

# From Under Their Feet

A think piece on the gender dimensions of land grabs in Africa. APRIL 2012



# A note from the editors

This paper was commissioned by ActionAid and serves as a think-piece to build our understanding of the gendered implications of the recent wave of large-scale land acquisitions and investments, particularly in Africa. It aims to provide a basis for further development of policy proposals and recommendations that address the issue from a developmental and gender equality perspective. Understanding the implications for rural women's land rights and rights to development and a livelihood is essential for the design of meaningful policy demands that tackle negative impacts of large-scale land acquisitions and actually work for women.

The paper builds on joint work by ActionAid and its local partners in Southern Africa and in the Netherlands through the Women's Land Rights (WOLAR) project, funded by the MDG3 Fund. Therewith it is informed by the growing engagement of rural women's networks and associations from Southern Africa with the land grabbing agenda. It also draws on valuable desktop and field research, conducted by Nidhi Tandon in an unpublished report from 2011 titled 'From Under Their Feet. Women and the land grab threat. Findings from Malawi, Mozambique and Zambia.'

We hope this paper helps with going beyond the general argument that rural women tend to be extra vulnerable for negative impacts of large-scale land acquisitions. It tries to do so by linking the impact analysis to broader development arguments, to women's land rights concerns, as well as to the productive economies and the agricultural systems they sustain, to the care economy and to citizenship.

As this paper is part of an ongoing dialogue on understanding the gendered challenges that large-scale land acquisitions and land grabs bring along, we welcome any comments and discussions on the contents of the paper.

**Written by:** Nancy Kachingwe with editing support of Kudzai Makombe, April 2012.

**Edited by:** Gerinke Fountain and Barbara van Paassen (ActionAid Netherlands).

**Contributions by:** Soren Ambrose (ActionAid International), Ruchi Tripathi (ActionAid International), Catherine Gatundu (ActionAid International).

The paper builds gratefully on the findings from an unpublished research report by Nidhi Tandon from 2011, titled '*From under their feet. Women and the land grab threat. Findings from Malawi, Mozambique and Zambia.*'

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**Front page picture:** Sven Torfinn/ Panos Institute/ ActionAid.

Mage Maonga, 34, harvesting rice, Mlaviwa village, Phalombe district, Malawi, June 2008. Mage is pregnant with her second child. Partly due to the rising food prices around the globe, the agricultural sector in the developing world, after years of neglect, is receiving more and more attention. National and international organisations and NGOs are lobbying and campaigning for better government policies which will boost the capacities of small-scale farmers to make them self-sufficient and able to benefit from the high crop prices when they sell their surplus.

# 1. Introduction: A new rush for land

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**“Although large-scale land deals are often treated as an isolated issue, they actually are linked with many other types of policies, including land reform and titling, agricultural investments, and trade policy, as well as legislation to promote gender equality, to attract potential investors, and to regulate investments. Too often, these policy choices are seen as independent of one another, when in reality they are interrelated. The challenge is to see how this overall policy framework fits together and influences land deals, as well as how this framework can make gender an intrinsic component of proposals for fair approaches to land deals rather than being an afterthought.”** [International Food Policy Research Institute].<sup>1</sup>

In recent years, Africa’s international media image has shifted from the ‘hopeless continent’ to ‘emerging Africa’. Human and economic development indicators have consistently improved in a large number of African countries: citizens have enjoyed an expansion of their political, civil and social rights, while governments have strengthened ownership of policy making.<sup>2</sup> Unfortunately, as with all processes of transformation, Africa’s resurgence also has its challenges, the most recent coming from the “new scramble for Africa.” While Africa’s natural resources have been the centre of people struggles for power, identity and profit throughout time, Africa’s land, water, trees and minerals are targeted by new wave of large-scale commercial interest from across the globe, spiked by sudden food price rises in 2008. All along, Africa’s largely rural population continues to be impoverished. With increasing numbers of female-headed households, more families run the risk of dispossession of their land as women are

more prone to tenure insecurity. Rural populations depend heavily on the same resources that are so hotly sought after by foreign investors. The urgent question that arises is how Africa’s rural poor - particularly the most vulnerable groups - will fare as a result of this renewed interest in Africa’s land and natural resources.

## **Rising interest in land**

The explosive rise of large-scale land acquisitions across Africa was first estimated by the World Bank to cover some 46.6 million hectares of Africa’s arable farmland.<sup>3</sup> A more recent study published by the International Land Coalition, IIED and CIRAD<sup>4</sup> puts the number of reported acquisitions of land in Africa on 134.5 million hectares, of which 34.3 million has been cross-referenced by the Land Matrix Project.<sup>5</sup> Large-scale land acquisitions have gained notoriety as “land grabs” because an alarming number of these deals have

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1. Behrman, J., R. Meinzen-Dick and A. Quisumbing, The gender implications of large-scale land deals. IFPRI, 2011  
 2. Radelet S., Emerging Africa: How 17 countries are leading the way. Brookings Institution Press, Baltimore, 2010  
 3. World Bank, “Rising global interest in farmland: can it yield sustainable and equitable benefits?”, Washington DC, September 2010  
 4. Anseeuw, W., L. Alden Wily, L. Cotula, and M. Taylor, 2012. “Land Rights and the Rush for Land: Findings of the Global Commercial Pres-sures on Land Research Project”. ILC, Rome  
 5. The report sets 4 criteria for inclusion as large scale land acquisitions: (i) a transfer of rights to use, control, or own land through sale, lease, or concession; (ii) a conversion from land used by smallholders, or for important environmental functions, to large-scale commercial use; (iii) 200 hectares or larger; and (iv) not concluded before the year 2000 when the FAO food price index was lowest.

involved the acquiring thousands of hectares of land without due respect for local land users' entitlements to the land, either through proper consultation, informed consent or adequate compensation for the loss of land-based livelihoods.<sup>6</sup> Although rural communities have often used and controlled these lands through communal tenure arrangements for decades, their tenure rights to the land are seldom formalised and recognised in legal frameworks. Those likely to be most seriously affected will be rural women, who have even fewer fallback options when their secondary access to land and natural resources is eroded. Up to 40% of rural households in Africa are headed by females, yet the literature and data on land grabs give few details on how rural women's lives - and the productive economies they sustain - are affected by this grand revival of interest in Africa's farmland.

### **Driving forces behind the land rush**

One of the key actors and drivers behind the recent land rush have tended to be foreign investors - usually assisted by national elites, and governments desperate for foreign investments. Large-scale land acquisitions have taken many forms, but land grabs have been so termed by the International Land Coalition as when "acquisitions or concessions 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." The United Nations Special Rapporteur for the Right to Food lists some of the drivers of the global land rush as: the embrace of agrofuels as an alternative to fossil fuels; concerns of certain countries about the availability of freshwater and food; expected subsidies for carbon storage through plantation and avoided deforestation; and speculation on the future rises of the prices of farmland.<sup>7</sup> The 2008 food crisis, which resulted in part from speculation-driven food price rises, has probably led to the largest jump in land investment deals.<sup>8</sup>

### **Rural women's roles and entitlements**

Rural women in developing countries constitute the most resource poor and neglected socio-economic groups worldwide. Women produce 80% of household food needs, but globally on average control less than 2% of the land.<sup>9</sup> Rural women have a double burden of household responsibility and generating income to fund their basic needs, combined with most limited access to health, education, training, public infrastructure, credit or employment. Rural women are seldom visible in national accounting and data collection systems, and therefore not adequately catered for in policy making and nor considered as a strategic target group when measuring the impacts of new policies. Despite their essential contribution to national development, by far the greatest hindrance to rural women's empowerment is the denial of equal rights in land and property ownership.<sup>10</sup> Yet rural women live in and survive on agrarian systems, through which they establish their social networks, sustain families, care for the sick and lay foundations for future generations.

Research has found that changes in land tenure systems and the related changes in land use have

6. Anseeuw, W. et al., 2012, *ibid*

7. Schutter, O. de, *Large-scale Land Acquisitions and Leases: a Set of Minimum Principles and Measures to Address the Human Rights Challenge*, 2011

8. Branford S, *Food crisis leading to an unsustainable land grab*, guardian.co.uk, Saturday 22 November 2008

9. FAO Women and Population Division, *SD Dimensions Women and Sustainable Food Security* <http://www.fao.org/sd/fsdirect/fbdirect/FSP001.htm>, accessed 2012-03-15

10. Agarwal B. (2002) *Are We Not Peasants Too? Land Rights and Women's Claims in India*, SEEDS [http://www.esrc-net.org/usr\\_doc/Agarwal\\_-\\_Are\\_We\\_Not\\_Peasants\\_Too.pdf](http://www.esrc-net.org/usr_doc/Agarwal_-_Are_We_Not_Peasants_Too.pdf)

consistently weakened women's land entitlements, particularly where women are poor and their access to land is dependent on male relatives, as is the case in most customary land systems in Africa.<sup>11</sup> Whether within customary, individualised or state tenure systems, land and property are crucial in attaining women's rights. Although land deals presume a willing buyer and a willing seller, they often involve contracts negotiated behind closed doors and between powerful groups that rarely include the people who use the land in question on a daily basis, this raises particular concerns in terms of how women will fare in this most recent conjuncture of competition to control Africa's resources.

All these issues are comprehensively covered in existing literature on land grabs. This paper

attempts to contribute to current debates by bringing attention to how rural women in Africa might be affected by the global land grab from a developmental and gender perspective: an agenda that until now has not been seriously integrated in the land grab debate nor the policy responses. It will firstly establish a framework for understanding land grabs from a broad gender and development perspective. Secondly it will look more directly at the multifaceted nature of the impacts of land rights on women's rights and empowerment. Finally, the paper will propose a number of pointers for action, derived from existing knowledge and experiences on women's land rights, that are needed to strengthen women's rights to land in the context of intensive competition and the rush for Africa's natural resources.



Evelyn Mwafulirwa is a smallholder farmer, she is a member of The Coalition of Women's Farmers as part of the Women's Forum - a project initiated by ActionAid.  
Graeme Williams/Panos

11. Whitehead, A. and Tsikata, D. (2003) 'Policy Discourses on Women's Land Rights in Sub-Saharan Africa', Journal of Agrarian Change 3:1-2

## 2. Framing the issues: Historical and development questions

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**‘Back in the early 1990s when I was reporting from Northern Ghana, an elderly woman farmer detailed for me the devastating effects that the Green Revolution had had on farmers’ crops, soils, trees and their lives. She said that the imported seeds, fertilizers, pesticides and tractors, the instructions to plant row after row of imported hybrid maize and cut down precious trees that protected the soils and nourished the people – even the invaluable sheanut trees – had ruined the diverse and productive farming systems that had always sustained her people. When she finished, she asked, ‘Why do you bring your mistakes here?’ By ‘you’ she meant all the people, foreigners and Africans in their employ, who tramp all over the continent implementing their big plans to develop it. These great schemes are generally concocted even higher up the decision making chain in distant world financial capitals, often by free-market ideologues and international bankers who wouldn’t know a sheanut from a peanut.’ [Joan Baxter, 2009].<sup>12</sup>**

### 1.1 History repeated

Struggles over land and the dispossession of rural communities are nothing new. Nor is the marginalisation of women in matters related to land and power. However, the current land rush brings along land transfers from farming communities to private concerns on a scale unseen in Africa since the colonial era; this time with a more diverse range of actors, increased speed<sup>13</sup> and often with the cooperation of sovereign governments.

The developmental justification for these land transfers sounds familiar: Africa needs the foreign investment, Africa needs to shift from traditional forms of agriculture to increased productivity of

the land, and development is better served by a ‘functional’ active land market, rather than by ‘inefficient’ non - or partially commoditised communal systems. Customary modes of production and land tenure are still dismissed as being of little value to either the peasants themselves or to the national economy as a whole. Land deals that enhance African agricultural exports to secured markets are argued to serve the continent better than the current status quo.<sup>14</sup> Another argument, often heard as justifications for large-scale land acquisitions or investments is that in Africa, land is abundant, vacant, idle and underutilised. However, this is just as much a misconception as it was in the previous days of colonialism and structural

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12. Baxter J. (2009) Profits before people: The great African liquidation sale, Pambazuka News <http://pambazuka.org/en/category/features/60010>

13. Anseeuw, W. et al., *ibid*, 6-8

14. Ochieng Odhiambo, M. (2011) Commercial pressures on land in Africa: A regional overview of opportunities, challenges, and impacts. Reconfile, ILC and Cirad

15. Anseeuw, W. et al., *ibid*, 5

adjustment programmes, resulting in the bypassing of local land users' entitlements to land.<sup>15</sup> This is partly due to a very limited understanding of land-use patterns in communal land systems, and ignorance of the close interlinkages between rural livelihoods and women's land use, encompassing use for subsistence farming on a family plot, for the collection of firewood, fruits, wild foods and medicinal plants, for water collection and as grazing lands. Traditional agrarian systems that are often dismissed and bypassed in decision making have sustained vibrant and diversified local economies.<sup>16</sup>

While the post independence era of the 1960s and 1970s was marked by redistribution and reinvestment in small-scale farmers, the coming of economic structural adjustment programmes in the 1980s and 1990s saw rural communities tipped back into a precarious subsistence crisis, where farming barely provided the means for survival, let alone a mechanism for upward mobility for rural African women and men. As the state withdrew as key actor and driver in the agricultural sector and social service delivery, and the HIV and AIDS pandemic hit, the implications for rural women were particularly severe: economically active males migrated to find work, and dependence on remittances and other sources of non farm income became critical for survival, with women bearing the brunt of additional burdens of ensuring family welfare.<sup>17</sup>

### **Development opportunity?**

Considering this, the renewed interest in investing in land and agriculture on the continent should be a welcome move. Genuine investments in sustainable agricultural development could potentially be part of the solution to Africa's poverty, underdevelopment and economic decline. Bringing in new actors, finance and technology could bolster new continental initiatives such as the Comprehensive African Agriculture Development Programme

(CAADP) - provided it would focus on sustainable agro-ecological farming practices and targeted support to smallholder farmers, particularly its female majority.

### **A bleak picture**

Sadly though, research into large scale land acquisitions shows that the much needed investments are not strengthening the domestic African agriculture sector and its many small scale producers, but is rather appropriating control over land to supply foreign markets through intensive, mechanized agriculture. Development analysts rightly question governments' preference for handing land over to companies, rather than directing their resources to support farmers to grow more crops for sale. They also question the benefits for the national economy when governments under-price land rentals, sign unconditional contracts and award tax holidays to foreign investors.

The overall picture of current investments in agriculture rarely includes sustainable benefits for local communities. Large-scale monoculture production tends to bring along negative environmental impacts such as reduced biodiversity and may lead to nutritional deficiencies for rural populations. Knowledge about the traditional agricultural systems, of which women are the knowledge hubs, gets increasingly lost. Many of the land deals are purely speculative, and in those cases, communities risk losing their land without any actual production occurring at all. The new type of land deals we see emerging are creating a new dynamic whereby rural communities can find themselves catapulted from neglect and isolation to unmediated contact with the forces of global markets. With already undermined claims on land, rural women for their part are further squeezed between traditional patriarchy and finance capitalism.<sup>18</sup>

16. Whitehead, A. and D. Tsikata (2003) 'Policy Discourses on Women's Land Rights in Sub-Saharan Africa', *Journal of Agrarian Change* 3:1-2

17. Fahy Bryceson, D. (2004) 'Agrarian Vista or Vortex: African Rural Livelihood Policies', *Review of African Political Economy*, 31(102)

18. Tsikata D, and J. Yaro, Land market liberalization and transnational commercial land deals in Ghana since the 1990s. Paper presented at the International Conference on Land Grabbing, April 2011, Land Deals Policy Initiative

## 1.2 The development disconnect

Rural women's fate is tied to that of agrarian societies, and policies that result in the disintegration of agrarian production systems disrupt women's lives particularly harshly. Unequal power relations and patriarchy often imply women's secondary rights to access land and limit their control over land and related natural resources. The widespread disregard of women's voices in resource-based decisions, discrimination in access to information, and limited access to justice hinders women in negotiating their land rights in general. This also prevents them from adequately renegotiating a new set of rights to replace existing entitlements when new investments in agriculture change the landscape. That African governments have failed to document the detail of land use patterns or to provide figures on it and secure women's access to and control over natural resources - while still handing out their land - is indicative of their shallow commitment to women's empowerment.

Critics of today's large-scale land acquisitions and investments have pointed to the governance gaps that result in the harmful impacts. A recent report by the ILC found that:

- The poor are bearing disproportionate costs while reaping few benefits, because of poor governance, including the weak protection of their resource rights, corrupt and unaccountable decision-making, the sidelining of their rights within trade regimes, and the policy neglect of smallholder agriculture. Women are particularly vulnerable.
- The weak legal protection of resources held under customary tenure makes local people vulnerable to dispossession as governments make land available for private acquisition. Lands and resources that they traditionally own and use in common are especially vulnerable to loss.

- There is insufficient political will by host governments to consider the impact on rural communities and limit their further impoverishment that may be expected from the land rush. Nor is international law being properly put to work in service of this requirement.<sup>19</sup>

It is doubtful that governments have given much consideration to how land issues affect the rural poor, since so little data (particularly sex-disaggregated data) is available on their actual livelihoods and land use patterns. Governments appear to have rushed to sign land deals with the same eagerness that investors have rushed to acquire land - without thorough considerations of development, political or gender questions. *"In the most comprehensive assessment of large-scale land acquisitions for agriculture to date, the World Bank found that poor management of land information has resulted in an "astonishing lack of knowledge on behalf of land agencies and governments as to what is going on within their own borders."*<sup>20</sup>

In addition to the human rights and development impacts, civil society actors have expressed concerns about the environmental impacts of large-scale land acquisitions, both those that are "legal" and "illegal". Often, largescale land acquisitions and the land use changes that may follow, tend to deplete water reserves, damage soils and destroy bio-diversity. Climate change is looming large as a threat to agrarian systems. Unsustainable industrial models of agriculture have already contributed to and will add to the threats from climate change. Public policy efforts to combat climate change in developing countries should focus on building rural population's resilience and establishing programs of adaptation. But land grabs that push people from lands of which they actually have the knowledge base to build that resilience to more marginal lands will simply add to the harmful impacts of climate change.

19. Anseeuw, W., L. Alden Wily, L. Cotula, and M. Taylor (2011) "Land Rights and the Rush for Land: Findings of the Global Commercial Pressures on Land Research Project," ILC, Rome

20. Nalepa R.A, A Question of Scale: The Construction of Marginal Lands and the Limitations of Global Land Classifications, International Conference on Global Land Grabbing, Land Deal Policies Initiatives, April 2011

## Call for change

Fortunately the alarm bells that have sounded over land grabbing in Africa have prompted Africa's development institutions into action. As a result of strong pressure from civil society, for instance through the Dakar appeal for action against land grabs, and social unrest in affected communities,<sup>21</sup> governments and multilateral institutions are starting to consider regulatory frameworks for land-based investments, such as the FAO's 'Voluntary Guidelines on Responsive Governance of Land Tenure and other Natural Resources', and the AU/ECA Nairobi Plan of Action, which was recently adopted by African governments.<sup>22</sup> These regulatory frameworks respond to governance gaps, which fail to create an accountability mechanism through which local land users can keep their government and private sector entities accountable for their actions when it comes to largescale land acquisitions. They offer civil society and policy makers with strategic opportunities to use them for the alignment and improvement of national legal and policy frameworks. However, in and by themselves they aren't strong enough to protect the rights of land dependent communities and of women specifically; for instance, the Nairobi Plan of Action failed to put a moratorium on large-scale land acquisitions till protective legal frameworks are in place. As such, these frameworks need to be accompanied with robust laws that can uphold those rights and entitlements.

How women will fare when such regulations are in place remains open to question. Land studies have shown that there are vast differences between women and men's interests in land, their use of natural resources or their power over how

resources are allocated.<sup>23</sup> The assets that women and men control for provisioning for households are also different (and usually unequal). Without direct interventions to protect women's land rights, and in the continued absence of sufficient leverage in decision making, one man's "regulated" land deal could still be another woman's land grab.

The land grabs crisis demonstrates how weakly the UN Covenant on Economic, Social and Cultural Rights is being implemented in development policy. It is more than timely for rural women to lay claim to their right to development, encapsulated in the UN General Assembly's Declaration on the Right to Development. The right to development:

- is an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development.
- implies the full realization of the right of peoples to self-determination, the exercise of their inalienable right to full sovereignty over all their natural wealth and resources.
- aims for the well-being of the entire population and of all individuals, on the basis of their active, free and meaningful participation in development and in the fair distribution of the benefits resulting therefrom.
- is to ensure equality of opportunity for all in their access to basic resources, education, health services, food, housing, employment and the fair distribution of income.
- obliges states to undertake effective measures to ensure that women have an active role in the development process.<sup>24</sup>

21. For an inspiring example of collective action in response to large-scale investments in communal farmland, refer to the ActionAid report 'Fuelling evictions: community cost of the EU biofuels boom', 2011

22. [http://www.afdb.org/fileadmin/uploads/afdb/Documents/Generic-Documents/Nairobi%20Action%20Plan%20Final\\_English.pdf](http://www.afdb.org/fileadmin/uploads/afdb/Documents/Generic-Documents/Nairobi%20Action%20Plan%20Final_English.pdf)

23. D. Budlender and E. Alma (2011) Women and land: securing rights for better lives. IDRC

24. <http://www.un.org/documents/ga/res/41/a41r128.htm>

## 3. Impacts of land grabs on rural women

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**“For us, land is life. It is an expression of our existence and is integral to our ecosystems on which we survive as a species - the water, seeds, plants and animals. Our culture and humanity is deeply rooted in the land and how we use it. For us land is the basis for the future of our children and the restoration of our dignity and hope.”** [Declaration of the Southern African Rural Women’s Assembly, 2009].<sup>25</sup>

Large-scale land acquisitions have raised alarm bells on almost every front: human rights, conflict, environment, food security, poverty and development. Despite the rapidly growing literature on the impacts of land grabs, specific impacts on women have not yet been given the extensive study they deserve, while there are various reasons to consider it vital to examine the gendered impacts of large-scale land acquisitions. Firstly, they can impact on the overall progress of a country towards achieving rural women’s equality and empowerment. Access to and control of land and natural resources are widely affirmed as critical to achieving rural women’s rights. Secondly, the inequalities in women and men’s rights, roles, responsibilities, voice, economic status or social relationships results in a very uneven distribution of the repercussions of land grabs. Coping strategies to deal with the loss of land will not be the same for women and men, with women possibly being likely to adopt more risky coping strategies to continue to meet their own and family needs.<sup>26</sup> Finally, women’s land rights are often secondary and uncodified; they have little power over the allocation of household

or community resources, so the loss of entitlements acquired through established community land-use practices become much more difficult to re-assert after displacements.

Despite the significantly enhanced understanding on the links between gender and development, far-reaching agreements like large-scale land acquisitions continue to be externalized, with the costs borne almost exclusively by the women themselves. This chapter analyses gendered impacts in relation to women’s land and natural resource rights, to the care economy and agrarian production systems, to citizenship, conflict and climate change mitigation.

### 3.1 Women’s rights to land and natural resources

*“Both global and national experiences show that resettlement usually fails to achieve its objectives. It is usually unproductive, ineffective, catastrophic, grievous, and environmentally detrimental.”* [Mulugetu and Woldesemait, 2011].<sup>27</sup>

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25 Declaration: Southern Africa Rural Women’s Assembly, 2009 <http://www.amandlapublishers.co.za/home-page/266-declaration-southern-africa-rural-womens-assembly>

26 Tandon, Nichi (2011) From under their feet. Women and the land grab threat. Findings from Malawi, Mozambique and Zambia. Unpublished research report for ActionAid

27 Messay Mulugeta and Bekure Woldesemait, (2011) ‘The Impact of Resettlement Scheme on Land Use/Land Cover Changes in Ethiopia: A Case Study from the Nonno Resettlement Sites, Central Ethiopia’, Journal of Sustainable Development in Africa, Vol.13(2) [http://www.jsdafrica.com/Jsda/V13No2\\_Spring2011\\_B/PDF/The%20impact%20of%20Resettlement%20Schemes%20on%20land%20use.pdf](http://www.jsdafrica.com/Jsda/V13No2_Spring2011_B/PDF/The%20impact%20of%20Resettlement%20Schemes%20on%20land%20use.pdf)

The most direct impact of large-scale land acquisitions entail violations of women's rights to access and control land. The widespread denial of women's equal rights to access and control land and natural resources in Sub-Saharan Africa applies to both customary and formal titled tenure systems and any hybrid systems. Most women gain access to land through husbands or male family members, as in many places patriarchy continues to portray women as property, rather than as equal citizens with the right to own and control property themselves. Research suggests that privatisation of land tends to result in increased concentration of land in the hands of those who were already better able to assert control and ownership of the land, such as men and local leadership, often to the detriment of women's entitlements.<sup>28</sup> In cases of formal titled tenure systems, generally very few women hold individual or joint titles. And if they do, few women actually can exercise control in negotiations around selling or leasing the land, despite their name on the title. These disparities are generally exacerbated by large-scale land acquisitions, as these tend to deepen already existing inequalities in land access and control,<sup>29</sup> also resulting in the disproportionate distribution of the harmful impacts.

Studies on land loss and displacements of communities as a result of large development projects - much of which has been done on displacements caused by dam projects - show examples of such impacts. Amongst the basic impoverishment factors that are most likely to come into play as a result of community displacements, eight core issues have been identified: landlessness; joblessness; homelessness; marginalisation; food insecurity; increased morbidity; loss of access to common property resources; and community disarticulation as well as loss of access to public services, disruption of formal education activities,

and loss of civil and human rights.<sup>30</sup> Existing inequalities, such as gender inequalities are therefore amplified in situations of displacement - those whom society accords more entitlements lose less than those who are accorded more entitlements. Scholars have found that there are few examples of resettlement schemes for large-scale land acquisitions that have properly mitigated the impacts to the extent that communities are able to recover the same levels of well being, experienced prior to being displaced. Resettlement schemes will rarely ensure the same landholdings that communities held previously, and access to common resources is destroyed. In this situation of scarce land and natural resources, women are rarely in a position to negotiate the same access to resources enjoyed under previous regimes. In addition, what little compensation may have been given as a result of land expropriation will often be awarded to men rather than to women. Broadly speaking, studies have not found examples where all resettlement schemes have addressed risk factors to the extent that communities have recovered similar levels of well being, and cast doubt that capacities to achieve such a scenario are at all possible.

### 3.2 Care economy and social reproduction

*"It is estimated that over the past decade, women's (unpaid) work has contributed more to global growth than China or India."* [The Economist, 2006].<sup>31</sup>

A large part of the implications of land grabs for women are linked to their central roles in sustaining the care economy. The role of the care economy and women's unpaid work in ensuring social reproduction in rural Africa cannot be overstated. Social reproduction<sup>32</sup> depends on the wellbeing of households and is vital to human development

28 Lastarria-Cornhiel, S. (1997) 'Impact of Privatization on Gender and Property Rights in Africa,' World Development 25(8): 1317-1333

29 Behrman, J. et al. (2011), 1

30 M.M. Cernea (2004) Impoverishment Risks, Risk Management, and Reconstruction: A Model of Population Displacement and Resettlement, UN Symposium on Hydropower and Sustainable Development [http://www.un.org/esa/sustdev/sdissues/energy/op/hydro\\_cernea\\_population\\_resettlement\\_backgroundpaper.pdf](http://www.un.org/esa/sustdev/sdissues/energy/op/hydro_cernea_population_resettlement_backgroundpaper.pdf)

31 [http://unwomen-nc.org.sg/gender\\_issues\\_datasheet\\_1.shtml](http://unwomen-nc.org.sg/gender_issues_datasheet_1.shtml)

and economic growth. Calculations of the value of unpaid work (including but not only limited to care work) include a wide range of goods and services produced in every household and every country. These unpaid work services include health care, raising children, subsistence farming, community welfare, and environmental conservation. Calculations putting a monetary value on women's unpaid care work values it at more than half the GDP in many countries.<sup>33</sup> In traditional societies, where gendered roles are observed more rigidly and there is little support to share the work burden with males, care responsibilities demand an inordinate amount of time and result in the lives of rural women being significantly time constraint.<sup>34</sup>

In agrarian systems in Africa, land sustains the care economy, flowing from the various land ways women use land: for subsistence farming, for cash crop farming to generate additional household income, for collecting firewood, water, fruits and medicinal plants, as burial sites, to sum a few. Land is both an asset and a form of social security for women and their families. In addition to land, women's access to common resources - trees, water, grazing lands supports them in caring for their families. Factors such as the proximity to garden plots, water or firewood are important in saving time for the many domestic tasks they have to perform.<sup>35</sup> When women are not able to sustain their families through home-based subsistence production due to the loss of land entitlements, they are often forced to find waged employment to supplement income. But rural women's low educational status and lack of access to skills and technology often implies low paid jobs, so that the monetary value of their earnings will rarely match

what they have lost in terms of time and resources and assets prior to losing their land.<sup>36</sup>

It is widely acknowledged that rural women's and girls' ability to access educational or training opportunities, participate in public life, and engage in different forms of economic activity is severely limited when they are overburdened by care work. It follows therefore that upheavals that increase women's care burden will simply undercut efforts to achieve gender equality. Large-scale land acquisitions ignore the non-market unpaid work done by women and the importance of social reproduction for economic growth. Conversely, redistribution of land to women, accompanied by the right types of investments, would strengthen women's equality as well as secure their ability to care effectively for their families.

### 3.3 Food security, rural poverty and climate change resilience

Just as the role of the care economy is excluded from orthodox or neoliberal views of how development happens, so too is the value of most goods and services produced in agrarian systems, particularly with respect to food security. Up to eighty per cent of agricultural production in Sub-Saharan Africa is done by women's labour,<sup>37</sup> either for subsistence or for the market. However, this is rarely captured in national statistics or recognized in agricultural policies, nor is the gendered nature of agricultural production and labour. On the contrary, large-scale land acquisitions are often justified by pointing to the unviability of subsistence agriculture for significant national development. But the arguments against small-scale farming and traditional land systems are generally discredited.

32. Social reproduction comprises 1) biological reproduction (including reproducing labour), which carries with it the provision of the sexual, emotional and affective services that are required to maintain familial and intimate relationships; 2) unpaid production in the home of both goods and services, including different forms of care, as well as social provisioning and voluntary work directed at meeting needs in the community; 3) Reproduction of culture and ideology which stabilises (and sometimes challenges) dominant social relations. (Hoskyns and Rai 2007:300). <http://www.e-ir.info/2012/03/19/depletion-the-costs-of-unpaid-domestic-work/>

33. [http://unwomen-nc.org.sg/gender\\_issues\\_datasheet\\_1.shtml](http://unwomen-nc.org.sg/gender_issues_datasheet_1.shtml)

34. Blackden, M and Wodon Q., eds. (2003) Gender, time-use and poverty in Sub-Saharan Africa. The World Bank: Washington, 13-17

35. *ibid*, 19-20

36. Behrman, J. et al (2011), 2

37. FAO, Focus on Women and Food Security. <http://www.fao.org/focus/e/women/sustin-e.htm>

It is now understood that rural hunger and the crisis of livelihoods has been caused by the decline in public finance for rural agriculture,<sup>38</sup> failure to redistribute land and unchecked destruction of ecosystems through climate change, desertification “development projects” or deforestation.

Indeed despite the overall fall in agricultural food production, women are key contributors to local food production and family food consumption. Large-scale land acquisitions often result in increased food insecurity in the affected communities, as women lose out twice over: firstly through the loss of land and sources of food, and secondly through the burden that is placed on them to find alternative sources of food for their families. Women’s options outside farming are limited: they do not enjoy the mobility that men have and employment opportunities in rural areas are scarce outside farming. Government’s failures to provide access education or training for rural women further limit occupational alternatives outside farming.<sup>39</sup>

### **Traditional knowledge systems**

Traditional agrarian systems have been able to cater for many of the basic human needs - be this food, shelter, medicines, energy, transport, household implements or clothing. Women’s traditional knowledge systems develop and evolve practices to ensure effective exploitation of resources while often also conserving fragile ecosystems. Communities establish patterns of access and control over natural resources to maintain these systems, and have adapted even strict gendered norms where needed. The current scale and nature of land grabs is the biggest threat to the knowledge, practices and plant and animal life that has en-

sured the richness and resilience of such systems. Apart from the loss of genetic and intellectual heritage as a result of industrial farming, women’s own status as “guardians of life, earth and seeds”<sup>40</sup> is diminished, further marginalizing them.

Rural women derive income from a number of non-farm activities to supplement their livelihoods, which is often reinvested in agriculture, indicating the important backward and forward linkages between non-farm and farm activities. Both farm and non-farm activities contribute to the diversification of rural economies, and reduce rural poverty.<sup>41</sup> Large-scale land acquisitions undermine the growth of these forms of rural economic diversification, and reduce women’s ability to build up various forms of capital (natural, social, human, physical or financial) to sustain their future.

### **Climate change resilience**

Also, land grabs are likely to exacerbate the difficulties women have in meeting the challenges of climate change. Policymakers have had to urgently turn their attention to how resource-dependent communities will adapt and survive climate change. Resilience is a major factor in how communities will meet rapidly changing environments and is embedded in a number of systems: socio-economic, institutional, ecological and agricultural. Building resilience is very much a gendered affair: agriculture models, decision making power, public support and existing resources will all help to build resilience. It is adamant for women to participate in direct adaptation efforts; this can only happen if spaces are opened for them to negotiate their productive and reproductive interests, to have political voice within institutions or influence resource conservation practices.<sup>42</sup>

38. Havenevik K. et al. (2007) African Agriculture and the World Bank: development or impoverishment? Available at [www.pambazuka.org/en/category/features/4656](http://www.pambazuka.org/en/category/features/4656)

39. IASTAAD summary report [http://www.agassessment.org/reports/IAASTD/EN/Agriculture%20at%20a%20Crossroads\\_Synthesis%20Report%20\(English\).pdf](http://www.agassessment.org/reports/IAASTD/EN/Agriculture%20at%20a%20Crossroads_Synthesis%20Report%20(English).pdf)

40. Declaration: Southern Africa Rural Women’s Assembly, 2009 <http://www.amandlapublishers.co.za/home-page/266-declaration-southern-africa-rural-womens-assembly>

41. Kuiper, M, G. Meierink and D. Eaton (2006) Rural livelihood: interplay between farm activities, non farm activities and the resource base. Contributed paper prepared for presentation at the International Association of Agricultural Economists Conference, Gold Coast, Australia, August 2006

42. UN WomenWatch (2009) Factsheet: Women, gender equality and climate change. UN WomenWatch

Poverty and hunger in Africa are largely rural and feminized phenomena. The impacts of large-scale land acquisitions often prove to work at cross-purposes with other efforts to tackle this problem. The AU, UN and regional institutions have been emphasizing the need for agriculture renewal in Africa to be led by smallholders and to pay particular attention to women, putting them at the frontline as actors and empowering them to tackle their challenges. Large-scale land acquisitions shift to a model where women are less in control of their own production and may find themselves blocked from any kind of participation in the economy at all.

### **3.4 Social cohesion and citizenship; violence and conflict**

*“A fundamental undermining of citizenship is to not be recognized as a land user or land owner; to lack visibility in the eyes of the state.” [Poul Wisborg, 2011].<sup>43</sup>*

#### **Social cohesion**

Social cohesion is described as constituting (i) common values and civic culture; (ii) social order and social control; (iii) social solidarity and reductions in disparities of wealth; (iv) social networks and social capital; (v) territorial belonging and identity.<sup>44</sup> In agrarian systems, land is an essential foundation for building social cohesion. Women depend on strong social cohesion as they derive their rights, entitlements and status through membership of communities and families and participation in social networks. Displacements and other forms of social disruption inevitably reconfigure community socio-political dynamics: women are forced to renegotiate their rights and entitlements to a reduced pool of community resources, though from an unequal starting point compared to men, in order to reclaim lost rights. Certain groups of women - such as widows, female-

headed households, and orphaned children - are likely to be in an even more disadvantaged position than their married counterparts in this respect.

#### **Citizenship**

Citizenship encompasses justice, recognition, self-determination and solidarity.<sup>45</sup> In an agrarian context, full enjoyment of citizenship rights is linked to tenure security, as land is a basis for achieving the various citizenship values. The discussion on land grabs and gender should be seen in the context of denying or supporting rural women's full attainment of their citizenship rights. The violation of citizenship rights as a result of land grabs and harmful large-scale land acquisitions has even more gendered implications, given the high levels of female-headed households (up to 40 per cent in certain rural areas in Africa), and since agriculture is increasingly feminized.

Citizenship is so closely related to clan or family land that loss of land is considered to be an attack on the cultural and political identities of communities. This easily creates deep grievances and political alienation, which in many cases come on top of unresolved historical grievances against the state and ruling elites. It is the link between land and citizenship that could open the door for new conflicts in Africa. Often communities or their supporters that resist the taking of their land are criminalized - leading to a spiral of violence.

#### **Conflict**

Political conflict resulting from land dispossessions exposes women to yet more risks of violence from the state or private security forces, as grievances mount between affected communities and elites. This comes on top of domestic violence they may be subjected to as a group without autonomous rights. Due to the crises of HIV/AIDS, women also

43. Wisborg, Poul (2011) 'Transnational land deals and the citizenship of commoners.' Paper for the IASC conference, Hyderabad, India, January 2011

44. Jensen, Jane (2002) 'Identifying the links: social cohesion and culture,' Canadian Journal for Communication, vol 27 (2). 142-143

45. Kabeer, Naila (2005) 'The search for inclusive citizenship: Meanings and expressions in an inter-connected world' in: (ed) N. Kabeer, Inclusive Citizenship: Meanings and Expressions, Zed Books, London

often have been victims of violence as a result of inheritance disputes or accusations of causing family misfortunes. The UN has pointed to increased poverty and loss of livelihoods as a factor exacerbating increased trafficking, sexual exploitation and forced marriages of younger women and girls.<sup>46</sup> Responsible states that want to protect rural women's rights should therefore be sensitive to the risk of creating situations that expose women to further physical harm. It is noteworthy that of the seventy conflicts raging across the world in 2008, sixty were in agrarian economies where traditional land rights are not recognized, poverty persists and local institutions are weak.<sup>47</sup> Most worrisome are conflicts over land in post-conflict states, where communities are already emerging from decades of trauma. Yet conflict and post-conflict states tend to be targets of land grabs, precisely because of their weakened governance systems.

From a gender perspective, the most significant starting point for securing women's rights in the face of land grabbing is robust legislation and enforcement. Voluntary guidelines and codes of conduct can certainly be of help with alignment and improvement of national legal and policy frameworks. However, these alone will be insufficient to guarantee that corporations and elites will restrain themselves from violating rights, or from persisting in exploitative, environmentally harmful practices. Attitudes and beliefs around women's rights and entitlements as land users and farmers need to shift from neglect towards recognition: women's rights, entitlements and needs related to land are to become part of policies, laws and practises of governments, corporates and communities, in order to harness women's ability to benefit equitably from new agricultural investments.



Adama Mgane, 45, President of the local ground nut producers group. Village of Thiakho-Maty, Region of Kaolack, Senegal  
Candace Felt/ActionAid

46. The Vienna Forum: a way forward to combat human trafficking <http://www.un.org/ga/president/62/ThematicDebates/humantrafficking/ebook.pdf>

47. Wily E. A., Fodder for War: Getting to the crux of the natural resource crisis. [http://www.rightsandresources.org/documents/files/doc\\_1405.pdf](http://www.rightsandresources.org/documents/files/doc_1405.pdf)

## 4. Concluding notes

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**From a gender and rural development perspective, the current model of large-scale land acquisitions does not address the interests of rural women. Essentially, harmful land deals squeeze rural women between traditional patriarchy and global capitalism. Rural communities have already faced a long standing subsistence crisis; household coping strategies are exhausted by HIV/AIDS, conflict, environmental disasters, state neglect and misguided donor prescriptions. It is high time for governments to acknowledge the voices of those who have worked, cared for, nurtured and fed the continent through its “challenging” moments as there is no single part of the story behind the new “emerging Africa” that could have happened without them.**

It is understood that governments must try to reconcile various competing interests from various groups, many of which are legitimate, even where these are sometimes opposed. But rural women's ability to live their lives with dignity and realize their aspirations to the full must be a priority for policy makers. The responsibility falls with the state to hold corporations to a set of non-negotiable rights-based investment principles which protect citizens - women and men equally - from the nefarious aspects of large-scale harmful land-based investments.

While most large-scale land acquisitions are fraught with rights violations and bad governance, the determination of citizens to hold governments to account shows that the image of an “emerging Africa” is not without substance. Some of the new agricultural investment approaches, for instance certain outgrower-schemes, are offering models that show investment can be implemented in a mutually beneficial way.

International outcries, but even more importantly, local civic action to oppose unjust land deals, have resulted in the halting, cancellation or

revision of certain investment deals. A powerful example of this is the collective action undertaken by communities in the Dakatcha woodlands in Kenya against an Italian owned biofuels company KJe, who had applied to Malindi county council for permission to lease roughly 50,000 hectares of land, and intended clear it for jatropha production. In July 2010, following civil society protests, the Kenyan national environmental Management authority (neMa) declared that KJe would have to undertake a pilot project to prove the environmental sustainability of the project, before a licence could be approved for the full 50,000-hectare plantation.<sup>48</sup>

African regional institutions and national parliaments have now also weighed in on these debates. Step by step, the role of women is recognized, and there is scope for the inclusion of women's interests in crafting economically just agricultural development models. Collective action by rural women, social movements and committed political leaders could make a difference to hold back the worst of the global rush for land in the coming critical years.

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48. ActionAid (2011) Fuelling eviction: community cost of EU biofuels boom.

## 5. Proposed Pointers for Action

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### 5.1 Securing women's rights to land and natural resources

- Women who live under traditional and collective forms of land tenure and the agrarian systems must have their land and resource rights protected by the full weight of the law, including by traditional authorities.
- Land and resource rights of local land users are to be recognized and protected, with the state acting as a facilitator of development.
- Governments and regional institutions must enshrine the right to development, the right to dignity, the right to justice, and the right to land in all investment codes - with specific reference to the enhancement of rural women's rights.
- Large-scale land acquisitions that result in forced evictions of communities or compromise their access to their traditional natural resource-base must be prohibited.
- Land acquisitions for speculative purposes should be banned altogether.
- Discrimination against women in matters of land and resource rights in customary practice must be eradicated by passing legislation that ensures women enjoy absolute equality in access to and control of land. In this regard agrarian systems must be transformed to recognize women's rights to land, and to open up to women's full participation in all community decision, including by sensitisation of traditional leadership to women's equal rights to land and natural resources.
- Agricultural and land-based investments from commercial entities must clearly demonstrate the added value they bring to participatory integrated rural development plans that enhance women's rights, promote food self sufficiency and protect the environment.
- Civil society organisations should work with the African Commission for Human and

People's Rights to conduct a special review of the human rights violations that have occurred in the rush for African land. In all cases, violations of women's rights must be reviewed, documented and redressed.

### 5.2 Governance, regulatory frameworks and legislation

- Large-scale land acquisitions and the frameworks governing them must be subjected to public consultation and debate, with all agreements open to public scrutiny. Transparent codes of practice must govern all land deals. Land investments must be overseen by accountable, democratic public institutions that are accessible to rural women and other marginalized groups and empowered to sanction instances of injustice or human rights violations.
- Agricultural investments should aim to enhance existing agrarian systems, providing opportunities directly to small-scale and subsistence farmers and farm workers, strengthening their control and access to resources, and ensuring their participation in mainstream policy making.
- Agricultural investments must directly benefit rural communities in targeted areas, and should specifically be earmarked for women, based on proper gender analysis.
- Governments, in consultations with communities, must implement proper participatory land use planning, and place appropriate statutory limits on the total areas of land allocated for different land-based investments and the duration of these. All land acquisitions must include the value of thorough, gendered cost-benefit analyses to compensate any losses that women might face as a result.
- Governments must ensure that applicable regulatory frameworks, such as the FAOs Voluntary Guidelines, once finalised and adopted,

are adopted and consequently used for the alignment of national legal and policy frameworks to improve governance and enhance access to justice.

- Governments are to ensure that the AU/Nairobi Plan of Action is completed within the timeframes set, and that special provision is made so that rural women's organisations are able to input into these plans. In addition governments must implement the Pan African Parliament's June 2011 draft resolutions on land grabs.

### **5.3 Strengthening rural women's movements**

- Intergovernmental organisations, NGOs, social movements, research institutes and rural women themselves should consistently and systematically document and quantify the impacts of land grabs on rural women and be supported to seek justice where their rights have been violated. Many extensive and otherwise commendable reports have subordinated the gendered implications of land grabs to a single subsection of their research. More must be done to remedy this gap and provide concrete suggestions for steps forward.
- Governments must provide public support for the development of women's forums and other structures as a mechanism for continuous and inclusive consultations, information and consent for any development projects that may affect their access to and control over land and natural resources, food security and economic opportunities.
- Such forums should be provided with the tools to identify the land use patterns in communities so that all the resources that women require to sustain and care for households, expand their economic activity and ensure food security are identified and protected.
- Rural women's platforms must be allowed the opportunity to engage with relevant ministries and decision makers, involved in the signing of contracts of LSLA's or other commercial land-based investments.
- Many extensive and otherwise commendable reports subordinated the gendered implications of land grabs to a single sub-section of a section of their research. More must be done to remedy this gap and provide action-points for follow up.
- Social movements, land rights organisations and NGOs must consistently include the gendered dimensions of the issues covered in positions papers, research and advocacy.

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**ActionAid International**

PostNet Suite #248  
Private Bag X31  
Saxonwold 2132  
Johannesburg  
South Africa

**Telephone:** +27(0) 11 880 0008

**Fax:** +27(0) 11 880 8082

**Email:** [mail.jhb@actionaid.org](mailto:mail.jhb@actionaid.org)

**Website:** [www.actionaid.org](http://www.actionaid.org)

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