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Women and Land Deals in Africa and Asia: Weighing the Implications and Changing the Game

Elizabeth Daley^a & Sabine Pallas^b

^a Mokoro Ltd, Old Music Hall, 106-108 Cowley Road, Oxford, OX4 1JE, UK

^b Secretariat of the International Land Coalition (ILC), Paolo di Dono, 44 3B Piazza Sta Maria, Rome, Lazio 00142, Italy

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WOMEN AND LAND DEALS IN AFRICA AND ASIA: WEIGHING THE IMPLICATIONS AND CHANGING THE GAME

Elizabeth Daley and Sabine Pallas

ABSTRACT

Large-scale land deals have attracted much attention from media and policymakers, and several international initiatives are attempting to regulate and address the impacts of such deals. Little attention has been paid to the gendered implications of such deals in the literature, and most regulatory initiatives do not address gender adequately. To fill this gap, this contribution identifies implications of land deals for women and recommends measures to mitigate negative impacts. It reviews evidence from four case studies commissioned for the International Land Coalition (ILC) *Global Study of Commercial Pressures on Land* conducted in 2010. The evidence is analyzed within a framework that posits women's vulnerability to land deals as due to four dimensions of underlying discrimination. This study analyzes three of these dimensions in depth, arguing that women are likely to be affected differently by land deals and disproportionately more likely to be negatively affected than men.

KEYWORDS

Women, land, rural economic development, gender

JEL Codes: Q, Q15, Q18

WOMEN AND LAND DEALS: DEFINING THE ISSUES

A wave of large-scale, land-based investments across the developing world – a “land rush,” including land gained through acquisitions, leases, and concessions – has captured public attention in recent years (Ward Anseeuw, Liz Alden Wily, Lorenzo Cotula, and Michael Taylor 2012). This phenomenon – referred to here as “land deals” – is not new. Increased demand for and competition over land, at both a large and small scale, has historically accompanied market economic expansion (Chris Huggins 2011). The current situation, however, is distinguished by the pace and magnitude of change and the extent of penetration of the market economy into remote territories, facilitated by land and investment laws that allow

for the legal appropriation of land on a much greater scale than previously, and without adequate protection for the land rights of rural people ([Michel Merlet and Clara Jamart 2009](#)).

Land deals generally involve the conversion of land use for economic gain, and the deals are often accompanied by land privatization and concentration.¹ Some land deals – but not all – may be “land grabs” as defined in the International Land Coalition (ILC)’s Tirana Declaration (2012),² and a growing literature analyzes and discusses the overall phenomenon, including its drivers ([Saturnino Borrás Jr. and Jennifer Franco 2010](#); [Annelies Zoomers 2010](#)). The rush for land has potentially important gendered implications, as changes in land use have historically been likely to be influenced by systemic discrimination against women ([Judith Carney 1988](#); [Bina Agarwal 1994](#); [Ann Whitehead and Dzodzi Tsikata 2003](#); [Carmen Diana Deere 2005](#); [Elizabeth Daley 2011](#)).

A common argument for land deals is that the potential economic benefits (to investors and rural people alike) will improve livelihoods. However, land deals may also result in critical land loss by rural people, especially if there are no legal or procedural mechanisms in place to protect local rights, interests, livelihoods, and welfare ([Lorenzo Cotula, Sonja Vermeulen, Rebeca Leonard, and James Keeley 2009](#)). Land loss particularly affects women, who, as we argue below, are relatively disadvantaged with respect to land deals vis-à-vis men. The rush for land may present an opportunity to contest and mitigate unjust and discriminatory processes by questioning their legitimacy ([Anseeuw et al. 2012](#)). If so, this will also be an opportunity to achieve gender justice,³ given both the importance of women within agriculture in developing countries ([Food and Agriculture Organization of the United Nations \[FAO\] 2011](#))⁴ and the potential for the rush for land to deepen gender inequalities in access to and control over resources.

GENDER IN THE LITERATURE ON LAND DEALS: IDENTIFYING THE GAPS

There has been a notable lack of attention to gender issues within the emerging literature on land deals, in effect a state of “overwhelming gender blindness” (Daley 2011). Such “blindness” has been particularly the case with respect to the literature on land deals for biofuels – a key driver in Africa and Asia. As Daley (2011) argues in her paper for the ILC’s *Global Study of Commercial Pressures on Land*, although the literature touches on the likely implications for women, there has been little detail on individual cases – cases that might shed light on how detrimental effects of land deals on women can be mitigated and potential benefits of land deals maximized. Daley’s paper therefore provides an extensive review of the literature on gender and land deals and analyzes the evidence emerging from a wide range of country case studies carried out for the

ILC. Another important exception is an International Food Policy Research Institute (IFPRI) discussion paper that takes a process-oriented approach in considering the gendered implications of land deals at different stages and outlining the responsibilities of various sets of key actors for prioritizing gender equality, including governments, civil society actors, and domestic and international investors (Julia Behrman, Ruth Meinzen-Dick, and Agnes Quisumbing 2011). Nevertheless, the majority of recent papers on land deals, land grabbing, and biofuels published and made public by global development organizations tend not to address gender in a substantive way.

For example, a United Nations report on the potential of biofuels argues in general terms that increased access to bioenergy might ease women's time burdens and reduce poverty at the household level and that their cash incomes might increase through employment within biofuels production – even though it also raises concerns for women's health and safety, particularly from the use of pesticides in the industry (UN-ENERGY 2007). An analysis of gender and biofuels from FAO draws specific attention to how gender roles, responsibilities, and inequalities are reflected in liquid biofuel production (Andrea Rossi and Yianna Lambrou 2008). Citing the importance of so-called “marginal lands” and common property to women, Rossi and Lambrou's report highlights potential risks to women from land deals through biodiversity loss and reduced access to and availability of edible wild plants, water, and firewood – all of which affect women's poverty status and their family's food security and resilience to shocks – as well as (again) health concerns from spraying pesticides without proper training or safety equipment. However, the authors note that the introduction of technology within biofuels production might present women with relatively more employment opportunities than men, as heavy “men's work” becomes mechanized and because women workers are often preferred in the plantation agriculture created by many biofuels-linked land deals (Rossi and Lambrou 2008).

Health issues for women are also raised in a FoodFirst Information and Action Network (FIAN) study of a major rice-farming investment in wetlands on the shores of Lake Victoria in Kenya, where badly paid women workers remained on the plantation when pesticides were sprayed (FIAN 2010). This study records reduced access to water after the investors fenced off the river and canal, an action that affected fishing, farming, and livestock-keeping activities, including the harvesting of papyrus and sisal, which had been particularly important to poor women's livelihoods (FIAN 2010).

The World Bank's *Gender in Agriculture Sourcebook* (World Bank, FAO, and International Fund for Agricultural Development [IFAD] 2009), an otherwise extremely comprehensive resource on gender, does not address the gendered implications of land deals, except in a “Frequently Asked Question” on the Sourcebook's website (World Bank 2011). Question 8 raises concerns about the growth of biofuels production: the resource

constraints that might limit women's ability to work in biofuels production, the negative effects on family food security as women's agricultural activities are displaced by related land deals, and the potential negative impacts on "marginal lands" that contain important natural resources. Question 8 expresses further worry that women's time burdens would increase because they would walk farther to access new sources of water, firewood, and edible wild plants – journeys that would also make the women more vulnerable to gender-based violence.

More broadly, but again in general terms, [Alexandra Spieldoch and Sophia Murphy \(2009\)](#) describe some of the risks and opportunities for women's livelihoods as a result of land deals based on the discrimination they face within formal and customary land tenure arrangements, their lack of resources as small-scale farmers, and their limited political participation in local governance institutions. These factors make it difficult for women to gain justice if their land is appropriated by the state or community, leaving them no choice but to work on the farms of others or find employment elsewhere, such as in commodity processing factories.

Other important gender issues emerge from the population displacement caused by land deals. An Oxfam report on biofuels production in Africa highlights the complexity of compensating people for formal and informal land rights and argues that the compensation process should involve consultation and, ideally, a neutral broker to ensure that gender inequalities are neither perpetuated nor intensified ([L. Haywood, G. von Matlitz, K. Stezkorn, and N. Ngepah 2008](#)). Loss of land rights is a particular problem for women where customary land tenure prevails and where perceived economic benefits to the community gained from a land deal as a whole may override usufruct rights enjoyed by individual community members. Because women's land rights are generally less secure within these sorts of tenure arrangements (see [Whitehead and Tsikata \[2003\]](#); [Elizabeth Daley and Birgit Englert 2010](#)), even land deals that involve support to small-scale farmers can lead to uneven distribution of benefits at the household level, especially if the jobs women get are for lower pay than men's and they are pushed into using less productive land to maintain family farming ([Haywood et al. 2008](#)). Likewise, [Haywood et al.](#) argue that outgrower schemes linked to land deals – often favored for their potential to boost rural development – should be monitored or regulated to ensure that small-scale farmers' rights are protected, and to prevent men benefiting disproportionately from income derived from such schemes when women provide the majority of the labor.

Some of the gender issues identified in the literature on land deals are political as well as economic – relating to women's role in decision-making processes and institutions as well as to their land, livelihoods, and food security. For example, both [Mary Wandia \(2009\)](#) and [Isilda Nthumbo and Alda Salomao \(2010\)](#) have argued that women do not usually participate

in the negotiations held in their communities about potential land deals, and, as [Haywood et al. \(2008\)](#) also noted, their land rights are routinely undermined as a result of displacements, evictions, and encroachments on their lands. In practice, land dispossession can be extremely violent and include rape, murder, and torture of women as a means to subjugate populations – as in the infamous Loliondo case in Tanzania ([Feminist Activist Coalition \[FEMACT\] 2009](#); [Nidhi Tandon 2010](#)). Particularly when land deals take place in contexts of lack of transparency and corruption, poor women – who are often “women without men” to support them ([Elizabeth Daley 2005](#)) – are more likely to face violence. Women trying to protect their land rights are potentially vulnerable to predatory male officials who – even without resorting to sexual or violent abuse – may simply take women less seriously than men ([Ingunn Ikdahl 2008](#); [Daley 2011](#)). Furthermore, when communities are weak, the women, especially the poor and vulnerable among them, will be even weaker.

A few studies have started to look at specific land deals and unpack their gendered implications. ActionAid has documented negative impacts on women’s livelihoods from several land deals, including a case in Ghana in which land planted with karité nut trees, essential to rural women’s livelihoods, was granted to an investor for biofuels production, and multiple cases in Mozambique and Tanzania in which land used by rural women for family food production was granted to investors for jatropha cultivation ([Karen Hansen-Kuhn 2008](#); [Tim Rice 2010](#)). Likewise, FAO has embarked on a multicountry study of the gender and equity implications of large-scale, land-based investments in agriculture, focusing on individual investments and business models ([Elizabeth Daley and Clara Mi-young Park 2012](#); [Elizabeth Daley, Martha Osorio, and Clara Mi-young Park 2013](#)). In contrast, the International Institute for Environment and Development (IIED)’s studies of the impacts of biofuels investments on rural communities in Tanzania and Mozambique ([Emmanuel Sulle and Fred Nelson 2009](#); [Nhantumbo and Salomao 2010](#)) found very few visible impacts on women because the actual land-use changes in the field lagged far behind the signing of national deals with investment-promotion agencies ([Daley 2011](#)).

Overall, therefore, although the literature suggests some likely gendered implications of land deals, many analytical gaps remain and many details need to be filled out for specific cases before firm conclusions can be drawn. Moreover, while potential disadvantages to women from land deals are acknowledged in the literature, they have tended to be overlooked in policy and regulatory design, as we explain further below.

WOMEN’S VULNERABILITY TO LAND DEALS: FRAMING THE CASE

From a policy perspective, it is difficult to separate out analysis of the gendered implications of land deals from broader debates about the relative

importance of small-scale agriculture (and consequently the tenure security of small-scale farmers, particularly women farmers) to global food security (Daley and Englert 2010; [Beatrice Costa 2010](#); Borras and Franco 2010). A useful approach is to separate out the different dimensions of women's vulnerability to land deals in terms of distinct gendered implications that generally produce differential and more disadvantageous effects for women than for men. While women are not a homogenous group, and their experience of land deals differs according to their status in their families, clans, communities, and societies, their relative wealth and age, their marital status, and their education level, Daley (2011: 6) argues that "women are both likely to be affected differently to men" by land deals and to be disproportionately more "negatively affected than men because they are generally vulnerable as a group." This vulnerability comprises four dimensions: productive resources, relative income poverty, physical vulnerability, and participation in decision making (Daley 2011).

The most basic productive resource for people depending on agriculture for their livelihoods is land. Yet, despite women's crucial contribution to agriculture and family food security, women across the world face systemic discrimination in their access to, ownership of, control over land and the income from its productive use, and in the legal protection of their property rights (Daley 2011). Social norms and customary practices often restrict women's ability to own land; and if they do own land, it is generally of a lesser quality and size than men's ([FAO 2011](#)). At one extreme, statutory legislation may prevent women from holding land rights independently of their husbands or male relatives; more commonly, customary practices may override women's equal land rights – even where these are enshrined in constitutions – if protective statutory laws are not fully enforced (Daley 2011). Nevertheless, the generally limited effectiveness of formal legislation to ensure women's property rights is widely recognized (Agarwal 1994; [Shahra Razavi 2003](#); Whitehead and Tsikata 2003; Daley and Englert 2010).

Furthermore, women are relatively (cash) income poor vis-à-vis men, a second dimension of their vulnerability to land deals that is closely related to the first – as discrimination in relation to productive resources contributes to poverty and affects women's ability to participate in markets (Daley 2011). This is important because markets privilege those with money to buy land (Daley 2005) and because women generally receive lower wages than men and are thus less likely to benefit from any employment created by land deals. A further land–poverty link, of broader significance to livelihoods and food security and indicated in much of the literature noted above, arises with respect to common property. Relative poverty also links to a third dimension of women's vulnerability to land deals: their physical vulnerability, as manifested in cases of property grabbing from widows and the gender-based violence around land deals noted above ([Kaori Izumi 2007](#); [FEMACT 2009](#)).

Last, women face systemic discrimination in sociocultural and political relations, particularly with respect to their participation in decision making. This fourth dimension of vulnerability to land deals also contributes to women's income poverty relative to men through the effect of the discrimination on their ability to access and control productive resources (Daley 2011). Women's lack of participation in decision making at all levels of government and society has particular implications for the development of regulatory frameworks and guidelines around land deals – especially in how women are involved (or not) in power-sharing and decision making during negotiations and agreements with investors on individual deals. Where guidelines refer to consultations between investors and communities for free, prior, and informed consent (UN General Assembly Human Rights Council 2009; Joachim Von Braun and Ruth Meinzen-Dick 2009), the question remains: whose consent?

The four cases from the ILC *Global Study* we discuss below allow us to build on this analytical framework by exploring three of these four dimensions of women's vulnerability to differential, and potentially more negative, effects of land deals in more depth – the dimensions of productive resources, relative income poverty, and participation in decision making. Concerning productive resources, there are issues about tenure rights of access to land. Concerning relative income poverty, there are issues about labor and employment with regards to livelihoods, food security, and common property. Concerning participation in decision making, there are issues about women's abilities to exercise voice and choice and to serve as community leaders.

EVIDENCE FROM THE ILC GLOBAL STUDY: APPRAISING THE CASE

The evidence we draw on to explore these issues comes from four country case studies within the ILC *Global Study of Commercial Pressures on Land* – Ethiopia, Rwanda, the Philippines, and India, focusing on land deals from the late 1990s to 2010. Neither the *Global Study* itself nor its component case studies were specifically designed to address gender, and in most of the case studies gendered aspects were not specifically investigated because analysis focused on the impacts of land deals on vulnerable communities as a whole. Nonetheless, these cases are of interest because they provide more up-to-date, field-based evidence of gendered implications from specific land deals than has generally been found in the literature. Daley's work (2011) was based on initial careful reading and discussions with the authors to help draw out the gendered implications from their fieldwork. In the present contribution, we outline the gendered implications that were uncovered within the analytical framework and focus we have just described above.

Ethiopia – multiple losses from agricultural development on common property

The Bechera Agricultural Development Project is located on the 35,000-hectare Bako Plains, an environmentally sensitive area of common-property grazing land in Oromiya Regional State – one of two states in Ethiopia proving particularly attractive to foreign investors seeking to grow food crops for export. Although mainly used for grazing, isolated areas of the Plains are used by local people during the dry season for cultivating teff, niger seed, and sorghum – all staple foods in Ethiopia. An Indian company, Karuturi Global Ltd, owns the Bechera Project farm; it leased 10,700 hectares from the state government for thirty years in 2008. At the time of ILC's research in 2010, about 4,000 hectares had been cultivated for maize and a palm tree nursery, and field trials were being conducted for rice, bottle gourd, banana, pepper, and several maize varieties.⁵

In terms of productive resources, the main effect of the Bechera Project has been to restrict tenure rights of access to a large area of common-property grazing land of substantial importance to local people. Moreover, none of the survey respondents in ILC's research reported receiving any cash or other compensation for the lost common land, despite their high dependency on it for their livelihoods. The gendered implications of this loss of tenure rights were mediated through the effects on women's income poverty relative to men (where there have been some gains for women in terms of employment), coupled with overall losses in relation to common property and livelihoods. For example, 11 percent of survey respondents claimed to have family members employed in the Bechera Project, and most of the 500 seasonal workers employed each year were from the local area. On average, 70 percent of these seasonal workers were women, and thus local women, including some of the supervisors. Employment patterns depended on the type of activity and the agricultural season, with women workers predominating in weeding, harvesting, and threshing tasks and men in plowing, sowing, and full-time employment as guards. These results suggest a new source of cash income for the women workers, but the overall effect must be balanced against substantial losses in relation to livelihoods. These losses arose from the project's reduction of people's access to the formerly common-property wetlands for grazing livestock, an important livelihood activity in which women and children played a greater part than men. Women had greater responsibility than men for day-to-day livestock management, and typically obtained regular cash income for household expenses from selling livestock products such as butter.

The Bechera Project has also reduced access to housing construction materials previously gathered in the wetlands, increasing labor burdens for both women and men as they now have to walk farther to find these materials. Likewise, women reported that they have to walk farther than before to fetch water for their own and their livestock's needs, as shallow

wells had dried up and access to local pond and river water was no longer assured since the land was leased. Some roads were blocked, and the project did not allow livestock grazing even on the stubble of its farmed land; nor had it demarcated livestock corridors to watering points in the wetlands. Both women and men water livestock, but fetching water is mainly the task of women. The increase in women's labor burdens shows that women have been most affected by these restrictions to water access.

With respect to participation in decision making, ILC's research found an overall lack of consultation and communication between local people and the Bechera Project. However, the research team's experience indicated that women would probably not have been consulted about the land deal in any case, as community representatives had to be persuaded to invite women for public discussions. It was also difficult to involve women in the research at *kebele* (village) level without authorization letters from the *woreda* (district) level. The project therefore appeared to have had no positive effects for women's participation in decision making, and their ability to exercise their voice and choice remained weak.

Rwanda – relative income poverty and commercial sugarcane production

Marshlands at the bottom of all Rwanda's river valleys have long been state-owned land, but in practice they have been widely used by local people for cultivation, especially during the dry season when land on the hillsides becomes less productive. In 2005, Rwanda's *Organic Land Law* formally mandated state ownership and management of marshlands. Since then, the government has increasingly leased these lands to individual farmers and cooperatives as well as to commercial investors for intensive agricultural and livestock production aimed at generating employment and meeting increasing domestic demand for food, particularly around Kigali, the rapidly growing capital city. ILC's research in Rwanda focused on marshland development in this area, where Uganda's Madhvani Group purchased the formerly government-run Kabuye Sugar Works in 1997 and leased 3,100 hectares for sugarcane production for a period of fifty years. The leased land has only gradually come under sugarcane production as parts of it are infertile or waterlogged, and only 1,000 hectares were being directly exploited at the time of ILC's research in 2010.⁶

In terms of productive resources, the leasing of the marshlands to the Madhvani Group has restricted tenure rights of access to a large area of land traditionally cultivated by local farmers. The restricted tenure was experienced as dispossession because local people did not receive compensation for the land they had been farming for generations, and it was a particular problem for women, who are responsible for family food production. The significance of this loss of tenure rights was demonstrated

by the initial resistance the company faced, including damage to crops as corporate sugarcane production expanded.

In regard to the effects for relative income poverty of the Madhvani land deal, there were some tangible gains for local women in terms of increased employment, but there remained concerns over the relatively low wages paid. Although no data were available on the number of women formally employed by the Madhvani Group, around 65 to 70 percent of the 4,000 to 5,000 casual laborers, working mainly in planting and maintenance work, were local women. Wages for this work were widely considered insufficient to support a family, but there was no relative disadvantage to women as wages for all casual laborers were the same. However, Madhvani's wages were lower than those paid by the 1,100 local sugarcane outgrowers to the 2,000 to 3,000 casual laborers they hired daily in the same area, and Madhvani's wages were lower still than what could be earned by men in rice cooperatives or in local mining and construction work. Although Madhvani paid higher wages during the cutting season, when the labor is more exhausting (and young women participate in this employment in considerable numbers in Rwanda), survey respondents generally agreed that working in the field for Madhvani was not a preferable form of employment.

There was also relative disadvantage to women in terms of the possibilities for self-employment as outgrowers. Some 320 of the 1,100 outgrowers supplying Madhvani's factory with sugarcane were women, but around 940 of these outgrowers were small-scale farmers cultivating on less than one hectare of land; of the remainder, only fifteen to twenty could be classified as large-scale farmers, with the outgrowers running bigger operations being predominantly men. All outgrowers were also heavily dependent on Madhvani as a buyer that did not guarantee to purchase their harvests in advance.

Further issues around relative income poverty related more broadly to livelihoods and food security. Almost all casual laborers in the marshlands still had some land on which they grew beans and sorghum for their own consumption, but few of those interviewed during ILC's research continued to generate surpluses for sale on the market – a shortfall perceived as a deterioration in their livelihoods and food security situation. The amount of land local farmers had access to appeared to influence the number of days they worked for Madhvani as laborers, with land-poor people – very often from women-headed households – relatively more likely to be working as casual laborers and thus less likely to be cultivating their own crops, making their family's food security very dependent on employment with this one investor. Moreover, the different family situations of women casual laborers working for both Madhvani and for the outgrowers varied considerably – for example, some had husbands employed in mining or construction, while others lived on their own as single mothers, including many widows. Differences in family situations mediated the livelihoods and food security

effects, and their relative income poverty. In sum, the gendered implications of this land deal appeared overall to be weighted against women in terms of labor and employment, as well as the livelihoods and food security aspects of relative income poverty.

Nonetheless, with respect to participation in decision making, a mitigating factor arose from the government's policy of encouraging small-scale farmers to form cooperatives. Many of the sugarcane outgrowers around Kigali belong to cooperatives, and Rwanda's strong gender-equality stance and world-leading rates of women's political leadership at all levels of government have ensured strong official encouragement for women to form cooperatives and apply for leases to farm commercially in the marshlands. Opportunities for Rwandan women to engage in commercialized sugarcane production thus existed, both as outgrowers and casual laborers; but in reality, wages were relatively low and profits uncertain – so that even in this case, the land deal affected women disproportionately, and the gendered implications were mixed.

Philippines – negative livelihood effects of foreshores enclosure

Land deals over the past fifteen years in two different locations of the Philippines have brought substantial enclosure of formerly common property foreshores. In the municipality of Real, Quezon Province, the long coastline has been subject to reclamation and enclosure by private investors for commercial aquaculture and tourism development, resulting in shrinking mangrove forests and a reduction in local fisherfolk's longstanding tenure rights of open access to the foreshores. Similarly, in the municipality of Calatagan, in Batangas, routes to fishing grounds, docking areas for fishing boats, and recreational areas for local people have been slowly enclosed for private beach resorts while commercial aquaculture development has put pressure on mangroves. By 2010, in the village of Tanagan, for example, shrimp farms owned by just one investor, Vergara, occupied almost all the villagers' land, from the former mangrove forests right out to the foreshores.⁷

In terms of relative income poverty, gender differences appeared around the labor and employment effects of the land deals studied in the Philippines. For example, the Vergara investment in shrimp farming employed mainly Calatagan men in seasonal work during the preparatory and harvest periods of the two shrimp-pond production cycles per year. It was not a regular source of cash income, but it was an employment opportunity that did not exist for women. On the other hand, the majority of seasonal workers in Calatagan's beach resorts were local women, employed as low-wage dishwashers, cleaners, and waitresses for at least two months of each year. In Real, a minority of the local population, mostly men, undertook informal employment in aquaculture at the time of ILC's research, but a

greater proportion of local people depended on fishing as their main source of livelihood.

The effects of land deals on livelihoods, food security, and common property were important in both municipalities, and the effects were heavily gendered. In Real, both men and women fisherfolk used the foreshores for essential livelihood activities – men for accessing fishing grounds and docking their boats, and women for drying seaweed and fish. Although more men than women were involved in fishing, women took part in both capture fishing and aquaculture. In capture fishing, some women assisted in fishing; others cleaned up and mended fishing nets and marketed the fish catch of their male partners. In aquaculture, women prepared food during the preparatory phase of fishpond development and marketed the produce from backyard fishponds. Women in Real also relied on the foreshores for the collection of edible shellfish that contributed to family food security, and they relied much more than men did on mangroves for firewood collection, backyard (illegal) charcoal production, and medicinal leaves.

In Calatagan, the development of tourist resorts, including through land reclamation, has hindered the access of women seaweed farmers to the foreshores for seedling development, for planting and harvesting, and for drying the seaweed harvest. A suspected release of chlorinated waste water from the resorts has been blamed for killing off the seaweed as well. Because men's fish catches were also dwindling with the increased commercialization of the coastal area, women thus had to look for additional sources of cash income to support their families. Women in Calatagan faced the same limitations on their access to the foreshores for cleaning nets, fish drying, and marketing as women in Real. Mangrove depletion has negatively affected men, who relied on them for juvenile fish to populate their backyard fishponds, as well as women, who gathered seafood and fish for family food security and used mangrove wood for backyard charcoal production. The ILC research team concluded that the negative effects of land deals on women in relation to mangrove depletion were greater than the effects on men because women relied on the mangroves to a greater extent than men for their livelihoods and food security. The impact of these differential effects was not offset by employment creation in commercial aquaculture, which mostly benefited men. Land deals on the Philippines foreshores thus have distinct gendered implications for relative income poverty, which have been more severe for women because of their greater reliance on coastal mangrove forests to meet household consumption needs (for food and fuel) and their greater physical reliance on the foreshores land for seaweed farming and for drying fish before marketing. Importantly, these implications arose directly from the broader impact of land deals on productive resources – on people's tenure rights of access to the formerly common property foreshores – in both the areas studied.

Nonetheless, with regard to participation in decision making, the Philippines case provided some positive examples. Women fisherfolk in the Philippines are well represented both at the local and the national levels, with women as leaders of the people's organization, Association of Small Fisherfolk in Calatagan, and as members of Women of Fisherfolk Movement, a national federation of fisherfolk organizations. Such organizations in the Philippines recognize women's contribution to the industry and work to establish women-managed areas in coastal areas used and managed by women fisherfolk. Attention to women's interests, combined with their level of voice and participation, does not undo the disadvantageous effects of land deals, but it at least ensures that women are part of finding positive solutions.

India – land deals and women's political empowerment

India's 2005 *Special Economic Zone Act* allowed the establishment of SEZs by government fiat on request of private investors, with low taxation, heavily subsidized electricity, no restrictions on the use of groundwater, and the state taking responsibility for access roads to nearby cities or facilities such as ports. Between 2005 and the time of ILC's research in 2010, 571 proposals for new SEZs were approved, of which 105 – including Polepally SEZ in Mahabubnagar District in Andhra Pradesh – were operational and already exporting goods and services. Although landowners received some compensation, hundreds of thousands of rural people faced dispossession and eviction in Indian SEZs, with most of those people lacking the skills to take up employment in the industries created.⁸ This has caused serious resistance in SEZs such as Polepally, where the main company, Arvind Pharma, was opposed by the local community under the leadership of lower-caste (*Dalit*) women.

With respect to productive resources, because men traditionally migrated for paid work in Polepally while women farmed, the loss of tenure rights to their land has been a relatively bigger problem for women. People in lower castes also lost more land than those in higher castes, thus driving their leadership of the opposition to Arvind Pharma. Again, the gendered implications of this loss of tenure rights are closely linked to the effects on relative income poverty.

For example, only 3 percent of survey respondents in ILC's research reported getting paid employment in the SEZ, yet the affected villages have permanently lost more than 1,000 acres of farmland, the main source of local food security. The resulting food shortages were felt particularly by women responsible for food provision for their families, and the shortages threatened adequate quantity, timely availability, and quality of food. Before the SEZ was established, women farmers in Polepally saved money from their agricultural production to support their children and grandchildren. Since losing their land, they felt dependent on those same children

and grandchildren and lost their self-respect as a result. Other gendered implications of this land deal included increased strain and friction at home and increased violence against women as poverty, indebtedness, and unemployment have forced affected families to struggle harder to make ends meet. In some villages, there were also more women-headed households as a result of economic pressures that led to increased alcoholism and death in men.

The most interesting gendered implications of this case are in regard to participation in decision making. Women joined or led the resistance against the SEZ and found their voice in the process, thereby becoming empowered to engage politically through adversity. In part, the employment practices that discriminated against older, tribal, and illiterate women led to those excluded mobilizing against Arvind Pharma. One woman who stood in local political elections told the research team that poor women in Polepally had “no option but to organize,” while another said resistance to the SEZ gave her strength to fight for her livelihood and land (Daley 2011: 44).

SOME CONCLUSIONS: UNPACKING THE DEVIL IN THE DETAIL

All four of the country cases described above shed valuable light on the differential effects of land deals on women and men, and thus provide some of the detail about the gendered implications of specific land deals that has been missing in much of the literature. Building on the analytical framework developed earlier in Daley (2011), the analysis presented in this study now indicates a number of common threads and overall positives and negatives for women.

The Ethiopian case study shows clear evidence of relative disadvantages to women from land deals because of their reduced tenure rights of access to productive resources and consequent negative effects for relative income poverty around livelihoods and common property, as well as because of sociocultural obstacles that block women’s participation in decision making about land deals. The Philippines case study also shows clear evidence of relative disadvantages to women from land deals reducing tenure rights of access to formerly common property foreshores. The Philippines case shows consequent effects for relative income poverty in terms of employment opportunities, and also for livelihoods and food security. However, the situation with regard to women’s participation in decision making about land deals is much more positive. The Rwandan case study suggests a more nuanced picture of the gendered implications of land deals, with gains for women stemming from increased employment and self-employment opportunities needing to be offset against the relatively low wages on offer and the significance to livelihoods and food security of reduced tenure rights of access to land – all of which are mediated by Rwandan women’s strong participation in decision making. Finally, the Indian case

study suggests largely negative effects and relative disadvantages to women, as farmers, from reduced tenure rights of access to productive resources from land deals, again manifesting through related effects on relative income poverty with limited employment opportunities for women and increased pressures on their livelihoods and food security. Yet this case suggests the most significant positive effect on women's participation in decision making, with the land deal leading directly to the mobilization and political empowerment of the most vulnerable (*Dalit*) women in their local communities.

The devil lies in the detail of the individual cases studied. Even so, we propose that two broad conclusions can be drawn. First, in rural areas, the gendered implications with respect to common property often seem more important than the effects of land deals on people's land ownership and employment. This is because the effects of land deals for tenure rights of access to common property have more diverse knock-on effects for broader livelihoods and food security – and for women's relative income poverty – than the effects of often limited new employment opportunities, and because women generally have less secure land tenure and more limited land ownership than men. Second, the gendered implications of land deals on the political front may be, in the longer term, as important, if not more important, than those on the economic front in achieving gender justice and moving toward greater gender equality across the board. This is because the negative economic effects of land deals are clearly a driving factor in women's political empowerment in at least some cases, and because, as with any important socioeconomic change, the rush for land opens up scope to contest the status quo.

SOME POLICY IMPLICATIONS; MOVING TOWARD GENDER EQUALITY

Regulatory initiatives – a starting-point

Notable international initiatives attempting to develop regulatory frameworks and guidelines for large-scale, land-based investments in developing countries include efforts by IFPRI (Von Braun and Meinzen-Dick 2009), the German Federal Ministry for Economic Cooperation and Development (Karin Foljanty and Jutta Wagner 2009), and Olivier de Schutter – the UN Special Rapporteur on the Right to Food (UN General Assembly Human Rights Council 2009), as well as the *Principles for Responsible Agricultural Investment that Respects Rights, Livelihoods and Resources* (the RAI Principles) of FAO, IFAD, UNCTAD (United Nations Conference on Trade and Development), and the World Bank (FAO, IFAD, UNCTAD, and World Bank Group 2010), and the *Voluntary Guidelines on the Responsible Governance*

of *Tenure of Land, Fisheries and Forests in the Context of National Food Security* (the Voluntary Guidelines) that were endorsed in May 2012 (FAO 2012).

As Borras and Franco (2010) have observed, a key rationale behind these initiatives lies in the opportunities land deals offer for rural development if the risks can be mitigated to create a win-win situation. IFPRI's code of conduct, for example, proposes elements to ensure transparent negotiations, respect for existing land rights (including customary rights), and benefit sharing, among others (Von Braun and Meinzen-Dick 2009). However, this approach diverges from the human rights approach of the UN Special Rapporteur (Borras and Franco 2010), and much debate exists about the purpose of such initiatives: are they aimed at regulating investment and creating accountability, or merely designed to legitimize the land deals already taking place; and will they be effective in practice? From a gender perspective, some minimum requirements will make it more likely that such initiatives become an opportunity for women. However, as noted, none of these regulatory initiatives, bar one, have explicitly considered the gendered implications of land deals, although most make reference to gender to a limited degree (Daley 2011). The encouraging exception is the development of the Voluntary Guidelines (FAO 2012), where attention to gender was paid throughout the consultative drafting process; the final version is much stronger on gender than any of the other documents mentioned above.⁹ The Voluntary Guidelines have also been followed by the publication of a technical guide to specifically support gender equity in their implementation, *Governing Land for Women and Men* (FAO 2013).

To help guide equitable rural development through land deals and increase the possibilities for achieving sustainable benefits for both women and men, it is necessary to develop gender-sensitive tools and procedures as integral parts of the regulatory initiatives. To this, it must be added that oversimplistic gender-sensitive tools can elicit a negative reaction in contexts where there is entrenched sociocultural and political discrimination against women and where they do not participate fully in decision making (Daley 2011). Women's rights have almost always been considered alien and inappropriate wherever and whenever the battle for them has begun, and a good dose of pragmatism is usually required (Daley and Englert 2010). Tools and procedures must therefore be locally appropriate and not overgeneralized if they are to help women. They must address women's specific vulnerability to the effects of land deals and identify positive examples from a perspective of ensuring outcomes for women that will benefit other poor, vulnerable, and relatively powerless people too (Daley 2011).

Of course, the potential problems with the regulatory approach of mitigating risks and maximizing opportunities from land deals need also to be noted. Borras and Franco (2010) identify a number of concerns; among these, as Daley (2011) argued, three stand out as being particularly relevant

to women. First, with respect to their emphasis on improving the utilization of so-called “marginal” lands, the regulatory approach of the international initiatives threatens women’s very fluid and nonformal rights to the productive resources on those lands, as well as those of other vulnerable groups such as pastoralists and indigenous people (Borras and Franco 2010). Second, regulatory initiatives tend to see formal property rights as part of the solution to risk mitigation, without due acknowledgment of issues raised by property rights formalization for women, including that legally protected land rights are not a sufficient guarantee against dispossession (Borras and Franco 2010). Third, the emphasis within regulatory initiatives on involving local communities in negotiations and decision making does not address concerns about gendered power relations at the local level. As Elizabeth Daley and Mary Hobley (2005) argue, constitutional and legal provisions that proscribe discrimination, particularly discrimination that takes place under customary law and its implementation by national/central governments, are vital in maintaining and protecting women’s rights.

Arenas for action – weighing the implications and changing the game

These concerns aside, there remain important arenas for action and practical measures for those working in the field to help change the land deals game for women.

First, there are arenas for action in relation to productive resources – women’s access to, ownership of, and control of land and the legal protection of their land rights. Measures to support women’s land rights make sense for all people with weak land rights, including indigenous peoples and those relying on common property. One program in Liberia, Uganda, and Mozambique has worked to protect rural communities against encroachments from land deals through community land titling and the legal establishment of a coherent community that can negotiate with outsiders, as well as by supporting those same communities to establish internal land governance that protects the rights of vulnerable community members, including women (Rachael Knight, Judy Adoko, Teresa Auma, Ali Kaba, Alda Salomao, Silas Siakor, and Issufo Tankar 2012). Likewise, experience from Uganda suggests that local NGOs can successfully draw on established norms in working pragmatically with customary leaders and institutions to support women’s land rights (LEMU 2008; Daley and Englert 2010). Because effective strategies to support women’s land rights must be suited and responsive to the situation on the ground, existing institutions will often be useful vehicles in helping to answer the question, “What now can we do to maximize the gains for women?” (Daley and Englert 2010: 99). Securing women’s land tenure, including through land registration and titling, can also directly help to support women’s interests and mitigate the

potential negative effects for them from land deals. For example, women's groups that succeeded in registering their land and securing common property in West Bengal gained the confidence to participate more vocally in decision making in their communities (Tandon 2010).

A further reason to advocate for strengthening women's land rights to mitigate against the disadvantageous effects of land deals is to enable women to obtain higher wages in any employment generated. As J. S. Clancy (2008) has put it, when women have no alternative – because their labor is not needed for harvesting crops on their own land – they will work for lower wages than men. However, land ownership alters their bargaining power and enables them to demand higher wages. Owning or having secure access to land is also likely to increase the possibilities for women to participate in global value chains through contract farming or outgrowing arrangements with investors (Clancy 2008).

Second, there are arenas for action in relation to relative income poverty. Women's relative (cash) income poverty vis-à-vis men's means that measures to support and protect poor people also make sense from a gender perspective. For such measures to be beneficial to women, however, they need to recognize women's specific concerns, as ILC's Philippines case study showed with regard to civil society efforts to support women fisherfolk's livelihoods and food security. Companies can also be encouraged to make it easier for women to benefit from employment opportunities. In one case in Thailand, Cargill pioneered efforts to support its women workers by introducing more family-friendly working practices such as reassigning pregnant women to nonphysical work that did not require overtime, providing assistance with school fees, and permitting leaves of absence without pay to deal with family emergencies and harvesting (World Bank, FAO and IFAD 2009).

Third, there are arenas for action in relation to women's participation in decision making and their abilities to exercise voice and choice and to serve as community leaders. Measures to support women's participation in decision making during negotiations on proposed land deals will boost the overall level of community engagement, and as ILC's Indian case study showed, the threat of land loss can actually trigger women's empowerment, as some women exercise leadership on behalf of all vulnerable people. In other places, as ILC's Ethiopian case study showed, there are much greater sociocultural and political obstacles to women's participation in decision making, with women's seclusion from the public sphere a major problem in some countries. Measures to support women through existing women-only forums, whether customary or government sponsored, have proved helpful in Ethiopia in strengthening channels of interaction between these and other local-level institutions (Fiona Flintan 2010), while the formation of women's groups has helped women to challenge practices of seclusion in parts of India (Bina Agarwal 2002).

These are just a few examples of important practical measures that can help those working in the field to change the land deals game for women by implementing the principles of gender equality and responsible governance of tenure set out in the *Voluntary Guidelines*.¹⁰ The gendered implications of individual land deals still need to be increasingly studied in detail, with a dedicated gender lens and a clear focus on disentangling the different aspects of their differential effects on women and men. The ILC's recently launched Land Matrix could aid this process by tracking which land deals have been subject to research from a gender perspective, thus helping to ensure that knowledge gaps are made explicit in the public domain.¹¹ If research does not focus primarily on gender, it can be challenging to conduct in-depth gender analysis after the event. However, it should be possible to develop a checklist of gender issues to be used by all researchers doing fieldwork on land deals.

In sum, although land deals are not new, insufficient attention has so far been paid to the gendered implications of the current phenomenon. The contributions of ILC's *Global Study*, among others, are important in helping to restore the balance. The implications for women with respect to three key dimensions of vulnerability – access to productive resources, relative income poverty, and participation in decision making – that make them more likely to be disadvantaged by land deals than men must henceforth be carefully weighed in every context in order to change the overall game.

Elizabeth Daley

Mokoro Ltd

Old Music Hall, 106–108 Cowley Road, Oxford, OX4 1JE, UK

e-mail: edaley@mokoro.co.uk

Sabine Pallas

Secretariat of the International Land Coalition (ILC)

Paolo di Dono, 44 3B Piazza Sta Maria, Rome, Lazio 00142, Italy

e-mail: s.pallas@landcoalition.org

NOTES ON CONTRIBUTORS

Elizabeth Daley is Principal Consultant at Mokoro Ltd, UK, where she specializes in land, natural resources, and gender. She has worked in Laos, Mozambique, Nigeria, Rwanda, South Sudan, Tanzania, and Uganda and has published on land tenure and social change in Tanzania and on women's land rights in Eastern Africa. Core long-standing work and research interests include land tenure security, land registration and policy reform processes, and women's land rights. More recently, she has focused on gender and land deals and on gender and governance of tenure.

Sabine Pallas is Program Officer for Women's Land Rights and Gender Justice at the Secretariat of the International Land Coalition (ILC). She is responsible for the ILC's Women's Land Rights Initiative, which includes activities from community-level projects to national and global advocacy efforts to knowledge generation and learning, in close collaboration with ILC's global membership. Her interests include linking research and action, women's political and legal empowerment, and monitoring women's land rights.

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NOTES

- ¹ Land concentration "into the hands of those few with the resources to invest in land development on a larger scale" is mainly driven by market pressures that push poorer rights holders, both of legal (formal) and customary (informal) rights, to sell or lease their land; land privatization occurs in contexts of limited formal rights, when customary rights holders become dispossessed as others obtain legal rights to their land (Elizabeth Daley 2011: 2).
- ² **"We denounce all forms of land grabbing**, whether international or national. We denounce local level land grabs, particularly by powerful local elites, within communities or among family members. We denounce large-scale land grabbing, which has accelerated hugely over the past three years, and which we define as acquisitions or concessions that are one or more of the following: (i) *in violation of human rights, particularly the equal rights of women*; (ii) *not based on free, prior, and informed consent of the affected land users*; (iii) *not based on a thorough assessment or are in disregard of social, economic, and environmental impacts, including the way they are gendered*; (iv) *not based on transparent contracts that specify clear and binding commitments about activities, employment, and benefits sharing*; and; (v) *not based on effective democratic planning, independent oversight, and meaningful participation*" (ILC 2012; bold and italics in the original).
- ³ Gender justice is the ending of, and provision of redress for, inequalities between women and men that result in women's subordination to men. It implies access to and control over resources, combined with sufficient agency to be able to make choices about those resources (A. M. Goetz 2007).
- ⁴ Despite continuing debate over the official statistics for women's agricultural labor force participation rates in different countries (as both paid and unpaid workers) and

their actual contribution to global food production, data in [FAO \(2011\)](#) clearly show that women have less access than men to land, inputs, and extension services for their own agricultural production; are more likely than men to hold seasonal, part-time, and low-paid jobs and receive lower wages for the same labor when employed in rural areas; and disproportionately shoulder the burden of household chores.

- ⁵ All data on this case comes from [Messele Fisseha \(2011\)](#) and Daley (2011).
- ⁶ All data on this case comes from [Muriel Veldman and Marco Lankhorst \(2011\)](#) and Daley (2011); as well as from personal observations by Elizabeth Daley, 2006–09.
- ⁷ All data are from [Dennis F. Calvan and Jay Martin S. Abiola \(2011\)](#) and Daley (2011).
- ⁸ All data are from [Vidya Bhushan Rawat, Mamidi Bharath Bhushan, and Sujatha Surepally \(2011\)](#).
- ⁹ Elizabeth Daley, personal observation, 2010–11; Sabine Pallas, personal observation, 2009–12.
- ¹⁰ See the above-mentioned technical guide ([FAO 2013](#)) for a much more comprehensive elaboration of practical measures and arenas for action in supporting change in the land deals game for women through the implementation of responsible gender-equitable governance of land tenure.
- ¹¹ See <http://landportal.info/landmatrix> (last accessed October 17, 2013).

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