

Women's Access to Land: An Asian Perspective

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The Asian Scenario

- 60 % of world's population and 57% of poor
- 30% of total arable land
- Majority are smallholder cultivators
- Even with legal (statutory & customary) and policy equality, women own approx. 10% land
- Diversity in access: patrilineal south Asia, bilateral south east Asia, socialist China and Vietnam and clan-based, though state regulated Central Asia.
- No linear relationship between land ownership and gender equality.

Frontiers of Opportunity

- Legal reform and policy change
 - Ratified international commitments – CEDAW
 - National laws and policies in conformity with CEDAW
- Recognition of assets as central to growth
 - Lack of assets contribute to lower yields and lower productivity of female labour
- Male emigration & feminisation of agriculture
 - South Asia – female constraints – seen as unpaid household helpers - linked to agricultural stagnation
 - China – Except for widows or divorced women, do not face production-related constraints
 - South east Asia more diverse, though women's farm work a safety net for men's more risky ventures

Institutional challenges to social recognition (1)

- Family and household headship
 - Land seen as a male asset
 - Male authority established as head of household
- Diversity in kinship/inheritance systems
 - Social norms and rules of marriage, inheritance, divorce, rituals mediate access to land
 - Even in China virilocal residence post-marriage serves to deny women their land share

Institutional challenges to social recognition (2)

- Commercialisation and land grabs embedded in unequal power relations
- Gendered politics of dispossession:
 - Abolishes customary rights to both private and common lands
 - Excluded from compensation payments
 - Women employed as casual, low paid workers or engaged with unpaid work – labour marginalised
- State land reform – land registered in male names
- Exclusion from leadership in dispute resolution mechanisms

Struggles from below

- Implementation/convergence of existing policies
- Social mobilisation for visibility & legal change
- Policy advocacy – changing attitudes of bureaucracy, rights of single women, institutionalising state-society interface
- Control over production and marketing processes
- Political representation, leadership and voice

Ways forward

- Governments:
 - Remove discriminatory legal provisions
 - Ensure convergence in accessing bundle of resources
 - Legitimate spaces for engagement with support
- UN:
 - Strengthen monitoring mechanisms
 - Support context-specific research
 - Sex disaggregated database on assets and land
- Other Actors: NGOs/Academics:
 - High quality research on gendered implications of global economic policies, interaction between formal and informal institutions, customary rights, conjugal negotiations.
 - Information-sharing and capacity-building of a range of stakeholders