LEGEND

Land: Enhancing Governance for Economic Development

Gender, land and agricultural development in Africa

From women to gender

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Evidence update 2

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Evidence updates, produced by LEGEND's Core Land Support Team, provide a series of short briefs, summarising emerging bodies of evidence from different sources on key themes related to land governance or particular country issues. They offer technical advisers, policy-makers and researchers a way of keeping abreast of research to provide a source of quick evidence-based pointers on what to do and what to avoid in land-related policy and programming. Source material comes principally from peer-reviewed publications, in line with DFID Guidelines, offering evidence that is large in scale, consistent and contextually relevant. All Evidence Updates are peer-reviewed.

This Evidence update builds on and nuances the conclusions drawn in DFID's Topic Guide on Women's Empowerment in a Changing Agricultural and Rural Context (Murray, 2015). It draws on academic research on gender, land and agriculture since 2014, as well as on relevant reports and papers from international organisations and think tanks working on these issues. It also comments on how recent research strengthens, contradicts or nuances existing positions on the relationship between strengthening land tenure security and women's empowerment. Recommendations for various stakeholder groups are provided in the report, along with suggestions on scaling /replicating what has been seen to work.

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Highlights

Academic research since the 1990s has confirmed the importance of access to land for women's empowerment (e.g. Agarwal, 1994; Whitehead and Tsikata, 2003; Englert and Daley, 2008; Daley and Englert, 2010). What access means, how it differs from ownership and whether having a legal title is a necessity have been the subjects of many academic debates. Evidence reviewed in DFID's Topic Guide on *Women's Empowerment in a Changing Agricultural and Rural Context* highlights that the promotion of women's land rights in pluralistic legal settings is complex and that a land title alone is not enough to achieve empowerment. Furthermore, it highlights that there is a clear lack of sex-disaggregated data on women's land ownership and control, making it difficult to establish causal relationships between land ownership and empowerment (Murray, 2015). The present Evidence Update builds on DFID's Topic Guide and both confirms and nuances the positions put forward there. It additionally highlights that what still remains is to shift the focus of development practitioners from women as an isolated category to women and men as part of broader social relations (gender). Awareness-raising and inclusion of men will be key to achieving this and to building the social legitimacy for gender-equitable land governance.

Recent research also demonstrates that agricultural investments are putting particular pressures on land and natural resources, while often not fulfilling promises of employment and infrastructure creation. Much of the field research indicates that women, migrants and pastoralists are often the people most negatively affected by these investments, not least when they lose access to valuable common pool resources without any compensation. Meanwhile, benefits tend to be appropriated by a small, male local elite, often including customary authorities and government officials.

In order to make these investments more beneficial for local land users (including the most vulnerable groups in societies) and to prevent agricultural projects from failing, the local context and existing power relations need to be well understood. Only based on such understanding will international development partners be able to effectively monitor the implementation of agricultural investments, ensuring that meaningful and comprehensive consultations are held with all existing land users at all stages of the investment process, and that there is proper compensation for all land and resource loss.

Viewing land and agriculture with a gender perspective reinforces the need to engage with the social norms and stereotypical notions of gender roles and relations that have devalued women and their work and that have provided justifications for women's lack of voice in community affairs and lack of access to resources. A focus on gender thus requires a close look at relations between women and men, as well as acknowledgement of the various other inequalities that promote or constrain empowerment, such as those based on age, class, marital status, and status in the community.

Speed Read

- While academics have largely shifted their focus from 'women in development' to addressing women and men as part of broader 'gendered' social relations, this shift is yet to be fully translated into development practice. This requires development practitioners to be sensitive to local contexts and to the various inequalities they contain with regards to land rights and land use (based on class, gender, age, migration status etc.).
- Empowering women means more than just providing them with a property title. They need to be educated on their rights and find their voice in local and national decision-making processes in order to be able to challenge existing gender stereotypes and claim their rights to access land.
- Empowering women also requires the inclusion of, and support of, men, for example through raising awareness about gender and land among men to build social legitimacy for gender-equitable institutions and decision-making processes on land.
- Agricultural investments specifically need to be grounded in broad-based consultations through their initial design, structuring and negotiating stages. They then need to be carefully monitored by governments and development agencies throughout project implementation to ensure that they do not exacerbate existing inequalities around gender and land, but recognise, respect and compensate for the alienation of different land users' rights.

Key findings

Moving the focus from women to gender

Early writing on women in agriculture focused on making women and their productive contributions visible (based on Boserup's (1970) landmark book *Women's Role in Economic Development*). In policy and development practice, this led to a Women in Development (WID) approach, which framed women as a homogenous category with specific needs to be addressed by development interventions (access to land, health, economic opportunities etc.). These interventions were justified primarily in terms of economic efficiency (Okali, 2012; Dancer and Tsikata, 2015).

The focus of development discourse shifted in the 1970s from women to gender as an essentially political concept concerned with gendered power relations that overlap with other inequalities based on class, race or caste (Dancer and Tsikata, 2015: 6). However, despite this conceptual shift from WID to Gender and Development (GAD), development policy and practice still often continue to focus exclusively on women.

This women-centred framing creates a clear intervention logic for development projects, not only to provide women with access to land and other resources, but also to lift them to the same level as men. However, it is based on a highly simplified static version of reality that ignores vast power differentials and inequalities on the ground (Okali, 2012), thus potentially increasing those very same differentials and inequalities.

While DFID's Topic Guide (Murray, 2015) briefly introduces and defines various relevant terms and concepts (such as 'gender mainstreaming' and 'empowerment'), the present Evidence Update builds on more recent scholarship that indicates that despite 'gender' being very present in many organisations, development projects still often address only women. It thus highlights the need to shift the focus more fully from women to gender in practice.

For development practitioners, this implies the following steps:

Being attentive to the social context in which men and women are embedded. Both women and men are embedded in a variety of social relations as spouses, farmers, labourers, community leaders and so on (Okali, 2012). Other social relations that mediate women's and men's access to land, resources and markets in the sub-Saharan African context include class, patron–client relations, kinship, generation, race, nationality and citizenship (i.e. host–stranger relations) (Tsikata, 2015). Gender relations and their interactions with other axes of inequality are locally specific and thus need to be investigated in every local context. They are furthermore not static, but, as with all social relations, are subject to adaptation and re-negotiation in the context of changing local circumstances (Berry, 1993; Okali, 2012; Murray, 2015: 44).

Challenging and reshaping gendered social norms and values. Gender inequalities regarding access to land and other resources are deeply rooted in social norms and values, which assign particular roles to men and women. While women in sub-Saharan Africa are often the main food providers and make up a large percentage of the informal labour force in most countries, their work is often considered to be less valuable than men's work. Furthermore, on top of the variety of productive work they undertake, gendered divisions of labour in the household mean that women tend to be in charge of looking after the children and household, thereby exacerbating their time poverty (Beneria, 1979; Whitehead, 1990). While these are not new findings, stereotypical gender roles in many societies continue to be seen as natural and remain intrinsically linked to unequal access to and control over resources (Dancer and Tsikata, 2015). Social norms also regulate who can speak in public and how (Okali, 2012). Promoting women's empowerment and gender equality in practice thus requires both an understanding of deep-rooted social norms and values, and discussion of the disadvantages of gendered stereotypes to both women and men.

Including men. Development interventions that address women often assume *a priori* that men are hostile to the realisation of women's rights. When included, men often realise that the promotion of women's rights benefits the whole household and society at large. Daley et al. (2010) for example reports how young and middle-aged men in Rwanda readily understood the benefits that women's inheritance rights would bring to both women and men, such as the fact that women could then bring land into a marriage, increasing the household's total available agricultural land. A similar observation has been made by DFID's Improving Livelihoods for 6,000 Women in the Democratic Republic of Congo (DRC) Programme (see box on the next page). Trainings on women's land rights were also provided to men in the DRC Programme, who subsequently used this knowledge to challenge unequal land access and inheritance (Henley and Hoffler, 2016). Furthermore, various authors suggest that processes of land privatisation and commoditisation, migration etc. can

also erode the power of (some) men – e.g. young men, who may have more difficulty in claiming their rights – resulting in a 'crisis of masculinity' (see Okali, 2012). This means that in certain contexts some groups of men are also in need of 'empowerment'.

A focus on women's rights as human rights. Women are not an isolated category in need of intervention. They have the same human rights as men. The international human rights framework provides a powerful tool with which gender inequalities can be analysed. It is also a tool for advocacy, which can be used by international development partners to promote gender equality at the national level, since most states have ratified relevant human rights instruments (e.g. the Convention on the Elimination of All Forms of Discrimination against Women) (CEDAW)) (UN Women, 2016).

- The Resources and References Section of the Food and Agriculture Organization's (FAO) (2013) Technical Guide on *Governing Land for Women and Men* provides an overview of all relevant regional and international instruments that are relevant to achieving gender-equitable governance of land tenure.
- The Global Initiative (2015) has developed a practical guide *Using CEDAW to advance women's land and property rights,* which also contains some useful resources.
- The African Union has designated 2016 the Year of Human Rights with a focus on Women's Rights. Chapter 6 of the *2016 African Human Development Report* outlines relevant international, regional and national legal instruments, as well as social norms that affect gender equality. Chapter 8 provides an agenda for action aimed at tackling these inequalities (UNDP, 2016).

Women, access to land and empowerment

DFID's Topic Guide on *Women's Empowerment in a Changing Agricultural and Rural Context* (Murray, 2015) highlights the complexity of rural land tenure systems, where customary and state law often overlap and where access, ownership and control over land can take a variety of forms and meanings. Furthermore, the situation of women differs according to the local context and tenure arrangements and is shaped by various factors (including legal provisions, customary practices, as well as their particular position in society – based on class, caste, age etc.).

Land rights are often discussed as 'bundles of rights', including access, withdrawal, management, exclusion and alienation rights (Schlager and Ostrom, 1992). While women often have access, withdrawal and management rights, they generally lack exclusion and alienation rights (Doss et al., 2014). Development interventions are thus often focused on providing women with the full range of land rights through promoting favourable legal frameworks (including on inheritance) or providing women with a secure formal title to their land.

As UN Women (2016) shows, significant progress has been made in sub-Saharan Africa in the last two decades in terms of granting women the legal right to own and inherit land. It is generally assumed that control over and ownership of land have an empowerment effect on women. At least some studies confirm various beneficial effects for women and households (such as increased productivity and more sustainable land management practices, as well as increased female participation in decision-making) – see Agarwal's still relevant work on South Asia, for example (Agarwal 1994). However, recent studies confirm the complexities surrounding women's access to and control over land in plural legal settings, and illustrate that control over land alone is not enough to empower women, as will be highlighted below.

No reliable sex-disaggregated data on women and land available. There is no recent cross-country, representative evidence on women's land ownership in Africa, although efforts to develop this continue to be made, for example within FAO's Gender and Land Rights Database (www.fao.org/gender-landrights-database/en/). Furthermore, existing data use very different definitions of ownership (ranging from documented ownership, to undocumented/reported ownership, to control over decision-making). Several studies also provide no comparison to men's land ownership, which makes meaningful gendered analysis impossible. Doss et al.'s (2015) study compared a large number of

Good practice: DFID's Improving Livelihoods for 6,000 Women in the DRC Programme

DFID has designed a holistic training programme for women in the DRC. It aims to provide women with training to understand their legal rights and to help them to get access to land, agricultural inputs, credit and income. It uses different approaches for women in different social circumstances, i.e. married women, widows and female-headed households.

At the same time, the training of 1,500 male leaders on women's rights and strategies to facilitate these rights is also part of the programme. It has prompted men's groups to start to discuss issues around violations and abuse of women's land rights, and to play a role in mediating on these issues.

Furthermore, through research and advocacy, the aim of the project is to firmly embed women's rights in the DRC's development agenda.

Source: Henley, G. and Hoffler, H. (2016) DFID's land portfolio and programmes. An overview. LEGEND Report, February 2016

existing studies and databases and found that in all cases and across countries, women own and control less land than men, but the size of the gap varies considerably across and even within countries. Problems with data also make it difficult to make meaningful generalisations about the link between access to and control over land and empowerment or to conduct impact evaluations of land titling schemes.

Social norms often dictate control and use of land. Women's claims to land tend to be embedded in deeply rooted social norms and values concerning the roles of men and women, and change is thus often opposed by various actors. It took the Ghanaian Parliament 20 years to enact a law on women's equal inheritance due to (mainly male) parliamentarians' fears that this bill would threaten the extended family system, which holds that in patrilineal societies land belongs to the husband's extended family with the wife only having use rights on her husband's land (Spichiger and Stacey, 2014). Yet even where women have the right to inherit and own land, customary practices often override these legal entitlements (Daley and Pallas, 2014; Dancer and Tsikata, 2015). In Ethiopia, even where women held a title certificate, they were not allowed to plough the land, as this was considered a male job. Female-headed households were thus often forced to give their land out for sharecropping (UN Women, 2016). Furthermore, social norms which require women to work on their husband's land first can mean that women have less time available to work on their own land (Spichiger and Stacey, 2014). Several of DFID's projects (including Rwanda's Land Tenure Regularisation Project – see box below) also found that 'land registration and changes to the law will only be successful if accompanied by changing attitudes and practices on the ground through awareness raising activities' (Henley and Hoffler, 2016: 30).

Empowerment cannot be given to someone in the form of a title. Empowerment is a long-term process that extends beyond provision of a formal land title (Nkechi and Boakyie-Yiadom, 2015; Ossome, 2014; Murray, 2015; Hunt and Samman, 2016). An interesting study from Tanzania (Goldman et al., 2016) highlights that more important than the title itself is the process of empowerment. While most women had not registered their land despite formal legal provisions, the work of two NGOs empowered them to claim their rights within the customary system and organise against external threats. Crucial to empowerment was education about their legal rights, the building and nurturing of a group identity (e.g. as Maasai women) and their access to and engagement with relevant authorities (at the state and customary level) as well as the NGOs. These combined efforts led women to successfully challenge existing social norms and confront external threats to their lands. IFAD (2016: 222) similarly argues that 'fostering women's participation and leadership in rural organizations and community groups and supporting women's groups are required to strengthen their voice and influence'.

Access to land needs to be combined with access to other resources. In order to make best use of available land, women also need access to a wide range of other resources – for example education, money, technology, know-how, and inputs – as well as access to markets (IFAD, 2016). Crucially, in order to enter commercial farming, access to labour is often needed (Dancer and Tsikata, 2015). While men can generally fall back on their wives as unpaid labourers, women face constraints in this regard, as they need money to hire labourers. This again demonstrates the challenges posed by social norms.

Women need to be able to claim their rights. Where women formally have the same rights as men, but are deprived of the ability to exercise those rights, they need to have access to justice. Several researchers have found that women often do not use statutory courts because these are too expensive and bureaucratic and because men generally staff them. In an example from Tanzania, Dancer (2015) highlights how the formal court system contains a variety of implicit and explicit gender biases and social power relations that need to be addressed in order to ensure that women can claim their rights. Some

Good practice: DFID's Rwanda Land Tenure Regularisation Support Project (LTRSP)

DFID's LTRSP includes a strong focus on securing women's access to land. The project recognised the importance of community sensitisation prior to registration activities.

Under the LTRSP, several public meetings on land rights and inheritance law were held. These included a challenging of discriminatory practices that make women, and particularly second wives, vulnerable. Strategies to strengthen second wives' claims were agreed upon by project administrators and community members during these meetings, such as listing both wives' names on the claimant's register. Female participation in registration was also encouraged through maintaining a gender balance among programme staff.

The evaluation report states that the percentage of land claimed by married couples at the end of the project was 83%, with 10% owned by a single female and 5% owned by a single male. Rwanda's Gender Monitoring Office concluded that 'the land registration process is a positive mechanism to improve gender equality', although it notes that there are still challenges, including some couples not being aware of how important the certificates are and issues arising with co-habitation outside marriage.

Source: Henley, G. and Hoffler, H. (2016). DFID's land portfolio and programmes. An overview. LEGEND Report, February 2016

measures that have proven to be (at least partly) successful are the establishment of informal local dispute resolution mechanisms, efforts to establish specific women's sections in existing courts, and making sure courts are staffed with more women (Spichiger and Stacey, 2014; Ravnborg, 2016).

Land reform, land titling and tenure security

While several countries continue to focus on systematic titling of individual land (e.g. Ethiopia, Rwanda, Madagascar), recent years have seen a shift in land reform policy in sub-Saharan Africa to building on customary land tenure arrangements (Ravnborg, 2016; Birungi, 2016; IFAD, 2016). One of the key rationales of this approach is to provide security of tenure to rural people and especially to women. However – following past research (e.g. Whitehead and Tsikata, 2003; Englert and Daley, 2008) – emerging evidence from various countries continues to question this rationale based on the fact that customary land tenure arrangements often contain vast differentials in the relative power of different actors. These differentials contribute to inequalities and discrimination in land access that typically benefit local elites at the expense of more vulnerable members of communities (Dancer and Tsikata, 2015; Spichiger and Stacey, 2014).

> Detailed examples of how legal pluralism affects gender equality and what development partners can do to promote women's empowerment in pluralistic legal settings can be found in Module 2 of the FAO (2013) Technical Guide on *Governing Land for Women and Men*.

Some key findings specifically regarding land titling and land reforms include the following.

Legal contradictions need to be eliminated in order for land titling to be effective. Evidence confirms that joint titling can be an effective means to guarantee women's land rights, specifically in case of divorce or widowhood (UN Women, 2016; Doss et al., 2014). It is, however, important to recognise women's different positions and status in households. In the case of Rwanda, only formally married women can apply for joint land titles, thus excluding many women who are in customary, informal or polygamous marriages (Daley et al., 2010; Gillingham and Buckle, 2014). While informal marriages are a growing phenomenon, the Rwandan constitution does not recognise their validity and is trying to address the problem through promoting formal marriage (including through mass weddings) (Vanhees, 2016). Similarly, the Rwandan Civil Code still places men at the head of the household and thus codifies customary gender roles that place men in charge of all important financial and land-related decisions (Mwendwa Mechta et al., 2016; and see Widman, 2014 on Madagascar).

The importance of eliminating legal contradictions is also highlighted by Dancer (2015) for Tanzania and Negasa (2016) for Ethiopia. Negasa's (2016) analysis of the legal framework in Ethiopia shows that progressive land laws may be undermined by other formal laws (governing inheritance and marriage), as well as by customary and religious laws. He further argues that many of the (mainly male) registration field officers are reluctant to register women's rights or fail to educate women on their rights. It is thus very important not only to provide legal education for women but also to educate men, customary leaders and state officials on the importance of women's land rights. As Doss et al. (2014: 12) argue, 'titling itself does not guarantee tenure security for women and men, but it may be a piece in a multidimensional effort to secure rights'. However, despite these problems of legal contradictions and law implementation, the importance of gender-sensitive and gender-equitable legislation as the foundation for women's land rights remains.

> The Legal Assessment Tool developed by the FAO highlights the progress that individual countries have made with regards to creating supportive legal environments for gender equality, as well as to identify persisting gender equalities – www.fao.org/gender-landrights-database/legislation-assessment-tool/en/

Participation is key, but who participates and what positive impact does it have for women? Most authors argue that in order to guarantee their rights and their tenure security, women need to be included in decision-making at the household, community and state level (Daley, 2014; Dancer and Tsikata, 2015; FAO, 2013). However, 'meaningful participation of women is about more than just numerical presence in decision-making forums' (UN Women, 2016: 52). As Goldman et al. (2016) show for Tanzania, while new laws guarantee women's representation in land administration and adjudication bodies through a quota system, the selection of women is often done non-democratically and women are not educated about their roles and responsibilities in the system. This makes it difficult for them to participate meaningfully and in particular to ensure that the voices of the most disadvantaged women (pastoralists, migrants, older women, etc.) are heard. Furthermore, social norms may dictate whether and how women can participate, as a recent study from Rwanda indicates (Mwenda Mechta et al., 2016). In that case, the authors argue that the social construction of femininity, which holds that women should be silent and submissive, as well as the fact that women's opinions often do not count, means that many women do not feel confident in voicing their opinions. Bringing a wider perspective on this issue, reviews of DFID's Nepal Multi-Stakeholder Forestry Programme (MSFP) and

Improving Governance of Land Use, Land-Use Change and Forestry in Indonesia (LULUCF) Programme also found that, although the programmes improved representation of women, special provisions now need to be made to help them engage more meaningfully at decision-making levels (Henley and Hoffler, 2016: 21).

Power structures need to be understood and challenged. Customary land tenure arrangements vary across locations, even within the same country. Moreover, they embed vast power differentials, as discussed above, which are subject to ongoing re-negotiation and change (Ossome, 2014; Whitehead and Tsikata, 2003). In Ghana, for example, evidence suggests that women, migrants and cattle herders are particularly vulnerable and are likely to lose out in the current land administration project (LAP 2), which is strengthening the power of chiefs at the local level (Dancer and Tsikata, 2015; Spichiger and Stacey, 2014). Similar evidence emerges from Mozambique, where local traditional leaders and other powerful individuals were able to assert themselves in the land delimitation process at the expense of less powerful land users, including local women (Kaarhus and Dondeye, 2015). Kaarhus and Dondeye (2015) thus argue that a space would need to be created specifically for local women to propose elements of land regulation that are important for them as women. The same could be done for other marginalised groups.

Communal land is important. Most African land tenure systems include both privately used and communally used and managed lands and common pool resources (Daley and Pallas, 2014; Negasa, 2016). Interests in the latter are often not captured in existing land reforms, yet these communal lands provide important resources to local people, particularly to cattle herders, landless people and women, who may not have access to individual land. They are thus particularly important for the most poor and vulnerable groups and need to be captured and protected by ongoing land reforms.

Gender and agricultural investment

The last decade has seen a boom in large-scale agricultural investments all over the African continent. While DFID's Topic Guide (Murray, 2015) highlights the need to understand land tenure systems and the underlying social (often patriarchal) relations that structure the outcome of any land-based investment, recent years have seen an increase in concrete case studies highlighting the gendered processes and outcomes of these investments.

Latest research findings about gender in relation to agricultural investments can be summarised as follows.

Women are not involved in negotiations. Much of the recent literature on large-scale land acquisitions confirms that communities (and women within them) are often not involved in negotiations and consultations. Generally, powerful middlemen, such as chiefs or government officials, reap the majority of the benefits without adequately informing or compensating affected land users (Spichiger and Stacey, 2014; Lanz, 2015). Due to persistent social norms and gender roles, women are particularly unlikely to be part of negotiations and consultations, and even where they are involved, they lack the opportunity to be heard (Daley and Pallas, 2014).

Employment can reinforce gender stereotypes. The evidence is that while many agri-businesses fail to create a significant number of jobs, the employment that is created primarily benefits men, while women tend to be hired only in casual, flexible labour positions, thus reinforcing existing gender stereotypes (Dancer and Tsikata, 2015; Tsikata and Yaro, 2014; Lanz, 2015).

Outgrower schemes have mixed gender impacts, especially when they are not designed with specific gender components. Outgrower schemes are increasingly seen as the way forward for agri-businesses, with potential to create win-win scenarios for local farmers and agri-businesses alike. However, available evidence provides a mixed picture. Where outgrowers operate on their own land, women often do not benefit, since men hold most land (Dancer and Tsikata, 2015). There have also been incidences of men reaping the benefits from contract farming, while sending their wives to do the work for them, increasing women's time burden, with a long history of research documenting such behaviour (e.g. Carney and Watts, 1991). Daley and Park (2012) in their study in Tanzania find that well-targeted outgrower initiatives that provide some initial support via women's groups can provide good income-earning opportunities for women. However, as Lanz (2015) shows in her case study from Ghana, where the selection of outgrowers is left to community leaders, it is often only wealthy and influential women who receive the opportunity to join the scheme.

Loss of communal land often affects women disproportionately. Donors and agri-businesses often perceive communally used lands to be unused, yet these lands may provide important resources to marginalised groups, particularly pastoralists and women. Women often rely on communal lands to fetch water, collect firewood and wild fruits or to engage in seasonal agriculture. For many, these resources form the basis for their income-generating activities. Since these 'secondary rights' are often ignored, users are usually not compensated for their loss (Lanz, 2015; Daley and Pallas, 2014; Tsikata and Yaro, 2014; Goldman et al., 2016).

Gender is only one variable that determines benefits and losses. Various studies show that while women are more likely than men to lose out from agri-business, it is simplistic to assume that all women are on the losing side and all men on the winning side. Social realities are more complex and status in the community, wealth, age, ethnicity, type of land use and other variables may all be decisive in who will benefit from opportunities and who will lose out (Ossome, 2014; Dancer and Tsikata, 2015; Lanz, 2015; Daley and Pallas, 2014; Doss et al., 2014).

Local women and men need to be made aware of the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGTs) as well as of their statutory and human rights. Many observers have welcomed the introduction of various efforts to establish regulations and guidance on good practices in land governance as a means to mitigate negative impacts of agricultural investments on local communities. However, various shortcomings of these guidelines have also been outlined, such as their voluntary character, their emphasis on formalised property rights, and the emphasis they place on improving utilisation of marginal lands (Daley and Pallas, 2014; Doss et al., 2014). They have also been criticised for not being sufficiently grounded in international human rights (Verma, 2014).

Nonetheless, a major step forward for moving the focus from women to gender in land governance in practice has come with the widespread international adoption and promotion of FAO's VGGTs since 2012. Various actors have already engaged in awareness-raising campaigns to promote the VGGTs, educating communities about these guidelines and their statutory and human rights related to large-scale land investments, but more education and awareness-raising still needs to be done to support implementation (Hall et al., 2016).

The FAO (2013) Technical Guide on *Governing Land for Women and Men* specifically aims to assist the implementation of the VGGTs with regards to achieving gender equality in land tenure governance. It includes numerous examples of good practice from across the world of incorporating attention to gender in land policy-making, law-making, technical and institutional arrangements and procedures, and in communications and awareness-raising to support responsible, gender-equitable land tenure governance. Over the past two years DFID has contributed funding to the preparation of support materials to promote and disseminate the VGGTs' Technical Guide on Gender. These include French, Spanish, Albanian and Arabic language translations of the guide, a publicly available online training course in English and French (www.fao.org/elearning/#/elc/en/course/VGG) and a blended learning programme for use in formal training programmes in individual countries that had been carried out in Mongolia, South Africa, Liberia and Sierra Leone by the time of writing.

Nevertheless, the fact that the VGGTs remain voluntary means that civil society organisations must play a crucial role in monitoring their implementation by governments and agri-businesses alike and in encouraging all relevant parties to make use of them by aligning their individual activities and practices with the principles set out within them (Wehrmann, 2015).

Recommendations

Recommendations 1, 2 and 3 are meant to help development partners, policy-makers and agri-businesses be more receptive to the local contexts in which they operate and thereby make interventions more effective and meaningful.

Recommendations 4 and 5 deal with pervasive power relations that have been found to impede women's empowerment. They concern rigorous monitoring of customary authorities (in the context of land reforms) and agri-businesses to prevent elite capture and ensure voices of the most vulnerable are captured.

Recommendation 6 is concerned with direct empowerment of women and the most vulnerable groups, which is necessary alongside favourable legal changes. When tailored to local conditions, these measures can be replicated across different contexts. Above all, Recommendation 6 is about enabling the development of the social legitimacy of gender equality in land rights that give women and vulnerable people the confidence to claim their rights and gain the support of men and powerful people.

Recommendation 7 is directed at all the administrators, technicians and professionals working in the land sector with guidance and examples of good practice – what has worked, where, how and why – for achieving gender-equitable land tenure governance.

Based on the surveyed evidence and confirming and nuancing the recommendations found in DFID's Topic Guide on *Women's Empowerment in a Changing Agricultural and Rural Context,* the following recommendations can be made:

1. **International development partners need to understand the local contexts in which they intervene.** In order to make sure that interventions in land reform, land titling and mitigation of land tenure insecurity and conflict do not backfire, inadvertently exclude vulnerable people or only work with powerful local elites, development partners should invest in conducting thorough pre-intervention baseline studies. These should generate both quantitative (sex-disaggregated) and qualitative data to provide an understanding of different land-using groups, patterns of land access, control and ownership and of the relative importance of different types of agriculture and other resources (including those found on communal land).
2. **Agri-businesses need to understand the context in which they operate.** Agri-businesses need to consult existing research findings, liaise with local NGOs and conduct their own surveys to fully understand the context in which they operate. They need to understand who is using which land for what purposes and devise plans for compensation and/or alternative livelihood options jointly with the affected communities. Without such understanding their operations and investments are likely to be locally resisted and will potentially fail.
3. **International development agencies should make gender analysis and trainings available to their own staff, as well as to local partner organisations, customary leaders and government officials.** In order to progress the conceptual shift from women to gender in practice, international and national staff, including those in partner organisations, need to be sensitised about how to detect local power structures, pervasive gender roles and the multiple inequalities women (and certain men) may face (based on gender, age, social status, etc.). The aim of a gender approach is to assist the most vulnerable people in any given community in order to promote equality and human rights for all.
4. **Development partners and policy-makers should monitor customary land tenure governance processes and institutions in collaboration with local CSOs and NGOs.** Where land reforms build on customary land tenure arrangements, it needs to be ensured that women

and other marginalised groups (pastoralists, youth, migrants, etc.) will be represented in all decision-making bodies. Furthermore, specific meetings with single-actor groups can serve to identify their particular needs and constraints and ensure that these are taken seriously, in national policy processes as well as in local processes.

5. **International development agencies, NGOs and CSOs need to monitor agri-business operations.** It needs to be ensured that agri-businesses consult with local communities (not only with gatekeepers) and that all land-using groups are given the opportunity to voice their concerns during consultations, including tenant farmers, migrants, pastoralists and women. Compensation payments and outgrower schemes also need to be monitored to ensure that they benefit the most vulnerable groups in society and those most affected by the loss of resources. Furthermore, an effort should be made by agri-businesses not to perpetuate existing gender roles that devalue women's work. Women could, for example, be trained in non-traditional occupations (e.g. tractor operations) in order to create role models and combat stereotypes.
6. **International development partners (governments, donors and multilaterals) should fund NGOs and CSOs to work directly with women's groups and other marginalised community members and with different groups of men.** Several of the papers reviewed highlight the need to educate women (and other marginalised groups) on their rights (including their human rights) and to help them claim these rights. To this end it is important to assist in building a group identity as well as in supporting the capacity for empowerment of individual women and to facilitate access to and exchange with relevant authorities (customary or state) to protect and advance women's land rights and women's participation within the local customary setting. At the same time, it is essential to include different groups of men (e.g. youth, elders, community leaders) in all empowerment efforts and in awareness-raising on gender and land (see also FAO Technical Guide on Gender, Recommendation 7).
7. **International development agencies, NGOs, CSOs and agri-businesses should make sure the Voluntary Guidelines are fully implemented with respect to gender.** The FAO (2013) Technical Guide on *Governing Land for Women and Men* has been specifically developed to provide guidance on implementing the Guidelines' principle of gender equality in tenure governance, including detailed guidance on various aspects of policy and programme design. It identifies a number of concrete mechanisms, strategies and actions that can be adopted to improve gender equity in all processes, institutions and activities of land tenure governance. References are made to various international and regional human rights instruments, which are crucial in protecting women's and men's rights in the face of large-scale land acquisitions. It contains stand-alone modules that can be dipped into at will by the whole range of stakeholders engaging on gender, agriculture and land, including land administrators, policy-makers, lawyers and legislators, technicians and other land sector professionals worldwide. The Technical Guide has been subsequently supported by FAO's development (with DFID support) of a freely and publicly available online course on *Governing Land for Women and Men* (www.fao.org/elearning/#/elc/en/course/VGG) and an accompanying blended learning programme for use in formal training programmes in individual countries.

Scaling and replicating the findings

The main evidence that emerges from the recent literature confirms that context matters and local power relations matter. Therefore, there is no 'one size fits all' solution. Furthermore, DFID's Portfolio Overview suggests that in order to achieve results, development partners need to commit to medium- and long-term programmes and be more tolerant of short-term delays (Henley and Hoffler, 2016: 7).

While women's economic empowerment is often discussed as a means to an end (economic growth, efficiency etc.), this reading neglects the fact that empowerment is also a political process that should lead to the fulfilment of women's human rights. To advance women's human rights across different contexts, a transformation of deep-rooted social norms is needed, which is a long-term process that cannot easily be measured. Thus support for women's land rights necessarily involves long-term political commitment by all development partners to gender equality in land tenure governance as an end in itself, and interventions at all levels to build the social legitimacy to achieve that. This means finding or re-allocating the necessary resources and committing to such an approach from the very top.

Specific guidance to help policy-makers achieve this and build a coalition to support the long-term implementation of gender-equitable land tenure governance is contained in Module 1 of the FAO (2013) Technical Guide on *Governing Land for Women and Men*.

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