

Social Analysis Systems²

Concepts and Tools for
Collaborative Research and Social Action

<http://www.sas2.net>

Title	The problem of not having legal title to residential lands in Siddeshwarwadi, Maharashtra, India
Key Words	Problem Tree, India, tribal people, Katkari, land tenure
Reference and Acknowledgement	Buckles, D.; Khedkar, R.; Patil, D.; Ghevde, B. 2006. The problem of not having legal title to residential lands in Siddeshwarwadi, Maharashtra, India. Social Analysis Systems ² Technique Report #3, 4 pp. Retrieved from: http://idl-bnc.idrc.ca/dspace/handle/123456789/24622
Context	<p>Siddeshwarwadi is a hamlet of non-literate and very poor tribal people known as the <i>Katkari</i>. Most healthy men, women and children work as bonded labour at brick-making kilns in the region. They move from one place to another, from season to season, to find work, leaving their homes unattended for months at a time. The hamlet is located on parts of three properties owned by people in the nearby caste village (Siddeshwar) some 110 Km southeast of Mumbai, Maharashtra. The <i>Katkari</i> do not have legal title to the land even though they have lived there for many generations and special clauses in Indian law affirm the rights of tribal people to residential lands (<i>Goathan</i>). Recently, <i>Katkari</i> in nearby hamlets living in similar circumstances have been forced to leave their homes by the landowners.</p> <p>A non-governmental organization SOBTI has been working in Siddeshwarwadi and other <i>Katkari</i> communities for many years and was concerned that the residents' situation could worsen if they were also forced from their hamlet. When discussions began with residents, they found that people in the hamlet did not consider legal title to their homesteads to be a pressing issue in their village. They had, however, heard of problems over legal title in other <i>Katkari</i> villages and agreed to discuss the issue in detail with</p>



SOBTI.

For a report on a series of SAS² assessments undertaken with the *Katkari*, see Buckles, D.; Khedkar, R.; Patil, D.; Ghevde, B. forthcoming. *The Land Struggles of the Katkari*. Social Analysis Systems², <http://www.sas2.net>.

Purpose

To identify the problems that arise from not having legal title to the residential lands (*Goathan*) of Siddeshwarwadi.

Process Summary

SOBTI convened an evening meeting of *Katkari* residents at a time when they were not traveling regularly to the brick-making kilns. A group of 12 residents (8 men and 4 women) joined in the assessment. After talking about the purpose of the meeting, participants were asked why the hamlet does not have a legal title to the land. These reasons were labeled as the “parents” of the problem being discussed. After piling and sorting these reasons into several levels, the participants were asked to describe the result of not having legal title. These were labelled as the “children” of the problem being discussed. The multi-level relationships were displayed in a visual way using cards and discussed in details. The participants understood that a report would be prepared afterwards by the facilitators, and agreed to share their information.

Analysis

Figure 1 presents the reasons for and implications of not having legal title to the residential lands, as described by participants. The **reasons for the problem** include: the power of the landowners, government inaction, and inaction and lack of concern by the *Katkari* themselves. The **result of the problem** include: lack of access to government programs available to hamlets of tribal people, the *Katkari*'s lack of job options, constraints on access to education, and over-crowding. Collectively, these reasons and implications refer to many aspects of *Katkari* day-to-day life.

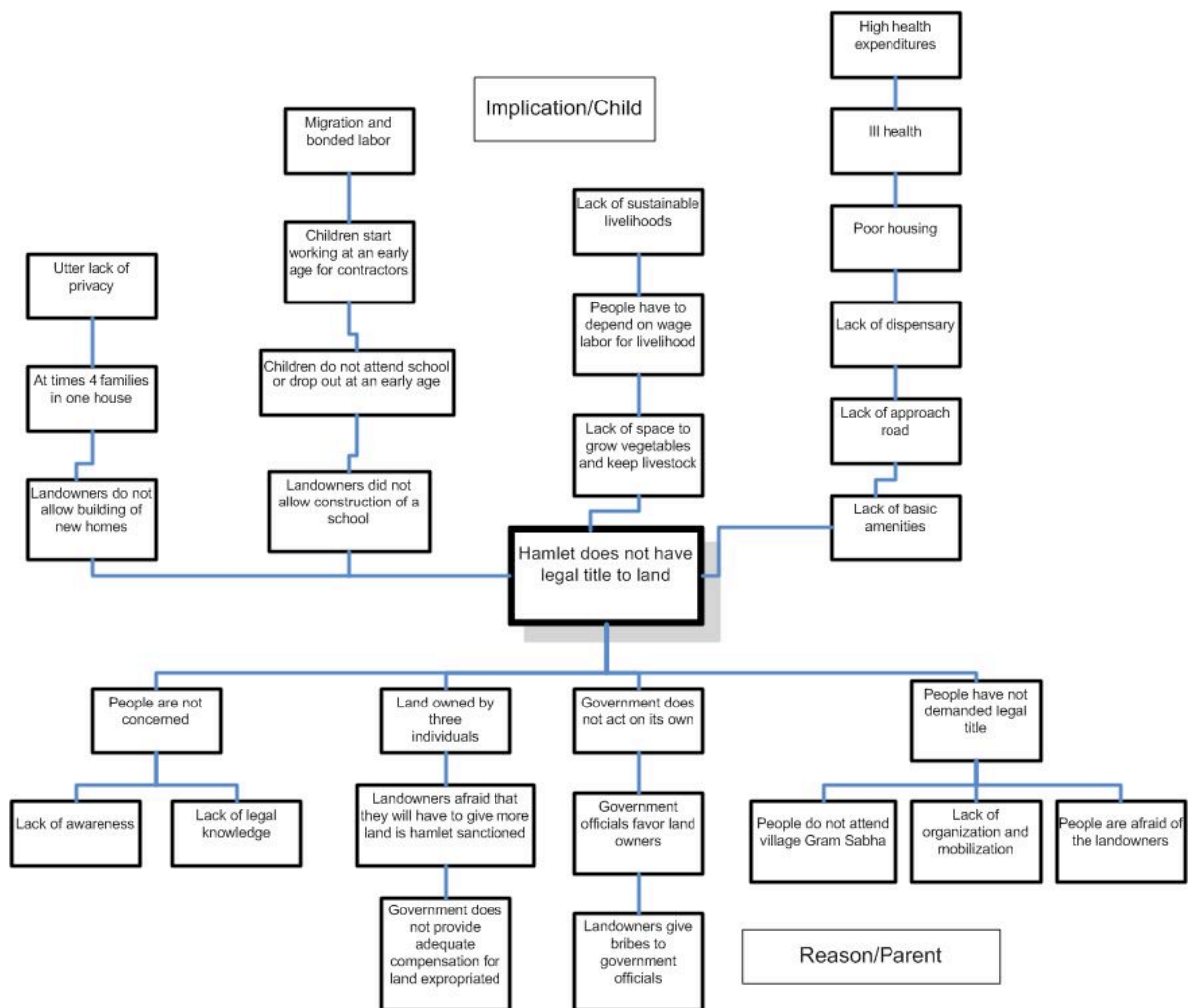
Something that brought a lot of energy into the discussion was a recent decision by the landowners not to allow construction of a school in the hamlet. This forced the hamlet to locate their government-funded school in another village. Participants said they were concerned that their children were leaving school early or not



going to school at all. Instead, children entered into bonded labor on brick kilns and moved from place-to-place with their families in search of work. The participants recognized that the children would lack a full education, and as adults would have few job options or knowledge of legal rights and rules that could help them.

While this implication was traced to the role of current landowners, the reason for not having legal title that participants said was the most pressing was the lack of concern of the *Katkari* themselves. Until and unless most of the residents see the problem as very important, group action cannot be imagined, government inaction is likely to remain, and landowners will control the situation.

Figure 1: Reasons for and implications of not having legal title to residential lands in Siddeshwarwadi, Maharashtra, India.



Interpretation

The initial indifference of the *Katkari* in Siddeshwarwadi over lack of legal title to the land reflects the fact that daily life is very difficult and not stable. They are used to living on the edge of survival. Participants said that as there was no direct and immediate threat to their homes, not having legal title to the residential land seemed to be beyond their immediate concerns and capacities. Furthermore, they could not imagine what to do about it or how things could change. They said that analysis of links between the problem and things that immediately matter to them changed their assessment of the relevance of legal title to residential lands.

Action

The action that the participants decided to take was to develop a vision of the future that could both inspire them to take collective action. They also decided to warn members of the community of the real possibility that landowners might decide to sell the land or use it for another end. The group decided to hold another meeting in the hamlet to develop a vision or ideal scenario that would come from having legal title to the residential land (see Buckles, D.; Khedkar, R.; Patil, D.; Ghevde, B. 2006. The Ideal Scenario of Legal Title in Siddeshwarwadi. Social Analysis Systems² Technique Report #10, 4 pp. Retrieved from: <http://idl-bnc.idrc.ca/dspace/handle/123456789/27343>)

Observations on the Process

At first, the discussion of reasons for and results of not having legal title to residential land confused participants, even when the ideas were properly translated into the local language. The process caught on, however, once the facilitators started using the terms “child” and “parent” to mark these two aspects of the problem. The discussion also became much more engaging for the participants when the topic of the landowners’ plan to block building of a new school arose. The final result was seen by the participants as an accurate description of their situation and useful to laying the groundwork for further discussions by them with other members of the community.