

ILC Briefing Note

Women's legal empowerment: lessons learned from community-based activities



INTERNATIONAL
LAND
COALITION



Tribal women attend a community workshop on how to claim their land rights in Andhra Pradesh, India (Photo: SARRA).

In 2010 and 2011, the International Land Coalition (ILC) supported five community-based projects promoting the legal empowerment of rural women. Projects piloted innovative ways to enhance women's land rights, but also identified models for replication and scaling up. Activities included raising women's legal awareness through grassroots mobilisation, community trainings, and consultations and the provision of paralegal services, with the aim of improving women's ability to use legal and administrative processes and structures to gain or maintain land rights and to benefit from them.

ILC also facilitated a peer-to-peer exchange in India between SARRA and SWADHINA and a field visit and workshop in Cambodia, where lessons learned were shared with other ILC members from Asia and with Cambodian civil society organisations (CSOs) working on women's land rights and legal empowerment. This briefing note captures lessons learned from these five projects and from the learning exchanges.



Pilot projects

CINEP (Centro de Investigación y Educación Popular), Colombia: "Empowerment of Women for the Exercise of their Rights to Land and Territory in the Cauca Valley, Colombia";

Oxfam GB, Pakistan: "Promoting Women's Property Rights and Ownership in Pakistan";

SARRA (South Asia Rural Reconstruction Association), India: "Sustainable Empowerment of Tribal Communities through Land Rights Movement with Women's Partnership for Securing Dignity and Equity";

SWADHINA, India: "Bringing Land Rights to Grassroots Women: Creating Awareness on Socio-legal Rights in West Midnapore District of West Bengal in India";

UEFA (Union pour l'Emancipation de la Femme Autochtone), DR Congo: "Project to Reinforce Sensitisation of Authorities and Communities to the Land Rights of Pygmy Women in South and North Kivu Provinces".

1. Never underestimate women's enthusiasm to learn!

Across the projects, women were clearly keen to learn about their land rights – and other rights. This enthusiasm for acquiring information and learning means that there is great potential for working with women on building their legal awareness.

There is undoubtedly a general lack of information on land rights in the rural areas where the projects were carried out, but even less information is getting through to women. Women are not aware of laws and policies that are seen as the domain of men and they face obstacles in attending meetings. It is therefore crucial to pay specific attention to informing women, as information campaigns without an explicit focus on women are less likely to reach them, due to their exclusion from the public sphere and their status in the household and community, based on the gender-specific roles and responsibilities assigned to them.

A difficulty encountered in working with women – for example, in tribal communities in India (SARRA project) – is that women are traditionally less present than men in the public sphere. If women have to travel to other locations, male family members may object to their participation in activities. In addition, women's workloads (household and agricultural activities) keep them occupied for most of the day and may make it difficult for them to participate, especially over a number of days (CINEP, SARRA projects).

The end result is that women are less informed about anything that happens outside their households and which are traditionally seen as "men's business".

On the other hand, the experience of SWADHINA (India) shows that continuous engagement with communities in events to raise awareness on women's land rights (e.g. the Earth Festival) can also positively change men's attitudes – to the point where men will now be included as volunteers in future activities.

2. Prioritise capacity building targeted at women

While raising awareness is clearly important, it is equally crucial to pay specific attention to enhancing women's capacities in different ways. In the projects supported, capacity building was carried out through leadership training, signature camps with women to practise signing their name, participatory analysis of challenges faced, sharing of experiences, and paralegal training.

Such activities are important, firstly because literacy skills enable women to claim their legal rights, and enhanced leadership capacity enables them to mobilise other women, form support groups, and interact with authorities. Secondly, capacity building, regardless of its actual content, strengthens women's self-confidence.

Literacy is a big issue, as in almost all contexts women are less likely to be literate than men, meaning that they are not able to read and understand official documents and sometimes are not able to sign their own names. This means that they can easily be deceived when it comes to land-related transactions, but it also results in a lack of confidence. The experience from India (SWADHINA) shows that signing their own name can be a first step for women to exercise their rights as citizens.

All project reports highlighted the importance of education for women. While there may be other very important areas of focus, it is clear that functional literacy is a prerequisite for women to be full citizens, not only for the ability to read and write and thus deal with official documents, but also for the confidence that women gain when they become literate.

It is crucial to pay specific attention to informing women (...)
Women are less informed about anything that happens outside their households



Rural women develop a strategy to exercise their rights in Cauca Valley, Colombia (Photo: CINEP).

3. Recognise the importance of accessible information

Land rights cannot be guaranteed by changes in policy if people have little access to information or to justice. Raising people's awareness of their rights by providing them with information can lead to significant results as they claim those rights. This is especially true for women in most of the settings the projects were carried out in, because women are more likely to lack information about their rights.

Due to the gendered stereotype of their main role being in the private sphere of the household, women also do not participate much in the community on issues related to land rights – so it is even more important to work with women at the local level.

Land rights cannot be guaranteed by changes in policy if people have little access to information or to justice

There is a great demand for accessible information on laws (in local languages, in non-legalistic language, or in pictorial form). In fact, the production of materials for use at the local level was central to most of the projects. The translation of legal texts is a key step towards enhancing people's legal awareness, as is using alternative means

to communicate the content of laws, given that illiteracy is generally more common within the poorest strata of the population (and even more so amongst women).

The use of radio, videos, posters, images, theatre and cultural performances, songs, and cartoons (SWADHINA, CINEP, UEFA), as well as participatory mapping (CINEP), is crucial to successfully raising the legal awareness of poor women and men. Such tools make information not only more accessible but also more entertaining and less intimidating than information presented in print and in official jargon.



Cartoon booklets on women's land rights developed by UEFA for use in North and South Kivu, DR Congo.



Project partners from Asia and ILC members took part in a peer-to-peer learning exchange on women's legal empowerment in Cambodia. (Photo: STAR KAMPUCHEA).

4. Pay attention to perceptions of gender equality

The project reports note that gender equality and gender justice are not familiar concepts in rural areas, where stereotyping is prevalent and tasks are assigned on the basis of gender. In addition, while laws and policies may refer to gender equality, the concept has not been internalised or translated into action at the local level – and sometimes not even at higher levels, where rhetoric may be gender-neutral but actions are not.

Awareness raising has to take place at all levels, from members of the household to traditional leaders in the community, and from officials at regional administrative level to national policy-makers. Despite official recognition that gender equality should be a goal (often by signing up to international agreements or through national-level laws and policies enshrining gender equality), there is a lack of action by government authorities at all levels in promoting gender equality.

The common perception held by both men and women in the project areas, is that a woman's place is in the house so all official interaction with authorities, whether at the local level with traditional authorities or with state authorities, is the responsibility of the husband and head of the household. Women's legal empowerment hinges on the recognition by men, and by women themselves, that women have legal rights and that they need access to legal information in order to claim and protect these rights.

5. Address different levels appropriately

The five projects targeted various levels of governance and different audiences:

- Monitoring a government programme and making suggestions for improvement, lobbying with parliamentarian and policy makers, campaigning with civil society actors, women land grantees, small women and men farmers, supported by a media campaign that put pressure on the government to recognise flaws in the programme and act on them (Oxfam GB, Pakistan);
- Raising awareness of officials at block and district levels (SWADHINA, India), and advocacy directed at government authorities at the provincial level (UEFA, DR Congo);
- Mobilising people at grassroots level to claim their rights by filing legal documents with government offices (SARRA, India).

What emerges from project reports is that addressing different levels of governance can be very challenging and that various gaps need to be bridged between communities and authorities, including through building the capacity of local people and their organisations. Not only is it important that local organisations, such as self-help groups for women in India, build their knowledge on a legal framework, so that they can be a point of reference for community members; they must also build their capacity to mobilise community members and to present their demands to the relevant authorities – which often has less to do with capacity than with having the confidence to interact with people at a higher level in the hierarchy.



"Women. Land is our right!" - an advocacy poster used in Colombia by CINEP.

6. Be aware of the role that CSOs can play

CSOs can serve as a bridge between communities and government, but adequate participation of community representatives needs to be promoted to avoid a paternalistic attitude (capacity building of communities, leadership training, etc.). As stated by SARRA, India, "political will coupled with administrative support and grassroots partnership of the local community" is one recipe for a successful empowerment initiative.

Notably, CSOs are crucial in identifying and exploiting windows of opportunity opened by institutions not immediately visible to communities, by facilitating interaction and participation by rural women (SARRA).

CSOs can also play an important role in highlighting problems faced by communities to media organisations. Close collaboration with the media can have a strong impact, especially when addressing government, as was the case with Oxfam's project in Pakistan which made efforts to inform journalists, including by taking them to project sites, resulting in increased media attention. Government responded by admitting flaws in its land distribution programme that needed to be addressed - and by planning a new phase of the programme specifically targeted at women.

Last but not least, CSOs have been instrumental in assisting community members to identify common causes to struggle for, or by providing a platform for future collective action owned by the community. As a result of CSO-supported activities, a number of manifestos, declarations, and group analyses have been produced (CINEP, UEFA, SARRA). It is also clear that there is a need to scale up best practices and advocacy from the local level to the state/national level, a process in which CSOs can play a key role.

CSOs play an important role in highlighting problems faced by communities to media organisations.

7. Follow through to move from empowerment toward emancipation

All implementing partners found that the activities organised achieved significant results in legally empowering poor and marginalised women. As awareness-raising activities take place, a process is set in motion as participants share their newly acquired knowledge with others, and it is important to have information readily available and accessible, preferably through collective support structures such as women's groups, watchdog groups, etc.

Follow up to the pilot, especially at grassroots level, should go beyond awareness and training activities: for instance, by establishing local groups made up of different stakeholders, including lawyers, activists, and community leaders and, importantly, including both women and men, so as to make women's empowerment a common goal. Such groups are an important resource for women in terms of the information they can provide and the assistance they can give to help them reach policy-makers at higher levels. They have been established or are being planned by various project partners in different contexts (SARRA and SWADHINA, India; Oxfam GB, Pakistan).

As CINEP affirmed, the legal empowerment of rural women is closely linked to the strengthening of women's groups

at community level. Another relevant experience is that of Oxfam GB in Pakistan, which created, in partnership with a local organisation, a "Legal Support Fund for Women Land Grantees", the terms of reference for which were prepared in consultation with women land grantees, members of the district-level "land for women" network, and other CSOs.

8. Encourage horizontal learning and collective action

The projects highlighted the importance of working collectively to advance women's land rights. This can be done at local level through multi-stakeholder groups and committees, as described above, but it is also something that should be explored further with like-minded organisations at national and regional levels. This is particularly true when the organisations involved can share their experiences, lessons learned, and varied perspectives, which highlight the complexity and nuances of both land rights and processes of empowerment.

The results of the two peer-to-peer learning activities included in this programme (the SARRA/SWADHINA exchange and the field visit and workshop in Cambodia) confirm the importance of mutual learning to enhance organisations' capacities and the confidence of those participating in such exchanges.



Now assisted by the legal aid committee, Salehan received land through a government programme, which was later claimed by a wealthier family (Photo: Oxfam GB Pakistan).

9. Bear in mind the complexity of land tenure security

These pilot projects further confirm the practical complexity of land tenure security, highlighting the need to promote the empowerment of rural women above and beyond land titling or individual legal actions, to enable them to claim, defend, and consolidate their land rights day by day and then to build more effectively on their secured rights to guarantee their livelihoods.

Women's legal empowerment is a long-term endeavour


Project partners mentioned a number of actions taken to secure access to other natural resources. For instance, Oxfam GB in Pakistan identified a problem in the quality of land granted to women and a lack of access to water, as well as the need

to enhance women's ability to make land productive and its use sustainable. This issue was also noted by SARRA in India, which carried out training on sustainable harvesting practices.

Last but not least, it also clearly emerged from this project that women's legal empowerment is a long-term endeavour. The pilot projects provided an excellent opportunity for partners to start contributing to the legal empowerment of women, and all the partners involved expressed a strong interest in continuing this work based on the needs identified at the community level.



"We women do the maximum portion of agriculture" - an advocacy poster recalling a poem in local language, by SWADHINA.



Women's Land Rights Initiative


This publication is part of a ILC's **Women's Land Rights Initiative**. If you would like further information, go to <http://www.landcoalition.org/global-initiatives/womens-land-rights/womens-land-rights> or contact us at info@landcoalition.org

For more information on ILC's work on women's legal empowerment and detailed project briefs, please go to: <http://www.landcoalition.org/global-initiatives/womens-land-rights/women%E2%80%99s-legal-empowerment>

Written by Sabine Pallas and Luca Miggiano
May 2012

The opinions expressed in this brief are those of the authors and do not necessarily constitute an official position of the International Land Coalition, nor of its members or donors.

ILC wishes to thank NORAD for their support to this initiative:



ILC gratefully acknowledges other donors to the wider Women's Land Rights Initiative, including the European Commission (EC) and Irish Aid.



INTERNATIONAL LAND COALITION

The International Land Coalition (ILC) is a global alliance of civil society and intergovernmental organisations working together to promote secure and equitable access to and control over land for poor women and men through advocacy, dialogue, and capacity building.

International Land Coalition Secretariat
Via Paolo di Dono, 44
00142 – Rome, Italy
tel: +39 06 5459 2445
fax: + 39 06 5459 3628
info@landcoalition.org
www.landcoalition.org