



Christine Verschuur (dir.)

Du grain à moudre Genre, développement rural et alimentation

Graduate Institute Publications

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DOI: 10.4000/books.iheid.6760
Publisher: Graduate Institute Publications
Place of publication: Graduate Institute Publications
Year of publication: 2011
Published on OpenEdition Books: 16 April 2017
Serie: Genre et développement. Rencontres
Electronic ISBN: 9782940503834



<http://books.openedition.org>

Electronic reference

PALLAS, Sabine. *Women's land rights and women's empowerment: one and the same?* In: *Du grain à moudre: Genre, développement rural et alimentation* [online]. Genève: Graduate Institute Publications, 2011 (generated 23 avril 2019). Available on the Internet: <<http://books.openedition.org/iheid/6760>>. ISBN: 9782940503834. DOI: 10.4000/books.iheid.6760.

Women's land rights and women's empowerment: one and the same?

Sabine Pallas

The International Land Coalition (ILC) is a global alliance of over 80 members, including intergovernmental organisations, research institutes, farmers' organisations, NGOs, community-based organisations and grass-roots movements that share a common goal of promoting secure and equitable access to and control over land for poor women and men. ILC's activities include advocacy, dialogue, capacity building, and knowledge exchange, with the aim of strengthening the role of civil society actors in influencing decision-making processes at national and local level. ILC has regional nodes in Africa (Rwanda), Asia (the Philippines), and Latin America (Peru).

In a series of regional meetings in 2007, Coalition members identified women's land rights as a priority topic that cuts across ILC's work. Women have a key role in ensuring food security and sustainable natural resource management, the potential of which cannot be fulfilled without secure and equitable access. Over the last years, ILC has engaged in targeted activities to promote women's land rights and is now moving towards addressing a gender dimension in all its activities.

Pallas, S. 2011. Women's land rights and women's empowerment: one and the same? In *Du grain à moudre. Genre, développement rural et alimentation*. (Dir.) C.Verschuur. 269-289. Actes des colloques genre et développement. Berne : DDC-Commission nationale suisse pour l'UNESCO ; Genève : IHEID.

Why women's land rights?

Gender is arguably the most fundamental feature that underpins the organisation of societies, and gender-based discrimination the most prevalent form of disadvantage. Although there is growing recognition that gender inequality blocks sustainable development, this has still not translated into meaningful improvements for women. Men and women's, girls' and boys' experiences of poverty differ in important ways – understanding this is important for tackling the greater levels of deprivation and vulnerability that girls and women routinely face, and for tackling poverty more broadly.

Women's land rights are particularly crucial, as secure access to land and other natural resources is a basis for sustainable livelihoods and a key factor in assuring food security. It also contributes to the identity, dignity and social inclusion of the poorest and most vulnerable groups, whose property rights are very often informal and unprotected by the rule of law. Even where poor women and men enjoy formally recognised tenure rights, other factors may effectively exclude them from formal administrative and legal services by other factors.

The ability to access land and to claim, use, and defend land and other natural resource tenure rights – of individuals and groups – is contingent on processes of empowerment. Women face additional hurdles to empowerment, ranging from their status within the household and community to their status under customary and/or statutory law. While many countries make reference to gender equality in their constitutions, laws relating to property rights often do not give equal status to women, or, where they do, women's property rights may not be respected in practice. Even when women have *de jure* property rights, their *de facto* control of land is tenuous, a fact which was noted, for example, in a set of country studies on women's access to land undertaken by IDRC in Eastern and Southern Africa in 2006¹. Frequently, women access land through male relatives only, and not in their own right. Generally speaking, women have fewer benefits and protections under legal systems than men and are excluded from decision-making, leading to a violation of their human rights.

¹ These studies, which were at the basis of a project later developed by ILC (Securing women's access to land - SWAL), have not been published, except those on Eastern Africa (Verma 2007) and Southern Africa (Hornby 2006). Other regional scoping studies can be provided upon request.

Though there are no comprehensive statistics – one number frequently mentioned is that only 2% of land titles worldwide are in the name of women – the mismatch between women’s crucial role in food security and their weak land rights emerges clearly from the available information². Despite this, few opportunities exist for women to exert real influence over the development of their communities – indeed, they are often denied the right to control even the course of their own lives. Increasing the security of women’s access to land also decreases their vulnerability to poverty and their risk of social and economic marginalisation.

It is thus extremely important to address the specific hurdles faced by women in becoming empowered, politically, legally and economically, as well as to identify how women’s equal participation in society can be encouraged through behaviour changes of both women and men. Specific attention needs to be dedicated to the different short and long-term impact of policies and programs on men and women, so as to ensure that they not only consider gender differences, but actually promote gender equality.

ILC members identified a number of key points with respect to women’s land rights³:

- Women’s ability to access land and to claim, use and defend rights to natural resources depends on complex systems of statutory laws, their enforcement, as well as customary and religious laws and practices.
- International conventions protect women’s human rights, but may be at odds with national legislation and local practices, which makes them difficult to enforce.
- Practices and perceptions of women’s status in household, family and community affect the extent to which women can exercise their rights.
- Women are prevented from participating in decision-making due to a lack of awareness of their rights, lower levels of literacy and education, and a lack of access to justice.

² The FAO Gender and Land Rights Database, launched in 2010, attempts to provide more comprehensive information per country: <http://www.fao.org/gender/landrights>

³ Drawing on information from regional meetings since 2007, as well as thematic meetings on women and land in Latin America (2008) and Asia (2010).

Based on these points, an area of work that has emerged as crucial to securing women's land rights has been women's empowerment. More specifically, it is the power of women to make choices, in political, economic and social terms, but especially in legal terms to claim their rights to land.

Definitions of empowerment

Empowerment is a much-used concept and there are many definitions in use (Kabeer 2001; Goetz and Nyamu Musembi 2008; Goetz and Jenkins 2010; Longwe 1991; Rowlands 1997; SDC 2004), many of which conceptualise empowerment as an emancipation process with various stages from awareness to actual control over decisions. Batliwala (1994) provides a useful definition of empowerment as a complex process of transforming power relations between individuals and social groups, shifting social power in three critical ways:

- by challenging the ideologies that justify social inequality (such as gender or caste);
- by changing prevailing patterns of access to and control over economic, natural and intellectual resources;
- by transforming the institutions and structures that reinforce and sustain existing power structures (such as the family, state, market, education, and media).

Empowerment as a term has been commonly used from the 1980s onwards, often in reference to women and gender equality. Development assistance agencies (multilateral, bilateral and private), in their constant search for sexier catchphrases and magic bullets that could somehow fast-track the process of social transformation, took hold of the term and began to use it to replace their earlier terminology of "people's participation" and "women's development". The Fourth World conference on women in Beijing (1995) played a critical role in introducing empowerment to state actors, and governments wanting to show their progressiveness in terms of gender adopted the catch phrase of women's empowerment.

There are many criticisms that point to the fact that empowerment has been "mainstreamed" in a manner that has virtually robbed it of its

original meaning and strategic value (Batliwala 2007). Despite the popularity of the term, there seem to have been few changes in development practice, where “empowerment” is used as window dressing in the absence of any political or structural change, or any real redistribution of resources (Fiedrich *et al.* 2003). It seems ironic that “empowerment” as an individual and collective struggle for rights – particularly from a feminist point of view that the personal is the political – has been embraced by those promoting the individualism of free markets. For instance, a recent Gender action plan of the World Bank (2007) stated that “the empowerment of women is smart economics”, i.e. women will benefit from their economic empowerment, and so will men, children and society as a whole. One might ask whether this instrumentalist vision of women’s empowerment is a return to the Women in Development (WID) approach of making development interventions more efficient by targeting women.

Nevertheless, Batliwala (2007) urges us to reclaim the concept of “empowerment” to stress the importance of social transformation to promote social justice, in several ways.

- reclaiming the agendas and spaces of the mainstream development discourse to talk about women’s empowerment (including spaces where gender is still not discussed much);
- reframing our visions and strategies to respond to the current context which demand new analysis, frameworks, and engagements;
- actively resisting certain processes that further impoverish women or violate their human rights.

With regard to land rights, gender is still not discussed sufficiently, as is visible for instance, in the recent literature on large-sale land acquisitions or “land grabbing”, in which gender is routinely ignored – although women, who are in general more vulnerable than men, are likely to be disproportionately affected by negative impacts on local populations (Daley 2011). For a network like ILC, which focuses mainly on land rights, not women’s rights, building strong partnerships with organisations working on women’s rights is essential to be able to address the gender dimension of such phenomena adequately.

ILC's definition of empowerment

While there may be many specific definitions and academic debate over what exactly empowerment means, for those engaged in supporting the empowerment of women, the concept needs to be defined precisely enough to explain what processes of change are involved.

Empowerment is defined differently by its diverse members, and as a coalition ILC defines it only loosely, with the notion of power at the centre, particularly for women's empowerment in a context of gendered power relations. For ILC, empowerment is a process of change that results in individuals having an enhanced ability to control resources (including natural resources such as land) and influence decisions that affect their lives. In addition to a change in an individual's consciousness, empowerment is a political process that involves a collective struggle against oppressive social relations.

In sum, empowerment refers to changes that enable individuals to make decisions and take actions. There are many aspects to empowerment, all of which are interlinked:

- *economic empowerment*, i.e. appropriate skills, capabilities and resources and access to secure and sustainable incomes and livelihoods – for which secure land rights are key⁴;
- *social empowerment*, i.e. a process that helps people gain control over their own lives, being able to act on issues that people define as important for their lives (Page and Czuba 1999);
- *political empowerment*, i.e. the capacity to analyse, organise and mobilise, participate in collective action for change, related to empowerment of citizens to claim their rights and entitlements (Piron and Watkins 2004).

Last but not least, *legal empowerment*, which could be seen as sub-set of political empowerment, has gained increasing prominence in recent years.

⁴ SIDA (2009) for example, defines women's economic empowerment as "the process which increases women's real power over economic decisions that influence their lives and priorities in society", and goes on to say that to achieve economic empowerment, women must get access to and control over resources, including, critically for rural women, land and other natural resources.

One of the first organisation to use the concept of legal empowerment was the Asian Development Bank (2001)⁵, but it gained particular prominence with the establishment of the UN's Commission for the legal empowerment of the poor (CLEP)⁶. While this term applied to a whole range of activities in the areas of legal literacy and legal services that NGOs had been carrying out for decades, the CLEP drew attention to the fact that most of the poor lack access to the rule of law – and that the law should serve the poor, not act as a barrier to exercising their rights. While “property rights” does not capture the various rights associated with women's access to and control over land, the CLEP's vision of property rights as a basic human right and one of four pillars central to the legal empowerment of the poor illustrates the importance of legal empowerment to securing women's land rights. To be productive, rights to assets must be recognised by a system that includes both individual and collective property rights and that recognises customary rights.

Critics of the CLEP, however, hold that this approach, among other things, underestimates the capacity of those in power to bypass or selectively implement the rule of law – which is a key problem when it comes to women's land rights, as these are often ignored at the local level despite national level legislation guaranteeing them. Another criticism is that the CLEP does not emphasise the need for bottom-up organisation and “political empowerment”, which is so closely linked to legal empowerment.

The CLEP's definition has been echoed also in the UN Secretary-General's report on legal empowerment of the poor and the eradication of poverty (UN 2009). This report is useful, as it considers access to justice not just in terms of judicial access and law enforcement, but also includes paralegal and informal dispute resolution – for instance, traditional justice systems that most rural poor use to settle land conflicts. Importantly, the report also goes beyond defining poverty merely in terms of income and assets, and includes the ability to claim rights and organisational capacity as criteria. Furthermore, a linkage is made between legal

⁵ The ADB's definition for legal empowerment focused on the ability of women and disadvantaged groups to use legal and administrative processes and structures to access resources, services, and opportunities, and was closely linked to providing skills and confidence to project beneficiaries (ADB 2001).

⁶ The Secretariat of the Commission completed its work in July 2008. Website archive: http://www.undp.org/legalempowerment/clep_archive/index.html

empowerment and accountability of the state towards its citizens, with legal empowerment strengthening the voice of citizens from the grass-roots upwards. Central importance is given to gender equity, as it is recognised that the majority of the poor are women, so that women's rights need to receive more attention in legal reform, legal aid, and legal literacy work.

According to Golub, "legal empowerment is broad and multi-faceted in nature; it does not consist of a single strategy and certainly does not constitute a magic pill for alleviating poverty" (2010, 12). At the core of legal empowerment is the use of law to specifically strengthen the disadvantaged. Key elements include: the "use of law", i.e. that this is not only a matter of legislation but how and by whom law is applied; "specifically" meaning targeted at those most disadvantaged; and "strengthen" to indicate that this is a process of empowerment to give people control over their lives. There may be many worthwhile interventions related to the justice system, but only those targeted at improving access to justice for the poor can justifiably be named "legal empowerment of the poor".

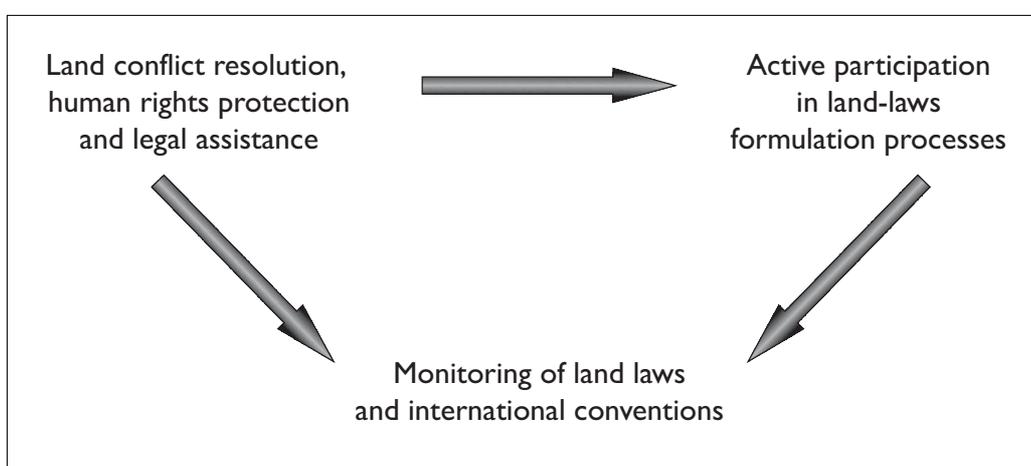
Berg, Horan and Patel (2010, 212) further specify that "the law constitutes a powerful tool to improve the situation of women [... but] legal reform is rarely sufficient in and of itself to bring about change, it can open the door to greater opportunities for women to individually and collectively assert their rights." This implies that to truly promote gender equality, any legislation needs to be accompanied by activities promoting legal awareness – both for the public and for officials and authorities in charge of applying the legislation. Especially where legislation challenges traditional gender stereotypes, it is crucial to work closely with community leaders, and generally with men in the community, so as to strengthen the legitimacy of such legislation. Civil society has an important role to play in organising/mobilising communities, in educating citizens, in advocating with community leaders and authorities, and in providing legal services.

While not exclusively working on legal empowerment, ILC has recognised, through its work, that land rights cannot be separated from the issues of empowerment. Power is needed to claim, obtain and defend rights. Secure and recognised rights to land and land-related resources can also be a source of empowerment for poor and marginalised women and men. They can enable them to negotiate from a position of strength in the domestic, political and economic spheres. But more than this, the very concept of land rights that are real and effective in practice for poor women

and men implies a process of empowerment. Exercising land rights means exercising power; it implies an enhanced degree of self-determination.

What have we learnt from ILC activities on empowerment – specifically legal empowerment of women?

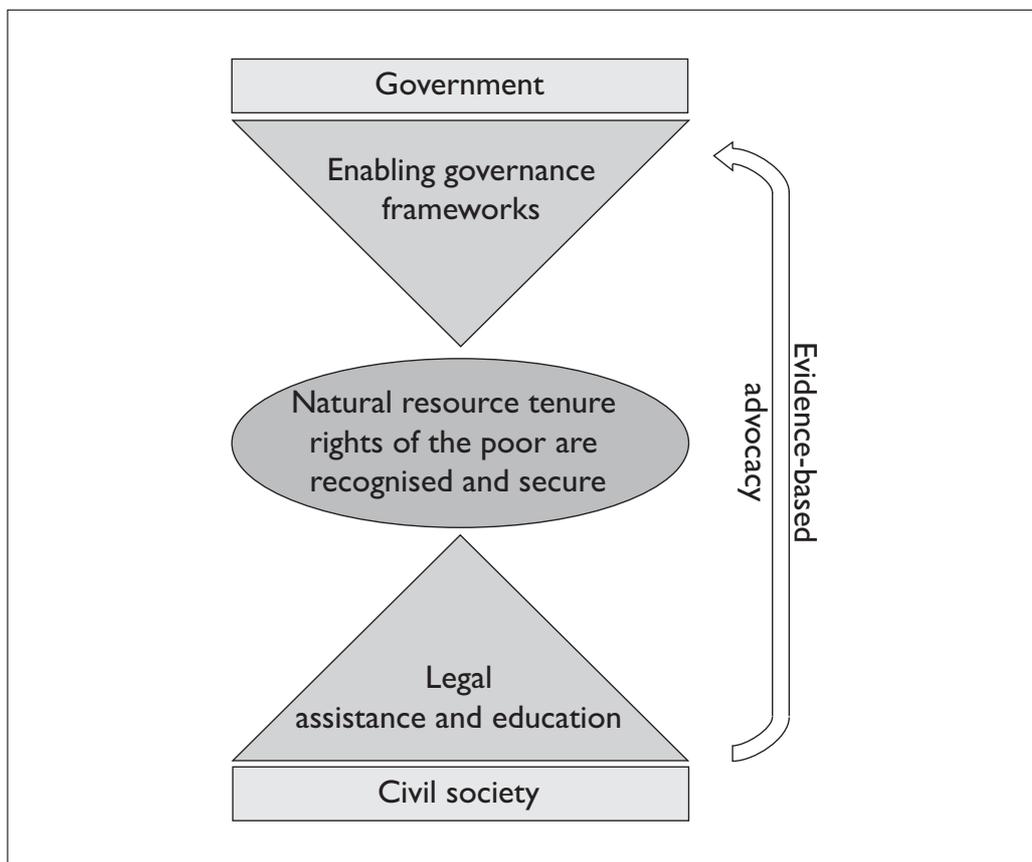
Figure 1: ILC spheres of action in legal empowerment



ILC members have been actively engaging in three interlinked spheres of action related to legal empowerment (even if they may not have used this term to describe their activities): by participating in the formulation of land policies and laws; by monitoring the implementation of such laws (including international conventions); and through working to address land conflicts, protect human rights and provide legal assistance.

From ILC's point of view, legal empowerment of the poor requires both an enabling legal and policy framework and an enhanced capacity by poor women and men to access and use that framework. Thus ILC focuses both on advocacy for pro-poor reform and on enabling the poorest and most vulnerable groups to benefit from existing laws; acting from both below and above in order to secure the natural resource tenure rights of the poor. Key to linking both approaches is to draw on the experience of the ILC membership to produce evidence and recommendations to be used in advocacy.

Figure 2: Ensuring recognition of tenure rights from “above” and “below”



ILC works to promote a meaningful participation of poor women and men, for which information is essential – both in terms of CSOs accessing and disseminating information and in terms of filling information gaps. ILC has therefore focused on monitoring⁷ on one side, and on promoting legal empowerment (specifically of women as a pilot project) on the other – closely linked and built on one another. Analyses by civil society organisations of how existing laws and administrative practices contribute to the non-recognition and non-protection of the tenure rights of the poor, particularly women, can inform initiatives to counteract such exclusion by providing legal assistance. Likewise, the work of CSOs contributing to women’s legal empowerment through targeted legal assistance to women

⁷ See the Land Reporting Initiative at the national, regional and global level: <http://ilcsite.landcoalition.info/global-initiatives/land-reporting-initiative>

in vulnerable communities is an important source of evidence to inform advocacy strategies at national and global levels.

ILC has supported activities on women's access to land, from local and national to advocacy work at the global level, starting with the Women's resource access programme (WRAP), a series of workshops to offer space to women to voice their opinions and concerns on land (held in the early 2000s in India⁸, Cambodia⁹, Indonesia¹⁰, Kenya¹¹, Nepal¹², and Uganda¹³) and leading to a 3-year research project to promote action-oriented research to build an evidence base for advocacy entitled Securing women's access to land (SWAL): Linking research and action, with 10 small research projects carried out by partnerships of NGOs, CBOs and research institutes in 7 countries in Eastern and Southern Africa¹⁴.

However, it is from the experience of the Community empowerment facility (CEF) that women's empowerment clearly emerged as a key issue. The goal of CEF – one of ILC's primary programmes 1999-2008 – was to enhance ability of poor rural women and men and their organisations to gain and maintain access to productive resources. CEF was a catalytic co-financing facility for building the capacity of CSOs and supporting innovative approaches and initiatives for scaling up. The CEF clearly demonstrated women's empowerment and women's land rights are intertwined:

- Women's land rights are relevant to women's empowerment: CEF projects showed that securing land rights for women contributes to women's empowerment.
- Women's empowerment is part of community empowerment: CEF projects also demonstrated that women's empowerment is an essential component of community empowerment.
- It is necessary to deliberately involve women in the struggle for land rights – it won't just happen! Involving women in the process of gaining social and legal recognition of land rights necessitates deliberate

⁸ http://www.landcoalition.org/pdf/WRAP_india.pdf

⁹ http://www.landcoalition.org/pdf/WRAP_camkmr.pdf

¹⁰ http://www.landcoalition.org/pdf/WRAP_indonesiau.pdf

¹¹ http://www.landcoalition.org/pdf/WRAP_kenya.pdf

¹² http://www.landcoalition.org/pdf/WRAP_nepal.pdf

¹³ http://www.landcoalition.org/pdf/07_wrap_uganda.pdf

¹⁴ More information about the project is available at:

<http://www.landcoalition.org/global-initiatives/womens-access-land/linking-research-and-action>

approaches by the implementing organisations that unfortunately are not always well equipped to effectively address those issues internally and externally.

The CEF highlighted the links between land and empowerment, showing how often complex processes of social, political and legal empowerment are involved for poor and marginalised communities to realise rights to land and related natural resources, and how such empowerment, and such rights, can constitute critical enabling conditions for improving livelihoods in what are processes of economic empowerment (ILC 2009).

Partly in response to the lessons learnt from the CEF, WRAP, and SWAL, ILC more recently supported a series of pilot projects of community-based activities promoting women's legal empowerment. To identify activities to be supported, ILC issued a call for proposals, suggesting a number of themes of which the following received the most attention.

- raising legal awareness, through grass-roots level social mobilisation, various media channels or popular culture;
- organising community-based training, sensitisation and consultations on land rights and mechanisms for their adjudication and enforcement;
- providing paralegal services and legal aid, particularly for the resolution of disputes over inheritance and demarcation.

It is important to note that organisations working at the community level perceive the raising of legal awareness and community-based training and consultations as the key areas for activities that promote the legal empowerment of women. Five projects were supported by small grants in 2009 and 2010¹⁵ (ongoing now in Phase 2):

SWADHINA, India: "Bringing land rights to the grassroots women: creating awareness on socio-legal rights in West Midnapore district of West Bengal in India". The main objective of activities was to develop a socio-legal awareness on land rights as well as a sense of gender justice among a group of women and poor rural families;

¹⁵ For more details, see <http://www.landcoalition.org/global-initiatives/womens-access-land/ilc-announces-winners-call-proposals> (page to be updated) or contact ILC.

SARRA (South Asia Rural Reconstruction Association): “Sustainable empowerment of tribal communities through land rights movement with women’s partnership for securing dignity and equity”. The aim of activities was to enhance awareness and knowledge, motivation and leadership among women in tribal communities to stimulate participation in a movement for tribal land rights;

OXFAM GB, Pakistan Programme: “Promoting women’s property rights and ownership in Pakistan”. The project not only provided legal assistance to women but also worked closely with the media to raise awareness of the flaws of the Land rights programme in Sindh Province.

UEFA (Union pour l’Émancipation de la Femme Autochtone): «Projet de renforcement de la sensibilisation des autorités et des communautés aux droits fonciers des femmes autochtones pygmées des provinces du Sud-Kivu et du Nord-Kivu» (Project to reinforce sensitisation of authorities and communities to the land rights of pygmy women in South and North Kivu provinces). UEFA’s project focused on sensitising pygmy communities, traditional customary leaders and provincial level government authorities on the equitable land rights of pygmy women;

CINEP (Centro de Investigación y Educación Popular): “Empoderamiento legal de mujeres para la exigibilidad del derecho da la tierra y al territorio de mujeres en el Valle del Cauca, Colombia” (Empowerment of women for the for the exercise of their rights to land and territory in the Cauca valley, Colombia). In a context of increasing concentration of land ownership affecting rural women (in particular indigenous and Afro-Colombian women), many of whom have been internally displaced, activities focused on education, research and advocacy, with the aim of building women’s capacity to demand and exercise their rights.

Activities included raising the legal awareness of women through grass-roots mobilisation, community trainings and consultations, and the provision of paralegal services. All were aimed at improving the ability of women to use legal and administrative processes and structures to gain or maintain land rights and to benefit from related opportunities. Each of the projects achieved their objectives, despite some challenges experienced, and this contributed significantly to change at the local level.

This change, mainly in the awareness of women who previously did not know about their land rights and the legal procedures to claim those rights, is sustainable in terms of the knowledge acquired. It is, however, important to note that these projects have only been the initial step in a process of empowerment that needs to be nurtured over a longer period of time. The project reports from the five projects, while each set in a very specific context, show certain commonalities that are worth looking at in depth¹⁶:

Women's interest in receiving information on land rights

A first point of interest that emerges across the projects is that women are very enthusiastic to learn about their land rights (and their rights more generally). This is due to a lack of information, undoubtedly, but may also be a result of women's exclusion from the public sphere and their status in the household based on gender-specific roles and responsibilities assigned to them.

Women lack information because they do not participate in the public sphere, and are not aware of laws and policies, an area which is still considered the men's domain. Women face obstacles when they want to attend meetings in most contexts, due to cultural restrictions on women participating in a meeting with men, but also due to a workload (households and agricultural activity) that does not allow them to leave to attend a meeting. The end result is that women are less informed about anything that happens outside their household, and possibly also less concerned with such issues, because they are traditionally "men's business".

This enthusiasm for acquiring information, for learning about their rights means that there is great potential for working with women on building their legal awareness.

Perceptions of gender equality

The reports from the projects show very clearly that gender equality or gender justice is not a familiar concept in rural areas, where gender stereotyping is prevalent and tasks are very clearly assigned based on gender. In addition, while the laws and policies may refer to gender equality, the concept has not been internalised and/or translated into action at the

¹⁶ Project reports received by ILC and synthesised, project briefs available on request.

local level – and sometimes even at the higher level, where rhetoric may be gender-neutral but actions are not, because little attention is paid to promoting gender equality.

In terms of the need for future action, this means that raising awareness has to take place at all levels, from members in a household to traditional leaders in the community, and from officials at the regional administration to policy-makers. Despite official recognition that gender equality should be a goal (often recognised through the signature of international agreements or national level laws and policies that enshrine gender equality), there is a lack of action from the authorities to promote gender equality at all levels.

It is really this area of activity that seems to be the crux of legal empowerment, particularly for women, to change the perception, held by both men and women, that a woman's place is in the house and that all official interaction with authorities, whether it be at the local level with traditional authorities or with state authorities, is the responsibility of the husband and head of household. Women's legal empowerment hinges on the recognition, by men and women themselves, that women have legal rights and need access to legal information in order to claim and protect these legal rights.

Addressing different levels appropriately

There are some interesting lessons to be learnt from the various levels and different audiences targeted by the five projects. The activities undertaken included:

- monitoring a government programme and making suggestions for improvement, supported by a media campaign that put pressure on the government to act and recognise flaws in the programme (Oxfam Pakistan);
- raising awareness of officials at block and district level (India, SWADHINA), advocacy directed at government authorities at the provincial level (UEFA, DR Congo);
- mobilising people at the grassroots to claim their rights by filing legal documents with government offices (SARRA, India).

What emerges from the reports is that addressing different levels can be very challenging and that there is a clear role that NGOs and other civil society organisations can play in bridging the gap between communities

and authorities by building the capacity of local people and their organisations. It is important that local organisations, such as the self-help groups for women in India, build their knowledge on the legal framework so that they can be a point of reference for community members. It is also crucial that they build their capacity of mobilising community members and their ability to present the demands made by community members to the relevant authorities – something which often has less to do with capacity than with confidence to interact with people at a higher level in the hierarchy.

Importance of capacity-building targeted at women

While raising awareness across the board is clearly important, it is equally crucial to dedicate specific attention to enhancing women's capacities in various ways. In the projects supported, capacity-building was carried out through leadership training, signature training, participatory analysis of challenges faced, experience sharing and paralegal training.

Such activities are important firstly because an enhanced capacity to read and write enables women to claim their legal rights, and an enhanced leadership capacity enables them to mobilise other women, form support groups, and interact with authorities. The second important result of capacity-building, which has emerged across the projects is that capacity-building, regardless of the actual content, strengthens women's self-confidence.

Literacy is a big issue, as in almost all contexts, women are likely to be less literate than men: often, they are not able to read and understand official documents and sometimes not able to sign their own name. This lack of literacy means that they can easily be deceived when it comes to land-related transactions, but it also results in a lack of confidence. The experience from India (SWADHINA) shows that signing their own name can be a first step for women to gain the confidence to exercise their rights as citizens.

All project reports highlight the importance of education for women – while there may be other very important focus areas, it is clear that functional literacy is a pre-requisite for women to be full citizens, not only for the ability to read and write and thus deal with official documents, but also for the confidence women gain when they become literate.

Importance of accessible information

Land rights are not going to materialise because of policy change where people have little access to justice, to information, etc. – but raising people's awareness of their rights by providing them with information can lead to significant results as people claim their rights.

This is especially true for women in most of the settings where the projects were carried out, because women are more likely to be illiterate, lacking formal education and information about their rights. Women are also, because of the gendered stereotype that their main role is in the household, the private sphere, not participating much in the community on any issues related to land rights, so it is even more important to work at the local level with women.

It emerged from the project that there is a lot of demand for information on laws that is accessible to people (in local, jargon-free languages), so that the production of materials for use at the local level was central to most of the projects. The translation of legal texts is a key step towards enhancing legal awareness, as is using other forms of communicating content of laws, including non-verbal, considering that levels of illiteracy are generally higher among the poorest strata of the population (and even more so among women).

The use of radio, posters, images, theatre and cultural performances, songs, and cartoons (SWADHINA, CINEP, UEFA) is crucial to successfully raising the legal awareness of poor women and men, as these tools make information not only more accessible but also more entertaining and less intimidating than presenting information in a formal way.

Role of CSOs

In multi-stakeholder land governance, civil society organisations can serve as a bridge between communities and government, but adequate participation of community representatives needs to be promoted to avoid a paternalistic attitude (capacity-building of communities, leadership training, etc). As stated by SARRA, India, "political will coupled with administrative support and grassroots partnership of the local community" is the recipe for a successful empowerment initiative.

CSOs can also play an important role to highlight problems faced by communities to the media. Close collaboration with the media can have a strong impact, especially when addressing government, as has been the case of Oxfam's project in Pakistan. Because efforts were made to inform

journalists, including by taking them to project sites, media attention increased and government responded to this attention by admitting that there were flaws in the land distribution programme that needed to be addressed.

Last but not least, CSOs have been instrumental in assisting community members in identifying common causes for which to struggle, or rather, in creating a platform for future collective action owned by the community. As a result of CSO-supported activities, a number of manifestos, declarations, and group analyses have been produced (CINER, UEFA, SARRA).

Empowerment toward emancipation

All organisations implementing projects stressed that the activities organised have achieved significant results in the sphere of the legal empowerment of poor and marginalised women. There are many other dimensions of empowerment to be explored and related to legal empowerment to achieve full emancipation of women. Once awareness raising activities take place, a process is set in motion as participants share their newly acquired knowledge with others, and it is important to have information readily available and accessible to people, preferably through support structures such as women's groups, watchdog groups, etc.

It also emerged across the projects that it is very important to follow-up, especially at grassroots level, beyond awareness and training activities, for instance, by establishing local groups composed of different stakeholders, including lawyers, activists, and community leaders, including both women and men, so as to make women's empowerment a common goal. Such groups, an important resource for local women in terms of the information they can provide and assistance they can give to help women reach policy-makers at higher levels, have been established or are planned by various project partners in different contexts (SARRA and SWADHINA, India; Oxfam, Pakistan).

Conclusion and questions for discussion

To return to the question asked at the beginning of this paper, i.e. are women's land rights and women's empowerment one and the same, ILC's experience shows that there is a significant overlap and interdependence of women's empowerment, especially in legal terms, and securing women's

land rights. Legal institutions and procedures are of critical importance to secure effective land rights – at the same time, land rights cannot be reduced simply to formal legal entitlements. Land rights have different sources of legitimacy, including the formal legal and administrative system, but also the social system within a community or household and customary norms applied to land.

The concept of land rights in itself broadly refers to a variety of claims to land and its products, and any legitimate claim to land rights implies exercising power over that land, thereby implying a degree of self-determination of the claimant. Returning to the lessons from the ILC's CEF, it is evident that secure land rights contribute to women's empowerment and vice versa. It is also clear, on the other hand, that secure land rights are not sufficient to fully empower women, especially economically. While this is currently beyond the scope of ILC's work, there is great potential for researchers and civil society organisations to work in partnership in order to identify the steps that need to be taken once women's land rights are secured to continue empowerment processes, so that land rights can be a basis for livelihoods.

Specifically, some of the areas to continue working on include:

- (re-)focus on the “power” in empowerment, for instance by providing information on citizenship rights and land rights in particular;
- identify and replicate approaches that stress participation of women and men and engage entire communities, emphasising reconciliation;
- support capacity-strengthening for CSOs (especially small organisations) so they can inform citizens as well as advocate for rights to be fulfilled;
- continue the debate on tradition, culture, and recognition of customary rights and whether/how these can be alternatives to top-down legal frameworks promoting gender equality;
- build partnerships with like-minded organisations working on women's rights to put land/NRM issues on the women's rights agenda;
- build partnership with academia to continue linking research and action – for instance, on alternative models of production (that can ensure food sovereignty).

For ILC, addressing the gender dimension of secure and equitable access to land is part and parcel of a pro-poor approach to land governance. In a

context in which commitments remain largely rhetorical due to a lack of political will, the challenge for ILC is to continue to promote women's access to land by identifying and supporting practical solutions, particularly at the grassroots level, and advocate with policy-makers for their replication. Legal empowerment is one solution that has a direct impact on the lives of women through concrete activities that inform women of their rights, help them to access justice, and enable women to assert their claims within the community.

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