
Overview of civil societies engagement with women's control and ownership of productive assets and resources

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Preface:

The search for information on key actors on women land and assets began for Sathi all for partnerships in 2004. This was a time when a team was to take on advocacy on women's control and ownership of productive assets and resources to impact Beijing + 10. The Consult for Women and Land Rights (CWLR) was formed to gather views of different people on the issue and soon we found that women's land rights could not be discussed in isolation of realization of other rights and needs. Each right and need had its specific depth to understand and impact. Thus civil society actors engaged with the issue differently, often with consultation among a small range of stakeholders. Compartmentalization of different facets of the issue resulted in stands that often limited discussions to one aspect excluding the other.

Groups and individuals looking at the issue linked work with another area of work for example on legal research and advocacy, violence against women, housing rights, land rights, repatriation, eviction, displacement and rehabilitation, agriculture, control over forest, water, vulnerability and economic empowerment of specific groups. The urban land or rural context saw issues in different dimensions of gendered concerns, land use and land development etc.

Five years ago it was difficult to gather data on who has done what on the issue. Other than a few research papers and documents by FAO there was dearth of material. Research by Dr. Bina Agarwal, Dr. Govind Kelkar and Dr Nitya Rao provided a framework for beginners in South Asia. This scenario has evolved in recent years. Newer women and land networks have worked hard to document, experiential learning from field based dialogue has increased a growing knowledge base in the past four years. State support has facilitated organization of positive women. The wide range of individuals and organisations mentioned in this document as contributors in creating interest on the issue is an indicator of the spread of actors. Each person and organization has gathered information on other actors and is making space to extend their understanding to rethink strategies. Information mentioned in this document is from interviews, field and web investigation as well from presentation stakeholders made at different consultations. This discussion paper seeks to invoke response for a future course of action that needs parallel efforts across the world to translate intent into increasing resource base of women.

Sathi all for partnerships was engaged by UNIFEM to draft this discussion note. Working Group for Women and Land Ownership (WGWLO) reviewed this draft. This was a welcome opportunity to capture an experience of working on the issue. While Sathi all for partnerships has tried to lobby at international and national level, WGWLO has had an intense experience on the issue of gaining control on agricultural land in one state of India. UNIFEM has been a support to the organized women's movement and chosen to focus on the issue of HIV Aids and Property right.

The terms of reference for this paper mentioned the following:

The increasing numbers of micro level studies illustrates the relationship between asset inequality and poverty and provide information about on distribution of a particular type of asset (such as land, housing and livestock) in a particular location. National Censuses and National sample surveys, however, do not collect data on gender-scientific intra-household distributions of assets.

In its efforts to end discrimination against women, CEDAW requires all signatory states (179 of the 185 members countries of the United Nations) to modify or abolish all existing laws, customs, practices and regulations that discriminate against women. Part IV, Para 2 of Article 15 and 16 of CEDAW, states that, all Signatory states must

1. "Recognize women's rights to own, inherit and administer property in there own names.
2. "Provide equal right for both spouses in respect to ownership, acquisition, management, administration.' (United Nations, 1980).

This discussion paper was to examine:

- The Civil Society discourse - practices and views of organizations and individuals - on the gender based distribution of productive assets and resources and its implications for women economic empowerment.
- The diversity of activity of civil society organizations and individual researcher with regard to women's collective, household based and individual rights;
- The reality faced by women in accessing and controlling assets and factors of production: constraining and enabling factors.

- Identify measures in terms of policies and practices to address the broad patterns of economic inequality of women and its relation with human dignity and rights as citizens.

Executive Summary :


This paper attempts to capture the work done by various actors in supporting women's access, control and ownership of productive assets, identifying gaps and barriers to women's access to land and other productive assets and looking at strategies that have worked to suggest a way forward. This documentation comes at a critical juncture when there is a realisation that there is a growing assetlessness and increasing gender wage disparity. In the context of globalisation and the new development paradigm land ownership in itself decreasing and with rampant displacement, talks of demands for land in women's name are met with resistance. For those who have lost their lands to development, access to land is crucial to their livelihood and survival of all.

Though major policy measures have been introduced for inclusion and equality of women like the Hindu Marriage Act and Hindu Succession Act this has not significantly changed women control over resources. To quote Justice Sujata V. Manohar: "It is not easy to eradicate deep seated cultural values or to alter traditions that perpetuate discrimination. It is fashionable to denigrate the role of law reform in bringing about social change. Obviously law, by itself, may not be enough. Law is only an instrument. It must be effectively used. And this effective use depends as much on a supportive judiciary as on the social will to change. An active social reform movement, if accompanied by legal reform, properly enforced, can transform society. And an effective social reform movement does need the help of law and a sympathetic judiciary to achieve its objectives.


More work needs to be done at family and neighbourhood level, with policy makers and leaders to bring social legitimacy and support, to recognise women as owners and managers of productive resources.

With the invisibility of women as owners of property and land individually there is a lack of gender desegregated data on women access, control and ownership over productive assets, including land, housing, livestock etc. More resource mapping research to generate baseline information on what will transform gender relations positively is needed. Research on gaps exists that now needs an effective advocacy for male-female resource equality, its impact on intra household division of labour, resources reallocation ; the role of micro-credit in asset creation for women and its impact on their decision making; and the extent to which favourable interventions/decisions of courts are followed, etc. The gaps

in official data reflect gender blindness at the official level. This lack of recognition results in policies that fail to address women's needs as in the informal sector where the minimum wage rate or other protective measures remain unapplied, a fact equally true for men except that there are more women in this sector than men, and there are fewer opportunities for women to do anything else. Any solution proposed must address empowerment of women in the unorganised sector. Women's land rights cannot be located in isolation of realisation of other rights and needs. Women's rights to land, property, assets intersects with many other issues and, thus many of those working on the issue of land rights need to look at other issues affecting women. The quest for equal ownership of land, housing, assets and property will not come by singular means a combination of different strategies needs to be coordinated at different levels of intervention. Yet focused attention to implement increase in resource base of women, individually and collectively is a key to social transformation.



The definition of a farmer is assumed as an "adult male"...who has the right to the produce of a farm..?Women are not classified as farmers" Investigations conducted in selected states in India show that more than 60 percent of agricultural operations are performed by women farmers, yet the fact that, "most farmers in India are women"... is simply not reflected anywhere in government records or programmes.



The demand is not only for land but a basket of rights, skills, institutions, services, natural resources, capital, asking for land in itself is not helpful but other rights and services are needed to make it viable. In some cases there is a lack of women control over resources though they have ownership rights, this could be related to women's lack of autonomy and dependency on male members of the family. Thus the approach to achieving resource rights for women needs to be approached singularly but with an integrated, multipronged strategy to look at the various issues affecting community with leadership of women in providing solutions. The heterogeneity of communities based on caste, class, religion, ethnicity, and geographical location make policies and interventions difficult to apply uniformly, therefore a robust framework to service this diversity is attempted in the last chapter.

Empowerment of women is an ongoing process of collective struggle against the forces of oppression. It involves the redistribution of available resources in society – social, economic, political, intellectual and cultural to ensure women's equal access to them. Recognition of women's productive and reproductive labour, their equal right to work and property, the opportunity for decision making at all levels including family, the work place and the community, equal access to knowledge, the right to life and equal opportunities for the girl child is necessary to ensure empowerment of women in society.

Just giving public or private resources to women is not the answer the key is building women's capacities to manage and continue to control them. Therefore creating alternatives to the patriarchal and capitalist mode of capital control is the need of the hour for women get a fair share in resources. The processes of hoarding and competition need to be parallel to the sharing and collaboration mode of living. In many places women who have been able to get ownership of resources have not really passed it on to their daughters, with the result that women's resources roll back into men's control. Capacity in systems needs to be built so that there is women's agency in demanding and developing resources that have alternate application and use. This can be organised at a neighborhood level. Children, women and men need skill building to accept and support this change and build skills in developing relationships that are more equitable. Women do not live in isolation and men's participation and acceptance of women ownership over resources is necessary for this process to be sustainable and change the notion of men as owners only. Towards this women need to be seen as part of the natal clan even after her marriage to another family with revised set of roles and responsibilities.

More work needs to be done on women's individual ownership of land as this is met with resistance. This is largely due to lack of understanding on short and long terms consequences of individual ownership. Positive and sustainable models have been collective ownership of property to give women strength and a sense of solidarity to manage property given to them.

Many groups, forums networks are active locally, nationally, internationally, though there is intensive work going on this issue of land, housing, productive assets, these are sometimes fragmented and may need to be integrated to make it more holistic and eventually transformative. For example a group working on getting land registered in joint names of husband and wife may not address other structural inequalities or questions patriarchal value systems that support inequalities. While those addressing issues related to patriarchal issues may not work on increasing women's resource base. While there are many groups

working at getting joint registration for women along with their husbands there are few that promote women's individual or collective ownership of land. The difficulty with having an integrated approach with a focus on the larger goal is sometimes due to the rigidity in stands and inability to engage with each other if one's strategy or perspective happens to differ from that of the other. There is a need for different groups from different perspectives to build understanding that many possibilities exist together. This is far from being an easy task for example those that promote joint registrations look at groups asking for individual registration as creating divisions in their movement or taking a radical approach that every one may not support. On the other hand these groups are perceived as perpetuating patriarchal control of resources. An ethical basis for solidarity needs to be forged so one does not end up negating the work of another but can work with a shared vision keeping one's autonomy and priorities. This may create scope for knowledge sharing, debate and relationship building.

Though there has been pioneering and cutting edge work on research and policy level intervention on the issue there has not been a significant increase in women's resource base.. Now action needs to be taken towards using available information and policies to ensure that it results in actual monitorable increase in women's control, access and ownership of resources. There are many positive developments across the globe, gendered tools and demonstration through pilots need to be developed that can be applied in different contexts. These need to be documented and replicated in a culturally relevant manner.

An integrated area focused approach needs to be taken where the community is addressed as a whole and not just with a focus on one or two issues that affect that particular community. Our world is at the brink of change A multipronged strategy focused at transforming cultural norms to empower communities with women leadership at economic, social and political levels will work. Communities and women need women owned resource zones and build capacity and skills. Institutional mechanisms and community level discussion to open up to accept change to access input, knowledge and technical know how. ⁱ

1 : Introduction

Different positions of researchers and practitioners

The experience of several grassroots movements has demonstrated that the assertion and empowerment of women depends to a large extent on their access, ownership and control over land assets and other resources.

Command over property, arguably, is the most severe form of inequality between men and women today. It is easier to provide education, health and non-farm assets to women rather than give them land rights, because giving these will improve well being and welfare, whereas giving land would mean giving power.

What do women consider as productive assets and resources

1. Assets like land, property, **Housing, kitchen gardens**, homestead plots,
2. Natural resources including commons
3. Money, **jewellery**, tools for production, livestock, implements, credit,
4. Knowledge, technical know how, management skills and capacity building.
5. Skills, labour, **human and social capital**
6. Services and institutions

The impact on social, economic and political power can be direct in terms of control over produce, or indirect like access to credit and structural like change in gender relations within families.

In a similar vein development experts argue that women's access and control over land and property will empower women and give them greater bargaining power in the family, market and political spaces, however this may not always be so based on socio cultural barriers to women's full participation in these

arenas. Nevertheless these articulations by academics and activists have given a language to grassroots women to demand for their rights to housing, property and assets.

Land, housing, property, money

Each woman's situation may define which resource is primary for them to negotiate power dynamics to empower themselves. Bina Agarwal, in her work on land rights for women in South Asia posits that supporting women's legitimate share in landed property can prove to be the single most critical entry point for women's empowerment, but according to Nitya Rao, for a majority of Scheduled

Castes in India, mostly landless, labour and skills are key assets, in addition to house property, rather than agricultural land per se. They therefore invest in education and other liquid assets such as jewellery for women (Heyer, 1989). Similarly in Sri Lanka in the context of conflict, people prefer to invest in assets other than land.

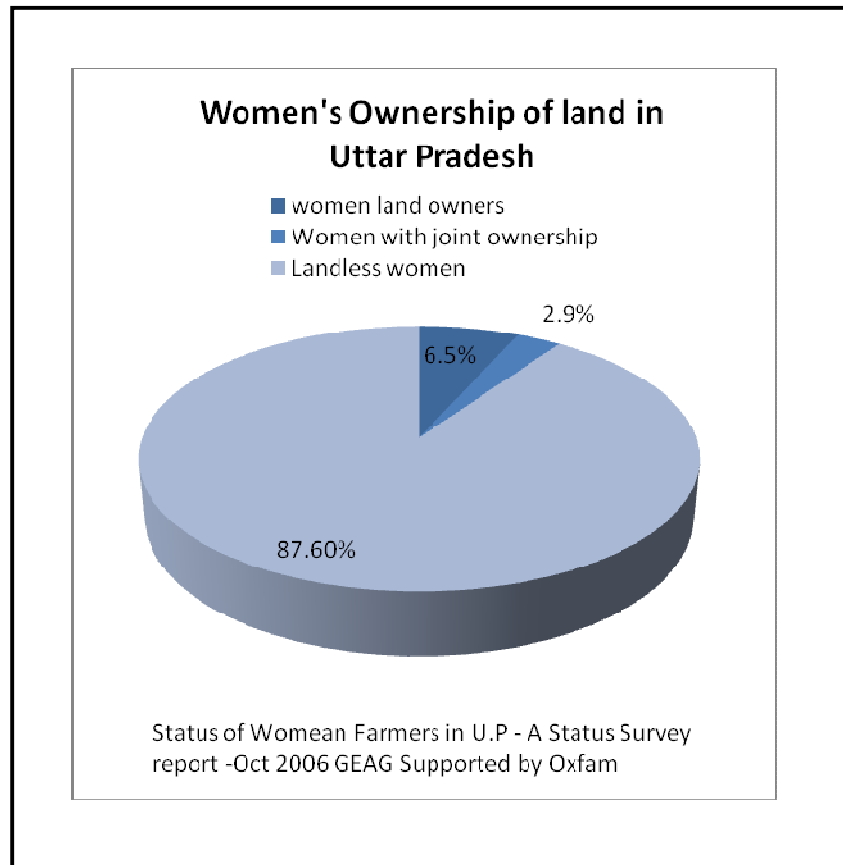
Educated women may want to investment in tools, implements and other moveable assets.

In some South Asian communities, it is easier for women to gain access to liquid movable assets like jewellery than land through *Streedhan* (woman's wealth).

The source of this wealth could be her earnings, dowry from

parents, and gifts from the husband and his family at the time of marriage. She has absolute right over it and can engage in independent legal contracts using such property. ⁱⁱ In Pakistan, a woman's dowry is considered to be a compensation for her inheritance except in Thar, the remote desert region of Sindh, where some of the women inherit property. However not all women consider dowries as being equal to inheritance. In their view if they were to receive gold instead of bedding, furniture, clothes or crockery as dowry it would give them greater negotiating and decision making powers.ⁱⁱⁱ Though jewellery does not accord as much social prestige as land ownership it is a useful resource for women especially in times of need.

Money in women's control is a key asset for them, 'we do not have to keep begging our husband for money' ^{iv}, it ensures the well being of the children and



the household. In rural Bangladesh, women often use the phrase, Garam Taka (weighty money). It is money that has weight, and women's control over their earnings and assets gives them weight within the household (Kelkar, Nathan, Jahan, 2004).

Assets include not only land but housing, as for women particularly from the poorest sectors especially home based workers, the home in many cases constitutes an economic resource, it is where income –generating work is performed. Their home is their workplace, their workshop, store, and warehouse in addition it provides a source of inputs in their production process, such as water and electricity. Therefore, secure tenure is a protective factor against extreme poverty. In an interview with home based workers^v women preferred to work from home, as it was a safe working space that gave them a degree of autonomy and flexibility in balancing income generating activity and household chores. Women from the unorganised sector, who are part of the Women's Struggle Committee in Tamil Nadu state loss of livelihood after eviction and displacement as one of the outcomes of losing their homes.^{vi} Joy Nagwakwe from CEDER Nigeria reports of similar dispossession post evictions in Laos.

Homestead Plots

Women's kitchen garden's and homestead plots have been included as resources essential for women's access and control over livelihood and food sources. According to Tim Hanstad of Rural Development Institute^{vii}. 'Such plots provide women with a place close to home to garden and undertake other economic activities (tending animals, cottage industries, etc.) that can provide them with an important source of independent income.' This could reduce the time and energy women have to spend on balancing household domestic and non-domestic chores, in addition it is useful in cases of women's restricted mobility.

Livestock as movable property is a very useful resource for women, the ownership of livestock can ensure food security for the family and sale of their products can provide income. In addition access to tools, farm implements, vehicles and credit is essential for women; women with access to seeds, tools and credit have more potential to create productive assets for themselves. Development experts studying rural women's access and control over land in Tajikistan emphasised that women need not only land rights, but also access to credit, seeds, chemical fertilizer, other inputs and markets. Access to land alone is not sufficient, and may produce failures.^{viii}

Information and Capacity Building

Access to information and know how can greatly increase a women's bargaining power, there are many cases of women who have been able to articulate their needs and demand for their rights. In her study Nitya Rao notes that educated rural women are not just better able to secure formal employment than men but are also resistant to undertaking agricultural work, except in managerial-supervisory roles.^{ix} This is also reflected in Harris-White study in 2004 and Ramkumar in 2003.

Training, skills and technical know how are important factors in being able to manage assets, in some cases women who own land have not been able to exercise control over it or been able to generate assets out of it, as they had passed on the role of managing the land to the men in their family or just do not have the training and know how to make best use of it. With the Right to information act in India and the recognition of knowledge as a resource some groups now advocate for women's access to ICT as a tool to access information. Acknowledging that access to technology is gendered efforts are being made to include and build women's capacities to participate fully and benefit from it.

Human and Social Capital

Women themselves are invaluable resources as producers, and contributors to the family and community in tangible and intangible processes. Women's contribution in their reproductive roles needs to be taken into account as producers of future human capital and nurtures of social capital. Women's collective contribution is naturalised and not reflected in national, or political representation with the result that nothing is remitted back to them.^x Recognising women as contributors is the first step to making them visible and valuable to society.

Key Learning

This is not a stand alone issue :

Women's rights to land intersects at various levels with many other issues in society and is not something that can be looked at in isolation. Most organisations work on other focal issues looking at land rights as one of the many issues concerning women. While many organisations have been working

at empowering women socially, politically or economically through various means like consciousness raising, capacity building, income generating work or through empowering women's collective, there is not much work being done at increasing women's individual or collective access and control over productive resources from the family, community, market or the government. Those working specifically on the issue of land rights have also not really given prominence to women's rights to land. For example a national forum working on housing rights will look at benefits for both men and women, or a group working on indigenous peoples empowerment will work on land rights for the community as a whole. The notion is that women, and children automatically benefit from the household, though various studies reveal that this is not so, despite this most progressive movements do not seem to look at changing gender relations and empowering women by increasing women's asset and resource base.

Support for a woman comes when her dignity is threatened or lost:

Women's groups have in the last decades organised and managed the sanction of women shelters and crises intervention cells to face domestic and organised violence. Across the world and in south Asia the response to provide support, counseling and services to mitigate desertion and domestic violence have seen establishment of shelters that have served as short stay homes for women in distress. Even though many cases can be related to resources and responsibilities of care within the family, often these services assist women to gain stability and move on in life. The Mahila Dakshta Samiti experience in Delhi in cases of supporting women for their property rights was that women reached out this group in acute state of being faced with abuse and alienation from their own community and family. In a few cases when the victims gain property or assets these survivors do not want continued relationship with the support group. Gaining or loosing property in a social construct that opposes woman's control on family resources puts so much pressure that the time of the struggle is best put behind. Ekta Parishad also have documented case studies of organised mass rape designed to demoralise struggle to gain land. When land grant was finally received from the government in men's name in another district as reparation for the wrongs done, women did not want to recall incidents of pain.

Support for women has come as a reaction to their victimised state; many groups have focused around supporting women after their rights have been violated. However women's rights need to be protected before a violation takes place, and preventive affirmative steps need to be taken in this direction. Women's groups realising this have moved on to changing cultural norms that support violence as a preventive measure to ensuring women's rights. Once a woman has been

victimised it is harder to claim what is lost, though groups seem to rally around for support around this time, the fight has to be focused even with those who have rights so that what is still in women's control is not lost. Women considered being privileged need to be included in this movement for women's rights to resources and understand their rights and responsibilities so they do not lose out on what they have.

Patriarchal control of resources continues sans agreed alternatives:

Many struggles essentially being class struggles focused on getting rights for a specific group. Talks of collective sharing and solidarity help develop norms of collaborative behavior. These groups do not link with women who have managed to gain property from family. Once a woman inherits property or a resource she may not have alternate behavior or role models to manage with resources.

At the same time there are women who have faced severe oppression and are left with no support have been able to individually muster enough courage to take steps towards gaining their rights. Women are not only helpless but powerful actors who have the potential to empower themselves. There are many examples mentioned in this document that women have moved beyond victimisation to gain their rights.

Ensuring women's economic empowerment has been attempted by many as a strategic gender need. The organisations like SEWA (Self Employed Women's Association) in India for example work on employment programmes, thrift and credit groups and even have a women's bank. Women have earned through these programmes to get the family land and housing out of a mortgage and earned self-respect within the patriarchal resource control of the family. Women's earning and the inheritance however will roll back into the family and community she comes from usually back into men's control. The patriarchal control and management of resources continues as alternate ways of resource ownership is not planned as stakeholders do not regard women as resource owners and resource generators. Some alternatives are mentioned in the last chapter.

Women as a victim verses being equal partners

How women perceive themselves and are perceived determines what is due to them as resources. It also determines the role and relationship of women with

others in the society and how they will like to situate themselves. The diversity of views on this determines diverse strategies.

Women themselves feel more comfortable as part of family and community systems. This is to feel secure to be with the mainstream. “We very much want to be with our men and do not aspire to make a world of our own” states Jarjume Ete Chairperson Women’s Commission, Arunachal Pradesh. The need to have a space to get advice or respite from family stress is also vocalized at meetings.

There are women who have made their space on privately owned land with or without the support of men. Another set of women would rather contribute as equal citizens in the development discourse. A group called “Women Build Toronto” has made space for itself to be consulted on city planning issues when government sets to developing new planned growth of the city. Diana Miloslavich from Women and Shelter Network and Flora Tristan based in Lima was of the view that in her country the women’s movement asks for urban and rural development with equal participation of women. She has been associated with women that have federated through out the country on different empowerment programmes. Even though women in her organisation understand domestic violence and its ramifications they have not raised demands for equal distribution of productive assets and resources. Jointed titles with men are a comfort zones for many who do not want to estrange relationships that are a source or threat to security.

At a round table conference organised by UN Habitat at the World Urban Forum in 2007 in Vancouver groups from Africa seemed more comfortable that women access their rights from the market after gaining capacity to earn their own money. This helps women see themselves as contributors to their own destiny. The aspect of securing land or housing or assets can be seen only at the time of acquiring the resource. The continued enjoyment and the process of its succession also needs to be taken into perspective. The indigenous and caste leaders in Jharkhand stopped an adopted son from inheriting self earned property from his mother, stating that indigenous person’s property can only be transferred to a indigenous person and one can be indigenous only by birth from indigenous parents.

Joint or Individual ownership?

A land right movement in India called Ekta Parishad does ask for joint names in land and housing and recognise the contribution of women in the struggle to gain

and sustain land rights collectively in their speech and documents but they refrain for asking for individual titles for women alone as they feel that this demand is not backed by the community and has not emerged from the women themselves.

Having a property in joint name is always not an answer. It is difficult for women to retain self-earned property under her control as the family claims it if it is in a joint name. Dr. Vinay Bhardwaj had to fight a lengthy court case against her own father in law to retain ownership of a house bought jointly by her and her late husband. In process of fighting her case for 8 years Dr Bhardwaj assisted a lot of women to fight their own cases in the court. Law reform has been instituted in many countries to favour woman's ownership of property.

The need for individual titles is seen as an important factor in decision taking by women on the property they own. Ms Bharati of Action India based in Delhi has organised women in Delhi as well in rural areas of Uttar Pradesh. In her experience women are not comfortable asking for independent rights for fear of being killed by their own extended family. Women working with Action India project in Delhi discussed that they will ask for 50% independent share of a house they get it from the government for relocation after an eviction drive by the government.

Women ownership in individual titles offers opportunity for women to increase their skill in managing resources as well as changes a social perception that women do not want to own property. This promotion drive is more theoretical. When members ask women to design and apply to administration for women owned projects they are met with questions rather than prompt action. Fear of an impending backlash and lack of interest or skills to sustain and manage property needs to be conquered.

Baseline data on ownership is a first measure to plan work:

The statistics of ownership of assets and resources as gender disaggregated data is largely not available if they were to be collected different analysis of situations could be suggested. A property dealer in Mumbai reports increasingly his clients are young women who prefer to buy a house before they get married (personal interview with Shilpa of Women Research and Action Group based in Mumbai). Organised statistics will however let us know if this is a fact but these are not available. The demands for such data have begun. WGWLO (Working group for Women and Land Ownership) members have begun using the Right to

Information act to ask the government for figures on women registering land in their names. In Spain an urban planner Dr. Zaida Muxi looked for figures and found that the percentage of male owners with mortgage on their house is higher than women in the city of Barcelona and Catalunya. This shows that women own less number of houses even in a city in Europe and when they do own one they do not put it at stake as mortgage to get themselves out of financial crises. Baseline data from a participatory resource mapping conducted by women with men and children as a first step to understand and document the gender gap in ownership of productive assets and resources. The equality in resource distribution between men and women then could be planned as a process with time bound action. The role of the state is important here to insist on data collection as well as its public display to change mindset of current cultural frameworks.

The control over spaces within the homes, neighbourhood and city plans.

The discourse on women's space has been a subject matter of great interest for groups with introduction to the feminist perspective or those who have a human rights background. This discourse ranges from research on gender and public space and questions on exclusion, to increasing ownership of public and private spaces in the name of women only. This kind of work involves individual and group efforts to ask for spaces for women in distress, redesigning structure of homes and neighbourhoods to be inclusive of women's needs, to running economic programmes that help women acquire asset in their name to making cities and public spaces safer and more accessible to women by better planning to ensure safety measures such as lighting, enabling mix of age, gender and different generations access to spaces and territories. Sathi all for partnerships, Women Struggle Committee and Joint Women's Program however have gone ahead with a demand for women owned zones that can further assist in creating spaces that are owned only by women. For example they call for grants to own livelihood infrastructure, residential complex and market complex that only women can own and sell to other women. This does not exclude men to participate in activities and stay and work in the women owned structures. Towards this they are encouraging women across their membership in five different countries to draft projects for consideration of their government. The land grants for such projects needs to be provided by the government so that the housing and the products for sale are cheaper than the market. However very

strict measures should ensure that once a grant is given to increase resource base for women it should remain within the control and ownership of women alone and not transferred to men in market and the family.

The quest for equal ownership of land, housing, assets and property will not come by singular measures. A combination of different strategies needs to be coordinated at different levels of operations.

Many actors now are working on increasing resources in the women's name.

Different communities, government representatives and civil society members have created positive interest on the issue has taken place. Many networks are active locally, nationally, regionally and at the international level. At multiple levels, policy and laws have been changed across the globe as documented a few years ago by FAO and ILC. Yet specific strategies to increase resources in the ownership of women to create an equal balance in resource distribution between men and women are far from being achieved. If patriarchal framework of home and territory management needs to be challenged it is not visible in implementation of stated policies.

The state has a role to play in addressing issues of equality by influencing existing norms and values. The faith leaders that can influence domestic arena need to be motivated to influence behavior within families and women themselves need to be organised to demand rights from the state, market and community.

Addressing vulnerabilities and its consequences with property rights

Networks and groups prefer to work with a specific group to focus intervention. Thus networks who have worked for widows rights or single women have got supported. HIV Aids and women's property rights in Africa have also got support and UNIFEM in South Asia encouraged partners to develop work on this issue. In south Asia even after legal awareness women have not approached the court. Women have preferred to depend on what they could offer from their skill base and immediate possession to leverage support from the government and

corporate sector. P.Kaushalya from Positive Women's Network (PWN), India feels that women can develop their capacity to be recipients and manager of resources as this capacity comes from their capability of managing their household well. For effective partnership the positive women and other vulnerable women need to be in a stronger position to be in equal partnership projects with men. However each vulnerable group needs to make their own efforts and participate in the journey towards fulfilling their commitment to increase resources that can be legally be in women's control. The skill to multiply resources and sustain possession also needs to be learnt through training and handholding.

An integrated plan is required to alter existing imbalance of resources:

Since the social and patriarchal control of resources is strong and leads to fights and strain within families and communities organisations choose to **create new assets** and properties in the name of women. The communities and families may welcome this as the existing properties are not at stake for redistribution. In Tamilnadu the Irrula tribes (source:CWLR meeting in Chennai January 2008) did not resent women getting housing in their names. Other land grants in women names are also welcome when there are no assets with the family and the community. This strategy may work for the case of creating women resource zones as well. To retain and secure properties continually in the name of women they need to be organised into groups such that risks of passing property on to the men and community does not take place. Ms Carmen Gonzalez from FUPROVI, Costa Rica cautioned that asset and property got in the name of creating gender equality in Costa Rica has slipped into male control as women tend to leave its management to them. As a learning the women now want to learn the skills of resource management to get themselves organised into groups to enable them to face possible risks. Some examples of this kind of work are:

In Nepal land rights movement led by Community Self reliance Centre (CSRC) and other groups send a petition to the government to focus on the issue while drafting the New Constitution for the country. Nazma Saddique reports that In Pakistan a campaign on women one acre land was carried out. Many grass roots groups have been organised Africa by Groots, Kenya Land Alliance, Uganda Land Alliance to form watch dog committees on women and land cases. These groups get supported by Huairou Commission to reach their concerns at regional and international levels. These concerns have been translated into specific proposals to share for women in different planed budgets. For example land right clinic's in Francophone Africa are proposed by HIC. Women's space and livelihood projects are submitted by women's organisations to government as

well as other funders still do not get enough support. Intent for support to this issue now needs to be seen as visible commitment for specific strategies.

The lobby efforts by different networks have led the official recognition of the importance of the issue. The focus however is on making the family responsible to confer inheritance rights rather than dealing with state obligations on women and resource rights.

The civil society after Beijing + 10 review has also taken a revised interest on the issue. For example Tamil Nadu Women's Forum led by Fatima Burnad is planning to develop an ecological farm at Palavoy in Tamilnadu with the Society for Rural Education and Development. Groups like these have been linking the work of women and resources with other protection and prevention strategies. Thus the same Tamil Nadu women's forum set up an exclusive help line to assist women migrant workers verify the validity of all their documents before leaving the country. The link of a livelihood program in the village and intervention needs to have safe migration mechanism is imminent as herein lies the continuum of women's right to land, and productive resources deeply entwined in urban and rural development.

Newer groups who have engaged with environment like WOCAN will like to focus on women right to land but they would rather that discussions centered on rural development or issues that are more related with their own mandate. Work is divided between urban and rural settings. The realisation that today's rural areas will perhaps be tomorrow's city cannot be ignored. Even if we develop mechanism to develop parallel urban and rural economies the intersection between the two will continue and the space for increase for resources in control of women is to be carved out with this urban –rural continuum.

The safe migration tracking is a need within the country as well. The experience from Latin America and Asia on losing women to trafficking have been shared between networks and an agreement in institutional frame work for a common solution is being discussed. One particular solution that Nalini Naik is working towards developing migration hostels and tracking of remittances for fish workers and domestic workers, this initiative perhaps will enable women to learn how to organise remittances from earnings outside the area, they would also be in charge of maintaining social relationships in spite of human capital they produce away from them. Migration tracking will also keep into account of trafficking that puts men and women into avoidable risks. This solution should be seen against the work already done by groups as mentioned in the subsequent chapters.

2. Work on women and productive assets

Efforts on increasing resources and assets in women control -

Concerns about women's access to, control over and ownership of land and resources have been raised over the years at different but inter-related levels.

The international pressure for women's equal rights to land was initiated by a number of grassroots meetings, particularly in Africa, supported by the Women and Shelter Network of Habitat International Coalition.

During the preparations for the Beijing Conference in 1995, four global women's networks formed a "Super-Coalition on Women, Homes and Community" to lobby on women's issues of homes and housing. Some major outcomes were:

1) First, the "inheritance clause", introduced by the Super Coalition and publicized by effective campaigning, was hotly debated and became a major item in the Platform for Action. It was eventually passed in a watered-down form but nevertheless provides an effective base for local and national action. Paragraph 61 (b) of the Beijing Platform For Action states that Governments should: "Undertake legislative and administrative reforms to give women full and equal access to economic resources, including the right to inheritance and to ownership of land and other property, credit, natural resources and appropriate technologies".

2) The Huairou Commission was formed, combining the grassroots women's networks in a single body with influential women decision-makers, researchers and other professionals.

An international meeting was organized by UN-Habitat in 1995 in Gavle, Sweden, on Women's Access, Control and Tenure of Land and Property, while in India women's land rights were highlighted in the New Delhi Declaration which followed in 1996.

During the Habitat II Conference in Istanbul in 1996, the same Super Coalition of women's networks held workshops and events, which led to the adoption of women's rights to inheritance, ownership and control of property in the Habitat Agenda. In 1999, UNCHS (Habitat) began a process of internal reorganization and priority setting, with a focus on setting international norms and standards in two key areas: Secure Tenure and Urban Governance

The Convention on Elimination of Discrimination against Women (CEDAW) contains various provisions relating to equal access to land, equal inheritance/succession rights and equal legal capacity (Articles 14, 15 &16). A study by FAO, IFAD and International Land Coalition examined State parties' legislation in these areas and has shown that inequalities persist, and the gap between de jure and de facto equality, especially in family life, remains an obstacle.^{xi xii}In a similar tenor FAO has been advocating women's access to land since 1997 and in its view land rights for rural women tend to be governed largely by the following three major items:

- The right to use land
- The right to control land
- The right to transfer land.

The focus on women's right to assets as vocalized by the stakeholders took a back seat as work on violence against women, displacement, eviction as well as rehabilitation took centre stage. As a result there were very few voices heard demanding this right between 1996-2001.

Mr. Miloon Kothari **UN Special Rapporteur on Adequate Housing** has highlighted this gap that led to energized action as well as documentation. This documentation has resulted in UN resolutions on women and property rights as well as raised awareness among governments and women in all regions of the world to take this agenda forward.

Many informal networks and forums organized to raise the issue to bring work on asset building for women back on the agenda. The work of some of these is mentioned below.

International Networks and UN agencies

The scale and energy of efforts focused on women's property and inheritance rights has been prompted by civil society groups at the international level. These deserve greater support as UN agencies are informed by civil society actors to make state actors comply to obligations under international human right commitments. Most work at international level has been informed by local action and dialogue with communities. The language of protest that is spoken at struggle events is often toned down when it reaches UN level documents to make states comply.

UN-HABITAT Nairobi, Kenya

UN-HABITAT's Land and Tenure Section is the agency's point of reference for land management and tenure systems, policies and legislation that help achieve adequate shelter, security of tenure and equal access to economic resources for all, with a specific focus on gender equality. The main focus areas and mandate are implementation of land, housing and property rights, and particularly secure tenure for women.

UNIFEM New York, USA, emphasizes the need to advocate for women's land rights as a means for ending violence against women. In 2005 UNIFEM worked with partners in Kyrgyzstan to raise awareness of women's land rights in the context of broader land reform by holding nation-wide contests that generated creative television programmes on the issue. In Tajikistan, it is supporting a Coordination Council government and public sector agencies, chaired by the Deputy Prime Minister that oversees the process of engendering policies and legislation on land reform in the country.^{xiii} In Recent years UNIFEM has supported Women and Habitat Network in Latin America to articulate what is needed from different stakeholders to recognise women's contribution to urban and rural habitat. Besides it has supported research on inheritance rights of women with HIV and AIDS in different regions including South Asia.

Food and Agriculture Organisation (FAO) – Gender & Population Division Rome, Italy. The Gender and Population Division has a dual mandate. On the one hand, it supports mainstreaming of gender and population issues into the work of FAO, in collaboration with other technical divisions. On the other hand, it provides direct policy advice, technical assistance and training to FAO member countries in mainstreaming these issues into national agricultural and rural development policies, programmes and projects. The Gender and Population Division also acts as a focal point for interagency collaboration and initiatives related to gender and population, and reports regularly to various UN bodies on FAO's follow-up to the Fourth World Conference on Women (Beijing, 1995), the International Conference on Population and Development (Cairo, 1994) and the International conference on Agrarian Reform and Rural Development (Porto Allegre, 2005).

International Fund for Agriculture Development (IFAD's) Rome, Italy. It works to create the conditions to enable rural poor people to integrate themselves into the mainstream of social and economic development, and to overcome poverty by improving their access to, and control over fundamental assets. IFAD makes special efforts to remove the material, institutional and policy

obstacles that prevent rural poor, women in particular, from harnessing their potential. Building women's capabilities and addressing gender inequalities are crucial factors in enabling them to transform their lives and the lives of their families and communities.

Habitat International Coalition (HIC), Nairobi, Kenya the global movement specialized in human settlements since 1976, it comprises some 450 members in 80 countries, in the North and South. They include NGOs, community-based organisations, social movements, academic and research centres, professional associations and like-minded individuals dedicated to the struggle against deprivation of well-being and for realising the human right to adequate housing for all.

The **Habitat International Coalition -Women and Shelter (HIC - WAS)** Group was formed in 1987. The Women and Shelter Network is a collection of organisations that recognise the particular struggle of women in accessing land and housing. The Network's mission is to unite, promote and support women and their organisations in the development of human settlements that improve women's and a community's quality of life.

HIC Housing and Land Rights Network (HIC - HLRN) HLRN seeks full implementation of everyone's right everywhere to a secure place to live in peace and dignity; In particular its work on women and housing has supported the UN Special Rapportuer Adequate Housing's dialogue with civil society across the globe to strengthen progressive platform for formulating common housing-rights strategies.

Huirou Commission New York, USA was formed in 1995 in China after the UN fourth conference on women. The Huirou Commission recognises that grassroots women are the core of their communities and thus, women's collective responsibility for the sustenance of their communities has to be felt during planning and policy discussions. A global network of women's organisations, GROOTS International, started the move and were joined by HIC WAS and ICW to form the Women Homes and Community Super Coalition - an alliance of three global networks sharing interests in women's community development issues. This network has organised exchange and consultation in different regions of the world and produced gendered tools on women and land rights.

Consult For Women and Land Rights (CWLR) New Delhi, India Formed in 2003 the CWLR has organised 96 consultations with the help of their membership in 20 countries. These consultations have provided a language of women and resource rights to women as members of their community who have represented their aspirations and submitted their proposals to work on increasing resources in the name of women to the government as well as community leaders. CWLR members work with other actors to include the agenda of women and resource rights as a focus area.

International Development Research Centre -Women's Rights and Citizenship (IDRC WRC) Ottawa, Canada- Supports applied research in the field of women's rights, citizenship and development. Part of IDRC's Social and Economy Policy (SEP) program area, the WRC program contributes to bringing Southern voices into current debates in the international gender and development field. IDRC has conducted scoping studies in different countries to confirm the gaps in the research agenda for women and land rights.

Centre on Housing Rights Evictions (COHRE's) Women's Housing Rights Project, (WHRP) Geneva, Switzerland since its inception in 1998 undertakes various activities to develop further and understand housing rights from women's perspectives and experiences. The WHRP has undertaken a variety of activities COHRE's publication, Sources 5: Women's Housing Rights, was the first compilation of international law directly related to women's rights to land, property, inheritance and housing. The WHRP has also worked to establish new international standards on women's housing rights at the UN Commission on Human Rights. The WHRP has partnered with NGOs in Nigeria, Palestine and India and is coordinating research studies in each of these regions on the impact of forced evictions on women. To complement this research, the WHRP is also hosting an Internet list serve devoted exclusively to the issue of women and forced evictions.

Grassroots Organisations Operating Together in Sisterhood (GROOTS) New York, USA was launched by 20 community leaders from around the world who planned a global network to support grassroots women's organisations working across national and regional boundaries, sharing resources, information, and experiences and collectively forging and consolidating a grassroots women's presence and perspective.

International Land Coalition - Women's Resource Access Programme (ILC-WRAP) Rome, Italy The Women's Resource Access Programme is a specialised programme of the ILC. It demonstrates how secure access can

transform the lives of poor rural women, their families and their communities. WRAP helps to raise international understanding, particularly among policy-makers, of the need to improve women's access to these resources. It also provides development practitioners with a rapid, effective and low-cost participatory tool for incorporating poor women's voices in project identification, design, implementation and evaluation.

International Center for Research on Women (ICRW) Washington, D.C, USA tackles the complexities of the world's most pressing problems — poverty, hunger and disease — by demonstrating that a focus on women and gender is necessary for lasting social and economic change. Their work begins with research that uncovers the realities of women's lives and brings into sharper focus the issues and constraints they face. ICRW is documenting the association between women's experience of domestic violence and their ownership of property across different cultural contexts; property rights and women's vulnerability in the context of the HIV/AIDS epidemic and analyzing legislation, policies and customary practices that can restrict women's property rights. ICRW is working with in-country partners to conduct a qualitative research study in South Africa and Uganda to explore women's experiences with property ownership and access within the context of HIV/AIDS and domestic violence.

Rural Development Institute (RDI) Seattle, USA is a nonprofit organization of attorneys helping the rural poor in developing countries obtain legal rights to land. RDI attorneys are experts in land law and policy who work with governments of developing countries, foreign aid agencies, and other partners to reform land law and consult on land policy. RDI's Women and Land Program focuses on the specific interests and needs of rural women, developing tailored solutions that address those interests and needs through secure land rights.^{xiv}

CGIAR: Gender and Diversity Nairobi, Kenya A program of the Consultative Group on International Agricultural Research (CGIAR), Gender & Diversity consists of nearly 8,000 scientists, technicians and managers, committed women and men offering their expertise to 15 international agricultural research centres around the world.

Collective Action and Property Rights (CAPRI) Washington, D.C, USA The Systemwide Program on Collective Action and Property Rights (CAPRI) is one of several inter-center initiatives of the Consultative Group on International Agricultural Research (CGIAR) created to foster research and promote collaboration on institutional aspects of natural resource management between CGIAR research centers, national agricultural research institutions, and other

sources. The overarching goal of CAPRI is to contribute to policies and practices that reduce rural poverty by analysing and disseminating knowledge on the ways that collective action and property rights institutions influence the efficiency, equity, and sustainability of natural resource use. Institutions of collective action and property rights influence how people use and manage natural resources, and subsequently affect the condition of natural resource systems.

La Via Campesina Jakarta, Indonesia is an international movement of peasants, small- and medium-sized producers, landless, rural women, indigenous people, rural youth and agricultural workers. It is an autonomous, pluralist and multicultural movement, independent of any political, economic, or other type of affiliation with members from 56 countries from Asia, Africa, Europe, and the Americas. The principal objective of La Via Campesina is to develop solidarity and unity among small farmer organisations in order to promote gender parity and social justice in fair economic relations; the preservation of land, water, seeds and other natural resources; food sovereignty; sustainable agricultural production based on small and medium-sized producers.

Women Organising for Change in Agriculture and NRM WOCAN New York, USA is a global network of professional women engaged in agriculture and natural resource management who are committed to organizational change for gender equality and environmentally sustainable development. WOCAN is organising consultations on rural women's land rights and land reform at the Commission for Social Development to be held in May 2008.

Regional Networks

AFRICA

Grassroots Initiatives Brought Together (GRIBTO), Kenya was established with the desire to bridge the conspicuous gap between development policy formation and implementation at grassroots level. The need for Kenyan NGOs and community based organisations to forge an alliance became clear was given new urgency during the Human Settlement meeting in Nairobi in April 1997. GRIBTO's areas of integrated action include sustainable human settlements, poverty alleviation, environmental issues and rehabilitation of vulnerable populations. The overall objective is to exchange experiences and identification of innovative approaches in order to create a dynamic network committed to sustainable development.

WOMEN'S LAND LINK AFRICA (WLLA) Accra, Ghana, is a collaboration of existing initiatives that supports and strengthens women at various levels with particular focus on communities to have access to and control over land and housing using a community development and rights-based approach. WLLA was created by four dedicated partners including COHRE, the Hairou Commission, FAO, and UN Habitat, to address the growing need to link women and share information on the issues of housing and land rights for women throughout Africa. This was initiated in order to strengthen the many ongoing efforts already in place, to slowly build towards an Africa where women's housing and land rights are respected, protected and fulfilled. Uganda and Kenya land alliance are part of WLLA which is a collaboration of many other existing initiatives that supports and strengthens women at various levels, with particular focus on communities, to have access to and control over land, housing and property, using both a rights and development based approach.^{xv}

Women Advancement Trust (WAT), Tanzania promotes the advancement of women through education, skills training, research, entrepreneurship and information dissemination in the specific area of human settlements development. As Secretariat of the Network, WAT acts as a clearinghouse of information for members, and coordinates the Network's collaboration with other bodies and/or networks in influencing international agencies' programs on women and in ensuring women's participation in shelter-related issues.^{xvi}

Centre for Land Economy and Rights of Women (Clear Women) Nairobi, Kenya- Its mission is to influence the formulation and implementation of gender sensitive policies, laws and structures on land/property and natural resources in Eastern and Southern African countries. Operationally, Clear's niche is on, policy analysis , research and advocacy with regard to women's land/property rights. CLEAR has a regional outreach covering Eastern and Southern Africa with country-specific interventions.

The Nisaa Institute for Women's Development Pretoria, South Africa is a non-profit, non-government organisation that offers abused women and their children emergency shelter; counseling and support; training courses and workshops; advocacy work and public awareness programmes. The organisation is opposed to all forms of oppression, exploitation & violence against women, and subscribes to the principles of non-sectarianism and social transformation. It is based in South Africa, with its main office in Lenasia and outreach offices in Soweto and Orange Farm.

CARIBBEAN

The **Construction Resource and Development Centre (CRDC) Kingston, Jamaica** works to improve human settlements in Jamaica. CRDC is a non-profit organisation which provides training to the informal sector in areas such as safe building practices and water, sanitation and the environment. It is aimed at improving the shelter standards of Jamaican and Caribbean people through research and information dissemination and facilitation of sustainable development with specific emphasis on vulnerable groups. CRDC trains women in construction and finds them potential employment opportunities. It is the only organisation in Jamaica that focuses on women and shelter. It advises women on legal, technical and financial matters relating to housing. This is done in collaboration with an Association of Women's Organisations in Jamaica (AWOJA). The two operate a Women's Housing Advice Line (WHAL) whose aim is to improve the flow of housing and human settlement information reaching urban and rural women seeking to address the problem of inadequate housing.

NORTH AMERICA

Entre Nous Femmes (ENF) was set up in **Vancouver, Canada**, to provide housing to women single parents and their families. According to ENF's experience, once women's basic needs are met their lives become more stable and their income opportunities increase. Newsletters on women's shelter issues have been produced and distributed to women's groups and the general public. To overcome severe housing conditions requires the combined efforts of both HIC WAS member organisations and others.

Women's Perspectives on Housing and the Environment (WoPHE) Ontario Canada is a grassroots networking organisation working to bring women together to improve housing and environment related conditions. WoPHE encourages women to support each other and to organise gatherings to share experiences around housing issues. By understanding their underlying housing problems women can then develop alternatives together. In 1994, WoPHE developed a housing repair program for women to provide maintenance skills, address isolation in neighbourhoods and apartment buildings and encourage income opportunities. Women participated in the development of the program, which included home repair training and education. The program aimed to prevent women from being ripped off when in need of repairs and to allow them

to be more self-sufficient thereby saving money which otherwise would have been paid out in repairs or maintenance work done on their homes.

Rooftops Canada Toronto, Canada, Abri International Rooftops Canada is the international development program of cooperative and social housing groups in Canada. It works with partner organizations to improve housing conditions, build sustainable communities, and develop a shared vision of equitable global development. Rooftops Canada's focus is on disadvantaged communities in Africa, Asia, Latin America and the Caribbean. It also works in countries in transition, supports and participates in regional and global NGO networks in housing and human settlements.

LATIN AMERICA

Red Mujer y Habitat Cordoba, Argentina The objectives of the Red Mujer are to unite, promote, and support women and their organizations in their work relating to human development; to promote campaigns to visiblize the particular problems which affect women in relation to shelter and housing; to improve women's access to information and training in the themes of human development. ^{xvii}

The Women and Habitat Network of Latin American Region comprising 17 countries, works to disseminate and mobilise on the rights of women to live, enjoy and use the city, and also works for the inclusion of the gender perspective in city and shelter issues. The main challenge is to alleviate urban poverty, which requires resources and actions by both the local government and civil society. This is done keeping in mind the higher proportion of women in the general population, increasing number of female-headed households and the effects of poverty and economic adjustments on women's life. To promote good governance and to build more democratic society means including women with governance capacities. The network's main objective is to contribute to build women's leadership capacities. In the last two years this network with support from Hairou commission and UN Habitat has organised regional and international training and exchange programmes on women and land rights.

Asociacion de Vivienda Popular (AVP) of Colombia and ENDA of Latin America are two active HIC Was members in Latin America which continue to work hard in women and shelter issues. They both participate in different national and local women's networks. They develop proposals and follow up gender projects in the legislative and executive branches of the state.

In legislative branch they coordinate with other networks proposals for projects on legal issues that relate to the demands of the network such as credit and subsidy facility for women, laws, over housing, property etc. In the executive branch they have been approaching and lobbying MPs who are gender sensitive to obtain their support in the legal issues projects.

EUROPE

FOPA Hamburg Germany e.v. is a network of women planners and architects in Germany founded in 1981. FOPA Hamburg has started to act as an Initiative Centre for the HIC Women and Shelter Network in Germany in 1994. They have been active in the context of the Habitat II - Conference. In 1995 they organised the first National Round Table of Women Planners for Habitat II on "Gender-sensitive and sustainable human settlements development" in cooperation with the SRL- Working Group "Women in Planning" (SRL- Organisation for Urban and Regional Planning, Germany). Since then FOPA has participated in the Istanbul-Conference and the following UN Commissions on Human Settlements in Nairobi to stress women's and gender issues. In Germany they raised gender issues in the context of global urbanisation and informed about the commitments made by the German government and the United Nations towards sustainable and gender-sensitive urban development which are fixed in the Habitat Agenda and the Agenda 21.

ASIA

ACHR Bangkok, Thailand, The ACHR evolved into a regional network and representative for Habitat International Coalition, for Asia. It has also become the main regional network on human settlements and urban issues consulted by many UN agencies such as UNCHS, UNDP and ESCAP.

Asia Pacific, Forum on Women, law, and Development (APWLD) Chiang Mai, Thailand APWLD has engaged primarily in policy advocacy, education, training and other activities to address issues and concerns of poor and marginalized women in the region. It has lobbied at regional and international levels for the implementation of government commitments in international conventions and the integration of gender issues at regional and international fora. Its charter on women peasants was utilised in particular for Beijing +_10 lobby efforts.

Banteay Srei (Women's Fortress) Cambodia: Its objectives are to: ensure security and skills for income generation for the poorest women in rural villages; improve the status of women's reproductive health, promote women's rights to freedom from domestic and other forms of violence; build women's self-confidence and leadership skills; and advocate for women's rights and enable their voices to be heard. Banteay Srei is currently working in 27 villages, and its programmes include: provision of tools and seeds for home gardens, credit/savings schemes, animal banks and small irrigation; training in participating in community affairs; provision of information on reproductive health and assistance to women subjected to violence.

Institute for Forest & Environment (RFI) Indonesia - The Indonesian Institute for Forest and Environment - is an independent and non-profit organization that works on environmental issues, particularly related to natural resources management. RFI's vision is manifested the people's, (women and men), sovereignty over land and other natural resources, together with an equitable, democratic and sustainable management system. RFI concentrates its programs on the community-based forest resources management system with gender perspective through activities such as education, organizing, research and media campaigns

Konsorsium Pembaruan Agraria (KPA) Indonesia, is a national coalition of civil society organisations concerned with the protection of farmers and indigenous peoples' land rights. KPA's focus on land reform and tenurial security, and policy advocacy on these issues has put the coalition in the forefront of the land rights struggles of Indonesia's landless rural poor, especially with the indigenous peoples in several areas in Outer Java. KPA encourages a participatory and pluralistic approach which recognises the development of different systems of land use and tenure to ensure land rights.

Mobilisation and Development (MODE) Nepal, is a non-political, civil-society organisation, by a team of experienced, multi-disciplinary professionals and social volunteers dedicated to a vision of sustainable development for Nepal. Its target groups are primarily landless farmers, indigenous groups and rural women. With only a few civil-society organizations involved in land issues in the country, MODE plays a crucial role in helping to build up the network of civil-society organizations committed to furthering agrarian reform and rural development.

The **Asian Indigenous Women's Network Baguio City, Philippines** supports, sustains and helps consolidate various efforts of indigenous women in Asia to

enable indigenous women to empower themselves by becoming aware of their rights as women and as indigenous peoples, and to help them develop their own organisations or structures for empowerment. It lobbies and does advocacy work in various United Nations events and processes, and other international bodies and agencies dealing with indigenous peoples and women, especially on sustainable development, traditional knowledge, among others and initiating and participating in campaigns addressing their issues. It organises capacity building activities of network members through participation in training and education activities, conferences, workshops, exposure programs and other relevant activities. With a focus on engendering indigenous peoples' organisations and networks, they analyse indigenous peoples' issues and sensitise indigenous people on women's issues and perspectives.

The Foundation for the Support of Women's Work, Istanbul, Turkey – (FSWW) Its mission is to create platforms for grassroots women to organize around their basic needs and develop their capacities to improve their lives and their communities. Towards this goal, FSWW has developed community-based childcare, capacity development and income generation opportunities for women in low-income settlements around Istanbul, working in partnership with local municipalities. In collaboration with women from the communities, the FSWW established four Women and Children Centers and two marketing facilities, and initiated several innovative programs, including micro-credit and the neighborhood mothers program. Another component of the FSWW's work has been to work with the media private sector and government agencies, to increase the visibility of grassroots women's work and institutionalize their participation in local decision-making processes.

South Asia

Action Aid Regional Office Asia, Sri Lanka works under policy guidance from Action Aid International Johannesburg, Gender Division, South Africa that has regional offices in different parts of the world. Action Aid International has initiated an international campaign on women and land rights called “Field of her own”. Regional offices of Action aid contribute to this campaign by linking this issue with Action Aids food security campaign and its local work in Pakistan, India and Bangladesh. Action Aid is supporting many small groups to develop work on women and land and is building the capacity of their own staff by running women right resource centres, conducting resource mapping and research to develop local agenda for fostering equity in resource distribution between men

and women. A federated network active in three districts of Madhya Pradesh in India has worked to change community thinking on women holding Independent titles to land. These lands have been held by women in their individual names through husband's supports, through purchase from the market as well as through litigation that widows won through community support.

Nijera Kori Bangladesh, is a development organisation presently working in 38 thanas, 1126 villages of Bangladesh, organising 1,75,000 landless women and men in socio-economic struggles as well as facilitating better access to rural services and available resources, with a view to building self-reliance and improved production, through mobilisation and collective action. The main focus being awareness building and empowerment of the poor, as well as sensitising men on women's status and position within the family and in society, along with encouraging the poor and marginalised, particularly women to take up stronger and a more assertive role as an integral process within society.

All Nepal Women Association (ANWA), Nepal works for the land rights of the people. ANWA is strongly committed and dedicated to create awareness and to organize women to fight inequality, injustice, all forms of feudal, capitalist and imperial exploitations, superstitious beliefs and social evils. Since the beginning, it has launched an awareness building campaign on literacy, women's education, and has raised voices against polygamy, child marriage, and equal rights in all sectors of society. In addition ANWA advocates for equal rights to men and women in all sectors including economic rights especially property rights as women do not have access and control over the land.

Aurat Foundation Pakistan is a leading woman's rights and advocacy organisation with a particular focus on women's political participation. The organisation in 1999-2000 developed a number of suggestions for women politicians as measures for women's empowerment to include in their election manifestos in response to government's move at the time to distribute land to the peasants. AF raised the issue that women be included in the scheme and receive half the share in the distributed land or at least be given joint ownership. It proposed that marginalised women, widows and single women should get property rights when they become heads of households. Their position is premised on the belief that ownership of land would lead to securing economic rights and the security of property which would reduce women's vulnerability.

Pattan Tarraqiati Tanzeem Pakistan, The organisation works with riverine communities of south Punjab and was involved with the rehabilitation of flood affected people following the flood of 1992. At the time through its lobbying it

managed to get official funds for the repair of flood destroyed homes to be given jointly to male and female heads of households -- probably one of the first successes of this kind. Pattan has pushed for joint ownership of property in other disaster areas but without much success.

Roots for Equity Pakistan, works on land rights in the villages of Sindh, Roots has conducted a landmark research on globalization and its impact on women, especially female workers in sunflower farms in Sindh. The organisation has been involved in awareness raising about women's rights to land, their control over livestock and access to credit. With men migrating for work, women are left behind and have to bear the burden of looking after the family and their needs. Roots is planning to initiate an experimental project where it will lease two acre plots of land in two villages and turn them over to women to manage on their own. It wants to study the dynamics at the local level if poor women have total control over the land.

Shirkat Gah Pakistan, in its Women Law and Status programme focuses on women's legal rights specifically those related to personal laws. They have especially looked at Property and land rights with reference to inheritance, in addition they have documented a scoping study on women and land rights in Pakistan.

Sustainable Development Policy Institute (SDPI) Pakistan, engages in policy research including women centred research. Recognising that there is little information on women's right to land SDPI in collaboration with Action Aid is at the stage of defining the research. They would like to establish the situation on the ground, initially by conducting a literature review, study of policies and research, the correlation between empowerment and land ownership in different geographical locations e.g. mountainous, coastal, plains, with reference to the value of land and inheritance rights of women.

South Asia Partnership- Pakistan, It is a development organization working in rural areas across Pakistan and is engaged in group formation, social mobilization and advocacy for the rights of the marginal and deprived. It has been focusing on the rights of the landless and agricultural wage labourers. While very interested in the gender dimension of this section it is in preliminary stages of planning research on women among the landless. ^{xviii}

Action For Agriculture Renewal in Maharashtra (AFARM) Pune, India and its three partner organisations, **Paryay**, **Janvikas Samajik Sanstha** and **Rural Development Centre**, have been working under the DFID PACS Programme on

a two-year project in the Marathwada region. The project organises dalits around the issue of land rights from a gender perspective, and promotes sustainable livelihoods on dalits' gairan lands. In Beed District of Maharashtra 13459 women have been able to get joint titles for housing with their husbands. They have very active women's group Mahila Vikas Manch Federation, which has increased women bargaining power in the region. Now 1000 women from about 100 villages who have joint titles with their husbands are asking for collective rights on all natural resources of the village including, water, forest land as a state level campaign

Adithi for Women Patna, Bihar, India, works with resource poor and resourceless women with the aim to enable their empowerment through economic and social development of women of poor (living below the poverty line) families in India, to achieve the elimination of hunger in a few demonstration projects." One of their projects 'Adithi Shrinkhala', is, a network of organisations. Which provides support to groups for undertaking experimentation in innovative income- generation activities, aimed at creating more alternatives for the women to choose from. It also aims at developing the sense of entrepreneurship among the women, enhance their understanding business risks in a more systematic manner and helps them in overcoming business problems.

Astha Udaipur, Rajasthan, India works for Structural Change to bring changes in laws, policies, rules and regulations, that are the root causes of injustice, deprivation, exploitation and marginalization. Astha works on the following issues livelihood – land, water, forest, migrant labour, displacement from land and livelihood, women's organization and empowerment – particularly amongst indigenous women, low-income widows and separated women. They have a support society for forest produce cooperatives and other groups and associations working with the poor on forest rights, forest produce issues, credit including problems with Banks, cooperatives and money-lenders.

The **Centre for Women's Development Studies (CWDS) New Delhi, India**. Their engagement and partnership with peasant women (and men)/women's groups and their network in Bankura is primarily focused on employment and income generating activities but in the process it involved components like solidarity building, planning of activities and sharing of responsibilities, supervision, liaisoning, marketing, management of enterprises, dealing with the community, socio-political institutions and issues which affect women and children. All these are operationalised horizontally at three levels – viz. CWDS, **Nari Bikash Sangha (NBS)**, the Peasant Women's Network, and 35 village level women's groups and 50 Self-Help Groups – adhering to the principles of

democracy, collective empowerment and women's equality. CWDS and NBS initiated a completely new marginal land based programme of setting up 1000 fruit orchards in batches of 200, 400 and 400 in three consecutive years and supporting each batch for a period of five years. Each orchard is being set up in the joint ownership of husband and wife.

Dalit Bahujan Shramik Union (DBSU) Andhra Pradesh, India is a community-based rights organisation that works in 16 districts of Andhra Pradesh with 550,000 Dalit families who have established an efficient structure with equal participation of women, have ownership right to 25,000 acres (100 km²) of land and who have accessed government programmes and schemes, increased life security, protecting their rights and in panchayati raj have become a political decision making force, thus living with self dignity.

The **Gender, Livelihoods And Resources Forum (GLRF) Ranchi, Jharkhand, India**, is a regional forum of local, state and national NGOs and Networks, lobbying and advocating for policies, law reform, programs and administrative mechanisms to increase resource base including land for the poor, disadvantaged and vulnerable women. GLRF was formed to impact the processes at the national level on Women's Land and Resource Rights initiated by various forums. Since then it has organized various programs in Jharkhand ranging from district level workshops to State level workshops. It has carried out a study in the state of Jharkhand to publicise concerns of indigenous women . It has emerged as a major advocacy group on Indigenous women's land and live lihood rights.

Indo Global Social Service Society (IGSSS) New Delhi, India has launched a national campaign on women land and housing rights. Being a resource organisation it has supported groups in understanding the issue. Currently it has commissioned studies in all regions of India to identify gaps and agree on strategies to increase work on women land and housing rights through key stakeholders, these stakeholders are brought together at regional consultations.

Gorakhpur Environment Action Group (GEAG), Gorakhpur, Uttaranchal, India They have successfully launched a campaign on women in Agriculture and asked for visibility of women farmers supported by Oxfam. Their studies have found that agriculture extension programmes do not reach women and thus government services should be popularised at the village level so that women can avail of the services. During their meetings men have taken public oath to sign off agricultural land in favour of women in their family. They have also designed campaigns to break cultural norms that limit women's land ownership.

Grammonnati Sansthan, Mahoba, Uttar Pradesh, India works on issues of marginalization and rights of dalit women, reproductive health with young person, and livelihood options with women and addresses gender issues with women through micro finance groups. Dalit women speak strongly on land issues at meetings however leadership of Dalit women beyond district level has yet to gain visibility as far as women and land rights is concerned.

National Forum of Forest People and Forest Workers (NFFPFW) New Delhi, India. They have federated women workers as part of their larger forum and would provide space for their resource concerns along with other marginalised sections of the society equally. Women therefore need to increase their representation skills and speak of their concerns in larger meetings as their own initiative. With the passing of the Forest Dwellers Bill women now have an opportunity to claim land and housing rights in their own names and also propose collective income generating possibilities that may require further access and land use of forest resources for collective use. One of their members in district Sonbhadra UP has had a history of dalit women workers reclaiming forest and village council land and cultivating it. The district administration arrested women leaders in 2007 but human rights defenders were able to bail them out with support from local and international solidarity.

Rastriya Ekta Mahila Manch (REMM) Bhopal, Madhya Pradesh, India is the women's wing of Ekta Parishad (established in 1991). Ekta Parishad is a mass peoples-based organization advocating for the livelihood, rights and self-reliance of small farmers and indigenous groups. REMM was formed in 2001 in recognition of the fact women leaders had not emerged at senior levels of the Ekta Parishad. It works towards strengthening the leadership abilities of women in REMM and towards the organisation's efforts to make women aware of their land rights.

LAFTI - Land for Tillers' Freedom Andhra Pradesh, India is a non-profit organization based out of India that is focused on changing the conditions of the Dalit Caste or India's poorest of the poor. LAFTI works with the government and financial institutions to purchase land for Dalit families and built housing that women may own. They believe that through farming, the land will provide them with a steady income.

Programme on Women's Economic, Social and Cultural Rights (PWESCR) New Delhi, India works to promote women's human rights, especially in the context of economic, social and cultural rights, by bringing a gender framework to policy, law and practice at local, national, regional and international levels,

through ever-evolving strategies and activities in both conceptual and practical realms.

Sathi all for partnerships New Delhi, India since its impact at the UNESCAP conference for Asia in 2003 where women and land issues for the Beijing+10 agenda were included Sathi has worked to initiate and strengthen CWLR as its secretariat. Sathi has its own focus of work on urban women and land rights discourse and supports Muslim women's right to property discourse internationally. It has recorded needs of the unorganised sector women to develop demonstration of women resource rights.

Sarpam Tamil Nadu, India was started to organise Irulas involved in unorganised sector and has been functional in Thiruvallur, Vellore, Cuddalore, and in parts of Kanchipuram. The NGO is funded by the Bharathi Trust, which works like an umbrella NGO coordinating the various units of Sarpam. They managed to get land in individual names of women supported by the men in the community.

SWATE (Society of Women in Action for Total Empowerment) in the Tamil Nadu state of India have struggled for the safeguarding of Water and other livelihood resources for the past 25 years.

Nirmana New Delhi, India supports campaign activities, awareness generation amongst construction workers, certain welfare activities like schools, health-care services, free legal aid, rehabilitation. in several slums of North-West Delhi through local donations and collaboration with other NGOs. It also supported the organization of six Housing and Multi-purpose co-operative Societies under re-settlement scheme of Slum Division of Municipal Corporation of Delhi (then Delhi Development Authority). Nirmana has also started helping a core team of young girls from the indigenous area of Jharkhand, South Bihar and adjoining indigenous areas of Madhya Pradesh and Orissa working in Delhi as "Domestic Helpers" to form a Cooperative Society of Domestic Helpers of their own. They have traced migration route to demand livelihood programs and remittance collation to make a safe placement and migration system possible. With alternative of a system of investment from migrant women to livelihood programmes in source areas, land and resource base of women can increase.

Prerna Bharati Jharkhand, India works on issues of health, equality, education, environment, cultural concerns, and violence against women in sixteen districts of Jharkhand. The organization works towards building self-confidence and

leadership of marginalized communities including Dalits, Muslim, and Indigenous women.

Pyara Kerketta Foundation, Jharkhand, India its main objective is to bring about meaningful change in the lives of the people of Jharkhand in general and the deprived and the poor in particular, in issues related to culture and education through new experiments and ideas. Jharkhand Women's Centre for Documentation, resource and Media Watch was established by Pyara Kerketta Foundation to understand the struggles, contributions and problems of Jharkhandi women. ^{xix}Dr. Rose Kerketta supports tribal women's individual rights to land and has led the articulation of tribal women's land rights. She has invested herself in travel to distant forest to train a cadre of young Indigenous women to carry forward the message that girls and women from the community demand equal and individual rights along with men.

Bhoomi Adhikar Manch , Uttar Pradesh, India - a people's organisation of women, small and marginal farmers and landless people, to impart technical know how on the issue. Their memorandum to the chief minister was drafted after consultation and a pad yatra (state wide march) on women and land in 2006. Members of this group collated cases where men want to include name of their wives on land owned by them to lobby the authorities for not charging registration fee for this task. The workers during the campaign noted many procedural problems with joint registration that needed to be resolved by district administration.

Social Development Foundation (SDF) New Delhi India. Agrarian reform with a gender sensitivity is one of the prime focus of SDF apart from right to food, secular values and development of scientific temper among the community they are working with, such as indigenous, Dalits, women, minorities and other backward communities in India like fishermen, scavengers and women from Muslim community.

Karnataka Peoples Forum for land Rights (KPFLR) Karnataka, India has consolidated and united fragmented efforts of NGOs', mass movements, activists, journalists and landless poor and aims at advocating a policy which could address the diverse issues of subordination of the landless poor. This is a state level form with several small groups and movements a few of which have individually raised issues related to women's rights to land, in many cases succeeding in getting joint registrations in redistributed land. KPFLR will organise a People's Tribunal on Livelihood issues and Food Security of Inter-state borderland people with a focus on Women this year.

Working Group for Women and Land Ownership (WGWLO) Gujarat was set up in 2002, consisting of 22 NGOs committed to this cause. The main purpose of WGWLO is to increase women's ownership of land by facilitating the implementation of existing laws and advocating for legal reform where discriminatory provisions persist in the law. Constituted of grassroots groups, its approach however has attempted to be sensitive to local and contextual factors and develop strategies accordingly. Recently WGWLO members have procured gender disaggregated data on which women have got land grants and own lands so that they could collate the ownership percentage and monitor if women can sustain the ownership once they are granted land rights by administration or family.

Women's Struggle Committee Chennai India is a women workers union that has developed aspects of women workers resource rights. They ask for group rights on natural resources under ownership of women. **The committee actively works on housing rights of unorganised sector workers.**

Positive Women's Network India has taken on extensive research on inheritance rights and resources women can access from the state. They have documented these and support women in accessing their rights from the government besides working with local authorities to implement such schemes. They have used 'speedy remedy' to deal with legal cases related to Positive women's inheritance, maintenance and property rights.

The Society for the Promotion of Area Resource Centres (SPARC) Mumbai, India is an Indian NGO that supports two people's movements - the National Slum Dwellers Federation (NSDF) and Mahila Milan (MM). NSDF and MM organise hundreds of thousands of slum dwellers and pavement dwellers to address issues related to urban poverty, and collectively produce solutions for affordable housing and sanitation.

3: Realities on women's collective, household based and individual rights

Women's Experiences in Owning and Controlling Productive Assets

Women's ownership of land and resources and its relation to violence

Though arguments in favour of land rights for women emphasise the linkages between land and property ownership and increased security and economic empowerment of women in practice it has not always been so. While research by Panda and Agarwal (2005) seems to indicate that ownership of property, especially house property, contributes significantly to the reduction in domestic violence, alongside other factors such as social support and employment status of men, in Kerala, the linkages are less clear in the case of Sri Lanka or West Bengal (ICRW, 2005). Kelkar and Nathan (1991), on the contrary, have found that women claiming rights to land are often branded and killed as witches in Jharkhand, while Prem Chowdhry notes the growing harassment, even killing, of widows owning property in Haryana.^{xx} In addition Sadaf Zahra^{xxi} of Pakistan says that the root cause of honor killings (Karo kari) are linked to the question of land, water, money and property. In some cases women and children face violence in efforts to grab land.

This seems to indicate that women are able to own and control productive assets in situations where patriarchal structures and constructs are not very rigid and there are more spaces for women thus the demand is not only for resources but also changing mindsets so there is social legitimacy to women's ownership of resources. Various studies show that there is a huge disparity in the ownership of resources by men and women across regions in the world-putting women at a social and economic disadvantage, increasing women's ownership of resources is one way of reducing this disparity. "Land [like other productive assets] is an opportunity for change. It is a way to have access to other resources, such as water, seeds, new technologies and bank loans", an anonymous, India (ILC and IFAD, 2004).^{xxii}

Women's Access to resources in the context of household

Joint titling can help to guard against irresponsible action by one spouse; protect against the dispossession of women through abandonment, separation or

divorce; and increase women's bargaining power in household and farm decision-making. These advantages for women include drastically enhanced security, increased and dependable income, ability to access credit and government programs, and more leverage and respect within their households and communities.^{xxiii}

The Mann Deshi Bank based in Maharashtra India convinced the Revenue Department of Maharashtra to include women's names on stamp papers in effect recognising women's right to household property. With the result that their husbands could neither sell the property without her consent nor claim the entire property as his own in case of divorce. To date, nearly six hundred thousand women have benefited by this policy change and 5000 have been able to get the share in the household property.

Joint titling in effect does not recognise women's rights to land as individuals but in relation to men they are related to, which becomes problematic in situations where women are single, cohabiting, or living in families systems that do not correspond to the patriarchal heterosexual family structure. Joint ownership ties the issue of women's land ownership to marriage and the view that property is a resource owned and controlled by the patriarchal nuclear/ joint family system. For example much of the lobbying for women's land rights in Africa has focused on joint vesting of ownership between husband and wife as the primary "solution" to the problems faced by rural women. However this may not be a sufficient solution for a range of women (in particular for the increasing numbers of women who do not marry) and may, in fact, backfire on single women living on family land. The General Household Survey of South Africa indicates that 41% of rural women are neither the household head, nor married to, nor the partner of the household head.^{xxiv}

Joint titling in the context of marriage may in effect tie women down in situations of violence where women continue living in violent homes in order to have access over their property. Also in the context of gender relations it may not be possible for a women to exercise her choices if they happen to differ from those of her husbands in the management and control of property.

However in the context of feminisation of agriculture, migration for work by men, it is recognised that efforts need to be made so women can access and manage agricultural production. According to Seema Khot while use rights may exist, titling has become essential in Maharashtra as a route to access all other schemes by women, in a context where men are away for six months in a year to

the sugarcane fields of northern Maharashtra and southern Gujarat, or elsewhere in search of work.^{xxv}

Though joint titling does not provide the kind of autonomy and control over resources as individual ownership it is useful in giving women access to resources and protecting them from being completely disinherited and in being able to access resources such as credit. Joint titles are advocated for by most organisations and movement as it is less threatening to the social order, how much they can impact women's control and ownership rights is debatable.

Albertina Almedia from Bailancho Saad Goa, cites examples from Goa to highlight the need for resources in women's individual names. The Family laws carried over from Portuguese colonisation in Goa, which as a state is perceived to be more progressive in terms of women's status with affirmative laws, states that all resources are jointly owned by the husband and wife. However with the patrilocal system of marriage a woman may bring a few things from her home like furniture and other implements. At any time if she decided to leave home at the time of dissolution of the relationship or marriage if she happens to take back those things the husband is able to file a case of theft against her as all property is jointly owned and also belongs to him. In other cases the husband has all the documents and does the paperwork, the wife has no information about the details of it, in some cases because of patriarchal systems in bureaucratic systems women's consent or signatures are not sought at the time of sale of properties. Newer co-operatives and other systems of ownership do not recognise women as joint owners. According to her so-called equality in an unequal situation is not equality, what we need are affirmative actions to support and ensure women's control over productive resources. She cautions that joint ownership of resources is not the answer to change in terms of women's control and access to resources unless there is change in women's unequal position in society.

Similarly in many countries in the Latin American region where joint titling of property does exist it has not brought any significant change in women's control and ownership of resources. Thus it is not only ownership rights and titles but also women's autonomy and control over her resources that is going to change the imbalance with control over resources that exists currently.

Women's Individual Ownership Of land and productive assets

There is an official recognition of the seriousness of the problem of women's lack of resources especially land and property and major policy measures have been introduced for inclusion and equality of women. Some of these include the Hindu Marriage Act and Hindu Succession Act in India; the Rural Land Contracting Law and the Law on Protecting Women's Rights and interest in China. These legal measures stipulate equal rights to property and assets for women. Researchers and women's organisations have been voicing concerns about the growing assetlessness by women and increasing gender wage disparity. This is seen as a result of the policy concerns for tenure security for the households and the pre-existing systems of patrilocal residence and patrilineal inheritance rights. The individual ownership of women on productive assets is linked to an impending fear that they will change the existing social order and then make a social set of their own where they can exercise their right to marry or engage with people outside the patriarchal clan.

According to Jill Carr Harris^{xxvi} this notion of women having a piece of land in their names is essential, even more fundamental than micro-credit; because if you do not have an asset then you cannot really stay in the game of credit without incurring debt. Women's individual rights to land are especially important for their security in the event of the husbands death or breakdown of marriage may result in the woman being left with no where to go.

In the context of indigenous women, leaders like Bitiya Murmu from Jharkhand, are strongly in favour of Indigenous women's right to Paternal property. Welcoming amendments brought in the Hindu Succession act, she says that the Hindu Community sisters do not always take land from their brothers. But the provision helps to claim land at times of need. Hence it is not a right argument that indigenous women's land rights will lead to sisters fighting with their brothers to seek a divide in the parental property. Priyasheela Besra says that if indigenous men can have individual rights to land why not women. According to her indigenous must now engage with the changed reality as most of their forest has been destroyed and they need to learn new ways to survive in this changing world. Some argue that giving land to tribal women will lead to land being passed on to non tribals or other clans through marriage however a study conducted by Vasavi & Faisal Anurag showed that about 70-80 lakh acres of land were transferred and occupied by non tribals by tribal males settlement deeds to non tribal. On the other hand only 7-8 thousand acres of land got transferred to other non-tribal through tribal females by way of marriage.

Some argue that giving individual rights to land women is not a viable option as she will any way move away once she is married. Legislation can protect women's rights even in situations like this. For example in China, the government of Sanming, Fujian Province issued a circular dealing with rural land contracts that emphasised rural women's rights and interests, based on the law. It stated that rural women have the same right as men to contract and manage land. During the term of the contract, if the lessee gets married but doesn't gain "contracted" land in his/her new area of residence, the leaser can not reclaim the land he/she has been using. If the lessee divorces or loses his/her spouse, but doesn't move from his/her original area of residence, or moves out but doesn't receive land in his/her new area of residence, the leaser cannot reclaim the land.^{xxvii} A better mode of work is constructive dialogue at family level. Small focus group discussions at family and community informal get together have made a difference. The work at Raigarh^{xxviii} in Maharashtra where simple discussions on who does work in the house and thus who should own the house made many tribal men change the house ownership in the names of the women in their household.

Discussions between father and daughter have helped as well. When situation arise and demands are made in a way the logic is placed for the good of the family member's change of resources does take place legally in favor of the women. This shows that there are possibilities of creating change through dialogue so that there is acceptance and support for women who own and control resources.

Women's Ownership of land in the context of HIV/AIDS

Women's insecure property rights exacerbate the impact of HIV. One of the most serious economic effects of HIV for women has been the loss of property. They may have to deal with homelessness, poverty and violence, contributing both to their and their children's impoverishment. Poverty can also encourage high-risk behavior such as engaging in unsafe sex for money, housing, food or education.

A study in Uganda of HIV-positive widows revealed that 90 per cent of the women interviewed had difficulties with their in-laws over property and 88 per cent of those in rural areas were unable to meet their household needs. Also in Uganda, another study found that 37 per cent of widows—compared to 17 per cent of widowers—had migrated from their original homes because they were generally not entitled to inherit their husband's property and their families were likely to live elsewhere.

According to the Positive Women's Network of India, widows generally have the lowest status in the household under normal conditions and rarely inherit property. Women who are either widowed by HIV/AIDS or found to be positive themselves may be cast out of their homes by their in-laws, or sent back to their parents' home without their dowry, making it difficult for their parents to support them. The same is true in Bangladesh where, according to a 1995 survey, only 32 per cent of widows received their rightful share of an inheritance from their husbands.

In this situation laws alone are not enough to change these conditions but also awareness and acceptance of people living with HIV/AIDS. India, for example, has a law dating back to 1956 that allows some women to inherit property from their fathers. Despite the law, women rarely inherit and are often unaware of their rights. According to a report by the UK Voluntary Services Overseas (VSO), many lawyers do not understand the law as it applies to women's inheritance rights and do not know that a case can be expedited if it involves a person living with HIV/AIDS.^{xxix} PWN in Tamil Nadu has used this legislation effectively so that Positive women are able to use 'speedy remedy' to immediately settle cases related to inheritance, property, domestic violence which could otherwise take decades. In addition they have been able to replicate it by lobbying with government officials and informing women how to use government mechanisms to their advantage.^{xxx}

Access to resources in the context of social and mental health issues

Law debars mentally ill persons from owning property. There has been no study to establish how many mentally ill people have been disinherited from their property due to the law. Property disputes are often resolved by declaring a party mentally unsound. Ms Deepika Nair from Consult for Disabling Mental Illness has found women languishing in mental asylums or in prison without being mentally ill due to property case convictions. An empirical research study to needs to build evidence for this field observation.

At the same time there are organisations that work with mentally ill homeless women, who realise that mentally ill women are less likely to get treatment or, family support than men and are more vulnerable to violence on the streets. For example The Banyan which works with mentally ill women on the streets of Chennai, has created a space for rehabilitating mentally ill women who have completed treatment but have no where to go as they have been abandoned by their families.

Opportunities and options that women choose from to get individual rights

Land and housing as compensation for natural disaster or development programmes and schemes: There is potential for women to gain access and ownership of land through land distribution programmes by the state. During rehabilitation efforts after the Tsunami the women from the Sarpam collective^{xxxii} of the Irular Community (indigenous) were able to articulate and get land titles in their individual names. Since the community as a whole had nothing and were set to gain from the land distribution to women by the government there was support even from men in the community. These positive examples are exception and have yet to become the rule.

Maintaining control of what people have at present requires proactive action. In the context of displacement or disasters women's claims to land have taken a back seat, as it is not seen as a legitimate claim when the community is facing a crisis. However this can have fallouts especially when there are rehabilitation efforts, women lose out as beneficiaries. For Example Nirmala Buch at IGSSS Madhya Pradesh Consultation on women and land shared the experience of displacement by Sardar Sarovar Project. This was a case where prior to the displacement the land was in mother's name but the land allotted by state government under its rehabilitation package was given in the name of her son.^{xxxiii} Such cases reflect the patriarchal mindsets of administration and state government, where women can never be treated as an 'owner' of resources or successor of property and resources.

It is important to remember that women's human rights should be protected even before a violation has taken place. Example in Surabaiya, Indonesia, after the Tsunami, the preventive measures used consisted in creating an inventory of all that had been built (roads, schools etc). Quantifying the value of the materials, women realised that they had assets with a determined value and that they should define them. They did not possess any legal titles of ownership, but they showed that what they had built had a value and could be protected by law. When the government tried to re-house them they used these documents to demand improvements, negotiating with the government. Similarly in a new initiative Bailancho Saad and other civil society groups in Goa protesting land acquisition by chemical companies are attempting to document how the land was being used by the men and women in the region, so that they can claim compensation accordingly.^{xxxiii}

Land from the market on lease: In the current scenario with land being owned and controlled by the market there has been an initiative in leasing land to women by private companies. For example a company that harnesses wind energy has been acquiring large tracts of land for its windmills, though their process of acquiring these lands they faced public outrage. Realising that they need to involve stakeholders in their projects even as it is a need to secure their property, the company attempts to now redefining their Corporate Social Responsibility to consider sub-leasing land in women's names so that they can grow produce upto 5 feet from their windmills.

From Trusts and religious leadership : Religious/ Spiritual institutions have the potential to benefit women too for example Shree Mata Amritandanandamayi "Amma" a spiritual leader donated \$ 46 Million in areas where people have been affected by the Tsunami and in regions in India where farmers had committed suicide, to support their families. The Ashram provides free vocational training to 5,000 different groups of women from impoverished agricultural families. Though many of these women have now incurred their husband's debt due to suicide, the "MA math" has been supporting them in building their own businesses through vocational training in various skills. After completion of their training, the women are given the necessary start-up capital to begin small, home-based businesses. This group has also provided housing for people affected by the Tsunami in India and Sri Lanka.^{xxxiv} This kind of land and housing is within a charity mode and not a matter of right. Women need to demand from their community and religious leadership spaces and resources as a matter of priority to claim stake in the wealth collected from the community, half of which should be rightfully managed and developed by women the world over. Muslim women's demands from the Waqf board are a part of this new demand creation.

Customary practices that support women's control over land individually

The world over there are many communities where women customarily have access and control over land, with the erosion of these traditions women are in danger of losing out, it is important therefore to protect customs that are enabling and empowering to women.

In communities where land is passed down traditionally to women don't exist in isolation and with the influence of other communities and National laws such practices are getting eroded. The Nair, Khasi, Garao and several other matrilineal communities are slowly adapting practices of communities that follow

the patrilineal systems in fact there are hardly any from the Nair community that follow matrilineal patterns of inheritance.

With the new development paradigm traditional practices are being phased out more and more for example the Sana Keithel (women's market) in Manipur, is the second largest woman market in Asia and is fighting for recognition from the deliberate erosion of the indigenous production systems and the monopoly over the local economy exerted largely by trading communities with a fundamentally patriarchal ethos. This was a space for women to conduct their economic activities in addition to being a political and social space has been displaced to make way for malls and other large retail monopolies which is in effect phasing out small businesses owned and controlled by women. Considering that in most other parts of India the market is considered a woman-unfriendly space this is a loss of Manipuri women's hold on to the local economy.

The Keithel is a site for the affirmation of women's control over the production, use and management of consumption patterns. It represents the attempt of communities to assert their food sovereignty, economic self-determination and cultural diversity. In neighboring Assam, many such market spaces controlled by women, have been systematically relocated and bulldozed to make way for – "shopping malls, shopping complexes and retail outlets". The economics of such marketing is not just about the women (or men) who sell their goods there. It is about the men and women who produce these commodities in communities stretching for hundreds of miles around these. It is for this reason that it can never replace the traditional markets, which serve as food safety nets catering to the food security needs of the communities, which live around it.

The Vavuli community of Southern Gujarat at the time of a girls puberty gives her control over common resources like trees, wells, ponds, river banks etc. She has complete control over this and it is considered a sin for men to make use of women's resources. In one example women from a micro credit group started growing cucumber on a plot owned by one of the members and would take a share of the harvest the rest being given to the owner as her right. Communities that recognise women contribution and give them these rights need to be highlighted and used as examples for other communities.

Similarly Maati an organisation in Pithorgarh has created sustainable food zones in every village under women's control, to protect village commons. At a time when village commons are being lost to market forces this is an affirmative step to highlight women's contribution in terms of food sovereignty of that community.

Customary rights to resources from the family

In many cases women contribute their labour to the land and in the end get no remittance for it, realising this women sharecroppers in Maharashtra are now bargaining for half the produce from 1/3, for their contribution from owners who now have migrated out for work. In addition they prefer sharecropping to land ownership as family labour becomes unpaid besides they have not been able to retain land. This clearly highlight the issue that land in itself is of no use unless women have control over it and can use it productively. What is important is control and access to available resources in a given situation.

Women realise that their labour and contribution to family land is invisibilised and brings them no remittance, however we can learn from the example of Ghana where women get land from their husbands in return for their labour in family plots.

In Ghana cultivating cocoa provides women with economic security and a more secure way to gain rights to land. Under the traditional land rights system, wives can be given individualised rights to the land, for helping their husbands establish cocoa farms. Once land is given to a woman, it

A Legacy For Her Children¹

“Thirty years ago, Esi Yarney’s* husband, Fiifi, cleared some of his land to grow cocoa. For years, husband and wife worked together to plant and care for the cash crop. They also grew food crops to feed themselves and their four children. During this time, Fiifi designated some of his land just for Esi to use. He also had the foresight to give her some land as a “gift,” knowing that otherwise, she would be left dependent upon his relatives if he were to die before she did. Fiifi’s thoughtfulness paid off for Esi. When he passed away, three-quarters of his land was taken by his brother. The rest was given to Fiifi’s children, but not his wife. However, no one could lay claim to the land given to Esi by her husband for her help in planting and cultivating the cocoa. At age 70, Esi still holds sole rights to that land. While she has the right to sell it, she plans to will the land to her children. Her brother-in-law and his family already claimed so much of the land she and her husband worked, Esi says. The rest should belong to the children.

*Names have been changed

cannot be reclaimed by anyone including her husband.

While supporting those customary practices that support women's rights there are those that infringe upon women's rights, these need to be opposed or changed.

In Hera Gero village women are doing collective farming on 12 acres of land. This is a mixed group of men and women but women are preferably given more priority in decision making at every step. Through this struggle women have become sensitised about their rights. They take part in decision making, women go to the markets to sell produce the decision to utilize surplus is also taken by the women. But ploughing and driving tractor use is still a taboo for tribal women and they are maintaining distance from it. Ekta Parishad and MVLM have supported women to work the plough and document these as examples to break cultural norms. Similarly members of GEAG cite an example where Lalla Devi started ploughing her land and now there are now around 30 women using the plough in villages around Gorakhpur, this has been documented in a film.

At the same time practices that infringe upon women's rights need to be changed. Identifying religio-cultural constraints can then be followed by negotiations with community leaders, religious scholars and the like, though with the growing fundamentalism the women's movement has been wary of engaging with religious leaders, it is sometimes necessary to engage with religious leaders knowing that they sometimes have a powerful hold on social norms. For example with the dismal sex ratio in Punjab is now forcing every one to address the issue of status of women in the state^{xxxv}. Civil society in the state is engaging both with political and religious leaders in Punjab to mitigate the problem. Adverse sex ratio in Taran Taran in Punjab has been already altered in favour of girl children by families' acknowledgement of the seriousness of the issue. If similar work is done on women and property rights the change will be seen. The strategy needs to be non violent.

Property through natal family:

Though demanding individual titles from land and housing owned by men may be difficult but not impossible. At a meeting in Punjab at least five women shared that they had asked their father for a share in the property and got it. This broke the belief that men in Punjab do not part with land and housing and give daughter a right in family property or that those demanding it will face violence. A 78 year old social worker had registered a house jointly in her daughter's name and her own. She did not hand over the house registry papers to the son in law as the

ownership of this house had made him give up liquor and earn money. The registration deed was signed without a mention the marital status of the two women. She could do this as she asked her father for housing and land in her name before he migrated to Canada. One only needs to find the right language and logic to ask for this right within the family, without the fear of breakdown in relationship.

Property from the marital family

Members of GEAG report that men in Uttar Pradesh prefer giving land in wives names rather than mother's as it can be further divided amongst the remaining brothers.

Barriers to women's access and control over land

Women in many communities in South Asia waive their rights to inheritance of land as they fear breaking up from their natal family, particularly from their brothers, who are considered the custodians of sisters in case they need their help and protection. The basic reasons for there being fewer claims on marital property are: restrictions on free movement and the weak position of women, especially childless widows who could even be murdered if they claim land. In some cases women who have land/ property ownership have not been able to hold on to it because of family pressures and the lack of information and skills to manage it effectively. According to Shahnaz Wazir Ali, Executive Director of the Pakistan Centre for Philanthropy (PCP). "Women, because of their restricted mobility, low levels of literacy, lack of access to records, economic social and physical dependence on male members, rarely have information on the mutation of land on which they live or the land owned by their husbands or fathers".

In the North East of India, including the matrilineal tribes of Meghalaya, participation and decision-making in public fora, be they the local *dorbars* or the village development councils are exclusively male, hence while women may inherit or own land, they have little control over its long-term use.^{xxxvi}

In some cases the lack of women's mobility has acted as a stumbling block in them being able to access land and housing. Nassima (Algeria –maison Nedjma^{xxxvii} pour aide aux femmes en difficult) states that in Algeria housing is not normally in the name of the woman even if she pays for it. The same is true for plots of land. It is preferred that men make administrative payments to buy

housing or to rent. The woman will not go to a public place to complete documents. Women themselves cannot imagine the consequence of this type of practice. Annie Serrano of APWLD reported a case in Laos, where women had gained control on land through their efforts supported by cultural practices. Once individual land titling began as part of a World Bank project men traveled to the cities for its registration and land was legally transferred in their names. The situation was reversed with due diligence and action from the women's movement.

Thus it is not only access and control of productive assets for women but a sense of ownership and the capacity to manage and exercise control over it.

Women's traditional gendered roles and cultural practices sometimes act as barriers to women's empowerment in order to undo thus women need additional support in developing their capacities to understand and be able to do the necessary lobbying, public engagement and paperwork to protect their rights.

Collective Assets and Empowerment

While community ownership is promoted as egalitarian and more likely to guarantee disadvantaged groups rights to resources such as land, there is no literature illustrating how this plays out in relation to women's access and control over land in these systems. Given the patriarchal social ordering, it would be surprising if indeed women have greater rights in these areas. In the case of Kenya's group ranches and trust land it is worth noting that the governance institutions, County Councils, have very few women. In a study carried out among the Samburu, Rendille and Maasai where group ranches are the norm, it was noted that most fora for making decisions were dominated by men and that most of these cultures excluded women from such fora. Those whose names are registered in the group title are also largely men who are regarded as community leaders.

Tajikistan which is transitioning from the Soviet System of collective farming, has allowed an arrangement of land use in the form of "lifelong inheritable holdings," called "dehqan" or peasant farms though private ownership of land is still not permitted^{xxxviii}. Unlike some countries in transition out of collective agriculture, but in common with others in Central Asia, most often it is one member of the family – and not all the family members – that is an employee or member of a state or collective farm. This is most often the husband. Women, it is said, work for their

fathers or husbands on the state or collective farms. When land shares are distributed, they are in the name of the husband.

In the study it was found that in large units of production, such as the “kolkhoz/goskhoz”, and associative dehqan farms, women are clearly excluded from the decision-making.

Women who could set up family/ individual dehqan farms are much better-off and those in positions of leadership/ connections had better chances to access and control over resources.

Women’s Collective and their control and access to resources

At the same time many land rights movements and women’s groups have showcased successful interventions where women have come together as a group to manage a common resource for the sustenance of the community. Due to their traditional roles and reduction of vulnerability with a collective approach, rural women have proved themselves to be better skilled and more efficient at managing common resources than the men of the community. In India where forests have been devastated, women have been better able to manage and rehabilitate forests than men due to their traditional roles and skills as fuel wood and fodder collectors. In Shankergarh, Allahabad the Mahila Samakya Federation of women’s groups has acquired fish ponds and mining areas on group lease. As a group, these women are collectively managing these resources and retain ownership.^{xxxix} In Cuddalore district women from the Pengal Pannoku Iyyakam have managed to get vendor spaces for their women in market places in several locations, especially fish markets in a way creating a safe space for them free of police harassment. Women lobbied with district collector with support from vendor associations. Some the leaders here were trained by Viji Srinivasan in feminist thinking to lead communities. The women learnt to earn money and reinvest it for financial gain rather than spending it on demands of the family alone with a result increasing their resource base significantly.^{xi}

In India NGOs like Adithi have worked to get women leases for fishponds to set up women’s fishing co-operatives. The work of the Centre for Women’s Development Studies has focused on giving land grants to both men and women as in the Bankura project where women were helped make “arjun” plantations for cocoon raising on wastelands.^{xli} Their experience shows that while men sell off the land women continue to till and make alternate use of land granted to them. The Deccan Development Society and Mahila Samakya in Andhra Pradesh have made land lease a possibility for marginalized women’s groups from the market

itself. Women have managed the land as a long-term sustainable livelihood option when civil society has supported their will to work on the land.

An examination of cases where land was allocated to women reveals that women are better able to retain land^{xlii} and resources if given to group rather than an individual. If women who have struggled for their rights to land or resources are given a resource as an individual, they often face violence or pressure to hand the land over to the family, and are often coerced to choose male inheritors for their land. While other assets are needed, poor and landless women are also better empowered to manage and retain resources in a group instead of individually. In Uttar Pradesh, Andhra Pradesh and Orissa, programmes supported by the Government of India and UNDP indicate that promoting a group-approach to providing access to land leads to increased agricultural output, food security, and employment for poor women and their families. Furthermore, it has increased the cultivability and productivity of the land and distribution of resources within the community.^{xliii} The state government of Gujarat has developed schemes for subsidising irrigation. This has motivated men affected by the schemes to transfer ownership of agriculture land and resources to the women in their families. .

According to Dr Nitya Rao, group approaches for women in terms of joint land use (especially for farming on private land) may be problematic due to caste-class intersections,^{xliv} yet new institutional approaches for joint control of equipment and inputs, infrastructure (such as irrigation), enhancing the level of skills to engage in new forms of production etc, may lead to improved gender equality outcomes. Further, while group approaches have been highly successful in the use of wastelands (e.g the Nari Vikas Sangha, Bankura, supported by the Centre for Women's Development Studies) and even forests, they are even more less in the case of privately owned cultivable land.^{xlv} But here too they need massive investment for land development, including inputs, and support for maintaining a watch and ward system (Interview with Narayan Banerjee, CWDS).

The cautions on interventions overburdening women have been voiced. Individual women have found answers to shifting load of tasks undertaken in addition to their family agriculture and domestic work. These range from simply running away to dealing with the issue at the family and community level. Programmes targeted at men and children to increase understanding of women's needs need to be designed. Flexibility in gender roles with men doing their share in domestic chores has been an answer. There are problems when men lose their livelihoods. For example, in some indigenous peoples the scope for male activities, like hunting or even migratory labour, as happened in the

Asian crisis, can lead to alcoholism as an escape. This poses an even greater burden on women, who have the main responsibility for household food security. In such situations projects need to take a two-fold approach: on the one hand, try to develop new economic activities for men; and, on the other hand, persuade men to take up more of the burden of domestic labour. Systems of inheritance, allocation, use and adjudication of land are then not straightforward and a lot of unravelling is still required to understand the complexity of a range of land relations.

In the case of the PWN of Tamil Nadu, they have been able to deal with the caste class barrier by opening up a dialogue on this issue with members and come to the understanding that for them the binding factor is not caste or class but their shared experiences as women. It is interesting to note that they have been able to achieve this even in places where men in the community have on going caste based clashes.

Women's marginalisation and their collective strength In some cases women who have been marginalised due to various reasons have come together to create spaces for themselves in society. Many more women need to get together in times when they are in control of negotiation spaces and resources. The result of collective work and its effect on women's empowerment through transformation of gender relations needs a separate study. For now the examples below illustrate that there are possibilities of building women's resource base parallel to those managed and controlled within market or patriarchal frameworks.

In Raigad region of Maharashtra Christian Nuns and tribal women who supported

A Place Where Women Rule All-Female Village in Kenya

About 200 Samburu women from this district say that in the 1980's and 90's they were raped by British personnel from a nearby army base. In Samburu culture, a woman who's been raped becomes taboo, and is ostracised by the entire community. She is often whipped and thrown out without anything, not even her children.

In 1990 a small group of homeless Samburu women decided to band together after their husbands threw them out. The women established the village of Umoja, which means 'unity' in Swahili, on an unwanted field of dry grasslands. Stung by the treatment, Lolosoli, a charismatic and self-assured woman decided no men would be allowed to live in their circular village of mud-and-dung huts. What started, as a group of homeless women looking for a place of their own became a successful and happy village.

About three dozen women live here and run a cultural centre and camping site for tourists visiting the adjacent Samburu National Reserve. The women felt empowered with the revenue from the camping site and their cultural centre, where they sell crafts. They were able to send their children to school for the first time, eat well and reject male demands for their daughters' circumcision and marriage.

They became so respected that troubled women, some beaten, some trying to get divorced, started showing up in this little village in northern Kenya. Lolosoli was even invited by the United Nations to attend a recent world conference on gender empowerment in New York.¹

them were raped and harassed by fundamentalist groups. These women had the capacity to face violence in their lives and resurrect to come together and collectively create a space for themselves in society. They got grass land in their names and confidently flashed their land deed to bail their leader Vaishali Patel when she court arrested her self to prove that rightful demand to punish the perpetrators need to be met by the authorities. These women effectively prove that there is life beyond violence and that they can create change even if they live in extremely constraining situations.

Sukhvariya^{xlvi}, a tribal woman from Rampur village, Kusmi block, Seedhi district in Madhya Pradesh talks about her federation work on opposing 'tohni' practice in the region. In this practice a woman is declared 'tohni' [witch] by a group of people. After declaring a woman 'tohni' the group of people beat her brutally and in some cases have even nailed her in forehead. Basically, this practice was targeted at single women who were propertied but widowed. "Our movement for land rights was first initiated with forming small groups at household level. This group was then linked to other villages, block level and district level. Today this is a membership based organization of which seven hundred women across Seedhi district are members.". On the number of women benefited from their struggle she says, "Due to intensive advocacy efforts and struggle of our organization 147 women have got land ownerships in their names. Out of these, 79 are widow/single women, 27 women got land due to incentives and 22 women became land owners with their husbands' consent ".

Religion and Women's access to resources

With the amendment of the Hindu Succession act in 2005, Hindu daughters can now inherit land including agricultural land. In recent years controversies related to women's restricted entry to temples has gained prominence in the media with many women questioning such religious practices.

Traditionally patriarchal religious institutions have played a major role in denying women their rights, in some cases women have been able to negotiate for spaces within these systems. Daud Sharifa Khanum of Steps believes that expanding women's participation in existing Jamats and religious bodies is the key to the empowerment of Muslim women. She says that Muslim women in most of Tamil Nadu are prevented from offering prayers in the Mosque, though Quran does not prohibit this. Through their efforts at advocating women's rights with Male Jamaat leaders, Waqf Board, personal laws board and the government, has led to one Mosque appointing a woman as a member of the Jamaat. Given that this is merely token gesture, the Federation is now initiating

work on developing women community centers. Eight Mosques in the area now allow space for women to worship to respond to this demand.

Angie Balata of HLRN Egypt feels that Islamic institutions can be invoked to deliver gender equity of resources. When interpretations differ distinction between progressive and regressive moves are difficult to navigate thus feminist group would rather focus on rights as citizens rather than rights within religion.

Similarly Thailand with its patriarchal religious systems does not support or provide space for women to practice Dhamma or voice their concerns. Thailand's first ordained nun Ven. Dhammananda has created a temple Songdhammakalyani Monastery, which means the temple of women who uphold "dhamma." The temple also houses a Home of Peace and Love providing space and opportunity for underprivileged women and girls to live in a peaceful atmosphere. Girls are sponsored for higher education and training from monastic setting.^{xlvii}

Though there is skepticism in engaging with religious leaders, there is acknowledgement that they have a powerful hold over the community therefore it is important to expose faith leaders to legitimate demands of women's ownership of productive resource and organise interfaith dialogues to reaffirm collective plans to execute this increase.

Economic empowerment and Gender relations: The argument that economic empowerment alone will bring about change in women's status is not always true as can be seen in cases where upper class women are living in situations of domestic violence and are not able to exercise choices if they happen to go against that of their family as can be seen from women's experiences in Punjab and Delhi to name a few. At the same time women from poor and marginalised groups have been able to articulate and get relative autonomy in their lives. One of the important aspects is skill building and consciousness raising to change discriminatory practices and find solutions that respect the needs of the marginalised especially women. Just as women need support to rise out of their victim identity and build their capacities to be able to negotiate and articulate themselves in family, social, economic and political spaces similarly there is a need to engage with privileged groups in sharing some of their privileges and power.

Though economic changes like access to resources don't always change gender relations or the situation with regard to violence against women these can act as safeguards and provides women more choices in taking control of their lives in

case of separation or divorce where women are left without adequate resources. Increasing women's resource base may provide more options and choices to women and is a step towards creating visibility and space in market and political spaces for women and decreasing their dependence on men for financial security and protection. Increase in women's resource base alongside their consciousness raising has been effective in changing gender relations to an extent

Increased access to assets will not automatically alleviate female poverty, but development experts generally agree on the need for more gender equality in both access to land and complementary measures to strengthen women in the use of their asset base. There has been a growing understanding in other countries in transition of the need to specifically address the need of women for direct access to land. Stereotypes must be fought at family level, as well as at the community level. The idea that land is always a man's property is changing and must be changed.

Alternatives to the Patriarchal systems of inheritance

In cases where women have fought and got resources even then patriarchal systems come into play and the resource goes back into the same patriarchal system. There are not too many visible alternatives to sustaining this process of women's control over resources.

In one case Rukumini Khewat of Ashti near Sholapur, a successful enterprising Dhaba (roadside food joint) owner uses her profits to buy land for women in the villages nearby. Though this kind of philanthropy is rare it is a possibility.

In places where communes have been initiated people share common resources, like the Kibbutz system in Israel. Similarly women have created women's communes, women have pooled in resources and formed 'families' based on a common ideology or cause, with resources being commonly shared with provisions for individual space and resources. However instead of having women only spaces there can be women owned land and infrastructure that is passed on to women not necessarily in the family. Women's ownership does not exclude participation by men and children. These individual initiatives by private developers need to be adapted and developed as planned intervention in every unit of administration of the government as enumerated in the last chapter.

4. Measures in terms of policies and practices to address the broad patterns of economic inequality of women and its relation with human dignity and rights as citizens

Equality of women as citizens

A woman's voter's identity card represents her as an individual citizen. Her rights and responsibilities are also as an individual who may relate with as many groups for her fulfillment. Human dignity and citizenship rights of women are practiced within a cultural milieu and patriarchal family systems. However planning for land, housing and asset building is done in the name of the head of the household who is assumed to be a male in most cases. In many cases government planning for distribution of resources is done on the basis of a family or a household which ignores women's individual rights as citizens. The construct of a family needs to be defined in a way that different kinds of families get to be recognised as units. With the transition in economy, livelihood opportunities take members of family in different areas making it increasingly difficult to stay together in one place as a household. The women's control over productive assets and resources thus becomes important factor in their sustenance as well as the communities they need to nurture. Women need to be recognised as equal players in the political and economic arena. The time has come to move away from opportunities for women to participate to manage and regenerate productive resources.

Women ask for individual rights: Women in South Asia have been demanding individual ration cards for public distribution of food. This is because migration has often forced families to stay in different locations. According to Ms Kalyani Meena from Ranchi "Food needs are individual and therefore they can be planned by the system individually where the individual is located." Similarly Quarry workers in Tamil Nadu when released from bondage got lease rights to the quarry. The lease deed was in the name of male head. Women workers asked for additional land to assert their right as workers and not as part of joint households.

Women have also begun to ask for information on what productive resources they can have as members of their community. The Muslim women from Women Research and Action Group based in Mumbai have asked the WAQF Board about the kind of land it has and what women as individuals or groups can gain from land and property the board has. The members of the board were surprised at this request of information. They were willing to give a small piece of land for a destitute widow but had not heard of women asking for collective resources in their name.

The issue of giving women productive resources in collectives needs to be understood in context of their rights as citizens not as members of a family alone.

Constitutions and laws have guaranteed equality that women have not experienced. If women as a constituency have not had equity and equality to gain and maintain productive resources they must have it now as reparation through a time bound intervention.

Policy measures to gain women equality

The policy measures to achieve women's equality can enable women gaining and sustaining ownership of resources through other sources than the family. In India we have had the experience of advocacy for change of language in policy in favour of women owning land. Laws have been amended to make them more facilitative. The agricultural policy has programs and intent to gender mainstream agriculture. Provisions to increase woman's land rights were mentioned in the Madhya Pradesh policy for women (1995) but this policy was not implemented. Measures are needed to initiate implementation and punitive action must be taken if the planned increase of resources in the control of women is not achieved.

Thus a policy measure is required backed by a time bound action plan to consciously make women in charge of productive resources.

Women's newer role as neighbourhood entrepreneurs and service providers also need to be developed. Women need to be acknowledged for their skills and contribution to GDP. The focus of this intervention will be to develop equity of resource distribution between men and women through government resource allocation. Results of the local resource mapping and redistribution needs to be publicly announced so that the redistributed resources can be managed and monitored to make it sustainable for the entire community.

The implication in practice

Equality in government programming in south Asia have in the past focused on law reform, programs to promote survival of girl children. These are slowly replacing programmes on incentives for women to take loans or get grants. Aspects on urban and rural dimensions of land reform, increasing participation of women in programmes and reserving seats in governance structures are being negotiated.

Women have got a 33% reservation of seats in local governance bodies. They have the right to sign off budgets. Groups have worked upon some of these leaders to use the power of their signature and ask for details and get more involved in the area planning and decision making. This way perhaps Gender budgeting can be complemented by action that gives women equal share in budgets from different ministries and local self governance systems to manage productive resources.

A policy change is required to:

- Agree on creating women resource base at each neighborhood level. The land and productive assets to be given to vulnerable women's groups who should be identified and notified land, housing and other assets for their use in a neighbourhood.
- Each commission for woman needs to be empowered to offer a single window clearance for proposals from women groups that ask for neighborhood services for which resources can be allotted to them.

Additionally rural and urban development processes need to set aside infrastructure, natural resources on lease to women's groups so that they can develop skills and participate in governance of territories better.

Different groups have organised consultations across the globe to consolidate opinion of women and men who are willing to work on a process to implement increase of resource base for women. There is no unanimity on the next steps. Each group thinks of strategies based on its own analysis. The paralysis of analysis is reflected in the different kind of activities on the issue. While some groups ask to set up watch dog committee to protect women from losing their right to family property, other ask for training and attitude shifts, some prefer working on law reform, while some others focus on livelihood aspects. It is well known that this shift can not come from singular efforts. An integrated approach to resolve inequity of resources between men and women is needed.

Women's right to development and right to land

Right to land is interdependent with the right to livelihood, adequate housing, water, food etc, services like education, health, participation and dignity and so on any solution that is posed has to be in context of obligations of state. To clarify the application of women's right to land, housing and resources local pilots need to be supported to contextualise gendered interventions in different areas i.e urban, rural, forest as well as near water source.

The clarity of what can be asked for will come when specific land and productive resources are to be transferred from the ownership of one body or individuals to a group of women. The grant of a productive resource will be done on basis of the merits of each case. Thus many groups need to write their proposals for increasing resources in the name of women and linking them to building neighbourhood institutional spaces owned by women's groups.

Women and men from different communities in India have developed proposals to increase resource base of women. These people belong to different NGO's or the unorganised sector in 35 districts in India. Concept notes and proposals for the plan to increase this resource base have evolved. These need support from Government representatives such that these can be taken to leaders and market agencies for realisation of resource rights for women.

The proposals are about developing information and safe migration and placement centers that are supported through livelihood programmes in urban and rural areas. These centers need to be linked through information systems to deal with trafficking and safe remittance of money to the home of the workforce. This institutional management and its related assets will be owned by local women groups.

Right to land and resources in the context of right to the city^{xlviii}.

The process of urban women's right on land, livelihood and housing rights could involve a housing or a women's right group working closely with the ministry of urban development and state commission for women to seek the space for women in city master plans. This can be an advocacy agenda for civil society to demand spaces for women resource centers which have housing and livelihood programmes that can be owned and managed by women's groups.

These spaces will manage service needs of the workers who contribute to city production as well as different communities and constituencies. The housing rights movements across the world demand that housing should be near workplace. The demands for provision for workers housing and space needs have been articulated by the housing rights groups that have understood that migration is a way of life and city based livelihood needs planning in a way that workforce can be called in when required and they could go back when their labour is needed in place of their origin. Thus each neighbourhood in rural and urban areas needs to be linked with constant flow of those who want workers and those who want a placement. Organised information centers, with placements services, training and hostels will assist in safe migration as well as better ways of remitting money of workers from city to rural areas and vice-versa.

These centers can be in residential areas where 25% of dwellings should be reserved for workers from economically weaker section that belong to different category of workers whose services are required by that neighbourhood. This 25 % of residential area for the use rights of workers could be given under the management and control of women's groups. Similarly other development projects can be visualised to develop these "new commons" that could be on long term use rights but collectively managed. This new urban commons is conceived as women owned zones promoted within the city development plan. This could be developed easily in places where new townships or resettlement sites are being planned.

The issues of security of tenure and in-equities in the communal and resettlement areas as well as within the urban and peri-urban zones will need serious deliberations. Especially so as group land rights for urban households has only received limited policy attention so far. Explicit debates questioning the

status quo argument do not deal with providing urban security of tenure in terms of housing; social security and retirement benefits that may be mandatory for maintenance of group land rights by women headed households or community use enterprises.

Women's right over forest produce and agrarian reform^{xlix}

Groups and movements have waged their struggles in isolation from the broader civil society sans a feminist perspective. The inclusion of this perspective can provide a fresh language to create a win win situation for the government, the civil society and the market.

The Special Economic Zone (SEZ's) and market takeover of land has threatened commons as well as land, housing, forest and fishing rights that communities have struggled hard to retain from the state and land mafias. Fearing complete loss of what communities may have control on today, local populations have been organising protest against SEZ's. The SEZ's in a state like Goa has faced interrogation on the basis of rightful land use. According to Albertina Almeida^l "Even though we may win a fight against SEZ, it will reincarnate itself in another form of an Information technology park or another development programme." Thus the need for establishing legal rights through long term leases for commons as well as livelihood resource of local population commons need to be retained and newer ones designated. "When areas can be demarcated for economic use open for global finance gains, they can very well be demarcated for women groups for community good as well".

Land struggles have generally been met with a great deal of violence either from the state or landowners. Can this demand be made as a matter of right by submitting proposals to state administration and community leaders for women to be better resourced to manage community needs? This could surely be a way to ask for land from religious institutions, state departments, railways, forest department, defence ministry or corporations for safe migration, placement through women resource centres.

Different processes are needed to demonstrate increase of resources in women's name as enough has been done in terms of recording problems and suggesting recommendations for state and civil society. The airport authority chief in a small town was in favour of supporting such an idea. He felt that his corporation could be a key participant in case this idea is accepted by others. An architect based in Delhi has approached its Chief Minister for similar proposal and she has been assured attention. Similarly a wind energy company is ready to release the land it has acquired for its corporation to women groups to cultivate vegetables on its

land. This is important as movements have delivered credible results and the isolated positives and other trends need to be seen together.

A practical difficulty at this point is that there are very few groups that are organising women into collectives. Collectives and its administration have become sidelined in the single ownership of assets. Thus even if there was an occasion to develop ideas to increase resources in the ownership of women these will be enterprises that may be managed collectively but owned and promoted differently by people to initiate them.

Ensuring food, wage and social security for women

Women need to have land and livelihood security within their communities and in their neighborhood. Process and mechanism for livelihood security and neighbourhood care are needed to fulfill human rights of those who stay in each neighbourhood and those who need to migrate out for better prospects. Since women stay within neighbourhood to fulfill care functions of the community they need resources to be empowered to increase productivity of neighbourhood. An integrated plan to gain land and livelihood for the marginalised in the unorganised sector workers both in urban as well as rural areas is asked for by some women's groups. This plan will promote ownership of women workers on land and resources.

Role of the government

Support and solidarity towards plans calls for many individual proposals that need to be submitted locally to municipal councils or local self-government systems supported by central governments. These proposals could be to ask government authorities to:

- Commission studies to ascertain gaps and find solutions to the inequality in public and private distribution of resources between men and women.
- Organise workshops to advocate the case for increase of resources in women's name as a state obligation.
- Develop training and awareness programmes on women land and resource rights with district authorities as well as civil society in a district for district action plans.
- Identifying peoples zones on land earmarked for development for local enterprise under ownership of women

- Making business plans for resource increase in favor of women workers in particular neighborhoods and specific workers groups as well as community
- Pilot livelihood programmes initiated to fulfill food and water security for unorganised sector workers with focus on their safe migration and placement in cities.
- Establish information and training centers under ownership of women groups in urban and rural areas to be the hub to develop a women resource zone in each neighborhood.

Tasks for Civil Society

- Participation of all stakeholders in this strategy has been listed as a task list to evoke an action agenda.
- Individuals supported by groups can document who has done what and agree to a shared vision of implementation for the increase of resources will take place for women locally in each zone, within each district and in the state.
- Organise a constituency of women who are willing to claim their rights by claiming resources from the state and leaderships such that they can negotiate resources and increase them within public and private sphere.
- Encourage this constituency of women to develop their local neighbourhood ownership and management projects.
- Document this processes that demonstrate how we as civil society actors will engage in the process to increase of resource under women's collective management and control. These can range from the land clinics, climate change and agriculture projects or urban spaces and livelihood programmes.
- Submit these proposals in the district administration and ask for government and market participation in these projects. Seek support of people within the district, the state and the centre. UN rapporteurs and UN agencies can be there to back and monitor these projects.
- Prepare the constituency and the civil society to negotiate for resources and sustain them.

- Train constituency and civil society to talk about these small steps at zonal and district forums
- Raise resources to represent these as district and state / national process at forums such that government, market and community leaders who control land and infrastructure can see sense in our demands and its human right approach and
- To increase social legitimacy of women as owners of family property, publicly felicitate male family members and government officials that reform patriarchal inheritance in favour of alternate ownerships.

These tasks can not be done alone by one organisation. It needs to be picked up at different districts/ states, simultaneously differently by many actors to make an impact. Lobby with a collective approach to develop this process as part of sustainable development.

The rural and urban development in a continuum of rights need to be worked upon together to increase resources for the marginalised under ownership and management of women through neighbourhood services and livelihood programs. These services should deal with women managing processes to mitigate trafficking, make safe migration possible.

Endnotes

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xxx PKousalya Positive Women's Network in her presentation at the ^{CWLR} workshop on women's resource rights , Chennai January 2008.

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xxxvii Mediterranean ICRW Millennium Development Goals Series Property Ownership For Women Enriches, Empowers And Protects Toward Achieving the Third Millennium Development Goal to Promote Gender Equality and Empower Women Regional Consultation on Women's Right to adequate housing

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xliv Despite the abolition of untouchability legally in India, in most parts of the country, the Scheduled Castes live in separate hamlets, a little outside the main village. In Pudukkottai district of Tamil Nadu, for instance, groups of women working in stone quarries had been organised across caste boundaries. Organising meetings however became a problem due to lack of a neutral and safe social space, apart from the quarry itself.

xlv Few exceptions do exist such as the intervention of leasing in private land by groups of landless dalit women in Andhra Pradesh supported by the Deccan Development Society (Agarwal, 2003) or an initiative by an SHG in Purulia district of West Bengal to purchase private land for cultivation (Interview with Arundhati Roy Chaudhary, Action Aid India).

xlvi Report from IGSSS consultation on women and land in Bhopal, Madhya Pradesh April 2008

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