



A woman who lost land to a large corporation shows Oxfam's researchers some of the vegetables she grows on what land she has left to meet the needs of her family (2013). Photo: Oxfam / Marc Wegerif

PROMISES, POWER, AND POVERTY

Corporate land deals and rural women in Africa

The rush to invest in farmland in Africa is having an immediate impact on women's land-use options, on their livelihoods, on food availability and the cost of living, and, ultimately, on women's access to land for food production. These are only the economic impacts. Women's knowledge, socio-cultural relationship with the land, and stewardship of nature are also under threat. Too often ignored, rural women's voices and perspectives need to be heeded urgently if a robust rural economy and food for all are to be guaranteed.

SUMMARY

The new wave of corporate investments in land seems intent on expanding and intensifying a short-sighted farming model that, to date, has marginalized women's voices and interests. As with sisal, tobacco, and tea in the past, today's private investors in soya, jatropha¹ and eucalyptus crops continue to dismiss small-scale food production by women as unimportant and irrelevant. They could not be more wrong.

Small-scale food production and the women involved in it are the backbone of rural livelihoods. Women farmers, like those who were found to have lost land in the research carried out for this paper, produce more than half of all the food grown in the world. Roughly 1.6 billion women depend on agriculture for their livelihoods,² but many are now at risk from a huge surge in large-scale corporate agricultural investments that threaten the food supply of people living in poverty.

Few governments appear to be contemplating the sort of investments that can meet the real needs of women small-scale food producers and their communities—the kind of investments that could build a vibrant rural economy and secure the ecological sustainability of farming practices for future generations. If governments really want to transform the rural economies of their countries, the investments they encourage and approve should enable rural people to pursue their own solutions for rural development.

Women are squeezed out of resources

When competition for land escalates, rural women are often subjected to exclusionary pressure from male relatives or community members. As soon as a natural resource gains commercial value on the international commodity market, control and decisions over that resource pass swiftly from rural women into the hands of men.³

When and if compensatory measures are enforced, rural women are less likely to be direct recipients; in any case, monetary compensation is short-lived and cannot replace the many ways that women value and benefit from land.

Women are not heard

The exclusion of rural women from access to land does not just result in their loss of control over food production. Knowledge, practices, and techniques that for centuries have safeguarded the integrity of the land, seeds, and soil, as well as the nutritional value of food, are also lost. When an outside investor does consult with a local community, rural women are more likely to be *told* what will happen, instead of being *asked* what should happen. Even within some indigenous movements and farmer associations, women rarely have any real influence. Emerging systems of climate change financing and pricing on forest-based carbon legitimize and value production at scale – to the detriment of women and their value systems.

I am now landless and have to work piece jobs like doing laundry for people such as teachers, or working on [another] farm so that I can get some food. Today I worked at the company's farm and I was given mealie meal which can only make two pots of [maize porridge].

65-year-old woman respondent who used to farm land now owned by a large corporation

Women scramble to survive

When women lose access to the land where they produced food, they are compelled to find money to buy food, just as food prices are rising.⁴ Women facing these multiple challenges often eat less themselves, compromising their health, and sacrificing other necessities in order to feed their families. The same is true of water, when intensive monocropping depletes the water table or the enclosure of land cuts people off from water sources. Women then have to purchase a natural resource that previously cost them nothing. Women, young and old, are driven into more compromising, humiliating, and risky situations, including illegal activities and younger marriages.⁵

Just as more basic necessities need to be purchased instead of being produced, the activities and opportunities to generate cash are few. Contract labour or seasonal employment is difficult for women to secure, and when they do, it is usually for the lowest-paid and most menial of tasks. Additionally, weak or non-existent rural banking infrastructure means that women cannot generate savings or credit from earnings, and are at the mercy of moneylenders when times are tight.

RECOMMENDATIONS

Governments, investors, and development and human-rights organizations need to intervene to protect local food production and the interests of rural women and their communities in the context of corporate land investments.

- **Governments** need to make robust interventions to:
 - improve women's rights to land and natural resources;
 - invest in support to women food producers and their ecologically sound production approaches;
 - firmly regulate investments to protect women's food systems and the environment.
- **Investors** need to:
 - support women's small-scale ecologically sound food production;
 - work in a way that enhances rather than depletes the natural resource base;
 - ensure that women are involved in decision-making and their interests are addressed.
- **Development and human-rights organizations** need to work with rural women to strengthen their production and build their collective voice and influence.

Above all, the voice and power of rural women must be strengthened to shift the balance of power in their favour. This is the power to define possibilities, make choices and to act on them. It starts from having the power within that enables people to have the courage to do things they never thought themselves capable of. When faced with powerful actors, such as large corporations and national governments, it involves the power that women get from working alongside others to claim what is rightfully theirs.⁷

We are desperate of food. Nowadays food comes from the city to be sold in the village, and not vice versa as before. We could not afford to buy food because the wages we are paid are very little. We do not produce our own food as before, because our land has been taken over by foreign companies under the privatisation policy to produce biofuel farms.

Woman, from Mavuji village, Kilwa district, Tanzania⁶

1 INTRODUCTION

While corporations may lay claim to a triple bottom line of improving economic, social, and environmental outcomes, the reality is that rural people, unable to negotiate their rights and choices in land deals and essentially invisible at the deal-making table, are losing out. The impacts on rural women are especially profound because their production and investment interests are rarely represented in negotiations around land deals, yet they underpin much of the local food economy.

These deals often target land that has previously been used by rural women to grow or gather food.⁸ Rural women, who have the primary responsibility for feeding their families, often lose access to their sources of sustenance when land is transferred to large-scale commercial use. These women are then excluded from everything except the most menial paid employment, even when their need for cash to purchase food has become greater, due to the combination of land loss and rising food prices.⁹

Oxfam works with women in 94 countries around the world and sees the contribution of rural women as absolutely central to providing food and advancing development, especially when these women are organized and able to assert their rights. Rural women are often net losers from corporate land deals, even when companies are well established and have made efforts to involve local communities and to provide them with some benefits. In most cases, women have gained little or nothing, and have often lost access to land that was once a source of food. This is frequently the case in countries where between 25 per cent and 45 per cent of all children are stunted due to poor nutrition.¹⁰

These experiences of rural women are happening against a backdrop of dramatic change. The international community – governments, investors, donors and institutions – has determined that the agricultural sector in Africa and the infrastructure that supports it are in need of substantial investment. There is no doubt that investment is welcome, and indeed urgently needed, but the model of investment and the drivers behind it are questionable. Corporate investors see opportunities for big profits and have put a lot of money into the acquisition of land. Globally, over 200 million hectares of land – more than the total area of Kenya, Zimbabwe and Nigeria combined – were subject to large-scale land deals in the opening decade of the twenty-first century.¹¹

The new wave of corporate investments in land seems intent on expanding and intensifying a short-sighted farming model that, to date, has marginalized women's voices and interests. As with sisal, tobacco, and tea in the past, today's private investors in soya, jatropha, and eucalyptus crops continue to dismiss small-scale food production by women as unimportant and irrelevant. They could not be more wrong.

Stunting does not come easy. It happens over time, and means that a child has endured painful and debilitating cycles of illness, depressed appetite, insufficient food and inadequate care.

UNICEF (2000)

Small-scale food farming and the women involved in it are the backbone of rural livelihoods. Women farmers, like those who were found to have lost land in the research carried out for this paper, produce more than half of all the food grown in the world. Roughly 1.6 billion women depend on agriculture for their livelihoods.¹² This is now under threat from the huge surge in large-scale agricultural investments.

Large corporate land-based investments that threaten the food supply of people in poverty abound. But few governments appear to be contemplating the sort of investments that could meet the real needs of women small-scale food producers and their communities: the kind of investments that could build a vibrant rural economy and secure the ecological sustainability of farming practices for future generations. If governments really want to transform the rural economies of their countries, the investments they encourage and approve should enable rural people to pursue their own solutions for rural development.

The predicaments faced by women affected by the growing phenomena of large-scale corporate land investments are elaborated below. Section 2 explores possible solutions, while Section 3 calls on governments, investors and others to act in the interests of women's rights and to ensure that all have enough to eat now and in the future. These findings and recommendations are based on primary research carried out in three African countries in the second half of 2012¹³ and a review of existing information on corporate land investments, primarily in Africa. The companies involved in the land-based investments that formed the focus for this research were all well-established and were selected as a result of their stated commitments to good investment practices and positive development outcomes.

2 THE PREDICAMENTS AND CONCERNS OF RURAL WOMEN

THE CHALLENGES FACED BY RURAL WOMEN

The challenges confronting rural women in the context of corporate land investment have their roots in the legacy of widespread land expropriation during the colonial era. Then, lands held in common were seized mainly for the production of export crops on large estates. In much of Africa, the farming of commercial crops, whether on plantations or small farms, fell to men, while women played a supporting role, assisting through sowing seeds, weeding, harvesting, and carrying out menial tasks. Small-scale food production was pushed on to marginal lands and left almost entirely to women, with minimal support or infrastructure to strengthen the sector or women's roles within it.¹⁴

These gendered roles still hold today, although two broad trends point to significant changes. The first is the growing feminization of the lowest rungs of agricultural labour on commercial farms. While employment may arguably strengthen women's economic independence, it does not necessarily equate to their social or political empowerment. In fact, the casualization of farm labour makes this one of the most disenfranchised and exploited constituencies in the world today. As farm labourers, rural women hold less bargaining power than their male colleagues and have few opportunities to work their way out of poverty.

The second trend is the increased commercialization of remaining common and customary lands, where women gather and grow food. This poses a growing threat to women's main independent production activity and mode of sustenance. For many women, the small plots they work and the public commons they access are their prime sources of food and water, as well as the foundation of their livelihoods. As farmers, rural women's livelihoods are challenged when the natural resources they depend upon are subject to market pressures. What is more, when land investment removes their access to public commons, women, as consumers, face rising prices for staple foods, such as wheat, rice, sugar, and fuel for cooking.

These two trends, both driven by land investments, have combined to undermine poor rural women's already tenuous control over their lives, obliging them to seek employment in environments that are increasingly outside their traditional spheres of control, while still shouldering household responsibilities.¹⁵

Commercialization of natural resources

The commercialization of natural resources takes three main forms: placing a price per hectare on the value of land; monetizing natural ecological assets; and the extension of intellectual property law into agriculture.

Placing a price per hectare on the value of land, leads to the conversion of customary land or public commons into private enclosures and capital assets. Rural women lose out in this process unless their proprietary rights are secured and safeguarded. While it is often claimed that the land targeted by corporations is not being used, the reality is that people in power are often failing to see women's activities and needs.¹⁶

A visible and immediate impact of the enclosure of land is that women are shut out from using it and from accessing natural resources. In one of the cases looked at, the company had installed electric fences around its properties to prevent communities from 'trespassing' and to secure its own assets and infrastructure. Local women told Oxfam that they could no longer harvest indigenous fruits in the areas that were fenced off. 'We even see the mushrooms rotting as no one within the company boundaries eats them, yet we are dying of hunger here,' one said.

The eroding bases of customary ownership make women's access to land significantly more precarious¹⁷ because so few mechanisms exist through which they can seek redress for loss of access.¹⁸ Even when common or customary land is transferred to individual title, it is often priced out of women's reach. Wherever and whenever competition for land intensifies, women tend to be squeezed out.

A second aspect of commercialization is the monetization of natural ecological assets – putting a price on biodiversity, for instance.¹⁹ It is this rich biodiversity that small farmers and pastoralists depend on for their production and way of life. As large commercial values are placed on these resources,²⁰ the prices of such assets rise and local farmers – especially women, whose informal access to the natural resources on the land is often unrecognized – are displaced by more powerful interests.

One example is charcoal, which a corporation in one of the case studies plans to produce as a by-product of its forest operations. As a result, an essential fuel source that is currently available to rural women as firewood will become monetized and market forces of supply and demand will determine who will have access to it. Rural women are likely to be excluded from the charcoal market in favour of more affluent urban dwellers who can afford to pay for it.

A third aspect of commercialization concerns intellectual property (IP) protection and the extension of IP into agriculture.²¹ The trend towards adopting high-yield 'engineered' seed varieties not only poses a real threat to local biodiversity, but can also undermine women's farming independence.²² For example, the use of seeds on which IP restrictions have been imposed by patent holders means that traditional seed swapping, storage, or mixing is often restricted. As a result, women's roles

The land markets are illegal because these lands the people are renting out are under farm permits, which clearly state that you cannot rent out the land. For a vegetable garden the rent is [approx \$60] for the whole year; that is a lot of money and most women cannot afford it. For a field to grow maize or cotton, the rent is [approx \$120], which is also beyond the reach of many women and men in the village.

Group discussion with villagers affected by a company investment in their village

I am aged 70 years and I have lost my land to the foreigners who came and put fences around our land as they have told us they bought the land. I had been farming on this land for more than 50 years. I used to grow maize, sweet potatoes, water melons and beans. My family had enough to eat but now we have to rely on piece jobs and food parcels that my other children send.

Women respondent

in managing food security, which rely heavily on such seed saving and swapping techniques, will have to adjust radically to these new models of control and ownership.

Increased commercialization in rural areas can arguably bring employment opportunities for rural women. But for these to outweigh the threats to their livelihoods, women will need to gain bargaining power to benefit from the new trade in goods and services. That, in turn, requires investment in women's organization, empowerment, and social capital.

How rural women value land

Rural women value land in three ways:

- Land is the backbone of agricultural and pastoral livelihoods and, by extension, acts as a communal safety-net;
- Land provides a place of cultural and social belonging with symbolic and spiritual values that women consistently reinforce. Land provides a place of residence, a registered address to allow people to vote in elections, and an inheritance for future generations;
- Depending on the quality of its soil, water, biodiversity, and other natural factors, land can be a valuable, strategic, and tradable asset, a store of wealth and collateral for securing formal credit.

We were chased away like dogs, our crops burned, our homes destroyed, and as a result we have lost our sense of belonging and who we are.

Woman respondent

The commercial language of land markets focuses on this last factor to the exclusion of the first two. As UN-HABITAT, and others working on compensation for people evicted from their land and homes, have often found, monetary compensation for the loss of land and homes rarely makes up for the other, less unquantifiable, sides of land value and related social capital.²³ One woman who was evicted from her land told Oxfam: 'When you lose your land, you have lost your value and even your body, because the body adds value to the land. You see us talking [but] we are moving corpses.'

Governments are normally responsible for setting and negotiating land prices for foreign investors. By international standards, these prices are extremely low in Africa. Local communities whose land is affected rarely have information on what is paid or a clear conception of the financial value of such land. For example, the rural women interviewed in one case were not aware of how much the company had paid for their land and indeed the company did not divulge the exact amount to Oxfam. The company would, however, according to our calculations be able to cover the full cost of the 99-year lease they obtained with less than one year of revenue they received from that land.²⁴

From 'women's crops' to 'men's crops'

In many parts of Africa, crops are considered to be either 'women's' or 'men's'. Married men and women have distinct responsibilities and activities, including separate crops, agricultural plots, tasks and sources of income. Experience has proved time and again that women lose control over the crops they grow as soon as these become commercialized.

When a crop shifts from being a traditional subsistence crop managed by women to being one for sale in formal markets, the share of income received by women tends to drop.²⁵

This shift is no exaggeration. When a crop becomes commercial, it changes gender and becomes a 'man's crop', as it is men who control its production, marketing, and, most importantly, the use of income accruing from its sale. This has serious implications for crops that women grow for food, such as cassava, which is currently being considered for its potential as a source of biofuel.²⁶ Furthermore, as more land is planted with cash crops, such as soy, maize, eucalyptus or jatropha, less land is available for vegetables, pulses, and other 'women's crops' common to mixed farming.

Plantation economics and rural women

By its very nature, plantation agriculture (unlike agro-ecological approaches²⁷) is not labour-intensive, since it maximizes labour productivity through large-scale, capital-intensive cultivation. Depending on the crop, there may be seasonal manual harvesting work, but harvesting is highly likely to be mechanized. In competition for jobs, especially the better jobs, women are less likely than men to gain a foothold.

In instances where women might gain employment, their ability to negotiate fair wages is limited. Oxfam learned that women harvesting jatropha berries at one plantation were unaware of the daily wage rate and so were unable to negotiate pay for half-days. The labourers were unaware of the company's intention to pay above the average wage scale, creating an information gap that effectively worked against all parties.²⁸

In certain situations, the heavy physical nature of the work excludes women altogether. For instance, sugar cane plantations in the regions of Africa studied in this paper may employ women in planting, weeding and, on very rare occasions, for driving tractors, but not in cane cutting. Similarly, timber plantations tend to employ women only for the lower type of menial tasks.

Contract agreements in 'outgrower schemes' are usually signed with male heads of household and not with women. Household gender relations also mean that even where women work for pay, such as under outgrower contract agreements, their earnings are more often than not controlled by men. As the decisions around which commercial crops are planted (and how) lie primarily with men, women are very unlikely to benefit from new market opportunities.

There are also, of course, implications for future generations of women and men. The industrial nature of much agricultural investment goes beyond the visible immediacy of people losing access to their land. The land itself becomes damaged by inordinate and uncontrolled use of inorganic fertilizers and chemical pesticides, by the wholesale drainage of water systems, and by the consequent decimation of ecological diversity. The introduction of monoculture plantations of exotic trees is, in some

We walk the 9km every day to fetch the water and every Monday the owner of the well has instructed us that we have to work on his charcoal business. If you do not go to work you either have to pay some money or you are asked not to come and fetch water at that farm again.

Woman respondent

places, harming the production of local foods, such as vegetables, fungi, herbs, fruits and cereals – all of which are cultivated and collected by rural women.²⁹

In fact, it is common for rural women to be net losers of income when the commons they have traditionally accessed are taken over for commercial crop production. This was the experience, for instance, of women shea butter producers in Ghana when expanding land investments encroached on their shea trees.³⁰

The water factor

One feature common to plantation farming systems is their intensive use of water and their dependence on sustained irrigation. Local water tables and natural water sources frequently become seriously depleted, requiring women (who are generally responsible for domestic water management) to walk ever further to collect water.³¹

Household water requirements are minuscule compared with the water used by industry and agriculture. Even tinier are the consumption rates of rural households. Yet rural women struggle to secure water rights for their meagre needs. An assessment of a plantation raised serious concerns about the potential impact on water sources in the area.³² Many forestry plantations are too new to see the impacts yet, but similar plantations in South Africa, where such plantations have a longer history, have been shown to significantly reduce water availability. As one woman in a village next to a forest plantation said: 'The thing is that we compete for water with these plantations. They use up a lot of water. I remember when we got here in 1996, the stream close to our garden was running perennially ... Now we have to dig deeper and we get the water from far away ... This makes the work for women even harder'.³³

In Mozambique, BioEnergy Africa obtained guarantees from the government that would have allowed the company to use up to 750 million cubic metres of water per year from a dam nearby to irrigate its sugar cane plantation. There were legitimate fears that the diversion of water resources on this scale would have compromised the capacity of adjacent communities to produce food. The plantation would also have affected pastoralist communities by interfering with their livestock grazing practices.³⁴ The project was eventually cancelled.

A study by the UN Environment Programme (UNEP) has shown that the water footprint required for biofuels can be up to 400 times larger than that of fossil fuels, and that meeting current biofuel mandates could require a tripling of water use.³⁵ It takes about the same amount of water to produce one litre of liquid biofuel as it takes to produce food for one person for a day.³⁶

Women are not parties to the deal

Women smallholder farmers and women in pastoral communities often hear about land acquisitions and what is to be grown on the new

The foreigners and other nationals negotiate for title deeds in the capital and they come and show me the title deeds, yet the land they would have taken is [under] customary law that I do preside over. Whoever is giving out the title deeds in the capital is the major culprit ... These corporate land investments have now led to boundary disputes developing between chiefs... Here in my chieftdom, I have a boundary dispute with another chief and it has not been resolved up to now because of the prioritization of the foreigners and their large-scale farming activities.

Extract from an interview with a traditional leader at one of the study sites

plantations only long after the deal has been signed and sealed.³⁷ Even when community members are more engaged, rural women usually have no seat at the negotiation table, which is often dominated by national government and local and traditional authority representatives (see Box 1).

The Performance Standards of the International Finance Corporation (IFC), which financed three of the companies who acquired land in the cases looked at for this paper, explicitly state the importance of considering women's specific roles and interests in any investment. Yet the experiences of rural women interviewed, as well as available documents and discussions with IFC officials, revealed that no specific efforts were made to involve women or consider their needs, even when they were facing eviction linked to the IFC supported corporate investments.³⁸

Without efforts to ensure rural women's informed and meaningful participation in decision making, the specific aspects of women's links to land, such as the heritage and legacy of women's knowledge systems, their socio-cultural relations with land, and their stewardship of nature, will be missed. Even the direct impact on rural women's access to land for food production, on their livelihoods, on food affordability and related costs of living are often overlooked when women are not heard.

Box 1: A communication impasse

Senior executives at one company emphasized that the company policy is very clear in 'not destroying any existing farmland' and explained that they have negotiated a compensation agreement: '[w]e have a very close relationship with the Traditional Councils, we defer to them when we face any challenge'.

One of the women respondents who lost land in the same case, however, commented: 'We've not gone to the chief [head of the traditional council] because he's the one that gave out the land in the first place, so what good will it do for us to go to him?'

I was nine months pregnant when they [the company] entered my farm. I stood there shivering as I watched them destroy my yam, pepper, maize and plantain. I thought I would die, because my heart kept beating so fast; it took my husband and some other people to carry me from the farm to the house... about 20 acres of food crops were just levelled. It is just by the grace of God that I'm still alive to tell you my story today.

Woman respondent

3 TOWARDS SOLUTIONS FOR RURAL WOMEN

Invest in local food systems

Certain kinds of rural investment can increase local food production, improve land stewardship and contribute to ending poverty.³⁹ The dominant model of corporate land investment, however, has different priorities. Corporations tend to pursue greater global competitiveness in food and energy supply chains via company-managed plantations that end up infringing local communities' land and water resources. Local people are kept far away from decision making in such corporate operations and, even when they keep land, they often lose control of natural resources and, increasingly corporate controlled, markets, therefore also losing the ability to decide on their own land-related activities.⁴⁰

The UN Committee on World Food Security (CFS), the most inclusive and central body of the global governance system for food and nutrition security, recommended in 2011 that governments and international organizations should 'ensure that agricultural policies and public investment give priority to food production and nutrition and increase the resilience of local and traditional food systems and biodiversity, with a focus on strengthening sustainable smallholder food production'.⁴¹ In May 2012, the CFS adopted the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests,⁴² the first global instrument on land tenure. The Guidelines include a number of critical provisions that need to be implemented to ensure that small-scale food producers' access to, and control over, land and natural resources are secured. The CFS is also preparing to launch a process in 2013 to develop principles to guide investment in agriculture for food security. The aim is that this will help ensure that investments in agriculture contribute to the achievement of the right to food for all.⁴³

A different sort of investment is needed to increase local food production, improve land stewardship, and contribute to ending poverty.⁴⁴ An alternative set of investment objectives could aim to optimize social and environmental benefits by empowering local food producers. Investment could be channelled into small-scale farming and, more specifically, into the ways that women secure food for their households and communities. Such an alternative investment model could reduce poverty, while encouraging investment in the natural capital on which rural people depend.

In 2008, top agricultural scientists from 60 countries called for just such an approach to farming. The report of the UN's International Assessment of Agricultural Knowledge, Science and Technology for Development (IAASTD),⁴⁵ the largest scientific study ever undertaken on farming

Priority must be given to growing more food, not cash crops. The market within Africa for staple food crops ... far exceeds the revenue Africa receives for internationally traded cash crops like coffee, cocoa, tea and cut flowers. Food – primarily for domestic consumption – must be our focus.

Kofi Annan, 34th Session of the Governing Council of the International Fund for Agricultural Development, 20 February 2012

The right to food is a human right recognized under international law which protects the right of all human beings to feed themselves in dignity, either by producing their food or by purchasing it.

Olivier de Schutter, United Nations Special Rapporteur on the Right to Food

methods and sustainability, established a consensus among the global scientific community that energy- and chemical-intensive agriculture is not suited to the challenges of the twenty-first century. The report argues that small-scale farmers, using organic, agro-ecological methods of production, offer a much better solution to meeting the world's growing food needs.

In sub-Saharan Africa, where fully one-third of the population is undernourished and 31 per cent of households are headed by women, there is still chronic under-investment in women's farming knowledge and skills. This is a particular handicap for African economies.⁴⁶ It is telling that some 50 years after the first African countries gained independence, rural women are still haunted by relatively high rates of illiteracy.⁴⁷ It is no coincidence, therefore, that in some countries the most female-intensive rural jobs are also the least skills-intensive.⁴⁸

Women's rights to land

Secure access to productive land and related natural resources is absolutely critical to people living in rural areas who depend on agriculture, livestock, or forests for their livelihoods. It reduces their vulnerability to hunger and poverty; increases the likelihood that they will invest in land and in the sustainable management of their resources; 'and helps them to develop more equitable relations with the rest of society'.⁴⁹ There is also ample evidence to show that, when women share in assets and land ownership, there are positive correlations with higher food expenditures and with rural productivity.⁵⁰

The commoditization of land, however, converts a potential public good into an asset that only elites and the highest bidders can afford. At the same time, allotting individual land ownership with titles to the poorest or least powerful members of a community does not automatically secure them either power or wealth. On the contrary, placing individual ownership of assets in the hands of vulnerable people could lead to them losing these assets very quickly – and this, in effect, is what has happened to many landless people in the world today. 'Titling is not a panacea,' warned Hans Binswanger of the World Bank back in 1999. 'Communal tenure systems ... can be more cost-effective than formal title ... many communal tenure systems recognize a user's property rights if the land has been improved'. He added that instead of 'trying to privatize land rights to "modernize" land tenure ... policymakers should focus on ways to increase secure property rights within given constraints'.⁵¹ The value of customary land tenure systems, which almost always have communal elements, continue to be widely recognized even if alongside statutory systems and with interventions often needed to ensure women's rights are not marginalized within them.⁵² Furthermore, any form of individual titling is rarely feasible in pastoral and arid land contexts, where mobility and collective care of livestock are essential.

In an alternative response to individual land titles, there are a multitude of examples in which women have taken deliberate measures to register land or to secure communal land for the community in other ways. For instance, a West Bengali group, SRREOSHI, has made common lands

Within 80 or a 100 years, if the poor African were allowed to sell his land, all the land in Tanganyika would belong to wealthy immigrants, and the local people would be tenants... If we allow land to be sold like a robe, within a short period there would only be a few Africans possessing land in Tanganyika and all others would be tenants.

Nyerere (1966) (cited in Haki Ardhi 2011)

available to women's groups, giving them their due entitlement to cultivate, securing their nutrition and livelihood needs, and reducing their need to look for other sources of income, such as stone-crushing or street work.⁵³

Where customary systems are still intact, these could be further strengthened to protect women's rights and the rights of those women and men who simply cannot afford land titles. Now more than ever, rural women must claim their rights of access to natural capital – which is essentially priceless – within the framework and cultural context of common property, community rights, and community responsibilities.

Box 2: Alternative models of land ownership

Radical new solutions or the reappraisal of traditional systems could have positive implications for women in poverty. Nobel laureate Elinor Ostrom argued that economic activity is not merely split between the alternatives of market and state but may be regulated by collective social activity. She introduced the term 'common pool regimes (CPR) to categorize such forms of property. Her findings demonstrated that collective community ownership of resources by rural communities may foster the evolution and adaptation of sustainable resource systems. Ostrom challenged the assumption that common property is poorly managed unless it is regulated by government or privatized, and showed how individuals can work together to protect resources. This way of thinking sits at the heart of how pastoralists and rural women measure the value of natural capital – where the idea of private ownership of part or all of an ecosystem runs counter to communal access.

Source: E. Ostrom (1990)

Build towards collective action

When asked what they want, rural women who have lost their land overwhelmingly say that they would like the land to be returned to them, or alternative lands and related support provided. Some women look to formal court systems of arbitration for redress. Others ask for investors to honour the promises they have made to the community.

Where these options fail rural women, governments and development agencies need to support their efforts to seek redress. This could be, for instance, through traditional land arbitration processes; or by raising awareness of women's rights amongst chiefs and local authorities; or by supporting hybrid customary and conventional dispute resolution processes. Other measures could include improving community consultative processes before land deals are agreed or passing anti-eviction laws or other legal instruments that hold investors to account. All the while, agencies and governments should work to increase women's access to alternative or complementary sources of income as their need for cash increases.

These actions are, however, limited to mitigating the adverse consequences of investments, when women's status has already been compromised and further weakened. In the medium term, rural women must be able to determine proactively what investments they want to support their local food economies.

All we want is our land back and compensation for what was destroyed.

Woman respondent

Community mapping offers one route to creating a firm basis for women and their communities to control the nature of investments in their land. This involves farmers, pastoralists, and other land users taking stock of their natural resources, nutrition and food sources, as well as local market capacities and needs. Particular attention needs to be given to women's land and uses of natural resources to ensure that these do not get lost within what are often male-dominated community processes. This documenting of a community's own vision for their land use creates unity of decision-making. In some countries, like Tanzania, this map can be officially endorsed as part of the registration of community land rights.⁵⁴

Meeting the goal of enhancing women's ability to affect the nature of land deals will require investment in 'social capital' – that is, women's ability to come together around a common goal and to build institutions that respond to their interests, as they define them. Social capital creates capacity for collective action that enables even smallholders to work together to overcome limitations of wealth, farm size, and bargaining power. Social capital can be gauged by people's level of inclusion in networks and relationships, their access to information, and their ability to process it. In many communities it is the very poor or marginalized in particular who are excluded from actively participating in local collective action.⁵⁵ Women's cooperatives, community registries, seed banks, and participatory plant-breeding systems are some of the key bodies that need substantial investment.

Rural women's collective agency is critical because governments rarely have the inclination to support disempowered groups. In order to bring about change, there needs to be a collective force, a 'critical mass' of people working together to achieve it.

4 CONCLUSIONS AND RECOMMENDATIONS

Both food security and land investments in sub-Saharan Africa are highly politicized; addressing their shortcomings to ensure that rural women benefit, rather than lose out, is critical and urgent. Investment decisions are being made even now, and the interests and voices of rural people risk are being drowned out by more powerful interests. There is a convergence of the interests of investors, high-tech farming practices, and trade that threatens to further destabilize the livelihoods of rural women and to push them into situations of deeper dependency, with higher risks.

Some rural women feel cheated or misrepresented by land deals; some seek compensation; others seek the return of their land; and still others want to see more direct benefits from land investments. What all have in common is that their voices are not being heard. We need to heed those voices.

The companies involved in cases researched for this paper all have good credentials and promise to bring positive development benefits to local communities, yet it was found that the power relations involved resulted in rural women only gaining increased poverty. In all three cases looked at, rural women lost land they had used to sustain themselves, and, in two cases, this loss involved forced evictions. Very few rural women were found to have experienced benefits from these land-based investments and, where they had, they were minimal. The indications are that the negative impacts of such investments by less scrupulous companies are even greater. It is also clear that neither current land governance systems nor the guidelines of companies and the standards set by institutions, like the IFC, are providing the adequate protection to rural women's rights.

Any company that is truly committed to development must acknowledge the value of small-scale food production by women for local and national consumption as a core component of a vibrant and sustainable rural economy. Governments, communities and corporations together need to embrace a very different investment approach to the rural sector.

While the international development community can work with women's groups to hold governments and corporations to account, the real potential for monitoring investments on the ground lies with the affected communities themselves. Women's collective action will be the deciding factor in ensuring that their interests and priorities are met.

The hard-won gains that the majority of the world's rural women have made in the past few decades towards securing their social and economic rights are now under threat. They and their property are being left exposed and vulnerable to the incursions of powerful corporate interests. Rural women exposed to global market pressures simply cannot hold on to their natural capital assets – land, water, seeds, and knowledge. When they lose these assets, they lose their dignity, their self-reliance, and the core

of their empowerment. Their communities suffer and the futures of their children are put in jeopardy – and we all lose out on the chance for a more sustainable future.

Box 3: Four key principles

Governments, investors, and development and human-rights organizations need to intervene to protect the interests of rural women and their communities in the context of corporate land investments. While policies and practical steps need to be customized to fit local circumstances, four key principles should underpin efforts to secure the rights of rural women to the land and natural resources on which they depend:

- **Principle 1:** Recognize rural women's varied uses of land and natural resources, and ways to recover, increase and secure their rights to these.
- **Principle 2:** Weigh benefits from investments against the full extent of losses, not just financial, including loss of local food production and biodiversity.
- **Principle 3:** Enhance long-term development options for women and their communities taking into account future needs and possible alternative land and natural resource uses.
- **Principle 4:** Rural women need to be drivers and agents of change. Their systematic suppression and oppression need to be reversed in order for them to lead collective and community action.

Moreover, all parties involved in land-related investments should commit to, and provide resources for, the implementation of vital and hard-won international instruments. The Voluntary Guidelines on Responsible Governance of Tenure,⁵⁶ adopted by the UN CFS; the African Union's Framework and Guidelines on Land Policy in Africa;⁵⁷ the 2009 AU Heads of State Declaration on Land Issues and Challenges in Africa; and the African Women's Protocol⁵⁸ all have relevant clauses and resolutions on advancing women's land rights.

RECOMMENDATIONS

Recommendations for governments:

Governments have a responsibility to protect the rights, livelihoods and opportunities of their people, paying particular attention to the most invisible and powerless.

There is much that **governments** can do to support rural women's rights and social capital, including the following:

- Public investments should be targeted at supporting women's small-scale local food production and ecologically friendly mixed production methods;
- As part of gender-sensitive land reform, national land audits and publicly accessible land registries should be established, and reinforced by community mapping that engages women;

- Existing natural capital, biodiversity, and ecosystem assets should be conserved and rehabilitated;
- Investors and large land deals should be regulated to ensure transparency and to incorporate the informed consent of and maximum benefit to rural women and others whose land rights are affected, including consideration of the long-term net benefits;
- Wealth and welfare should be shared more fairly through gender-responsive government budgets and expenditures, public provision of services, and state regulation of markets;
- Women's sources of income should be diversified through investment in cottage industries and agricultural/forest employment, including payment, where appropriate, for eco-system services that women provide;
- Legal and financial services should be extended to rural women, including court and paralegal systems, secure banking, and rural (internet) connectivity.⁵⁹

Recommendations for investors:

Investors and corporations need to be sensitive to the socio-cultural and productive roles of rural women and take deliberate steps to engage directly with rural women and their representative organizations. Relying on intermediary levels of national and local government or traditional authorities to represent the interests of rural women has proven to be inadequate.

Investors and their companies should put resources into the following:

- Identifying what rural women's vested interests in land are and how investment plans can add value to, and not undermine, their priorities;
- Ensuring that women's existing food production activities are enhanced, and not undermined, by seeking investment options that do not require land transfers, among other options;
- Embedding a gender perspective throughout all environmental and social assessments of the investments;
- Establishing channels of communication at the community level that enable women in particular to raise and resolve their concerns with the company;
- Honouring commitments made to communities and ensuring that women benefit from these.

Recommendations for development and human-rights organizations:

- **Development and human-rights organizations** need to work with rural women and their representative organizations to build their social capital and collective voice, so they can hold governments and investors to account.

NOTES

- ¹ Jatropha is a shrub that can grow into a small tree. Its leaves and fruit pods are poisonous. Inside the pods are several black seeds, each one about twice the size of a coffee bean which when crushed produces oil. It has become one of the most popular plants for biofuel production, although its viability and environmental impacts have been questioned. The plant grows all over the tropics, including Indonesia, the Philippines, Cambodia, India and Latin America. See: <http://www.npr.org/blogs/thesalt/2012/08/22/159391553/how-a-biofuel-dream-called-jatropha-came-crashing-down> and <http://en.wikipedia.org/wiki/Jatropha>
- ² Theobald (2010)
- ³ Oxfam, in its work in many parts of the world, has witnessed this process of crops moving from women to men's control as these crops gain commercial value. As Sabine Guendel said, when writing for the Food and Agriculture Organization (FAO), 'Men usually move into traditionally "women's crop activities" when those activities are perceived as having become more productive or profitable.' (Guendel 2009)
- ⁴ Food prices surged globally in 2008 and have continued to remain high. See: Oxfam (2011a), p 38. The FAO tracks food prices, and their information can be found here: <http://www.fao.org/worldfoodsituation/wfs-home/en/>
- ⁵ This is evidenced by the increasing numbers of women convicted of crimes and imprisoned in Africa. Women in African prisons are overwhelmingly poor and uneducated. They are frequently incarcerated for crimes such as murder and attempted murder, infanticide, abortion, and theft. See Sarkin (2009). Child marriage is closely linked to poverty (ICRW undated; UNICEF 2010, pg 46-47).
- ⁶ Land Rights and Rights Research and Resources Institute (2010) 'Accumulation by Land Dispossession and Labour Devaluation in Tanzania. A case of biofuels and forestry investments in Kilwa and Kilolo'. <http://hakiardhi.org>
- ⁷ Eyben, Kabeer, and Cornwall (2008)
- ⁸ This briefing paper focuses on Oxfam's primary constituency of women and men living in poverty in developing countries and the particular issues that women face as a consequence of gender-based power relations. While acknowledging that rural women are by no means a homogeneous group, it refers to rural women as a particular constituency with low incomes and limited assets. It does not focus on elite rural women who, because of their class and income, may face different issues, priorities, and challenges.
- ⁹ Land tenure rights submissions received by the UN describe cases in which small-scale farmers, rural communities, indigenous peoples, pastoralists, women and children were affected by land disputes in which they have lost or risk losing access to productive resources and their means of livelihood. Most cases affecting indigenous peoples were reported from the Americas, while most cases in Asia and Africa concerned small-scale farmers. A common trait of reported victims of evictions and of threats to their livelihoods is that they generally belong to the poorest and most vulnerable groups in society. See: Oxfam (2012) and UN Special Rapporteur on the Right to Food (2010)
- ¹⁰ According to UNICEF, the child stunting rate in Africa varies from around 24 percent in the Gambia up to as much as 58 percent in Burundi. The countries involved in the three case studies referred to in this paper sit between these extremes, http://www.childinfo.org/undernutrition_nutritional_status.php
- ¹¹ More than 200 million hectares of land have been subject to large-scale land deals from 2000 to 2010. Land areas for the three countries were cross-checked and added together from a range of sources and come to a total of less than 200 million hectares. See: Anseeuw, Alden Wiley, Cotula, and Taylor (2011) and Oxfam (2012), *op.cit.*
- ¹² Theobald (2010)
- ¹³ The names of places, respondents, and companies involved in the research are not used in this paper. This is due to the ongoing discussions with the communities and companies concerned. Oxfam does not want to create unnecessary risks or to jeopardize processes that could lead to redress for communities that have lost land.
- ¹⁴ This section on the background to the challenges faced by rural women draws on an unpublished paper by N. Tandon for Oxfam on women's land rights. The more important references for this work are a published interview with Silvia Federici (Federici 2009) and Kevane and Gray (2008).
- ¹⁵ The challenges women have to confront in the context of commercialization are captured in a 2012 World Bank report: 'A meta-study of 61 case studies of production and trade in non-timber forest products in Africa, Asia, and Latin America found that commercialisation has not helped to reduce poverty, for four main reasons: resources are often collected under open access regimes where over-exploitation is common, leading to rent dissipation; access to markets tends to be poor, limiting economic returns; fluctuations in quantity and quality make commercialisation of non-timber forest products difficult; and middlemen often capture the bulk of any added value.' (World Bank 2012)
- ¹⁶ For Oxfam's response to the World Bank's 2010 report on land grabbing, see Oxfam (2011b).
- ¹⁷ With increased commercialization of land and problems of land scarcity, local leaders face mounting pressures to protect the clan system, and in so doing have placed even greater constraints on women's access to land. In particular, men and groups of men, organized through their lineage, seek to renegotiate and redefine the formal and informal relationships that in the past supported women's access to land.
- ¹⁸ See, for example, UN Special Rapporteur on the Right to Food (2010).
- ¹⁹ See The Economics of Ecosystems and Biodiversity (TEEB) (2010). According to TEEB, land and nature are about to take on a new value on the global market that will attempt to calculate the cost or price of the wealth of its wilderness, measured by its biodiversity. Its main premise is that the best way to protect biodiversity is to give it an economic valuation
- ²⁰ The economic value of the Zambezi River Basin, which crosses six countries in southern Africa, has been estimated at \$50m a year in terms of crops and agriculture and \$80m in terms of fisheries, while associated natural products and medicines are priced at over \$2.5m a year (Steiner 2008).

- ²¹ The demand for biofuels, which is driving much of the corporate rush to acquire land in Africa, has also led biotechnology companies to seek patents on trees, grasses, non-traditional crops, enzymes, and bacteria. For example, trees such as eucalyptus, poplar, and radiata pine are being genetically engineered to produce less lignin, which aids in pulping their wood and its future conversion to ethanol.
- ²² Male farmers and heads of households are more likely to participate in the hybrid seed and plant cycle than women. They are frequently targeted by the commercial sector and tied into loan and micro-insurance packages for such seeds (Working Group on Canadian Science and Technology Policy 2005).
- ²³ UN-HABITAT (2011) offers tools and approaches that have been applied at local level.
- ²⁴ The company indicated verbally that they paid the normal going rate in that country. Based on information from government and NGO informants, the typical amount per hectare would amount to as little as \$13 per hectare for the 99-year lease with a total well-short of income for only one year of operation on the same land.
- ²⁵ Njuki *et al.* (2005); see also Tandon (2009)
- ²⁶ Cassava, a staple food across much of Africa, has become the latest crop that companies are looking to utilize as a fuel source, <http://www.biofuelsdigest.com/bdigest/tag/cassava/>. See also Holt-Gimenez and Patel (2009); and Holt-Gimenez and Shattuck (2008).
- ²⁷ The agro-ecological approach applies ecological principles (the way living organisms relate to each other in a natural environment) in an integrated way to agriculture. It draws on traditional and new knowledge to work with natural systems in a way that maximizes outputs, bio-diversity and sustainability.
- ²⁸ The company concerned prides itself in paying equal wages to both men and women and over 50 per cent more than the average daily wage to all its employees (Interview notes with the Chief Executive Officer, 2012). The rural women were, however, unaware of this and were not able to negotiate to receive this benefit. As a result the intention was not always fulfilled.
- ²⁹ Garden plots and mixed farm/forest landscapes, in contrast to commercial monoculture crop plantations, contain a range of traditional, hardier, and more dependable plant varieties. These comprise a diverse ecological farming system, which is often more adaptable to changing climate conditions. Also, many traditional varieties of crop meet the nutritional needs of local populations better than imported foods. This is a potential point of strength both for agro-ecological modes of production and for overall biological diversity.
- ³⁰ Kachika (2010)
- ³¹ Women spend much more time than men on providing household water. For example, 700 hours per year in Ghana and 500 hours in Tanzania (Behrman, Meinzen-Dick and Quisumbing 2011).
- ³² TimberWatch (2011)
- ³³ Greef (2010), p.23. This report gives substantial information on the impact of forest plantations on water sources in the South African context.
- ³⁴ Right to Food and Nutrition Watch (2010)
- ³⁵ Biofuels Digest (2010)
- ³⁶ FAO (2009)
- ³⁷ Cotula (2011)
- ³⁸ The IFC is the investment wing of the World Bank. As a public agency with a development mandate they have put in place a comprehensive set of performance standards for all of their investments. These contain good commitments on the involvement and consideration of women. See: IFC (2012).
- ³⁹ As of 2010, Zambia had restored 300,000 hectares of land in an effort that involved more than 160,000 households. Conservation agriculture practices doubled maize yields compared with conventional ploughing systems and increased cotton yields by 60 per cent. A recent study found returns of \$104 per hectare for two plots under conservation agriculture – 5.5 times higher than the \$19 per hectare for plots under conventional tillage (FAO/SCD/IFAD 2010). See also, for other examples, IFAD (2009).
- ⁴⁰ See Holt-Gimenez and Shattuck (2008) for more elaboration.
- ⁴¹ Committee on World Food Security (2011)
- ⁴² FAO (2012)
- ⁴³ The right to food is established under international law. The UN has a Special Rapporteur on the Right to Food who monitors compliance with this (see: <http://www.srfood.org/>)
- ⁴⁴ See, for example, IFAD (2009)
- ⁴⁵ See <http://www.aqassessment.org/>
- ⁴⁶ Kidane (2006)
- ⁴⁷ For example, overall, about 27.5 per cent of Tanzanians cannot read or write in any language. There is more illiteracy among women (34 per cent) than among men (20 per cent). The target of eliminating illiteracy by 2015 remains challenging, particularly for rural women (UNDP 2010).
- In Zambia, the UNDP Millennium Development Goal report states that the main challenges at present are adult literacy, which declined from 79 per cent in 1990 to 70 per cent in 2004, and the low completion rate in secondary school (despite an increase from 14.4 per cent in 2002 to 19.4 per cent in 2009). The emphasis needs to be on the quality of education, achieving higher completion rates for girls in secondary education and improving access to post-secondary education and skills training (UNDP 2011).
- ⁴⁸ 'Zambia - An Overview of Women's Work, Minimum Wages and Employment', <http://www.wageindicator.org/main/wageindicatorcountries/country-report-zambia>

- ⁴⁹ IFAD (2008)
- ⁵⁰ World Bank (2012b)
- ⁵¹ Deininger and Binswanger (1999)
- ⁵² For discussions on this see the Global Land Tools Network (<http://www.gltn.net/index.php/land-tools/access-to-land-and-tenure-security/statutory-and-customary>). The AU Framework and Guidelines on Land Policy in Africa also see a place for customary, as well as statutory, tenure systems (<http://uneca.africa-devnet.org/content/framework-and-guidelines-land-policy-africa>).
- ⁵³ See also Mwangi (ed.) (2006) for a range of policy and practice options.
- ⁵⁴ Oxfam and other organizations have supported community land mapping including in Tanzania where the Village Land Act makes provision for registration of village land including land use plans. The IIED Participatory Learning and Action manual on 'Mapping for change: practice, technologies and communication' is one example of publications available on this subject (<http://pubs.iied.org/pdfs/14507IIED.pdf>)
- ⁵⁵ Social capital also refers to connections among individuals – social networks and the norms of reciprocity and trustworthiness that arise from them (CAPRI 2008).
- ⁵⁶ FAO (2012)
- ⁵⁷ AU (2010)
- ⁵⁸ The 'Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa', adopted by the AU Heads of State in July 2003, can be found at <http://www.achpr.org/instruments/women-protocol/>
- ⁵⁹ Information and communication technologies have the potential to make women part of the communication value-chain and to remove existing barriers to information. Almost all the rural women interviewed for Oxfam's research owned cell phones.

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For further information on the issues raised in this paper please email advocacy@oxfaminternational.org

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