

# The laws such as access to landownership

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The reduction of inequalities between women and men through gendered development projects that aims to empower women is essential for poverty alleviation and a more feminist and democratic state. Therefore, institutions play a central role in targeting these inequalities and moreover, they are responsible for the development outcomes (Branisa and Klansen, 2013: 252), hence, the enrolment of women in formal political institutions is seen as a key to engender democracy (Cornwall and Goetz, 2006: 783). Women's participation as well as representation in formal institutions has substantially increased around the world, yet governments' laws such as access to landownership still hinder women's empowerment (Landesa: 2017) and contribute to women's subordination, poverty and inequality (Deere, 2017).

Ownership of land is vital for strengthening women's agency, however patriarchal societies have ignored this issue and in many cases, local institutions have created barriers for women to own land (Landesa: 2017). Access to equal land rights is a need in various developing countries since gender equity in land tenure is essential for achieving the SDGs, promoting gender equality, empowering women and eradicating poverty (FAO, 2013: 5). Yet, concerns related to gender are little discussed within land reforms policies and women are generally excluded (Jacobs, 2003).

Feminism often points out the existence of a gendered structural biases in democracies and suggest that it is necessary to address all forms of structural inequalities to build a genuine democracy (Grugel and Bishop, 2014: 38). Existing literature suggest that there is a strong relationship between social institutions and gender inequality. For instance, Branisa and  
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Klansen (2013: 254) relates social institutions such as values, traditions, customs, informal and formal laws as responsible to frame gender roles and the distribution of power between women and men in the social, political and economic life. Similarly, Jacobs (2003: 212) notes that “gender relations and women’s social position lie at the heart of most rural communities.” The political approach of democracy stresses on the importance of respecting basic political and civil rights to ensure a more democratic process.

On the contrary, the development approaches suggest that democracy should focus on socioeconomic concerns such as equality, welfare and justice (Carothers, 2009). In light of this, it is noted that the political approach on land distribution does not fulfil the needs of all citizens since it does not respect the civil rights of women to own and to make use of land in many developing countries and therefore, a more gendered inclusive developmental approach is necessary. Nonetheless, customary laws and forms of governance rooted in patriarchal societies represent a barrier to any possible gains for women, and are unable to provide any forms of socially driven governance (Taylor: 2007: 29). For instance, Naybor (2014) notes that women movements in Uganda have pressured the government to have a more inclusive gendered constitution regarding women’s ownership of land. However, despite the gains in the constitution to protect women’s rights, there is a lack of enforcement and support from local institutions ruled by laws based on customs and traditions that subordinates the role of women.