

Women and land after conflict in Rwanda

Female-headed households often experience inequalities in access to resources and income-generating opportunities. Conflicts may make women poorer. But it is important to realise that conflicts also offer an opportunity for change in which gender stereotypes shift and gender roles and identities can be renegotiated. Did genocide and civil war in Rwanda lead to new opportunities for rural women?

Marian Koster

Rwanda is one of the most densely populated countries in Africa. It is also one of the poorest, with a GNP per capita of US\$ 230. In 2001, 60 percent of the total population (that is, 5.4 million Rwandans) lived below the poverty line. The genocide of 1994 was preceded by a turbulent period of economic crisis, civil war, mass emigration, and political transition, which affected every Rwandan. The country's resource base was largely destroyed and mistrust (still) puts an enormous strain on community cohesion and solidarity.

Land is Rwanda's primary resource. Over the years, however, the amount of land per farm holding has decreased considerably, from 1.6 hectares in 1983 to 0.72 hectares at present. Women

in Rwanda play an important role in agricultural production and provision of food for the family. The percentage of female-headed households grew from 25 percent in 1991 to 34 percent in 1996, due to male mortality during the war, HIV/AIDS, massive migration movements, and the imprisonment of suspected "genocidaires".

After the genocide, the Rwandan government established a Ministry of Gender and Social Affairs. Gender mainstreaming is actively promoted in all policies and programmes. Many formal restrictions on women's opportunities to work and own property have been removed by the revised Matrimonial Code of 1999. Have these new laws and policies strengthened women's claims to land and food sovereignty? The case of Rwanda shows that historical political developments, customary rights and new opportunities influence women's positions.

Disputing land rights

In 1990, the war started with the Tutsi-led Rwandan Patriotic Front (RPF) invading the country from their base in Uganda, trying to overthrow the Hutu regime. Many people were displaced

Constance was born in Rwanda. Her father, a Tutsi, owned a considerable amount of land in the eastern part of the country. When fighting broke out in 1990, the family fled to Uganda. They returned in 1994, after the Rwandan Patriotic Front had taken control over the country. They found their land and belongings intact, as the family that had taken possession of their belongings during their absence had fled in fear of reprisals of the RPF and the many Tutsi returning from their long exile. Constance, by then a widow with several children, took over the farm from her father. But in 1996, the local authorities obliged her to divide her land among herself and a landless family that had recently come to settle in the village. Constance lacked the labour to cultivate all of her remaining land, and she resorted to using hired labourers. Constance grew bananas, beans, potatoes, cassava and maize. She owned a cow and calf and was widely known as a good and innovative farmer. She was often selected by the local authorities to attend agricultural workshops. However, when one of her children fell seriously ill and was in need of expensive medical treatment, Constance was no longer able to pay her labourers and she was forced to sell part of her land.



Secure access to land means that women can choose to grow cabbage, for family consumption and for sale.

Photo: Shared Interest

and forced to live in camps north of Kigali. Tutsi refugees fled to Uganda, where they joined thousands of other Tutsi who had been in exile since the 1950s and 1960s in fear of ethnic strife. The land that refugees left behind was taken over by those who remained, mainly Hutu. After the genocide in 1994, the RPF gained control over the country and hundreds of thousands of Hutu fled the country, while some 800 000 Tutsi returned. The government tried to settle them in the east of the country. Returnees could settle upon temporarily unoccupied land, left behind by Hutu in 1994, or on land whose proprietor had died during the events of the 1990s. Problems arose as a second wave of refugees returned en masse in 1996, after the closure of one of the refugee camps in the Democratic Republic of Congo. The initial government response, allowing first wave returnees to settle on unoccupied land, was not supported by the Arusha Peace Agreement from 1993. In this document, it was stated that no refugee who had spent more than 10 years outside Rwanda could lay claim to land. According to the Arusha Accord, the first returning refugees were merely allowed to cultivate land on a temporary basis. In the National Habitat Policy, introduced in 1996, land owners were required to share their landed property with landless first- and second-wave returnees.

Whereas some women mainly felt the negative effects of this policy of land sharing, it needs to be acknowledged that many landless households, including many female-headed ones, benefitted from it. However, not all women were equally likely to benefit. Widows, and especially Tutsi widows, were significantly more likely to have benefitted from the policy of land sharing than Hutu women.

Land tenure rights of women

According to customary land tenure systems in Rwanda, only men had rights of access to land and land was divided among male heirs only. Traditionally, there were a few ways for women to claim land. A widow who had neither male children nor living male relatives through her deceased husband, could inherit land. A woman could also receive gifts of land from her father. Land could, for example, be given to married women, newlyweds, or at the birth of a child. In both cases, land thus received remained a woman's own property and was inherited by her sons. This gift could also take place in the form of temporary user rights. Temporary gifts could be given to daughters rejected by their husbands and to daughters who never married and did not bear children. Espérance (see Box below) did not profit from such arrangements because she lived far away from her family and already had given birth to several children. In the face of progressive land scarcity, women have become increasingly barred from exercising their land inheritance rights. Moreover, the number of widows and female orphans is high. When left with no grown-up sons able to claim their inheritance, women's claims to land are weak at best, if not entirely invalid.

Espérance has no family living near her. She has recently divorced and lives, together with her children, in a small house provided to her by the mosque. She has no land on which to grow food but she does try to grow some maize and beans in the tiny garden behind her house. She sells the produce on the market. With the proceeds she then purchases cassava and sweet potatoes, which are much cheaper, thus trying to feed her family. In addition, she sells her labour. Espérance has difficulty combining the care of her small children with labour, however, and this is reflected in the low income she is able to generate by working.

In 1999, the Matrimonial Code (the "Matrimonial Regimes, Liberties and Succession Law") was revised, offering couples a choice of property regimes and –at least theoretically, as the code does not explicitly refer to land– extending the inheritance rights of women and girls to property within their birth families. But Rwandan law does not protect women's rights if they

have no legally accepted (i.e., civil) marriage, and only few Rwandan couples are legally married. Civil marriages not only require the traditional bridewealth to be paid, but also entail costs for marriage certificates and other identity papers (not to mention the cost of a wedding party). Civil marriages are simply too expensive for many young couples. When common-law marriages fail, women have no legally-protected rights to land. Moreover, children born under common-law unions, especially girls, are frequently labelled as illegitimate, which also disqualifies them from legally-protected inheritance rights.

Women's strategies to claim land

Women in post-genocide Rwanda have devised many strategies to increase their access to land. Some female genocide survivors have returned to their families, where they feel safer and where their brothers can protect them. This strategy works well for those with few family members left, as there is then a relative abundance of land. When families are large, however, women's claims to land often remain very weak.

Returning from Tanzania in 1994, Hope, a widow with five children, moved to the capital Kigali. On visiting her brother in another part of the country, she learned that an international NGO had recently made a swamp suitable for rice cultivation and was now distributing rice fields to farmer associations willing to join the rice cooperative. The NGO was sensitive to the plight of widows and actively tried to reach them. Meanwhile, Hope found a house in the village adjoining the rice fields. Together with a female neighbour, she formed an association. To reach the minimum required number of members, the two women registered their under-aged children as well. Subsequently, she was given access to the rice fields. As her children were still at school, Hope needed to employ labourers to help cultivate her fields. The income she generated from rice was sufficient to pay them and save money for the purchase of fields located elsewhere in the village. Hope can now cultivate a variety of crops, including bananas, beans, maize, sweet potatoes, cabbages, and tomatoes. She was able to start her own shop.

Other strategies include women joining farm co-operatives or women's associations. Many of these co-operatives and associations have been allocated state-owned land, while others are able to rent land with membership dues. At the beginning of this century, a large marsh near the Akegera National Park in the Eastern Province of Rwanda was converted into rice fields by the Adventist Development and Relief Agency (ADRA).



Photo: Marian Koster

Women gained access to new land by forming a group.

Before, this marsh –which officially belonged to the government– had been used by cattle-owners and farmers. Farmers were re-allowed access to the rice fields on condition that they formed farmers' groups; cattle-owners had to find new grazing fields for their cattle. Other people in the area were also allowed access to the new rice fields, on the same condition.

ADRA was concerned with the position of women. They encouraged women to get organised and claim access to the rice fields, which many women indeed did. Unfortunately, the poorest of the poor did not profit – simply because they could not afford the membership fees for the farmers' groups. This was especially problematic for divorced women, who are among the poorest. Another problem was that farmers were obliged to grow rice. Before the rice project, farmers used the swamp to cultivate vegetables and sweet potatoes. ADRA has educated people on appropriate cultivation techniques for rice but many farmers complain that they would prefer to grow other (food) crops.

New opportunities and new constraints

The war and genocide in Rwanda have opened up new ways for women to gain access to land. The relief industry is sensitive to the plight of women, offering women new and important opportunities, as shown in the case of Hope. Also, the Rwandan government has introduced important measures to promote gender equality, such as the establishment of a Ministry of Gender and Social Affairs and the revision of the Matrimonial Code. However, more needs to be done. Legislation needs further revision, and financial barriers for women to make use of their legal rights need to be addressed. This is all the more

important as women's traditional claims to land are increasingly disputed by their male relatives.

It is also important to ensure that women have full control over their land. Shortage of land is a problem for all Rwandans, but now that the government has embarked on a policy of regional crop specialisation, people's food security is once again at risk, because crop specialisation undermines poor people's risk-reducing strategy of crop diversification. People fear that if they are not allowed to grow sufficient and varied food crops, they will not be able to feed their families should harvests of specified crops fail, as they regularly do because of weather or pests. This is especially problematic for poor farmer families, including many female-headed households, who have little to no reserves to help them overcome such difficulties.

A final word of caution: there is ample evidence that Tutsi women, and especially genocide survivors, have benefited more from governmental policies and NGO programmes than Hutu women. This may result in increased tension between the two groups. In a country where trust is scarce, measures need to be taken to ensure that Hutu women are just as likely to gain access to land as Tutsi women. If not, the seeds of future violence may once again sprout. ■

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Women farmers on food sovereignty: Nepal



of Nepal gives a special discount to men who buy land in their wives' names. But we are not satisfied with this. We want to be the owners of the land, as well as of the food.

In Sindhuli, our women's movement has some agricultural land. We used chemical fertilizers on this land until a few years ago. But then production decreased, because of the acidity of the land, we were told. Now we use organic fertilizers and the production of rice, wheat and maize is much better, as is the soil health. I can even sell food and earn some money with it on the market. I earned almost 2000 dollars last year by selling food products that I did not need for my family. Now I do not have to depend upon others for paying my children's school fees, and I do not depend upon my husband for my daily household work: this is true sovereignty! By increasing food production on our land, we were also rewarded by society. We have been asked to participate in various farmer trainings and talk about our success. We teach poor farmers how they can produce the food they need for their families, especially now that food is so expensive. I am proud to be the leader of this women's movement in Sindhuli.

Interview and photo: **Niraj Prasad Koirala**.

In an additional note, Niraj Prasad Koirala mentioned how the global economic crisis is pushing countries that depend on other countries for feeding its citizens to introduce newly developed but less expensive farming techniques. As living conditions of many farmers are poor, cheaper techniques could be used to produce various types of food commodities. Governments should be aware that no development is possible until there is food security for their people, so new techniques and skilled technicians are imperative and should be provided free of cost. In Nepal this is very important, as the majority of food products is imported from India. Occasionally India places a ban on exports, bringing people in Nepal to the brink of starvation.

The government of Nepal tries to help small farmers by organising training programmes focussing on the small-scale farmer. They also provide some skilled technicians to help farmers in remote areas.

Mrs. Koirala's women's group is playing a leading role in these programmes. There are various projects providing organic fertilizers and seeds and seedlings. But what would really mean something in Nepal, is the transfer of cultivable land that is now bare, to people who do not own land to grow their own food. Countries can only have food sovereignty when landless people can obtain land. The government of Nepal is taking positive action and has established a steering committee to work on this.

My name is Niru Koirala, I am married and have four children. We have a small farm of 15 ropanies (0.75 ha) in Sindhuli, in Nepal. I think everyone should have the right to have enough food. It is not only about having enough food, but also being able to take decisions. Here in Nepal, women are still considered "second-class citizens": we may only take few decisions ourselves. Although women are engaged in farming more than the men, we do not have land in our own name, and so we feel ignored. There are some signs of improvement in conditions for Nepalese women; for example, the government