

Women's Land and Property Rights

Land and Property Rights encompass a much wider range of facets than one may initially consider. They do not only refer to the legal ownership of land but also - how and by whom it is used.

According to the UN, as of today, women make up over [43% of the global agricultural labour force. Crucially, less than 20% of them are landowners](#). Their rights are much less secure than those of men, and largely influence how they are perceived in society. In the case of developing countries, land rights are tightly linked with the right to work and produce food. The lack of land ownership hinders their ability to apply for agricultural and financial support, leading to ineffective use of it under their supervision. Further, the situation largely determines the health, quality of life, and future opportunities of their families.

As a response to pervading inequalities, women's land and property rights have become a major focus of development programmes and initiatives across the globe, which are the key target of the 5th Sustainable Development Goal - [Gender Equality](#). Nevertheless, the progress has been much slower than desired so far. There is still little readily available information regarding the situation, and the reasons for that vary depending on the cultural and political situation in particular areas. In many countries, the database of Food and Agricultural Organization provides information about who operates the land, but only [20](#) report who is the landowner with an indication of gender. Thus, such indicators cannot describe the situation assiduously. None of them allows for comparing the area, quality, or the fact of whether the property is individual or joint between men and women.

Facing these constraints, it becomes essential to recognize barriers for equal land and property rights individually among societies where they prevail. In the following article, we will examine the case across different locations, with the purpose of comparing implemented strategies and assessing their potential for the upcoming years.

[In India, over 87% of women depend on agriculture as the main source of income, whereas barely 10% own the land](#). In other words, they far outnumber the males among cultivation labourers, holding little of the most important operational asset in their country. To a significant extent, disparities have arisen due to the [Hindu Succession Act](#) of 1956. The document determined inheritance patterns for four religions: Hindus, Buddhism, Jains, and Sikhs, yet both Christians and Muslims also maintain their rights to property. The legislation allowed daughters to only access the land that belonged to their father, while sons could go into the possession of any ancestral property. As a result, women remained excluded from the inheritance line based on the assumption they would marry out of the community and become independent economic agents. With the joint family property being a major source of gender bias, the national government decided to implement an [Amendment](#) to the act in 2005, aiming to protect an equal share of women on ancestral property. [A survey](#) carried out in four provinces: Eastern Uttar Pradesh, Bihar, Odisha, and West Bengal showed, however, little effectivity of the change - only 3% of eight thousand examined households had women as owners of the cultivated land. Based on the data it becomes clear that the persistence of patriarchal practices makes custom law superior to legislation and hinders progress. The

prevalence of legal pluralism only strengthens ingrained beliefs. Indeed, the fact that Hindu women, resigned to their social position, tend to feel more comfortable under the protection of a male family member and do not question the situation themselves, adds to the difficulty of meeting external goals and targets on ownership rights. Consequently, increasing awareness about the potential opportunities for women is a key step to making the change. In 2014, [a study by Santos et. al.](#) showed that having women's names written as the owner of the land was positively associated with their decision-making power regarding the land usage and purchase of productive assets.

These changes were the main objective of Landesa's [Girls Project](#), initiated thanks to the collaboration of a non-profit organization concerned with securing land and property rights of the poorest families worldwide with the Indian government. The program aims to educate girls about their rights, while boys obtain a better understanding of benefits that arise from gender equality in society in these regards. The incentive encompasses many hands-on activities, such as the cultivation of small "kitchen gardens". Over areas neighboring their family homes, girls produce nutritious food that can supply their families or become their source of profit if sold. Crucially, once parents recognize the savings they made, they are more likely to delay the girl's marriage, since she has more means to successfully continue her education and pursue the path of economic self-reliance in the future. And as one needs to appreciate the efforts of such programmes, their outcomes still do not bring desired results. It must be remembered that their success, as well as the powerfulness of implemented legislation, is subject to the will of community engagement and cooperation.

Concerns about these matters are surely justified. A common African saying: "Land belongs to the man, the produce in it to the women" is a viable reflection of the struggle faced by women in inheriting and managing their property in Cote d' Ivoire. According to a recently released [Women, Business and the Law 2020](#) by the World Bank, two-fifths of countries worldwide limit women's property rights. The initiative also brings out real-life stories, aiming to strengthen the message of their struggles and call for more effective support. Example of Helene Trio, who, following the tragic death of her husband, was left with seven children and no land to cultivate to feed her family or even a safe place to stay, as property rights were passed to the extended family of her husband, is only one among many that women in rural areas experience on daily basis. They have zero chances for legal recourse due to the lack of equal administrative authority over assets during the marriage.

Even if the answer to the problem is not simple, the aim is clear: to close the gap between the law and practice. Across the world, increased awareness about the struggle of achieving gender equality has stimulated work in the legislature, yet it is essential to bring closer attention to the customs of local communities that do not recognize the benefits of potential cooperation. Launched in 2019, the [Stand for Her Land](#) campaign encompasses the idea. Most importantly, its founders have taken the bottom-up approach. They are dedicated to examining the nature of the problem depending on the location and set targets for them individually. That being the case, in poor African countries, the focus is on achieving equal access to land. In Muslim countries, it is crucial to obtain a better understanding of widows' inheritance rights for women living under customary rights. In Asia - about including the women on her family's land title, so that she can work as a farmer independently. In South America - to allow them to decide for themselves about the use of resources and how they manage their produce.

The key to achieving gender equality may differ for these women, but the struggle is the same. To have the right to land. The right that ensures a higher comfort and standard of living. The right to build a vision of a fulfilling future for them and their children. The right to land and property - is a priority for us all.

Natalia Tronina