



A Nepalese woman carrying her spade.
Photo: F. Mattioli (FAO)

Land in the hands of women?

control their own land. Kenya constitutes an interesting example, as 98% of its women work full-time in the agrarian sector, but only 5% of these have land ownership titles.

Women and agrarian reforms

Demands for redistribution of land, supported by large agrarian reform movements, have during the last century led to the implementation of agrarian reform measures in various countries. Considering the difficult situation of small peasant and landless families, agrarian reforms should be a means to carry their call for social equality. For many governments, however, reforms are merely a means of social pacification. Despite sometimes-successes in some countries, in many places the measures did not reach far because of weakness in implementation - a lack of political will. In a number of countries only about 10% of the rural population benefited from changes in land ownership.

The demands for agrarian reforms were generally based on prevailing social injustice. This injustice, however, was analysed mainly on the basis of "social class", seldom according to other criteria such as gender or ethnicity. Therefore, agrarian reforms have been gender blind for a long time. More recently, gender and access to land was considered in several countries, but with varying impact. As a result of mobilisation of women from different organisations and movements, some success could be registered in the 1990s regarding an improved *formal* recognition of women.

Renate Schüssler

Land issues are issues of power. This is apparent not only in the unequal distribution of land, and the concentration of huge production areas in the hands of a few big landowners and multinational trusts. It also becomes very clear in light of the inequities between men and women in terms of access to land. This inequality is a violation of one of the central principles of Human Rights: the principle of non-discrimination.

Work but no rights - traditional limitations on women's land rights

Women in rural areas have traditionally fewer rights and fewer income opportunities than men, often because of patriarchal and conservative thinking, according to which the man is perceived as the main productive working force. Independently of how much women are active in agrarian production, their work is normally perceived as part of family and household management. For example, rural women in Latin America work 14 hours a day. In spite of this, their contribution to food security is hardly acknowledged as work. Due to the pressure for export-orientated production, land available for food production is increasingly difficult to access or provides low yields. It is becoming more and more difficult to cultivate food in sufficient quantities for the family, and production for the world market does not generate sufficient income for the purchase of household food. Because of this, women often eat less than their share in order to feed the rest of the family.

Women produce a considerable part of the world's food: 80 to 90% in African sub-Saharan states, 50 to 90% in Asia and 30% in Central and Eastern Europe, according to FAO. Despite this high contribution to agrarian production, in most cases women do not

Example Latin America Women deprived in agrarian reform

Comparatively, women have benefited to a minor extent from the Latin American agrarian reforms. The reasons for this are juridical, structural, ideological, cultural and institutional. Agrarian legislation has sometimes been amended with an explicit reference to the formal equalisation of women, but details hide a different reality. For instance, the legislative language was used in a discriminatory way; no priority was given to women who were in charge of a household on their own; widespread non-marital living communities were left out; and very deprived target groups lacked recognition. When land redistribution was based on a point system, it proved to be either directly or indirectly discriminating. For instance, it was directly discriminating in Brazil and Costa Rica, where male beneficiaries were attributed higher point numbers. It was indirectly discriminating in Chile and Columbia, where a higher education level gave a person more points, which deprived women because of the discrimination in the education system.

In order to ensure that also women benefit from land redistribution measures, it is necessary to develop workable strategies based on these experiences.

Participation of women in land redistribution

In order to enable women to directly benefit from land redistribution measures, different approaches have been tried. An important point is that women, accordingly to their life situation – as single women, single mothers or as spouses - obtain rights' security and a certain amount of negotiation power. It is necessary to issue ownership titles in the name of women or women's collectives. Models with different aims have been introduced into some national legislation, including (compulsory) joint land distribution to couples independent of their family situation, i.e. the registration of land property in both names.

Example Latin America – joint land distribution

In most of the Latin American countries, it was for a long time only possible to register land to one person. The compulsory joint land distribution for married and unmarried couples addresses on one hand the demand for rights' security, and on the other acknowledges the fact that in many Latin American countries, non-marital living communities (*uniones de hecho*) are widely spread. Between 1988 and 1995, agrarian legislation in only five countries provided for joint land distribution. Joint land distribution was compulsory in Nicaragua, Columbia and Costa Rica, and optional in Brazil and Honduras. After the Beijing Women's World Summit of 1995, other countries (Peru, Dominican Republic, and Guatemala) joined this legislation due to the growing influence of women's movements. Empirical observations suggest that because of these measures, the proportion of women among the beneficiaries has increased considerably.

Acknowledgement of the high proportion of single mothers, and the number of children in a household should be considered during the land distribution processes. Because of the unequal starting situation, it is not sufficient to give women the *same* rights as men.

Example Philippines – the same rights

The Comprehensive Agrarian Reform Law (CARL) guarantees rural women the same rights: "All qualified members of the agricultural workforce must be guaranteed and assured equal rights to ownership of the land, an equal share of the farm's produce and representation in advisory or appropriate decision-making bodies". The amended civil legislation code of 1988 guarantees the same ownership rights to men and women. Moreover, women should enjoy the same access to all government and private programs allocating credits and non-material resources, and be treated in the same way for agrarian reform and land settlement programs. Concretely however, 86% of agrarian reform measure beneficiaries are men.

In order to counter unjust, historically conditioned structures, some women's organisations demand the introduction of compensatory measures. This kind of so-called *affirmative action* appears only exceptionally in agrarian legislation.

Example South Africa – affirmative action

In South Africa, women were one of the target groups favoured in land reform processes. "Redistribution will give priority to the following: - to the marginalised and to women in need". Equality of rights, along with social justice and economical feasibility, is one of three principles of the South African land reform. In order to enable women to benefit from the land reforms, the government offers 20,000 rand that they can obtain individually. If the women are married, they can apply jointly with their husbands. Both names are registered together and appear on the beneficiaries' list. The low implementation rate of the South African land reforms, however, shows that the elaboration of progressive legislation is a fundamental requirement, but does not constitute a guarantee for real change in ownership structures that are favourable for women.

To what extent compensatory measures really improve the conditions of women, has to be assessed based on concrete results. A permanent monitoring system should be developed in



Bolivian marketplace. Women produce large part of the world's food, but in most cases do not control their own land. Photo: FIAN

order to make sure that the successes obtained are sustainable. In fact, vulnerable groups are often affected by counter-reforms or by the increasing orientation towards market mechanisms and economical liberalisation that is implemented today in many countries.



Peruvian peasant woman sowing seed. Photo: J. Van Acker (FAO)

Women and land markets

Experiences from countries in which large agrarian reform measures were implemented show that women have *benefited directly* only to a small extent. Would the women be better off within the frame of the new market-led reform processes, based on a neo-liberal logic? Market-oriented land reforms, such as those promoted by the World Bank and others, contribute partly directly, partly indirectly to the standstill of agrarian reform processes. The idea is that land redistribution shall be regulated by market mechanisms: peasants who fulfil certain criteria can apply in land banks for credits, in order to purchase land. The traditionally marginalised groups are excluded from the start, as they do not satisfy the required criteria. Many peasants who bought land this way have incurred high debts: many of them have been forced to re-sell their land. To make matters worse, the state is retiring from its role in supporting production by providing access to markets, seeds, training and technical advice.

In the 1990s, mainly thanks to the pressure of women's and Human Rights organisations, women in Latin America have benefited more from the entitlement programs than in previous agrarian reform programs; and the participation of women is proportionally higher, even though it is still drastically behind their male counterparts. Because of the general changes in agrarian policies, land redistribution processes came to a standstill, which means that in absolute figures, fewer women have received new land than previously.

Moreover, women are discriminated against on other grounds, in land markets or in a market-led land reform process. Women have very few income and ownership opportunities and little access to credit. The reasons for this are, among others, discriminating inheritance conditions, cultural responsibility for the very time-intensive but not income-generating reproductive work, and the gender specific segmentation of the work market, where women generally earn less than men and so-called typical female activities are much lower paid.

Example from the Philippines

In traditionally organised big farms, the whole family is generally employed but only the man receives a salary, paid jointly for the whole family. In capital-intensive plantations, the men run the machines, whereas women are given ordinary and so-called "easy" work, which is generally lower paid.

Women have weaker negotiation power in land markets, and they generally have to pay more money for less productive land plots. Therefore it appears that even land markets are not gender neutral: the most important way for men to gain access to land is the purchase of land, while for women it is inheritance.

However, access to land is not the only determining factor. Other conditions, such as production conditions, are also decisive for the successful use of the land and the ability to keep the land over time. This refers to the questions of the access to means of production, to education and technical assistance and to the market conditions under which the products can be sold. Particularly because of the 1990s' neo-liberal counter-reforms, small peasants are often forced to resell the land they had purchased before.

Finally, a liberalisation in land policies and the further retirement of the state has meant that compensatory measures and favouring of especially vulnerable and marginalised groups, especially women, has been abandoned. Many women's organisations therefore still demand land redistribution policies based on social criteria that not only take into account the category of gender, but also have a compensatory effect on other forms of social, regional and racial discrimination. Land markets do not constitute an alternative to agrarian reforms, as through them, land redistribution loses its function of social equalisation. Under conditions of structural injustice, justice cannot be introduced by mere equal treatment – compensatory measures are necessary.

Aims and demands of the International Agrarian Reform Campaign

The aim of FIAN's and La Vía Campesina's Global Campaign for Agrarian Reform is to support the struggle of landless and small peasants to gain access to land, water and agrarian productive resources, on the basis of the Human Right to Adequate Food. The Campaign constitutes an important forum for overcoming unequal ownership and production conditions that are not gender neutral.

To achieve greater gender democracy, it is important to pay special attention to gender perspectives in all forms of land redistribution, entitlement programs and accompanying measures. A central point is that the same starting conditions (formal equalisation) are created, and the same results (real equalisation) are achieved. This implies compensatory measures.

With this background, the International Agrarian Campaign of FIAN and La Vía Campesina campaign for the implementation of an agrarian reform based on Human Rights and creating an agricultural environment which:

- gives poor small peasants control over land, seeds and water, so that they can live in dignity;
- allows the production of food that is safe and free from genetic modifications for all;
- guarantees sustainable means of production in order to preserve the food basis of coming generations;
- strengthens the rights of rural women and other deprived groups;
- guarantees food sovereignty;
- strengthens rural communities.

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