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Director / Editor in Chief:
Professor Moha El-ayachi
nelga@iav.ac.ma

Publishing assistance :
Msc. Imane Ezzabdi, NELGA Manager
nelga.manager@gmail.com

Design & PAO :
M. Shadi Chakir, IT Specialist
it.nelga@gmail.com

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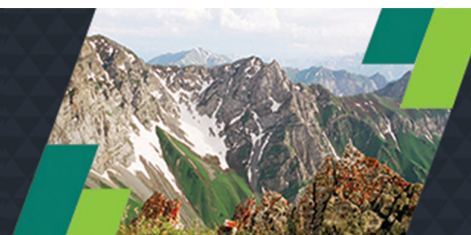
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Slow, Stealthy and Steady – Capacity Development to Address Land Tenure Issues in Development Programmes: Experiences of the IFAD/GLTN TSLI-ESA Project

¹Solomon Mkumbwa, ²Harold Liversage, ³Oumar Sylla

¹Land and GLTN-UN Habitat, smkumbwa@gmail.com, Kiribati

²International Fund for Agricultural Development, h.liversage@ifad.org, Italy

³Land and GLTN-UN Habitat, oumar.sylla@unhabitat.org, Kenya

Abstract

Land and natural resource tenure security is a central yet often neglected area for economic development and poverty reduction in the developing world. Land is fundamental to the lives of poor rural people. It is a source of food, shelter, income and social identity. Secure access to land reduces vulnerability to hunger and poverty. There are some 1.3 billion extremely poor people in the world, struggling to survive on less than US\$1.25 a day, and close to a billion continue to suffer from chronic under-nourishment. About 70 per cent of these people live in the rural areas of developing countries. In most rural societies, the poorest people often have weak or unprotected tenure rights. This condition undermines them from using their land resource effectively. They also risk losing land they depend on to more powerful groups including private investors.

Women and youth are particularly vulnerable because their land rights may be obtained through kinship relationships with men or families. If those links are severed, women and youth can lose their rights. When insufficient attention is paid to secure access by small-scale producers and to land tenure issues, development programmes can become part of the problem. Most development programmes continue to eschew land tenure issues because they are sticky and difficult issues to be addressed, at least, in the timeframe of a classic programme. As such, the tenure issues linger around and affect the outcome of the programmes. While many other issues are attributed to their failures, again, land tenure issues are swept under the carpet.

This paper presents the experiences of implementing capacity development for strengthening tenure security in IFAD supported programmes in Eastern and Southern Africa. Most of the data was gathered during missions and many interactions with communities and staff of the about 20 IFAD supported programmes that TSLI-ESA worked with.

In all programmes tenure issues were present, albeit to varying extents – be it those programmes promoting sustainable natural resources management, agricultural productivity, agricultural value chain development, and rural finance. Tenure issues were analysed during design missions, and if they were predicted to have significant impacts, appropriate interventions were designed and integrated in the programme plan documents. The tenure interventions were, however, not the primary objectives of the programmes hence, the scope, budget and detail of implementation tended to be less emphasized relative to the other ‘core’ interventions of the programmes.

Furthermore, in some cases, potentially salient tenure issues were not very apparent at the design stage. In such cases land tenure interventions were not explicitly integrated into the programme design, mainly because their impacts on the outputs of the programme were, at least initially, calculated to be insignificant. Such issues were addressed retrospectively during the programme implementation following a programme re-design, an exercise that makes sure the programme bounce back on track.

Key lessons, there is need to exhaustively consider implications of potential land tenure issues from the start including their anticipated consequences, and where possible include them in the programme plan. Secondly, there is need to integrate tenure issues in programme monitoring and evaluation system to keep track of tenure issues and their potential impact on programme delivery. There is need to provide evidence-based report to local and national authorities responsible for administration, management and policy for land and natural resources of any salient tenure security issues that are beyond the scope of, but have significant impact on, the programme being implemented. We recommend for establishment of centralized tenure desk at national or local level to attend to tenure issues from the various programmes, both public and private.

Key Words:

Women, Youth, Poverty, Land tenure, Capacity Development, Government

1. INTRODUCTION

Land and natural resource tenure security is a central yet often neglected area for economic development and poverty reduction in the developing world (Moene, 1992). The level of secure tenure rights influences social stability and shapes social relations as well as people's willingness to invest in sustainable land management and improved agricultural productivity (Deininger, 2003; 2004). Population growth, urbanization, climate change and environmental degradation and increased commercialization of agriculture, including by smallholder farmers have all contributed to increasing competition over land and natural resources, often at the expense of poorer and more vulnerable rural people, especially women, youth and other marginalized groups (such as, pastoralists and indigenous peoples). Of the almost 800 million people who suffer from chronic hunger in the world today, 75 per cent live and work in rural areas (FAO, IFAD and WFP, 2017). Many rural people face on-going hunger because they are landless, they do not hold secure tenure, or their land sizes are so small that they cannot grow enough to feed themselves.

Almost all agricultural development programmes have land and natural resources tenure issues, albeit to varying extents – be it those programmes promoting sustainable natural resources management, agricultural productivity, agricultural value chain development, and rural finance. However, most development programmes continue to eschew land tenure issues because they are sticky and difficult issues to be addressed, at least, in the timeframe of a classic programme. When insufficient attention is paid to secure access by

small-scale producers and to land tenure issues, development programmes themselves can become part of the problem. This paper presents experiences of capacity development for addressing land and natural resources tenure issues in agricultural development investment programmes supported by the International Fund Agricultural Development (IFAD), under the Land and Natural Resources Tenure Security Learning Initiative for Eastern and Southern Africa, a joint regional project by IFAD and the Global Land Tool Network (GLTN).

1.2 Implications of land and natural resources tenure issues in development programmes

Many development programmes that promote rural development and food security often have land tenure implications (Balamir, 2002; Donkor and Owusu, 2014; Augustinus, 2005; AUC, AFDB and UNECA, 2011). The key source of the land tenure issues in most countries of ESA region is the fact that land is predominantly held under customary tenure, and that this land is, in most cases, not sufficiently protected in national legislations.

A key threat to security of tenure for most of this customary land is the unfettered exercise of the presidential or ministerial power to dispose of customary land. Perception of losing access and ownership is a key disincentive on long-term land improvements, and ability to use land as collateral to access credit by the farmers. Furthermore, weakness of institutions for administration of customary land exposes it to encroachment, grabbing, degradation and conflicts.

In some cases, the design of such programmes include land tenure interventions such as improvements to land tenure arrangements in order to support the development goals of the programme. In most cases, however, potentially salient tenure issues may not always be apparent at the design stage. In such cases, land tenure interventions are not explicitly integrated in the programme design, mostly because their impacts on the delivery of the outputs of the programme are, initially, perceived and/or calculated to be insignificant. The failure to exhaustively consider implications of potential land tenure issues from the start may result in unanticipated consequences. The neglect and/or failure to address tenure issues have often rendered some development programmes anti-poor, where the benefits of such programmes are captured by the non-poor.

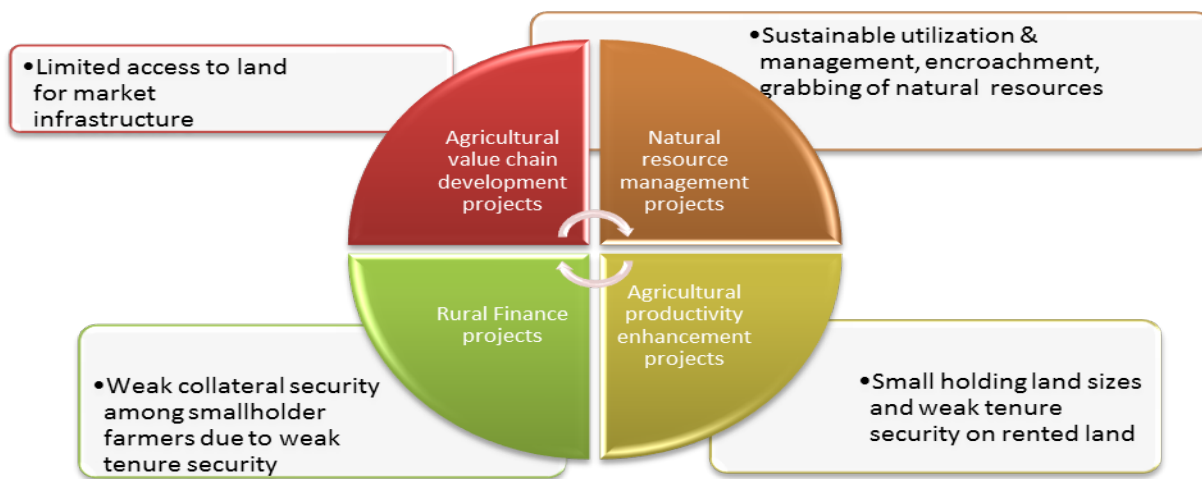
2. IFAD APPROACH TO ADDRESSING LAND TENURE

IFAD recognizes that secure land and natural resource rights is key for poverty eradication and the empowerment of rural communities

and it has supported various measures for strengthening tenure security measures, including: measures for ensuring equitable access to land; capacity building for community and decentralized land governance institutions; addressing competing land and natural resource rights in landscape/territorial planning processes; supporting accessible and affordable land registration and conflict/dispute resolution procedures; advocacy, civic education and community mobilization in policy engagement; and strengthening national government capacity in policy formulation and implementation. Often this support comprises a relatively small percentage of the overall investment in a programme; nevertheless IFAD has found that even a relatively modest investment can have a significant positive impact on programme outcomes. Conversely, the Fund has often found that not paying adequate attention to tenure security issues can impact negatively on programme outcomes (IFAD, 2004) (Figure 1).

Land tenure risk is significant in developing countries. In recent years, sectors like mining, energy and agriculture have seen substantial increase in disputes with local populations over land and natural resource rights, which threaten the viability of development programmes. Conflicts over land can delay development programmes for years and may result in programme cancellation. Governments and development partners need to better account for and effectively prevent and/or manage land tenure related risks. Managing tenure risk requires careful risk analysis and deployment of better tools to address the challenge.

Figure 1: Some of land and natural resources tenure security challenges in selected IFAD supported programmes



IFAD has also learnt that the integration of tenure security measures into broader agriculture / rural development programmes presents opportunities for demonstrating the benefits of improved land and natural resource governance for poverty eradication and inclusive development. This is particularly relevant in demonstrating the importance of tenure security for achieving the Sustainable Development Goals. In many instances, the measures being supported by IFAD are innovative, often strategically targeting challenging areas of land and natural governance and often have good potential for replication and scaling up in government programmes but may need extra support addressing systemic obstacles in policy, legislative and institutional frameworks or in sharing good practice, supporting policy engagement and in strengthening implementation capacities. IFAD's support has often also created more opportunities for strengthening the engagement in land policy processes of government ministries and agencies that may have a substantial interest in good land and natural resource governance, in particular ministries dealing with agriculture,

natural resource management and environment, finance and local government. Further, IFAD has often played an important role in creating space for CSO engagement in land and natural resource governance policy formulation and implementation.

3. LAND AND NATURAL RESOURCES TENURE SECURITY LEARNING INITIATIVE FOR EASTERN AND SOUTHERN AFRICA (TSLI-ESA)

To strengthen security of tenure on land and natural resources tenure in IFAD supported programmes in Eastern and Southern Africa, IFAD entered into a partnership with the Global Land Tool Network (GLTN) through UN-HABITAT in 2011, to implement a Land and Natural Resources Learning Initiative for Eastern and Southern Africa (TSLI-ESA). The objectives of the programme are: a) to raise awareness, document and share tenure issues and tools used to address them; b) to develop capacity of IFAD staff and partners to address tenure issues; and c) support selected IFAD supported investment programmes implement the tools to address tenure security issues.

3.1 The TSLI-ESA theory of change and interventions

Theory of change and impact pathway for TSLI-ESA (Figure 2) is that awareness raising, learning and understanding of the range of tenure risks that the programme beneficiaries are exposed to, the effects of these risks on the programme outcomes, and the knowledge about the tools and approaches available to address the tenure risks, will motivate staff and partners of IFAD-supported programmes to acquire skills to use the available tools. They can do this through participation in the various capacity building training programmes organized by GLTN at regional and country levels. Equipped with both tools and skills, IFAD staff and partners will develop the confidence and interest to select, adapt and implement the tenure tools to address the

3.2 Knowledge management, capacity development and tool implementation in TSLI-ESA

The key normative assumption that underpinned the design framework of the TSLI-ESA Phase 2 is that if knowledge gaps are plugged, awareness created and land tenure tools are available, the targeted IFAD-supported programmes will adopt and implement the land tenure tools and approaches advocated under the initiative to address the various tenure security issues in their respective programmes. Knowledge management of TSLI-ESA involved the iterative processes of identifying, capturing, analyzing, distributing and effectively using knowledge (resources, documents and people skills) to address tenure security issues.

tenure risks in their respective programmes. Effective tool implementation will address the tenure risks, thereby enhancing security of rights and equity of access to land and natural resources which will, in turn, reduce conflicts and promote investment. Increased and secure investment will improve productivity, income and food security. Equitable and secure rights will direct some significant appropriate benefits of investments (income) to the poor, thereby reducing poverty. Best practices and experiences on the implementation of the land tenure tools are documented and shared at various platforms at national, regional and global levels so that they feed into the worldviews, narratives, discourses, policies and practices on land (Figure 3).

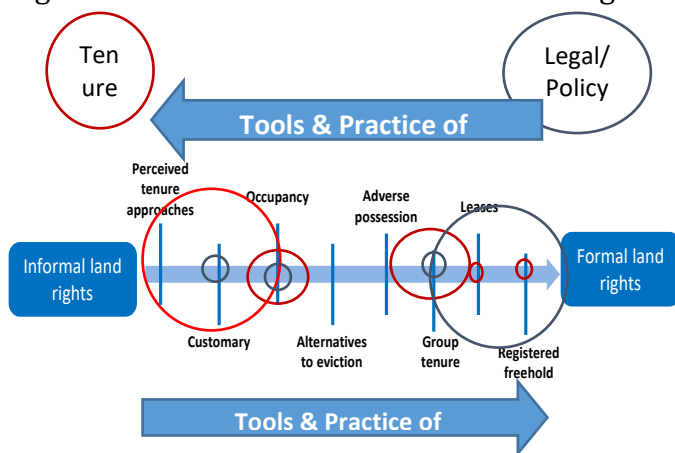
Figure 2: Theory of change and impact pathway of the TSLI-ESA Phase 2

Capacity development within TSLI-ESA project has been the process through which individuals and communities from IFAD-supported programmes can obtain, strengthen and maintain the capabilities to set and achieve their own development objectives over time.

Tool implementation is the carrying out, execution of a plan, a method, or any design, idea, model, specification, standard or policy for doing something. Depending on the needs of the specific programme, several GLTN tools were used. First, the tool implementation process was framed in the lens of Continuum of Land Tenure Rights, that is, recognition and respect of all forms of tenure rights or claims which in some instances may overlap on a piece of land (Figure 4).

Key assessment finding within the TSLI-ESA II Project was that within the continuum of land rights, the legal and policy protection benefits more those with registered land tenure such as freehold and leasehold tenure, and least for those with unregistered tenure such as the customary tenure. On the other hand, majority of the small farmers in IFAD supported projects and programmes operate without registered tenure rights (Figure 4).

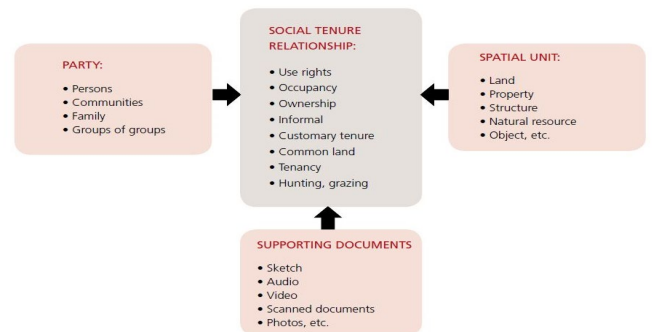
Figure 4: The Continuum of Land Tenure Rights



Source: Adapted from UN-Habitat/GLTN (2008)

Second informed by the Continuum of Land Tenure Rights, the Participatory Enumerations were carried out to elicit, document and record all tenure rights and claims including the all people associated to those tenure rights and claims, bring them to community forum for scrutiny and validation. Thereafter, using the STDM to map (getting coordinates of the parcel of land) and record both the people and the parcel in a QGIS-based database (Augustinus, 2010). The database also contains information on tenure rights holder’s household demographics and socio-economics, and the land use, productivity of the land parcel (Figure 5).

Figure 5: Conceptual Framework of the Social Tenure Domain Model



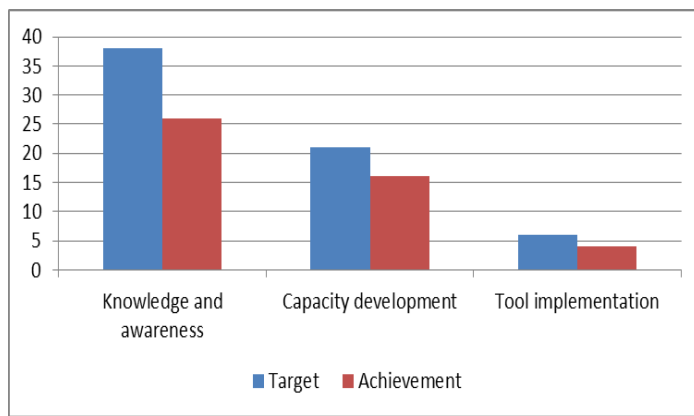
Source: Lemmen (2013)

3.3 Results of the TSLI-ESA Interventions

TSLI-ESA Phase I (2011-12) and Phase II (2013-17) worked with 39 IFAD supported investment programmes from 16 countries in ESA region and 5 countries in WCA region all of which have a total of 4,940,279 beneficiary households.

With reference to Figure 6, at the start of the TSLI-ESA I there were 37 active IFAD-supported programmes in 17 countries of Eastern and Southern Africa. Out these, 22 programmes were identified by IFAD to have significant land and natural resources tenure security components. All 22 programmes were involved in one or more of the TSLI-ESA I&II regional training and learning events. Two TSLI-ESA regional learning workshops on land and natural resources tenure security were held in Nairobi, Kenya, in May 2012 and July 2015.

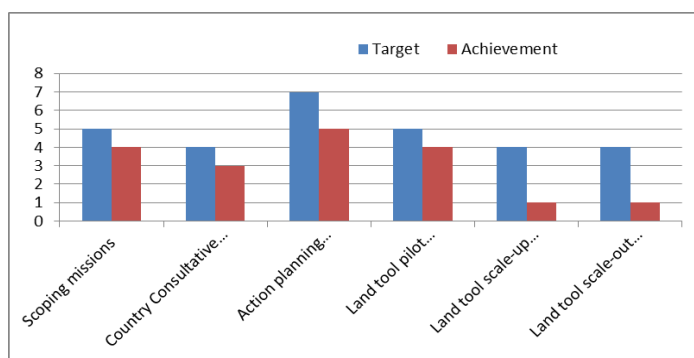
Figure 6: Level of achievement by component of the TSLI-ESA Phase 2



All 22 programmes also participated in the TSLI-ESA three regional training workshops on application of geospatial technologies held in 2014, 2015 and 2016, and co-facilitated by GLTN and RCMRD in Nairobi. With further discussion and negotiation, seven programmes expressed interest in piloting the GLTN land tenure tools, and four implemented the tools.

The targeted four programmes have moved ahead, albeit at different paces, to implement the tools, and they are at different stages of land tenure-tool integration in the IFAD-supported programmes (Figure 7).

Figure 7: Level of achievement by stage of land tool implementation process



3.3.1 Knowledge management

Knowledge management was a key component of TSLI-ESA I & II projects, and below are some of the highlights of the outputs:

- About 217 participants from 39 IFAD-supported programmes in 21 countries benefitted in 3 regional learning programmes organized in 2013, 2015 and 2017.
- Fifteen country tenure analysis reports are being compiled including for Kenya, Uganda, Tanzania, Ethiopia, Rwanda, Burundi, Zambia, Malawi, Mozambique, Zimbabwe, Lesotho, Botswana, Angola, Swaziland and Madagascar. These are artefacts of knowledge of tenure security to help in the design of current and future agricultural development programmes.
- Best practices and key lessons learnt on tenure challenges and innovative tools and approaches have been systematically documented and shared widely among IFAD supported investment programmes in ESA region in form of learning notes and fact sheets (12 pieces) on five thematic areas: women’s access to land; land and water rights; strengthening group rights; inclusive business models; and use and application of geo-spatial technologies.
- Key innovations and knowledge generated from the TSLI-ESA intervention in IFAD supported investment programmes have been widely disseminated to contribute to global land tenure worldviews, national land policies, programmes and practices, including 15 conference papers were

produced and presented by 12 staff of IFAD-supported programmes at three biennial TSLI-ESA Regional Learning Programmes and at annual World Bank conferences (2013 to 2017).

3.3.2 Capacity development

TSLI-ESA II capacity development activities included:

- Three two-week annual residential training programmes were delivered in 2014, 2015 and 2016 to 65 (49 men, 16 women) staff of 13 IFAD-supported programmes from 11 countries on GLTN tools, gender and grassroots participation in good land governance by Regional Center for Mapping Resources for Development (RCMRD), Nairobi, Kenya.
- Three GLTN country level orientation training workshops on GLTN tools for staff and partners of IFAD-supported programmes were conducted in Mombasa, Kenya, in 2014 (48 men, 17 women); Kampala, Uganda, in 2014 (29 men, 15 women), and Maputo, Mozambique, in 2015 (25 men, 8 women).
- Ten programme level training workshops were delivered by GLTN to 456 staff and communities in Vegetable Oil Development Programme (VODP) in Kalangala and Mbale in Uganda; Smallholder Dairy Commercialization Programme (SDCP) in Bomet and Upper Tana Natural Resources Management Programme (UTaNRMP) in Embu, Meru and Kirinyaga, Kenya; and Smallholder Agricultural Production Programme (SAPP) in Lilongwe, Malawi.

- Four staff of IFAD supported programmes participated in the Workshop on tools for strengthening women's land rights co-organized by GLTN and GROOTS Kenya.

3.3.3 Tool implementation

Four IFAD supported programmes are using GLTN tools to strengthen security of tenure for programme in their target communities:

- Uganda - VODPII is using GLTN tools to implement tenure regularization of squatter farmers (target is 1,200 households), VODPII has progressed to stage 6 – where STDM-based Farmer Driven Enumerations (FDE), initially used in KOPGT are being adapted for use in the oil seeds component of VODPII in central and northern Uganda, and to a new programme, the Palm Oil Development Programme, in Buvuma.
- Kenya - SDCP is using GLTN tools to map and record communal grazing land resources (target is 998 households), and UTaNRMP is using GLTN tools to secure irrigation water rights (target is 495 households),
- Other countries: Malawi – Smallholder Agricultural Production Programme (SAPP) is using GLTN tools for integration of tenure indicators in monitoring and evaluation, and Pro-poor Value Chain Development Programme (PROSUL) in Mozambique is using GLTN tools on pilot basis for issuance of *Direito do Uso e*

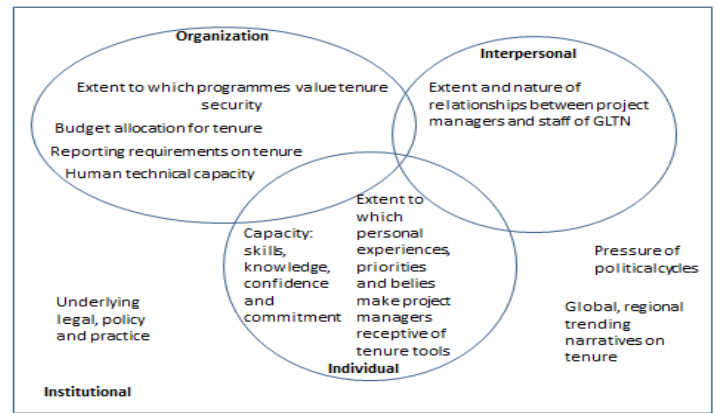
Aproveitamento da Terra Rurale (RDUAT).

4. EXPERIENCES AND LESSONS LEARNT

4.1 It is important to understand the key enablers and barriers to tenure tool implementation and impact

At the heart of our GLTN’s capacity development theory is the idea that capacity is about more than ‘technical skills’. GLTN Capacity Development Strategy document conceptualizes capacity as emerging from different factors, processes and changes working together and reinforcing each other at different levels. At individual level, capacity change involves individuals’ knowledge, skills, attitudes and commitment to change. At interpersonal level, capacity change is about the relationships and networks between people and groups that affect values and commitment to change. At organizational level, capacity change is about the systems, processes and guidelines within or across the organizations that reflect salience security of tenure and necessity of interventions to promote security of tenure. Finally, institutional change is about the wider enabling environment for security of tenure, including the underlying legal, policy and practice of land governance, and the role and influence of both domestic and external actors, events and crises (Figure 8).

Figure 8: Enablers and barriers tenure tools adoption in IFAD supported programmes



The analysis revealed the need to first examine the underlying legal, policy and institutional framework governing land tenure in the targeted countries to understand how these contribute to and address the land tenure issues, and to identify the entry points for effective capacity development interventions to address the tenure security issues. Understanding these structural factors is necessary because these factors have strong potential to either enable or block longer-term change as a result of capacity development initiatives.

In addition to the institutional factors, this analysis vindicates a range of other factors that can either create opportunities or act as barriers for implementation of tenure interventions at programme level, depending on the circumstances. These are summarized as organizational, interpersonal and individual, in Figure 8.

At organizational level (programme), one critical factor emerged from the analysis of barriers and enablers is the extent to which the programme values tenure, that is, whether or not land tenure security is explicitly integrated in the programme design. If land tenure

interventions are not mentioned, they are seen, in the face of programme staff, as ‘non-work’, and not hence prioritized and not included in the annual work plan and budgets. Without organizational support, bolstering technical abilities and commitment of the individual programme staff members to implement the tenure tools, does not lead to implementation. This was among the key challenges, why most programmes did not implement the tenure tools.

In addition, the underlying structural contexts such as a lack of supportive legal or policy framework (de facto) or weak protection of legally recognized customary rights (de jure) tend to limit the impact of land tenure tools implemented. Absence or weakness of these foundational factors renders the innovative pro-poor land tools less likely to be scaled up in the initial pilot implementation or replicated in other programmes. The issue of missing foundations seems particularly acute in areas where both de facto and de jure tenure rights are under contestation.

In order to navigate through the deep mist skies of institutional factors, in Kenya, GLTN sought collaboration of some key organizations that have deep knowledge of the domestic legal, policy and practice of land and natural resources tenure in the country. The implementation of participatory enumerations, community mapping and land recordation using STDM in Smallholder Dairy Commercialization Programme (SDCP) and in Upper Tana Natural Resources Management Programme (UTaNRMP) were a success because of close cooperation of the Resource Conflict Institute (RECONCILE), the Regional

Center for Mapping Resources for Development (RCMRD), Technical University of Kenya (TUK), and Pamoja Trust, who played various roles based on their respective comparative advantages.

4.2 Capacity development requires multi-level strategies

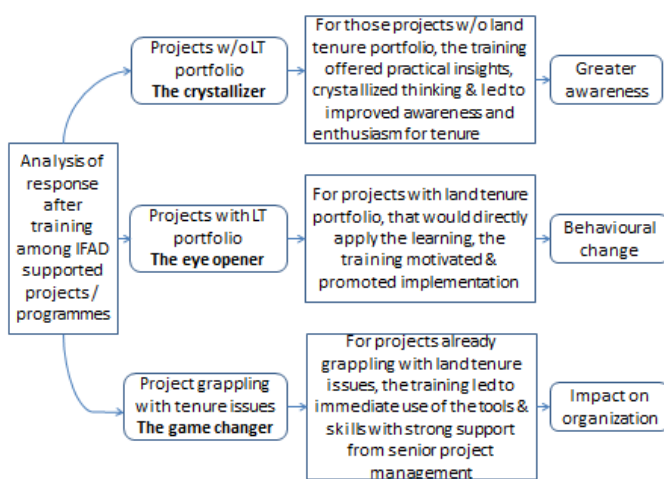
The analysis also indicates that effective capacity development for tool implementation needs to go beyond building technical skills at an individual level. Evidence suggests that outcomes at one level can create conditions for change at another level. For example, feedback on the 2015 Land and Natural Resources Tenure Security Regional Learning Workshop was that programmes where programme coordinators and technical staff were both invited as participants, they immediately started to engage in discussion on how to tackle the land tenure issues in their programmes, including developing their own strategy on how to engage their respective national authorities on policy dialogues to address the foundational issues.

4.3 Programme design matters for adoption tenure tools

The exposure to new knowledge about the benefits of tenure interventions and practical application of some of the land tenure tools, was a ‘game changer’ in some programmes, while no change in others. The variations in land tenure tool implementation across the programmes can be explained (as mentioned in Lesson 1) in terms of their respective designs,

that is, whether they have a land tenure component or not. For all training participants, the land tenure tool training led to ‘aha moments’ in which individuals recognize the relevance of tenure tools to their work (improved awareness). However, this awareness led to different sorts of outcomes in different programmes. For those participants from programmes with an explicit land tenure component, the learning was seen as immediately applicable for the implementation of their programme annual work plan (eye opener), and related expenditure and reporting requirements. This was even more so for those programmes that were at the time training already grappling with tenure issues. In the latter case, the participants to one of training of trainers (ToT) sessions stated that *“the land tenure tools were a game changer and that implementation in their respective programmes, enjoyed support of their senior managers, in the form of provision of budget and motivation to implement the tenure tools”* (Figure 9).

Figure 9: Model of impact of GLTN capacity development for IFAD supported programmes

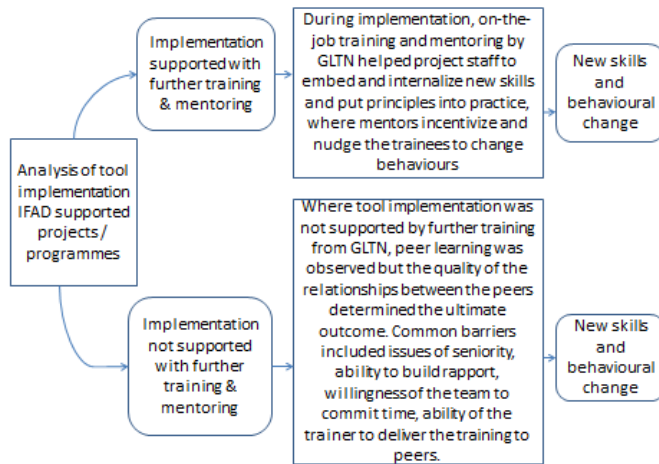


4.4 Mentoring support enhances tool implementation

The analysis further suggests that when tool implementation is supported with on-the-job training and mentoring by GLTN experts, participants were able to embed and internalize the new skills and could easily put principles into practice (Figure 10). This is because the GLTN experts were able to help address technical issues, incentivize and nudge staff to change behaviours. On the other hand, where tool implementation was not mentored, some ToTs, though were able to spark peer learning and lead to new knowledge and changes in practice in their respective programmes, still faced challenges at some stages in the process. A key factor was the ability of the ToT to train his or her colleagues (peers) that was to a greater extent dependent on the quality of the relationship between the ToT and his or her peers. Common enabling or blocking factors included:

- A match in seniority between ToT and his or her peers (although in some cases it is sufficient for the peers to appreciate the ToT has relevant expertise);
- Ability of the ToT to build rapport with his or her peers;
- Willingness among both parties (ToT and peers) to commit time for the training and implementation;
- Favourable organizational factors such as availability of budget in the current annual workplan and budget;
- Support from senior management.

Figure 10: Support to tenure tool implementation at programme level



4.5 Collaborative peer-to-peer learning and networking enhances tenure tool implementation

The TSLI-ESA tenure training and learning sessions for the staff and partners of IFAD supported investment programmes have catalyzed opportunities for collaborative learning and networks among the participants and beyond. These networking opportunities have facilitated staff and partners of IFAD supported programmes to learn from and be influenced by each other. These stronger working relationships have sparked further collaborations in other technical areas beyond land tenure and IFAD geographical impact areas, which have wider positive effects on the programmes. For example, in Kenya, when the Mwea Irrigation Scheme Manager was (himself) invited and participated in one of the TSLI-ESA learning events held at Upper Tana Natural Resources Management Programme (UTaNRMP) offices in Embu, the Mwea Manager was convinced about the importance of tenure tools (individual change), and he became a ‘champion’ for the land tenure tools in his scheme and his institution, the National Irrigation Board of Kenya. He provided peer

support to help others (the scheme engineers and IWUA members) to pilot the tools in his scheme (interpersonal change). Furthermore, he is arranging a discussion between GLTN and the management of the National Irrigation Board (NIB) to convince them to adopt participatory enumerations, mapping and land recordation using the Social Tenure Domain Model (STDM) and to potentially scale up within Mwea Scheme and to other irrigation schemes under NIB (organizational change).

4.6 Leadership plays an important role in supporting organizational learning and change

Further, the analysis indicates that when senior members of staff with influence and authority, either IFAD country office staff or programme coordinators, have the buy-in of the tenure tools, these people were able to motivate and stimulate high level commitment to implementation of the land tenure tools. For example, in Malawi the SAPP coordinator who attended a GLTN/TSLI-ESA side event at the 2015 IFAD Regional Implementation Workshop in Antananarivo Madagascar, he requested for GLTN support to support SAPP integrate land tenure data in their M&E system. SAPP sponsored its two staff, the GIS expert and the M&E Officer, to the April 2016 Regional Training of Trainers on Integration of Land Tenure Monitoring in Programmes Monitoring and Evaluation System in Nairobi Kenya, that was co-facilitated by GLTN and the Regional Center for Mapping Resources for Development (RCMRD). With further technical support from GLTN, SAPP now has proposed two tenure indicators (land holding size and land status - ownership/renting) in their programme M&E

framework. Again, in Mozambique the PROSUL Coordinator is negotiating with local government authorities for possibility to pilot establishment of RDUAT land information system using STDM-based database in one of the district in the Maputo and Limpopo corridors.

In addition, some individual staff of the IFAD supported programmes have played an important role to 'champion' some of the GLTN land tenure tools within their networks. A distinct set of champions – staff embedded within the programmes who may not have decision making power, but capacity to support, have emerged and promotes change from both above and below to promote tenure tool among peers through their day to day work. This appears more likely to happen among programme staff with an existing strong team, and who have good interpersonal skills. For example, building on the experience with the Farmer Driven Enumerations and Mapping in Kalangala District, the Vegetable Oil Development Programme (VODP) in Uganda has advocated within the Ministry of Agriculture, Animal Industry and Fisheries (MAAIF) to integrate land tenure upcoming programmes, and as such, the ministry sponsored 14 programme officers responsible for monitoring and evaluation and statisticians to the GLTN facilitated training on Geospatial Database Management and Data Analysis using STDM that was held in Kalangala District in October 2016.

5. CONCLUSION

This paper concludes with two clear recommendations for designers and

implementers of strategies to build capacity for tenure security in development programmes:

1. *Develop an understanding of the enablers and barriers dynamic system* – ensuring that contextual factors, such as power, politics and institutional history, and the barriers and enabling conditions that they create for progressive tenure security, have been fully identified. This contextual analysis should help how best to design and implement the strategy and tools for promotion of tenure security among targeted communities in the programme areas.
2. *Design multi-level strategies to influence change at individual, interpersonal, organizational, and institutional levels* – ensuring that they build on each other and respond to the context. For example, at the individual level, consider including training on 'soft skills' alongside technical land tenure tool skills to support these individuals to feel confident to deliver training to their peers and enable them to garner support of their senior managers. At an organizational level, consider opportunities to engage senior leaders by demonstrating the ways that tenure security can enhance the delivery of their programmes. And always keep all parties well informed the IFAD country team, programme managers, staff and community leaders who will themselves become champions for implementation of land tenure tools within their countries and programmes areas.

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7. APPENDIX:

A1. Some TSLI-ESA knowledge products disseminated to IFAD-supported and programmes



A2. Some TSLI-ESA learning events for IFAD-supported programmes



A3. Participatory mapping in Ndekia III, Kirinyaga, Kenya

Map of Out-grower areas



Mwea Irrigation Scheme, Kenya



169 'juakali' (unregistered) rice farmers of Ndekia sub-county of Kirinyaga were enumerated using STDM for water use management

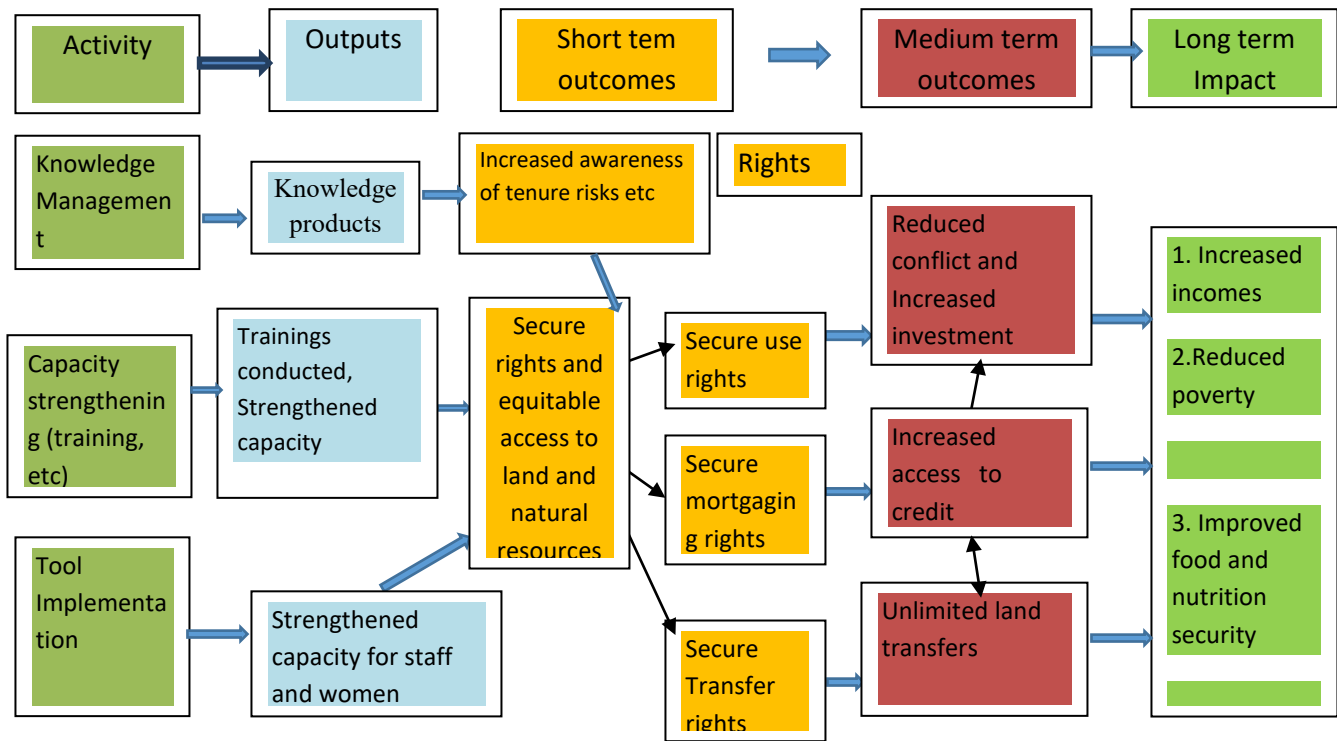
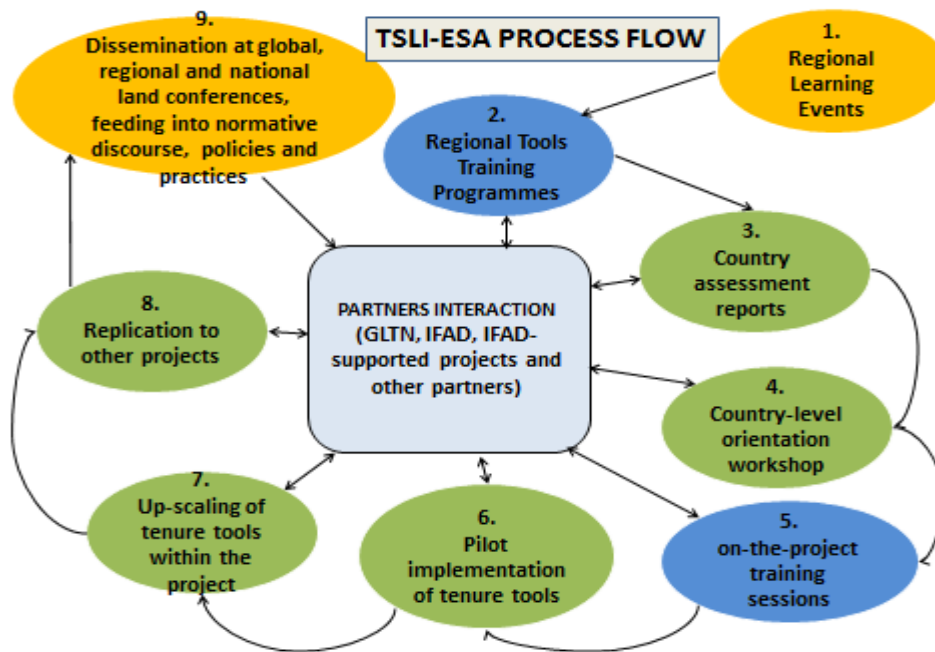


Figure 3: The TSLI-ESA framework for land tenure capacity development in IFAD-supported investment programmes



Key: Yellow = Knowledge management; Blue = Capacity development; Green = Tool implementation



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Assessing Implementation of the Voluntary Guidelines on the Governance of Tenure: A Toolkit Approach

Lessons generated from ActionAid's work with governments and communities

¹Catherine Gatundu, ²Zakaria Sambakhe, ³Fanta Jatta

¹ActionAid International, catherine.gatundu@actionaid.org, Kenya

²Zakaria.sambakhe@actionaid.org, Kenya

³catherine.gatundu@actionaid.org, Kenya

Abstract:

The livelihoods of hundreds of millions of people, particularly the rural poor, are based on secure and equitable access to and control over land and natural resources which are in turn the source of food and shelter, the basis for social, cultural and religious practices, and a central factor in economic growth. While each country's unique tenure system and challenges require tailored responses, there is a need, common across most countries for substantial investments in land management and administration, to address those sections of society whose tenure rights are the weakest.

With a focus on marginalized communities, women, small-scale food producers and local communities, this paper presents preliminary results from a gender-sensitive toolkit that is being piloted by ActionAid in Senegal, the Gambia, the Netherlands, and Australia to assess each country's current legal framework and tenure governance arrangements, and foreign relations policies, against six key principles drawn from the VGGTs and the AU-F&G. The six principles detailed below are:

- 1) Inclusive multi-stakeholder platforms
- 2) Recognition of customary rights and informal tenure
- 3) Gender equality
- 4) Protection from land grabs
- 5) Effective land administration
- 6) Conflict resolution mechanisms

While the findings are impressive in some countries, there remain some glaring gaps in others where urgent actions need to be made.

Keywords : Inclusive, Recognition, Gender, Conflicts, Grabs.

1. INTRODUCTION

Secure tenure over land, fisheries and forests are central to global efforts to end poverty and hunger among local communities, indigenous peoples and women, and ensure sustainable management of the environment. The livelihoods of hundreds of millions of people, particularly the rural poor, depend on secure and equitable rights to natural resources, which are primary sources of food and shelter, the basis for social, cultural and religious practices, and a core economic asset.

Adopted by member states of CFS in 2012, the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGTs) are an international framework based on human rights obligations and standards for the governance of tenure, towards equitable development.

On its part, the African Union Framework and Guidelines on Land Policy in Africa (AU F&G), adopted by AU heads of states in 2009, highlight the role of sound land policies as a basis for sustainable human development.

ActionAid's VGGT/F&G Assessment toolkit initiative presented in this report is intended as a contribution towards comprehensive international monitoring of the VGGTs and F&G for the benefit of poor and marginalized land dependent women and communities. In particular, this work seeks to:

- Monitor country implementation of the VGGTs and F&G with a focus on women, small-scale food producers and local communities
- Incorporate a community empowerment and capacity building dimension to enhance communities' understanding of the VGGTs and F&G and build their capacity to advocate for implementation
- Build understanding of how some OECD countries are supporting and aligning their actions with the VGGTs

- Serve as a basis for dialogue and cooperation towards better implementation of the VGGTs

For purposes of this assessment, ActionAid identifiedⁱ six main interrelated principles, which capture key aspects of the VGGTs and F&G that are of greatest concern to ActionAid constituencies and programs. These are:

1.1 Principles

Principle 1: Inclusive multi-stakeholder platforms

Multi-stakeholder platforms are encouraged in the VGGTs as the recommended approach to the implementation, monitoring and evaluation of the Guidelines,ⁱⁱ in order to ensure participation, collaboration, transparency and accountability in these efforts. Multi-stakeholder platforms may be established at multiple levels and should be gender-sensitive and particularly involve representatives of marginalized and vulnerable groups. The AU F&G recommends participatory process in the "design of land policy formulation and implementation strategies"

Principle 2: Recognition of customary rights and informal tenure

One of the principal tenets of the VGGTs is the recognition of all existing legitimate forms of tenure, both formal and informal,ⁱⁱⁱ very key for indigenous peoples and marginalized communities. The VGGTs call on states to provide *appropriate recognition and protection of the legitimate tenure rights of indigenous peoples and other communities with customary tenure systems* and to adapt their policy, legal, and organizational frameworks to recognize such tenure systems.^{iv} Similarly, the AU F&G advocates for the recognition of the "legitimacy of indigenous land rights" and calls for consultation and participation in policy processes, by those who have legitimate tenure rights that could be affected by policy decisions.

Principle 3: Gender Equality

The VGGTs include Gender Equality as one of the principles essential to responsible governance of tenure, and calls on States to ensure that women and girls have equal tenure rights independent of their civil and marital status.^v The AU F&G recognizes that “gender discrimination” is pervasive in Africa and that there is need for women’s land rights to be strengthened, regardless of their marital status.^{vi}

Principle 4: Protection from land grabs^{vii}

The VGGTs offer several recommendations on measures that States can take to prevent loss of legitimate tenure rights resulting from large-scale land acquisitions, as per the human rights principles. *State should provide safeguards to protect legitimate tenure rights, human rights, livelihoods, food security and the environment* from risks associated with large-scale land acquisitions.^{viii} Similarly, the AU F&G note that enhanced agricultural exports could lead to increased state revenue,^{ix} implying a bias towards large-scale commercial agriculture. As a safeguard, the Guiding Principles for Large Scale Land Acquisition also adopted by the AU stress the need for all land-based investment decisions to respect human rights, including customary rights and the rights of women.

Principle 5: Effective Land Administration

A continuing challenge in many countries is the absence of effective institutions, land registries and community action for land management. The VGGTs provide multiple recommendations about land administration to increase land tenure security of small-scale food producers. *“States should provide systems... to record individual and collective tenure rights in order to improve security of tenure rights.”*^x For effective land administration, both the VGGTs and the F&G advocate for policy implementing agencies to ensure that policies and laws are effective and gender sensitive manner.^{xi}

Principle 6: Conflict resolution mechanisms

Independent, reliable and effective conflict resolution mechanisms are key to ensuring justice and land tenure security of the poor, particularly women.^{xii} The VGGTs promote the development of appropriate and effective alternative forms of dispute resolution, while the F&G advocates for the “prevention of conflict” and “resolution through mutually acceptable dispute processing mechanisms” and strengthening conflict resolution methods.^{xiii}

2. THE TOOLKIT

This section describes the structure and organization of the toolkit into three related tools, and the recommended assessment methods for each tool.

2.1 Assessment Tools

The toolkit comprise three Tools which together aim to provide users with a comprehensive situational analysis to build local awareness and engagement in a transparent and participatory land governance system.

- **Tool 1** focuses on the actions of governments to align policy and legal frameworks with the VGGT and implement measures to implement them.

- **Tool 2** complements this assessment, to assess how the legal frameworks and implementation measures are operational at the local level. It assesses outcomes as perceived by people attached to land and identifies gaps in support for vulnerable and marginalized groups to strengthen their democratic control of land.

- **Tool 3** provides a set of relevant indicators, guiding questions, to assess the actions of OECD country governments to align policy and legal frameworks with the VGGT and implementation measures to fulfill them in overseas actions particularly in areas of investment, Aid and Trade.

Each Tool includes six sections, one focused on each of the six principles. Within each section, the Tool provides 1-2 qualitative Indicators, Guiding Questions for assessing progress in relation to the Indicator, and a red-yellow-green scale for capturing overall progress in relation to the Indicator.

2.2 Methodology

Recommended methods undertaking assessments using the tools vary depending on the main types and sources of information.

For Tool 1, which focuses on laws/policies and the implementation measures in place, the main methods include desk study, interviews, and peer/ stakeholder/ expert review

The primary methodology for Tool 2 is focus group interactions with community members.

Tools 1 and 2 are intended to be used together to provide a holistic picture of land governance, particularly by counterbalancing the view from the “paper trail” (laws, policies, administrative measures) with a bottom up view from communities on the extent of realization on the ground in at least a sample of specific places.

For Tool 3, since it is largely based on documentation of aid and investment laws, policies and programs, the primary methods (as with Tool 1) are also desk study/review of primary and secondary sources, combined with interviews and peer/expert/stakeholder reviews, including a cross-check with government.

3. FINDINGS FROM INITIAL COUNTRY ASSESSMENTS

A pilot country-based assessments was done in Four countries using the tools – two in Africa Senegal and the Gambia (using Tools 1 & 2), and two OECD countries- Australia and the Netherlands (using tool 3). Following is a

summary of key findings from these country assessments.

4. INCLUSIVE MULTI-STAKEHOLDER PLATFORMS

In September 2015, NGOs and CSOs in the Gambia facilitated the establishment of a national platform on VGGTs with representation from key constituencies including government’s Ministries, CSO and Women’s association. The main goal of the platform was to advocate for improved governance of land for the benefit of all especially the poor and vulnerable for food security and development in general. However, since the launching and initial CSO-sponsored information sharing workshop, the platform has been dormant, attributable to lack of resources.

In Senegal, a collaboration between CSO Coalition Against Land Grabs and FAO Senegal, helped set up a multi-stakeholder platform since April 2014 to monitor the implementation of the VGGTs in the land reform process. The platform aims to facilitate discussion and interaction among different actors –civil society, farmers’ organizations, state actors, the private sector, communal authorities and research organizations – on land governance and common agendas to better implement the responsible governance of tenure. The platform is co- chaired by the ministry of agriculture and the National Farmers platform for rural development. Three national workshops have been organized since 2014.

In Australia, documents reviewed indicate limited Australian Government support to multi-stakeholder platforms to ensure enhanced participation, oversight, monitoring, evaluation, transparency and accountability among representatives of marginalized and vulnerable groups in its development assistance that have a bearing on land governance. One exception is the handbooks that have been developed by Department of Foreign Affairs and Trade-DFAT’s extractive sector development

assistance for use by partner governments in workshops with mining companies.^{xivxvxi} These make strong and frequent reference to multi-stakeholder forums and consultations, although the extent of their use is unknown.

And in the Netherlands, the Dutch Ministry of Foreign Affairs (MFA) supports several multi-stakeholder platforms (MSPs) in aid receiving countries^{xvii}. MFA also supports Dutch NGO's^{xviii}, and their southern networks, to promote multi-stakeholder dialogue on land governance^{xix} and international multi-stakeholder networks such as ILC and GLTN^{xx}. MFA's support to farmers' and women's organizations also enhances the capacity and such groups' participation in multi-stakeholder processes related to land.

The Dutch government actively supports and participates in land related MSPs in the Netherlands and promotes the application of the VGGT in regional/international fora.

5. RECOGNITION OF CUSTOMARY RIGHTS AND INFORMAL TENURE

The Gambia's Lands (Regions) Act provides that "the occupation and use of Provinces lands by indigenes shall be governed and regulated by customary laws obtaining in the localities in which such land is situated." However, absence of adequate registration and documentation of tenure rights has limited the extent of effectiveness of statute. As such, decision-making by local land dispute commissions under the customary system is sometimes undemocratic and in many cases politically influenced.

In Senegal on the other hand, customary law is the commonly used in the rural areas. Prior to 2016, the land legislation did not recognize the customary land tenure system and almost no land was recognized as customary. Agitation for legal recognition by CSOs and communities led to the new land policy of 2016 which now includes Customary land rights. This gives more

room for communities' and women's land tenure protection.

With regard to aid policies and programs, the Australian Government has a publically available Safeguard Policy on displacement and resettlement which requires that informed consent be explicitly sought, documented and confirmed by disinterested third parties in relation to customary land donated for aid activities. Where displacement of indigenous people is anticipated, the policy also refers to a requirement for meaningful *consultation* with indigenous populations including culturally appropriate and land-based resettlement strategies for livelihood improvement or restoration; opportunities for affected indigenous peoples communities to benefit from the project affecting them. However, the extent of support for strengthening indigenous land rights could not be determined from publically available documents. Australia trade agreements and bilateral investment treaties are not screened for how they may affect tenure rights, including those of customary land owners.

In its policy on Food Security and in various letters to the Netherlands Parliament^{xxi}, MFA has expressed its full commitment to the VGGT. MFA's policy does not mention specific requirements on Due Diligence^{xxii} to examine, record and report who is using land tenure arrangements and informal rights, prior to any land related investment. MFA argues that there is no need for a specific policy or safeguards related to customary and informal land rights, as these rights are already covered by MFA's commitment to the VGGT^{xxiii}. However, examples from the recent past^{xxiv} show that existing customary land use rights, as well as the right to FPIC^{xxv}, are often overseen or not fully respected by Dutch companies. This suggests that there is a need for additional guidance^{xxvi} for such complex issues^{xxvii}

6. GENDER EQUALITY

Although the Gambian gender policy 2009 to 2020 calls for such provisions in the Land Acts, national laws do not provide for equal rights for women and men to access, use, control, inherit and own land. Under customary tenure systems, the rights of women are generally suppressed.

Senegal's National laws on the other hand respect equality between men and women (Article 15 of January 2001 constitution). However, illiteracy and cultural barriers block the expression of women's land rights, particularly in rural areas where customary practice is not in favor of women's land rights.

In 2013, the Australia Government elevated women's empowerment and gender equality from a cross-cutting theme to an aid investment priority. However, the extent of support for women's land rights is difficult to assess from available documents. The Australian Trade and Investment Commission^{xxviii} does not have a gender strategy posted on their website. However, they have engaged in several activities that look into gender and mining, mostly to increase women's employment and representation in governance structures.

Women's rights and gender equality are included as a priority theme^{xxix} in the Netherlands' MFA's policy agenda for aid (and investment) programs, both as an end in itself and a condition for realizing other priorities such as Food Security^{xxx}. Currently there is significant support for women's tenure rights in MFA's development aid^{xxxi}, including gender disaggregated data for monitoring and impact measurement^{xxxii}.

7. PROTECTION FROM LAND GRABS

There are no specific safeguard provisions in the Gambian law for compensation for large scale land transactions, and no regulatory

mechanism in place to monitor and control large-scale land acquisitions (other than the National Environment Agency, which focuses on protection of the environment rather than land tenure rights), although large scale land acquisition for different purposes is increasing. FPIC is not consistently in place.

Since 2000, large scale land transfers in Senegal by foreign and national investors, have increased. It is suspected that between 2002 and 2012, approximately 700,000 ^{xxxiii}hectares of land have been transferred (Report from CSO coalition against Land grab)^{xxxiv}. Land grabs occur in Senegal largely because the National Domain Law's definition of "public utility" and "general interest" is ambiguous. The advocacy work of CSOs and social movements has however contributed to a significant reduction in land grabbing and land conflicts in several regions. For example Senehuile Senethanol has given back 10000Ha to the communities of Ngith in the North regional of Senegal by Italian company.

The Australian Government regulation of overseas activities in relation to large scale land acquisition appears to be very weak. For example, NGO GRAIN reports on three Australian based or registered companies that are using large tracts of land in Mozambique, PNG and New Zealand.^{xxxv} Oxfam reports case studies whereby Australia's four big banks have funded organizations engaged in land grabbing.^{xxxvi} There is a lack of transparency and information available on investments.

On the other hand, the Netherlands is a key player in (large-scale) land investment overseas^{xxxvii}, through pension funds, banks, direct investments and government related or funded institutions, as well as more indirectly through import and consumption^{xxxviii}. Whilst MFA prioritizes investment in small-scale food producers, there are no Dutch laws in place to prevent land grabbing in overseas

investments^{xxxix} nor specific policies that aim to avoid or minimize land tenure rights transfers as suggested by the VGGT^{xl}. The importance MFA attaches to investing in small scale farmers is underscored in its long standing support to southern farmers' organizations and in its Food Security Policy^{xli}.

8. EFFECTIVE LAND ADMINISTRATION

In the Gambia, very limited to no safeguards exist to protect legitimate tenure rights of spouses, family members not recorded in the registration system. No record of tenure rights exist that would enable target groups to record and obtain information about their (individual and/or collective) legitimate tenure rights.

In Senegal, rural councils are the main institution responsible for rural land management. Under the National Domain Law, these rural councils are responsible for the allocation and withdrawal of state land to users, but the application of this law has proven to be ineffective, unsustainable, and unfair to small-scale farmers, especially women.^{xlii} User rights cannot be converted into leases or title deeds, allowing rural councils to withdraw or reallocate smallholders' lands at their own discretion.^{xliii} The National Domain Law also requires that land allocations, withdrawals, notifications, transfers, and dispossessions be recorded in a land register by the rural councils,^{xliv} but the councils do not maintain up-to-date records.^{xlv}

There are references to land administration in some Australian aid investment plans, to measures to streamline processes that enable land to be recognized as a commodity and credit obtained. Australia has had three land titling projects in the more recent past in PNG, Laos and the Philippines, which appear to be aimed at easing land titling and registration, collection of revenues for land and community awareness^{xlvi,xlvii}.

The importance the Netherlands' MFA attaches to effective land administration as a condition for development is underscored in its policy related to 'Land Governance'^{xlvi} and 'Food Security^{xlix}.' While initially MFA's support was mainly geared towards creating an enabling environment for (Dutch) investors, in recent years attention has shifted to a more holistic and Human Rights-based land governance approach^l. Accordingly, the government provides significant development assistance to the strengthening of land administration institutions. Towards this, the Netherlands' Cadastre supports and strengthens land registration in developing countries through the 'fit-for-purpose' method^{li} and the 'Social Tenure Domain Model'^{lii}.

9. CONFLICT RESOLUTION MECHANISMS

Conflict resolution mechanisms exist at several levels in the Gambia. Under the traditional system, disputes are resolved by village Elders. If they could not be resolved at that level, they can be referred to the District and Regional Land Tribunals, or the magistrate and Cadis courts. Land dispute resolutions services are being strengthened with the decentralization of the Judiciary system, through establishment of local tribunals for the settlement of land disputes at regional and district levels. The main drawbacks of these mechanisms are that the courts process is slow, and the tribunals lack transparency, they are not easily accessible to vulnerable and marginalized persons, due to lack of knowledge and finance to follow up cases. The number of courts available for dispute resolution is also limited.

Land disputes in Senegal are widespread, including disputes between communities and occasionally rural councils due to inaccurate records or conflicts regarding inheritance.^{liii} These disputes are resolved through both formal and informal customary mechanisms. Rural councils have jurisdiction over land conflicts, but if they fail to resolve the dispute, it

can be heard through the formal court system.^{liv} Civil society and community-based organizations can also mediate negotiations.^{lv} Formal courts are criticized for being “inefficient, corrupt, biased, and lacking necessary resources.”^{lvi} Justice is slow and procedures are complex and costly for the rural poor.^{lvii} Rural councils are ill equipped, and know very little about conflict management; most members are not formally educated and lack the knowledge and skills to apply the subtleties of the land law.^{lviii} Resolution is predominantly reached through consensus negotiation rather than by application of the law. Consequently, power and influence are great determinants of the outcomes.^{lix}

The Australian Government has supported and continues to support formal justice projects in development assistance. However, there is too little detail in the publically available documents to determine whether and to what extent this support focuses on or contributes to the resolution of land conflicts.

The Netherlands’ MFA's on its part, support to 'Conflict Resolution Mechanisms' is based on its policy on 'Land Governance'^{lx} as well as on its overall policy for development cooperation^{lxi} in which 'Security and the Rule of Law' is included as a priority theme. Government aid programs support conflict resolution and access to justice projects via several channels^{lxii}, and include both formal and informal conflict resolution mechanisms and support related to customary and women's tenure rights.

10. CONCLUSION

In Africa

- There're efforts to set up MSP in both countries, but the results have been mixed. To the extent that efforts have been successful, they have largely depended on active support from non-governmental organizations

- There are shared challenges with realizing women's tenure rights under customary systems

- Land grabbing a significant issue in both countries, spurring revision of land law in Senegal. Policy measures to address land grabbing still needed in The Gambia.

- Records of land rights remain absent (The Gambia) or are poorly maintained and hard to access (Senegal)

- Multiple levels of types of conflict resolution mechanisms are available in both countries, yet judicial mechanisms remain difficult and costly to access for the rural poor

From OECD country assessments

- Overall contrast, high levels of investment in VGGT/land governance from Netherlands and limited from Australia; while Australian government has adopted a land-related (displacement/resettlement) safeguard policy but not in Netherlands

- Despite instances of company/investor involvement in land-related infringements, no binding regulations on overseas investments of companies. OECD guidelines and IFC standards are an important framework, but land rights issues – especially customary and informal tenure – should be well integrated, and support mechanisms established

- Gender is a cross-cutting strategy/priority for both countries, but needs to be translated into specific strategies (Australia) and/or monitoring (Netherlands)

- Grievance mechanisms exist but more support is needed for the poor to use them. Use of International grievance mechanisms and thus sanctions for companies and governments infringing on tenure rights is limited.

11. LESSONS FROM THE ASSESSMENT PROCESS

Senegal:

1. VGGTs and AU F&G were used to train communities on land tenure governance in 5 communities that were also targets of the VGGT analysis. The prior training was really useful in helping the communities do the analysis and have an understanding of their rights to participate in land governance. Similarly, the systems and institutions in place had problems implementing the two guidelines and the training and analysis helps these institutions to understand their duties.

2. Sharing findings with CSO appreciated as the tools can be used to enhance the relationship with the state and the communities in order to improve land governance. The VGGTs Principles are simplified and translate into 5 local languages for communities use and appropriation.

The Netherlands,

3. The assessment looked at the government's external policies relating to other national governments in order to make concrete recommendations on what these policies should contain. As such, It was useful to engage with the

government to clarify issues related to such policies, and respond to concerns for example why we are very particular about customary tenure as well as gender

In Australia,

4. The Australian Government makes only part of their policies publicly available. Yet, it emerged that Trade has a potential effect on land laws, particularly where there are Investment State Dispute Settlement provisions in trade agreements. Similarly, extractive activities have potential to lead to loss of tenure rights for women and communities. It was also clear that we have to address the close link between land and natural resource rights (the complexity of it all)

The Gambia,

5. **The assessment** provided communities with an opportunity to learn on the use of the tool at the same help them to understand tenure systems and how it affects them. the assessment process provided alternative space for women to engage government to demand for their rights, as the multisectoral platform on land which is expected to mobilize action to advance land rights is highly dependent on unpredictable donor funding.

^{i i} <https://www.actionaidusa.org/wp-content/uploads/2016/09/Implementing-the-Tenure-Guidelines-for-Women-and-Small-scale-Food-Producers.pdf>

ⁱⁱ Voluntary Guidelines, 39 (paragraph 26.2).

ⁱⁱⁱ Voluntary Guidelines, 3

^{iv} Voluntary Guidelines, 15

^v Voluntary Guidelines, 5

^{vi} Land Policy in Africa, 15

^{vii} ActionAid joins IIED, ILC, IFAD and others in adopting the following definition of land grabs: ([Tirana Declaration 2011](#)) :: "Large-scale land acquisitions or concessions are defined as land grabs if they are one or more of the following:

- violations of human rights, particularly the equal rights of women
- not based on free, prior and informed consent of the affected land users
- not based on a thorough assessment or are in disregard of social, economic and environmental impacts, including the particular impact on women

- not based on transparent contracts that specify clear and binding commitments about activities, employment and benefit sharing
 - not based on effective democratic planning, independent oversight or meaningful participation.”
- viii Article 17, *Universal Declaration of Human Rights*. See <http://www.un.org/en/documents/udhr/>, accessed 17 April 2014
- ix Land Policy in Africa, 16.
- x Voluntary Guidelines, 29.
- xi Voluntary Guidelines, 14 and 9; Land Policy in Africa, 27-28.
- xii Interview with Purna Sen, 25 March 2014
- xiii Land Policy in Africa, 13 and 14.
- xiv Good Practice Notes, Community Development Agreements (2011), Centre for Socially Responsible Mining
- xv Community Engagement and Development, Leading Practice Sustainable Development Programme for the Mining Industry, Australian Government
- xvi Working with Indigenous Communities, Leading Practice Sustainable Development Programme for the Mining Industry, Australian Government
- xvii See e.g. 'Kamerbrief inzake de Katalyserende rol van Nederland bij het versterken van Land Governance'. Minister Ploumen, 30 September 2014.
- xviii Within the framework of the 'Strategic Partnership Dialogue and Dissent'. MFA, 13 May 2014.
- xix E.g. Pilot Oxfam Novib in Malawi, Nepal, Uganda and Niger to promote the implementation of the VGGT ('Partnerships with the VGGT', Governance of Tenure Newsletter. FAO May 2015).
- xx International Land Coalition (a global alliance of civil society and farmers' organizations, United Nation's agencies, NGOs and research institutes) and the Global Land Tool Network hosted by UN-HABITAT.
- xxi E.g. 'Kamerbrief inzake Katalyserende rol Nederland bij het versterken van Land Governance'. Minister Ploumen, 30 September 2014.
- xxii According to the UN Guiding Principles Reporting Framework, Human Rights Due Diligence is: '*An ongoing risk management process...in order to identify, prevent, mitigate and account for how a company addresses its adverse human rights impacts. It includes four key steps: assessing actual and potential human rights impacts; integrating and acting on the findings; tracking responses; and communicating about how impacts are addressed*'.
- xxiii Feedback on ActionAid's draft analysis and conclusions Dutch implementation VGGT, May 2017.
- xxiv E.g. the construction of the Barro Blanco hydro-electrical dam in Honduras, co-financed by the Dutch Development Bank FMO; conflict in Ethiopia associated with increasing competition from Dutch (flower and agri-business) companies; financing from two Dutch banks for the Dakota Access Oil Pipeline in North Dakota, impacting the sacred land of the Standing Rock Sioux tribe.
- xxv Free prior and informed consent is the principle that a community has the right to give or withhold its consent to proposed projects that may affect the lands they customarily own, occupy or otherwise use. FPIC is a key principle in international law and jurisprudence related to Indigenous Peoples.
- xxvi The VGGT call on states 'to provide appropriate recognition and protection of the legitimate tenure rights of Indigenous Peoples and other communities with customary tenure systems and to adapt their policy, legal, policy and organizational frameworks to recognize such tenure systems' (VGGT part 3, paragraph 9.4). The same can be said of Gender: whereas MFA is fully committed to the VGGT, including to gender in relation to tenure rights, the VGGT suggest that, in order to realize equity and justice, it may be necessary to take additional measures, e.g. in the form of 'positive action' (VGGT 3B Principle of implementation 3).
- xxvii Within the framework of the LG MSD stakeholders are currently involved in a joint learning process including masterclasses on FPIC and (foreseen) on the Social Tenure Domain Model and the fit-for-purpose method for land registration in a context of a continuum of land rights (see also: Effective Land Administration).
- xxviii <https://www.austrade.gov.au/>
- xxix 'A World to Gain'. Minister Ploumen, 23 April 2013.
- xxx 'Theory of Change (TOC) Women Rights and Gender Equality'. MFA, June 2015 and 'Theory of Change Food Security'. MFA, June 2015.
- xxxi See 'Strengthening Land Rights for Women. Inspiring Examples of Interventions supported by the Netherlands'. LG MSD and MFA, 8 March 2016. For recent initiatives see: 'Securing Women's Land Rights in Africa'. LANDac 11 May 2017 and 'Nederland investeert in de versterking van vrouwenorganisaties in het Zuiden'. Website Rijksoverheid, January 2017.
- xxxii 'Motie Van Laar inzake de uitvoering van genderanalyses en de ontwikkeling van effectieve genderstrategieën voorafgaand aan project en beleidsontwikkeling', 31 maart 2016.
- xxxiii Report on land grab mapping in Senegal publish by : IPAR, CNCR, ENDA PRONAT and ActionAid Senegal in 2012
- xxxiv CRAFS, Interview note with Zakaria Sambakhe, 31 March 2014
- xxxv <https://www.grain.org/article/entries/5492-the-global-farmland-grab-in-2016-how-big-how-bad> (see [Landgrab Deals 2015 Annex 1 Fina Lv2](#) (423 KB))
- xxxvi Oxfam (2014): Banking on Shaky Ground. Australia's Big Four Banks and Land Grabs.
- xxxvii The Netherlands is among the top 10 investor countries for land deals (see e.g. 'International Land Deals for Agriculture. Fresh Insights from the Land Matrix: Analytical Report II'. CDE, CIRAD, GIGA and the University of Pretoria, April 2016).

- ^{xxxviii} See e.g. 'Nederlandse banken en pensioenfondsen investeren miljoenen in landroof', article website Milieudedefensie based on 'The financing of Wilmar International', a research paper prepared for Friends of the Earth Europe. Profundu, 7 May 2013.
- ^{xxxix} According to MFA, and in line with the VGGT, not all large-scale land deals are land grabs: 'Under certain conditions, large-scale land deals can contribute positively to the development of agriculture, food security and the alleviation of poverty. A land deal is a land grab when national governments sell or give land on lease to (inter) national investors at the expense of the livelihood of local peoples without meaningful consultation, proper compensation, transparency or sustainable economic development' ('Kamerbrief inzake Nederlandse inzet bij tegengaan landroof'. Minister Ploumen, 16 May 2013. This is similar to the Tirana definition (assembly International Land Coalition, 26 May 2011) of land grabs that ActionAid upholds in its work and in this analysis.
- ^{xl} VGGT, part 4 paragraph 12 (e.g.12.6: States should provide safeguards to protect legitimate tenure rights... from risks that could arise from large-scale transactions).
- ^{xli} See e.g. 'Kamerbrief Nederlandse inzet voor Wereldwijde Voedselzekerheid'. Minister Ploumen en Staatssecretaris Economische Zaken Dijkema, 18 November 2014 and 'Kamerbrief over Resultaten Voedselzekerheid'. Minister Ploumen, 19 October 2016.
- ^{xlii} Jacques Faye, *Land and decentralisation in Senegal*, issue paper no. 149 (Le Hub Rural, 2008), p.11, <http://pubs.iied.org/pdfs/12550IIED.pdf>, accessed 2 March 2014
- ^{xliii} *Ibid.*
- ^{xliiv} Interview with Zakaria Sambathe, 31 March 2014
- ^{xliiv} Gerti Hesselings, *Land reform in Senegal*, p.257
- ^{xlivi} <http://www.landequity.com.au/projects/lao-pdr-lt-proj/>
- ^{xlvii} <http://www.landequity.com.au/projects/lampii/>
- ^{xlviii} E.g. 'Kamerbrief inzake Katalyserende rol Nederland bij versterken Land Governance', Minister Ploumen, 30 September 2014.
- ^{xlix} 'Theory of Change Voedselzekerheid', 2015.
- ^l Interview Frits van der Wal (MFA) in 'Land Rights special'. ViceVersa, Spring 2017.
- ^{li} Fit-for-purpose guiding principles for country implementation, GLTN, 2016.
- ^{lii} 'The Social Tenure Domain Model-A Pro-Poor Land Tool', FIG Publication No 52, March 2010. The STDM has been developed by GLTN with extensive contributions from Dutch knowledge institutions.
- ^{liii} Jean Philippe LESTANG, *Rural Land Management in Senegal River Valley*, p.9; Elise H. Golan, *Land Tenure Reform in Senegal: An Economic Study from the Peanut Basin*, LTC Research Paper 101, January 1990, p.5, http://pdf.usaid.gov/pdf_docs/pnabf005.pdf, accessed 15 February 2014
- ^{liv} Gerti Hesselings, *Land reform in Senegal*, p.250
- ^{lv} Interview with Zakaria Sambathe, 31 March 2014
- ^{lvi} *Senegal*, Freedom House, last modified 2011, <http://www.freedomhouse.org/report/countries-crossroads/2011/senegal#.U1kUbOZdVPw>, accessed 19 April 2014; *Senegal Country Profile Judicial System*, Business Anti-Corruption Portal, <http://business-anti-corruption.com/country-profiles/sub-saharan-africa/senegal/corruption-levels/judicial-system.aspx>, accessed 19 April 2014; USAID, *USAID Country Profile: Senegal*, p.12
- ^{lvii} *Ibid.*
- ^{lviii} Gerti Hesselings, *Land reform in Senegal*, p.260
- ^{lix} Mayke Kaag, *Accountability in Land Governance*, p.19
- ^{lx} Brief regering: Doelstellingen en Ontwikkelingen van Nederlandse Land Governance Programma's en Projecten - Vergaderingen Interim Committee en Development Committee. Minister Ploumen, 30 April 2014.
- ^{lxi} 'A World to Gain'. MFA, 2013.
- ^{lxii} See also 'Netherlands Supported Initiatives on the Strengthening of Land Governance'. MFA, 2016.



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L'accès des femmes au foncier dans l'Extrême-Nord du Cameroun Entre persistance de la tradition et dynamiques socio-économiques

Natali KOSSOUMNA LIBA'A

Université de Maroua, kolibaa@yahoo.fr, Maroua, Cameroun

Abstract : Women in the Far North region of Cameroon face a sociological environment that limits their access to land: marriage, illiteracy and ignorance of the regulatory provisions, complexity and cost of land tenure, security procedures, and financial factors... Besides, women's access to land is accompanied by both positive and negative local perceptions, but remains strongly influenced by custom and traditional rules. They develop various strategies to gain access to land: use of economic capital, urbanization and opportunities to purchase land for building, firm desire to assert oneself and to prevent themselves against marital uncertainty... In addition, actions have been taken by various NGOs and Associations, but are not yet satisfactory. Reflections on securing women's rights to land require the need for legislative, regulatory and social reform.

Key words: Women, access to land, marginalization, sociological burdens, land access strategies, Far-North, Cameroon

Résumé : Les femmes de la région de l'Extrême-Nord du Cameroun font face à un environnement sociologique qui limite leur accès au foncier : mariage, illettrisme et ignorance des dispositions réglementaires, complexité et coût des procédures de sécurisation foncière, facteurs financiers... Par ailleurs, l'accès des femmes au foncier est accompagné des perceptions locales à la fois positives et négatives, mais qui reste fortement influencées par la coutume et les règles traditionnelles. Elles développent diverses stratégies pour accéder au foncier : utilisation du capital économique, urbanisation et opportunités d'achat de terrain constructible, ferme volonté d'affirmation de soi et de se prémunir contre l'incertitude matrimoniale... De plus, des actions ont été menées par diverses ONG et Associations, mais ne sont pas encore satisfaisantes. Les réflexions pour la sécurisation des droits d'accès des femmes au foncier passent par la nécessité d'une réforme législative, réglementaire et des normes sociales.

Mots-clés : Femmes, accès au foncier, marginalisation, pesanteurs sociologiques, stratégies d'accès au foncier, Extrême-Nord, Cameroun.

1. INTRODUCTION

Dans la région de l'Extrême-Nord du Cameroun la précarité foncière est liée en grande partie à la multiplicité et au chevauchement des droits (étatiques et coutumiers). Cette situation génère une insécurité foncière qui devient l'une des causes qui freinent les processus d'intensification des activités productives et d'investissements en milieu urbain. Cette situation engendre des conflits dont les acteurs faibles comme les femmes sont les plus vulnérables.

Les femmes sont en effet une composante très importante de la population du Cameroun. Selon le Troisième Recensement Général de la Population et de l'Habitat, elles représentent 50,6% de la population et 50% d'entre elles résident en zone rurale (BUCREP, 2005). Sur le plan économique, elles contribuent pour plus de 55,8% à la production agroalimentaire nationale de subsistance nécessaire à la vie des communautés (INS, 2010). Les études réalisées par le PAM (2011) ont révélé qu'au Cameroun, les femmes fournissent plus de 80% de la production agricole sur des parcelles familiales appartenant à leur mari ou louées. Ces produits sont utilisés pour satisfaire les besoins familiaux et pour les marchés locaux. La disponibilité du foncier est ainsi une condition essentielle pour répondre à leurs besoins productifs.

Toutefois, des difficultés telles que l'accès à la terre, la raréfaction de l'eau due aux sécheresses répétées, les inondations récurrentes, la difficile sécurisation foncière et surtout la discrimination relative à l'accès au pouvoir et au foncier entraînent la paupérisation des femmes (Sambo, 2018).

En milieu rural, parmi les types du foncier qui existe, le foncier agricole intéresse les femmes qui pratiquent de l'agriculture et le foncier pastoral pour les femmes nomades dont

l'élevage de petits ruminants est l'une de leurs activités. Cependant, qu'elles soient sédentaires ou nomades, elles ont toujours été éloignées des instances locales de gestion de la terre. De même, elles sont absentes au moment des règlements des litiges fonciers, de la délimitation et de la démarcation des espaces pastoraux (Kossoumna Liba'a, 2016).

Dans la conception des populations de la région de l'Extrême-Nord, le foncier n'est pas seulement un bien économique ; il a également d'importantes dimensions sociales, politiques et culturelles qui fondent son accès, son exploitation et son contrôle.

Après la restitution de la démarche méthodologique et le positionnement théorique, le présent article examine en premier lieu les pesanteurs sociologiques qui limitent l'accès des femmes au foncier ainsi que les perceptions qu'en ont les populations. En second lieu seront répertoriées les stratégies qu'elles développent de manière individuelle ou collective, endogène ou avec l'appui des organismes de développement avec plus ou moins de succès. Les conditions d'une amélioration des modalités de sécurisation foncière des femmes clôtureront l'analyse.

2. MÉTHODOLOGIE

L'insécurité foncière vis-à-vis des femmes se pose dans toute la région de l'Extrême-Nord du Cameroun, mais à des degrés qui diffèrent selon les zones sociologiques et d'un village à un autre. La méthodologie s'appuie sur des enquêtes par entretiens ouverts auprès des acteurs, combinées aux faits et réalités observés sur le terrain. Pour faire une analyse spécifique centrée sur les femmes, les observations ont été faites dans trois zones à savoir les plaines du Diamaré, les monts Mandara et la plaine d'inondation de la vallée du Logone (figure 1).

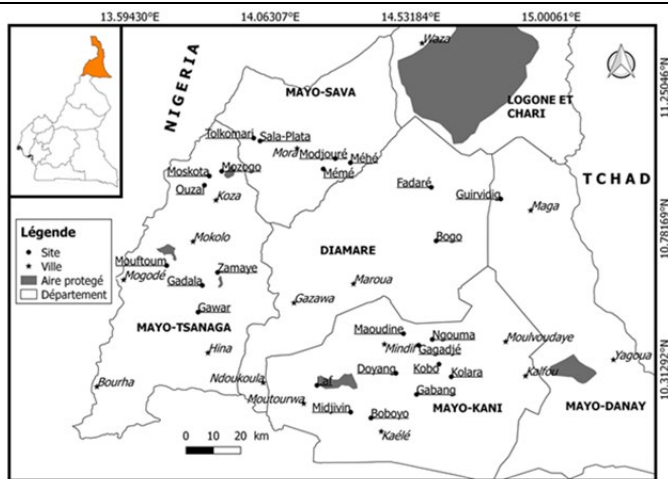


Figure 1. Zone et sites d'étude

Au total, une vingtaine de villages ont été choisis dans 12 communes : Maroua (Maroua 1, 2 et 3), Mokolo (Gadala-Gawar, Zamay), Mogodé (Mouftoum (Mogodé), Mayo-Moskota (Mozogo), Mora (Mémé, Méné, Modjouré), Kolofata (Tolokomari), Mindif (Ngouma, Gagadjé, Maoudine, Doyang), Moulvoudaye (Kolara et Kobbo), Maga (Guirvidig, Massa), Diamaré (Fadaré), Kaélé (Midjivin, Boboyo et Gaban) et Moutourwa (Laf).

Au cours des entretiens dans chaque village, nous avons, à travers un échantillonnage aléatoire, mesuré l'ampleur de l'achat de terrains par les femmes, observé les attitudes, les comportements et recueilli les opinions et perceptions des acteurs sociaux face au dynamisme des femmes pour accéder au foncier.

L'article s'appuie aussi sur les données secondaires constituées de rapports de recherche, d'évaluation, de suivi, de fin de projet, d'activités, mais aussi des articles, des thèses, des mémoires, des lois en rapport avec les femmes et la terre, les problèmes et expériences en matière d'accès, de gestion et de sécurisation du foncier.

3. CADRE THÉORIQUE : Genre, Construction Sociale et Rapport de pouvoir

Le positionnement théorique s'appuie sur la représentation sociale du genre féminin, le rapport de pouvoir qu'elle génère et ses incidences sur les dynamiques d'appropriation et d'accès au foncier par les femmes. Défini au niveau le plus général, le genre est en effet la construction sociale de la différence des sexes. Ici, l'emploi du « genre » comme terme spécifique, distinct de « sexe », permet de souligner le caractère social des comportements et des significations associés à la différence des sexes, voire de cette différence elle-même (Laqueur, 1992).

Cette construction sociale a d'abord une dimension matérielle : elle s'incarne dans des comportements, des statuts différenciés selon le sexe, et une distribution inégale des ressources et des espaces sociaux entre hommes et femmes (Revillard et de Verdalle, 2006). Tous les travaux qui étudient la place respective des hommes et des femmes dans la société (dans les professions, la famille, la société, en politique, à l'école, etc.) relèvent de cette première dimension. À ce propos, l'inégal partage de l'héritage foncier entre les hommes et les femmes dans l'Extrême-Nord du Cameroun est fort illustratif.

Par ailleurs, cette construction sociale a une dimension symbolique : le genre renvoie aux significations et aux valeurs socialement rattachées au masculin et au féminin (Bourdieu, 1998 ; Héritier, 1996). Ces significations participent de l'organisation de la vie sociale telle que nous l'observons dans la région de l'Extrême-Nord pour laquelle ni la religion, ni l'éducation, ni la mondialisation n'a que peu de prise et d'emprise et qui a une forte incidence sur les décisions relatives au foncier. Dans cette optique, le genre constitue bien un principe structurant d'organisation de la société (Hess et Ferree, 1987), indépendamment même de la

question de la place des femmes et des hommes.

Enfin, le genre, en tant que rapport social construit sur la différence, est intrinsèquement un rapport de pouvoir. Celui-ci peut être décliné analytiquement en termes de hiérarchie et de norme. En effet, il existe d'une part un rapport de pouvoir inégalitaire entre hommes et femmes, et une supériorité sociale des significations et valeurs associées au masculin sur celles associées au féminin (Revillard et de Verdalle, 2006) tel que nous l'observons dans les sociétés étudiées. La mise au jour des ressorts de ce rapport de pouvoir a été au cœur des premières théories féministes, qui l'ont conceptualisé en termes de patriarcat (Delphy, 1998), de sexage ou d'appropriation (Guillaumin, 1992). D'autre part, chaque individu, quel que soit son sexe, subit une contrainte à se conformer à une norme de genre, c'est-à-dire aux comportements et attitudes qui sont socialement attendus des personnes de son sexe (Revillard et de Verdalle, 2006). En tant que sa transgression implique une sanction, cette norme traduit un rapport de pouvoir. Cette dimension de norme de genre a été particulièrement explorée par Butler (1990) et par la théorie Queer qui s'est développée à partir de ses écrits. Il s'agit, pour ce courant théorique et politique, d'analyser les normes de genre et l'hétérosexualité en tant que constructions sociales et de travailler à leur déconstruction à partir des pratiques qui les remettent en question.

Tout en permettant d'intégrer le caractère structurel de la domination des hommes sur les femmes et la force d'imposition de la norme de genre pour chaque individu, le concept de « rapport de pouvoir » que nous choisissons d'utiliser ici pour qualifier le genre, dans sa dimension relationnelle, permet une prise en considération des résistances possibles que

nous observons actuellement au niveau des femmes urbaines, ayant une position sociale plus ou moins confortable et économiquement nanties, capables s'approprier et d'investir dans le foncier.

Ainsi, le genre, en tant que construction sociale et rapport de pouvoir, n'est « jamais fixe, mais continuellement constitué et reconstitué » (Glenn, 1999 : 5). C'est pour souligner cette dimension processuelle et relationnelle que nous avons mobilisé cette approche théorique pour mieux rendre compte des permanences, mais aussi des dynamiques en cours en rapport avec les attitudes et pratiques locales liées au foncier dont les résultats qui suivent en sont les illustrations parfaites à commencer par les pesanteurs sociologiques.

4. PESANTEURS SOCIOLOGIQUES EN DÉFAVEUR DE LA FEMME

Dans la région de l'Extrême-Nord du Cameroun la femme est confrontée à un ensemble d'austérités sociologiques qui limitent ses droits, son aspiration et ses possibilités d'accéder et d'exploiter les terres.

4.1. Le poids des normes et règles culturelles

Dans les sociétés africaines de manière générale, les droits d'accès à la terre sont régis par des institutions déterminées culturellement et socialement. En ce qui concerne les femmes, leurs droits à l'héritage foncier sont affectés par les normes et règles culturelles (Giovarelli et Scalise, 2015). Dans la plupart des cas, la femme n'a pas le droit d'acquérir ou d'hériter d'une terre. Elle exploite une parcelle qui lui est attribuée par son mari et ce dernier décide de l'utilisation qui sera faite de la récolte (Haman Adama, 2012). Il peut aussi décider de reprendre cette parcelle à tout moment selon

les choix stratégiques familiaux qu'il décide de manière unilatérale.

L'inégalité coutumière est fondée sur le critère de sexe, car le droit coutumier pose comme principe l'inégalité entre l'homme et la femme. Le premier a toujours été considéré comme étant supérieur à la seconde. La femme est ainsi prise comme une donnée négligeable dans les décisions de gestion et d'organisation de la terre. Faite pour se marier et procréer, la jeune fille vivant encore chez ses parents dans l'attente d'un éventuel mari y est pratiquement en « transit ». Une fois mariée, elle n'est pas davantage intégrée dans la famille du mari en termes de droit foncier. Elle s'ajoute en nombre à cette famille sans pour autant s'y intégrer (Bokalli, 1997). Si elle perd son mari et reviens chez ses parents, son père peut lui céder une parcelle pour sa survie, mais à la disparition de celui-ci, elle peut en être dépossédée par ses frères. De plus, ses enfants ne peuvent prétendre hériter de cette parcelle.

De nombreux exemples témoignent de la disqualification de la femme dans la gestion de la terre (Bigombé et Bikié, 2003 : 55). Dans la société Moundang les femmes sont tenues en marge de l'opération de partage de la terre au nom de la tradition. Tel est également le cas chez les Toupouri et les Massa où la femme est exclue de la gestion du patrimoine foncier lignager. Ainsi, les femmes rurales n'ont pas accès au foncier non-pas seulement du fait de l'insuffisance des terres cultivables de bonne qualité, mais aussi du fait d'un système traditionnel de gestion des ressources naturelles qui privilégie les hommes et exclue les femmes.

Bien plus, les systèmes traditionnels de transmission de la terre ne prévoient pas la place de la femme dans l'héritage, le legs, les allocations familiales comme on le note chez les Massa, Toupouri, Moundang, Mofou, Guiziga...

Dans ces sociétés, les femmes sont considérées comme des « êtres inférieurs », instables et incapables de gérer le foncier.

Par contre chez les Peuls où la tradition est influencée par la religion, les femmes accèdent au foncier par l'héritage (Safiatou, 2018) sans pour autant être assurées d'en jouir pleinement.

4.2. Persistance de la marginalisation des femmes au mépris du droit foncier

Le droit foncier, avec notamment les dispositions de l'ordonnance n°74-1 du 06 juillet 1974 relative au régime foncier accorde une place égale à la femme en matière d'accès au foncier. À ce propos Bigombé et Bikié (2003 : 53) affirment : « La loi foncière camerounaise reconnaît et protège le droit des femmes d'accéder à la terre, qu'elle soit propriétaire ou exploitante. Pour l'acquisition en tant que propriété intégrale avec un terrain titré, le propriétaire peut le vendre à tout acheteur de son choix ». Malgré ces dispositions, la marginalisation des femmes persiste dans la pratique au sein des sociétés étudiées.

En fait, les femmes peuvent en principe acquérir par elles-mêmes les terres qu'elles veulent exploiter sans qu'il y ait un blocage relatif au genre féminin. Mais, bien que le droit camerounais lui donne la possibilité d'acquérir et de posséder la terre, cette marginalisation des femmes, surtout en zone rurale, persiste fortement. Ainsi, si la femme a la possibilité d'accéder à la terre, la majorité occupe les terres marginales (*harde*¹, zones hydromorphes, terres sableuses, jachères

¹ Terre inculte et impropre à la culture. Les *harde* ne peuvent être mises en culture sans aménagement, carroyage de diguettes ou sous-solage.

abandonnées...) pour les cultures vivrières. Elles ne peuvent en aucun cas hériter une parcelle agricole de valeur. Après avoir amendé, aménagé et restauré une terre inculte, le chef de famille se donne la possibilité de la reprendre pour la culture du coton ou des céréales à fort potentiel pécuniaire et spéculatif. Ces pratiques foncières sont courantes dans les terroirs de Mozogo, Tolkomari, Zamay, Mémé, Mehé, Mindif, Laf, etc.

Pour accéder à des terres fertiles et rentables, les femmes peuvent soit les louer (entre 2 000 et 5 000 Fcfa le ¼ d'ha), soit les exploiter moyennant une contrepartie réglée en nature, soit c'est l'homme qui cède parfois ces terres ayant cependant constaté la baisse de la fertilité et donc des rendements agricoles (Kossoumna Liba'a, 2018).

4.3. L'accès à la terre grâce au mariage, mais à risque

Le mariage est toujours le moyen le plus courant à travers lequel les femmes peuvent obtenir un accès à la terre (FAO, 2010 ; Assu Agbor Oyon Gondip et Ayuk Vera Egbe, 2010). C'est pour cela qu'elles risquent de perdre leurs droits sur les terres acquises par cette voie en cas de divorce, de veuvage ou de migration de leur mari. Les conditions d'accès des femmes à la terre sont alors déterminées par leur statut matrimonial permanent. Malheureusement, les travaux de la FAO (2010) montrent que les parcelles obtenues par les femmes de la part de leur mari sont généralement de plus petite taille et de médiocre qualité en termes valeur marchande, de localisation, de fertilité et de rentabilité.

4. 4. Inégal partage de l'héritage foncier entre l'homme et la femme

L'héritage du foncier ne se partage pas de manière égale entre les hommes et les femmes.

Considéré « encore comme le principal mode de transfert intergénérationnel des droits fonciers » (Pabamé Sougnabé et al., 2009), l'héritage est largement influencé à la fois par les traditions et les religions.

Dans les sociétés musulmanes par exemple, l'accès par voie successorale obéit aux règles de droit musulman ainsi qu'à des coutumes qui trouvent leur origine dans la structure patriarcale de la société bien avant la pénétration de l'islam. Dans la région de l'Extrême-Nord, en dehors des Peuls, l'islamisation des Moundang, Massa, Toupouri, Mofou, Mafa... n'a que très peu influencé leur mode traditionnelle de transmission intergénérationnelle des terres. Très souvent, les droits à l'héritage des femmes et des hommes diffèrent. Ceux de la femme dépendent le plus souvent de son état matrimonial ou de sa relation avec un homme. Les droits des femmes à l'héritage foncier sont ainsi affectés par les normes et règles culturelles. Par exemple, dans les cultures où les droits fonciers sont relayés à travers les hommes (patrilinéaire) et où les femmes déménagent chez leurs époux lors du mariage (patrilocale), une femme héritera rarement des droits fonciers de son défunt mari parce qu'elle est considérée comme « étrangère » à la lignée de sang du défunt mari. C'est notamment le cas dans les sociétés Toupouri, Massa, Mafa, Moundang, Moufou, Guiziga... De même, elle peut ne pas hériter de son père parce qu'elle n'est plus supposée être sous sa responsabilité (Giovarelli et Scalise, 2015).

Dans le cadre du droit islamique en pratique chez les Peuls, la femme reçoit heureusement en héritage la moitié de ce que reçoit l'homme. Tel est le principe de l'islam en matière d'héritage, mais ce principe est appliqué aux

femmes en fonction de leur statut². Dans le Coran, à la sourate 4:11 est mentionné : « voici ce qu'Allah enjoint au sujet de vos enfants. Au fils, une part équivalent à celle de deux filles... ». Et en tant qu'épouse, la veuve hérite le 1/4 si le défunt n'avait pas d'enfant. Elle hérite le 1/8 si le défunt laisse des enfants d'après cette autorité religieuse.

4. 5. Le mariage, un frein à l'achat du foncier par les femmes

Pour de nombreuses femmes, le mariage est un obstacle à leur désir d'appropriation du foncier. En effet, une fois dans le foyer, elles n'ont pas la même liberté que les célibataires, les divorcées ou les veuves de s'approprier une terre.

Les travaux de Safiatou (2018) dans la ville de Maroua montrent que la majorité de femmes qui achètent des terres est célibataire. Celles qui sont au foyer se plaignent de l'égoïsme et de la méchanceté de leur mari qui ne veulent pas qu'elles deviennent indépendantes, les dominent et les quittent. En outre, l'achat en cachette de parcelles par certaines femmes peut carrément leur coûter le divorce.

4.6. Illettrisme et ignorance des dispositions réglementaires

Du fait de leur illettrisme et ignorance, la majorité de femmes de la région de l'Extrême-Nord (79%) ignore les dispositions réglementaires leur permettant de faire valoir leurs droits de posséder, d'acquérir ou de jouir du foncier. Quand bien même elles les connaissent, 84% d'entre elles affirment qu'elles hésitent d'en faire usage afin de ne pas remettre en cause les règles sociales, mais aussi

et surtout de peur d'être stigmatisées voire divorcées.

Par ailleurs, 79% de femmes reconnaissent qu'elles ne disposent pas de toutes les informations sur les procédures d'immatriculation foncière (démarches, pièces à fournir, coûts...). Cette situation est d'autant plus perceptible que selon le troisième recensement général de la population et de l'habitat de 2005, l'Extrême-Nord est parmi les régions les moins scolarisées et les femmes constituent la frange la plus concernée.

4.7. La complexité et le coût des procédures de sécurisation foncière

À cause de la complexité et la cherté du coût des procédures, la sécurisation foncière fait l'affaire des intellectuels et des personnes à fort capital social et économique, d'où l'existence du « clivage entre riches et pauvres » (Diarra & Caubergs, 2013). L'enquête de Safiatou (2018) a montré que les femmes s'engagent difficilement pour l'obtention d'un titre foncier du fait de leur ignorance des voies des procédures et de leur coût élevé. Les terres qu'elles acquièrent restent ainsi dans une situation d'insécurité foncière pouvant conduire à leur perte, car de nombreuses ventes frauduleuses sont légion, surtout en milieu urbain. Si de telles situations arrivent, les femmes hésitent également à porter plainte. Ainsi, c'est une minorité de femmes propriétaires qui arrivent à titrer leurs terrains.

Face à ce constat du faible taux d'accès des femmes aux permis d'occuper et aux titres fonciers, les pouvoirs publics n'ont pas encore adopté une politique pour promouvoir l'accès au foncier d'un plus grand nombre de femmes de manière sécurisée. Ainsi, le cadre réglementaire de l'État camerounais n'est sollicité que dans les zones urbaines. Le recours

² Hamadou Abdoul Kadri, autorité religieuse, à Domayo, le 05 avril 2018 (Safiatou, 2018).

à l'immatriculation foncière reste donc un privilège réservé aux « élites ».

4.8. Les moyens financiers limitent l'accès au foncier des femmes

D'après le Document de Stratégies pour la Croissance et l'Emploi (DSCE) du Cameroun élaboré en 2010, le taux de pauvreté dans la région de l'Extrême Nord avoisine 41%. Cette région enregistre la proportion la plus élevée de femmes pauvres, soit près de 63% en 2007. Le taux de pauvreté y varie selon que l'on soit en milieu urbain (20,7%) ou rural (72,6%) (INS, 2010). Ainsi, la situation économique des femmes marquée par la pauvreté ambiante ne facilite pas leur autonomisation en matière foncière.

Pour Seignobos (1998) « le marché foncier qui s'instaure va forcément servir ceux qui ont des possibilités financières (notables, fonctionnaires, commerçants) et autres hommes d'affaires, hommes politiques très influents ». En effet, la « marchandisation » des droits fonciers est apparue avec acuité au cours des années 1990 suite à l'accélération des flux migratoires spontanés ou suscités par l'État et surtout suite à la modernisation de l'agriculture (Seignobos et Teyssier, 1997). Avec la disparition du mode de transaction foncière non marchande, les moyens financiers deviennent incontournables pour s'approprier le foncier.

De ce fait, l'accaparement des terres par des hommes influents économiquement, politiquement et socialement, au pouvoir d'achat supérieur à la moyenne constitue de véritables difficultés d'accès des femmes au foncier. Cet accaparement et surenchère causent les problèmes d'indisponibilité et de la cherté des terres. En plus, dans la ville de Maroua par exemple, l'inaccessibilité des terres constructibles et la hausse du prix dans les

centres urbains obligent les femmes à rechercher des espaces disponibles et à faible coût dans les périphéries à l'instar de Djalingo, Louggeo, Palar, Zokok Laddéo et Kongola.

La volonté exprimée des femmes d'accéder au foncier et d'en jouir fait réagir la société de manière négative dans la plupart des cas, mais les attitudes positives commencent également à émerger timidement.

5. PERCEPTIONS DU DÉSIR D'ACCÈS DES FEMMES AU FONCIER

L'évolution des conditions de vie et d'activité permettent aux femmes d'accéder au foncier par divers subterfuges grâce aux différentes stratégies qu'elles développent. S'il persiste une perception négative de la part de la plupart des membres de la société, une inversion de la tendance positive s'observe timidement.

5. 1. Les perceptions négatives vis-à-vis des femmes propriétaires du foncier

La femme qui prétend accéder à la propriété foncière est stigmatisée et le plus souvent blâmée. L'opinion publique en majorité est en défaveur de l'appropriation et de l'autonomie foncière de la femme. En effet pour 68% de personnes interrogées, la femme est appelée à se marier. De ce fait, elle devrait résider dans le domicile conjugal. Raison pour laquelle ils ne voient pas la pertinence pour elle d'avoir un terrain ou un logement personnel. 78% de ces personnes pensent qu'en cas de répudiation, la femme devrait rentrer chez ses parents et non chercher à résider dans sa propre maison ; ce qui pourrait l'exposer aux insécurités physiques, à la précarité alimentaires et sanitaire, mais aussi à la prostitution. Il en est de même pour les femmes célibataires qui dans les normes sociales devraient vivre dans le domicile familial sous la protection et la

bienveillance des membres de sa famille selon 93% des enquêtés.

Une femme propriétaire de terre est alors perçue comme « insoumise, rebelle, méprisante, orgueilleuse et ingrate » (Safiatou, 2018). En effet, 83% sont ceux qui pensent que la possession foncière donnera l'occasion à la femme de manquer de considération à son mari, surtout si ce dernier n'a pas lui-même investi en termes d'appropriation foncière et de construction. Ainsi, 74% des hommes affirment que dans de telles situations, ils ont peur de voir leur autorité menacée et subir le chantage de leur épouse qui peut menacer de les quitter.

Les perceptions négatives et les regards inquisiteurs de la majorité de la population poussent 62% de femmes à acheter des parcelles à l'insu de leur mari et à y investir en toute discrétion. Dans 72% de cas, elles font intervenir des intermédiaires, le plus souvent les membres de leur propre famille, dans le processus d'appropriation du foncier et d'investissement. Cette option peut s'avérer risquée si l'intermédiaire désignée est malhonnête et de mauvaise foi. De nombreux témoignages attestent en effet que plusieurs femmes ont subi des escroqueries et des détournements de ces terres. Si de telles situations surviennent, les victimes ne peuvent se plaindre de peur que leur mari ne soit mis au courant de leurs initiatives.

Malgré ces perceptions négatives qui persistent, on assiste à une timide évolution de la position de quelques personnes en faveur de l'autonomie foncière de la femme.

5. 2. Les perceptions positives autour de l'accès des femmes au foncier

Une frange de la population urbaine et scolarisée (31%) commence de plus en plus à accepter et reconnaître à la femme le droit d'accéder à la terre. En effet avec l'urbanisation,

la scolarisation et l'évolution du pouvoir d'achat, on assiste à l'adoption d'une attitude tolérante et conciliante vis-à-vis des femmes de divers statuts dans leur quête du foncier.

L'évolution positive des opinions, attitudes et comportements au sein de la société permet à la femme d'avoir une stabilité foncière lui permettant de s'implanter, d'investir et d'être autonome. Cela permet également à la femme d'être valorisée et reconnue comme partie prenante du développement familial, social et local. C'est pour cela que 34% d'hommes reconnaissent le combat des femmes pour l'accès au foncier et la nécessité de les accompagner dans ce sens. Ils considèrent que ces femmes qui cherchent l'autonomie et l'assurance sont « courageuses, battantes, déterminées, dynamiques, progressistes et utiles pour l'amélioration des conditions de vie de la société entière » (Safiatou, 2018). En mettant en location des maisons qu'elles ont acquises, elles peuvent participer aux charges de leur foyer et de leur famille.

5. 3. L'amélioration des conditions d'accès à la terre : un atout socio-économique

L'évolution des conditions d'accès des femmes au foncier et l'utilisation qu'elles en font sont bénéfiques et avantageuses pour la famille et la société. En effet, en investissant dans les maisons d'habitation personnelle, de location ou encore pour les activités commerciales et agropastorales, les femmes participent à la réduction des charges familiales et l'accroissement des revenus. Elles peuvent ainsi investir dans l'immobilier qui est perçu comme un placement rentable. La terre étant devenue un moyen d'enrichissement, « la clé de voûte du développement » (Seignobos, 1997), les femmes en milieu urbain tirent aussi profit de cette rente surtout avec l'augmentation de la population et des nouveaux besoins en

logement comme on le note à Maroua depuis la création de l'Université en 2008.

Face aux multiples obstacles qui entravent leur épanouissement en matière foncière, les femmes déploient plusieurs stratégies pour y accéder et y investir.

6. LES STRATÉGIES DES FEMMES POUR ACCÉDER AU FONCIER

Les observations, enquêtes et entretiens montrent que malgré la persistance des pratiques foncières traditionnelles en leur défaveur, les femmes développent des stratégies individuelles et collectives, endogènes ou avec l'appui des ONG pour accéder à la terre.

6. 1. Les femmes, élites urbaines à la recherche de leur autonomie foncière

Les conditions de reproduction sociale en termes de gouvernance foncière ne sont plus linéaires et figées. Elles connaissent des évolutions grâce à l'éducation et l'émergence d'une nouvelle classe de femmes qui s'émancipe et aspire à une autonomie foncière. Mais pour le moment, il s'agit pour l'essentiel des femmes qui vivent en zone urbaine (enseignantes, commerçantes, infirmières...), politiquement engagées (sénatrices, députées, conseillères municipales...), agents ou cadres dans l'administration publique, intellectuelles (ingénieurs, enseignantes des lycées, collèges et d'universités...) (Kossoumna Liba'a, 2018) et une faible proportion de ménagères mariées (Safiatou, 2018) qui utilisent plusieurs subterfuges pour financer leurs projets fonciers.

En effet, les femmes utilisent plusieurs moyens pour satisfaire leur désir d'appropriation foncière notamment les tontines, les crédits bancaires pour celles qui peuvent être avalisées ou obtenir des garanties

exigées, des économies personnelles... Elles arrivent ainsi à s'acheter des terres pour la construction de leur maison d'habitation ou de location.

6. 2. Accès des femmes au foncier à la faveur de l'urbanisation

L'extension urbaine des villes de l'Extrême-Nord du Cameroun et l'ouverture du marché foncier à tous les acteurs ayant des moyens financiers favorisent l'accès des femmes au foncier. Dans le quartier Lougguéo à la périphérie ouest de Maroua, Kaïtina et al., (2010) ont recensé 9 000 femmes sur les 17 000 propriétaires des terres, même si elles ne disposent que de petites superficies. De plus, du fait de leurs moyens financiers limités, les femmes se voient proposées des parcelles éloignées du centre urbain et souvent dans des zones *non aedificandi*, « la périphérie des périphéries », « des terres marginales et ingrates » (Kossoumna Liba'a, 2018).

L'augmentation de la population et la forte demande en habitats poussent les acteurs urbains à acheter des terrains dans le but de construire des logements locatifs. Depuis 2013 en effet, on note une augmentation du nombre de femmes qui s'intéressent à la construction des maisons de location à proximité du site d'implantation de l'École Normale Supérieure de l'Université de Maroua à Djoulgouf-Kongola-Kodek.

En milieu rural, nous observons dans les zones maraîchères des plaines de Mozogo et de Tolkomari par exemple, qu'il n'existe pas une discrimination sur les terres maraîchères (oignon, tomate et ail). Les femmes y exploitent les mêmes terres que les hommes.

6. 3. Volonté d'affirmation de soi et de se prémunir contre l'incertitude matrimoniale

Malgré les difficultés persistantes, la recherche d'autonomie ou d'indépendance, l'assurance de l'avenir et le désir de la stabilité poussent de plus en plus les femmes à se lancer dans l'acquisition de la terre. Pour 74% de femmes mariées et propriétaires de terrains, l'instabilité conjugale et la peur d'être divorcée à tout moment constituent les raisons principales.

Pour 83% de femmes célibataires et 71% de femmes divorcées, l'achat d'un terrain et la construction d'une maison qu'elle soit d'habitation ou de location constituent une manière de sortir de la dépendance familiale. Cela leur permet de sortir du domicile familial et d'échapper au contrôle permanent et autres humiliations physiques ou verbales qu'elles subissent le plus souvent de la part des membres de leur famille.

Quant à 68% de veuves, ne pouvant pas en permanence supporter le poids du loyer qui se greffe aux charges familiales liées à l'assurance de l'avenir de leurs enfants, elles cherchent à s'acheter un terrain et y construire. De plus, certaines veuves sont de fois chassées de la maison construite par leur défunt mari, les obligeant à construire leur propre maison. Elles peuvent ainsi utiliser leurs économies personnelles ou la pension-décès de leur défunt mari pour investir dans une maison d'habitation et une ou plusieurs maisons de location. Certaines vont jusqu'à se constituer un patrimoine foncier constitué de plusieurs terrains non construits qu'elles peuvent vendre à tout moment en cas de difficulté (scolarisation des enfants lorsqu'ils arrivent au niveau universitaire ou entrent dans une grande école, problèmes importants de santé...).

6. 4. Lobbying Associations et des GIC pour l'accès des femmes à la terre

Plusieurs actions ont été menées par diverses ONG et Associations en faveur des femmes, mais celles concernant le foncier ne sont pas trop visibles. En effet, les Associations et GIC (Groupements d'Initiatives Communes), bien répandus dans tous les villages de l'Extrême-Nord, ont été impulsés pour répondre à la nécessité de constituer une force commune de travail, sur la base de critères de proximité géographique, de filiation et d'affinité. Pour contourner la discrimination des femmes à l'accès à la terre, certaines femmes ont décidé de se constituer en GIC ; ce qui augmente leurs possibilités d'exploiter durablement des parcelles qu'elles défendent, protègent et aménagent. De plus « l'appartenance aux groupements et une certaine solidarité permettent de se positionner socialement, de développer plus de confiance en soi, un *empowerment* » (Charlier, Diop Sall et Lopez, 2014 : 50). À Salak à 10 kilomètres de Maroua, par exemple, plus de 70% des femmes sont membres de GIC et exploitent ensemble de parcelles importantes et sécurisées où elles cultivent en toute sérénité. Tel est aussi le cas de l'union des femmes Kaoudeye d'Ouazzang dans la commune de Meri qui loue des vastes espaces pour la culture du mil, du maïs, niébé, etc. Cette union a accru sa production de maïs sur 15 hectares depuis 2012.

Par ailleurs, on peut ajouter le cas de l'Union des coopératives des femmes de Koza qui, grâce à l'appui du CROPSEC (Conseil Régional des Organisations Paysannes de la Partie Septentrionale du Cameroun), est propriétaire de l'espace qu'elle loue depuis des années. En effet, le CROPSEC a facilité l'acquisition de ces terres en faisant du lobbying auprès du chef traditionnel (Kossoumna Liba'a, 2018).

Il y a ainsi une nouvelle classe des femmes qui émergent et qui s'émancipent de plus en plus grâce à l'appui des associations. En dehors

des parcelles communes, il y a également des femmes qui, à titre personnel, ont pu avoir accès à des vastes terres sécurisées pour améliorer leur revenu agricole³.

Partant des difficultés et freins à l'épanouissement foncier des femmes, quelles réformes pour inverser la tendance ?

7. CONDITIONS POUR AMÉLIORER L'ACCÈS DES FEMMES AU FONCIER

Face aux multiples freins qui limitent l'accès des femmes au foncier, il s'impose une nécessité d'une réforme législative, règlementaire, incitative et des normes sociales en faveur des femmes (Kossoumna Liba'a, 2018).

7. 1. Voter des textes spécifiques pour favoriser l'accès des femmes au foncier

Les textes de lois applicables au Cameroun en matière foncière sont multiples et multiformes, désuets et d'interprétation difficile. Se superposant sur les lois et pratiques coutumières, ils ne font pas part spécifiquement de l'accès des femmes au foncier. La sécurité foncière pour tous et plus spécialement pour les femmes implique nécessairement le vote par les autorités étatiques, de nouveaux textes (élaboration et vote d'un Code foncier unique), lois et la mise en conformité de certains cadres juridiques existants notamment le Code des Personnes et de la famille.

De plus, en tant qu'actrice concernée par les problèmes fonciers, il est impératif de faire participer les femmes aux instances de proximité de gestion du foncier. Il importe également de promouvoir leur pleine

citoyenneté et le respect de leurs droits d'accès à la propriété foncière en levant ou du moins en limitant les différentes barrières liées au poids de la tradition et des normes sociales.

7. 2. Un plan de communication pour l'appropriation des lois foncières par les femmes

Selon le conservateur de la ville de Maroua, la plupart des femmes sont ignorantes des textes qui régissent l'appropriation foncière au Cameroun. L'élaboration et la mise en œuvre d'un plan de communication pour une appropriation des lois relatives à la propriété foncière permettrait de faire prendre conscience à tout le monde et en particulier aux femmes que la sécurisation de la terre est un facteur important de développement. Ces communications permettront d'éduquer et de sensibiliser à grande échelle, d'améliorer la connaissance générale des textes de loi en matière foncière. Les femmes qui constituent plus de la moitié de la population du Cameroun seront alors en mesure de comprendre leurs droits en matière foncière et être capables de les défendre. Ce qui leur permettra de contribuer considérablement et efficacement à leur épanouissement et au développement local.

De même, par le canal de la sensibilisation et de l'information, l'analphabétisme juridique sera diminué et la lutte contre la spéculation foncière et l'exclusion des femmes seront efficacement menées. Cette action peut passer par les associations, mais aussi à travers les instances religieuses et les médias.

7. 3. Des mesures incitatives en faveur de l'accès des femmes au foncier

L'appropriation foncière et son immatriculation nécessitent des moyens financiers importants pour les femmes dont la

³ Entretien avec une agricultrice à Mokolo le 28 mai 2015 (Kossoumna Liba'a).

plupart a des revenus très limités. Des mesures socio-économiques et d'incitation peuvent être prises pour accroître la capacité des femmes à y faire face. En matière foncière, l'inégalité entre le sexe masculin et féminin est très accrue parce que, malgré l'existence de textes et de l'effort politique, la femme même instruite continue d'être considérée comme inférieure au regard de la tradition.

Les propositions qui paraissent judicieuses, surtout pour les zones de fortes pressions foncières, sont le crédit foncier et l'épargne foncière à des taux d'intérêt réduits qui seront destinés à favoriser l'accès des femmes à la propriété foncière. En accompagnant les femmes dans le processus d'accès aux financements, elles pourront facilement s'engouffrer dans le marché foncier et s'y épanouir. Les associations féminines dont le dynamisme est avéré peuvent servir de support pour gérer les fonds et accompagner les femmes vulnérables.

7. 4. Constitution et dynamisation des groupements des femmes

L'appui à la constitution et à la dynamisation de groupements de femmes peut également être envisagé. Les femmes en groupement seront plus fortes, leurs efforts conjugués leur permettront d'emblaver plus de superficies. Cela leur permettra d'avoir par conséquent plus de moyens financiers et de pouvoir bénéficier de crédits importants.

Pour ce faire, il sera judicieux de renforcer les groupements qui existent déjà par l'appui technique et financier, susciter et aider à la création desdits groupements dans les zones où ils sont inexistantes. La bonne organisation de ces groupements et leur cohésion leur permettront de déléguer facilement leurs représentantes dans les instances de décision sur la problématique de la gestion foncière et

d'organiser des visites d'échanges d'expériences entre groupements.

8. CONCLUSION

Les facteurs qui empêchent les femmes d'accéder à la terre tournent autour de la persistance des coutumes et traditions qui sous-estiment les femmes, de leur faible niveau d'éducation, de la pauvreté due au déficit des moyens financiers et de leur dépendance vis-à-vis des hommes... De cette dépendance, il y'a ainsi le refus de leurs partenaires masculins à leur accorder de droits d'accès à la terre. La plupart se résignent dans cette situation de peur de perdre leur vie de couple, de la confiscation du terrain par le mari, de la mauvaise perception de la société. A cela, on peut ajouter d'autres facteurs comme l'insuffisance des espaces et de leurs coûts élevés, de l'exigence d'utiliser des intermédiaires de sexe masculin qui peuvent les escroquer. Les femmes accèdent ainsi difficilement à des petites portions sans sécurité.

Face aux contraintes qui limitent leur accès au foncier, certaines femmes à fort capital économique et social utilisent des stratégies pour contourner l'emprise traditionnelle. Plusieurs mutations à l'instar du changement progressif de mentalités, de la montée des femmes-chefs de ménage et de la quête d'autonomie féminine accroissent l'intérêt des femmes à s'approprier le foncier. Les modes et les méthodes d'acquisition de l'espace par les femmes continuent d'évoluer et de se métamorphoser malgré la persistance des difficultés. L'achat du foncier par les femmes en milieu urbain constitue une rupture avec les pratiques coutumières et favorise leur changement.

La participation des femmes à la résolution des problèmes quotidiens de la famille explique

leur appropriation de la terre dans le cadre de leur aspiration à de meilleures conditions de vie et à une reconnaissance de leur place dans l'occupation et la gestion du foncier.

Les comportements offensifs des femmes face au foncier s'expliquent par des motivations telles que la quête d'autonomie, le désir de la stabilité et la recherche de l'assurance dans l'avenir...

L'accès des femmes au foncier est accompagné des perceptions locales qui vont du regard négatif au regard positif ; ce qui est alors à la fois perçu d'un côté comme une évolution des coutumes pour les partisans de l'émancipation foncière des femmes et de l'autre comme une violation des règles traditionnelles pour les conservateurs.

Même s'il y a une évolution dans l'accès des femmes à la terre, des difficultés d'ordre socioculturels, économiques et structurels persistent. Les actions qui sont menées par diverses ONG et Associations en faveur des femmes sont en nette progression, mais celles concernant le foncier ne sont pas encore satisfaisantes.

Les résultats montrent, sur la base des approches théoriques que nous avons convoquées, que le genre génère une construction sociale autour du foncier incarnée dans les comportements, les statuts et les droits selon le sexe. Cela implique un accès inégalitaire et discriminatoire des femmes et des hommes au foncier.

Cette construction sociale participe également de l'organisation sociale autour de la terre qui limite l'accès et le contrôle du foncier par les femmes qui sont de fait marginalisées. Ce rapport social entre les hommes et les femmes autour du foncier implique incontestablement un rapport de force en défaveur de ces dernières.

Par contre, la dimension relationnelle et les facteurs externes à la société locale conduisent à des résistances et des attitudes de « révolte » vis-à-vis du foncier notamment de la part des femmes instruites, socialement reconnues, économiquement nanties et politiquement engagées. Si cette révolution prend corps timidement en milieu urbain, elle n'a qu'effleurée le milieu rural où les femmes, à faible pouvoir d'achat, sont encore fortement sous le joug de l'emprise sociale.

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LAND RIGHTS AND ECONOMIC RESILIENCE OF RURAL WOMEN IN THE G5-SAHEL COUNTRIES, WEST AFRICA

¹Alfred Runezerwa Bizoza

¹Associate Professor in Agricultural Economics Department of Rural Development and Agricultural Economics, University of Rwanda, alfredbiz23@gmail.com, Rwanda

ABSTRACT

This article discusses different issues pertaining gender and land governance with focus to access and control of land by rural women and how this affects their resilience in G5-Sahel region- Chad, Niger, Burkina Faso, Mali, and Mauritania. Findings show that land remains the property of men, customary chiefs, male members of the family who have the full control of land use; women continue to serve as servants of their husbands in the farming activities. Limited access to production resources such as land, agricultural inputs, small scale irrigation and agricultural mechanization, and lack of post-harvest handling facilities; all restrain women's economic capacity for their economic resilience to climate change and other natural disasters. There is need, therefore, for innovative models of land tenure regularization systems in the G5-Sahel countries; models that take into account current social, cultural and religious barriers for women's land access and use for their economic activities.

Key words: Land rights, gender, Economic Resilience, G5- Sahel, and West Africa.

1. INTRODUCTION

The G5-Sahel countries are extremely vulnerable to food crises arising from erratic rainfall and drought. The Sahel region has one of the world's highest poverty rates and lowest development levels (UNDP-HDI, 2012). This is linked to a series of structural factors including, high demographic growth, low levels of education¹ (UNDP, 2012), lack of access to basic or foundational services, weak social protection systems, political instability, conflicts, weak economies, and trends towards urbanization and rural exodus (Haub and Kaneda, 2014). Mass poverty affects nearly 51% of the population, especially young people and women. The proportion of the population living below income poverty line of US\$ 1.25 is estimated 44.5% for Burkina Faso, 50.6% for Mali, 23.4 % for Mauritania, 40.8 for Niger, and 36.6 for Chad (Human Development Report, 2015). These estimates show how these countries are struggling to reverse the poverty trend.

The Northern belt of the Sahel is also increasingly facing political insecurity and instability due to increase in armed groups conflicts, terrorism and subsequent massive displacements of populations within and outside the borders along Lake Chad mostly due mainly to the 2012 conflicts in Northern Mali. Current estimates show more than 60, 000 people of internal migrants in Mali, about 23,000 of Malian refugees in Mauritania , about 34,027 Malian refugees in Burkina Faso, around 500, 000 of refugees in Chad from Nigeria, Centre Afrique, and Soudan.

The last two decades' efforts in land tenure regularization in Africa aimed at promoting private land rights remain a grasp of the central government and not really a reality at the ground in the Sahel Region. Private lands rights guarantee a number of benefits such as land

transfers, long-term investment in land, female empowerment, among others (investments (Place, 2009; Lawry et al. 2014). Particular to female's empowerment. Evidences from Rwanda show that land tenure regulation opted since 2009 has significantly contributed to some positive gender impacts. Ali et al. (2014) sustain that "land tenure regularization in Rwanda has improved land access for legally married women (about 76% of married couples) and prompted better recording of inheritance rights without gender bias". Since land is the main asset for production and long-term investments, private women's land rights is instrumental towards female economic empowerment and resilience. Results from Melesse and Bulte (2015) for the case of Ethiopia show how private land rights through land titling or registration offered positive farm productivity effects. For women to be able to gain benefits offered by land, their land rights need to be well recognized by the prevailing policy, legal, and other institutional frameworks.

Women in the G5-Sahel constitute the majority of the poor and are more dependent on limited land resources for their farming which, in turn is threatened by a highly fluctuating natural environment. Climate change is well recognized to be another stress for Sahelien farmers where their proven ability to coping with even the hardest crises, such as the long period drought and other extreme climate events is limited (Mertz et al. 2009). Furthermore, women face social, economic and political barriers that limit their coping capacity. Women in rural areas are charged with the responsibility to secure water, food and fuel for cooking. When the above barriers are coupled with unequal access to land resources and to decision-making processes at all levels including in their homes, these place rural women in a position where their economic resilience to poverty and other natural shocks is

¹ Adult literacy rate, both sexes (% aged 15 and above): Chad: 33, 6; Niger: 28, 7; Burkina Faso: 28.7; and Mali: 26.2 (Source: <http://hdr.undp.org>, December 2012).

disproportionately affected. Therefore, the overall objective of this paper is to assess the land and other socio-economic constraints of women's economic resilience in the Sahel region.

The remainder of this paper is organized as follows. Section 2 provides the background and the conceptual framework. Section 3 describes the data and the analytical approach. Section 4 presents and discusses the results on the socio-economic constraints of economic resilience as well as the resilience options for rural women in the G5-Sahel region. Section 5 ends with some concluding remarks.

2. ECONOMIC RESILIENCE AND GENDER GAPS IN THE G5-SAHEL COUNTRIES

2.1. Economic Resilience

The notion of resilience has been scaled up from the ecology, climate change, and ecosystem origins into other domains. Ecologists were the first to embrace the general concept of resilience more than 30 years ago. Since then, it has been adapted to short term disasters and long term phenomena such as climate change and was followed by its economic interpretation (Rose, 2009). Subsequently, various definitions and interpretations of resilience have evolved from ecological definition to engendering, organizational behavior, planning, and economic resilience. In the economic literature, according to Rose (2009), resilience has four major roles. It is seen as an attribute in the studies of economic shocks, an attribute of sustainability in ecological economics; it is extended to the socio-economic arena with some overlap with the study of institutions, and an important dimension of hazard economic loss estimation and terrorist consequence analysis.

There exist two different economic resilience categories that is static and dynamic resilience (Rose, 2009). In the first case is linked to short term where productive resources needed to respond to an economic shock are fixed factors.

For the dynamic resilience, this is in line with the long-term where all productive inputs are variable such as labor, natural resources, and intermediate goods. Land is one of the measure variable needed to explain the resilience at micro-level. Furthermore, the economic resilience can be seen as an outcome from adaptation capacity or the ability to cope with disaster, climate change, and economic shocks.

This paper adapts the notion of resilience to understand how limited female land rights in the Sahel region may affect their ability to cope with natural disasters and the resulting economic effects. The literature documents three major phases or periods during of which economic effects of environmental disasters can be traced (Carter et al. 2004): the period of the shock itself, the coping period in which households deal with the immediate losses created by the shock, and the recovery period in which households try to rebuild the asset lost to disaster and depleted through coping strategies. Land is one of the main assets that is directly affected by the shock especially when this has not received adequate investments in environmental protection to help in addressing the challenges during the recovery and the coping periods. Land is an alternative source of coping mechanisms especially if one has the rights to diversify its use and management. Improved access and control over land by women in the Sahel are critical since these have strong correlation with their economic resilience (Simelton et al. 2009).

2.2. Gender gaps in agriculture in the G5-Sahel region

Rural women are the most affected section of the population that is exposed to climate change and disaster crises, especially those in rural areas in the research area. Women and girls are often excluded in household and community decision-making, which impede the abilities of households and communities to mitigate and recover from climate shocks and natural disasters. Women and girls are also often exposed to additional, gender-specific barriers –

due to socially constructed gender roles and power relations – that consistently render them more vulnerable to the impacts of climate and disaster shocks. For example, drought and erratic rainfall increase the workload of women and girls on family farms because they must walk longer distances and spend more time securing water for cooking, household sanitation needs, and caretaking of animals. Additional time spent on resource collection means less time available for education, income generation, or household food production – all of which are cornerstones for resilient individuals and households (Adger, 2000).

Women make essential contributions to agriculture and rural economic activities in all developing country regions. Agriculture remains one of the most important areas of women's work globally, with more than one-third of employed women in the agricultural sector. In developing countries, women comprise 43% of the agricultural workforce. They play a critical role in supporting household and community food security, often in contexts of severe rural poverty and precarious livelihoods. In sub-Saharan Africa, women comprise an average of almost 50% of the agricultural labour force (FAO, 2012).

Women roles vary across regions but, everywhere, women face gender-specific constraints that reduce their productivity and limit their contributions to agricultural production, economic growth and the well being of their families, communities and countries. For example, despite their significant involvement in the agriculture, women farmers have significantly less access to land compared to men. An international comparison of agricultural census data by the Food and Agriculture Organization shows that less than 20% of landholders worldwide are women. Of the 161 countries examined in OECD's 2014 Social Institutions and Gender Index (SIGI), women and men have equal rights to land ownership, use and control in only 37 of the

assessed countries. In four percent of assessed countries, women explicitly have no legal right to own, or use land. In sub-Saharan Africa, SIGI data indicates that significant discrimination against women continues in practice in 29 of 43 countries. In addition to land, the gender gap exists throughout various agricultural assets, inputs and services, such as land, livestock, labour, education, extension and financial services, and technology. It imposes costs not only on women themselves, but also on the agriculture sector, the broader economy and society as a whole. Closing the gender gap in agriculture would generate significant gains for the agriculture sector and for society. If women had the same access to productive resources as men, they could increase yields on their farms by 20–30%.

Most agricultural policies and investments still fail to consider differences in the resources available to men and women, their roles, labour burdens and the constraints they face – and how these gender differences might be relevant to economic resilience. It is often assumed that interventions to facilitate access to finance, technology or markets will have the same impacts on men and women; however, a growing body of evidence indicates that most likely they will not.

Food security and nutritional development are mostly negatively affected by extreme climate change shocks faced by the Sahel region and long term conflict as well as the effects of terrorism in the cross border area. As a result of aggravating impacts caused by climate change, such as flooding and prolonged drought periods, populations are at greater risk of being subject to natural disasters with the rural population that primarily depends on agriculture are the most affected. In this context, women and children belong to the most vulnerable section (FAO 2011-2013). Estimates by UNDP concur that in terms of flooding about 55% of victims are women and children. Since women are predominantly employed in agriculture (approximately 60-80% across

Africa) and are responsible for 70-80% of the agricultural production, their output and income generation levels are particularly at risk, given that their agriculture produce is rain fed dependent and hence more vulnerable to extreme climate change. In event of natural climate change disasters women are also obliged to migrate, thereby making them more fragile to other challenges such as gender-based violence.

Climate shocks and chronic food crises in the Sahel region also continue to weaken women's coping mechanisms and their economic resiliency capacities as the limit income and assets. Women, especially those living in rural areas, are the most affected category given their reduced access to appropriate coping and resilience capacity. Additionally the majority of women are also affected by other structural factors including poverty, heavier workload, and limited access to foundational services such as health, limited access to production resources (e.g. inputs, credits, and extension services). Therefore, climate change is adding more pressure and severity on female poverty in the Sahel region, both qualitatively and quantitatively. Consistent with the MGD report (2014) poor environmental sustainability can be an impediment to structural transformation and inclusive growth. This is especially true in cases where some population groups, for example the poor, youth and women have poor access to environmental resources and information, and are excluded from decision-making processes relating to environment issues. This applies exactly for women in the Sahel region.

3. DATA AND APPROACH

Data used for this paper were collected through a number consultations with key informants and focus group discussions made during August and September 2015 in the G5-Sahel countries namely Burkina Faso, Mali, Niger, Chad, and Mauritania. Participants in these consultations include representatives of government entities (such as Ministry in charge

of economic planning, Ministry in charge of gender mainstreaming, Ministry of Agriculture), UN organizations including UN Women, FAO, WFP, Civil Society Organizations, Private sector entities, and Women's organization. Some field visits were also organized in some of the above countries to gain insights of rural women themselves in their respective communities.

The above consultations were made in the context of the program design by the UN women for 'Accelerating the economic resilience of women and girls in rural areas most affected by drought and climate change in the G5-Sahel countries'. During this period of data gathering, a number of issues and solutions to enforce economic resilience of rural women were proposed to inform on the programme objectives and activities. In addition, a detailed situation analysis preceded these consultations was conducted to understand the current situation and respective contexts in the G5-Sahel countries with regard to land rights and tenure.

This paper adapts the livelihood approach model for the analysis of the information gathered to validate this study's objectives. The analysis focuses mostly on the five capitals or assets to assess people's livelihood (see Figure 1): human capital, social capital, physical capital, natural capital, and financial capital (DFID, 1999). In terms of human capital, the interest is on education, health, social protection, social support, and the wellbeing. For the social capital (here the focus can be on both hard and soft social capital such as trust and collective action). The Natural capital involves land, labour, animals, inputs, and water. While the financial capital is interested on the cash income, wages, savings, and access to credits. The physical capital comprises the basic infrastructure and produce goods needed to support livelihoods. The following components are of interest when analyzing the physical capital in this framework: affordable transport, secure shelter and buildings, adequate water supply and sanitation, clean and affordable energy; access to

information (DFID, 1999). This framework has been used to understand the socio-economic factors constraining female's economic empowerment with focus to land rights which in turn may influence their level of economic resilience to climate change and other disasters in the research area.

4. RESULTS AND DISCUSSION

4.1. Poor access and control of production resources including land

Access and control of land by women in the Sahel remain a challenge to face by the public, private and civil society. Efforts for land tenure regularization process remain constrained by social, cultural and religious pressures. The land remains the property of men, customary chiefs, male members of the family who have the full control of land use; women continue to serve as servants of their husbands in the farming activities. Land being the main production factor and economic asset in rural areas, actions towards enabling rural women to have full rights over land use is extremely needed to justify the need for rural women's economic empowerment and resilience.

The existing land tenure systems facilitating land rights for women in terms of access and access and use yield to more of collective or group land rights rather than individual or private land rights that have received considerable attention in other African countries such as Rwanda, Ethiopia, and Botswana (Ali et al. 2014, Bizoza, 2015). Findings of this study shows that there are more models of land tenure systems already initiated by the respective countries to allow women have access and use of land. The common evidence across all the above countries is the possibility of access and use of land by women when they are regrouped in different organizations and cooperatives. Subsequently, collective land ownership is possible if women can request these lands from the customary or traditional chiefs, the state, and head of families

through their cooperatives or other organizations. In addition, it has been observed in some of the above countries such as Mauritania how access to land depends on people or community's ability to use the same land for economic purposes rather than considering this for social and prestige purposes. Despite the on-going efforts to facilitate women access land but the situation is far from expectation. For example, estimates obtained during the consultations indicate that in Burkina Faso only 2% of women own land titles across the 46 communes. In Mali 54% of women cultivate less than one (01) hectare also 15% of land prepared for cultivation is given to women groups, in Mauritania and Burkina Faso women have access to land through collective demand after they have proven the economic rationale of the requested land use.

Women in the study area lack access to other productive assets such as agricultural inputs, financing, water and energy, appropriate infrastructure, technologies, and extension services due to a number of key structural barriers. Notably, access to long-term affordable financing may be the greatest stumbling block for women farmers, both to pursue climate-resilient agriculture and to participate in green value chains and markets. Women farmers' access to financial services is constrained by a number of factors. Even when their land rights will be secured, their plots tend to be size insufficient in size and of poor quality to qualify as collateral for loans or credits. In addition, discriminatory social norms, lack of appropriate financial products and low financial literacy further constrain their ability to access financing.

4.2. Poor access to finance

Incompatible bank services that respond to the socio-economic conditions faced by the majority of women, especially in rural areas, were highlighted as a major constraint for accessing the finances needed to carry out their income generating activities. This implies that

most existing banks have their loan products that are not customized to agriculture as the main source of income for the majority of the population. The World Bank global finance index report (Demirguc-Kunt et al. 2015) shows that only 22% of women in low-income countries hold bank accounts in rural areas and commercial banks tend to work only with large farmers who are already well positioned in value chains. The same paper estimates the gender gap in account ownership of 9% points in developing countries. If women have difficulties to access loans or credits this implies that they are not financially resilient since the level of resilience depend on the security of the savings as well as the ability to have a loan when needed (Demirguc-Kunt et al. 2015).

While agricultural loans are limited, they are also supposed to finance the production, processing and marketing of enterprises specialized in agriculture. Banks are also reluctant to provide credits due to the difficulties faced by some farmers to reimburse their loans and bad historical experience of non-reimbursement of credit. Lack of identity registration documents can also hamper access to credit. Consequently during consultations, farmers and mostly women emphasized the high interest rates and lack of collateral. For both the formal banking system and microfinance, the interest rate remains high. This makes it difficult for women to access finance for their farming and business activities. The interest rate varies between 8% and 25%. For instance the “Banque Populaire” in Burkina Faso offers loans for an interest rate between 8% and 10%. In Mali the interest rate varies between 10 and 15% compared to 23% in Chad. The highest interest rate is observed in Niger with a rate between 20 and 25%. In addition, women generally lack collateral due to the fact that men mainly own land, and women do not have land titles that they can use as bank guarantees to apply for loans.

Furthermore, it was observed that the loans rural women receive are insufficient to use for

large-scale investments both in agriculture and for other income generating activities. There is also limited awareness of the existing bank and micro-finance products that can be used for women to access finance. The bank products or loans are also not adapted to the nature of activities in which women are involved; these are mainly in agriculture and livestock. The payback period for the banks or micro-finance do not consider the best period for women farmers to sell their produce and have the ability to pay back the loan. Furthermore, due to the need of women’s access to finance a Women’s Equity Bank was proposed as part of the Declaration of 23 July 2015, by the Regional Forum held in Ndjamena, Chad calling for women’s contributions (as innovative financing) with support from the government and partners.

4.3. Lack of processing and transformation units

Despite the overall challenge of food insecurity in the Sahel region there is some food surplus for the markets especially legumes, fruits, and other marshland crops. The issues raised around crop processing and transformation are linked to the lack of processing units, lack of storage facilities, limited skills in processing, lack of packaging materials, and lack of maintenance capacity (both skills and financial resources) of the equipment and materials for those with some processing units. It was also observed that some of the products from processing being taken to markets before obtaining the standardization certificate by the entity responsible. It is important that products from processing are certified for their quality by the entity responsible before they are taken to markets for consumption to avoid any health or nutritious deficiency. On the supply side, some inconsistencies were noticed in the supply of products needed for processing especially for those already in the processing area. These issues call for a detailed assessment along the

post-harvest handling process to inform on possible gaps that require interventions in the context of this program. Interventions in promoting agro-processing are likely to translate into more job creation and diversified incomes for women and girls in the rural area along different value chains.

4.4. Poor access and use of market opportunities

The position of women in the agricultural value chain (crops, livestock and fisheries) remains a major challenge, especially in terms of access to productive resources, processing and marketing (inside and outside the country). Women and girls suffer more shocks related to food insecurity because of their limited access to production factors suited to more hostile environments, as is the case in the Sahel. According to the World Bank, women's access to factors of production and reduction of inequalities in rural areas could increase between 10-20% of food production in sub-Saharan Africa.

Adequate use of market opportunities has also been identified as a major constraining factor for women's economic resilience. During the harvest period women sell their products at lower prices as they cannot conserve these until the peak period when the prices are equitable and can cover the production costs with a margin of benefit. For example 1 kg of tomatoes can cost 300 CFA Francs after the harvest and the same kilo may cost 2000 CFA Francs during the dry period, making this more a gap of price information, production and commercialization strategy regarding the existing. Other issues identified include lack of access to market information, limited capacity to identify profitable value chains, lack of entrepreneurial skills, and limited capacity to linking their cooperatives to potential agro-dealers and export markets. In Chad for instance, one of the women's organization visited has some market links to the US for the Shea Butter "Beurre de karité" although the supply is now exceeding the

demand. This is a potential value chain that can benefit most of the rural women in the Sahel region since the "karité fruit / tree" can still be found in most of the G5 Sahel countries. The Shea Butter can be used for multiple purposes and more actions can be done to link women's organizations to more regular markets so that the production is absorbed by the markets.

In other countries like Mauritania most of agriculture produce are competed with those imported mainly from Morocco and this discourages local production. It was indicated that some farmers sell their products in a form of "Swap Meet Markets" where their goods are exchanged against other goods.

Furthermore, women are participating in the commercialization parts of the different value chains in agriculture, livestock, and fisheries. For example in Mali, women are the mostly involved in selling fish and small livestock. Subsequently supporting women needs to be done in the value chains in which they are mostly involved in. Some of the existing women's organizations also need training and capacity development in areas of entrepreneurship and marketing, organizational skills, leadership and management.

In addition, there is a need to see how/where government gets supply for food security reserves and how to position women into this market through public procurement. There is also lots of market opportunity for women in seed production. Another opportunity is how to position women in all these programmes on school feeding, food fortification, etc.

A main constraining factor on development of sustainable and appropriate market-based solutions for women is the lack of gender-sensitive data and systemic information collection on such issues in the region. As noted, land ownership, access to agricultural equipment, financial services, the increase in domestic workloads for women in the Sahel, and

other related challenges are limiting factors on women's capacity to cope with effects of climate change and food **and nutrition** security. However, to what extent and in what ways such factors impact women's participation in markets and economic resilience generally is not sufficiently understood, in spite of the fact that such detail is important in devising appropriate and market-based programmatic responses.

The WFP West Africa Regional Bureau Vulnerability Analysis & Mapping team (VAM) is undergoing a study to investigate the information gaps on gender roles and challenges in markets, and accordingly respond with programmatic solutions. Following the study, data collection activities should expand in order to respond to identified gaps and strengthen WFP and partner market-based programme activities. In partnership with the responsible team, information on gender-specific roles and challenges in markets will be collected, analyzed and fed into continued implementation of programme activities. The WFP Market analysis country teams in Chad, Mali and Niger will also be included to provide country-specific gender and markets data using a combination of primary data collection tools including surveys, key informant interviews and focus groups, as well as potentially applying WFP remote data collection techniques previously tested in the region.

4.5. Limited Gender Mainstreaming in Disaster response organizations

In addition to the gender gap in agriculture and the increased effect of climate change on women and girls in the Sahel, both humanitarian assistance and disaster risk management (DRM) tend to be considered gender neutral. However, considering them so inadvertently discriminates against women and girls. Where humanitarian and DRM interventions are not planned through

a gender lens, the needs of those most under threat may not be adequately met, and an opportunity to support positive change will be lost. If women are not prioritized in such efforts, they will not be able to mitigate, recover, and absorb these shocks.

However, governments and humanitarian agencies tackling this problem in all G5 countries have faced different challenges in integrating a gender dimension in their responses and development frameworks. Most of the countries have national gender policy documents that portray challenges related to gender equality and equity in different spheres of activities and proposed actions. There are some gender focal points in different ministries but have limited capacity in gender mainstreaming in other sectors. A review of national development plans, investment plans for the agriculture sector, national plans for climate change adaptation, and national program for natural resource management shows that gender mainstreaming still requires further effort and resources. Despite the progress made in the above countries in gender equality and equity mainstreaming; social, cultural and religious pressures undermine the productive capacity of rural women and so their economic resilience against climate change effects and food insecurity.

4.6. Resilience Options and Associated Livelihood Assets

Various issues affecting women's economic resilience including limited land rights (both use and control) have been identified in the perspective of the livelihood options. The following Table presents some of the issues identified during the consultations, their associated livelihoods assets and possible solutions for increased economic resilience of women in the Sahel region.

5. CONCLUSION AND POLICY IMPLICATION

There is an extensive theory that predicts that women's land rights can boost their ability to

use and control land for agriculture purposes and earn more income. Despite the fact that the empirical results are still mixed with regard to productive and investment effects of private land rights for the case of Africa (Melesse and Bulte, 2015, Bizoza, 2011, Place and Hazell, 1993), another body of scholars establishes the expected role of private land rights in addressing inequality in land access and female's empowerment in use and control of land resources. This paper stretches this theory to establish the linkage between land rights of women and their economic resilience for their improved livelihoods in the G5-Sahel countries Chad, Niger, Burkina Faso, Mali, and Mauritania.

Consistent with many other research products in the study area, we conclude in this paper that that land remains the property of men, customary chiefs, and male members of the family who have the full control of land use. Women continue to serve majorly as servants of their husbands in the farming activities. With respect to land access and security of tenure, the findings show a common trend of collective land access by women through their groups or cooperatives. Yet this does not mean full and sustainable land rights over collective lands since these are not in most cases instituted by any land registration or titling. The government and the customary chiefs remain with powers over the lands allocated to the women through their organizations.

In the Sahel, land is the main production factor and becoming scarce because of the prolonged drought. Agriculture equipment is no longer accessible to all farmers because of the growing poverty, limited access to finance especially for women and girls. In addition, the increase of domestic workload for women in the Sahel due to the scarcity of resources such as wood, water for household survival, reduced time can be spent on economic activities by women and girls. All these factors limit women's capacity to deal with effects of climate change and food insecurity.

The paper also shows that economic resilience of rural women strongly depends on land access as the main asset and other factors beyond access and use of land. Limited access to production resources such as agricultural inputs, small scale irrigation and agricultural mechanization, and lack of post-harvest handling facilities; all restrain women's economic capacity for economic resilience to climate change and other natural disasters. While these results emanate from qualitative data collected through individual and group consultations, more research is needed to establish empirical relationships between women's land rights and their economic resilience. The paper concludes with a policy recommendation for innovative models of land tenure regularization systems in the G5-Sahel countries; models that will take into account current social, cultural and religious barriers for women's land access and use for their economic activities.

6. ACKNOWLEDGMENTS

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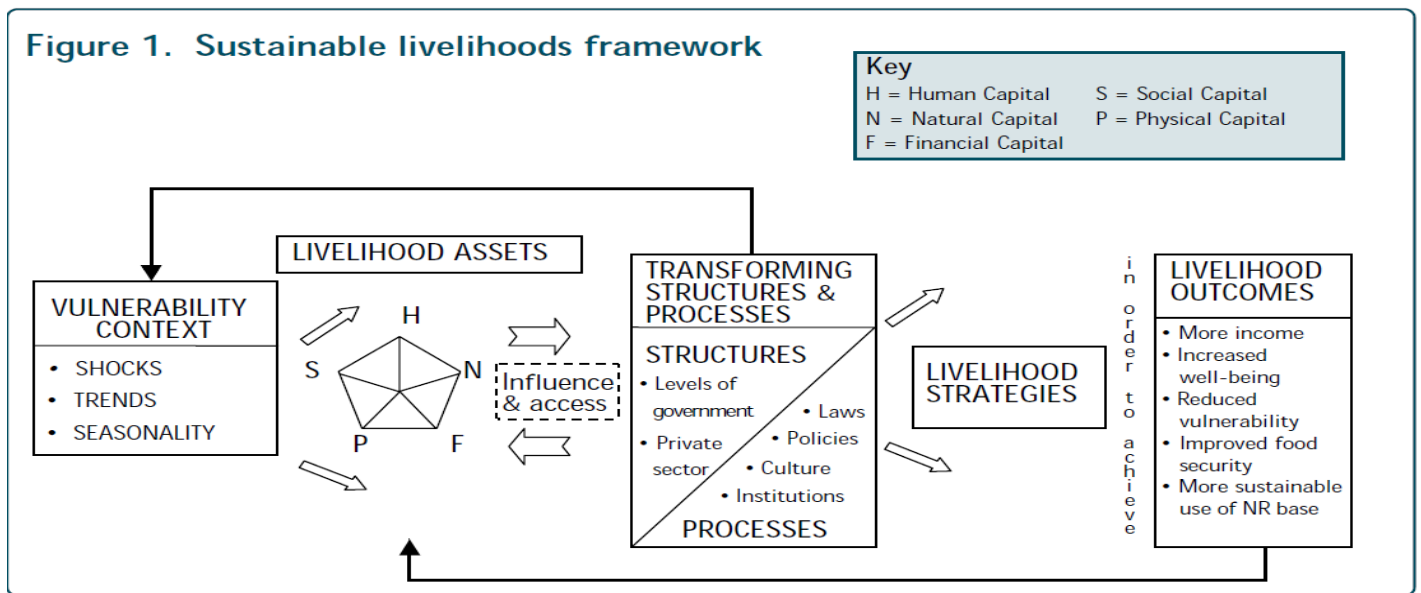
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8. Appendix



Source: DFID (1999).

Fig. 1. Sustainable livelihoods framework

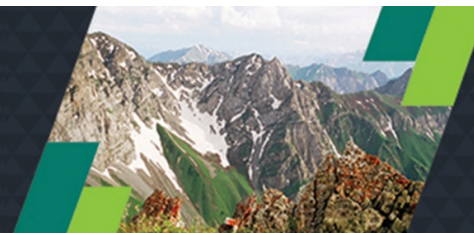
Table 1. Issues affecting women’s economic resilience in the G5-Sahel and applicable solutions

Issue affecting Women’s Economic Resilience	Associated Livelihood Assets	Applicable Solutions for economic resilience
<i>Limited access and control over land and productive resources</i>		Both public and private patnerships can help to improve access to land and other productive resources which in turn will increase production and subsequent farm income.
Limited access to agricultural inputs-new crop varieties and crop protection against diseases (most are developed in the drought period)	N	
Limited Agricultural techniques and equipment	N	
Expensive Irrigation	P	
High costly Ag. Mechanization	P	
<i>Lack of Access to Finance</i>		Identify resources to incentivize economic disaster
Lack of collateral or guaranty – due to lack of land control	S	

Small size of loan limiting large scale investment	F	mitigation for public and private sector services.
Bank Products not adapted to the farming business of which the majority is involved	F	Identify all existing strategies for financing resilience initiatives.
Limited number of Micro- Finance entities	F	Identify local funding or grant-making mechanisms for post disaster small business financing and financial program management.
Lack of Insurance and Guaranty Fund	F	
Lack of women's equity bank	S	
High interest rate (10-25%)	F	
<i>Access to Crop Processing and Transformation Units</i>		
Lack of Processing Units	P	Local investment and locally owned investments in agribusiness can help access processing and transformation units, more training in agro-processing, and standardization process of transformed products.
Lack of appropriate storage facilities	P	
Limited skills in small-scale processing	H	
Lack of maintenance capacity	H	
Lack of appropriate packaging materials	P	
Weak standardization process of processed products	S	This is likely to increase access to more market opportunities and increase the income from value added due to crop transformation and processing. Economic resilience may result from increased income.
<i>Limited access and use of market opportunities</i>		
Limited use of markets for existing produces	F	Programs to encourage local investing and entrepreneurship can improve access to markets and explore more market opportunities. On the supply side, more capacities in post- harvest handling processes can help diversify the products needed at the market. have been helpful in building both employment and production capacity
Limited capacity to identify profitable value chains	H	
Limited entrepreneurship skills for women and Girls	H	
Appropriate Packaging materials	P	
Limited Organizational Capacities to access markets	H	
<i>Gender Mainstreaming in Disaster response institutions</i>		
Limited integration of gender in national plans and developments	S	Identify institutions and organizations responsible to lead a disaster recovery for them to integrate gender dimensions in disaster response options.
Lack capacities to integrate gender dimensions in sectorial strategic plans	H	
Lack of sufficient knowledge and capacity in response to early warning	H	Improve the ability of rural community organizations to

systems both at national and decentralized entities		manage and contribute to post-disaster recovery programmes.
Lack of capacities to integrate gender in disaster response and management programmes.	H	
Limited Institutional and Technical Capacities for entities in charge of disaster management	S/H	
Limited participation of women in decision-making at national and decentralized entities.	S	

Notes: S: Social; H: Human; P: Physical; N: Natural; F: Financial capital



Effects of Women Land Rights on Agricultural Outcomes in Rwanda

¹Mercyline W. Kamande, ²Emery Musonerwa Bahati

¹Mount Kenya University, mercykam@yahoo.com, Rwanda

²University of Rwanda, emery.musonerwa@gmail.com, Rwanda

ABSTRACT

This study examines the effect of land rights on agricultural outcomes in Rwanda. We characterize the effects of land rights from two perspectives. The first one is land rights indicated by the right to sell and guarantee land and the second one is land titling. The agricultural outcomes include agricultural productivity, food security and nutritional diversity. From the results, land rights are found to have a positive relationship with all the outcome variables. The effect of land rights on agricultural productivity is larger if the household head is male. Joint titling has a negative effect on food security but the effect is not conclusive in the case of agricultural productivity and nutritional diversity. We conclude that land rights are important for the three outcome variables. Women land rights have a positive effect on agricultural productivity although the effect is larger in the case of male land rights.

Key words: Land rights, food security, nutritional diversity, agricultural productivity

1. INTRODUCTION

In many African countries, property and land laws are often biased against women leaving them with little or no rights to own land. Furthermore, most African cultures propagate a patriarchal system where men have exclusive rights to own land and take the decisions on how land should be used. This is despite the fact that women take the lead in agricultural activities especially in the rural areas and also in the dietary planning of the household. Given their limited role in decision making on agricultural development, they remain poor and vulnerable and this has a ripple effect on the food security of the entire household. Rose (2002) note that women meet increased challenges merely from the customary land systems.

In Rwanda, arable land has been governed through a customary system for a long time which promotes the father to son inheritance system and hence is discriminatory against women. In 2004, the government of Rwanda adopted a new land policy and enacted the Organic Land Law in 2005 with the aim of enhancing the land tenure security of all citizens. These regulations were also aimed at protecting and safeguarding the land rights of vulnerable groups such as widows, female descendants and female orphans (see Uwayezu and Mugiraneza, 2011).

Given that the agricultural sector in Rwanda accounts for more than 80% of economic activities and rural women remain the primary agricultural producers, enhancing women land rights has the potential of improving agricultural productivity and hence contributing to food security. Further, given that mixed agricultural activities promote dietary diversity, women land rights are likely to improve their rights to decision making in terms of agricultural development and hence increase the sources and variety of food for the household.

This study seeks to investigate the effect of women land rights on agricultural productivity, food security and dietary diversity for rural households in Rwanda by answering the following key research questions:

- What is the effect of women land rights on agricultural productivity?
- Do women land rights have an impact on food security for the household?
- How does women land rights affect nutritional diversity of the households?

2. LITERATURE REVIEW

Researchers have explored the relationship between land rights and various development outcomes. Lawry et.al (2014) in their systematic review examined the existing evidence on the effects of land property rights interventions found that in most cases, existing land rights are defined through informal and customary systems and formalization of rights may have little impact on agricultural productivity in such cases, However, where no formal institutions existed before, formalization of land right may have a significant and impact on agricultural productivity.

Some evidence exists that postulates that land owned by women is less productive. For instance, Udry (1995) found that arable land under women's control have significantly lower outcome as compared to those under men's management for the same crop in the same year noting that the differences in output is merely attributed to increased labor and use of fertilizer per acre on land under men's control. Oseni et.al, (2015) have found that women produce less than men for observed factors of production and mostly have access to less productive resources than men, Mishra and Sam (2016) concluded that land ownership has ultimate positive and significant impact on women's socio-economic development and empowerment adding that in areas where agriculture is the basis of women's economy and livelihoods, policies that enhance land

rights equity are deemed to be very essential in terms of increasing women's empowerment and other beneficial welfare contributions.

Researchers have also examined the difference between single and joint titling make in terms of agricultural productivity and women's bargaining power. For instance, Newman, et. al., (2015) using a plot-fixed-effects approach on Vietnam's panel data concluded that land title leads to higher yields, for both individually and jointly held titles and that joint titles are potentially an imperative tool to enhance women's bargaining power within the household. In another study, Kousar et. al.(2016) found that land ownership had significant impact on women empowerment and agriculture productivity in rural areas of Pakistan and recommend that that the government development programs and policies should be oriented towards enhancing the productive role of women in addition to reproductive role through strengthening the property rights of poor rural women.

Although research has acknowledged women's role in food security, there is no consensus on how much and in what ways women actually contribute to household food security (see Neetu & Parthasarathy, 2007). As postulated by Prosterman (2013) safeguarding and securing land rights for women is essential for improved healthier nutrition, education for children and other socio-economic development aspects. Landesa (2012) argue that land can lead to an increase in household agricultural production and contribute to household food security and improved nutritional status.

Some evidence exists on the impact of Rwanda Land Reforms on the rights of women. For instance, Uwayezu and Mugiraneza (2011) found that the implementation of a new land policy and associated regulations had a positive impact in safeguarding, protection and enforcement of land rights for widow and female orphans. However, there are no studies

that link women land rights on socio-economic outcomes in Rwanda. Moreover, given that joint land rights have been found to have more far-reaching effects on socio-economic outcomes at the household level, this study seeks to contribute to this body of literature by examining the impact of women land rights on agricultural productivity, food security and nutritional diversity in Rwanda

3. DATA AND EMPIRICAL STRATEGY

3.1. Data and Variables

This study uses Integrated Household Living Conditions Survey panel data from the National Institute of Statistics of Rwanda. The panel data is available for 2010 and 2015. These two datasets contain outcomes of both female headed households and male headed households as well as whether the household head owns land rights or not as well as several household attributes related to agricultural productivity, food security and nutritional diversity.

3.2. Modeling Agricultural Productivity

We model the relationship between land rights and agricultural productivity using a Random Effects panel data model, in which female land rights are assumed to influence agricultural productivity. The choice of a Random Effects Model as opposed to a Fixed Effects Model is informed by the fact that although a fixed Effect Model is often considered superior in controlling for non-observable characteristics and hence similar to a random assignment in experimental research, it denies us the opportunity to measure the effects of such variables (Williams, 2017).

The basic panel data model is specified as follows:

$$\text{AgriProd}_{it} = \alpha + \text{LR}_{it} + \text{Z}_{it} + \text{X}_{it} + \delta_i + \mu_{it}$$

where households are indexed as i and the years are indexed as t

$AgriProd_{it}$ is the dependent variable and represents the agricultural production

LR_{it} is a binary variable measured as 1 if head of household i has Land rights; 0 otherwise

Z_{it} represents a vector of dummy variables related to land rights which include the kind of ownership of land (either sole or joint ownership) and whether land is purchased or inherited.

X_{it} represents a vector of control variables assumed to influence agricultural productivity which include area cultivated and age of the farmer

δ_i is a vector of household's time invariant characteristics such as region

μ_{it} is the stochastic error term

3.3. Modeling Food Security

We model the relationship between land rights and food security using a cross-section Logit model, in which female land rights are assumed influence food security with agricultural productivity being a moderating variable

The basic panel data model is specified as follows:

$$FoodSec_i = \alpha + LR_i + AgriProd_i + Z_i + X_i + \mu_i$$

where households are indexed as i

$FoodSec_{it}$ is a binary dependent variable and is measured as 1 if household i always consumed own output; 0 otherwise

LR_i is a binary variable measured as 1 if head of household i has Land rights; 0 otherwise

$AgriProd_i$ is the independent variable and represents the agricultural production

Z_i represents a vector of dummy variables related to land rights which include the kind of ownership of land (either sole or joint ownership)

X_i represents a vector of control variables assumed to influence food security which include whether the household head sold any output and household size

μ_i is the stochastic error term

3.4. Modeling Nutritional Diversity

We model the relationship between land rights and Nutritional Diversity using a cross-section Logit model, in which land rights are assumed influence Nutritional Diversity with Weekly consumption being a moderating variable. The Nutritional Diversity is defined as consumption of any animal product. Given that this data is only captured for 2015, a cross-sectional model will be used for the analysis which is specified as follows:

$$NutDiversity_i = \alpha + LR_i + Cons_i + Z_i + X_i + \mu_i$$

where

$NutDiversity_i$ is a binary dependent variable measured as 1 if the household i slaughtered any animal and 0 otherwise

LR_i is a binary variable measured as 1 if head of household i has Land rights; 0 otherwise

$Cons_i$ is a continuous variable capturing weekly consumption for household i

Z_t represents a vector of dummy variables related to land rights which include the kind of ownership of land (either sole or joint ownership)

X_i represents a vector of control variables assumed to influence Nutritional Diversity which include total number of animals owned and household size.

μ_{it} is the stochastic error term

To capture the effects of Women Land rights, the models will be estimated separately for

The summaries reveal that mean agricultural productivity was higher in 2015 than it was in 2010 although the total land cultivated was slightly lower. This would imply an improved land productivity. The 2010 data does not report Weekly consumption per household but this is reported in 2015 with a mean of 6 kgs. There is no much variation in age between the two cross sections.

Table 2 presents descriptive statistics for categorical variables that are useful in this analysis

The results show that there are fewer female headed households than male headed households and this is consistent in both cross-sections. Given that most households own multiple plots, we looked at the plot ownership for the main parcels of land and found that most of the land is owned jointly by spouses which is in line with Rwanda Land Rights Law which encourage joint ownership in order to protect women and ensure food security at the household level. However, this is only reported for EICV 2015.

Most of the land owned is inherited but the tendency to purchase land is equally high. The use of loaned or leased land for farming is also prevalent in the sample. Another factor worth noting is that households rarely sell their output but rather use it for household consumption which is very important for food

male headed households and female headed households and the results compared

Results and Discussion

3.5. Descriptive Statistics

We first present the descriptive statistics for the main variables. Table 1 summarizes the continuous variables used in this analysis

security. However, only EICV 2015 captures this variable.

Given that land rights is the main variable of interest, we further examine how the land rights are distributed between men and women and present the results in Table 3

In 2010, of the male total sample, 57% of the men had land rights while 43% did not have land rights. These numbers improved in 2015 where the number of those with land rights increased to 67% while those without land rights reduced to 33%. For women, ownership of land rights remained steady but it is important to note that land rights for women were higher in 2010 than those for men but in 2015 they were equal. This reflects the effectiveness of Rwanda Land Rights Policy which encourages joint land rights.

3.6. Estimating the relationship between Land Rights and Agricultural Productivity

In order to investigate the relationship between land rights and agricultural productivity, we use a Random Effects model where agricultural productivity is measured by the quantity of output. The Analysis is done for three different samples, the overall Panel Sample, a Male Only Sample and A Female Only. Table 4 presents results for the random effects model and is done stepwise first with only land Rights and then with all other covariates.

Looking at the results in Table 4, existence of land rights for the household heads is significant in determining the total output in all

models. For the simple model without covariates, the marginal effect is negative and significant at 5% significance level for the overall sample but positive and significant for the male-headed and female-headed household samples. For the model with covariates, the marginal effect is negative and significant at 5% significance level for the overall sample but positive and significant for the other two samples. However, the marginal effects are greater for the male-headed as compared to the female-headed household samples

In examining the effects of land rights, we explore if the head of household is male or female. The effect of the head of the household being male has a positive and significant impact on the quantity of outputs.

Other factors that influence the quantity of output include the area cultivated and household size which are both positive and significant in all samples. The effects of age and literacy level of household head are not significant in determining level of output. The geographical region is an important factor in determining agricultural productivity in Rwanda with dummy variable for Southern province having the biggest effect followed by Northern Province and Western Province. The dummy for Eastern province is only significant for female-headed households. This is reflective of how the regions fare in terms of agricultural productivity. Examining the effects of the land acquisition dummies, households that have purchased, loaned or leased lands tend to have a higher output and the effect is significant. Another important effect is that of appropriated or share-cropped land which is a government policy aimed at increasing productivity. The two dummy variables have very large and significant marginal effects

From this analysis, we can conclude that when the head of households have land rights, this has a positive impact on agricultural productivity. The panel data analysis does not

differentiate having land rights and the ownership of land called land titling since this is missing in EICV 2010.

3.7. Estimating the relationship between Land Rights and Food Security

The estimation of the relationship between land rights and food security is done using a cross-sectional logistic model. The choice of the cross-sectional model is based on the fact that EICV 2010 data omits some important variables such as land ownership that are found in EICV 2015. Food security is measured by whether the household consumed all, part or none of their agricultural produce. The model is estimated stepwise and results presented in Table 5.

From the results in Table 5, we observe that land rights have a positive effect on food security in the model with all covariates which is significant at 10% level of significance. To differentiate the actual land ownership and land rights, we explore the effect of joint titling and female titling on the relationship. The results reveal that joint titling of land significantly decreases the odds of a family consuming own output and hence being food secure while female titling decreases the likelihood of food security although the effect is not significant. The results further reveal that households that sell part or all their agricultural output are likely to be food insecure. The effect of quantity of output on food security is small and insignificant. Other factors that affect food security are household size and literacy level but the effects are not significant.

3.8. Estimating the relationship between Land Rights and Nutritional Diversity

The third part of this analysis examines whether the presence of land rights has any influence on Nutritional Diversity. Nutritional Diversity in this context is proxied by whether a family owned any animal with the assumption

that the animals can be slaughtered for family consumption. This assumption is valid given that the families that reported to have killed any animals, the animals were small animals such as chicken and rabbits which are often kept for family consumption. The Nutritional Diversity is therefore a binary dependent model and given that the data for this variable is only available for EICV 2015, a cross-sectional logistic model is estimated and the results presented in Table 6.

Examining the results in Table 6, the likelihood of Land Rights increasing the odds of nutritional diversity is positive and significant at 10% level of significant in the first two models but insignificant in the models with covariates. Weekly consumption, number of animals kept and female titling affect nutritional diversity negatively while household head literacy level and size of household has a positive effect on nutritional diversity. However, the covariates are generally insignificant in the relationship. However, these results should be treated with caution given the ambiguity with which the variable is measured¹.

6. CONCLUSION

This study sought to examine the effect of land rights on Agricultural Productivity, Food Security and Nutritional Diversity. Land rights are defined as the household head having the right to sell or guarantee land. This is different from land ownership which is defined by titling. From the results, we conclude that land rights have a significant and positive effect on agricultural productivity. The effects are larger if the head of household is male as compared to female. The size of area cultivated and household size also have a positive and significant effect on quantity of output. In households where land is purchased, loaned or leased, the effect is larger. However,

¹ It was assumed that the number of animals kept was related with the number of animals killed or slaughtered for home consumption

government policies such as appropriation and share-cropping have an even larger and positive marginal effect on agricultural productivity. The effect of land rights on food security positive and significant while joint titling of land significantly has a negative effect on food security. Households that sell part or all their agricultural output are likely to be food insecure. Land rights have a potential positive effect on nutritional diversity.

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7. Appendix

Table 1: Summary Statistics for Continuous Variables

Years/Item	2010		Mean	2015 Standard Deviation
	Mean	Standard Deviation		
Total Agricultural Production	1492.1	1813.8	1605.1	1605.1
Total Agricultural Area	68.5	68.5	67.1	130.7
Weekly Consumption	0.0	0.0	6.1	135.8
Age	46.7	15.6	46.8	16.5

Source: Computed from EICV 2010 and EICV 2015

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Years/Item	2010		Mean	2015 Standard Deviation
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Total Agricultural Area	68.5	68.5	67.1	130.7
Weekly Consumption	0.0	0.0	6.1	135.8
Age	46.7	15.6	46.8	16.5

Source: Computed from EICV 2010 and EICV 2015

Table 2: Descriptive Statistics for Categorical Variables

Item	EICV 2010	EICV 2015
Gender of Household Head		
Male	716	707
Female	260	269
Gender of Plot Owners		
Male Owners		130
Female Owners		310
Joint Ownership		499
Not Related		37
How the Land was Acquired		
Inheritance or Gift	380	488
Purchased	208	217
Loan or Leased	277	183
Others	111	88
Sale of Part or all the Output		
Sells All Regularly		11
Sells All Occasionally		18
Sells Part Occasionally		50
Never Sells		807

Source: Computed from EICV 2010 and EICV 2015

Table 3: Distribution of Land Rights Across Gender

Item	EICV 2010		EICV 2015	
Male with Land Rights	410	57%	474	67%
Male without Land Rights	306	43%	233	33%
Female with Land Rights	178	68%	181	67%
Female without Land Rights	82	32%	88	33%

Source: Computed from EICV 2010 and EICV 2015

Table 4: Results from Random Effects Model

Dependent Variable - Quantity of Output			
Independent Variables	Overall Sample	Male Headed Households	Female Headed Households
WITH NO COVARIATES			
Land Rights	-214.1 (67.31)***	310.2 (97.45)***	313.8 (120.0)***
WITH ALL COVARIATES			
Land Rights	-202.9 (74.72)***	646.9 (126.6)***	629.2(140.1)***
Age	2.62 (2.22)	3.05 (2.88)	2.54 (3.45)
Area Cultivated	1.31 (0.22)***	1.32 (0.262)***	1.26 (0.39)**
Male HH Head	221.3 (69.97)***		
Literacy of HH head	-172.3 (78.52)**	-148.2 (111.4)	-191.6 (107.6)*
Region Dummies			
Southern Province	448.2 (147.3)***	618.2 (199.2)***	163.3 (212.2)
Western Province	152.8 (151.1)	392.5 (203.6)**	-290.9 (219.4)
Northern Province	363.9 (153.1)**	511.3 (204.4)***	70.31 (226.3)
Eastern Province	-38.07 (155.6)	246.2 (207.3)	-450.6 (229.6)**
Land Acquisition dummies			
Purchased	250.5 (87.35)**	188.8 (110.1)*	280.9 (141.6)**
Gifted	40.06 (146.1)	57.77 (212.8)	146.8 (192.9)
Free use or on Loan	51.96 (106.7)	560.2 (154.1)***	541.0 (164.8)***
Appropriation	1446.7 (451.9)***	1664.1 (560.5)***	3063.2 (778.6)***
Share Cropped	237.5 (122.9)**	638.4 (165.1)	759.4 (201.7)***
Leased	173.7 (124.9)	727.6 (167.4)	310.2 (202.5)
Household Size	104.5 (14.79)***	111.6 (19.06)***	90.84 (23.04)***
Constant	-196.7 (197.1)	-1205.5 (265.9) ***	-319.4 (319.6)
N	1951	1218	733

*Source: From Random Effects Logistic estimation using Stata 14. ***, **, and * denote Significance levels at 1% , 5% and 10% respectively based on t-statistics*

Table 5: Results from Cross-Sectional Logistic Model

Dependent Variable - Food Security			
Independent Variables	No Covariates	With Quantity of Output	With all Covariates
Land Rights	0.019 (0.155)	0.019 (0.155)	0.317 (0.189)*
Quantity		0.0003 (0.0013)	-0.00004 (0.0015)
Land Ownership			
Female Titling			-0.346 (0.297)
Joint Titling			-0.752 (0.266)***
Literacy of HH head			-0.282 (0.189)
Regularly sells part of output			-2.827 (0.579)***
Occasionally sells all of the output			-1.527 (0.302)***
Occasionally sells part of the output			-2.575 (0.250) ***
Household Size			0.019 (0.037)
Constant	1.037 (0.127)	1.012 (0.176)	1.865 (0.348)***
N	976	976	965

Source: From Logistic estimation using Stata 14. ***, **, and * denote Significance levels at 1% , 5% and 10% respectively based on t-statistics.

Table 6: Results from Cross-Sectional Logistic Model

Dependent Variable - Nutritional Diversity			
Independent Variables	No Covariates	With Weekly Consumption	With all Covariates
Land Rights	0.439 (0.245)*		0.520 (0.837)
Weekly Consumption		0.015 (0.015)	-0.905 (0.734)
Female titling			-1.048 (0.819)
Literacy of HH head			0.763 (0.801)
No. of Animals			-0.119 (0.117)
Household size			0.065 (0.118)
Constant	-2.516 (0.214)***	-2.511 (0.214)***	-2.149 (1.013) **
N	976	941	175

Source: From Logistic estimation using Stata 14. ***, **, and * denote Significance levels at 1% , 5% and 10% respectively based on t-statistics.



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THE INFLUENCES OF GENDERED CUSTOMARY LAND TENURE SYSTEM ON FOOD SECURITY IN NANDOM DISTRICT, GHANA

¹Kizito Doghle, ²Justice Owusu-Ansah, ³Paul Boniface Akaabre

¹MPhil Development Studies, Department of Planning, Kwame Nkrumah University of Science and Technology, Kumasi, kdoghle@gmail.com, Ghana

²Senior Lecturer, Department of Planning, Kwame Nkrumah University of Science and Technology, Kumasi, koansah@msn.com, Ghana

³PhD Candidate, Department of Planning, Kwame Nkrumah University of Science and Technology, Kumasi, akaabrepaulboniface@yahoo.com, Ghana

ABSTRACT

Food insecurity has been a major global development concern. Hence, SDG Two seeks to achieve Zero Hunger by 2030. The situation is severe in sub-Saharan Africa, where customary practices deprive women of land ownership and limit their access rights. This paper explores the influences of a gendered land tenure system on food security in Nandom District, adapting conditional assessment modules defined by USDA and FAO. With a list of households categorized under headship, 30 respondents were proportionally selected from each of the four study communities. The results from the survey of 120 households show that female headed households experienced extreme and severe conditions of food insecurity while male and co-headed households experienced less, resulting from differences in land ownership and access rights. Further analysis of the situation underscores the need to promote equal ownership and access rights for all gender groups to fight food insecurity and poverty in Africa.

Keywords: Customary Land Tenure System, Gender, Households, Food Security/Insecurity, Nandom District, North-Western Ghana

1. INTRODUCTION

Food security is seen as a global development concern (Godfray et al., 2010). It is estimated that about one billion of the world's population experience varied conditions of food insecurity (FAO, 2013; Sasson, 2012). In particular, most households in the global south suffer from food insecurity (FAO, 2017). Over 50% of households in sub-Saharan Africa are reported to be victims of severe conditions of food insecurity (Sasson, 2012; FAO, 2013). In lieu of these concerns, the United Nations incorporated food security concerns into the Millennium Development Goals (MDGs) and the current Sustainable Development Goals (SDGs) with the aim of achieving "Zero Hunger" across member nations and within households by 2030 (UN, 2015). Besides, the achievement of food security (SDG 2: Zero Hunger) is the basis for the achievement of other Sustainable Development Goals, particularly Goal 1 (No poverty) and Goal 3 (Good health and wellbeing).

To achieve food security, households need to have access to food in sufficient quantities and quality suitable for dietary needs (Economic Commission of Africa: ECA, 2009; FAO 2006, 2013; Sasson, 2012). This can be attained when food producers have access to lands and inputs such as fertilizers, weedicides and tractors, with the adoption of modern technologies (FAO, 2013; ECA, 2009). The nexus between land access and food security is particularly important in agrarian households

where the predominant source of food is through farm production (Holden & Ghebru, 2016; ECA, 2009). However, in sub-Saharan Africa, women who contribute about 70 percent of households' food production (Duncan, 2004) are excluded from land ownership and entitlement rights through customary practices and inheritance (Kuusaana & Eledi, 2015; Higgins & Fendrich, 2011). Further statistics indicate that women account for nearly half of all farm labour, and 80-90 percent of food processing, storage and transport (Kimani, 2012; UN-HABITAT, 2008; Dixon, 1990) while owning only one percent of land (Odeny, 2013).

In Ghana, depending on the location, land is customarily held in trust for the people by family heads and traditional authorities or statutorily held by the state (Lentz, 2010; Owusu et al., 2008; Sarpong, 2006). Within the two-fold tenure system, it is estimated that 80 percent of Ghana's lands are customarily managed by traditional authorities and family heads, while the remaining 20 percent are statutorily held (Spichiger & Stacey, 2014; Paaga, 2013; Vermeulen & Cotula, 2010; Ubink, 2008; Sarpong, 2006). Within the customary tenure system, lands are transferred from one generation to the other through matrilineal and patrilineal modes of inheritance, depending on the location in question (Paaga, 2013; Kuusaana & Eledi, 2015; Duncan, 2004).

Within Northern Ghana, land tenure system which is predominantly customary, operates under the patrilineal mode of property inheritance (Yaro, 2010). Although this system has recorded considerable changes with regards to land transfer due to population pressures, urbanization, commercial agriculture and legislative interventions (see Lambrecht & Asare, 2016; Spichiger & Stacey, 2014; Yaro, 2010; Cotula, 2007; Kasanga, 1995), it remains male inclined. It thus excludes women from ownership and limit access rights by inheritance (Yaro, 2010; Duncan, 2004). In most cases, women in these rural patriarchal societies rely on “borrowed lands” for use which is granted based on their status to males as relatives- daughters, sisters or wives (Doghle et al., 2018; Duncan, 2004). This short-term interest can be terminated at any time by the owner (Kimani, 2012; Yaro, 2010; Whitehead & Tsikata, 2003), hence exposing women to tenure insecurity.

According to Kunbour (2002), the patriarchal system of land ownership in North-Western Ghana, specifically among the Dagabas, limits women access rights and use of productive lands. This practice does not only curtail women’s right to land, but poses a threat to food security and by implication, poverty, particularly in rural communities where women contribute significantly to food production and in some cases, are in charge of catering for households (Sasson, 2012; Duncan, 2004). This paper therefore seeks to

explore/examine the influence of gendered customary land tenure system on households’ food security in Nandom District of North-Western Ghana.

2. THE CONCEPT OF FOOD SECURITY

The concept ‘food security’ has been used over time to mean different things by different authors. Food security was defined by the World Food Conference in 1974 to mean enough supply- that is the availability and price stability of food stuffs at both national and international levels (FAO, 2006). In that sense, national food security implied self-sufficiency, i.e. producing enough food to satisfy the population of the country (Pinstrup-Andersen, 2009). However, the aggregate availability which was mainly supply-focused raised concerns on how it equated to the well-being of households since it did not capture elements of affordability or access (Barrett, 2002). These concerns expressed called for a rethinking of the concept of food security and its measurement to incorporate not only availability but also access, utilization and stability (FAO, 2006; 2013).

At the household level, the United States Department of Agriculture (USDA) (as cited in Bickel et al., 2000), defines food security as access to sufficient food at all time by all people. This requires a minimum of readily available and adequate food, with an assurance in ability to acquire socially acceptable foods (without depending on emergency supplies,

stealing, or other coping strategies). Households are therefore considered to be in a state of food insecurity if they have uncertain or limited availability of foods that are adequate for household members, or are acquired in an unacceptable social manner (Bickel et al., 2000).

In a more holistic way, the FAO (1996) indicates that “food security exists when all people, at all times, have physical and economic access to sufficient, safe and nutritious food to meet their dietary needs and food preferences for an active and healthy life”. This is a widely accepted definition that incorporates four key dimensions of food availability, access, utilization and stability (Schmidhuber & Tubiello, 2007; FAO, 2006; 2013). These four dimensions of food security are further explored in the subsequent paragraphs.

Food availability refers to the “sufficiency” of food in terms of quantity and appropriateness of quality, supplied through domestic production or imports (including food aid) (FAO, 2006; 2013). Food availability is measured by focusing on production, distribution and exchange (Ingram, 2011). Production focuses on the types and quantity of food available. Distribution assesses the channels through which food is made available, the form in which it is available, when it is provided and to whom it is made available. Also, exchange focuses on the

amount of food made available through exchange systems such as barter, loans or purchase.

Food access bears on individuals having adequate entitlements to acquire the required foods for a nutritious diet (FAO, 2006; Ingram, 2011). Entitlements refer to the set of all commodity bundles over which a person can establish control with given social, political, legal, and economic environments. In specifically measuring food access, affordability, allocation and preference are used (Ingram, 2011). The affordability indicator of access measures the purchasing power of households or communities in relation to the prices of food items. Also allocation views the economic, political and social mechanisms that govern where and how food can be accessed by individuals and households. Whilst preference measures the religious and socio-cultural norms that influence the demand for certain types of food.

Food utilization on the other hand implies having adequate diet, clean water, sanitation and health care to attain a status of nutritional wellbeing in which all psychological requirements are met (FAO, 2006; Ingram, 2011). Utilization of food is thus made up of nutritional value, social value and food safety (Ingram, 2011). Nutritional value determines the amount of needed daily calories that is contained in the food while social value defines the social, religious and cultural functions that

the food serves. Food safety as well examines the content of food to determine toxic contamination introduced during processing, packaging and distribution, and food borne diseases.

The fourth dimension, stability views food security as ensuring that households or populations have access to adequate food at all times (FAO, 2006; Ingram, 2011). Individuals or households are food stable when they do not risk losing access to food as a result of sudden shocks (climatic crisis or economic) or seasonality.

Although FAO explanation of food security is widely accepted for determining food security, Pinstруп-Andersen (2009) however argues that, this definition and the indicators of food security are complex and are most likely not very accurate in estimating or measuring food security of households. He asserts that if all the four dimensions with their sub-indicators are to be met, then, the 800-900 million undernourished people estimated by the FAO (2006) would be an underestimation of the prevalence of food insecurity globally. He continues by arguing that, it was not sufficient to make conclusion on food security or otherwise of households based on the FAO definition. According to him, the behavioural aspects of households are also important and should be incorporated.

The USDA assessment module categorizes the conditions, situations and experiences of households into three stages of increasing

severity (Bickel et al., 2000; Pinstруп-Andersen, 2009). This module recognises that, no single indicator is satisfactory as a way of measuring food insecurity (Bickel et al., 2000). The module is therefore designed to combine experiences, conditions and behaviours of households as the bases for indicators that can satisfactorily define the food insecurity and hunger situations of households.

The first stage focuses on experience of households in times inadequacy in food supplies and budget, their feeling of anxiety during insufficiency of food to meet basic needs, and the adjustments that are made to their food budgets and the type of food consumed. In the second stage when the situation becomes severe, adults' food intake is reduced thereby experiencing hunger, while sparing the children of that experience. Hunger is described as a potential consequence of food insecurity that exposes people to recurrent and spontaneous lack of access to food. The third stage is characterised by a severer and dramatic increase of adults' hunger experience. At this stage, children reduce food intake and thus experience hunger.

While the module is regarded as more practical in approach (Bickel et al., 2000), it is argued as being at risk of moral hazard when using it to gather data from respondents especially when they perceive that the purpose of the survey is related to food supply initiatives by government (Pinstруп-Andersen,

2009). Also, Bickel et al. (2000) note that the model has inherent weaknesses in relation to arbitrary measurements and classification as well as non-measurement of all pillars of food security (it is much focused on sufficiency of food for households without considering the dietary composition of the food being consumed).

In sum, food security remains a core component of individual, household or community wellbeing (FAO 1996:2006: 2013; Ingram, 2011; Pinstrup-Andersen, 2009; Barrett, 2002; and Bickel et al., 2000) and in however way it is defined and measured, it must incorporate the ability to access food physically and economically at all time. In the context of this study, both the FAO and USDA modules which complementarily address issues of physical and economic access were adopted to reflect local context, and used to examine the influence of gendered customary lands ownership and access on households' food security conditions.

3. STUDY SETTING

The study was carried out in the Nandom District of North-Western Ghana. The District is located within the Guinea-Savannah Vegetation Zone with a single maxima rainfall pattern. To the North-West, it shares boundary with the Republic of Burkina Faso, while to the South and East, the Lawra and Lambussie Districts are respectively the adjoining Districts (see Figure 1). Nandom District

occupies an estimated total land area of 404.6 square kilometres. Out of about 84 settler communities, 86 percent are considered rural in the district (GSS, 2014).

Predominantly, the inhabitants of the Nandom District are Dagaabas with patrilineal lineage of inheritance (Lentz, 2006a). Dagaabas are the land custodians and per the customs that have been passed down, women are excluded from land ownership and entitlements, which are mostly acquired through inheritance (Doghle et al., 2018; Alfred & Kpieta, 2012; Higgins & Fendrich, 2011; Kuusaana & Eledi, 2015; Lentz, 2006b; Kunbour, 2002; Kasanga & Kotey, 2001). The underlying customary practice in the district offers an interesting case for study on the "age-old" gendered ownership/access to lands and its influence on food security, specifically in the context of growing concerns of food insecurity (FAO, 2013) and poverty in sub-Saharan Africa (FAO, 2017; 2013).

Governance of the District jointly administered by the Local Government and the Traditional System. The Traditional System of governance which is the oldest is headed by the Paramount Chief (Nandom Naa) and assisted by Divisional and sub-chiefs (Doghle et al., 2018). As illustrated in Figure 1, the local government administration of Nandom district has four area councils within which it operates. These area councils are Nandom, Puffien, Baselbe

and Ko. A consultative-criteria¹ shown in Table 1 was used to select four different communities, namely: Brutu, Kokoligu,

4. STUDY DESIGN AND METHOD

This study is set within the social constructivist worldview and thus adopts it as a guiding principle. Within the social constructivism interpretative framework, multiple realities are constructed through lived experiences and interactions with others (Creswell, 2009). The study therefore examined the influence of gendered customary land tenure on food security by interacting with different categories of household heads with regards to their experience of food insecurity conditions within the year 2017. A survey design approach was adopted to select 30 household heads from each of the four area councils indicated in Figure 1, resulting in a total of 120 households being surveyed for data (see sample size in Table 2). As noted by Rice (1995), a sample size of at least 30 respondents is enough to produce valid results in a survey if they are properly distributed and selected among the population. Therefore, in selecting the 120 households from the four communities within the area councils, all households were first stratified according to headship (i.e. male, female and co-headed households) using statistical information provided by an NGO [Partnership for Rural Development Action (PRUDA)] operating in

Tankyara and Tuopare, from the four respective administrative area councils for the study.

the district (see sample frame in Table 2). In order to minimise sample selection biases, a proportional sampling technique was used to determine the sample size requirement of each stratum based on the sample frame categorization. A simple random sampling technique was then adopted to select the sample size from each stratum to make up 30 heads of households in each study community.

In analysing data from respondents, the study employed the USDA and FAO modules of food security measurement in examining how gendered access to customary lands influence varied conditions of food insecurity (see Figure 2 and Figure 3). In some cases, the study adopted a post-survey stratification response weighting technique for analysis due to multiple responses from households (see Table 3). This technique involves scaling the multiple responses to the sample size or the number of respondents in order to reflect the desired distribution for interpretation (Fotini et al., 2013). The weighting of the responses are obtained using the formula; $WR = \frac{R}{TR}(Z)$, where WR is the weighted response; R is the number of responses to a study variable; TR is the total number of responses of all the study

¹ Consultative-criteria were designed based on research objectives together with views from

fieldworkers of agricultural organizations that operate within the district

variables and Z is the total number of respondents (sample size).

5. ANALYSING HOUSEHOLD FOOD SECURITY/INSECURITY

For a comprehensive assessment of food insecurity situations among households, the USSD and FAO modules (see Bickel et al., 2000) were adapted to screen and scale the intensity of conditions and experiences of households within the year under consideration (2017). In screening households to determine those that were food secure and others that had experienced conditions of food insecurity within the year, conditional questions (see Table 4) were asked. These screening questions were categorised into three segments of increasing intensity, ranging from experiences of anxiety about food, experiences of hunger, to the extreme form of hunger condition which denies children of food to eat the whole day. Households that experienced none of the conditions were presumed food secure and hence were not qualified for the next stage of assessment where households adopted a frequency scale of 0-4 to indicate the severity or otherwise of each experience in all four quarters of the year under consideration. The determination of food security or insecurity of a household was therefore based on a scale (see Figure 2) that ranked the averages of households' scores on the various conditions. The average values of seasonal rankings were then interpreted on a module of

increasing severity. Four categories of food security situations are identified by the module as: food secure, food insecure without hunger, food insecure with hunger (moderate) and food insecure with hunger (severe). Figure 2 summarises the indicators and scaling that were adapted for measuring households' food security/insecurity situation.

6. RESULTS AND DISCUSSIONS

6.1. Households' Mode of Acquiring Food

In the Nandom district, domestic production is the widely used means of acquiring food for consumption (see Table 3). This confirms the findings of Holden & Ghebru, 2016 and ECA, 2009 that rural communities often rely on the use of land for producing food. Also, to complement the primary source of food for households, some respondents indicated that they sometimes purchase food, while others offer labour services in return for food. Additional modes of acquiring food by few households include food aid/ donation and begging. Majority (93.3%) of households however indicated that the quantity of food available from these sources (in Table 3) was not even sufficient to cater for a two-square meal throughout the year. The remaining households noted that they had large farm lands, hence could produce enough food capable of taking care of their meals throughout the year. This revelation underscores the essence of land ownership and access by households on food availability which the basis of security, particularly in the

rural settings (Unruh & Turray, 2006; Maxwell & Wiebe, 1999; 1998). Thus, there is the need to ensure that households, irrespective of gender status, have equal rights and access to land in bit to fight food insecurity and poverty in Africa (ECA, 2009). According to Unruh & Turray (2006), there is a conventional linkage between access to land for food production and the options that are available for households to have enough food for consumption and exchange for income to satisfy other nutritional needs.

From observation and household responses, most of the food staples cultivated are; guinea-corn, maize, yam, millet, groundnuts, beans and rice. However, with all the traditional crops, cultural premium is attached to guinea-corn and as such, a requirement for every household to cultivate. The traditional value is based on its use for brewing local beer (*pito*), cultural symbolism of solidarity among clan mates during funerals, demand by the *Tindana* to appease a land for building and a cultural indication of a household's severe hunger/food insecurity when it is used for meals. Though a basic traditional crop and the last resort in instances of households' food scarcity, the nature of harvested guinea-corn as shown in Figure 3 differed significantly between female and male/co-headed households.

From observation on the differences in outlook, it was explained that, guinea-corn

such as that belonging to female headed households was of poor quality and could only be used for commercial activities or food but not for cultural purposes. Male and co-headed households however had guinea-corn that was said to be of good quality and could be used for any purpose.

Some female household heads mainly attributed their poor yield of guinea corn to their inability to access fertile lands and buy farm inputs such as fertilizers and weedicides. According to them, the patrilineal system they practice excludes women from owning land and as such women do not have access to quality/fertile lands for production. They indicated that women could only acquire lands by borrowing from the males which are often of poor quality and infertile. However, because land tenure security is a determinant of investment in the land (see FAO, 2009; Goldstein & Udry, 2008 and African Development Bank, 2000), most female household heads are often sceptical in improving the quality of such borrowed lands. In consequence, they are not able to produce in sufficient quantities for feeding, sale, and to facilitate subsequent production. Most male respondents however differed from the reasons that could result in a good yield by indicating that, output was based on the ability to adequately cater for crops and weather conditions but not the quality of the land or access to farm inputs. Although male

respondents disagreed with females in terms of limited access to quality/fertile lands accounting for poor farm yield, one cannot underscore the relevance of secure tenure in production/farm output (FAO, 2017;2013; ECA, 2009, Duncan, 2004). The observations shown in Figure 3, however, imply that female headed households (without limited access to quality lands/farm inputs) usually have poor quality of food which is likely expose them to severe food insecurity.

6.2 Households Food Security/Insecurity Situations

From the assessment of households' responses to the various food experiences as summarised in Table 4 and Table 5, only three (3) out of the one hundred and twenty (120) households that were surveyed did not experience any of the conditions of food insecurity within the year 2017. These households were one male headed and two co-headed households that had access to large and quality lands for production. This further implies that satisfactory food conditions among rural communities can arguably be achieved based appreciable level of equity in access to land by both males and females.

The pattern of responses in Table 4 points out to the fact that majority of the surveyed households experience moderate conditions of food insecurity or hunger in the communities. The minority that suffer conditions of extreme food insecurity are mostly female-headed

households who by customary practices do not own land in patriarchal communities. This finding confirms earlier revelation that women depended on borrowed lands from males that were of poor quality (infertile) and thus produced low yield which exposes them to conditions of food insecurity (Duncan, 2004). It was also observed that co-headed households did not or experienced less of extreme food insecurity conditions within the year. This was because both males and females within the co-headed households had equal access to enough and quality land for joint production, resulting in higher output/yield, capable of supporting their food needs throughout the year. Although, male-headed households experience less conditions of extreme food insecurity as compared to female-headed households, it was not satisfactory as compared to co-headed households. The variations noted in the three (3) categories of households are basically attributed land accessibility. In that case, female-headed households only get access to poor or leftover lands (infertile lands) from males.

6.3 Seasonality and Severity of Households Food Insecurity Experience

Although, majority (97.5%) of households experienced one or more of food insecurity conditions, an analysis of seasonality and severity of their experience vary as defined by monthly quarters within the year (see Table 6).

This was done using a Likert Scale (see Table 5), where all the 117 households that experienced at least one or more of the conditions of food insecurity in Table 4 were asked to rank/scale their experiences with regards to the monthly quarters. An average of the nine conditions per household scoring under the monthly quarters were recorded and interpreted in line with the module adapted from USDA to determine the level food insecurity among households (as cited in Bickel et al., 2000).

With the interpretation of scales under the module, households' whose averages of the nine conditions fell within the range of zero (0) and less than one (<1) are considered as relatively food secure or at risk within the season. Those ranging between one (1) and less than two (<2) are considered food insecure without hunger, while an average ranging between two (2) and less than three (<3) are considered as food insecure with moderate hunger. Households that experienced the most extreme form of food insecurity with severe hunger conditions were those whose averages fell between three (3) and four (4) on the scale.

As illustrated in Table 6, the scaling of households' experience of food insecurity conditions within the first quarter of the season (January-March) show that majority (61.5%) fall within the category of relative food security or are at risk of experiencing food

insecurity while only 3.4% indicated a situation of food insecurity with moderate hunger conditions. This implies that households do not experience extreme or severe food insecurity with hunger within this period. The larger proportion of households experiencing minimal conditions of food insecurity is attributable to the timing of the productive season where farm produce is often harvested in October and, relatively still available for consumption.

On the other hand, conditions food insecurity experiences by households are relatively dispersed across the scale within the second quarter which spans from April to June. While a small number (11.1%) of households are relatively secure or at risk, the majority (41.9% and 28.2%) experience moderate form of food insecurity without hunger and with hunger respectively. Also, about 18.8% of households within that season/quarter experience an extreme condition of food insecurity with severe hunger. The dispersed nature of households conditions and experiences under this quarter can be attributed to the fact that, the period begins the farming season hence, some households reduce consumption in order to use part of the food staples for sowing/planting.

Besides, in the third quarter (July-September) which is the middle of the farming season, most households experience moderate to extreme conditions of food insecurity and this

is attributed to the fact that households usually exhaust all food whilst waiting for the harvest. This finding also implies that aside access to land, changes in climatic conditions (single farming season) compound the vulnerability rural households in terms of food insecurity (see Tibesigwa & Visser, 2016; JICA, 2005). With regards to the fourth quarter (between October-December), the number of households that experience relative stability of food conditions is higher (79.5%) and this is attributable to the fact that, it is the harvest period of the single cropping season associated with the savannah zone.

The study found that households adopted some coping strategies, particularly within the second and third season (quarter of the year) where majority experience moderate to severe conditions of food insecurity. Majority (63.2%) of the respondents pointed out the trading of assets for food. Various assets cited by households included livestock and poultry as well as firewood, charcoal and other natural belongings. Some households also resort to borrowing food from other households and families that are considered relatively food secure as a mechanism to cope with the situation. Other households adopted management practices of cutting meals and begging for food from one household to another within and outside the community as their strategies to cope with situations of extreme food insecurity. The situation of

begging was particularly cited by female household heads that do not have access to lands for farming. Aside begging, female respondents noted that they sometimes resort to scavenging for grains in the market and waste flour from grinding-mills as options to cope through the period. Other strategies cited include: hiring out household labour to other people's farms, reliance on spouse and food aid.

7. CONCLUSION

An analysis of gendered access to customary lands as well as experiences and conditions of food insecurity among households in the Nandom district confirms a positive correlation. The patrilineal lineage of inheritance and land ownership being practiced in the communities excludes females, depriving many of access to land for farming. Land "borrowing", the predominant mode through which women can access lands from males for farming exposes them to tenure insecurities. Besides, lands given to females as "borrowed" land are often those considered as abandoned or leftover lands that are of low quality (infertile lands) and therefore not capable of supporting high yield production. This customary practice in the district exposes particularly female headed households who are mostly widows and do not have access to much land for farming/production to conditions of moderate and severe food insecurity.

Even though, some male respondents disagreed with females that their (women) inability to own and access land in the communities exposes them to conditions of extreme food insecurity, evidence from households' experiences (patterns) in the survey underscore the need to promote equal ownership and access rights by all gender groups (male and female) since co-headed households were less vulnerable compared to males and more particularly the female headed households. This is attributable to the fact that, in co-headed households, both males and females have equal access to land and also, jointly worked and took decisions, resulting in them producing enough food capable of sustaining the family in most part of the year. Therefore, there is an urgent need for males, traditional authorities (land custodians), and various stakeholders including government to extend land ownership and access rights to include women in patriarchal societies to enable them stand a better chance of fighting food insecurity and poverty in sub-Saharan Africa, which has been a major development concern in recent times.

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10. KEY TERMS AND DEFINITIONS

Gender: the socially constructed roles, responsibilities and rights that are associated with being a male or female in society.

Land: that solid surface of the earth used for production and guided by defined societal mechanisms which spell out the various modalities to own or transfer rights to other users **Customary Land Tenure System:** a set of principles and interactional rules that are defined by societies to regulate ownership and transfer rights as well as other operational rights such as access to use, and control land.

11. Appendix

Table 1: Community Selection Criteria

Area Councils	Criteria	Community selected
Nandom Area Council	<ul style="list-style-type: none"> • Shares boundary with adjoining district (Lambussie District) • Proximity to district capital • Relatively large population to cater for different gender categories of household heads views • Women group engaged in agriculture 	• Brutu
Ko Area Council	<ul style="list-style-type: none"> • Shares boundary with adjoining district (Lawra District) • Relatively large population to cater for different gender categories of household heads views • Women group engaged in agriculture 	• Tuopare
Puffien Area Council	<ul style="list-style-type: none"> • Shares boundary with adjoining district (Black Volta) • Relatively large population to cater for different gender categories of household heads views • Women group engaged in agriculture 	• Kokoligu
Baselbe Area Council	<ul style="list-style-type: none"> • Shares boundary with adjoining district (Black Volta) • Relatively large population to cater for different categories of household heads views • Women group engaged in agriculture 	• Tankyara

Source: Authors' Construct (2018)

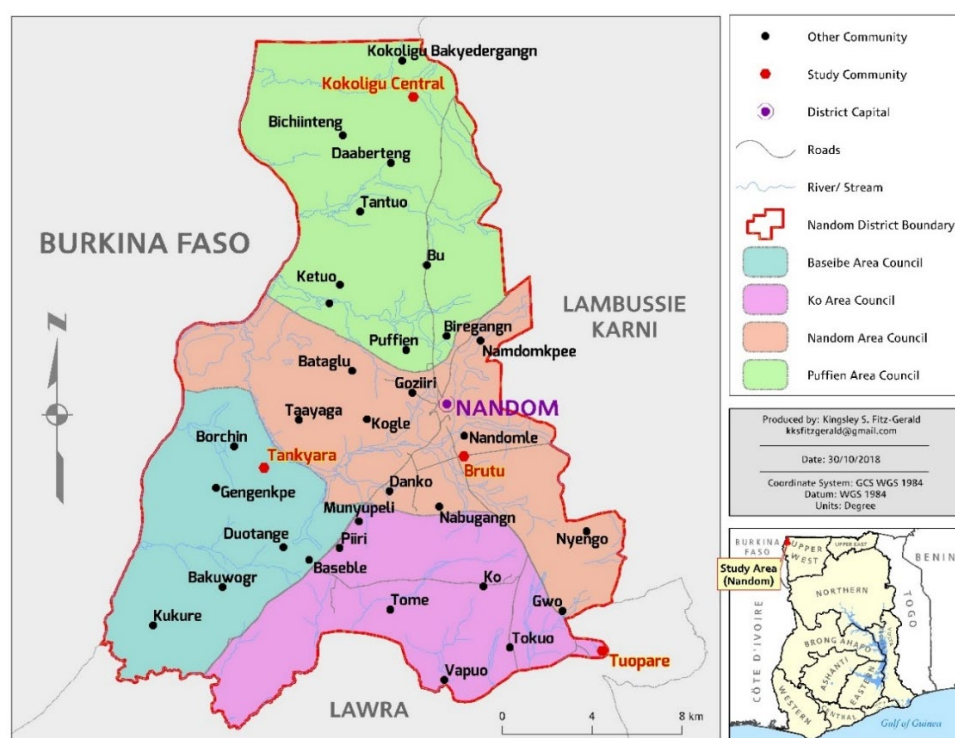


Figure 1: Map of Study Area with Major Communities (Source: Adapted from GSS, 2014)

Table 2: Sample Frame and Sample Size Determination

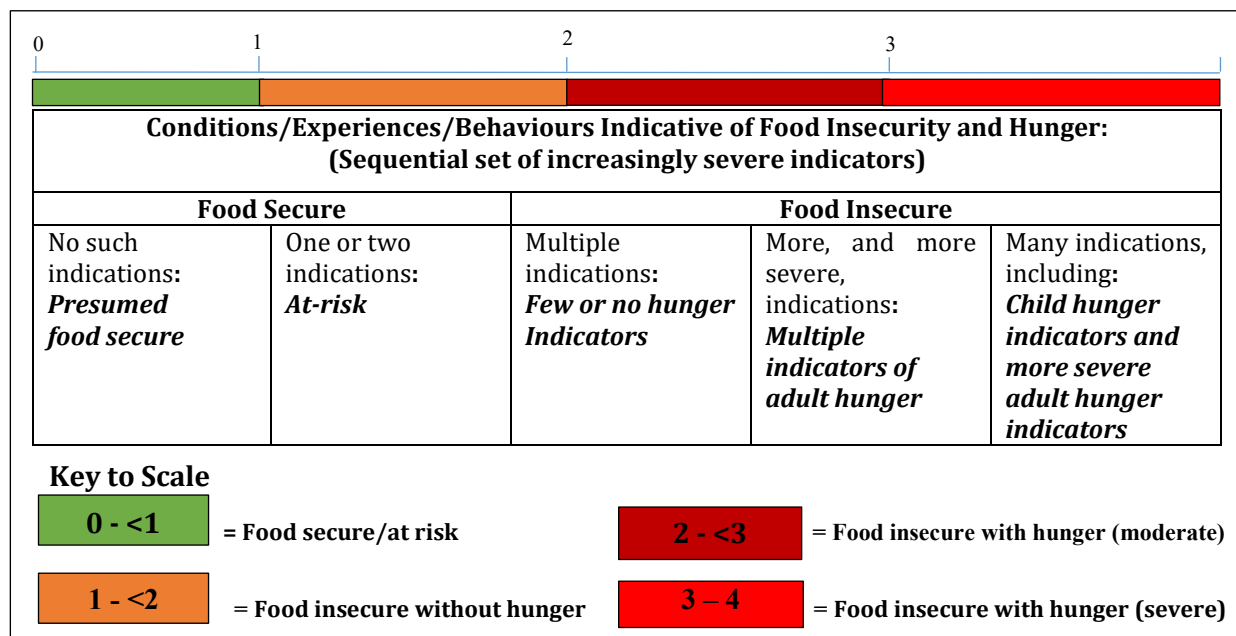
Category of Household Heads (Strata)	Study Communities												
	Brutu		Tuopare		Tankyara		Kokoligu		Total				
	S.F. ²	S.S. ³	S.F.	S.S.	S.F.	S.S.	S.F.	S.S.	S.F.	S.S.			
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	No.	No.

² S.F. represents Sample Frame

³ S.S. represents Sample Size and it is proportionally distributed using the formula: % of S.F. of household category multiplied by 30 (i.e. required sample per community)

Co-headed	53	30.2	9	7	10.0	3	16	17.2	5	25	23.4	7	101	24
Male Headed	99	56.6	17	58	82.9	25	71	76.3	23	71	66.4	20	299	85
Female Headed	23	13.2	4	5	7.1	3	6	6.5	2	11	10.2	3	45	11
Total	175	100	30	70	100	30	93	100	30	107	100	30	445	120

Source: Authors' Construct (2018)



4

Figure 2: Indicators for Measuring Food Security Situations of Households

Source: Adapted from Bickel et al. (2000).

Table 3: Modes of Acquiring Food by Households

Mode of Acquiring Food	Responses	Weighted Responses	Percentages (%)
Purchase	63	37	30.8
Domestic/Farm production	120	69	57.5
Food aid/ donation	4	2	1.7
Begging	4	2	1.7
Hiring out labour for food	17	10	8.3
Total	208⁴	120⁵	100

Source: Field Data (December, 2017).

⁴ Summation does not add up to sample size due to multiple responses

⁵ A post-survey stratification response weighting technique was adopted to scale the multiple responses to the sample size in order to reflect the desired distribution



Guinea-corn in a Female Headed Household



Guinea-corn in a Male/ Co-Headed Household

Figure 3: Sample of Guinea-Corn from Different Sects of Households (Source: Field Data, December 2017).

Table 4: Household Food Insecurity Conditions and Experiences

Source: Field Data (December, 2017).

CATEGORY OF HOUSEHOLD HEAD		FOOD SECURITY CONDITIONS AND EXPERIENCES OF HOUSEHOLDS WITHIN THE YEAR (2017)																	
		Experiences of Anxiety about Food						Experiences of Hunger (Moderate Condition of Food Insecurity)						Experiences of Extreme Hunger (Extreme Condition of Food Insecurity)					
		Worried that food would run out		Food harvested did not just last		Ate the same type of food continuously for a week		Adult(s) cut or skipped meals continuously		Children were not eating enough (minimum of 3 times daily)		Whole household did not eat enough (Three square meal per day)		Adult(s) did not eat the whole day		Children did not eat the whole day/slept hungry		Whole household did not eat for the whole day	
		(1)		(2)		(3)		(4)		(5)		(6)		(7)		(8)		(9)	
		Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No
Co-Headed 24 (20.0%)	Freq.	11	13	10	14	8	16	7	17	6	18	6	18	1	23	0	24	0	24
	Per. (%)	45.8	54.2	41.7	58.3	33.3	66.7	29.2	70.8	25.0	75.0	25.0	75.0	4.2	95.8	0.0	100	0.0	100
Male 85 (70.8%)	Freq.	76	9	72	13	67	18	52	33	31	54	31	54	4	81	2	83	2	83
	Per. (%)	89.4	10.6	84.7	15.3	78.8	21.2	61.2	38.8	36.5	63.5	36.5	63.5	4.7	95.3	2.4	97.6	2.4	97.6
Female 11 (9.2%)	Freq.	10	1	10	1	9	2	8	3	8	3	9	2	4	7	1	10	1	10
	Per. (%)	90.9	9.1	90.9	9.1	81.8	18.2	72.7	27.3	72.7	27.3	81.8	18.2	36.4	63.6	9.1	90.9	9.1	90.9
TOTAL 120 (100%)	Freq.	97	23	92	28	84	36	67	53	45	75	46	74	9	111	3	117	3	117
	Per. (%)	80.8	19.2	76.7	23.3	70.0	30.0	55.8	44.2	37.5	62.5	38.3	61.7	7.5	92.5	2.5	97.5	2.5	97.5

Table 5. A Likert Scale Used in Measuring Severity of Households Food Insecurity Experiences and Conditions

Scale	Interpretation/Condition of Experience
0	Not at all
1	Once a while
2	Sometimes
3	Most at times
4	Always

Source: Authors' Construct (December, 2017).

Table 6: Assessment of Seasonality and Severity of Households Food Insecurity Conditions

Monthly Quarters	Scaling of Food Insecurity Experiences According to Averages									
	0- <1		1- <2		2 - <3		3 - 4		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%
January- March	72	61.5	41	35.1	4	3.4	-	-	117	97.5
April- June	13	11.1	49	41.9	33	28.2	22	18.8	117	97.5
July- September	4	3.4	30	25.7	57	48.7	26	22.2	117	97.5
October- December	93	79.5	24	20.5	-	-	-	-	117	97.5

Source: Field Data (December, 2017).

*Note: Coloured portions indicate where majority of households are experiencing a condition of food insecurity within a particular seasons or quarter of the year.