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Topic guide 1: Land

This topic guide provides particular guidance on analysing gender and conflict in relation to land. As land is also an integral aspect of conflicts relating to extractive industries, this topic guide can be further enhanced by referring to Topic Guide 2 on extractive industries.

Introduction

Box 1: What do we mean by 'land'?

When we talk about 'land', this can mean many different things, including the actual land upon which people can, for instance, graze cattle or cultivate crops. Land is also connected to other natural resources that we need in order use land, like water and air; resources that grow on the land, such as forests; and resources that are built on land, like houses or businesses.¹

Land is an important, issue that affects societies in many different ways. Land is a source of livelihood, identity and community – all of which have gender dimensions to them. The right to own, control or access land can determine whether people are able to grow food for themselves or their animals, and whether they are seen to be part of a community or identity group. Because of the importance of land and what people can do with it, land-related issues can easily lead to conflict or be used by military or political actors to mobilise and manipulate communities. Land is also closely linked to other natural resources like water, and the availability of these resources can be further complicated by environmental degradation and climate change.

Men and women use land in different ways. For instance, depending on local gender norms and roles, men may want access to grazing for their cattle, while women may use land to cultivate crops for subsistence or commercial farming. But women's rights to own or access land are often restricted by local customs, or by law, making them vulnerable to eviction or making them unable to grow food for their families especially when, for instance, they are divorced or their husbands pass away.

The position of sexual and gender minorities (SGMs) – see Introduction, box 2 – in relation to land tends to be determined by how they are seen by society and what discrimination they experience because of their sexual and/or gender identities. SGMs can either be in a position where they are expected to be and act like (other) women and men; or they can be treated as belonging to a third gender identity. But as SGMs, they may be perceived as not fulfilling the expectations of being a 'real' man or 'real' woman and usually do not have a range of detailed legal rights explicitly assigned to them. In general, this results in SGMs facing exclusion or discrimination. In Nepal, SGMs often face discrimination from their families or communities which entirely cuts off their access to land, livelihoods connected to land, or housing.²

Gender inequality is intertwined with other forms of inequality and discrimination, for instance based on caste, race, ethnicity or class. In Bangladesh for instance, discrimination based on class and gender combine so that landless communities have very little political power to improve their access to land. Women within this group are even worse off than men as they are also marginalised within the landless communities.³ (See section 1, box 1 on intersectionality).

This topic guide looks at how gender norms and behaviours (see Introduction, box 1 on gender norms) can influence conflict over land, and how land-related conflict can influence gender norms. It looks at two key areas: **access** to land and **control** of land, as a way to understand who has the opportunity, resources and power to use land for different purposes, control its use and ownership, and gain benefits from it. The conflicts considered here include violence and disputes at the individual and community level, but also structural violence, that is, the systems or institutions that threaten the lives and livelihoods of certain groups of people.

This topic guide consists of the following:

- 1 An overview of land and gender norms
- 2 Conflict, land and gender norms
- 3 Key questions and suggested exercises to use in the research and analysis process

Overview of land and gender norms

Men, women and SGMs may need access to land for different purposes. For instance, if men are responsible for taking care of cattle, they may need to access land primarily for grazing for their cattle, but may not need to control that land. Women may need land to grow food for the family or for agricultural trade. For this they will need to have secure access to the land they cultivate as well as other necessary resources like water. In addition, in many parts of the world, women play the primary role in feeding and taking care of the family, which means their access to natural resources like land, water, firewood, wild roots and fruits, is crucial. If their access to these resources is restricted, not only will the whole family suffer, but the women may also spend more unpaid working hours trying to access these resources. In most societies, women also have a lower status than men, and their work is often unpaid. This inequality can be seen in how land is used and allocated as well. The above examples refer mostly to rural areas, but similar dynamics are present in urban areas, especially in poorer neighbourhoods or slums.

SGMs who live as men or women may engage in the same activities as men and women in their community, or if they face a high degree of discrimination, may prefer to move to urban settings where they may be more easily accepted.⁴ In this case, they would need access to land for secure housing.

Systems for controlling and accessing land tend to reflect the power relationships in a society, at all levels. Those with most power, like community or religious leaders, are usually in a position to dictate how land is used and shared. As a result those who are least powerful, often women and SGMs, can be particularly vulnerable in relation to land access and control. Inheritance customs or laws may mean that women are not entitled to any land or are entitled to less land than male family members.⁵ SGMs may also be discriminated against within their families or communities and not be able to inherit or gain control of land. Not being

able to control land also has other implications: for instance without a land title, it is risky to set up a business or build a home and impossible to obtain loans using the land as collateral.

Controlling land is therefore an important goal for any state, community, individual or company who needs it for economic activities, but also for cultural or social purposes, for instance burial grounds, nature reserves and social services like schools and clinics. Who controls land is governed by systems of land tenure, which may include laws, bylaws and customary practices. In broad terms, land tenure can include the following:⁶

- **Private tenure**, for instance giving a person, a family, a company or another legal entity the legal right to control and own land. In patrilineal contexts, which are far more common, women do not have the same rights to own or inherit land as men, while the reverse may be true in matrilineal contexts.
- **Communal tenure**, where community leaders decide who within the community is allocated land to control and use. These systems exclude people who are not members of that community. In communities where men are the primary decision makers, communal tenure systems can disadvantage women and SGMs.
- **Open access tenure**, meaning nobody has specific control over the land and everybody can access and use it. Social and gender norms about what is the 'correct' way to use open land and norms about how freely men, women and SGMs can move about often determines how open access land is used in practice.
- **State tenure**, which can be public land controlled by the state, for instance for infrastructure like clinics or for conservation areas. The state can also lease such land to private actors, including companies, in order to generate an income. Decisions about how to use state land can be gender-blind by not taking into account the needs of men, women and SGMs in a particular area.

The tenure systems are therefore systems of power – those who have control over land according to the relevant tenure arrangement, have the most power to make decisions about allocating, using and transferring land⁷ and will make those decisions in a way that mirrors the gender norms and behaviours of the decision makers. Some of these systems are formal and encoded in laws and bylaws. Others are more flexible and governed by, for instance, religious or cultural practices and institutions.⁸

Land tenure systems may also be well or poorly enforced by responsible authorities. In other words, even when a particular land tenure arrangement sets out certain legal or communally recognised rights and obligations, if these are not enforced by the government, the police, or other relevant authorities, conflicts about control of land may still arise. The enforcement of the tenure system or of land rights usually also reflects certain gender norms. For instance, the police may be male-dominated and may themselves apply the gender norms of that society, which means that they do not prioritise enforcing legislation that gives women the right to own land.

Closely linked to the question of control, is the question of **access** to land. Under certain tenure systems, people can access land that they do not necessarily own. In other words, they cannot make decisions about how the land is used, transfer or bequeath land to somebody else, sell the land or use it as collateral to obtain loans. But they are able to use the land and what is on it, for instance, rangelands or forests could be under an open access system, which allows people to graze their cattle there or to harvest forest products. Within communal tenure systems, land access is determined by the system. This may be based on gender norms such as allocating land to male-headed households only, or to respect matrilineal structures. Women may also be in a different position depending on whether they fulfil expected gender norms. For example, in some parts of Uganda a woman who has had the full bride price paid for her has the right to a portion of her husband's land to farm on; whereas a woman whose bride price has not been paid entirely does not have the same right. Sometimes those who are more powerful, for instance elder men, can prevent those who are less powerful, for instance women and young men, from accessing the land, or can dominate community decisions on how to use the land. In this way, gender norms and behaviours and unequal gender relations will again influence whether men, women or SGMs can access land and the resources on it.

Together, these factors create a collection of land rights, which may contradict each other or overlap, especially if there are multiple formal systems (for example land legislation, land courts) co-existing with more informal ones (for example community or religious land systems). Multiple systems of land rights are often also contradictory in terms of the gender norms they set out. For instance, land legislation may give women the right to own land, but the way in which communal land is managed excludes women from decision making and owning land in practice.

Box 2: Conflicting land ownership systems in Uganda

In Uganda, the Land Act gives women and men the right to own land, but research shows that people are either not aware of these legal rights or do not know how to turn them into reality.⁹ In many rural parts of the country, the customary land system dominates. This means that very few people have individual land titles, despite the Land Act, and gender inequality in the customary land system remains in place. In Acholiland, for instance, women who get divorced or whose husbands pass away are often vulnerable to being pushed off the land by the husband's family, despite having customary rights to use the land in the case of a husband's death. Despite the legislation, the traditional system therefore does not protect women's ownership or inheritance of land.¹⁰

In general, the more formal land rights are, the more enforceable they are, because the government or formal bodies like land courts are responsible for making sure legislation is respected. However, the process of gaining those rights can result in those with money buying up land and pushing people off it who have been working the land but not owning it. The more informal land rights are, the more vulnerable people are to their land rights not being fulfilled, as the power lies with community or religious structures, often at a more local level, who may be making decisions based on rules that are highly flexible, gender-biased and open to interpretation by individual leaders.¹¹ However, many countries that have been or are affected by conflict and fragility do not have effective government institutions in place to enforce legal land rights. These institutions may also discriminate against women or SGMs, thereby making them unwilling to enforce laws or systems that are gender equal. In these situations, the informal mechanisms may be a better guarantor of land rights if they are accountable to all members of a community¹² and willing to make decisions that are fair in terms of gender. In practice, the formal and informal systems often overlap and/or contradict each other and men and women have access to both.

Conflict, land and gender norms

Do gender norms and roles drive fuel or help resolve land-related conflicts?

Land- and natural resource-related conflicts are very common – up to 40 per cent of all conflicts are at least partly driven by conflict over land and/or natural resources.¹³ Land interacts with conflict in many different ways (see table 1 below). Gender inequalities and related gender norms influence how these conflicts play out and who is impacted, in direct or indirect ways.

In some conflicts, women have become active combatants partly as a result of frustration about economic and political marginalisation, including access to land and other resources. For instance, in Nepal, the traditional land tenure system meant that land belonged to state-appointed landlords – farmers therefore had to pay taxes and work for free for the landlord in exchange for being allowed to produce subsistence crops or take out loans. Despite some attempts to reform land laws, the situation remained exploitative towards the farmers. The Maoist rebel movement promised to redistribute land to the ‘real farmers’,¹⁴ which motivated agricultural workers to join the movement. Women could not own land, partly because of this system, but also because they usually could not inherit land from their fathers and could only inherit their husband’s land if they had sons to pass it on to. Women in Nepal only own 8 per cent of land even though they make up 65 per cent of farmers and 70 per cent of livestock producers. The Maoist promises motivated many women to join as armed fighters or otherwise support the movement.¹⁵ Gender inequality therefore combined with other types of inequality and motivated both men and women to sign up as fighters in a civil war.

In other contexts, the impact of gender norms and behaviours is more subtle and indirect, so that it may not directly motivate women, men or SGMs to become combatants in a war, but still contributes to a general sense of marginalisation. Conflicts usually have multiple causes and drivers, and some of these can be made worse by gender inequality. Women have less secure access to land and natural resources, even though they make up 43 per cent of the agricultural labour force worldwide, and produce – at least in part – more than 80 per cent of household food in Africa.¹⁶ Women’s insecure access often leads to lower food productivity, because they do not invest in land that may be taken away from them, or cannot access credit or agricultural tools to expand their farming. Lower food

production by women therefore directly impacts on the health of women and their families, and increases the potential for food insecurity. Research suggests that food insecurity is both a threat and an impact multiplier for violent conflict, especially in countries with fragile governance and market systems.¹⁷

Box 3: Conflict over mining and land in Papua New Guinea

In Papua New Guinea, land ownership and inheritance belong to women – they are therefore the custodians of land on behalf of families and clans. In the Bougainville conflict, communities felt that they were not deriving sufficient benefit (in jobs and revenues) from a large open-cast copper and gold mine, while the government and the company who owned the mine were getting wealthy. They also felt that the environmental damage resulting from the mining operations was affecting surrounding communities severely and that not enough was done to address these impacts. The situation led to a violent 10-year conflict between the government and the Bougainville Revolutionary Army (BRA). Women played an important role in organising humanitarian assistance, but also as spies for the BRA. Women eventually spearheaded local and national peace talks, using their positions within the families and clans to engage with the BRA leaders. But when the formal peace processes started, women were largely excluded, despite their key role in land ownership and natural resource management, and their conflict resolution efforts. The women then organised themselves to take active part in peacebuilding and dialogue processes, drawing on their positions as land custodians. They have since continued to advocate for greater input from women on mining-related decision making.¹⁸

The impact of conflict on gender norms in relation to land

Conflicts impact on gender roles and relations and may cause temporary or permanent changes in gender norms and practices relating to land. Sometimes these changes lead to greater gender equality in land matters, but often conflicts also worsen the vulnerability of those already struggling to access and control land and other resources. At the same time, where land ownership is seen as a key characteristic of what it means to be a

'real man' (or a 'real woman'), the loss of land during conflict can cause frustration and negative behaviours among men or women who can no longer fulfil the role their societies expect from them.

If conflicts change land-related gender norms or behaviours, it is often difficult for men and women to adapt back into their communities after the conflict. Women who have fought in the conflict have usually fulfilled roles reserved for men, thereby gaining more freedom of movement and different social or professional responsibilities during the conflict than before. Having to return to their previous gender-based roles, for instance producing food and working in the fields for free, means giving up some status, independence or freedom. This brings them into conflict with their families or communities. Many women in Nepal who fought with the Maoists experienced such challenges after the peace agreement was signed. While the men and women combatants shared all duties from cooking to fighting during the war, after the peace agreement, women were expected to return to their traditional roles.¹⁹ Women who stay behind in conflict situations and do not fight sometimes develop new skills or economic assets, such as commercial agriculture or starting small businesses in order to survive during the conflict. They may also be unwilling to give up these assets after the war.

When handled positively, such shifts in gender norms about accessing and productively using land bring real benefits in terms of women's empowerment, as well as strengthening women's economic contribution to their families and communities.²⁰ Research has shown that, on average, a US\$ 10 increase in women's income improves child nutrition and health as much as a US\$ 110 in men's income would achieve, because women tend to spend additional income on the family.²¹

Box 4: Shifting gender norms during conflict in Northern Uganda

During the Lord's Resistance Army (LRA) conflict, communities lost all their cattle and were displaced in vast internally displaced people (IDP) camps. There, the men had almost no economic opportunities, since their expected role was to herd cattle and farm and they had lost both their cattle and their access to land. In Pader camp, women were allowed by the army to cultivate small amounts of food around the camps and to harvest other natural products, like shea nuts, from which they produced shea butter to trade. However, travelling into the bush to harvest the nuts also exposed the women to the risk of sexual or other violence by the army or members of their community. Many women also produced alcohol that they sold in the camp. Some women were therefore able to produce an income for the family while men were left feeling like they had no contribution to make. Some men became despondent and starting drinking a lot, leading to violence within their families and the camp communities. Other men decided to support their wives in these small businesses and went with their wives to help them collect the shea nuts. This served as protection for the women, but also enabled them together to harvest more nuts and produce a bigger income for the family.²²

Gender norms and roles during the post-conflict phase

When people return to their homes after a conflict has ended, disputes over land and property are very common. At a community level, people may not agree over where boundaries of previous land plots were, or entire communities may be prevented from returning because of a peace agreement not recognising their right over a certain area.²³ Women- and child-headed households are particularly vulnerable in these circumstances and are often unable to access land, property or other natural resources they were able to draw upon before the conflict, because of the death of male family members or the disintegration of community structures traditionally in charge of governing land in their areas. This in turn undermines their opportunities for livelihoods and recovery after the conflict.²⁴

Even in cases where women were active combatants in conflict or were associated with armed forces, they or their children are often unable to access land after the conflict ends. Formal disarmament, demobilisation and reintegration (DDR) programmes often do not give women combatants or women associated with the armed forces land or finances to purchase land, even when male combatants receive such benefits. One exception was Mozambique, where women made up 25 per cent of combatants, and were given land access as part of the DDR process. In Nepal, the commitment to ensuring access to land for women combatants has not yet been fully implemented after the peace agreement, partly because the changes in gender roles and behaviours that took place during the conflict have not yet been accepted by wider society.²⁵

Table 1 explains what types of conflict may exist at different points in a typical conflict cycle and the gender norms that may fuel these conflicts.²⁶ A 'conflict cycle' sets out the different phases of a conflict, from latent or structural issues; through escalation of the conflict towards full-blown violent conflict; the end of the conflict (victory for one side, ceasefire, or peace agreement); de-escalation; and addressing both the consequences of conflict and the potential issues that may cause new conflicts. It is based on the recognition that conflicts do not automatically follow this cycle, as they can repeatedly go between 'escalation' and 'crisis' without any resolution. But it is a helpful way to analyse what is happening in the conflict.

Table 1

Conflict phase	Conflict related to land	Possible gender norms and behaviours fuelling these conflicts
Latent/underlying/systemic conflict (there are grievances but these have not yet become violent)	Grievances about unequal land ownership or access to land between groups or within communities. This could feed into broader discrimination or marginalisation (or perceptions of this) of particular groups.	Gender inequality in accessing and controlling land reduces overall food security and family welfare. This could make certain ethnic or caste groups feel even more frustrated and make them more willing to engage in violent conflict.
Escalating/increasing insecurity (people are starting to take action on their frustration, but not yet at a large scale)	People start sabotaging infrastructure on disputed land, or threaten or commit violence against people they perceive to be taking away their land. Anything affecting the land control or access of a certain group could be interpreted as an escalation in the conflict.	Gender norms and behaviours will influence the types of incidents that may lead to violence. For instance, women arguing over water or boundaries between their fields could spark broader community or ethnic conflicts. Men competing for grazing or extractive resources could equally spark broader community or ethnic conflicts.

<p>Violent conflict/ civil war</p>	<p>Groups of people fight in a full-scale violent conflict; land is used as a reason to mobilise them. People may feel land is one of the many resources they would lose if the other side wins the conflict.</p>	<p>Men and women may take up arms (for example women and men joining the Maoist movement in Nepal); or men may take up arms, encouraged by women to fulfil their perceived masculine role of protecting the community.</p>
<p>Negotiations and peace</p>	<p>Peace agreements or post-conflict settlements include arrangements about land. If done well, this could resolve the issue. If not done well, land could remain a cause of conflict.</p>	<p>Gender-blind peace agreements may resolve macro issues (for example returning land to certain groups) without considering the gendered use of land. This may still lead to, for instance, women not being able to access land for agriculture, reducing family and community welfare. Despite land being a priority in the Nepal peace agreement, due to gender norms and behaviours the intention to improve women's access to land has not been fulfilled and many women have migrated to other parts of the country.²⁷</p>

<p>Post-conflict and rehabilitation</p>	<p>New land conflicts can emerge if actions are taken that affect land control and access and that overly benefit (or are seen to benefit) one group, or are not agreed upon by all stakeholders. For instance, some actors may use the peace to grab land; to set up new investment or state projects; or to resettle or refuse to resettle people displaced by conflict.</p>	<p>Land grabs in post-conflict contexts are very common and often intersect with gender norms and behaviours. For instance, in post-conflict Northern Uganda, male family members have illegally taken over land, often to the detriment of women in their communities who were legally entitled to the land but unable to enforce these rights.²⁸ Increased investment in the area is also perceived by communities as government and companies colluding against them; this perception further fuels land-related conflicts.²⁹</p>
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Questions and exercises

When conducting research about gender, conflict and land, it is important to think about the sensitivities and risks involved. Some of these sensitivities and risks are discussed in section 2. It may also be very sensitive in some contexts to discuss land, as it is a highly political issue, and so it is important to take this into account in your risk analysis.

It is important to already understand the gender norms and behaviours at play in your research area in general before you delve into specifics about land, so we encourage you to do the exercises from sections 3 and 4 first, as well as conducting a literature review as suggested in section 2.

The first step in a research process on land-related issues is to gather information about the various land governance systems in place and what they say about gender. These should include the formal systems, for example national laws, bylaws, national land tribunals and similar structures; but also informal systems around traditional, religious, clan or other community-level governance arrangements. This information will be important to help think through: a) where some of these land governance systems may be contradictory; b) whether these systems are effectively applied; c) who has access to which types of land governance systems; d) what it says about gender.

Building on this information, the issues relating to gender, conflict and land can be further explored and it will become clearer whether and how the formal and informal frameworks are actually applied on the ground.

This topic guide covers the following key questions:

- 1 What are the gender dimensions of land use?
- 2 How do gender norms and behaviours influence control of, and access to, land and benefits derived from its use?
- 3 What are the gender roles in land-related conflict situations and what are the impacts of land conflict on gender norms?

KEY QUESTION 1

What are the gender dimensions of land use?

Checklist of issues to cover under this key question

- How are men, women and SGMs expected to use land (for example grazing, property, business, household farming, cash crop farming)? What do they do with it?
- What benefits do families, households and communities derive from these different uses of land by men, women and SGMs?
- Does this differ by age, marital status, class, ethnicity, (dis)ability, location, religion, or other relevant markers of identity?

SUGGESTED TOOL

Exercise 1: Gender, land use and benefits. This exercise investigates what men, women and SGMs are expected to do with any land to which they have access. It also looks at what benefits are created when men, women and SGMs are able to use this land in the way that is expected from them. This will help you understand some of the gender norms related to accessing and using land, the expectations placed on men, women and SGMs to perform these roles, and the benefits that this creates for individuals, families and communities.

Exercise 1: Gender, land use and benefits

Objective	To understand how men, women and SGMs use land differently and what benefits their families and communities gain from this land use.
Timing	Approximately 1 hour.
Preparations	<p>Flip chart paper, pens; the pictures from section 3, Exercises 1 and 2 could also be used here to spark discussion about the types of activities that require land. Plan the exercise first, by deciding which of the statements below you want to use.</p> <p>Think about:</p> <ul style="list-style-type: none"> ■ Should you swop 'women', 'men' or any other gender categories around in any of the statements? ■ Which statements could fit best with the community you are visiting? ■ Are they rural or urban communities? Some statements may be more appropriate for one or the other; some may apply to both. ■ If you have decided it is appropriate to talk about SGMs with community members, which particular identities are you talking about? <p>Revise your statements and select three or four to use before proceeding with the exercise.</p> <p>Prepare in advance tables 1 and 2 below on separate flipchart sheets. These tables will be used for this and the next exercise. If there are more gender categories in the community than 'men' and 'women', add extra rows for those.</p>
How to run the exercise	<p>Write down on a flipchart or read out to participants your selection among the following statements, or others that are relevant for the context, for them to discuss:</p> <ul style="list-style-type: none"> ■ Women need land to grow food for the family ■ Men need land for grazing the cattle ■ Women need to own the land they live on

How to run the exercise

continued

- Men have to own land for businesses to earn an income for the family
- Women have to use their husbands' land to maintain the household and take care of the family
- Women should own land to start their own businesses
- Third gender people need to own land to start their own businesses

As participants discuss, ask them to write down (or the facilitator can write down), the answers in the first column of table 2 below (*How is land used?*), on the pre-prepared flipchart sheet, breaking down the answers between men, women and SGMs.

Next, ask them: 'What benefits are created from this use of the land?' If it is unclear, prompt participants by suggesting that benefits could include tangible things like food for the family or cash income; but can also include intangible things like status in the community or preserving people's cultural identity.

Write down the answers in the first column of table 3 below (*What benefits are created from land use?*) on your second pre-prepared flipchart sheet.

For both discussions, make sure you ask probing questions about what other aspects of men, women and SGMs' identities (such as age, marital status, class, ethnicity, (dis)ability, location, religion, or other relevant markers of identity) influence their experiences.

Things to be aware of

The gender norms around land use may not be that different and men, women and SGMs may have similar roles with regard to land. This may be an indication that gender norms around land use do not drive conflict in this community. But it may also indicate that potential conflicts lie elsewhere, such as with the way in which men, women and SGMs are allowed or blocked from using land in the way they would like to. So it is still worth investigating further by continuing with Key Question 2 and its exercise.

Table 2 (for Exercises 1 and 2):³⁰**Land use – use column 1 for Exercise 1**

	How is land used?	Who has access to land?	Who controls land?
Men			
Women			
SGMs			

Table 3 (for Exercises 1 and 2):**Benefits arising from land use – use column 1 for Exercise 1**

	What benefits are created from land use?	Who has access to these benefits?	Who controls these benefits?
Men			
Women			
SGMs			

KEY QUESTION 2

How do gender norms influence control and access to land and the benefits derived from its use?

Checklist of issues to cover under this key question

- Do men, women and SGMs have the same land ownership and inheritance rights? If not, how is it different for each group? Why?
- Do men, women and SGMs have the same rights to access and use land? If not, how is it different for each group? Why?
- If so, is this access/ownership secure or is it easily taken away without any consequences?
- Who can access or enjoy the benefits arising from land use?
- Who makes decisions or controls the benefits arising from land use?
- Does this differ by age, marital status, class, ethnicity, (dis)ability, location, religion, or other relevant markers of identity?

SUGGESTED TOOL

Exercise 2: Access and control over land use and benefits. This exercise helps to understand who among men, women and SGMs are in a position to access land, and who can make decisions about land use. Similarly, the exercise helps think through who can enjoy the benefits from using land, and who has the power to make decisions about how these benefits are enjoyed.

Exercise 2: Access to and control over land use and benefits

Objective	To understand how gender norms influence access to and control of land, as well as access and control of the benefits of land use.
Timing	Approximately 2 hours.
Preparations	Flipchart sheets, pens; and the flipcharts with tables 2 and 3 from Exercise 1 under Key Question 1.
How to run the exercise	<p>Using the flipchart sheets with tables 2 and 3 from Key Question 1 (see above), ask participants to answer the following sets of questions and to write down their answers in the appropriate column in the tables (or the facilitator can write down the answers).</p> <p>Remember to break down the answers among ‘men’, ‘women’ and any other relevant gender categories in the community (remember, the term ‘SGMs’ may not be clearly understood by most people) and to probe participants whether the situation is the same for all men, women or SGMs or whether there are differences within each group as well (according to other aspects of their identities such as age, race, class, ethnicity and (dis)ability).</p> <p>Table 2, column: <i>Who has access to land?</i></p> <ul style="list-style-type: none"> ■ Can men access land to use as is expected from them? Are these all men or only some? ■ Can women access land to use as is expected from them? Are these all women or only some? ■ Can (for example) third gender people access land to use as is expected from them? Are these all third gender people or only some? <p>Table 2, column: <i>Who controls land?</i></p> <ul style="list-style-type: none"> ■ Who makes decisions about owning land? Men, women, (for example) third gender people? Certain men, certain women or certain third gender people?

<p>How to run the exercise <i>continued</i></p>	<ul style="list-style-type: none"> ■ Who makes decisions about who is allowed to use land for the different uses we named earlier (and captured in the first column)? Certain men, certain women or certain third gender people? <p>Table 3, column: <i>Who has access to these benefits?</i></p> <ul style="list-style-type: none"> ■ Who enjoys each of the benefits from these different land uses? <p>Table 3, column: <i>Who controls these benefits?</i></p> <ul style="list-style-type: none"> ■ Who makes decisions about what happens to the each of the benefits that are created from land use activities? <p>Tables 2 and 3 should be completely filled in by the end of this exercise.</p>
<p>Things to be aware of</p>	<p>Issues around who makes decisions about land use and how the benefits from land use are enjoyed could be sensitive in a community. Be aware that discussions may become heated and be prepared to stop discussions or split into smaller groups if this happens. It is good to challenge people's way of thinking, but only if the process can be managed productively. If necessary, break up the conversation, work with certain individuals or groups separately, and then bring people together (if they are ready for it) at a later stage. Also be aware that some people may have been individually victimised by decision makers within their families or communities and they may find such a discussion upsetting. It is therefore useful to keep the discussions broad, focusing on the community level, rather than focusing in on individuals.</p>

KEY QUESTION 3

What are the gender roles and impact of land conflicts?

Checklist of issues to cover under this key question

- What impact do land conflicts have on men, women and SGMs? Do men, women or SGMs gain from these conflicts? Do men, women or SGMs lose something because of these conflicts?
- What gendered expectations are there of men, women and SGMs with regard to their role in land conflicts? Is it acceptable for men, women or SGMs to use violence in resolving land conflicts?
- How are men, women and SGMs involved in conflicts over land ownership, sale and any misappropriation of land? What roles do they play?
- How are men, women and SGMs involved in conflicts over land-related resources, such as water, property, public service infrastructure (for example schools and clinics)? What do roles do they play?
- Does this differ by age, marital status, class, ethnicity, (dis)ability, location, religion, or other relevant markers of identity?

SUGGESTED TOOLS

Exercise 3: Gender impacts of land conflicts. This exercise analyses the impacts of land conflicts on men, women and SGMs.

Exercise 4: Land conflicts, gender expectations and gender roles.

This exercise helps unpack the gender aspects of how people are involved in land conflicts. It assists in understanding what society expects from men, women and SGMs when there is a land conflict as well as what they actually do in these conflicts.

Exercise 3: Gender impacts of land conflicts

This exercise focuses on how land conflicts impact on men, women and SGMs in different ways. Often those who suffer most negative impacts of conflicts are not the ones who are given a role in resolving the conflicts. By doing Exercises 1 and 2, it will become clearer to what extent those who suffer most from the conflict have the power to resolve it; and to what extent those who most benefit from the conflict have the power to fuel it.

Objective	To create a better understanding of how the land conflicts impact on men, women and SGMs.
Timing	About 1 hour.
Preparations	Flipchart, pens; your conflict analysis and any further analysis or information you may need on land conflicts in the area and the role of different actors in these conflicts. List these on a flipchart or draw pictures of each issue.
How to run the exercise	<p>Using the list (or pictures) of land conflicts on the flipchart, ask participants to discuss and agree on which conflicts are the most important. Limit the discussion as otherwise this could take up a lot of time. Frame the discussion around the question: 'What specific land conflict, if it is resolved, will make the biggest difference to bringing peace to your community?'</p> <p>Once the three top issues have been identified, split participants into three groups and ask each group to look at one of the three issues, using the exercise below. It is also possible for all three groups to focus on the same issue, if there is one issue everybody agrees on or if it is important to have lots of perspectives and discussion on one very important issue. Or, if you would like to discuss more issues, each group can take two issues – just bear in mind that this will double the time needed for the exercise.</p> <p>Ask the groups to discuss: 'What impact does this land conflict have on people of different genders?'</p> <p>'Do people of different genders have to take on different roles as a result of the land conflict?'</p>

<p>How to run the exercise <i>continued</i></p>	<p>Ask the groups to capture their answers on a flipchart, in table 4 below, so that they can share with others. If the group is illiterate, place a researcher or other literate person within each group to do the writing.</p> <p>The facilitator then highlights the main points from each group's work in plenary.</p>
<p>Things to be aware of</p>	<p>Groups can be split into men, women and SGMs (if appropriate) or into mixed groups depending on the context, how sensitive the issues are and in what environment people will feel most comfortable speaking freely.</p> <p>Groups should be encouraged to think about how other identity characteristics make a difference here, for example age, marital status, class, ethnicity, (dis)ability, location, religion?</p>

Table 4

	Land conflict discussed	Impact on...
Men		
Women		
SGMs		

Exercise 4: Land conflicts, gender expectations and gender norms

In land-related conflicts, as in all conflicts, men, women and SGMs may be involved in different ways in resolving or indeed fuelling these conflicts. Some of the ways people behave will be informed by the gender norms of their societies. It is therefore helpful to understand how men, women and SGMs are involved in land conflicts as well as what is expected from them as men, women or SGMs. This helps to understand whether conflict is fuelled by the behaviours of certain groups alone or whether it is also fuelled by broader social expectations and norms.

Objective	To understand how men, women and SGMs behave when there are land conflicts and whether this is partly as a result of gender norms and expectations in their communities.
Timing	About 2 hours.
Preparations	Flipchart, pens; table 4 notes from Exercise 3 above; draw table 5 for each group on second sheet of flipchart paper. Tables 4 and 5 connect to each other – we propose doing them as two tables to make it more manageable rather than one big one.
How to run the exercise	<p>Ask participants to go back into their groups. Using their notes from table 4, they need to discuss the following questions and fill in table 5 (see below):</p> <ul style="list-style-type: none"> ■ In this specific land conflict, how do men in general behave? (In other words, what do they do in this conflict?) ■ How do women in general actually behave in this conflict? ■ How do (for example) third gender people in general actually behave in this conflict? ■ In this specific land conflict, how <i>should</i> a 'real man' behave? Why? ■ How <i>should</i> a 'real woman' behave? Why?

<p>How to run the exercise <i>continued</i></p>	<ul style="list-style-type: none"> ■ What happens to men, women or third gender people who do not behave as they are expected to? ■ What impact does this behaviour have on the conflict? Does this make the conflict worse or is does it help to resolve the conflict? <p>Share the answers between groups. If important to discuss, let each group talk through what they have written. This will take much more time. If it is not so useful to discuss as a whole group or time is limited, participants can be given 10 minutes to look at the other groups' work and then the facilitator can highlight the main points from each group's work.</p>
<p>Things to be aware of</p>	<p>Discussing these conflicts can become quite heated as people may have different views on whether the roles played by men, women and SGMs in their communities are helpful or not. It may therefore be useful to have a researcher or another trained facilitator facilitate the group discussions.</p> <p>The same notes also apply with respect to the group composition – see Exercise 3 above.</p>

Table 5

	<p>What are their roles/ what do they do in land conflicts?</p>	<p>What are they expected to do by their society in land conflicts?</p>	<p>How/ does this make the land conflicts worse?</p>	<p>How/ does this help resolve the land conflicts?</p>
Men				
Women				
SGMs				

Next steps

Section 2 gives some ideas about how to go about analysing all the data that has been collected and section 5 gives some useful ideas to think about, especially when designing peacebuilding responses.

Once you have worked through the exercises above and collated all your data it is suggested that you refer back to these sections, which will help you move forward.

Suggested resources for further reading

EU and UN Integrative Framework Team for Preventive Action (2012), *Land and conflict. Toolkit and Guidance for Preventing and Managing Land and Natural Resources Conflict*. (New York: UN), www.un.org/en/events/environmentconflictday/pdf/GN_Land_Consultation.pdf

Goddard N, Lempke M (undated), *Do No Harm in Land Tenure and Property Rights: designing and implementing conflict sensitive land programs*, (Boston: CDA), <http://cdacollaborative.org/publication/do-no-harm-in-land-tenure-and-property-rights-designing-and-implementing-conflict-sensitive-land-programs/>.

UNEP, UN Women, PBSO, UNDP (2013), *Women and Natural Resources: Unlocking the Peacebuilding Potential*, (Nairobi and New York: UNEP, UN Women, PBSO, UNDP), http://postconflict.unep.ch/publications/UNEP_UN-Women_PBSO_UNDP_gender_NRM_peacebuilding_report.pdf

USAID (2004), *Land and conflict: A toolkit for intervention*, (Washington DC: USAID), http://pdf.usaid.gov/pdf_docs/pnadb335.pdf

NOTES

- 1 Dale, P F, McLaughlin J D (1999), *Land Administration*, (New York: Oxford University Press), p 163.
- 2 Coyle D, Boyce P (February 2015), *Same-sex Sexualities, Gender Variance, Economy and Livelihood in Nepal: Exclusions, Subjectivity and Development*, (Sussex: Institute of Development Studies (IDS)/University of Sussex), p 17.
- 3 Greig A, Shahrokh T, Preetha S (2015), *We do it Ourselves: Nijera Kori and the Struggle for Economic and Gender Justice in Bangladesh*, EMERGE Case Study 2, Promundo-US, Sonke Gender Justice and the Institute of Development Studies.
- 4 Boso L F (2012), *Urban bias, rural sexual minorities, and courts' role in addressing discrimination*, University of Los Angeles (UCLA) School of Law, Williams Institute, available at <http://williamsinstitute.law.ucla.edu/wp-content/uploads/Boso-Urban-Bias-Rural-Sexual-Minorities-05.09.12.pdf>
- 5 Kangas A, Haider H, Fraser E (2014), *Gender: Topic Guide*, revised edition with Browne E, (Birmingham: GSDRC, University of Birmingham), p 54.
- 6 EU and UN Integrative Framework Team for Preventive Action (2012), *Land and conflict. Toolkit and Guidance for Preventing and Managing Land and Natural Resources Conflict*, (New York: UN Integrative Framework Team), p 17.
- 7 *Op cit* EU and UN Integrative Framework Team for Preventive Action (2012), pp 17, 19.
- 8 For more details on tenure types and land rights, see *op cit* EU and UN Integrative Framework Team for Preventive Action (2012), pp 17–22.
- 9 Saferworld and Uganda Land Alliance (2016), 'Gender, land and conflict in Moroto'.
- 10 Mercy Corps (2011), *Land Disputes in Acholiland: A conflict and market assessment*, (Uganda: Mercycorps).
- 11 *Op cit* EU and UN Integrative Framework Team for Preventive Action (2012), pp 19–20.
- 12 For one detailed case study on statutory and customary land systems impact on gender and land tenure, see Monson R (2010), *Negotiating Land Tenure: Women, Men and the Transformation of Land Tenure in Solomon Islands*, (Rome: International Development Law Organization).
- 13 UNEP (2009), *From Conflict to Peacebuilding: The Role of Natural Resources and the Environment*, (Nairobi: UNEP), p 8.
- 14 UNEP, UN Women, PBSO, UNDP (2013), *Women and Natural Resources: Unlocking the Peacebuilding Potential*, (Nairobi and New York: UNEP, UN Women, PBSO, UNDP), p 18.
- 15 *Op cit* UNEP, UN Women, PBSO, UNDP (2013), pp 18–19.
- 16 SOFA team and Doss S (2011), *The Role of Women in Agriculture*, (Rome: The Food and Agriculture Organization of the United Nations).
- 17 Brinkman H J, Hendrix C S (2011), *Food Insecurity and Violent Conflict: Causes, Consequences, and Addressing the Challenges*, (Rome: World Food Programme).
- 18 *Op cit* UNEP, UN Women, PBSO, UNDP (2013), p 26.
- 19 *Op cit* UNEP, UN Women, PBSO, UNDP (2013), p 19.
- 20 *Op cit* UNEP, UN Women, PBSO, UNDP (2013), p 10.
- 21 *Op cit* UNEP, UN Women, PBSO, UNDP (2013), p 16.
- 22 Groenewald H, Dalrymple S (2007), *The experience of the Northern Uganda Shea Nut Project*, (London: Saferworld).
- 23 On post-conflict land and gender conflicts, see: Advisory Consortium on Conflict Sensitivity (ACCS) (2013), *Northern Uganda Conflict Analysis*, (Kampala: Refugee Law Project, Saferworld and International Alert), September.
- 24 USAID (2004), *Land and conflict: A toolkit for intervention*, Washington DC: USAID, p 3.
- 25 *Op cit* UNEP, UN Women, PBSO, UNDP (2013), pp 15–19.
- 26 Adapted from *op cit* EU and UN Integrative Framework Team for Preventive Action (2012), *Land and conflict. Toolkit and Guidance for Preventing and Managing Land and Natural Resources Conflict*, p 10.
- 27 *Op cit* UNEP, UN Women, PBSO, UNDP (2013), p 19.
- 28 *Op cit* UNEP, UN Women, PBSO, UNDP (2013), p 17 and ACCS (2013), p 12.
- 29 ACCS (2013), p 11.
- 30 Tables 2 and 3 are adapted from Goddard N, Lempke M, (undated), p 12.