over land with relatives. Anuja, a 22-year-old woman, explained that if a husband dies and the land is in his name, his brothers and sisters will claim it as their ancestral land. However, if the land is in a woman’s name and her husband dies, his relatives cannot interfere. Uma, a 55-year-old Malayali widow, stressed the importance of women being named on the *patta*, noting that if her housing *patta* had been issued in her husband’s name, his relatives would have claimed it after his death. In widowhood, women often must negotiate with in-laws for the inheritance of their deceased husband’s land. For instance, the widowed Priti has no access to her husband’s share of her in-laws’ arable land because her brothers-in-law do not allow it. Her husband’s share of 60 cents was never registered in his name, so she cannot use his death certificate to claim it. Instead of fighting for the land now, she plans to wait until her son is older and they can take legal steps to claim it. While women rarely claim a share of their ancestral land, which will be discussed in the next section, they are more likely to fight to inherit their deceased husband’s land.

Women in Katuyanur are thus less likely to own land compared to men, especially natal property, and if women do own land, it is more likely to be housing land rather than arable land. Among women, there is a near absence of inheritance of natal property. Among the 13 women who owned housing or arable land, only Pushpa, as an only child, had inherited land. Given that most land transfers occur through inheritance, the lack of inherited land among women has significant implications for gender equality in landownership. The reasons for women’s exclusion from the inheritance of property are discussed in the following section.

## ***Five Reasons why Daughters should not Inherit Land***

Inheritance is an important mechanism of acquiring land. In Katuyanur, although households belong to different communities, they are all Hindu. Therefore, the Hindu Succession (Amendment) Act, 2005 applies to all of them. Most participants were aware of the law mandating equal inheritance of landed property among sons and daughters. However, a few older villagers lacked accurate knowledge of the law. For instance, Uma believed that daughters could only file a legal complaint to claim their mother’s land, not their father’s. Her daughter-in-law corrected her, explaining that women can also file a complaint if denied inheritance of their father’s land. Despite this awareness, all communities in Katuyanur still prefer (grand)sons to inherit land.

None of the households included in this study had divided inherited land equally among all children. This does not mean daughters never inherit land. Pandi, for instance, cultivates his household’s land with his widowed mother. Pandi’s grandfather owned 21 acres of land and before his death he gave his two daughters, Pandi’s aunts, 3 acres of arable land to share, while their three brothers received 6 acres of arable land each. Pandi’s aunts thus received only a quarter of what their brothers received. Ten other households had daughters to inherit land, but none of them received any share. Katuyanur’s villagers, regardless of gender, landownership, and caste, give five reasons why daughters should not inherit land.

The first reason is that *daughters receive marriage gifts instead of land*. These marriage gifts, or dowry, mainly consist of gold jewelry provided by their parents and are considered equivalent to inheritance. Kumar, a 54-year-old farmer, argued that his sister did not get a share of their father’s land because “with giving dowry, the inheritance is balanced.” Similarly, Saravanan, a 65-year-old agricultural laborer, argued that daughters cannot receive both gold and land:

Now, when girls get married, they ask for 10 *pavan[[1]](#footnote-1)*, 20 *pavan* [gold]. We give that, we go through the trouble. Then we cannot again give her something. So only the son gets land.

The jewelry daughters receive as marriage gifts from their parents is thus compared to the land given to sons. This resonates with the findings by Dube (1997) and Khan (2000), which state that a daughter’s wedding expenses, including dowry, are considered a substitute for their inheritance of property.

However, when deciding on wedding gifts, no valuation of the landed property takes place. Additionally, wedding gift demands are made by the prospective in-laws rather than based on an evaluation of a bride’s family land. The bride may ask her parents for gold jewelry, but she is not consulted in the marriage negotiations; this is her parents’ responsibility. Ambika explained that when a girl gets married, the in-laws require her parents to buy her a gold ring or necklace and a gold *thali*. Even if parents give land as a marriage gift, the in-laws will still ask for gold jewelry, and parents cannot afford both. Thus, the perceived equivalence between land and wedding gifts is a social construct that represents the value of a woman’s rights rather than the market value of the land in question.

*Daughters typically move to their husbands’ home after marriage, making it* *difficult for them to manage ancestral land*, which is the second reason given for why daughters should not inherit land. Living away from their natal home, women are thought to find it difficult to manage inherited land. Ambika explained: “If I have land here, and my daughter is far away, she cannot cultivate it.” Sons, however, are expected to stay in the natal home for their entire lives, remaining near the land. Not everyone agreed with this; some argued that if a woman can benefit from land, she will find a way to manage it, either personally or through laborers. For instance, Pandi’s aunts inherited a share of their father’s arable land and, despite not living in Katuyanur, they profit by renting it out. Therefore, patrilocal residence is not a sufficient reason to deny daughters land inheritance. Furthermore, patrilocal residence does not dictate village endogamy or exogamy. In Katuyanur, both practices are observed. Among the married women who have lived their entire lives in or near Katuyanur and could theoretically cultivate the land themselves, none received or expected to receive any share of land from their parents.

The third reason given is that after marriage, *daughters become responsible for their husbands and parents-in-law*. A married daughter is expected to contribute any earnings she makes to her own household. Santhi, a 55-year-old agricultural wage laborer, explained that daughters cannot look after their parents because the parents-in-law and husband will say “you are married here, so you have to take care of us, not your parents.” She added that if her in-laws had allowed it, she would have taken care of her parents. At the same time, parents cannot ask a married daughter for money, even when they are in need, as, according to Ambika, that would mean asking for money from the son-in-law, something parents should never do. Sons thus become sole caretakers of the parents, which they can do better if they receive all the arable land. Hema, a 50-year-old Malayali farmer, explained:

He [her son] will do everything. We have the land but also the debt. We are struggling a lot; we only have the land. The girls we gave away for marriage, will they repay the loan? They will not.

Similarly, Pandi said:

The girl goes to a different house, the property then goes there too. Therefore, they [parents] think about the son and how he will eat. After the girl goes to her new home, they do not think about her.

Pandi argued that parents do not want to lose any land to their family-in-law, instead they want to make sure their son will receive it all. Giving daughters a share of the land thus means losing access to this land and to the benefits derived from it.

The fourth reason is that *women prioritize maintaining a good relationship with their brothers over claiming land*. Khan (2000) argued that the changes in the HSAA have put enormous stress on sibling relationships. The responsibility to alleviate this stress often falls on women. Women who pursue land claims often end up with damaged relationships with their brothers. None of the women from landowning families I spoke with wanted to pursue their inheritance rights because they did not want to harm their relationships with their brothers. A 47-year-old farmer expressed a common sentiment, saying “We [women] do not want to fight; many just give their signature. We want everyone to be happy.” Similarly, Prema chose not to confront her brother about disregarding their father’s wish for her to have a share of his land:

My father gave me land, but my brother is not willing to give it. ‘Let it be, let it be in his name instead of mine, let it be,’ is what I thought. The *patta* is in his possession. My father wanted to give me land, but he died, and my brother did not give it.

This finding is not specific to Katuyanur but is more general to India. Agarwal (1994) and Dube (1997) also observed that women who claim a share of inheritance risk damaging their relationships with their brothers. This seemingly altruistic concern for brothers is part of a reciprocal relationship between brothers and sisters. Hema, whose parents owned arable land, rejected asking her brother for a share in their parents’ land:

I have never thought that [to claim land]. When I go there, they [her brother’s family] take good care of me. That is enough. I do not want any land; I want nothing.

Women often give up their inheritance rights in favor of their brothers, who are then expected to fulfil their duties of care and participate in ceremonies. Brothers are expected to take over the parents’ caring role after they have passed away and play a crucial symbolic role in their sisters’ daughters’ ceremonies, especially their coming-of-age and marriage. If a brother neglects his duties, women have greater social legitimacy to claim a share of ancestral land.

The fifth reason is that *landowners do not own enough land* to allocate a share to daughters. Katuyanur, and India in general, is characterized by a high proportion of marginal and small agricultural landholdings, with intergenerational land fragmentation posing a serious threat to agricultural livelihoods. While many participants argue that daughters inheriting land jeopardizes sons’ livelihoods, they overlook that equal inheritance could mean a daughter-in-law bringing land into the household. Land fragmentation remains an issue, as the land owned by a daughter-in-law is unlikely to be adjacent to the land a son will inherit. However, participants do not address the practical issues related to land fragmentation but argue that it is unfair to sons. The common argument is that a daughter will acquire land through her husband, and if she also receives land from her parents, she will have land from both sides, which is deemed unfair. Nevertheless, daughters of landowners who marry into landless households, like Apsana, do not receive a share of arable land from parents either.

Although women have the legal right to inherit a share of their parents’ property, they rarely do so in practice. This aligns with Peluso and Ribot’s (2020’s) argument that “rights may be guaranteed but they are not always accessible” (2020, p. 302). The five reasons arguing against daughters inheriting land create barriers that make inheritance rights inaccessible or difficult for women to claim. Women are generally aware that the HSAA guarantees them a share of parental land if they file a legal complaint. However, the social scrutiny that follows a woman filing a complaint is a significant deterrent. Women who insist on their inheritance rights are often labelled as troublemakers. For instance, Apsana, a 34-year-old agricultural wage laborer, did not exercise her right to receive a share of her parents’ land and believes that women who do are in the wrong:

Every time a girl says she wants her share, she causes problems, files a case. (…) I think that is wrong. If her brothers take care of the land, there is no problem. A girl will spend money, file a case, they [the brother and sister] will no longer speak with each other.

Thus, instead of receiving social support, women who claim what is lawfully theirs are considered to cause problems.Men who deny their sisters’ rights to inheritance in landed property are not reprimanded by the community in the same way as women who insist on their rights. The social pressure on women to waive their inheritance rights is strong, resulting in a lack of landownership among women.

## ***Women, Landownership, and the Household***

Despite the lack of landownership among women, both men and women in Katuyanur recognized several benefits of women owning land. One notable benefit is the improvement of women’s well-being and safety within the household. A landless driver mentioned that owning land protects women from abuse because if a wife has valuable assets, her husband risks losing access to those assets if he abuses her and she leaves him. Additionally, Pandi believed that women who own land are treated better and more respectfully by their husbands and in-laws. In a report on gender-based violence in India, Kelkar, Gaikwad and Mandal (2015) did not find a direct link between women’s landownership and reduced gender-based violence. However, they argued that landownership enhances women’s economic and social positions, which in turn reduces gender-based violence both at home and in public spaces.

Another commonly identified benefit of women owning land is economic independence. Prema explained, “if a woman has land, she can take care of herself. If her husband leaves her. If she has no land, she cannot do anything.” Similarly, a 60-year-old landless ST woman and Anuja both argued that landowning women do not depend on men, as they have their land to work on and earn money from. Without land, women must ask their husbands for everything. Economic independence from landownership was also recognized by men. Pandi mentioned that owning land gives women a place to live and cultivate if their marriage does not work out. These villagers thus connected women’s landownership with economic independence and, consequently, independence from husbands.

These accounts suggest that the importance of women’s economic independence through landownership is particularly important for women in unstable households. Radha explicitly argued that a woman only needs land if her husband or children are not looking after her but added: “Here we do not have any problem, here everything is good, so I do not think about wanting land.” Despite the risk of women losing access to their husbands’ land in cases of widowhood or separation, women are rarely prepared for such situations by receiving or buying land to increase their economic security. Women who own land and assert that landownership provides economic independence do not insist that their daughters inherit this land. Instead, they use the same arguments as others to justify why daughters should not inherit land. Parents see their responsibility as arranging a marriage they trust will be good for their daughter, viewing this alliance as economic security rather than providing daughters with economic independence.

Although often used interchangeably, there is a conceptual difference between access to land within households and access to land across households (Fafchamps, 1998). At a first glance, bundles of rights appear identical among household members, as villagers consider land a household asset and refer to it as ‘our land’. Rani received housing land in her name as part of the government’s land reform efforts, but she is indifferent to her legal status as owner. She argued that the housing land is both hers and her husband’s, so it does not matter in whose name the *patta* is issued. Kumar sees his household’s arable land as ‘theirs’ because they separate nothing, and a happy couple does not see land as ‘his’ or ‘hers’, but everything is ‘theirs’. Hema explained that she is unconcerned with their 2 acres of land being registered in her husband’s name because “we only have a little land; regardless of whose name it is in, we struggle in the same way.” The prevalence of transfers of arable land or housing land to a wife or daughter-in-law, to become eligible for government schemes, supports this perception. If men considered land their individual property, they would be less willing to transfer the *patta*. Villagers thus consider a household’s land common property, belonging as much to the *patta* holder as the spouse.

However, it soon becomes evident that while household members may refer to land as ‘ours’, this does not mean that every household member can equally participate in decisions about land alienation. Anuja’s husband expects to inherit arable land, and Anuja mentioned that although she would consider this her land as well, any decision to sell it would be up to her husband since he inherited it from his parents. Thus, even though she feels that the land her husband owns belongs to both, decisions about selling it are not made jointly. Similarly, women who own land have greater control over what happens to it, particularly regarding who will inherit it.

The right to alienate land is not the only difference in household members’ respective bundles of rights. The distribution of management rights within the household is crucial for food production and income generation. Generally, every farmer, regardless of gender, caste, or age, prefers to cultivate a combination of commercial crops and crops for their own consumption. Decisions on which crops to grow depend on the distribution of farm work among spouses. In this study, marginal farms were most likely to be farmed by women since the land size is too small for subsistence, leading men to seek employment elsewhere to supplement the household’s income, leaving daily farm activities to the women. On five participants’ farms, women do most of the farm work. One of these women, Prema, usually gives the first suggestion on what to cultivate on their 1.5 acres of land. If her daughter or son-in-law disagrees, they discuss it. Gayatri did all the farm work and management when she still had access to her mother-in-law’s land. She hired wage laborers when needed and decided what to grow. Amudha’s husband cannot work, so she makes all the cultivation decisions. She talks about it with her husband, but he agrees with whatever she suggests. These three women, as sole farmers within their households, hold a bundle of rights that includes management despite not owning the land they cultivate. In the remaining two households, however, despite being the main farmers, the women do not control what they cultivate and instead follow the directives of their husbands or fathers-in-law.

Larger farms require more than one farmer, making it more likely that both men and women contribute their labor to the farm. In these households, women have little input in farm management, regardless of their share in labor or landownership. Hema believed that owning her households’ land would not make a difference because her husband, as the household head, would continue to make most decisions. Indeed, none of the four women in this study with a land *patta* to their names oversaw farm management. This does not imply that spouses do not discuss farm management, but discussing is not the same as deciding, and the latter is done by men. Labor contribution or landownership thus does not equate to participation in decision-making. However, women who farm alone do have greater control over cultivation decisions. This is not necessarily a sign of women’s greater decision-making power compared to women in other household, as mostly it is a necessary development due to the absence of men at home, either during the day or long-term, and because the economic contribution of cultivation in these households is much smaller compared to the non-agricultural incomes the men bring home. At the same time, the experience of making decisions could enhance a women’s own sense of position within the household, but further study is needed to assess whether and how women’s decision-making power changes once men return to cultivate the household land after a prolonged period of absence.

Perceptions of land being ‘ours’ thus do not imply equal say in land alienation and management among spouses. These intra-household differences are a key reason why ownership does not always lead to the effective use of land rights (Dagdeviren and Oosterbaan, 2022). An intra-household shift in landownership does not result in a shift in land management. A woman’s bundle of rights in the household’s property is weaker than her husband’s, regardless of landownership. These differences in bundle of rights represent power imbalances, challenging the common argument that landownership empowers women, as women may own land, but not actually manage or control it.

# **Conclusion**

In this article, I demonstrated how the bundle of rights metaphor can be applied to understand women’s access to land, specifically highlighting the limitations of their access. Through this metaphor, I illustrated the impact of gendered social practices on women’s access to land in rural South India. These findings have crucial implications for theories linking women’s landownership to their socio-economic power.

Several scholars argue that women’s landownership can be increased by raising awareness about their rights (Mangubhai, 2014). However, the women in this study know their rights but still do not claim land. Most land transfers occur through inheritance, which is heavily skewed towards sons, making it the most significant social practice hindering gender equality in landownership. All households in this study referred to five reasons why daughters should not inherit land: daughters receive marriage gifts instead of land, daughters typically move to their husbands’ home after marriage, making it difficult for them to manage ancestral land, daughters become responsible for her husband and parents-in-law, women prioritize maintaining a good relationship with their brothers over claiming land, and landowners do not own enough land. These five reasons ensure that women do not claim their inheritance nor insist that daughters inherit land, thereby supporting men’s inheritance of land.

As a result, women tend to access land only through men. This creates a double dependency of women, as men earn a greater income from their non-agricultural employment and own the household’s agricultural land, making it challenging for women to maximize benefits from the land as they cannot independently access agricultural extension services and credit. Participants in this study recognized the importance of landownership for women only in context of unstable marriages, to prevent destitution and maltreatment. Access to land involves relationships among people and a common understanding of who holds which rights to which lands (Meinzen-Dick *et al.*, 1997). Therefore, in stable households where land is seen as common property, the specifics of landownership are considered irrelevant.

However, this article demonstrated that such a perception does not ensure equal access to land for all household members. Yanagisawa (2008) argued that not all social actors within a community have equal access to communal lands. Similarly, not all household members have equal access to household property. Using the ‘bundle or rights’ metaphor, this article showed that the five independent rights identified by Schlager and Ostrom (1992) for common property also apply to unpack intra-household access to private land. This metaphor helps to understand the varying access household members have to their household’s land. While a household’s arable land may be officially registered as individually owned, in practice, all adult household members possess some bundle of rights derived from this land. The benefits of access to land, or the rights derived from it, differ among household members, with women - whether as daughters, wives, or mothers - generally having the least access. Specifically, women’s bundle of rights in access to land generally excludes alienation rights, since women rarely own land, and management rights, even if they do own land. The few women in this study who do manage their household’s land did not own it; rather, in their husbands’ absence, management rights were temporarily transferred to them. This exemplifies Devereux’s (1996’s) concept of ‘fuzzy’ property relations.

While equality in landownership is an important goal in itself, its effectiveness in enhancing women’s overall bundle of rights is questionable. Providing women with *pattas* to empower them, with the expectation that it constitutes individual property, does not necessarily improve their bargaining position within intra-household relationships, as spouses do not consider land individually owned. The bundle of rights metaphor was particularly useful to uncover differences in rights between people and was therefore useful in demonstrating that registering land in women’s names does not guarantee their control over it, since management rights depend on gender rather than ownership. In situations where people have similar rights, for example in access and withdrawal rights, the bundle of rights metaphor may not be as useful to understanding resource allocation processes. This is not to suggest that landownership never empowers women, but it underscores that social practices are often much stronger than legal documents. As can be seen with the housing benefits, if there is economic gain for the household, women are more likely to be named on the *patta.* Similar incentives can be offered for agricultural land ownership, for example for joint titling at marriage to get agricultural benefits. Regarding inheritance of natal property, current legal practices make it too easy for women to relinquish their share and for land to remain registered under the name of a deceased person. These loopholes prevent daughters from inheriting land and should be addressed to fully realize the intent and potential of the inheritance act.

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1. Pavan refers to the one-pound sterling gold coin (the sovereign), which weights 8 grams. [↑](#footnote-ref-1)