In order to explore the relationship between women’s land ownership and empowerment and what this means for structural social transformation I will use theories and debates on structure and agency, on women’s land rights and on empowerment. In the next sections I will discuss these debates and elaborate the various issues and concepts that these debates relate to. As land reform can be a way for women to acquire land I will discuss recent debates on land reform and their (ir)relevance for women at the end of this chapter.

2.1 Structure and agency
Since long social scientists and activists have debated the question how processes of change are brought about and what/who are the main agents of change. The debate on structure and agency is part of this larger debate. The role of structure (such as the state, ideologies, culture) and of agency (people’s individual and collective actions) in social change, and the relation of structure and agency to one another is an important issue in the debate. Are structure and agency to be seen as independent or do they depend on each other? In other words, is social change largely the result of structural factors and ‘direction from above’, e.g. laws that are enacted by the state? Or is it the result of ‘action from below’ and can individuals or collectives play a role in bringing about a transformation of society? Or is a combination of both structure and agency essential in bringing about structural changes? Is there a dialectical relationship? In which way does structure facilitate or constrain agency and can agency change structure?

Most contemporary work on the relation between structure and agency is motivated by the need to avoid falling into one of two theoretical camps - Structuralism or Intentionalism (McAnulla 1998). Within Structuralism structures are given primacy and agency is seen as an effect of structure. In contrast, Intentionalists argue that structures only exist as an effect of individual actions and hence the focus is on agency. Debates on strategies to bring about gender equality within the women’s movement have also revolved around the question whether to put emphasis on structure or on agency. For instance through the questions whether it is a more effective strategy to struggle for equal rights to ownership of resources by means of legal reforms or rather via women organising themselves and collectively occupying and controlling resources. The first strategy puts emphasis on structure and is top-down, while the role of agency (by individual or collective actions) is emphasised in the second.

In the initial phases of the second wave feminist movement emphasis was put more on oppressive (patriarchal, capitalist) structures of which women were victims. Since the 1980s, however, there is a greater emphasis on women’s agency - women as actors - and their active role in social change (see e.g. Apter and Garnsey 1994; Adkins 1998; Saptari 2000). It is now commonly recognised that people who are oppressed do not just remain passive victims; their agency should also be acknowledged.

Women act and struggle to survive and challenge unequal structures, individually or collectively. Their actions may eventually lead to an improvement of their situation and to structural changes. In the issue of social transformation, both structure and agency have to be taken into account.

An important theorist in the structure-agency debate is Anthony Giddens. In his ‘structuration’ theory he links structure and agency. Structuration refers to the process of production and reproduction of social relations across time and space. Giddens (1979) distinguishes between structure and system. Systems are defined as “reproduced relations between actors or collectivities, organised as regular social practices”. Systems have structural properties, but are not structures in themselves (Giddens 1979: 65-69). He defines structure as “rules and resources, organised as properties of social systems” and adds that structures exist only as “structural properties”. Giddens then states that the structuration of a social system is the way in which that system is produced and reproduced in interaction, through the application of rules and resources. He adds that there is a possibility of unintended outcomes. Giddens further elaborates that both rules and power are integral elements of practices. Rules are not generalisations of general practices - of what people do, but rules generate practices, they are the medium of the production and reproduction of practices. He clarifies this with the example of a child who has learnt to speak her/his own language: (s)he knows the rules, whether or not (s)he can formulate them. Resources are the ‘bases’ or ‘vehicles’ of power. They comprise structures of domination that interacting parties draw upon and in this way reproduce again. Herein lies the duality of structure: “structural properties of social systems are both the medium and the outcome of the practices that constitute those systems” (Giddens 1979: 69).

Structure and agency are mutually dependent. In other words, structure (rules and resources/power) shapes people’s actions (social practices, relations between actors or collectivities) and society, and in turn structure is reproduced and shaped by these actions. Structuration is then the ways in which the social system is produced and reproduced in interaction. According to Giddens (1979: 70) structure is both enabling and constraining and ‘the same structural characteristics participate in the subject (the actor) as in the object (society). Structure forms ‘personality’ and ‘society’ simultaneously - but in neither case exhaustively: because of the significance of unintended consequences of action, and because of unacknowledged conditions of action.” Giddens concludes: “Structure thus is not to be conceptualised as a barrier to action, but as essentially involved in its production.” And hence, Giddens argues, there is no need for a conception of de-structuration (as e.g. in Sartre who counterposes structure and freedom), as structure is not only constraining but also enabling.

I believe that we encounter a problem with Giddens’ theory here. Giddens sees individuals as only shaped by structure and their actions as producing and reproducing structure, although these can have unintended consequences. This would mean that

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9 In the earlier study an entire chapter deals with women’s reactions to oppressive situations. See Arens & van Beurden ([1977] 1980: chapter II-7).
in Giddens’ theory there is no space for conscious rebellion, for individuals or groups to operate knowingly against the structural rules and powers in order to advance a different system with different structural properties and social relations (in Giddens’ terms rules and resources), based on fundamentally different principles. People’s actions are not necessarily exclusively formed or conditioned by social structure, such as society and its ideologies (although certainly to a large extent, they are either in line with these structures or a reaction to it). They are also shaped by other factors that are not necessarily fully determined by the social structure, such as their personality, intelligence, creativity and the skills they have to manipulate or utilise structures to their own (perceived) advantage.

Bourdieu’s concept of habitus is useful here (Bourdieu 1977). Habitus refers to a person’s dispositions and tacit knowledge, which shape her/his perception and behaviour and so leave more room for individual characteristics which are not only shaped by social structures. This idea leaves room for people’s own original thinking and creative action that transcends the structural conditioning. If people’s practices are solely conditioned by (their position in) the structure, then the logical consequence would be that changes are possible only within the given structure, but that a fundamentally different social structure/society would not be possible. Although the influence of structure is strong and pervasive, I argue that people are not necessarily completely trapped in the structure and that it is possible for individuals or groups to transcend the structural conditioning and act outside of it.10 Moreover, structures are not monolithic entities but full of internal contradictions and this creates space for people’s own creativity. To carry this thought further, it could be that ideas and actions of people on the margins of society are less trapped in the dominant structures (which are largely determined by the powerful sections of society). Economically they may be trapped in the system and dependent on working for others to survive, but they may be less trapped in the hegemonic ideology and discourse as they are excluded by that ideology. Because of this they may feel freer to act in defiance of, or to ignore those structures. In other words, it could be that marginalised poor people are more inclined to ignore prevailing ideologies and to exert their agency in order to pursue strategies that might upset the power structure and improve their own situation.

Before the above posed questions regarding the role of structure and agency in structural changes can be answered we first have to ask the question what actually is structure and when can we say that structures have changed? In this study we will deal in particular with two major structures – the economic structure and the patriarchal structure. These two structures determine to a large extent the social relations between the classes and the sexes and, interrelated, they influence each other.11

10 Here we touch on deeply philosophical issues related to human nature and the human mind, which cannot be dealt with here.

11 Another important power structure that determines to a large extent the make up of a society is its ethnic structure. However, since the population of Jhagrapur consists only of Bengalis, the ethnic structure does not feature in this study.
The economic structure determines the power relations between socio-economic classes with important elements being the distribution of the means of production and labour relations. The patriarchal structure determines the power relations between the sexes, the gender relations. Important elements here are the gender division of labour and socio-cultural institutions that regulate gender relations, such as marriage, and gendered norms and values. Religion and culture are other important structures that feature in this study. The shape that religion and culture take is largely determined by the economic and gender structures. They are a reflection of existing class and gender relations, but in turn they can modify economic and gender relations. Norms and values, beliefs, rituals, sexual mores and kinship relations are important elements of religion and culture.

Within the structures there are various players; people - men and women, the state, religious leaders, NGOs, foreign governments, international bodies, national and international private institutions, national and international companies, etc. These players are to a large degree shaped by the existing structures but they, in turn, also reproduce or modify these structures. Finally it needs to be pointed out that the above structures may take different shapes in the various arenas with their own spheres of influence, such as the private sphere of the household and the family or the local, national or global public sphere. As the private and public spheres can also have an impact on each other. These dimensions need to be taken into account as well.

All the above elements form the structural context within which women’s relationship to land and empowerment will be investigated and its impact on these structural elements will be analysed. In the next section I will go deeper into several aspects of agency.

2.2 Power relations and women’s agency
Agency and the struggle for gender equality are very much linked to power, in particular to power relations and the power that women have or can claim over their own lives or for women in general. Gender inequalities between women and men in society, also referred to as gender hierarchies, are a reflection of the structure with its gender ideologies and gender relations that determine how much space women have, what options they have to act individually or collectively at the various levels of interaction and how much power they have to negotiate influence and transform society. A patriarchal society is based on the idea that men are superior and are the providers and that women are the dependents and need protection. This has consequences for the patterns of interaction between women and men; men feel superior and tend to dominate and subordinate women. Women’s position in a patriarchal society is essentially different from men’s position due to existing gender hierarchies. Within the social structure men and women interact with each other in various power relations, such as in conjugal relations (marriage), in domestic relations (the household), in kinship relations (her marital family and her natal family), her neighbourhood, the village community and the larger society. As White (1992:
140) has correctly stated: “Women are defined by their relationships.” Unlike men, women in Bangladesh are usually addressed and referred to as so-and-so’s mother, so-and-so’s wife, or so-and-so’s daughter, etc., instead of by their names.

Women have different positions and identities in the various arenas, as wives, mothers, sisters, daughters, daughters in law, mothers in law, inhabitants of the village and the country, etc. (Plate 3). These various arenas of interaction represent different dimensions of power relations. In each of these positions a woman’s power and her interests are different and these may be conflicting with each other. Each identity also brings about different emotions. A woman’s relationship with her husband is different from her relationship with her father or her brothers and these relationships are again different from her position in the neighbourhood or the village. Each identity determines to a large extent the space that a person has to act and therefore a woman’s power and her possibilities to negotiate are also different in each of these arenas. For instance as a wife a woman may feel dependent and insecure and therefore be more inclined to opt for her husband’s interest rather than her own, while as a mother she may feel stronger as she may want to act in the interest of her children out of love for them. As a mother in law who has power over her daughters in law she may feel confident and powerful and act more in her own interest or her sons interest. Hence, there are also generational differences and because these various relations have different dynamics it is important to examine women’s position in these different arenas when dealing with structural factors that enable or constrain women’s agency in the transformation of social relations. At the same time power relations in the
various arenas cannot be seen as completely separate from each other as, on the contrary, they influence each other.

Similarly, the public and the private sphere impact each other and have no sharp boundaries. Social norms and values regarding women’s behaviour, the dominant gender ideology, laws and public policies, all have an impact on how women are seen and treated in the private sphere of the household and the family. Prevailing gender norms in the community are also enforced in the private sphere of the household. At the same time, dynamics in the private sphere can have influence on the community. Massive women’s discontent and revolt in the household against certain norms and values may lead to structural changes in gender relations in the whole community or at wider levels in society. As feminists have pointed out since the late 1960s. “The personal is political.” Therefore a person’s structural positioning and the power that he or she has in existing power structures should always be taken into account as well (Saptari 2000:19), not only in gender relations but also when it comes to class relations, ethnic relations, and other hierarchical relations. For instance women across all classes may have the same interests within gender relations, but their class interests may be different. Women of the dominant classes may not necessarily choose for their gender interests in their relation to poor women but may choose for their class interests which are most likely different from the class interest of poor women. Women may be inclined to defend their class interests, but at the same time challenge their gender position.

Agency as a mechanism to reinforce structure
The question regarding agency is not only in which ways and to what extent persons can challenge and change the structure through individual and collective actions. The question is also what and how much influence does structure have on agency, on the choices made and on the position of a person in the structure. In other words, how much is women’s agency determined by existing power structures with their norms, rules and laws that are embedded in a certain ideology? Agency can serve to change the structure, but it can also serve to reproduce existing structures and maintain the status quo. Especially people belonging to the dominant sections of society perceive it in their interest to maintain existing structures and are therefore more inclined to exert their agency in order to preserve the status quo. But people’s agency may also reinforce structure because they have been conditioned by social norms that are part of the structure - e.g. through socialisation and the patriarchal gender ideology. These people have then internalised oppressive norms and ideology. In an article dealing with the issue of structure and agency Apter and Garnsey (1994:27) point to the interconnections between structure and agency and bring up the importance of subjective experience. They point to the mechanism of women complying with prevailing patriarchal norms because they perceive it in their own or their daughter’s best interest. They “try to protect their daughters from within the endangering patriarchal structure” As an example they refer to the Chinese practice of foot-binding
where a mother may break the daughter’s foot arches herself and bind them so as to ensure a good husband for her. They comment:

The mother who believes that her daughter needs a good husband to avoid these ills [penury, prostitution, slavery] and that a good husband will only be had by a foot bound daughter, puts her daughter through this suffering for what she sees as her daughter’s good, even without direct pressure from the men. The foot binding practice, so often perceived as male power inflicted on women, is here shown as a practice in which women exacerbate constraints of structure in their attempts to protect against the worst effects.

The above illustrates the complex nature of the concept of agency. Agency does not necessarily serve to bring about change; it can also reinforce a structure as in the above example. By exerting her agency the mother, keeping the structure in tact, reinforces the cultural notion that foot binding is necessary to have a good marriage and that unmarried women face the danger of prostitution or slavery. The mother uses structure to assert her agency. Caught up in the culture of foot binding, the mother perceives a bad marriage or no marriage at all as a worse fate for her daughter than crippling her. Apter and Garnsey (1994: 27) conclude that a complete change in mind-set may be required to enable women to see their role in sustaining these structural constraints, and hence their power to change them.

As in the example above, women may feel stronger if they choose to comply with existing gender norms and ideology. It is expected from women in patriarchal society that they marry and women may fear that going against social norms and values will cause greater damage than if they have a bad marriage. In such conditions, breaking out of a bad marriage may generate more negative consequences than staying in, even with a violent husband.

The relationship between structure and agency is not one-dimensional because actors have different positions in the various structures and other dispositions of persons may differ as well. Moreover, certain structural factors related to gender relations or class relation facilitate women’s agency, while others constrain agency. The impact, however, may not be the same on all women. Stoler (1979) found that changes in the economic rural structure in Indonesia with its complex harvesting system, led to a greater class differentiation between women instead of a greater differentiation between men and women. Stoler connected this to existing class differences in women’s income earning which related to differences in land ownership. Getting hired for harvesting paddy (a job done by women in Indonesia) was the highest source of income for poor peasant women and they were dependent on larger landholding households for this. On the other hand, women from landholding households were the ones who hired labourers for harvesting and could mobilise more labourers as they accumulated more land. At the same time they could concentrate on trading activities, which gave them much higher returns than
they could earn from harvesting. Saptari (2000: 19,20) has pointed out that scholars often avoid analysing what the term ‘agency’ implies for a person’s structural positioning. “The focus is more on what it means for an individual’s subjective experience...” without “…reference to the implication of such activities for the person’s longer term well-being and social position.” Agency is then used only at the individual level, indicating how an individual’s action has affected her/his position, without analysing implications at the structural level for the power structure, i.e. how the power structure itself has been affected. The latter is certainly more difficult, but cannot be avoided when dealing with questions regarding social change as it is a fundamental question in the structure-agency debate.

2.3 The concepts of agency and empowerment

Both the concepts of agency and empowerment connect to a condition of a person or a group of persons in which they act to get more control over their own lives.12 The concept of empowerment is used extensively in the development literature and is often mentioned as an important objective of development programmes and policies, in particular with regard to women. The feminist organisation DAWN was among the first to use the term ‘empowerment’ in relation to women’s struggle for equality.13 They conceptualised empowerment in the following way:

We want a world where inequality based on class, gender and race is absent from every country and from the relationships among countries. We want a world where basic needs become basic rights and where poverty and all forms of violence are eliminated. Each person will have the opportunity to develop his or her full potential and creativity and women’s values of nurturance and solidarity will characterize human relationships. …only by sharpening the links between equality, development and peace, can we show that the “basic rights” of the poor and the transformation of the institutions that subordinate women are inextricably linked. They can be achieved together through the self-empowerment [my emphasis] of women (DAWN 1985: 173-175).

DAWN used the term ‘self-empowerment’ to indicate a process in which women collectively increase their own internal strength with the aim to break down structures of inequality. Their long-term strategies included national liberation from colonial and neo-colonial domination, shifts from export-led strategies in agriculture to self-reliance and greater control over the activities of multinational companies. Simultaneously, short-term strategies were to provide ways of responding to current crises that women faced, e.g. by helping women in food production (DAWN 1985; Moser 1989: 1815, 1816). Thus, in the DAWN concept of empowerment

12 The Merriam-Webster online dictionary gives as the second meaning of agency “the capacity, condition, or state of acting or of exerting power”. The meaning of empowerment is given as “to promote the self-actualization or influence of”.
13 Development Alternatives with Women for a New Era (DAWN) was launched in a meeting in India in 1984 where it was decided to produce a paper with their common views on women and development. The resulting document was presented at the 1985 UN World Conference of Women in Nairobi.
the aspect of structural transformation was included; empowerment was seen as an important element in the struggle for structural change of power structures, regarding class, gender and race relations.

Due to the attractiveness of the term ‘empowerment’ with its “language of promise” suggesting a process of gaining power, of “power to the people” (Staudt 2002) and of change the term has been used in many different ways by a wide variety of actors from grassroots activists and organisations to established development institutions like the World Bank and governments. As a result the concept has gradually lost its original meaning. ‘Empowerment has been largely hijacked by mainstream development institutions, some of them actively promoting neo-liberal policies14 (Parpart 2002; Staudt 2002). Clarity on questions such as “what kind of power?” and “power for what?” have largely disappeared, whereas these questions are an essential part of empowerment as it was originally conceptualised. Often empowerment is not clearly defined and conveniently the aspect of structural transformation has been turned into individual transformation or left out altogether. This omission results in a vagueness that serves a diverse variety of interests, not in the last place the interests of existing power structures. Another problem with the term ‘empowerment’ is that it does not necessarily imply a process of self-empowerment. This is problematic because it could also be interpreted as power that needs to be given by other people. Such an approach implies a form of patronising and arrogance, of approaching the ‘targeted’ people not as equal partners but as subjects. Self-empowerment on the contrary refers to a struggle of self taking power to come out of the subjugated position in existing power structures in which people have been stripped of their power. My resentment to use the term ‘empowerment’ lies in its vagueness and the way it has been hijacked by neo-liberal forces, robbing it from the meaning that the DAWN women originally gave to it. For that reason the term ‘agency’ would be preferable. However, the concepts of agency and empowerment are not completely synonymous. Empowerment implies a process, which agency does not; the process of gaining strength to take power/control is not included in the concept of agency. Then what to do, which term to use? How have other scholars dealt with the terms agency and empowerment?

In order to obtain more clarity about the relation between empowerment and agency Bartlett (2008: 525-528) refers to the discourses on intrinsic empowerment and instrumental empowerment. This is a helpful distinction. In the first empowered people take control of their own agenda while in the second people are given a

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14 The attractiveness of the term for neo-liberal institutions is e.g. demonstrated by the fact that empowerment was adopted by the World Bank as one of the three pillars of poverty reduction in 2000 and by 2005 ‘empowerment’ was mentioned in the documentation of over 1,800 World Bank-aided projects (Alsop, Ruth and Nina Heinsohn 2005). Alsop and Heinsohn defined empowerment in the World Bank policy research paper as “enhancing an individual’s or group’s capacity to make choices and transform those choices into desired actions and outcomes”, reproducing the vagueness of the term by defining the outcome as “desired” while not mentioning by whom and for what?
greater role in the agenda of others, e.g. development institutions (Bartlett 2008: 528). Bartlett states that at the root of the distinction is the concept of ‘agency’, a crucial component of empowerment. In fact agency is the action component of empowerment; it means taking power and what a person actually does with the acquired power. Bartlett (2008: 527) also states that only when a process is self-directed empowerment is taking place. This would then thus be intrinsic empowerment and corresponds to the concept of self-empowerment as meant by the DAWN women. When using the term empowerment it is thus necessary to use a more specified term as without any further specification ‘empowerment’ can have a wide variety of meanings. Let us see what other elements would be important in a further specification of empowerment.

Similarly to the DAWN women, several other scholars have emphasised the structural aspects of empowerment (Agarwal 1994; Sen & Batliwala 2000; Deere & Léon 2001; Parpart, Rai & Staudt 2002). In her definition, Agarwal explicitly relates empowerment to a process that enhances the ability of people in subordinate positions “to challenge and change (in their favour) existing power relationships”. She further states that empowerment “can manifest itself in acts of individual resistance as well as in group mobilisation” (Agarwal 1994: 39). Batliwala (1994) specifies explicitly that empowerment includes both control over resources and over ideology and also means an inner transformation that gives strength to overcome barriers to accessing resources or changing ideology. Thus, Agarwal and Batliwala both emphasise the process and the desired structural outcome of the process in their concept of empowerment.

Deere and Léon include two other important elements, the contextual and collective aspect. They argue that the context, history, and “location of subordination in the personal, familiar, communal, and higher levels” shape empowerment (Deere & Léon 2001: 23-25); they should therefore be taken into account as well. For the collective aspect they refer to the concept of ‘power with’, a concept introduced by Jo Rowland. ‘Power with’ (which is very different from ‘power over’) is a shared power and becomes “apparent when a group generates a collective solution to a common problem” (Deere & Léon 2001: 23-25). ‘Power with’ is another important element of empowerment in the struggle for structural changes in the power structure, both with regard to class relations and gender relations. In addition, Agarwal (1994, 2003a) also emphasises the importance of collectivity in the struggle for land rights.

Finally, Mohanty (1991: 71) warns against defining relations of domination and exploitation in binary terms by seeing women as a homogenous “powerless” group.

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15 In fact we encounter the same problem here with the term ‘empowerment’ as with the term ‘conscientisation’, a buzzword in the 1960s and 1970s that often betrayed a top-down thinking as well. It was often argued that people would only need to be made conscious of oppressive power structures and then they would start resisting these. In fact people are often very aware of existing power structures, but the problem is that they lack the means to act differently. In the absence of proper means they have good reasons not to resist in order to minimise the oppression of unequal power relations.
If the struggle for a just society is seen in terms of the move from powerless to powerful for women as a group, then the new society would be structurally identical to the existing organization of power relations, constituting itself as a simple inversion of what exists. But women as a group are not in some sense essentially superior or infallible. The crux of the problem lies in the initial assumption of women as a homogenous group or category (‘the oppressed’).

Thus, in the struggle for a just society, it is important to distinguish between women (and men) according to backgrounds and circumstances, such as class and ethnic background, marital status, and so on. In a just society, power would be equally divided between all the different groups and would be ‘power with’ and ‘power to’, while ‘power over’ would stop to exist.

Summarising the above, the following elements are essential in the concept of empowerment if we are concerned with social change: empowerment as an intrinsic process within the self, shaped by the context, which finds its expression in a struggle that, if persistently and collectively engaged in, will eventually lead to a structural transformation of unequal and unjust power structures. Most of these elements have been lost in programmes and policies initiated and implemented by mainstream forces. I argue that we as feminists and scholars have to reclaim the term ‘empowerment’ and restore its originally intended meaning. Maybe we should start using a more qualified term such as ‘collective self-empowerment’, or ‘collective self-empowerment for structural equality’ to make the process and desired outcome more explicit. Throughout this study, I will emphasise the structural transformation aspect of empowerment and make it explicit wherever necessary. Where I think it more appropriate, I will use the word agency.

2.4 Assessment of women’s agency/empowerment
If we want to examine the question whether women’s land ownership leads to their empowerment, then another important question is how to assess empowerment/agency. Most articles on this subject deal with indirect measurement through indicators such as education, income, access to resources, and participation in the labour force, or with the various statistical dimensions of the measurement of indicators through surveys (Alsop and Heinsohn 2005; Agarwala and Lynch 2006). However, empirical evidence from human and gender development indicators has shown that, despite improvement in education, income, access to resources and credit, women’s position with regard to health, decision-making power, employment, and rights has not improved significantly (Pradhan 2003; Obaid 2002). This outcome clearly points to the inadequacy of these conventional measures of empowerment. It is not surprising that it is not possible to measure empowerment by applying a checklist of indicators as empowerment is a gradual process.

If empowerment is conceptualised as a process towards structural transformation, then an assessment of empowerment would need to take into account the elements
of empowerment that have been discussed in the previous section. Kabeer (1999) has approached the issue of measurement of empowerment in a more theoretical way and comes close to incorporating these elements. She relates empowerment to “the ability to make choices” and deconstructs empowerment - the ability to exercise choice - into three dimensions: resources - economic, human and social (pre-conditions), agency (process) and achievements (outcomes). She then argues that the measurement of empowerment should consist of the measurement of all three (Kabeer 1999: 443, 444). To incorporate the structural dimensions of individual choice, Kabeer suggests that the given structural conditions under which choices are made (availability of choice) as well as the consequences of choice (strategic life choices, such as livelihood, marriage, or second-order choices) should be taken into account. The latter would indicate the extent to which the choices made have the potential to transform the former, the structural conditions. Kabeer also rightly argues that resources are a measure of potential only; they do not necessarily give women a greater degree of empowerment. She clarifies this with the example of land as a resource. In the debate on land rights for women, it is often assumed that land rights give women a greater degree of autonomy, but this is not necessarily the case. Kabeer argues:

If choice is to be useful as a measure of empowerment, the ‘resource’ dimension has to be defined in ways which spell out the potential for human agency and valued achievements more clearly than simple ‘access’ indicators generally do” (Kabeer 1999: 444).

This is a rather complicated way to say that to take choice as a measure of empowerment, one should not just look at access to resources (pre-condition), but also at what the person who has access to resources can do (agency potential, process) with these and, finally, whether their action will give a desirable result (outcome, valued achievement). Translated to the issue of women’s land ownership, this would mean that not only ownership (access to resources), but simultaneously control (agency) over the land and over its produce (outcome) is essential. This is in agreement with my findings, as we will see later. Control is essential; it will enable women to make their own choices and use their land in their own interest or in the collective interest of a group of persons of their own choice and in this way contribute to structural changes.

Not only the ability to chose, but also the availability of choice (in Kabeer’s terms the conditions of choice) and the outcome of the choices made are important aspects of the assessment of empowerment. Most poor peasant women hardly have any choices at all, but in relation to land ownership, if their parents own some land, women do have a choice to some extent. In theory, they have the choice to claim their share of the inheritance or not, whether to give it in sharecrop to their brothers, or to make other arrangements for cultivation, etc. However, a woman’s decision on what she choses, both the process and the outcome, is only partly determined by her agency, by how much power she has to negotiate with her
brothers and make her own choices. Apart from women’s agency, the decision is also determined by the gendered social structure with its patriarchal norm that women depend on men for their livelihood and e.g. that a family prefers to keep its ancestral lands intact (which may limit her freedom of choice). Besides these, the decision is determined by the class structure and other factors, such as a woman’s own personality, her family background, and education. The social structure can constrain or enable a woman’s agency, her freedom of choice. For example, if a woman has a bad marriage she may give more importance to a good relationship with her brothers, so that she can return to her natal family in case her marriage fails. In such a scenario, she may be more inclined to comply with the choice of her brothers, even though her own free choice would have been different. Similarly, if she has a good stable marriage she may feel confident to challenge her brothers and claim her rightful share. In other words, constraining and enabling factors of the social structure and how the constraining factors are challenged, need to be taken into account when assessing agency/empowerment processes and their contribution to social change. Most women who have no adult male to provide for their survival and protection have no choice but to ignore prevailing gender and class norms and take on these men’s tasks. By doing this, they become in the first place the agents of change in the process of structural transformation. Forced by circumstances, these women create their own space to act outside the given structural constraints of existing gender and class relations.

Contributing to structural changes not only means making choices, it also means taking risks to overcome constraints. Taking risk is an important part of the empowerment process that is missing in Kabeer’s argument. The question to what extent women are prepared to take risks, is an important aspect of opting for strategic choices that challenge structural inequalities. The bigger the risk and the more is at stake, the less prepared women will be to take the risk. How big the risk is again depends on the economic, socio-cultural, and individual circumstances, such as personal social relations and the characters of the people involved. Taking collective action can considerably reduce the risks involved and, if this is a process of sustained struggle, it has more chance to lead to structural changes in the long run. Collectivity is a precondition for achieving structural results.

Choice is often translated into decision-making power, and decision-making power in the household has been used as one of the main indicators of women’s agency or empowerment (Agarwal 1994; Kabeer 1999; Oppenheim Mason and Smith 2003). Kabeer (1999: 438) correctly stated that, apart from decision-making, agency “can take the form of bargaining and negotiation, deception and manipulation, subversion and resistance, as well as more intangible, cognitive processes of reflection and analysis.” I will deal mainly with agency in the form of decision-making and negotiating power, but I will also give some examples of resistance against gender inequality. The household is mostly studied as the main arena in which women exercise agency as for most women this is their most important space for social interaction. Using a bargaining approach, Agarwal (1994) conceptualised
the household as a “complex matrix of relationships” of multiple actors often with conflicting interests and differential abilities to pursue those interests (Plate 4). Intra household interactions contain elements of both cooperation and conflict and negotiations are “subject to the constraints set by gender, age, type of relationship and undisputed tradition.” The outcome of the negotiation depends on the bargaining power of the household members which is defined in particular by the strength of the person’s fall-back position (the options that the person has outside the household in case cooperation ceases) and by the degree to which her/his claim is seen as legitimate (Agarwal 1994: 54). Agarwal (1994: 62) lists five factors on which a woman’s fall-back position depends: 1. private ownership and control over assets, 2. access to employment or other means of income, 3. access to communal resources, 4. access to traditional external social support systems, and 5. access to support from the state or NGOs. Each of these different factors needs to be taken into account when assessing a person’s fall-back position. Other important factors with regard to decision-making are the structural constraints of the hegemonic gender ideology and gender inequalities that restrict women’s decision-making and bargaining power in the various arenas of interaction, such as in the natal family and the community.

An important question in relation to decision-making is: if women have the power to influence or make decisions, then how do they utilise their decision-making power, what choices do they opt for? Do they make a choice in their own interest, or in the interest of the household, their children, the family or the community? And why do women make the choices that they make, what does it mean for them? Choices made do not necessarily empower women. Above, we have seen the example of a Chinese woman who binds her daughter’s feet as she perceives
it “in the daughter’s best interest” to ensure a good husband for her reinforcing the gender oppressive structure. In her study on intra-household power relations among garment workers, Kabeer (1997: 198) refers to Amartya Sen’s concept of ‘perceived interest response’ and points out that the “patriarchal bargain” in Bangladesh requires women to rely on male protection and provision. Therefore, women often make choices that conform to prevailing gender norms and ideology as their ‘perceived interests’ are “bound up with male protection within the household and therefore the stake that women have in the continued stability of the household.” In other words, women often use their agency to reinforce structure but they can also use their agency for more indirect non-confronting ways of challenging power structures. Kabeer (1997: 298) concludes:

Given the resilience of the broader structures of patriarchal constraint within which women’s lives are played out, and the risks and dependencies it generates for them, women’s search for greater control over their own lives is unlikely to take the form of direct challenge to male authority within the household or of open conflict over intra-household allocation, rather it is more likely to operate through frequently hidden expansion of possibilities and potentials, through the quiet renegotiations of their fall-back position.

Agarwal (1994) also refers to Sen’s concepts of ‘perceived interest response’ and ‘perceived contribution response’ (contribution to the household) as factors in the outcome of a bargaining process. She agrees with Sen that the outcome of the bargaining will be less favourable if the value attached to a person’s own interest/well-being is perceived as less than the well-being of others (as often in the case of women) and if the person’s contribution to the household economy is perceived as smaller. Sen attributes this to women’s ‘false consciousness’, but Agarwal contests Sen’s argument and rightly points out that women’s decisions in favour of maximum family welfare above her own welfare are not a matter of women’s ‘false consciousness’. Women’s covert forms of resistance to gender inequalities indicate that they are conscious about these inequalities. Rather, women’s decisions reflect their perceived long-term self-interest in the context of women’s dependency on the family for their survival and of the external constraints for women to act in their own interests. Agarwal argues:

The appropriate conclusion would then be not so much that women need to realize that they deserve better, but that they need to believe that they can get a better deal, and to know how that would be possible” (Agarwal 1994: 57).

In other words, these women do not have a ‘false consciousness’, but rather they are conscious of the social realities and their choices reflect the best deal they can get in these given realities. Thus when a woman makes a choice in the interest of other family members, this does not necessarily mean an altruistic choice against
her own interest. A woman’s own interest may be served by the choice in the long run, or at least that is how it is perceived by the woman in question. Given this potential of agency to strengthen rather than change oppressive structures, the presence of elements of transformation of these structures is a key issue in the assessment of agency/empowerment.

Finally, violence, or rather the absence of violence, has also been used as an indicator in the assessment of agency/empowerment. This will be discussed in the next section.

Male violence and empowerment
In a patriarchal society, violence, or the threat of violence, is the most common way for men to assert their authority and control over women. By beating their wives, daughters or sisters, or threatening to do so, men assert their masculinity and male superiority and set and enforce societal norms regarding proper women’s behaviour. Male violence against women, or rather the absence of male violence, has been used as an indicator of agency/empowerment. The assumption here would be that men act less violently against women if they take control and assert their agency than against women who remain passive. Connecting this to the questions concerning land ownership and empowerment posed in this study, it could be suggested that women who take control of their own land would face less violence than women who do not.

Scholars have disagreed about the effect of variables such as women’s economic empowerment, age, and education on male violence (Schuler & Islam 2008; Vyas & Watts 2008). The question is can (absence of) male violence really be taken as a measurement of women’s empowerment? Or is violence more an indicator of men asserting their masculine identity as male authority and/or misogyny? The latter is the conclusion of Visaria (2008) in her study on domestic violence in India:

…empowerment has no clear relationship to prevalence of violence. This belies the expectation that women who participate in household decisions, and therefore have egalitarian gender-role attitudes, are less likely to experience violence.

Visaria analysed answers of female and male respondents to questions related to domestic violence included in the National Family Health Survey (NFHS-3) that was conducted in India in 2005-06. In her study, she examined findings on three issues: 1. the degree of marital control exercised by husbands and other empowerment indicators of women and their relationship to violence, 2. the association between knowledge of parental violence, the experience and acceptance of spousal violence, and 3. the extent to which women seek or expect to receive help to stop spousal violence. Visaria correlated these data with data on women’s empowerment. She measured empowerment as a degree of women’s participation in decision-making in the household related to their own health, major household purchases, purchases for daily household needs, and on visits to their
family and relatives. Rather than being related to women’s empowerment, Visaria found that violence is related to controlling behaviour of men and societal norms regarding women’s behaviour, perceptions about their worth and position in the household, and men’s notions of self-esteem that influence husbands’ behaviour, for better or worse. Her findings also indicate how deeply women have internalised patriarchal norms. As much as 54% of the women and 51% of the men agreed that wife-beating was justified in at least one of the situations regarding domestic violence that were presented to them in the survey. She concludes:

It suggests that there is good agreement between men and women on the norms that govern married life and that if women fail to observe the norms they would bring violence upon themselves (Visaria 2008).

With regard to the relationship between land ownership and male violence, a recent World Bank study on gender in Bangladesh (Das 2008: 100, 6.41-44) did not find any significance of land ownership in relation to violence in their analysis from the Bangladesh Demographic and Health Survey (BDHS) 2004. Other studies (Koenig et.al. 2003; Hadi 2005) found that household (not women’s) land ownership protects women against violence. Neither the World Bank report, nor the other studies mentioned made a distinction between land owned by men and land owned by women. The World Bank study acknowledged: “...there is a difference between household ownership of land and a woman’s ownership of land”. Despite this the World Bank mentioned in a footnote that the issue of land ownership was dropped in their World Bank Survey on Gender Norms 2006. So instead of including gender segregated data on land ownership in their future research, the World Bank dropped the issue of land ownership altogether. Obviously the World Bank gives no importance to gender and land issues. In contrast to the above-mentioned studies, Panda and Agarwal (2005: 823) found in a study in Kerala, India that women’s independent ownership of land or a house “can substantially reduce the risk of both physical and psychological violence.” They found that such women faced less violence. Control may be an important factor here. Women who own a house are likely to have control over their house as they live in it and take care of it, whereas it may be more difficult to have control over a piece of land, which they cannot cultivate all by themselves. Although I did not study male violence systematically, I have come across several instances of male violence against women (see Chapter 6) and have examined whether these instances concerned women who owned land or who did not.

In short, as we have seen so far, agency/empowerment relates to the ability to choose. In the measurement of empowerment three dimensions need to be taken

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into account: resources (pre-conditions), agency (process) and achievements (outcomes). All three are essential parts of empowerment. Choice has been mostly translated into decision-making as an indicator of agency/empowerment and sometimes open or hidden resistance is also used as indicator. Apart from this it is also important to assess the outcome of choice. Thus, for what purpose and in whose interest has the choice been made? The usefulness of these indicators will be explored, as well as the structural factors that play a role in the empowerment process and the outcome in terms of structural transformation.

2.5 Women’s land rights and gender equality
Feminist scholars and activists have pointed out that women’s low socio-economic status can be largely attributed to the gender imbalance in the distribution of productive resources and a denial of women’s active role in the production process (Beneria & Sen 1981; Mies 1987; Kishwar 1982, 1989; Clark 1993; Agarwal 1994; Deere & Léon 2001; Patel 2002). Especially since the 1990s, growing importance has been given to women’s land rights. Feminists and scholars, in particular in the South, have started advocating land rights for women and internationally there is a growing awareness that land rights for women are an important factor in improving the position of women. That women have been increasingly demanding land rights is also clear from the fact that one of the points of action in the Beijing Declaration and Platform for Action adopted at the World Conference on Women in 1995 was: “Undertake legislation and administrative reforms to give women equal rights with men to economic resources, including access to ownership and control over land and other forms of property, credit, inheritance, natural resources and appropriate new technology.”

Although women’s equal rights to resources, laid down in the United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), has gone into effect in 1981, obviously this has not been enough; more concrete measures are needed to enforce these articles. The growing awareness of the importance of women’s equal rights to land is also reflected in the increasing number of publications dealing with the issue during the last decade (Gouthami & Rajgor 2008; Pena, Maiques & Castillo 2008; Deere & Doss 2006; Nitya Rao 2006; Lastarria-Cornhiel & García-Frías 2005; Kishwar 2005; Jacobs 2004, 2001, 1996; Walker 2003; Kandiyoti 2003; Jackson 2003; Patel 2002; Brown & Das Chowdhury 2002; Quisumbing & De la Brière 2000; Deere & Léon 2001; Cummings, van Dam, Khadar & Valk 2001; Arun 1999; Kevane & Gray 1999; Indra & Buchignani 1997). In contrast to studies in other countries, the literature on Bangladesh that has appeared since the 1970s deals largely with social change related to poverty issues and/or women’s issues. Only few studies deal with

17 This is Strategic objective F.1. under Women and the Economy of Beijing Declaration and Platform for Action. See http://www.un.org/womenwatch/daw/beijing/platform/economy.htm.
18 CEDAW went into effect in 1981. See in particular Article 14(g) and 16(h) of CEDAW.
19 See e.g. the studies of Atiur Rahman 1986, P.K. Md. Motiur Rahman 1994, Hossain Zillur Rahman 1995 and Ullah 1996; these studies deal with poverty issues. The studies of Rozario 1992, Kotalová 1993 and Kaber 1997 deal with women’s issues. There are a few village restudies in Bangladesh, I know of only three: Quadir 1960, van Schendel 1981 and Adnan 1997, but these studies do not mention gender issues in relation to land at all.
the issue of women and land (B.K. Jahangir 1987; Rahman & Van Schendel 1997; Sarwar, Islam & Monzoor 2007). The studies on women by White (1992), Rahman Khan (1992) and Gardner (1995) are much broader but include sections on women and land.

In contrast to the limited attention given by scholars to the issue, for a few NGOs and landless peasant organisations, such as Nijera Kori, the Khrishok Federation and its women’s wing the Khisani Saba, women’s ownership of land has been a major issue since many years (Plate 5). The activities of these organisations focus on poor peasant men and women’s right to land, in particular khas land (fallow government land) (Kabeer 2002). A detailed study on the impact of their work on the position of women would be an interesting topic for another study.

Agarwal (1994) has examined the relation between women’s land rights and their empowerment, both from studies on various South Asian countries and her own experiences. More than a job or a business, land ownership can give women livelihood security as land is the main means of production. Agarwal argues that land rights can function “as an indicator of women’s economic empowerment and as a facilitator in challenging gender inequities in other (e.g. political and social) areas” (1994: 39) and has more strategic importance than e.g. employment and education (1994: 44). Jackson (2003a, b) disputes Agarwal’s argument that women’s land rights have such a transforming potential for gender relations. Jackson argues that advocacy for land rights and land rights policies need to be contextualised because land claims made within marriage and kin relations are more complex and

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20 Other feminist scholars have also stressed the importance of women’s ownership of resources in analysing the position of women and in programmes, rather than a focus on employment opportunities for women. See e.g. Beneria & Sen (1981), Maria Mies (1987), Sarah White (1992), Alice Clark (1993), Naila Kabeer (1994).
contradictory. Women’s and men’s interests within the household are not necessarily always conflicting. Jackson argues that intra-household relations need to be differentiated as they are complex and can be experienced by women not only as obstacles and constraints but also as supportive.

Agarwal’s argument that women who own land would be in a better position to challenge and change gender inequalities appears to contradict my earlier suggestion that poor landless people may be in a better position to challenge existing unequal structures as they are marginalised and have nothing to lose and can therefore ignore social norms and values. However, Agarwal also emphasised that women’s collective struggle for land could be the most important source of empowerment and that it requires simultaneous struggles for equal access to economic, political and social power.

...The very breadth and depth of the obstacles make land rights a critical entry point for challenging unequal gender relations and power structures at many levels. The struggle for land is thus important in terms of not just the end result, but the very process necessary for the realization of that result, which can be (and indeed would need to be) one of women’s empowerment at multiple levels along the way (Agarwal 1994: 477).

Thus, Agarwal argues that the struggle for land rights and land ownership empowers women and that they, through this struggle, bring about changes in gender relations, both in their individual lives and in patriarchal structures. Assuming that landless peasant men and women would be most interested in obtaining land, this would put them in the forefront of the struggle. This will be investigated.

Despite the growing awareness of the importance of land rights for women and legal instruments that lay down these rights, in practice, women do not necessarily own land. While policies to enforce these rights are essential and women may have the right to own and inherit land by law, many women do not own land. For instance, Deere & Léon (2001) have documented women’s achievements in the 20th century with regard to land rights and ownership in 12 countries in Latin America, and demonstrated that the discrepancy between land rights and actual ownership and control remains substantial. They found that the distribution of land between men and women in the countries they studied is still very unequal, despite women’s formal equality before the law since long, and despite clear gains made by the women’s movement. Deere & Léon argue that this is primarily due to continuing male privilege in inheritance and in the family, as well as in state programs of land distribution, titling and land markets. This is also the case in Bangladesh where inheritance is the most important means for women to obtain land.

I deal only with Muslim women in this thesis. Except one Hindu family the population in Jhagrapur is Muslim. It is also important to realise that inheritance laws are not uniform in the whole Islamic world. For instance in Indonesia, according to government law, women have the right to an equal inheritance share, thus overruling Islamic inheritance laws.
Following Islamic inheritance laws, Muslim women have the right to inherit and own land, however, they do not get an equal share. Besides, the law lacks enforcement because social norms and gender ideology interfere with these rights, such as the social norm that women in Bangladesh are dependent on their father, husband or sons for their maintenance. Moreover, various studies on women (including the earlier Jhagrapur study), following Jahan (1973), have indicated that, in practice, many women forgo their paternal inheritance share in favour of their brothers in order to keep a good relation with them (Arens & van Beurden [1977] 1980:53; Hartmann & Boyce 1983:92/93; White 1992:131; Kabeer 1994:153/154, 1999:443, 444; Agarwal 1994:260-8, 2003:204. Rahman & Van Schendel 1997: 245, 255-257). It is also argued that women are denied control over their inheritance share due to the desire to control ancestral property in the paternal lineage and that in “living law” (as opposed to formal law) women are not entitled to land, but only to maintenance. Agarwal (1994: 260-268) has argued that the fact that women renounce their inheritance share can only be understood in the context of the overall situation of these women: early arranged marriages, patrilocial residence, vulnerability in case of marital discord and strong emotional ties with brothers. This is often the case all over South Asia. Agarwal’s suggestion that village exogamy might be a factor in women’s inheritance could be related to Rahman & Van Schendel’s argument of the importance given to maintaining control over ancestral property. Agarwal (1994:291) has further hypothesised that whether women are successful in obtaining their inheritance share or not depends especially on purdah norms, village exogamy, control over female sexuality, class background, and level of education. The extent of a woman’s economic vulnerability is another hypothetical factor, but it could either cause a woman to renounce her claim because she does not have the financial means to exercise her rights, or it could make her demand her share (Agarwal 1994:291).

Against the background of these contradictory findings I have examined present day inheritance practices in Jhagrapur and compared these to my 1975 data. Various dimensions and factors that enable or constrain women’s ownership of land and empowerment have been examined as well. As we will see in Chapters 7 and 8, my findings indicate that there is not necessarily a one-dimensional relation between women’s land ownership and empowerment/agency, but that it depends on other conditions as well. I argue that control over land is even more important for women than ownership and that only under certain conditions may women’s ownership in Bangladesh facilitate women’s empowerment and play a role in challenging and changing gender and class inequalities.

2.6 Women’s control over land

Laws regarding women’s property rights have been enacted in Bangladesh and land can be registered in a woman’s name. Most women obtain land through inheritance, but in practice land is to a large extent in male hands. Apart from the issue of equal rights to land, an even more important aspect of women’s ownership of land is the issue of control. Control is closely connected to agency. Three principal
dimensions of control over land are: 1) women’s ability to acquire and retain the title to the land, 2) to take decisions about the disposal of the land through sale, mortgage or gift, and 3) to take decisions about the use of the land and its produce, including leasing out and self-management of the land (Agarwal 1994: 292). Agarwal elaborates and clarifies these points with numerous examples drawn from other studies (many from Bangladesh). Giving an example of a successful programme in India, Agarwal has also suggested that a practical way for women to facilitate their control over land is to lease or buy land collectively and to manage its cultivation collectively. In that case women would not need to deal with labourers and inputs individually and they stand stronger together. Moreover, as Agarwal also argued, agricultural extension work and trainings should be provided to women and such initiatives may need to be shaped differently for women than for men. An important difference between India and Bangladesh is that women in India, contrary to Bangladesh, do work on the land. They are involved in all agricultural operations except ploughing which is a men’s job. This may have implications for the character of collective land management. Nevertheless, these possibilities should be studied further for Bangladesh. There have been initiatives in this direction in a few areas in Bangladesh by some NGOs, among others by BRAC and Nijera Kori. But as far as I know, there have not been any studies on these initiatives and most of the initiatives have been abandoned. Nijera Kori workers in Gangni told me in 2008 that there had been a women’s group in the neighbouring Kushia district that had leased land and cultivated it collectively, but this had not been very successful because of the high cost of land lease and inputs. The profits had been very small and therefore the initiative had been abandoned again. I have not been able to go deeper into this issue during the course of this study, but it would certainly be an interesting subject for further research. Lessons regarding collective and alternative farming could be learnt from La Via Campesina, the international peasant movement of poor peasant men and women.22

Several authors have argued that control over land rather than ownership is the crucial factor in Bangladesh (White 1992; Rahman Khan 1992; Gardner 1995). Gardner (1995: 216) argued that, although formally women do not control resources, many of them, especially older women, do have considerable control behind the scenes within their own domains. Gardner, however, deals mainly with women from middle and rich peasant households and she does not make a distinction between the women who own and those who do not own land. White (1992:134) connects a woman’s control to the quality of her social relationships and the priority she gives to strengthening those relationships (giving up her rights strengthens her social relationship with her brothers). This relates to what Agarwal (1994: 54) calls a woman’s fallback position: “the outside options which determine how well off he or she

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22 La Via Campesina was created in 1993; its membership and activities are still growing worldwide. Its principal objective is to develop solidarity and unity among small farmer organizations in order to promote gender parity and social justice in fair economic relations; the preservation of land, water, seeds and other natural resources; food sovereignty; sustainable agricultural production based on small and medium-sized producers. http://viacampesina.org/en/index.php?option=com_content&view=category&layout=blog&id=278&Itemid=44
Debates on women, land and agency would be if cooperation ceased”. If e.g. a woman can fall back on her parents and brothers this strengthens her bargaining position vis-à-vis her husband. But whereas Agarwal argues that bargaining power strengthens a woman’s independence, White approaches the issue from the dependency side. She argues that the above means that in practice women’s income of property does not constitute a basis for women’s independence of men, but it may “serve crucially to strengthen the terms on which women negotiate their dependence” (White 1992:134). In other words, White contradicts Agarwal’s argument that land ownership would give women more independence. White argues that land ownership may change the form of dependency (but does not give independence). This in fact does not exclude that, within the context of a dependency relation, land may increases a woman’s negotiating power. As is obvious from the above, the issue of women and land is complicated. The mere fact that a woman owns land does not necessarily mean that she has more influence in the household and community or more control over her own life.

Land reform is one of the ways in which women may obtain land; therefore I discuss land reform issues in the last section of this chapter. Land reform has become a topic of renewed debates since the World Bank initiated new land reform programmes over the last decade.

2.7 Land reform

Debates on land reform have gone on for many decades and land reform was one of the most important issues of revolutionary liberation movements that waged struggles against feudal, colonial and other oppressive regimes in countries in the South with predominantly rural populations and stark class contradictions. The main aim was to liberate the poor peasants from exploitation and oppression by (absentee) landlords, and to abolish the landlord class by redistributing the latter’s vast landholdings among the poor who were cultivating those lands as tenants. Poor peasants were organised in mass movements through conscientisation programmes influenced by the ideas of Paolo Freire (1970) and ‘land to the tiller’ was one of the main slogans. The state was to carry out the land reforms. In several countries in the South land reform policies have been adopted and implemented from the 1950s, such as in the Indian states of Kerala and in West Bengal (Lieten 2003: Ch.5 and 6) and in several countries in Latin America (Deere and Leon 2001) Most of the land reform policies that were implemented benefited poor peasants and tenants, but they were gender blind. Land was redistributed to heads of households, mostly men, and gender inequalities and divergent gender interests within the household were ignored. In some cases women even lost their land due to land reform (Jacobs, 2001). The Sandinistas in Nicaragua were the first in Latin America to incorporate women as beneficiaries in their land reform programs (Deere & Léon 2001: 95-106). However, as Deere & Léon (2001: 96) found, an explicit state policy to include women was not sufficient for women to acquire land rights. Between 1979 and 1989 only 9.7 percent of the 59,545 beneficiaries of the Sandinista agrarian reforms in Nicaragua were women.
Since the 1990s, debates and policies on land reform have re-emerged, this time led by the World Bank. The present land reform programmes are very different in character. The main idea is that redistribution of land should take place through the market. Thus, land reform has been given a fundamentally different meaning; it has been made into an instrument of neo-liberal free market ideology and policies. It has nothing to do with the original idea of land reform as repairing historical injustices and equal redistribution of land by taking away excess land from the rich and distributing it to the poor. In this new concept of ‘land reform’, it is not the state, but the market that should take care of redistribution of land. Now poor peasants, men and women, have to buy excess land from rich peasants on the market instead of receiving back the land that has been taken away from them in the course of history; the poor are denied their rightful share. Policies are promoted that enhance the marketability of land, such as legal reforms to facilitate land market transactions, land titling and increased security of property rights, combined with credit facilities for the poor. During the past decade, the Bangladesh government has taken several measures along these lines, such as improving land registration procedures and reducing registration costs. The underlying argument is that agricultural production is more efficient if more land makes its way into the hands of small peasants (Carter, 2006) and if women are also landowners.23 Thus, this new concept of market-led ‘land reform’ is sold to the public as a measure of pro-poor growth, poverty reduction and gender equality. But in fact the objective is ‘mainstreaming’ (incorporating) the poor, in particular women, as producers and consumers in the competitive capitalist market economy that runs according to the principle of the right of the strongest.24 It will further indebted the poor, who will have to repay loans for many years, while rich peasant and landlords receive market value for their (often ill-obtained) excess land. Such programmes also contradict and undermine the proper implementation of existing government policies of land redistribution.25 Moreover, as civil society organisations rooted in peasant movements, women’s movements and other social movements26 have argued, neo-liberal markets are not pro-poor and not gender-neutral (Jacobs 2001); women now have to compete with their husbands within the household for land in the ‘free’ land market. Moreover, market-led land reforms promote and facilitate further privatisation of land, individualised land rights and commodification of land, which drives up the price of land and further strengthens the grip of corporate

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24 Capitalist production relations will finally result in a disowned and exploited rural proletariat at one end of the scale and a class of rich entrepreneurs at the other end (see e.g. T.J. Byres 1991; Atiur Rahman 1986; Utsa Patnaik 1987; Deborah Bryceson 2000).

25 For experiences in Brasil with such programmes, implemented by the Cardoso government and continued by the Lula government see Resende and Mendonça (2005) The Counter-Agrarian Reform of the World Bank at http://www.landaction.org/display.php?article=273. Large landowners were ‘rewarded’ through such programmes, while large numbers of poor peasants were heavily indebted, only worsening their situation. For an elaborate critique of the market-led land reform see also Borras (2003).
agri-business on agricultural production. Small landholders will be compelled to intensify cultivation to make their investments profitable. This means that it will increase their dependency on inputs from outside to increase production and on credit facilities, which may eventually lead to a dead end of insurmountable indebtedness.27 Or, as O’Laughlin (2006: 16, 17) argued in the context of the expansion of global capitalism, women and men with very small holdings will be likely to lose part of their livelihood base with the expansion of individualised land rights and land markets, as historically the commodification of land rights has led to the movement of people out of agriculture. Interestingly, the UN Special Rapporteur on the Right to Food, Olivier de Schutter, expressed similar concerns in his Report to the UN General Assembly (Sixty-fifth session, 11 August 2010, pp.11,12).28 He argued that security of tenure should be seen as crucial to the realisation of the right to food, but that individual titling and the creation of a market for land rights may not be the most appropriate means to achieve this goal as this may lead to further land concentration. Instead, the report suggested the strengthening of customary land tenure systems and reinforcement of tenancy laws to improve the protection of land users and emphasised the importance of land redistribution. The report further specified that customary forms of tenure should be, if necessary, amended to bring them into line with women’s rights, the use rights of those who depend on commons, and the rights of the most vulnerable members of the community. The above issues will be examined in the context of rural Bangladesh.

2.8 Summary and Conclusion

I have discussed ongoing debates on women’s land ownership, structure and agency, and empowerment. These are the main debates and theories that have informed the leading questions of this study: what factors facilitate or constrain women’s ownership of and control over land, and does land ownership empower women to play a role in structural transformation? I have argued that Giddens’ structuration theory does not leave room for people, individually or collectively, to operate consciously against the structural rules and powers to transform structure in fundamentally different ways. I also argued that people on the margins of society are less trapped in social and cultural structures, such as class and gender ideologies, and therefore may be in a better position to act in defiance of, or ignore these structures. I will further investigate this, in particular with regard to women and empowerment. Following Batliwala (1994), Agarwal (1994) and Deere & Leon (2001) empowerment has been defined as a process in which women, individually and/or collectively, gain strength to challenge and change existing power structures.

26 Such as FIAN (Food First Information and Action Network) and the international peasant organisation Via Campesina (of which the Bangladesh Krishok Federation and its women’s wing Khishani Sabha are members).

27 The numerous deaths by suicide of farmers in Andhra Pradesh India as they saw no way out of their indebtedness are an example of this.

Kabeer’s proposed measurements of empowerment - availability of choice, decision-making power (agency) and the consequences of the choices - will be used (Kabeer 1999). As power relations differ within the various social structures, such as in marital relations, in the household, in the natal family and in the community, women’s decision making power will be investigated in the various social arenas and related to women’s ownership of land. Following Agarwal’s argument that women’s ownership of and struggle for land could be the most important source of empowerment for women (Agarwal 1994), the question what role does women’s land ownership play in their empowerment and how does this contribute to a structural transformation of gender and class inequalities will be examined. The focus will be in particular on poor peasant women, but the perspectives of middle and rich peasant women will be taken into account as well. Finally, I have discussed land reform policies in the past and the more recent debates on market-led land reform as pushed by the World Bank.

In the next chapter, I will discuss the economic transformation that has taken place in Bangladesh, in particular as a result of the introduction of the Green Revolution. As we will see, this has had serious consequences for class and gender relations, such as the rise of the dowry system.