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Reflections on gender inequality in access to land and its effects on rural women in Madagascar

1. Introduction

We know that **land** is at the origin of all human activity, particularly for rural populations in Africa, who are often **farmers or livestock breeders**. Our ancestors developed rules to guarantee that any person who needs land can have land to grow crops, breed animals and build a home.

Access to land is an essential condition for producing food and generating an income. To promote sustainable development, gender inequality in land access should be eradicated. By ensuring that men and women have equal access to land, we create more economic prospects, we encourage investment in land and food production, we improve families' security during economic and social transition periods and we promote better land management.

Land is the basis for food production and the main source of income in rural areas. When land ownership is not secure, farmers, both male and female, have difficulty obtaining loans. It is also hard for them to have access to rural organisations and to different agricultural inputs and seeds.

In most municipalities near Madagascar's major towns, all of the above has become difficult in view of the importance the state attaches to involving large national and international firms in the country's landowning systems and the speed with which these companies are granted land. Large numbers of investors come to buy land, and farmers have problems keeping the plots they have tended for many years. It is even hard for them to keep their homes or find new land to operate in the future. As a consequence, rural people have a general feeling of not having any formal rights as regards the land (insecurity related to national heritage).

2. Status report on gender inequality in access to land

Despite efforts and commitments to reduce gender inequality, and despite all the progress that has been made, there is still inequality between men and women in Madagascar. The index in the Global Gender Gap Report ranked the country 84th out of 128 countries in 2006, and 89th in 2007.¹

1) Crisis situation regarding land ownership

As in other African countries, Madagascar initially used land ownership structures that had existed since before its independence. There are different types of **land ownership practices**, some of which are connected to **traditional authorities**, leading to the development of **local land ownership rights** recorded on "**little written notes**". All too often, these are not recognised by the central administration, which only accepts title deeds.

Later, land was secured through registration, which has caused a crisis situation as regards land ownership since farmers are not familiar with the wording of the relevant laws, the procedures are complicated and the state's land services, with their outdated equipment, are being overloaded, especially in rural areas. Furthermore, the process for acquiring property in land (i.e. registration) is very costly for rural households. It must be concluded that the system is unsuitable, as only 10% of agricultural producers hold title deeds.

2) Women's rights and land ownership

Over 80% of the rural population is poor, and there is a great deal of discrimination when traditional laws from some cultures are applied, particularly as regards access to land and the distribution of a couple's property. Patriarchal practices and values are often an obstacle in achieving equal access to land, and women are rarely landowners.



The issue of gender inequality is present in several aspects of life:

- In the **status of women** themselves: their social and personal status and the extent to which they are integrated into society. When a conversation begins on land ownership, most Malagasy people immediately think of “the land of our ancestors”, whose exploitation is automatically the preserve of men. They believe it is completely normal for women to be unable to exercise their land ownership rights fully, and it seems that

women are supposed to accept the situation, which has been imposed on them by society. There can be no real progress in this area because there is so much obvious discrimination between men and women, yet the word ‘firenena’ (country) comes from the word ‘reny’, which means ‘mother’. Malagasy women are therefore the foundations on which the country was built, and as such, they deserve special attention.

- In **socio-economic structures**: social efficiency and effectiveness, tradition.

- In **legislation**: statute laws (women's rights as set out in the constitution of the Republic of Madagascar) and traditional laws contradict one another. Indeed, the constitution incorporates human rights, including women's rights. And in addition to these fundamental laws, there are other types of law defending women's rights and land access, guaranteeing equal rights for individuals, the right to own property (land, etc.) and so on. There is also a special method of legal defence to protect married women from any schemes by their husbands relating to land deeds in the woman's name and the man's refusal to sell any of the couple's joint property to the woman.
- In **inheritance**: As in other African countries, succession is through the male line. According to the Malagasy civil code, women cannot inherit the land of their ancestors. If they are married, they are eighth in line to receive an inheritance from their husbands – the man's brothers and father take priority in managing the land if he dies.
- In **education**: most women, especially rural women, are illiterate or poorly educated, so they do not know much about land ownership, especially not the procedures related to it (taxes).

In brief, tradition, legislation and market rules are all factors influencing Malagasy women's access to land. Just like women in other African countries, they are faced with legal obstacles in terms of land access.

3) **Raising awareness on gender and land ownership issues**

Land services do not usually communicate very much on user rights as regards access to land. This has contributed to several law suits over land: more than half of the court cases are related to disputes over land. And even though a major awareness-raising campaign has meant that gender promotion and the fight against HIV/AIDS have been gaining ground in the country, the media have still only made a very small contribution as regards land ownership. It has been proven that the rural community has little knowledge of land ownership issues – a particularly striking example of this is that women do not understand their position in terms of inheritance.

4) **Recommendations**

Land laws must be reformed to ensure that men and women have equal rights. However, it is obvious that reforms alone

will not be enough, since women's access to land is also connected to other criteria.

This is why the state of Madagascar launched a land reform in 2005 with the aim of combining the legal with the rightful and incorporating unrecognised laws. The reform also aims to decentralise land management with a view to bringing it closer to grassroots farmers and giving them ways to improve their working methods. Finally, this reform of land laws will allow legal knowledge on the situation of rural women to be updated.

3. **Information and communication strategies for fighting inequality**

1) **Awareness-raising programme: training of trainers**

There have been several information and training campaigns on legal aspects of women's rights.

One notable example is the *Soratako Ny Taniko* (*Registering your land*) project, which was launched in 2002 by the Fédération des Femmes Rurales Malgaches (FVTM – Federation of Rural Women in Madagascar), with the support of the Friedrich Ebert Foundation (FES). As part of the project, 25 rural women, who are leaders in six different provinces, followed training to become trainers. The aim was to familiarise them with their land ownership rights and to teach them lobbying techniques so they could raise the awareness of the traditional legal authorities on the rights of rural women.

During the training course, the participants produced a great number of didactic tools dealing with the subject – 980 leaflets and 220 audio cassettes. They dealt with four main issues: land ownership in general, women and land rights, land ownership in married life and disputes over land. Unfortunately, the programme could not be continued due to a lack of funding.

2) **Partnerships between the state and civil society**

This is a useful approach because civil society is present in the field with farmers, who make up 80% of Madagascar's population. An example of this is the platform *Sehatra Iombonana hoan'ny Fanan-tany* (SIF), which has a vital role in repackaging and disseminating the new national policy on land. Grassroots farmers' organisations are members of the platform and receive training on extension work in rural areas. The training courses are organised to make it easier to carry out extension work and awareness-raising activi-

ties related to land ownership and to promote involvement in social and land maintenance work, which is performed each year by SIF.

3) Establishing a platform at grassroots level to ensure rural women's voices are heard by collecting information

This was done in cooperation with the Association des Femmes-Maires (Association of Women Mayors), whose members were elected to lobby decision-makers about the benefits of gender equality.

4) Classic awareness-raising campaign

This involves setting up radio listeners' clubs using local and national radio stations and traditional communication methods, *fokonolona*, which are the main source of information in villages. An audience survey conducted by UNICEF in 2004 showed that 76.6% of Malagasy people listen to the radio and that over 70% of households own a radio.

Kabary (plenary discussions) and *tsena* (markets) are also important ways of communicating messages in rural areas, as are regional open days to raise farmers' awareness of the different dimensions of the new policy on land.

5) Forum of communicators on land issues

A joint communication policy on land (platform of communicators) is currently being developed by communicators who meet every two months and form a group of lobbyists aiming to ensure that women's rights are incorporated in new legislation on land.

6) Study visits and pan-African alliances

This involves organising study visits so experiences can be exchanged between African countries that have the same agenda regarding land and aim to improve women's access

to land through legal reforms. For example, Madagascar and Burkina Faso have established a platform of civil society organisations. In the framework of this platform, a delegation of technicians from Burkina Faso visited Madagascar for a week to visit the new regional land offices and to conduct surveys of women holding title deeds or land ownership certificates.

Also, a pan-African workshop on implementing a land ownership programme that supports Africa's poor was organised in Nairobi in October 2007. Following this meeting, a platform was established with a view to encouraging African decision-makers to launch research and training programmes for civil society organisations. An international alliance was also created so people could work together to achieve these aims. A second meeting took place in South Africa in April 2008 to follow up on the resolutions made in 2007.

4. Conclusion

The Malagasy government is organising intensive campaigns to raise awareness among the population (especially the rural population) of gender promotion and the national policy on land. The vast majority of households are not indifferent to the messages communicated over the radio. Yet we must acknowledge that changing ingrained habits is a long and complex process. It is therefore necessary to invest resources and make efforts to design long-term, continuous, integrated programmes to make community members and civil servants aware of women's role in production and their involvement in rural development. Moreover, human and financial resources should be channelled into promoting and using suitable methods with a view to implementing programmes and strategies that will reform land ownership and respect the principle of gender equality.

1. <http://www.weforum.org/pdf/gendergap/rankings2007.pdf>



