

Assets, Agency and Legitimacy:

Towards a relational understanding of gender equality policy and practice

Introduction

Women's access to and control over economic resources, particularly land, is an important pathway to gender equality, alongside addressing material deprivation and building stable livelihoods. The Sustainable Development Goal 5 (SDG) on Gender Equality, states: "Undertake reforms to give women equal rights to economic resources, as well as access to ownership and control over land and other forms of property, financial services, inheritance and natural resources, in accordance with national laws."¹

Various state policies have sought to enhance women's access to productive assets like land and credit, particularly in the context of widespread male migration and the feminization of agricultural work in Sub Saharan Africa and South Asia. These policies have not succeeded much on the ground. The State of Food and Agriculture Report 2012, focusing on gender gaps in agriculture, noted that women on average own 10-12 per cent of the world's agricultural land, allowing for some variations across (and within) countries (FAO, 2011). An improvement from the 1 per cent reported in 1980 (UN, 1980), this is yet far from equitable. Achievement gaps are explained as implementation failures, inadequate monitoring and resourcing, rather than due to analytical frameworks that conceptualize both assets and women as discrete variables, not socially embedded and networked.

Persistent binarisms of male-female, nature-culture, structure-agency, materiality and discourse, not just overlook the gendered meanings of both assets and agency as relational, and hence dynamic, but set up hierarchical relations of value and power. Within such a framework,

women as individuals, lacking in assets, are seen as ‘objects’ for policy assistance, not just denying their agency, but equally the long-standing oppressive structures, and the tensions and exclusions they generate across institutions of the state and society (Haraway, 1988). Land and gender, in this case, are not two oppositional entities, but part of a larger social, political, economic, ecological and theological environment (Haraway, 1992), situated within a temporal and spatial context. Such an approach takes one away from methodological individualism to recognizing the ontological inseparability of agents – that people make sense of the world through the relationships in which they are embedded.

Frameworks analyzing rural poverty and livelihood assets, do mention the need to consider the wider contexts of development, diversification and the accompanying processes of change that mediate risks and vulnerabilities on the ground (Ellis, 2000, Rigg, 2006). Yet the inter-linkages between the larger global and national governance and economic structures, the power and politics embedded therein (Scoones, 2009), and the longer-term changes in the ecological and agrarian structure that shape gender relations and social identities, are often missed. Structural and ecological contexts are taken as static, labelled as ‘progressive’ or ‘laggard’ (World Bank, 2007), their influence in co-constructing relationships of both difference and complementarity, not fully incorporated in most analyses. The same plot of land, for instance, can signify different relationships of value and meaning in response to shifts in tenure, land use priorities and cropping patterns, degrees of mechanization, scale of operations and even political regimes. State institutions too don’t exist in isolation, their policies subject to contradictory pressures: the international rights frameworks on the one hand and liberal trade regimes on the other. Through discrete, sector mechanisms, states can marginalize the rights of communities including women, while upholding a general right to productive resources.

The implication of such a relational theory of human agency for both research and practice is an emphasis on the dynamics of interactions, both human and non-human, signifying relations of power of authority, and their historical contingency, across different socio-political settings (Mische, 2011). The use of particular concepts and theories to explain these relationships as agential and non-deterministic, themselves indicate a political choice, as they have material consequences for livelihoods, resource control and wellbeing outcomes (c.f Hekman, 2008).

In this paper, drawing on Asian experiences, I point to the inadequacy of uniform and universal frameworks that do not take account of relational and contextual parameters for understanding the larger questions of poverty, livelihoods and gender equality. Using the variability in women's access to assets, in particular, land, despite legal equality, as a case in point, I develop an alternate conceptualization that gives value to a plurality of perspectives, experiences and actions, in a context of deepening structural inequalities. I focus on China, India and Indonesia, to highlight the influence of different governance structures and their historical specificities on social relations and identity formation, and on livelihood and production systems. These governance systems are not linear or predictable in the ways in which the 'material dimensions of regulatory practices' influence the distribution of power and resources between people across institutional levels (Jagger, 2015), and the mechanisms generated for coping with change.

Both rurality and gender identity are heterogenous; there is an inherent fallacy in treating them as single categories. In fact, policy attention has often focused on female heads of households (Varley, 2007), in particular widows, rather than married women located within multiple sets of relationships, with their spouse, children, siblings, natal and marital kin, as well as external actors, whether women's collectives or institutions governing rights to water and land tenure. It is, however, this multiplicity of relationships, their simultaneous occurrence, and negotiations

therein, that are constitutive of identity (both social status and resource control) (Rao, 2008); and provide possibilities for reconfiguring practices on the ground.

Using a dynamic relational approach to poverty, livelihoods and gender equality, I seek in this paper to demonstrate how values of respect and dignity, expectations of mutuality, and social and ecological relationships, within and across institutions, co-constitute people's choices, strategies and actions, and ultimately sense of wellbeing. In the next section I set out my conceptual approach to understand the links between asset control and gender equality, followed by a discussion of methodological imperatives. Empirical material is then presented to illustrate the potential of such an approach for deepening understandings of the contradictions and gaps noted in the literature. Brief conclusions on ways forward for research, policy and practice are presented in the last section.

Assets, Agency and Legitimacy: Reconceptualizing the Links

Gender equality and social justice are professed international development goals; yet the pathways from ideological commitment to shifts on the ground are complex and multidimensional. A woman may have access to 'micro'-credit, but be unable to manage its use (Goetz and Sengupta, 1996); it may also deprive her of the opportunity to access larger sums of money. A more public life may provoke violence from husbands (Schuler et al., 1998), at times communities; and in extreme instances, peer and societal pressure to repay loans may drive her to dispose of other assets, or even commit suicide (Biswas, 2010). If she claims a share of land, she is likely to be branded a 'witch' and ostracized from everyday village life as a 'bad woman' (Author, 2013). The ability to engage with particular assets and opportunities are shaped by local and situated notions of legitimacy – social, legal and moral. I set out below

the concepts of assets, agency and legitimacy, as components of and mechanisms through which wider processes of poverty reduction, livelihood security and gender equitable change can be better understood.

Assets are critical to making and sustaining livelihoods, and addressing poverty. Broadly defined as natural, physical, financial, human and social capitals (Scoones, 1998, Ellis, 2000), they are largely understood in terms of their economic values and material outcomes. Even social capital is measured in terms of the benefits accruing to an individual through participation in a collective activity. Bourdieu (1977) introduced the notion of cultural and symbolic capital, both deeply relational, and Chambers (1995) included social inferiority, isolation, vulnerability, powerlessness and humiliation as central to sustainable livelihoods and wellbeing. Yet the framework for measuring assets remains individualized and materialistic; titles for land, certification for education, the amount and frequency of credit for money. While facilitating market-based transactions, as in the ‘willing buyer, willing seller’ model of land reform promoted globally by the World Bank (Lahiff, 2007), or educational credentialism as the criteria for employment (Psacharopoulos and Patrinos, 2004), the social-symbolic meanings of land, or indeed education, are underplayed (Author, 2008, Street, 2011). Importantly, men and women are seen as individuals claiming ownership of a particular, quantifiable asset, and hence put in competition with each other, ignoring the larger scenario of climate change, global trade agreements, and the privatization of services, including those from the ecosystem.

Recent multidimensional understandings of poverty question the assumption of assets as mere instruments for making a living (Mosse, 2010). They recognize the multiple meanings and values – simultaneously material and symbolic, inherent in assets. Thus land is not just a productive asset and a source of material wealth, but equally a source of security, status and

power (Agarwal, 1994, Bebbington, 1999, Author, 2008). And these signifiers are not static over time or place. In Malaysia, feminization of land from the 1970s onwards, was driven partly by state construction of the rural as a backward sector, with growth seen to lie in urban, industrial areas, along with the ideological construction of women as ‘conservers of nature’ (Stivens et al., 1994). In indigenous communities in India, such as the Kurumas in Kerala (Kunze, 2016), or the Santals in Jharkhand (Author, 2008), on the other hand, men continue to see themselves as protectors of the land, not just owners or cultivators. This is visible in elaborate, exclusively male rituals around ancestor worship, or invoking the local Gods for protection from natural calamities. While production is joint, the ritual maleness of land is revealed in the resistance to any formal transfer of land titles to women (Ibid.).

Tilly (1998) emphasized the role of social ties and connections in reproducing exploitation and accumulation through sustaining exclusionary categories, what he called ‘durable inequality’. In Bangladesh, Sen (2003) demonstrates how people escape from poverty primarily by accumulating a mix of assets, while descent is often a result of life-cycle changes and crises. Sen’s analysis, though not gendered, points to changes in household structure, widowhood in particular, and the consequent inability to access assets, as a key driver of descent. In India, on the contrary, Agarwal (1998) shows how despite conditionalities regarding remarriage and residence, widows are the only group of women whose property rights are acknowledged. But this doesn’t apply to all widows; only those from propertied classes and castes, caste being an important exclusionary marker (Thorat and Newman, 2010), that intersects with gender to intensify disadvantage. It is precisely this relational and socially embedded meaning of assets, which makes outcomes unpredictable, yet contributes to the reproduction of inequalities in opportunities, discourse, representation and indeed everyday interactions (Mosse, 2010).

Structural inequalities constraining access to assets are, however, contested and negotiated, through individual and collective struggles. While Agarwal (1994) sees these struggles as helping women overcome social, administrative and ideological obstacles that underlie the persistent gap between women's legal rights and their ownership and control, in this paper I additionally see these struggles as helping establish the social and moral legitimacy of women's claims to a set of relationships, both ecological and social, at particular historical conjunctures. Women and men within households are not just seeking individual gains or material wealth in competition with each other, rather cooperation and reciprocity are central to their lives, as emphasized too by local understandings of well-being (White, 2010).

It is worth noting here that recent developments in wellbeing research have tended to shift the emphasis from psychological and individual measures (of happiness) to relational ones, emphasizing social and cultural situatedness in people's experiences and constructions of wellbeing, temporal shifts including through one's life-course, and the overlaps between material (objective) and relational (subjective) elements (White, 2016, Author, 2016). This is indeed a shift from early conceptualisations of wellbeing by Amartya Sen, which focused primarily on the agency of individuals in terms of their capabilities and functionings, their abilities to be or do (1993), and argued for objective indicators of measurement such as the Human Development Index in 1990 (HDI), followed in 2010 by the Multi-Dimensional Poverty Index (Alkire and Foster, 2011). Such objective measures, Sen (1990) argued, were important for uncovering forms of inequality that may be masked by women's expressions of their own wellbeing. While not letting go of the material dimensions, the policy implications of more relational understandings of wellbeing involve a shift from "individual acquisition and towards attending to the social, material and spatially situated relationships through which individual and collective wellbeing are effected" (Atkinson, 2013: 142, in White, 2016: 32).

Alongside the access to resources, the concept of human agency remains central to processes of empowerment and wellbeing. Kabeer emphasizes that agency relates to people's 'ability to define one's goals and act upon them', but can take multiple forms, from bargaining and negotiation, to subversion and resistance, as well as the more 'intangible, cognitive processes of reflection and analysis' (1999: 438). Agency is not an attribute, but an 'enactment of iterative changes to particular practices' (Barad, 2003: 827), the possibility of reconfiguring boundaries and exclusions that matter. It is not fixed in time or across space. Even a single woman's interests and claims (in relation to land) can change as she progresses through life, and with this, her voice vis-a-vis men, other women in the household (Author, 2014), or actors within collectives, markets and state institutions (Guerrin et al. 2013).

Within development practice, agency has been equated with the ability to make decisions, with the range of nuances and strategies embedded in women's lived experience forgotten. The global Demographic and Health Surveys, for instance, endorse the importance of agency but define it in terms of individual characteristics such as freedom of movement, access to resources and decision-making capacity (Jejeebhoy, 2000). While efforts are made to distinguish between different types of decisions: practical, routine and everyday acts, related to one's material position, and the more strategic decisions that could potentially contribute to transformative shifts in social position and gender relations, the underlying conceptualization of agency remains an individualistic one. A very particular characterization of an empowered woman as an individual with a set of 'agentic' attributes is constructed – one who is assertive rather than silent, is schooled rather than not literate. Such moral and material valuations and judgements derive from one's own ideological position of what empowerment or a good life is, irrespective of the varied interpretations of autonomy itself in relation to particular gendered

associations. With a gradual withdrawal of the state and a rise in marketization of goods and services, it is not surprising that women, especially amongst the poor, may prefer to draw on kinship relations for support rather than seek autonomy.

The starting point for state gender equality policies are then a set of ‘deficits’, rather than positive constructions of the resources, identity, skills, knowledge and relationships women have. Such policies fail to acknowledge that women’s agency, especially in relation to resources and their everyday struggles for survival, are often directed at building shared rather than independent lives. In India, ploughing has traditionally been a male preserve and seen as an obstacle for women as farmers. Rapid mechanization has provided women the opportunity to hire in these services from markets, yet they prefer men to retain responsibility for this task. Their main reason is not an inability to ensure land preparation, rather a desire that their men contribute to household production, in a context where male contributions to joint work have been steadily declining (Author, 2008, Garikipati, 2008: 635).

Sometimes the lack of engagement, what may appear as submission, can also be an act of resistance to homogenization, seen as a denial of their intrinsic value. Campbell (2012) notes how amongst the Tamangs in Nepal the feeling of being treated as sub-humans by the state, which gave no respect to their ways of thinking, being and doing, led to their withdrawal from state activities. Their dignity was more important than a few ‘benefits’. Women’s agency is often directed at resisting the instrumentalization of both land and their labor, as tools to increase food production, or improve child nutrition, but being recognized for the work they do, productive, reproductive and emotional, and its contribution to building a life that matters. Agency is not about opposites – victimization versus resistance – but the continuums between these extremes, exercised in multiple overt and covert ways.

The third key element of my framework is politico-legal and social legitimacy. In contexts of inequality, top-down changes to rules, laws and policies are inevitable and necessary, as an aspirational framework for gender equality. Yet a policy or even a legal right does not become practice immediately. As Deere and Leon (2001) and Farah (2013) reveal in the context of Latin America more generally and Colombia in particular, there is a temporal dimension to social change, with norms and relations shifting to acknowledge women's legal rights as socially legitimate over a generation. Other outcomes are possible too, with the law becoming a 'resource' in agrarian struggles between groups and individuals especially in pluralistic legitimacy regimes (Benda-Beckmann and Velde, 1992, Author 2007), or enhancing bargaining power in other strategic domains of life such as the allocation of household resources (Mishra and Sam, 2016). The quality of these laws as 'resources' change over time in response to new pressures and multiple, conflicting interests. This is visible in all the three study countries, witnessing large-scale land acquisition for industrial and infrastructure development, threatening the livelihoods of entire communities, not just women.

Patriarchy too is not a decontextualized system of subordination, there are regional variations in norms and rules and how they play out in practice, what Kabeer and van Anh (2002) call 'regional patriarchies'. Nevertheless, the idea of patriarchies as systems that support male domination and resource control across institutions of state and society does help explain the persistence of gender-inequitable practices, be it sex selective abortions in China and India, or the gap between cultivation and ownership rights in east and south-east Asia despite the prevalence of supportive customs (Brown, 2003). It also explains the often violent backlash to women's assertion of their rights, especially those seen as challenging the social reproduction of hierarchies.

Despite the adoption of a rights framework, the state's understanding and interpretation of legitimacy, representing the same patriarchal social norms and cultures that are sought to be overturned (Moore, 1978), may not fully reflect the aspirations of differently positioned women. Following the gang-rape in New Delhi in December 2012, for instance, that evoked mass protests, a judicial commission was appointed to examine the whole gamut of laws on sexual assault and violence against women. In their report, apart from further legal and police reform, the Commission emphasized the need for a fundamental change in social institutions that perpetuate gender inequality, from the household to the state, in order to ensure women's bodily integrity and personhood. Yet the State responded with an Ordinance to punish the offenders rather than initiating any structural change (Karat, 2013). The social legitimacy of male power remained intact, with certain acts of violence picked out as unacceptable. As long as women are objectified as male property, to be 'protected', their resource claims will continue to be seen as socially and morally illegitimate (Hirschon, 1984, Author, 2013).

Another element in the consideration of legitimacy is the inconsistency between laws and policies at different levels. Women's participation is sought in developmental projects, especially labour contributions, but they are usually excluded from legitimate decision-making positions (Author, 2006). Further, policies often contradict each other. Economic growth policies based on market liberalization overlook the non-implementation of existing labor laws, for instance, condoning child labor, payment of below minimum wages to female labor, informal labor contracts etc., in both China and India, reinforcing women's status as secondary earners, and indeed citizens.

What emerges is a wider definition of assets and resources, in the context of understanding poverty and livelihoods from a gender equality lens. Seeing them as shared and reciprocal rather than individual and conflicting, of dignity and recognition as assets central to women's

identity and self-esteem, entails a simultaneous focus on the material and symbolic-discursive dimensions of assets, the tangible and the intangible. Assets have gendered meanings, the relational value of which shift with caste/ethnicity, kinship and life-cycle status, land perhaps more contentious than education or even money. Agency too manifests itself differently vis-a-vis different assets, with negotiation often working better than explicit rights claims in the case of land. It reflects the messiness and complexity of the choices people make in shaping their lives and worlds,

A meaningful analytical framework has to be dynamic; going beyond binaries to unpack the continuums and multidimensionality of rural women’s lives. It needs to rethink existing frames of reference in the context of new historical situations, wherein survival itself is a function of interdependency; spatial and temporal differences are no longer distinct domains, but sites of interaction and perhaps the reformulation of cultures (c.f Bell, 2010). Valuations need to start with lived experiences on the ground, considering changes over time and space, including in the larger political economy and physical environment, and the social embeddedness of both assets and gender relations within these wider frames of reference. The key dimensions of such an analytical approach are summarised in Table 1 below.

Table 1: Key elements of the proposed framework

Parameters/variables	Existing	Proposed
Gender relations	Restricted to household level, especially relationship between husband and wife in the reproductive age group	Relations across generations and sexes, and across institutions, from the household to the state
Unit of analysis	Individual	Socially embedded
Approach to analysis	Homogenises and targets groups, e.g women, or men	Explores plurality, seeks to find common typologies based on appropriate variables
Temporality	Static	Dynamic interactions over time; multiple temporalities
Assets	A range of ‘capitals’ valued in monetary terms	Both objective and subjective dimensions considered

Agency	Ability to be or do, decision-making, mobility – a focus on individual interests	A focus on individual and shared interests, value given to productive and reproductive work and lives
Legitimacy	State legitimises particular sets of power relations, backed by the rule of law and governance structures	Legitimacy is negotiated socially, giving credence to alternate perspectives and pluralistic regimes
Implications for:		
Poverty	Only economic/material deficits measured, as in the poverty line calculations	A broader emphasis on both material and social-symbolic experiences of life
Livelihoods	Increase the quantum of tangible assets; organise groups to address social capital deficits	Focus on tangible and intangible; collectives to emerge from below with a view to addressing structural inequalities in resource access
Gender equality	Focus on parity, addressing gaps in asset ownership in relation to men	A rights based approach with a focus on recognition of worth, overturning devaluations through structural transformations

Methodological Imperatives

Operationalizing such a relational approach requires grounded research that builds bridges between the local and global contexts. Macro-indicators like work participation or educational outcomes are insufficient for understanding the manifestations of agency in specific contexts (Schuler, 2006). The Women’s Empowerment in Agriculture Index is one example of a multidimensional index that moves away from aggregate data to capture the empowerment profile of men and women in the agricultural sector (Alkire et al. 2013). But by conceptualizing and measuring agency in individual terms, as gaps between men and women, it misses out the relational and contextual embeddedness of agency, as ultimately power is not exercised in a social or political vacuum. Is a woman really empowered or disempowered at all times and in all her relationships? Responding to this question would mean recognizing agency as produced through interactions, rather than establishing comparisons with unusual cases (role models), and being reflexive enough to question one’s own values and assumptions in relation to development aspirations and gender equality.

It may not be possible in policy terms to examine each individual's agency as it plays out in her/his life, yet typologies of rural women in particular agrarian contexts can be created, on the basis of their subject-position (Author, 2008), in relation to key life-events, or other contextually relevant parameters. Such an approach, drawing on long-term primary research with rural women in eastern India around issues of resource control (land and labor), informs the Indian case study². I use secondary data for China and Indonesia. While this could be a possible limitation, the comparison is nevertheless valuable for empirically demonstrating the need to link the agency of individuals and collectives in sustaining or transforming relational structures, both human and non-human, with the ways in which they are differently distinguished by states and communities along lines of race or caste, ethnicity or gender, religion or sexuality, or indeed fertility, aridity and other physical characteristics.

There are three main reasons for the selection of these countries. First, 60 per cent of the world's population and 57 percent of the poor live in Asia's 48 countries, two-thirds of them concentrated in India, China and Indonesia³. Land ownership and distribution patterns however vary greatly, and understanding the implications of this is important for furthering the global agendas of poverty reduction, food security and gender equality.

Secondly, the selection helps construct typologies of governance systems that facilitate/constrain resource access and livelihood diversification. India and Indonesia were under British and Dutch colonial rule respectively till the late 1940s. While India emerged as a constitutional democracy (with socialist leanings), Indonesia was first a socialist and later patrimonial state (dictatorship), till its move to a Presidential democracy in 1998. China had a different history. With feudal rule giving way to a communist state, a legal framework on gender and social

equality was soon in place. Within each regime, land rights have not remained static. There have been ideological shifts, as responses, at times, to exogenous changes in technology, such as the Green Revolution in India in the late 1960s, visible institutional inadequacies in meeting state goals in the aftermath of the Cultural Revolution in China in the late 1970s, or the rising influence of Islam on state land allocations under Suharto's New Order Regime (1968-98) in Indonesia. Since the early 1990s, all three states have been influenced by the globalization of both capital and ideas, commoditizing land and labor in favor of private capital. What these changes in political regimes and specifically their land and resource policies mean for social relationships, gendered livelihoods, and women's land claims, is central to this analysis.

Thirdly, apart from differences in the polity, the major pathway for women's access to land is through inheritance. Four major patterns are visible in Asia: the largely patrilineal South Asia, with land a private asset owned and acquired through the male line (Agarwal, 1994); bilateral and matrilineal South East Asia, where too land is a private asset acquired through customary inheritance systems (Dube, 1997); communist/socialist states like China, where households are granted use rights by the local village committees (Croll, 1984), and the Central Asian states marked by conflicts between centralized state institutions and private, clan-based, land management systems (Kandiyoti, 2003)⁴. I focus here on the first three typologies.

The empirical material presented in the following sections are organized around the three key elements of the framework – assets, agency and legitimacy. These are located within the larger context of livelihoods, social relations and governance systems to facilitate the local-global analysis. While recognizing that each of these elements is co-constructed and experienced in relation to the other, the structure of the paper is meant to facilitate the analytical development and illustration of the key arguments.

Laws, Policies and Governance: The possibility of setting standards

Drawing on the preceding sections, two points need to be clarified at the outset. First, given the deeply contested nature of gender relations across time and space, setting universal standards becomes difficult. Yet, most Asian countries have ratified international commitments, including articles 14, 15 and 16 of the Convention on All Forms of Discrimination Against Women, 1979 (CEDAW)⁵. National laws in India, China and Indonesia are largely in conformity with CEDAW, guaranteeing women's equal access to land, property and inheritance, but enforcement is weak (Xiaoqiao, 2011); mechanisms to address deeply unequal power relations have not been developed. This leads to the second point, namely, the importance of historical conjuncture and the need for periodization to understand the processes of social change. In the rest of this section, I discuss at least three critical periods in the development of land reform and land use policy and practice across the three countries: from independence to the late 60s; 1970s-80s; and 1990s onwards, with specific reference to women's rights.

The Indian Constitution, adopted in 1950, guarantees equality of opportunity and rights to all citizens. Additionally, a spate of legislative reform in the 1950s including the Hindu Marriage Act, 1955, and the Hindu Succession Act, 1956, recognized the property acquired by any married woman in any employment, occupation or trade carried on by her in her individual capacity as her separate property, a continuation of the Married Women's Property Act, 1874, passed during the colonial period. Many land reforms were undertaken, including the abolition of zamindari (landlordism), the setting of a maximum ceiling on land-holdings, and land redistribution, yet women's rights continued to be governed by personal laws rather than statutory regulations. During the 1970s, with the success of the Green Revolution technologies in India, which

demonstrated that small holdings were not a barrier to enhanced productivity, as long as the right mix of inputs were used, both redistributive land reforms and women's roles in agriculture got visibility. The 6th Plan (1980-85), for the first time devoted a chapter to women in development, recommending joint titles to spouses in the distribution of land and home sites⁶.

With growing stagnation and distress in the agricultural sector from the early 1990s, men have left agriculture in search of non-farm jobs. Analysis of NSSO data from 1977-78 to 2007-8, shows that male participation, either as cultivators or laborers, declined from 80.6 to 66.5 per cent over this period, as compared to female participation, that declined only marginally from 88.1 to 83.5 per cent (Himanshu, 2011). This apparent feminization led to several policies including the New Agricultural Policy, 2000, the National Policy for the Empowerment of Women 2001, and the National Policy for Farmers, 2007, all stressing the need to strengthen the support to women farmers, for the sake of food security, and material wellbeing. The Hindu Succession Act was amended in 2005, entitling a daughter to inherit family property including agricultural land on par with the son. The Draft Women Farmer's Entitlement Bill, 2011, was however the first to explicitly seek social recognition for women as farmers and call for ensuring their equal entitlements. Yet this bill was never passed, reflecting the attitudes and biases of policy-makers and implementers, who feel less threatened when women are constructed as 'beneficiaries', rather than legitimate claimants (Author, 2013).

China saw radical land reforms and the abolition of private property shortly after the formation of the communist state in 1949. In pre-revolutionary China women had no property rights; their fertility, labor and person constituted a form of property to be exchanged at marriage. Given the close links between the inheritance of property and marriage, here too, one of the first measures of the communist state was to pass the Marriage Law of 1950, which abolished arranged

marriage. Yet a semi-arranged system of marriage persisted, due both to notions of filial piety, and to meet the labor needs of the peasant household, the basic unit of production and consumption (Croll, 1984). In 1950, the Agrarian Reform Law gave the household, and men and women within it, equal rights to land (Johnson, 1983). From the late 1950s, various forms of collectivization were implemented. Represented as a class struggle, this movement intensified during the Cultural Revolution, 1966-76 (Huang, 1995, Wang, 2013). However, given the violence this entailed, following Mao's demise, President Deng Xiaoping initiated the "Four Modernizations", replacing in 1978, the communes with the Household Responsibility System (HRS) (http://afe.easia.columbia.edu/special/china_1950_leaders.htm). As each household could, after meeting its commitment to the state, keep the surplus, marriage once again became the primary pathway to recruit and reproduce labor, and women, whether or not they had their own land share, were the major labor force to till the land (Belanger and Li, 2009).

To encourage land improvements, by the mid-1980s, the state prioritized security of tenure, with land leased to households secured for 15 years. While land allocation was ostensibly equal to all adults, gaps began to emerge between male and female shares amongst unmarried children. As sons were expected to marry and have a child, they were allocated more land than a daughter, who would eventually marry and leave the natal village, given the persistence of exogamy and virilocality. Thus families with sons got more land; reinforcing villagers' traditional son preference.⁷ In 1998, the period of contract was extended to 30 years. Redistributions could only be made when two-thirds of the villagers voted in their favor (Chen and Summerfield, 2007). Conflicts between village rules and the national law however are increasing, as village leadership demonstrates a resurgence of gender and kinship influences, with control in the hands of senior men, representing dominant clans (Ge et al., 2011). The Rural Land Contracting Law, 2003, reinforced 30 year leases and prohibited readjustments. Though women's equal rights were

guaranteed by national law, with longer contract periods and no readjustment, a large number of women have become landless post-marriage, or in the event of divorce or separation (Hare et al. 2007, Wang, 2013). Further, with large-scale land acquisitions for urban and industrial development since the late 1990s, many people have lost land⁸; 43 per cent have experienced land takings according to a survey across 17 provinces, with women worst affected (Landesa, 2012), and the little compensation paid, has gone to men (Sargeson, 2008).

In Indonesia, in addition to Constitutional equality, the Basic Agrarian Law of 1960 (BAL) states that land has a social function. It hence fixed a limit to the size of holdings at between 2 and 20 hectares per household, and also guaranteed the right of women to own land. This was re-emphasized by Article 35 of the Marriage Law of 1974, which confirms the co-ownership of property purchased during marriage, and separate rights over self-acquired property, in line with customary laws (Brown, 2003). Yet all allocations under Suharto's New Order government, were based on the 'family principle' which placed the family, comprising a male breadwinner and female dependent, as the fundamental unit of the nation (Elmhirst, 2011: 179). The male household head was given the certificate of ownership, or registration deed in the case of marital property (Brown, 2003). Inheritance, however, continued to follow matrilineal or bilateral practices, within which women's rights were not compromised. To enable acquisition of land for industrial and infrastructural development, mainly by private actors, the BAL has been diluted with the passing of a new law on Land Acquisition by the Legislative Assembly in 2012. This larger threat from capitalist investors and markets to all rural land-holdings currently compromises local control over land, including women's rights.

Thus across Asia, in the past two decades, the growing dominance of globalized markets has led to a reshaping of the social contract between the state and citizens in relation to access to assets,

especially land. This has at least two important implications. First, market mechanisms seem to favor private capitalists over family-based, often women-centric, small and subsistence farms. While the legal and policy frameworks support equitable rights to land and assets, neo-liberal economic policies and the prioritization of economic growth have used state power to legitimize the alienation of communities, especially women, from their rights to land and other livelihood resources, turning a blind eye to the intensification of processes contributing to the durability of poverty and inequality (c.f Mosse, 2010). Second, the growing competition for an increasingly scarce resource has enhanced male insecurities in terms of fulfilling provider roles, and contributed to reinforcing patriarchal social norms that emphasize sexual difference, rather than complementarity, constructing women primarily as dependent wives and mothers. Such norms have been strengthened by growing religious conservatism in both Indonesia and India that emphasise male control (Chen and Summerfield, 2007, Belanger and Li, 2009, Agarwal, 1994).

It is not surprising then that women themselves align their interests with their husbands, to strengthen their status and position of respect within their marital household, in a context where state social security provisioning is eroding and dependence on market mechanisms, which advantage male labor, has become inevitable. This element of women's agency is however not valued, rather they are seen as 'victims' of patriarchal social norms, which are blamed as 'obstacles' to effective implementation. This brings us back to the conceptual point that the rule of law and laws based on it are essential for setting gender-just normative standards; however, they require social, economic and political legitimacy to work in practice; and these in turn, are shaped by multiple sets of interests and relationships between people and resources across institutional sites and scales.

Land and Livelihoods in a Global Era

One important feature of agrarian change in developing societies is the process of livelihood diversification, particularly migration from one part of the country to another, or overseas, often for unskilled, low-paid work. While migration for clearing and cultivating land has a long history in colonial Asia, over the last two decades, post-1991, it has been driven by the stagnation in growth of the agricultural sector,⁹ negative terms of trade, and shifts in land use priorities towards urban and industrial development, rather than the reverse (Razavi, 2003). With the expansion of corporate and contract farming, the poor often have little option but to sell or lease their land and move to urban areas in search of work.

In both India and China, enhanced male migration has meant the feminization of the agricultural sector, yet the meanings and implications of feminization vary. In India, agrarian stagnation has meant that total work available in agriculture has not increased. Feminization, here, refers to the rise in the proportion of female agricultural workers in the female workforce (Agarwal, 2003, Patnaik, 2003), and has not therefore meant greater recognition of and support to women as farmers (Author, 2006). Apart from the absence of titles¹⁰, institutions of the state such as banks, agricultural cooperatives, extension services continue to uphold the man as ‘farmer’, an independent decision-maker, and women as housewives and ‘unpaid family helpers’ (Neetha, 2010). Denying women direct access to services reinforces their dependence on husbands or other male kin, and in turn their subordinate status. As a result, when male remittances are not forthcoming or regular, women are pushed into low paid casual and informal work (Kapadia, 2000, Author, 2012), enhancing inequalities and impoverishment.

In China, migration patterns are fast changing, with younger women migrating alongside men to urban centers for factory work. However, given the difficulties of securing urban registration, women, once married and with children, return to their village homes. On farms, they have almost equal access to land and credit as men, due to the provision of pre- and post-production services by the village government (Croll, 1987). Widowed or divorced women are exceptions, their shares and interests not recognized by the village regulations, nor by courts, given the perception that agricultural land ‘belongs’ to the male’s side of the family (Davin, 1999, Wang, 2013, Belanger and Li, 2009).

These changes pose many contradictions and trade-offs for gender equality: between higher incomes earned from non-farm versus farm work (Quisumbing et al, 2004, Hare, 1999), relative autonomy versus increasing work burdens (Karlekar, 1995), or negotiating conjugal partnership versus seeking personal security (Elmhirst 2011, Sargeson, 2008, Author, 2012). They have nevertheless triggered a spate of legislative reform in favor of gender equality and women’s rights, whether in relation to inheritance, tenure security or domestic violence, in the early 2000s, pointing to recognition of women’s central role in food production, and consequently a need to strengthen their rights and entitlements (Evers and Walters 2000, Agarwal 1994, Deere and Doss, 2006, Kelkar, 2011), at least within higher level policy circles. Despite this, with the exception of China, State institutions dealing with land and agriculture, especially credit and service providers, have yet to adjust their policies and practices.

In South East Asia the gap in landownership is not as stark as South Asia (FAO, 2011). There is a greater equalization of rights, shaped both by prevalent systems of inheritance and the inclusion of gendered labor contributions in the acquisition of specific assets and the negotiation of rewards (Quisumbing et al 2004, Li, 1998, Brown, 2003). While men migrate internally for industrial and

service sector jobs, women move transnationally for domestic service and care work. Women here are recognized not just for their farm work, but also providing a safety net for men's more risky ventures, critical for maintaining the harmony and stability of the 'family' and in turn 'community' (Elmhirst, 2011). In this context, one can question the meaning of land to both gendered livelihoods and wellbeing, and ask if support for diversification into non-farm pursuits may be more empowering for women (Rigg, 2006, Kabeer and Van Anh, 2002).

The global food crisis of 2007-8 halted the process of strengthening small-holder, especially women farmer's entitlements, by prioritizing land acquisition by domestic and foreign capitalist investors as a strategy for enhancing food production and alternate energy feed stocks, a phenomenon now termed 'land grabs'. Two-thirds of the land acquired has been in Africa, followed by South East Asia, the investment here mainly in oil palm. While contract farming is being advocated as a strategy for combining investors' assets with those of local people to raise production and reduce poverty in small-holder contexts (Deininger, 2011), embedded within such relationships are inequitable power relations, a perpetuation of neo-colonial justifications to ensure cheap labor supply for the wealthier countries (Li, 2011).

While such land transactions go beyond gender-equity concerns and relate more broadly to the loss of livelihoods, recent work on gender and land does provide some insights into its possible relational effects (Doss, Summerfield and Tsikata, 2014). In particular, it tries to move beyond generalities, which conflate women's experiences with men's, or treat women as a homogenous category (Ibid: 3). Julia and White (2012), through the study of a community in West Kalimantan, Indonesia, highlight the gendered politics of land dispossession due to oil palm expansion. Granting of concessions/land use rights to large companies permanently abolished customary rights (including use rights) on both private and forest land. Under the plantation administration,

the private land, divided amongst smallholders, was registered in the names of ‘male family heads’, in line with the national discourse of the family, or the plantation owner. Where some land was retained, women continued rice cultivation, earlier a joint activity. Under Dayak custom, rice is for consumption and its sale is taboo, hence gradually all work that didn’t bring cash, whether rice cultivation or voluntary labor contributions to community activities, came to be seen as women’s work. Apart from private lands, the loss of forests meant a loss of raw material such as rattan, used for the production of baskets and handicrafts, which brought women additional incomes. In fact, the declining access to private and communal lands has had a spin-off effect on women’s engagement with commodity markets; the rights over particular crops and their sale as significant as the right to land itself (c.f Carney, 1988).

Secondly, the plantations employed men as drivers, security, foremen and checkers, and women as casual wage laborers at low pay, often in hazardous roles like spraying pesticides and applying fertilizers (Julia and White, 2012). Both in respect of land and labor, the oil palm dispensation has triggered a process of devaluing women’s work and worth – from an equal conjugal partnership to one of subsidiary earners, responsible primarily for household reproduction, but with little control over customarily recognized assets. There are of course some positives; women see the cash incomes as helping meet food, education and health expenses (Ibid.). The outcomes are not unidirectional, but shaped by the negotiations of power between the investors, state, community leaders and men and women within households (Mitra and Author, 2016).

Similar stories are playing out in India and China, with rural agricultural and common lands being acquired by the state for the development of liberalized economic enclaves by private capital – enjoying minimal tariffs, taxes and regulations. In India, displacement has often meant that fodder and fuel are no longer available, household water has to be purchased from tankers,

women have lost all means of production, and their labor has been marginalized (Levien, 2011, Mitra and Author, 2009, Daley and Pallas, 2014). Expenditures are made on consumer goods that reflect male status, rent-seeking, land speculation and petty mercantile activities, rather than easing women's work burdens (Chowdhry, 1999, Levien, 2011), a scenario likely to intensify with the current policy focus on large-scale contract farming (Saxena, 2012). Yet there has been a growing politicization of poor women, with over 70 grassroots organisations forming a national Women Farmers' Rights Forum (Mahila Kisan Adhikar Manch (MAKAAM), seeking state commitment to ensuring the inalienable, independent and effective rights of women farmers to livelihood resources such as land, seeds, water, forest and clean energy (www.makaam.in). In China, women have mobilised to demand universal social insurance in preference to compensation for the loss of land (Sargeson, 2008).

Global crises and priorities influence national policies, but equally local livelihoods and the meanings attributed to different assets, particularly land, in both objective and subjective terms. Young women in China prefer to migrate for work to the industrial towns than work in agriculture, constructed as a 'backward' sector, and currently dominated by the elderly. The same is the case in India, though given cultural restrictions on mobility and reproductive responsibilities; younger women have fewer opportunities for migrant work, hence struggles for land entitlements remain important. In Indonesia, women had rights to land, but are fast losing them in the wake of foreign and national investments, and the reluctance of state institutions to register titles in their names. Growing global resource competition has contributed to a strengthening of formalized, patriarchal control over land, irrespective of laws and policies to the contrary, yet at the same time has led to both material and cultural adjustments in gendered practices, allowing for greater mobility, and sharing in decisions around domestic budgeting and household reproduction.

Agency in Context: Social Relations beyond Kinship

The state and economy are not independent of social relations and the everyday practices of men and women struggling to survive; they influence them and are in turn shaped by them. Rather than recognizing women's (and men's) need for a respectable social identity, individually and jointly, an analysis of social relations is however largely confined to the family and community. Patriarchal household and kinship structures, signifying sets of social obligations and entitlements, are constructed as static and immutable relationships, inhibiting women's agency, rather than serving as a conduit for resource access (Jackson, 2003).

In India, and across South Asia, inheritance is governed largely by patrilineal kinship systems, wherein a son is considered a permanent member of the natal household, while a daughter transient. As a dependent of her husband, she has moral rights to periodic gifts from her natal family, but largely denied inheritance (Dube, 1997, Jackson, 2003). Despite the amendment to the Hindu Succession Act in 2005, not many women have claimed land. This points perhaps to the flawed assumptions in law of independent personhood of the woman, her continued identity as member of her parents' family even after marriage, and willingness to jeopardize the relationship with her brother and potential future security (Patel, 2006), especially in the present-day context of growing competition and livelihood insecurities.

Yet the amendment has improved women's wellbeing outcomes. In Karnataka and Maharashtra, states that amended the Hindu Succession Act in 1994, while not enhancing land claims, the law has positively impacted on women's age at marriage and educational attainment (Deininger et al, 2010)¹¹; in Andhra Pradesh, women's say in their marital families appears strengthened (Roy,

2008). Similar findings emerge from other South Asian countries such as Nepal, wherein policies enhancing land rights equity for women contribute to an increase in bargaining power with associated welfare effects especially on investments in education, health and nutrition of their children (Mishra and Sam, 2016).

Governed by bilateral kinship systems, wherein both parents provide identity to the child, Southeast Asia presents a different picture. Property is divided equally between sons and daughters, residence patterns are flexible and there are few restrictions on women's movement (Dube, 1997). In Indonesia women's inherited holdings of paddy land were in fact greater than that of their husbands, reflecting the tradition of matrilineal descent, and women's primary role in paddy cultivation (Quisumbing et al., 2004). Recognized as central to both the peasant economy and trade, they have considerable voice in decision-making at the household level (Stoler, 1977; Papanek and Schwede, 1988). Li (1998) emphasizes here the idea of economic partnership in conjugal relations, based on notions of distinct but complementary interests. Yet, as already noted, there is a rise in patriarchal, unequal and more precarious relationships with the onslaught of global capital and conservative Islam. Young women prefer to migrate to ensure financial autonomy, while older women too are prepared to leave their rural homes and move with their husbands, in the wake of enhanced vulnerability and violence (Sim, 2011). A similar trend is visible in China, with younger women seeking to establish status and power through employment in the urban, industrial sector, rather than land claims.

The arguments in favor of women's land claims and indeed asset control have been linked to issues of autonomy, increased say in decision-making and personal and children's wellbeing (Agarwal, 2003, Doss, 2013, Menon et al. 2014), as well as protection from domestic violence (Panda and Agarwal, 2005, ICRW, 2006, Garikipati, 2009). Material indicators are undoubtedly

important, yet without a relational understanding of the dynamic links between asset control, livelihood security and improved wellbeing and how spaces for influence and negotiation are opened or closed, the sustainability of these changes in meeting gender equality goals cannot be predicted. The above examples raise some interesting issues regarding women's agency and autonomy. First, women's agency is often not directed at furthering 'personal' goals, not due to any 'false consciousness' on their part, but more a result of their assessment of the ways in which to best improve their quality of life. Women often find it in their interest to strengthen male capabilities and potential as a way of enhancing household resources (Johnson et al., 2016), apart from maintaining peace (Ahmed, 2014). Quality of life is not just about money or wealth, but also the quality of relationships, with people and resources, especially in the face of cutbacks in state services and inadequate social protection (Tepe-Belfrage and Steans, 2016). Investments in building household solidarity, jointness in decisions around the use, management and control of assets, irrespective of who the owner is, become key strategies for survival and wellbeing.

Further, agency is shaped by women's particular subject-position, differentiated by age, class, marital status and social identity. Their interests derive from their particular social position and location at a point in time and their struggles around resources too are centered around these interests (c.f Molyneux, 1985). Brother's wives are likely to support their husband (and sons) rather than another woman, his sister (Author, 2008), as their own interests lie with their conjugal unit. This helps explain the absence of women's solidarity in relation, for instance, to land inheritance, but visible mobilization against land acquisition by private interests or exploitation by landlords (Daley and Pallas, 2014, Hart, 1991). Rather than judging these positions in terms of agency or its absence, we need to recognize new forms of sociality developing in response to particular contextual vulnerabilities, and the precariousness of their lives (Butler, 2004).

Conclusions

Universal normative standards and global goals, including the SDGs, are helpful in identifying key elements for developing our sense of self and humanity and leading lives that we value. They are also crucial for creating an enabling environment within which resource claims, but also social relations, can be negotiated at different institutional levels and scales. Different standards cannot be upheld for men and women, be it in relation to wages, education or indeed rights to land, as this only serves to instrumentalize (and devalue) women's contributions, making their rights contingent on the attainment of particular wellbeing outcomes, be it enhanced production, food security, or children's education.

Such standards, cannot, however, easily be converted into 'good practices' to be transferred and upscaled from one context to another. What I have argued in this paper is that in addition to equitable laws and policies, their actualization depends on an identification of the specific structures and relations that can enable or constrain this process. A focus on binary categories is inadequate, as gendered experiences and identities are constructed in specific ecological and social contexts, and are hence both diverse and dynamic. The meanings of land too change in response to the histories and ideologies of the state and their policy frameworks, market signals and indeed individual agency and livelihood trajectories. It is important therefore to uncover the dynamic associations between discourse, relations and interaction (Tilly, 1998), as only through the articulation of alternate worldviews and perspectives, as noted in Table 1, can feasible solutions, those seen as socially and morally legitimate, be negotiated. And these solutions cannot be restricted to households or communities, blaming patriarchal men and community leaders as responsible for women's 'assetlessness', rather they need to be accepted

as standards of legitimacy across social institutions, including the markets and the State, as their visions, ideologies and actions permeate and indeed shape each other.

Moving beyond a focus on the household to larger questions of political economy and resource allocation and control across institutional domains, highlights the ambivalence as well as contradictions within social institutions and livelihood opportunities. They carry within them potential for equality along with grounds for subordination. Farming today is an occupation of last resort, given the lack of investment and relative stagnation. In such a context, giving women rights in land and farming, while important for food security, may contribute to confining them to a 'backward' sector, rather than opening opportunities for empowerment and equality. For this, one would need to value not just the material outcomes, but equally its social-symbolic value to their lives and sense of self. The question is not necessarily about how to share particular resources between sexually differentiated categories, but rather how the notion of sharing potentially contributes to a different articulation of life itself.

The theories and concepts we deploy have material consequences. In aspiring for gender equality and improved wellbeing, the starting point for analysis needs to reflect women's (and men's) lived experiences, their struggles for survival with dignity, and efforts to push the boundaries of the opportunities available to them, even if incrementally. Importantly, as women are not a homogenous category and gender relations like other social relations are not fixed across space and time, the multiple, overlapping disadvantages they face, but also the relational positions they occupy through their life-course, need to be systematically considered. This can be done in practice by identifying the key parameters relevant to the exercise of women's agency in relation to assets and livelihood strategies in a particular context. Village studies conducted as part of national Census operations can help institutionalize the collection of

suitable data for this purpose. Relational typologies can then be constructed to reflect different sets of vulnerabilities across agro-ecological and social-normative contexts, and provide support that is meaningful; that enables equal access to assets and material resources without instrumentalizing women's labour, or indeed agency. The focus has to be on rights and entitlements, on recognition of their worth as equal citizens.

There can be several pathways to achieving gender equality, just as to reducing poverty or improving wellbeing. These cannot necessarily be placed in a hierarchical order, rather depend on changes in context - economic, environmental and relational. The world has changed in the last three decades; progress giving rise to new challenges. With threats of climate change and price volatility exacerbating the risks confronting agriculture, alongside state austerity, insecure and low-paid employment, large-scale expropriations for infrastructure and industrial development, family and kinship bonds are re-emerging as strong social support networks in rural households. They cannot be ignored, nor treated merely as 'obstacles'. Rather understanding these changes as dynamic and contextual, their likely influence on negotiations within the household, and with other social institutions, on resource allocations and relationships, are crucial if policy is to support the goals of poverty reduction and livelihood security for the rural poor. This may take us beyond land rights, to thinking about assets more broadly, their social-relational and symbolic-subjective dimensions, in operationalizing gender equality goals.

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¹ This statement is more or less repeated in Target 1.4 of Goal 1 on poverty reduction.

<http://www.un.org/sustainabledevelopment/gender-equality/> Accessed on 6/10/16.

² Long-term ethnographic research is not essential for collecting such data. Studies similar to the village studies undertaken by the Census of India in the 1960s could be institutionalised to provide an understanding of the structures of power shaping social relations on the ground.

³ India, China and Indonesia are part of the E9 or most populous countries in the world, accounting for 40 per cent of the world’s population <http://www.internetworldstats.com/stats8.htm>. South Asia accounts for 43.5 per cent of people living below the poverty line, and with China and rest of Asia accounts for 57 per cent of the world’s poor. http://siteresources.worldbank.org/INTPOVERTY/Images/PovTrends_large4.gif accessed on 26/9/15.

⁴ Land policies in Central Asia continue to be contradictory, with an apparent devaluation of land alongside a process of re-agrarianization. In Uzbekistan, decollectivization has meant leasing land under binding contractual obligations that impose unacceptable liabilities on the new farmers, mostly men. With a decline in employment opportunities for women in the technical services, the marriage contract too has got informalized, given the high costs of registration. This has led to an intensification of women’s allocation of labor time to different plots of land as well as engagement in casual wage work (Kandiyoti, 2003).

⁵ These articles call for the equal rights of women, particularly rural women, in land and agrarian reform and resettlement schemes, alongside ensuring equal access to agricultural credit and loans, marketing facilities and appropriate technology (FAO et al., 2004). This commitment was reiterated in the Beijing Declaration and Platform for Action (Unifem, 1995).

⁶ While the 7th Plan did not reiterate this directive, it was picked up by the 8th Plan (1992-7), which directed state governments to give 40 per cent of ceiling surplus land to women alone and the rest as joint titles (Agarwal, 2003).

⁷ This was reinforced by the population policy which allows couples with only daughters to have a second child.

⁸ In China, over 4 million ha of farmland has been acquired and more than 50 million rural people displaced.

Land has been undervalued and poorly compensated with the rural dispossessed receiving less than 10 per cent of the government's profit (Li Xiubin, 2011).

⁹ The agricultural growth rate in India has been 2.3 per cent, China 3.7 per cent and Indonesia 2.5 per cent, compared to total growth rates of close to 10 per cent. Half the population of these countries are dependent on agriculture for their livelihood (World Bank, 2007).

¹⁰ Even when they women do own land, as confirmed by large-scale surveys and micro-level studies, the size and value of their holdings are lower than those of men (Author, 2008, Vasavada, 2004, Swaminathan et al, 2011).

¹¹ While females were 71 per cent less likely to inherit land than males, those whose fathers died after 1994, when the amendments were legislated, were 22 per cent more likely to inherit than if the death occurred prior to 1994.