

Women's and Ownership of Land in NEPAL

A good starting point for tackling women's land rights in Nepal would be the concept of "**Bhumi Mata**," or Mother Land, in essence rooted in Nepali consciousness and wisdom, which is in favour of women's land rights. In keeping with this, politicians and policy-makers must recognise Nepali women's historical role; women have been managing the country's agricultural lands for centuries. Women's land rights are rooted in age-old cultural practices, and must therefore be respected.

Context – the evolution of the discourse on land

"Land reform" and "land to the tillers" have been key phrases in the Nepali political-economic discourses since the 1940s. Some reform attempts were made in 1959 and 1965; however, "land reform" in its true sense is yet to be achieved as in other countries. Currently, debates rage on reform modality: "land reform," "scientific land reform" or "revolutionary (or progressive) land reform?"

The agenda of "women's land rights" began to appear in the political arena, or within the land reform discourses, in the last decade, when grassroots women's

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BHUMI MATA (Mother Land) is the Mother of Mothers.

Bhumi Mata (Mother Land) gives life to us, nourishes us and protects us. Our mothers and sisters, with the help from fathers, brothers and others, have been taking care of the 'Mother Land' for centuries!
-Nepali wisdom-

groups and civil society organisations began to engage in strengthening the land rights movement in Nepal.

Land and livelihood

Land is still the primary source of livelihood in Nepal, as nearly three quarters of the population are engaged in agriculture as their primary occupation. The absolute majority of farm workers are women. Nepal is economically poor, and the majority of the 'poor' and 'poorest of the poor' are either landless or land-rights deprived groups; in order to achieve the secured livelihoods of the people land right is crucial. Therefore, land reform is still a vibrant political and social movement agenda. At the same time, only by including women's land rights can the land reform agenda be complete.

Critical issues - women's land rights and women's social status

Women comprise 51.1% or more than half of the population in Nepal. Nepali rural women are the major producers, managers and providers of food in the country. Women are economically more active than men, but they disproportionately own so little of the land. Even though they contribute 60.5% to agriculture, they only hold 10.8% of land. Only 4% of households have female ownership in house and land. This highlights the societal injustice.

In fact, it is these existing landownership patterns – of men controlling over 90% of landholdings – that have produced the existing unequal gender power relations. In most parts of the country, women, particularly from the land poor and landless families, suffer more from violence and discrimination. This is also the case in many other countries. Furthermore, historically, as women farmers were excluded from their right to land, they have also been denied from their identity and citizenship certificates. Because land continues to be a major source of political, economic and social power, access and control over land determines women's social status. By owning land, one does not only enjoy the land rights – s/he earns respect in society, and obtains access to other services as well.



Actions needed for change

Women's land rights must firstly be recognised as a human rights issue, by government, the international community, and other groups concerned. [Married] men and women should have joint land ownership or occupancy rights, while single women, divorcees, and widows managing the field should have independent land rights.

Equally important, gender perspectives must be well integrated with ethnic and *Dalit* perspectives in setting the land reform agenda and context mapping. This gender-sensitive land tenure context mapping is needed at all levels, from the village development committee (VDC) to the national level, so that all specific cases are taken into consideration.

Land rights are an imperative. The conventional centuries-old wisdom rooted in Nepali culture, as well as current reality, point to this. But the existing gender inequality and gender power-relations are a product of present gender-insensitive land ownership patterns.

At the community level, women's groups should be given collective rights to manage previously unused lands. However, there remains a need for critical scrutiny in the cases of so-called "fallow land;" the State normally regards communal lands conventionally managed by indigenous or other ethnic communities as fallow, as such lands might not have been registered as collective land. And in the case of managing communal lands and other public lands, a management committee composed of at least 50% women should be formed, bringing in the community people concerned.

Opportunities

Democracy is newborn in Nepal. Nepal is still struggling to achieve genuine democracy for all, a democracy not limited to the elite or rich. As the country undergoes the process of democratisation, movements are forming and taking place, and women's participation is significant. Women are asserting themselves as they struggle to secure land rights. Furthermore, as an example of strides made for women's land rights, the interim Constitution has a provision on inheritance that grants equal property rights to daughters and sons. Of course, implementation is crucial, and is one area where CSOs can focus their efforts.

The Community Self-Reliance Centre (CSRC) is an organisation actively engaged in the issue of land rights, including women's land rights. In recent years, more organisations have begun

to place women's land rights high on their agenda. Involvement in politics has been necessary for these groups, which are working to raise voices, advocate, and lobby for women's land rights at various levels in Nepal. Some land rights activists are members of the Constitutional Assembly, signifying a real opportunity to influence national policy.

Conclusion

Land rights are an imperative. The conventional centuries-old wisdom rooted in Nepali culture, as well as current reality, point to this. But the existing gender inequality and gender power-relations are a product of present gender-insensitive land ownership patterns. Clearly, without land rights, real development in the country is not possible. Women's empowerment is impossible without the right to land; nor is it possible to talk about women's rights and human rights without engaging in discourse in favour of women's land rights. These issues must be taken together. ■