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# Women's land rights in a changing climate: a case study from Maradi, Niger

Women in rural Niger need access to farmland in order to feed their families during worsening droughts. The Women and Land Initiative is helping women claim land rights by engaging local leaders and raising awareness of the benefits that accrue when women hold land and grow food.

## Overview

Over the past 30 years, Niger has experienced recurrent food crises. During these lean times, families rely on women as the pillars of household food security and nutrition. But in places like the Maradi region of southern Niger, where malnutrition rates are critically high, women themselves are increasingly vulnerable because they lack access to land for farming. Agriculture is the main activity for 85 per cent of rural households in Niger, providing food and an income. Without land, women cannot grow food or earn and control assets, and their ability to provide a complete and healthy diet for their children is undermined – with severe consequences. Between 10 and 15 per cent of Maradi's children under five suffer from acute malnutrition – a level considered 'serious' within the World Food Programme classification system.

And the situation is worsening. Periodic droughts are characteristic of the Sahel region where Niger is located, but the interval between the years of poor agro-pastoral production has shortened. Now, on average, one year in three is in deficit: 2005, 2009 and 2011 were all drought years. Each successive drought makes it more difficult for households to recover. In the Maradi region, climate change is having a serious impact on crop production, especially beans, an important source of protein.

In addition to the droughts and high levels of poverty, other compounding factors contributing to food and

nutrition insecurity include overgrazing, deforestation, soil erosion, high cereal prices, lack of access to markets and the limited attention given to effective strategies for risk reduction and food security in most local development plans. Rapid population growth is increasing the pressure on natural resources. Maradi has the highest population growth rate in the country (3.7 per cent per year, compared with 3.3 per cent in all of Niger), which has led to accelerated land degradation and, in turn, a decline in grain yields and per capita grain production, further preventing households from producing enough food even when rainfall is good.

Meanwhile, cultural practices and increasing land scarcity are keeping more women out of farming. A larger population means less land is available per person. This undermines the land rights of the most vulnerable, particularly women, because traditional regulations do not support their access to, and control over, land. Although modern and religious laws formally provide land rights to women, their weak and sometimes contradictory application adds to the problem.

Women are often prevented from participating in farming, and in some areas are excluded completely. Some landless young women live in seclusion (the practice called 'kubli' in the local Hausa language), rarely leaving the house and only with the permission of their husband. Traditionally, seclusion was only practiced by wealthy households where the husband had the means to provide for his wife (or wives)

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## RIGHTS

without needing her labour for farming. But this practice is now widespread, preventing women in poor households from generating the income needed to fulfil their households' food and nutrition needs.

Where women are given the opportunity, they have the capacity to produce crops with high nutritive and economic values, such as beans, groundnuts and moringa (the leaves of which are eaten during the 'lean season') millet and sorghum. However, because of their exclusion from some or all farming activities, many women are unable to make enough money to access technology and other inputs to increase their land's production. They are generally given the poorest pieces of land and struggle to fertilise and cultivate it without more sophisticated equipment.

Addressing the linked problems of food security, nutrition and climate change requires innovative responses, and improving women's access to land is one important pathway. Since 2010, the 'Women and Land Initiative' at CARE Niger has been working in Maradi to secure land rights for women with a view to significantly increasing their involvement in agriculture and reducing household vulnerability. This case study shows how a rights-based approach has helped women overcome the challenges posed by climate change, high population growth and land scarcity.

## Interventions and impacts

The Women and Land Initiative aims to tackle the emerging trend of excluding women from agricultural land in Southern Niger. The principles for the rights-based approach are the inclusion of vulnerable women, participation of marginalised women in community discussions and decision-making processes, and gender equality and equity for access and control over resources such as land.

The project is working in southern Maradi with 3,000 women in 30 communities within six municipalities. In these communities women are organised in saving and loans associations, each of which has a woman leader. Most of the women are without access to land and experience food insecurity. The initiative seeks to improve their living conditions and to engage them with those who make land management decisions.

This means changing the behaviour of key stakeholders regarding women's rights to own land (see Box 1). There are two components to the project: (i) raising awareness of the benefits of women's land ownership and (ii) securing support from local leaders, including traditional, religious and state authorities.

### Box 1. Stakeholders for women's land rights

Key land rights stakeholders in Niger include the national land commission, local authorities, and traditional or religious leaders.

**The national land commission** implements Niger's 'rural code' through local constituencies, who also issue land titles and establish user and management agreements for communal lands. The rural code supports the application of local conventions – agreements between people, groups or the community – which can be set for a limited or unlimited period of time.

**Local authorities** are in charge of making judgements when land conflicts arise and are part of the land commission.

**Traditional and religious leaders** who have a supportive understanding of women's rights are also key actors.

**Awareness-raising campaigns** are organised in all communities where there is a district-level land commission. Dramas are performed on women's inheritance rights to land, followed by discussion, questions and answers. Other methods used are frequent radio broadcasts, sermons by religious leaders, and debates between lawyers, rural women and other local stakeholders. This is an inclusive approach that encourages participation by many stakeholders, including local state authorities and leaders, and by both women's and men's leaders.

**To gain backing from local leaders**, meetings are organised during which religious leaders, state officials and other stakeholders announce their commitment to support women's access to land in their area. Both the meetings and the awareness-raising messages communicate the importance of supporting women in realising their right to access land, as local food security is dependent on women's ability to produce food.

## Main achievements and challenges

**A rights-based approach has enabled women to gain access to land and increase their resilience.** As a result of the Women and Land Initiative, some women's groups have been able to lease community land for a certain amount of time, for example 3-10 years. In some villages the women's groups have received land for planting crops with high nutritive value through local land leases.



*Women working on their agricultural land near the village of Mamoury, acquired through the local land convention*

Alima Mamadou

More women have started securing access to land through different channels: by buying or leasing land or by exercising their rights to inherited land under Niger's Land Act. Community dialogue and negotiations have allowed women's representation on local land committees to double (from 10 to 20 per cent). These women are now advising other women on the advantages of securing their own land to increase their resilience to climate change and improve their households' food and nutrition security.

**Local conventions have empowered women and improved food security.** The rural code promotes the establishment of local 'conventions', or land-use agreements, in communities. Through the local land committees, women have opportunities to take leadership positions in establishing these conventions. This allows them to participate in negotiations on the management of communal land with a view to restoring the biological and physical productivity of the lands while providing women with income-generating activities. Through their new roles in the local conventions, women are able to place issues of hunger, nutrition and the impacts of climate change high on the agenda of the local government councillors.

**Participatory and inclusive dialogues have promoted awareness of rights.** The initiative has involved stakeholders at all levels by organising events and social dialogue meetings with the support and participation of local government. The participation of technical services and rights experts

who use legislative texts to support women's rights has also been important. These local dialogues have included traditional leaders and youth representatives, as they are seen as the key drivers of change at community level and central to discussions on rights.

**Clashes between formal and customary law can impede women's access to land.** A major challenge is that the application of legal (rural code) and religious texts, which are favourable to women, clashes with customary law, which is favourable to men. With support from women-influenced local land commissions and from positively engaged leaders, it has been possible for women in some communities to claim their right to inherit land under the formal laws.

**Engaging local leaders is an ongoing priority.** There is a lot more work to be done before every woman can claim her rights. This cannot happen without the involvement of key decision makers at district level and of traditional leaders who still have the power to make decisions on land regardless of regulations. Many of these stakeholders are not yet committed to addressing women's rights. Gaining their support could become more difficult in areas where land resources are very limited and competition is increasing.

## Lessons

**Drama can communicate how gender inequalities affect food and nutrition.** When women's rights to land and other resources are not realised, there are knock-on negative effects on household nutrition.

## RIGHTS

**Box 2. Women begin to claim their family inheritance – Rahamou's story**

Rahamou is 35-years-old. She lives in Sarkin Yamma, is married with eight children, and her main sources of income are plaiting hair and knitting. When her father died 19 years ago, she did not know that she had rights to a share of his land. The Women and Land Initiative made her aware of her rights, and she claimed her share from her brothers. Now Rahamou is using her portion of the land to cultivate millet, sorghum and beans.

Awareness-raising campaigns through drama performances based on gender stereotypes are a good way to flag issues of gender inequality and encourage community discussions. These campaigns have been instrumental in changing decision making to allow women more access to, and control over, the land in Maradi.

**A rights-based approach increases resilience.**

Communities are more resilient when rights are used to help implement national and religious laws. Improved access to information and facilitated dialogue empowers people to claim and exercise their rights and thus helps them to deal with food insecurity and undernutrition caused by climate change. An inclusive rights-based approach will focus on the communities' needs and give them ownership over policy change.

**Engaging local leaders and blending formal and customary law can help to realise rights.**

It has proven beneficial to involve religious leaders in training on how to apply the rural land code, and to



Alima Mamadou

*Nana Moumouni lives in Garan Mahaman and uses improved seeds that produce crops faster*

integrate religious views on national law as it relates to land. Participation by local leaders – traditional, religious and state authorities – is very important in changing cultural attitudes and practices with regards to women's rights.

**Once rights are established, additional support is needed to build climate change resilience and ensure food security.** Rights-based approaches create opportunities for people to use their rights effectively. The Women and Land Initiative has found that women who have gained rights to land also need support in accessing improved farming techniques, such as drought-resistant, early maturing seeds and organic fertilisers. This allows them to increase their resilience to climate change and to ensure their households' food and nutrition security, even during lean periods.