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# **Women's Rights to Land in Bangladesh: Roles, Limitations and Transformation**

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*with*

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**DHAKA**



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Advancing Women Rights Theme, Women Rights and Gender Equality Sector. Action  
Aid Bangladesh

## **Women's Rights to Land in Bangladesh: Roles, Limitations and Transformation**

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## **EXECUTIVE SUMMERY**

Concerns about women's access to, control over and ownership of land and resources have been raised over the years at different but inter-related levels. Land and environmental resources are central to the lives of people living in countries whose economic development and subsistence depends on the resources. With regard to environmental resources, women's access to and control over forests, water and wildlife has come into sharp focus as it has become clear that the performance of women's day to day chores is anchored on these resources. Making access to land and environmental resources equitable is one way to achieve development. The Millennium Development Goals recognize the need to promote gender equality and empower women, the need to alleviate poverty and ensure sustainable environmental management. The context within which access to land and environmental resources occurs is nuanced by diverse factors.

*First, the conceptualization of gender as a social construct where roles and realms of operation of men and women are set and translated into power relationships where masculinity and femininity denote differentiated entitlements to resources.*

*Second, there are different legal orders used to allocate resources. Law can empower or disempower its subjects in the quest for access to resources. Legal equality may result in substantive inequality where the prevailing situation of legal subjects is not taken into account.*

*Third, the patriarchal social ordering of many societies in developing countries makes access to resources tilted in favor of male members of society. In this regard, laws intended to grant equal access for men and women yield very different outcomes upon application in a much gendered context.*

*Fourth, globalization and technological development impact on access, ownership and control of land and resources. For instance, as new technologies are adopted, women's ways of managing resources such as saving seed are sidelined even as the technologies are not made readily available to women (Shiva, 1989). The net effect is the alienation of environmental managers from the environmental resources.*

The study examined the entire spectrum of issues related to appropriation of right to land for women in Bangladesh including *Women's Ownership of Land that is purchased by a Household, Women's Ownership of Government-Allocated Khas Land, Marriage and Dowry, Inheritance of Land by Women, Separation/Divorce* along with the most prominent phenomenon that is defining the role of women in the agriculture based economy like Bangladesh- *Commercialization of Agriculture* to grasp the overall status of the women in the

issues of land rights. Study suggest that the legal, societal, power relationship within the society and globalisation as the externality impacting on the land rights of the women in Bangladesh. Essentially the study came up with some concrete recommendations to ensure better access of the women into land. from the study it was strappingly realised that the women themselves are not often realise that they should have the title over lands. Many women are aware of these rights, but either do not know how to exercise them or feel socially barred from exercising them. For these reasons, the legislative and policy recommendations must be paired with education for men and women about the benefits to women of land ownership as well as access to improved legal aid to assist women in asserting these rights. It is also stoutly realised that Civil Society has a very important role to aware women about their right and assist them to go for social and legal services including court cases.

## **I. INTRODUCTION**

### **BACKGROUND**

Women play important roles as producers of food, managers of natural resources, income earners, and caretakers of household food and nutrition security but access to and control over land are still confined.

Women are primarily responsible for food production but land is owned or controlled by men. Women acquire use rights through relationships to a man—usually a husband or father; maintaining those rights depends on continuing the relationship. As a result, women's productivity is often constrained because they do not have rights to make decisions, and often cannot get credit without land rights. Just as significantly, women's dependence on men for use rights reduces their security because they can lose the right to use land if they are widowed or divorced. Women's control over land is important strategies to empower rural women but still it is limited for them.

Like other developing countries, a majority of women in Bangladesh's rural areas are involved in the agriculture production process. Various studies noted that in rural areas of Bangladesh, women are engaged in a variety of agricultural activities such as land preparation, seed preparation, collecting farmyard manure, weeding and harvesting. Women also undertake the responsibility of cleaning, drying, and storage of grains. Taking care of livestock is another duty that is usually performed by rural women. They collect fodder, clean sheds and process animal products. In addition to these, they perform various household tasks, such as, cooking, washing, house cleaning, fetching water, collecting fire woods and care of children and elderly members of the family. Unfortunately their involvement in productive activities related to agriculture is undervalued and regarded as housework.

In Bangladesh women face extremely discriminatory and exploitative wage market, especially in agriculture and informal sector where they receive low reward as compared to the labour and time that they devote to these activities. Various studies have found that female's decision to participate in the labour market is significantly determined by household income, family size, educational attainment, and market wage rate. Often, women face barriers to working outside the home, resulting from cultural preferences for female seclusion.

A woman's right to property, her powers to make household financial decisions, and her access to credit, productive resources and extension services all directly affect her family's health, nutrition and financial well-being. In the context of Bangladesh women has limited power to make financial decisions and access to right the property. Legal or social restrictions prevent many women from owning or inheriting land, water rights or livestock, borrowing money and making decisions regarding the use of family assets. This has a direct and detrimental impact on their ability to manage security. Although

micro finance programs may include insurance provisions, broader safety nets to reduce women's vulnerability, but it is often inadequate for the very poor.

Women's involvement in economic decisions is extremely limited. It is also noted that women have little access to asset ownership. Because of the prevailing traditions, very few women own land or other physical assets. The lack of asset ownership, especially in terms of land, limits their access to the institutional credit. This keeps them away from self-employment opportunities. The decision-making power has significant impact on the family size. In a male dominating society like Bangladesh, husband plays a predominant role in all major household decisions.

Women's malnutrition occurs during childhood, adolescence, and pregnancy period and it has an additive negative impact on the birth weight of future babies. Social, economic, and cultural factors, as well as the biological requirements of childbirth and lactation, have led to women's higher vulnerability to malnutrition relative to men. Women need to be empowered to look after their own nutrition of their families. Women of Bangladesh are far behind men in basic human capabilities. They are less educated; their health status is low; they are discriminated against men in wage market; they are less mobile; they are overburdened; and their work is undervalued.

#### **RATIONALE:**

At present the need is to understanding grassroots women's situation and to work for voicing of the unheard and identifying indigenous solutions to causes of systematic denial of rights. This will require linking macro to micro effects of such denial of rights. The expected output will thus voice the rights of women in land uses in promoting gender centered approach in programmatic interventions and policymaking towards khash land transformation system in Bangladesh. The research project collected life histories by case study method of women-farmers from different income pattern level. The study also employed oral testimony methodology to collect information from women of different areas to understand the exclusion of certain groups of women.

#### **OBJECTIVES**

In the above context, the current study seeks to explore the land rights of women in Bangladesh through studying changing production system, land laws, traditional role of women in post harvest period, existing access to and control over land and production market on the basis of input-output linkages and tries to develop clear way for a sustainable transformation of productive land in Bangladesh. The specific objectives of the study are to:

- Identifying the existing land rights of women in Bangladesh and its differential outcome;
- Articulate the contribution of women in agricultural production system, market determination and farmer's right;

- Spell out exploitation and discrimination of women on productive land uses and challenges to eradicate conflict and control over productive land in gender lens;
- Develop a comprehensible way for sustainable transformation of agricultural land and identify roles of different stakeholders to frame a equitable and gender balanced system in the society.

## **STUDY METHODOLOGY**

The current study seeks to explore the land rights of women in Bangladesh through studying changing production system, land laws, traditional role of women in post harvest period, existing access to and control over land and production market on the basis of input-output linkages and tries to develop clear way for a sustainable transformation of productive land in Bangladesh.

- Information Collection : Primary and secondary sources. Primary sources has been key informants from rural women and men who are involved with agricultural works, wage labourers, officials from related line ministry and government organizations and members of civil society organisations active in land rights of women. Secondary sources include books, journals, and articles, statistical review written in home and abroad.
- The World Wide Web will also be an important source of data gathering.
- FGD/ PRA Tools Use/ Group work / discussion and analysis
- Interview and observation method also applied. Questioner use.

Interviews of the primary stakeholder i.e. women has been the other method of collecting information. Questionnaires both structured and open ended has been used for collecting data and information. Observation method has been applied within the households in respect of analysing present status, roles and limitations of women in agricultural production and land rights of them.

- Two villages from Noakhali district has been selected. One area has been char that has been selected on random basis and another one has been selected from relatively land owner areas. The respondents has been selected purposively from different households of land less, widow, land owner which are directly related with land production keeping congruity with the objectives of the study. Policy-makers, officials of government and non-government organisation, and responsible person from different sections has been selected for interview.

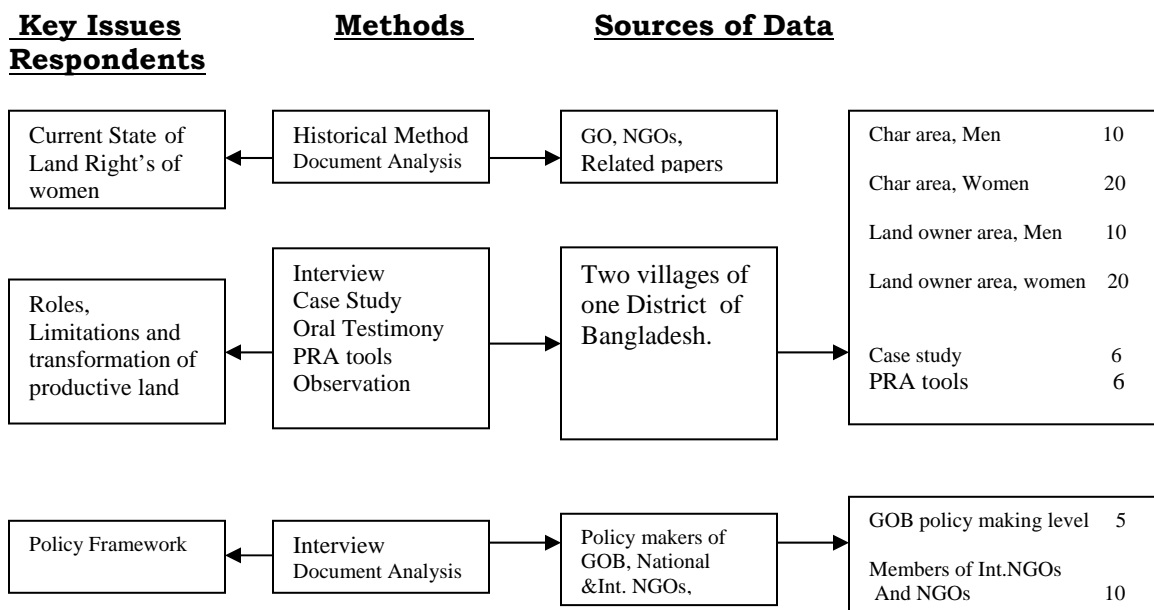
<b>Respondents</b>		<b>Number</b>
Char areas households	<b>Men</b>	10
	<b>Women</b>	20
Land owner households	<b>Men</b>	10
	<b>Women</b>	20
	<b>widow</b>	5

Others	<b>GOB policy making level</b>	5
	<b>Members Of INGO and NGOs</b>	10
	<b>Case study</b>	6
	<b>Oral testimony</b>	6
	<b>FGD groups</b>	6

Moreover, the *Chars* in Gaibandha District also visited shortly to examine the issues of Khas lands further. Several FGDs are conducted there for this purpose.

Collected data has been processed and analysed by applying proper statistical techniques in the light of the objectives of the study. Information has been presented in the descriptive form. For better understanding tables, charts, graphs have been presented. Suitable statistical tools have been used for data analysis.

**Research Issues and Design:**



## II. WOMEN'S SOCIO-CULTURAL AND POLITICAL PROFILE IN BANGLADESH

Women's involvement in cultivation on their family's own land and in the agricultural labor market varies both by religion, land ownership type and social class. This distinction holds true for women's household tasks as well.

Social customs dictate that Muslim (land holding class) and upper caste Hindu women, almost never work in the fields even though their households typically have land. It might even be impossible for such women to recognize their household's land. Even if women in these households have land titled in their own name they usually do not visit their land nor do they supervise cultivation. These women greatly depend on male members of their family for cultivation of their land. Inside the home, however, these women are in charge of the family's grain processing and storage. They may also keep track of hired laborers' wages and sometimes personally pay the wages, especially if the payment is made in terms of paddy or rice.

These generalizations do not hold true for women from small and marginal farms and scheduled castes and scheduled tribes. Both male and female members of these groups work in the fields. Many tribe and scheduled caste and poor muslim families do not own land, but if they do, they usually cultivate the land themselves without the assistance of hired labor. If they need assistance, they often exchange labor with other families. Women from tribe families continue to work on their family's land even if their family is financially secure. Tribe women in these relatively well-off families will, however, stop working as paid agricultural laborers. This is not the case among scheduled caste and poor muslim families, where as the financial situation of the family improves, the women cease to work both as laborers and on their family's own land. Male members of landholding families, regardless of class or religion, are typically involved in the cultivation of their land. They decide what to produce, when to produce and which seeds and fertilizers to use. They also generally physically participate in the agricultural work or will supervise laborers. The available statistics show that the number of working women in the field is huge as the majority farms in the rural Bangladesh is poor and marginal farms regardless of religion.

**Table-1: Employed Person 15 Years and Over by Broad Economic Sector and Sex**

Board economic sector	Both Sex		Male		Female	
	Number million	Percent	Number million	Percent	Number million	Percent
1	2	3	4	5	6	7

Total	51.8	100.0	32.4	100.0	19.4	100.0
Agriculture	32.6	62.9	17.4	53.7	15.2	78.3
Non-agriculture	19.2	37.1	15.0	46.3	4.2	21.2
Industries	5.2	10.1	3.6	11.0	1.6	8.4
Services	14.0	27.1	11.4	35.4	2.6	13.2

Source : BBS: Labour Force Survey Bangladesh 1999-2000, August 2002.

From the above data it is found that more than 78 percent of women employee of the country is engaged in the agriculture sector and the absolute number of the agricultural women also huge amounting more than 15 million. It is because of the presence of large number of small and marginal farms in the agriculture and continuous fragmentation due to population pressure, urbanization and river erosion.

The official statistics, the dated latest version of which is available until 1996, suggest that the total operated area of farm land in the country has not increased between 1960 and 1996, seemingly rather has disappeared, perhaps due to demographic pressure, land related violence, illegal encroachment of public lands, natural disasters, erosion of rivers and internal displacements, and insecurity on holding of personal lands.

**Table-2: Distribution of Farm Land according to the Sizes of Holdings, 1960-1996**

Size of holding	1960			1983-84			1996		
	No. of holdings (000)	Operated area (000 acres)	Avg. Size (acres)	No. of holdings (000)	Operated area (000 acres)	Avg. Size (acres)	No. of holdings (000)	Operated area (000 acres)	Avg. Size (acres)
Marginal holdings (0.5 to 0.99 acres)	1493	704	0.47	4061	1774	0.44	5704	2545	0.45
Small holdings (1.00 to 2.49 acres)	1677	2826	1.69	3005	4799	1.60	3629	5604	1.54
Medium holdings (2.50 to 7.49 acres)	2314	9928	4.29	2483	10226	4.12	2078	8370	3.98
Large holdings 7.50 acres+	656	8269	12.61	496	5879	11.85	298	3455	11.59
Total	6140	21727	3.53	10045	22678	2.25	11709	19974	1.70

Source: Agricultural Census Reports, 1960, 1983-84, 1996, BBS.

The number of farm holdings, correspondingly, has almost doubled over this period. There is a consequential process of disintegration of holdings into even smaller segments, with the number of small and marginal farmers increasing

from about 52 percent in 1960 to nearly 80 percent in 1996. Hence, the number of large farms has declined over this period from 10.7 percent to 2.5 percent of the total holdings. The number of medium-sized farms even fell from 37.7 percent in 1960 to 17.6 percent in 1996.

**Table – 3: Distribution of Farm holdings according to Size, 1960-1996  
(as percentage)**

Size classification holdings	1960		1983-84		1996	
	of total farms	of total areas	of total farms	of total areas	of total farms	of total areas
Marginal (owning between 0.05 to 0.99 areas)	24.3	3.2	40.4	7.8	49.1	12.8
Small (owning between 1.00 to 2.49 areas)	27.3	13.0	29.9	21.2	30.8	28.2
Medium (owning between 2.50 to 7.49 areas)	37.7	45.7	24.7	45.1	17.6	41.6
Large (owning 7.50+ areas)	10.7	38.0	4.9	25.9	2.5	17.4

Source: Agricultural Census Reports, 1960, 1983-84, 1996; BBS.

Poor Muslim men often as work as agricultural wage laborers, but Muslim women, rarely, if ever, do so. By custom, some types of agriculture work are only performed by men. Men plow and carry loads of manure and other inputs to the field. Women predominantly transplant, weed, harvest, and thresh, although men also participate. Men get paid slightly more for plowing and hauling, but also work longer hours. They have the ability to work longer hours because they have fewer household responsibilities than women. Men also participate in a greater variety of work and therefore have more employment options available to them throughout the year.

In rural Bangladesh women also earn income from preparing puffed rice, rolling beedi cigarettes, baby-sitting, working as housemaids, and handcraft work (such as making baskets, brooms, and mats, and embroidering). Poor women support themselves through beedi cigarette rolling, stitching, embroidery, and mat making

Women also typically care for some of the animals owned by the household, such as poultry, goats, sheep, cows, bullocks and buffaloes. We observed that women generally care for smaller animals, while men typically care for the larger animals. Ducks and hens are almost always under women's care and women earn income from selling their eggs. Women generally look after goats and sheep and sometimes tie them in the field for grazing, but men will cut and collect their fodder if it has to be gathered from distant places.

Women also do activities related to cooking, such as fetching water, collecting fuel, leafy vegetables, fish, etc. Similarly, creching or nursing is always women's

responsibility. If the family can afford a housemaid then she cleans the house, clothes, and utensils. Women of different classes and religions have varying control over family income and decision-making. Tribal and poor women are income earners and thus they often have control over at least the income that they earn. They sometimes also have control over income earned by male family members. Upper class Muslim women generally do not have any income and generally have no control over their family's income. Though women of this class are typically more educated, they often have less decision-making power within the household. For most women, having children does increase their relative decisionmaking power within the household as they are often more willing to express their opinions and make decisions based on the welfare of the children.

**Table-4: Women's socio-cultural and political profile**

<b>Issues</b>	<b>Women's socio-cultural and political status as compared with men</b>
<b>Participation in decision making</b> Household level Community level	Women participate in decision-making on common household issues. Women's participation is very low. Women do not even participate in meetings which are of common interest to them
<b>Educational status</b>	Women's educational status is low compared with men
<b>Mobility</b>	Mobility of women is limited to movements to and from her parental and her marital land.
<b>Image</b> Self image Image in society	Women do not perceive themselves equal to men in various aspects. Society believes women are not capable of handling administrative issues. Involvement in the land registration process is perceived as too difficult for them.
<b>Organisational capacity</b>	There is low level of women's organisational capacity in the region. Women's associations are not active. This in turn limits their access to information and negotiating capacity

*Source: The framework was adapted from gender assessment study, Netherlands Ministry of Foreign Affairs, 1994.*

### **III. EXISTING LAND RIGHTS FOR WOMEN IN BANGLADESH: FINDINGS AND RECOMMENDATIONS**

Concerns about women's access to, control over and ownership of land and resources have been raised over the years at different but inter-related levels. Land and environmental resources are central to the lives of people living in countries whose economic development and subsistence depends on the resources. With regard to environmental resources, women's access to and control over forests, water and wildlife has come into sharp focus as it has become clear that the performance of women's day to day chores is anchored on these resources. Making access to land and environmental resources equitable is one way to achieve development. The Millennium Development Goals recognize the need to promote gender equality and empower women, the need to alleviate poverty and ensure sustainable environmental management. Feminist critiques of development have identified the marginalization of women from the means of production as a critical factor in the subordination of women. (Boserup, 1970) The context within which access to land and environmental resources occurs is nuanced by diverse factors.

First, the conceptualization of gender as a social construct where roles and realms of operation of men and women are set and translated into power relationships where masculinity and femininity denote differentiated entitlements to resources.

Second, there are different legal orders used to allocate resources. Law can empower or disempower its subjects in the quest for access to resources. Legal equality may result in substantive inequality where the prevailing situation of legal subjects is not taken into account.

Third, the patriarchal social ordering of many societies in developing countries makes access to resources tilted in favor of male members of society. In this regard, laws intended to grant equal access for men and women yield very different outcomes upon application in a much gendered context (Dahl, 1987; Mackinnon, 2005).

Fourth, globalization and technological development impact on access, ownership and control of land and resources. For instance, as new technologies are adopted, women's ways of managing resources such as saving seed are sidelined even as the technologies are not made readily available to women (Shiva, 1989). The net effect is the alienation of environmental managers from the environmental resources (Mies and Shiva, 1993).

#### **A. Women's Ownership of Land that is purchased by a Household**

##### ***The Law***

Women, like all other Bangladeshi citizens, have the legal right to purchase and own land. If a family purchases land, a woman has no legal ownership right to the land unless her name appears on the deed or other land documents.

There is a limit of private land ownership. In 1961 the highest limit was sealed to 375 *Bigha* by each family through ordinance number 15. However, in 1972 the ceiling lowered to 100 *Bigha* by ordinance number 18 and in 1984 through land reform ordinance that ceiling was lowered to 60 *Bigha*.

### **Findings**

Interviewees in every village informed us that very few women own land. In fact several female villagers laughed when we asked them whether they were owners of land their household purchased and responded that there is, “No question of putting land in the mother’s name.” Many said that it had never crossed their mind that both spouses could both be owners of land. Land that a family owns is most commonly titled in the name of the male head of household, and women rarely purchase land on their own because of cultural gender role constraints and their lack of independent financial resources. We did encounter some women who held ownership rights to purchased land. Some women owned land because they supplied the funds to purchase the land through their labor, by bringing money to the marriage, or by selling jewelry. For the most part, however, women are not owners of household land and many families have never considered purchasing land in the names of both spouses’.

Policymakers generally assume that farms has been cultivated on a family basis. Hence to the extent that the government is beginning to recognize that women farmers to have legitimate claims in land, joint titles (titles held jointly by husbands and wives) are mostly favored. Such titles have both positive and negative implications. On the positive side, clearly getting some land is better for women than having none. But on the negative side, joint titles also present women with several potential problems. Women often find it difficult to gain control over the produce, or to bequeath the land as they want, or to claim their shares in case of marital conflict. As some rural women explained: “By being tied to the land we would be tied to the man, even if he beat us” (author’s interviews, 1989). Also with joint titles wives cannot easily exercise their priorities in land use if these priorities happen to differ from those of their husbands. Most importantly, joint titles constrain women from exploring alternative institutional arrangements for cultivation and management. Individual titles, by contrast, give women greater flexibility and control over the land. At the same time, individual women often lack funds for equipment or inputs, and where holdings are very small individual investment in equipment can prove uneconomical. Individual women also face considerable pressure from male relatives who want to acquire or control the land. However, *institutional solutions to these problems can be found*, provided women’s land claims are not tied to their spouses, and *if the unit of investment and cultivation is not limited to the household, indeed are not defined by the household* at all. One alternative would be to help women who own individual holdings (whether obtained through inheritance, purchase, or from the government) to invest in capital inputs jointly with other women, while managing production individually. This reduces the individual cost of major investments. Women owners of plots could be encouraged to do the same.

## **Land related insecurity and ownerships for Women**

A comprehensive data on land related violence of the country is not available excepting those major and significant confrontations reported in newspapers as these only tend to cover the high profile ones, in most cases keeping the rural Bangladesh outside its purview as well as those incidents in cities involving regional faction leaders

An alternative proxy might be to understand the intensity of land related problems is to look at land-related court cases. According to government, there are 8 lakh land-related cases pending until 2004 while an estimation by Barakat and Roy (2004) suggests that that this would be 32 lakh in that year. The study also points out that the cases need an average time of 9.5 years for settlement. The striking finding of the study is about number of affected population, which according to that report's calculation are 150 million people while total population of the country was then 130 million. They argued that the affected population is larger than the total population as similar persons are affected with a number of cases (Table – 8).

**Table - 5: Land-related Court Cases in Bangladesh**

Source	No. Of Cases pending <sup>1</sup>	Affected population	Average time of completion of land cases
Bangladesh Government, 2004	8 Lakh	-	
Barakat and Roy, 2004	32 Lakh	150 million	9.5 Years

*Source: Compiled by the Author, 2006*

Grabbing of private property of the ordinary public is now a serious threat for the security of the people as the faction leaders of major parties are engaged in the real estate business and businesses that require forceful use of lands such as shrimp cultivation, as frequently reported in newspapers. The real estate businesses and shrimp cultivations require a sizeable amount of land. Such businesses create situation in which the small holders have to cave in to pressures, and in circumstances the weak had to swallow less than the market price. Women are especially vulnerable in this connection. The issues of land grabbing and eviction from private property are not a gender issue itself still women are the most pretentious suffers of the process as they have limited access to the legal and institutional services in a patriarchal society. In the field study at different part of the country it is observed that the land related conflict is pervasive in all the areas and women lack the resource and information to get the judicial services for appropriating their right- often they rely on the male for solving their problems related land ownerships.

### **Recommendations**

- **Facilitate the inclusion of women as joint owners of purchased land by requiring that the option of joint ownership be made clearly**

<sup>1</sup> Ministry of Law and Parliamentary Affairs, GoB, 2004

- available on all sample deeds and registration documents and by requiring deed writers to inform purchasers of this option.
- **Initiating women association for dissemination of information about legal and administrative processes of land litigation.**
  - **Individual titles, give women greater flexibility and control over the land. Women who own individual holdings (whether obtained through inheritance, purchase, or from the government) will invest in capital inputs jointly with other women, while managing production individually. This reduces the individual cost of major investments. Women owners of plots could be encouraged to do the same.**
  - **Village women need support to ensure that their land shares are correctly recorded by the relevant village official, and need legal advice and help if they wish to contest their claims with either the family or the administration. In all these efforts, gender-progressive groups could play a significant role.**

## **B. Women's Ownership of Government-Allocated Khas Land**

### ***The Law***

Only the land reform act of 1984 has focused on women rights on land for the first time. In this act and in 1986 in a Government notification, was formulated under the light of 1984 act, about khas land and non-agriculture land distribution indicated that if two acres of land is distributed to a landless family one acre should be given to the husband and one acre should be given to the wife.

### ***Findings***

#### ***Dynamics of Khas land in Bangladesh and women's position***

The grabbing of public land is endemic, though available data on extent of grabbing of public land differs substantially. The government estimates that 35.7 % of *khas* lands are in possession of illegal grabbers while the BZR (2001) suggests such figure is 33%. In case of vested property, the grabbers encroached about 69 % as per statistics of government while BZR estimated 90% of such properties are illegally held (Table - 6). The data on waqf properties are only available from government, which shows that over 77% in that category is grabbed by the encroachers. The absolute amount of grabbed land among the sources of information varies significantly, yet the high percentage of grabbing shows intensity of land grabbing.

**Table - 6: Encroached Land**

in lakh acre

Land type	Bangladesh Government <sup>2</sup>			BZR <sup>3</sup>		
	Available	Encroached	%	Available	Encroached	%
<i>Khas</i> land	14	5	35.7	33	10	33
Vested Property	6.43	4.45	69.2	21	18.9	90
Waqf Property	9	7	77.1	-	-	

Source: Complied by the Author, 2006

Different sources come up with varied amount of *Khas* land in Bangladesh, showing a considered level of dispersion among the data. In the budget session of national parliament in 2003, the then land minister Mr. Shamsul Islam informed the parliament that *Khas* land available in Bangladesh was only 6 lakhs acre while the Parliamentary Standing Committee on Land Ministry suggested in their report in 2004 that the available *Khas* land is 14 lakh acre by publishing 53 district-wise database of *Khas* land. A study carried out by Barakat, Zaman and Rahman (2001) estimates that the *Khas* land in Bangladesh is 33 lakh acres while basing their calculation on the government data (Table -7).

**Table - 7: Available *Khas* land in Bangladesh**

Source	Amount (Acre)
Land Ministry, 2003 <sup>4</sup>	6 lakh Acres
Parliamentary Standing Committee on land Ministry, 2004	14 Lakh Acres
Abul Barakat, S Zaman and S Rahman, 2001	33 Lakh Acre

Source: Complied by the Author, 2006

According to the BZR estimation, if agricultural *Khas* land (only the identified areas) is distributed equally among the landless households, the per household availability for allocation is 0.37 acres and such could rise to 1.52 acre on an average, if agricultural, non-agricultural and water bodies are considered combined (Table - 3).

**Table - 8: Available *Khas* land and Availability Per Landless Households**

<sup>2</sup> Report of the Parliamentary Standing Committee on Ministry of Land submitted to Parliament in 2004.

<sup>3</sup> Abul Barakat, S Zaman and S Rahman (2001), political economy of khas land Bangladesh, 2001, published by ALRD, Dhaka

<sup>4</sup> . From speech of then Land Minister in the Budget session of parliament, 2003

<b>Division</b>	No. of landless households (1996)	Agricultural Khas lands acre	Agri Khas land per landless household	Non-agricultural Khas land	Non-Agri Khas land per landless household	Khas water bodies	Khas water bodies per landless household	Total Khas land	Khas land and Khas water bodies per landless household
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>
<b>Dhaka</b>	547682	207135.97	0.38	62282.00	0.11	127947.68	0.23	397365.65	0.73
<b>Chittagong</b>	319592	156734.31	0.49	133915.4	4.19	42708.61	0.13	1538558.20	4.81
<b>Sylhet</b>	179474	129764.12	0.72	120491.82	0.67	98943.43	0.55	349199.37	1.95
<b>Rajshahi</b>	786605	163007.96	0.20	125945.72	0.16	284048.98	0.36	573002.66	0.73
<b>Khulna</b>	200596	51714.01	0.26	36728.04	0.18	61033.49	0.30	149475.54	0.75
<b>Barisal</b>	146091	94952.45	0.65	1790.92	0.01	245673.00	1.68	312416.37	2.14
<b>Bangladesh</b>	2180040	803308.80	0.37	1686354.0	0.77	830355.58	0.38	3320017.50	1.52

Source: Adopted from Barakat, Zaman and Rahman, 2001

The distribution system is skewed against the poor. According to BZR estimation, wealthy and influential people have been the beneficiaries of the distributed Khas land. The 88 percent of distributed 12-lakh acres of cultivable Khas land between 1980 and 1996 went to wealthy and influential people against only 12 percent of which went to landless people. Available macro data does not cover the statistics of women appropriation of Khas land while during our field study it is perceived that landless women are the most vulnerable group in the contestation of power regarding the distribution of khas land. Many women are met in the field who were struggling for years to establish their holding in the lands that were allocated to them by the government.

#### *Char lands*

The char lands are a major area of conflict, arising out of intense competition for establishment of control over such lands, coming out of riverbeds. The intensity of violence is huge as delineation of ownership of such lands is controversial.

Extreme violence is seen in chars as the politically patronised mastans and Jotders are engaged in settling and evicting the landless in different chars in the name of enforcement of lease, contracted to their masters by the government on receipt of distributed political rent. Local law enforcement agencies like police are also deeply involved in these operations of eviction and settlements of the landless. There are numerous cases of police harassments, rapes, and murders in the process. The situation in some cases turn to battle like affairs, as private forces of jotders locally known as *lathials* and landless confront each other to maintain their holdings on lands.

Though there is no systemic availability of data on the occupation of char lands, it is assumed that most of the lands are in the grips of powerful. The landless women have limited control of such lands, because of their fear of confrontation, necessary to establish control, and administrative hassles, including requirement of money needed for bribing to gain allocation of title in their name.

The securing of title is a long drawn process, as the lands in chars often lack the record in the land offices, and takes a longer duration to proceed with steps such as conducting of surveys, verifications, and publication as maps. Therefore, the landless provide rent to powerful grabbers to stay in those areas in lieu of securing land titles. The higher level of insecurity arises as competing factions within the ruling party and the opposition vie for occupation of such lands.

According to *Riverine Chars in Bangladesh 2000*, published by ISPAN (Irrigation Support Project for Asia and the Near East), Bangladesh has around 1722.89 Sq. KM of char lands adjacent and within her five major rivers. Besides, there are lots of chars on minor rivers.

**Table - 9: Available Char Lands in Bangladesh**

<b>River</b>	<b>Chars ( Sq. Km)</b>
Jamuna	987.60
Padma	508.27
Meghna (North basin)	46.27
Meghna (South basin)	180.75
Source: ISPAN, 2000 <sup>5</sup>	

### *Forests*

According to the report of the forest department submitted to the Parliamentary Standing Committee in 2004, grabbers occupied some 11400 acres of the 63815-acre forestland in Gazipur, 600 acres of the 934 acres in Savar upazilla of Dhaka and 30,000 acres of government forest in Mymensingh.

<sup>5</sup> *Riverine Chars in Bangladesh* in 2000, ISPAN -Irrigation Support Project for Asia and the Near East, Dhaka

Official statistics show that the share of forest in total land is 17% while forest department manages 10.3%. The forests in hills are major source of forestry in the country, followed by the natural mangrove forests.

**Table – 10: Total Forest Land of Bangladesh**

Category of Forests	Area (Million Hect.)	Percentage
Forest Department Managed Forests	1.52	10.3
Unclassified State Forest	0.73	4.95
Village Forest	0.27	1.83
<b>Total</b>	<b>2.52</b>	<b>17.08</b>

Source: Department of Forest, Bangladesh<sup>6</sup>

**Table - 11: Forest Area Managed by FD**

Category of Forests	Area (Million Hect.)	Percentage
Hill Forests	0.67	4.54
Natural Mangrove Forests	0.6	4.07
Mangrove Plantations	0.13	0.88
Plain Land Sal Forest	0.12	0.81
<b>Total</b>	<b>1.52</b>	<b>10.3</b>

Source: Department of Forest, Bangladesh

The claim of areas of forests in the country by the government is alleged as flawed and overestimated by the different environmentalists. According to *Earth Trend*, the estimated forest area of Bangladesh is only 9% in 2000. The *Earth Trend* suggests that the rate of decline of natural forests in Bangladesh is much higher than those of Asian and world average during 1990 –2000.

**Table - 12: Change in natural forest area 1990-2000**

Country/ region	Percentage change
Bangladesh	-7%
Asia (Excl. Middle east)	-1%
World	-4%

Source: *EarthTrends*.<sup>7</sup>

Rivers and inland water bodies' occupy about 6.7 % of total land area in Bangladesh (BBS, 1998). The total length of river course is 24,000 kms. The wetland of Bangladesh including haors, baaors and beels as well parts of the floodplains that remain inundated for parts of the year, cover 16000 km or 11 percent of the country's area.

<sup>6</sup>. From official website Department of Forest, Bangladesh 2006, <http://www.bforest.gov.bd/land.php> accessed on 15 August, 2006

<sup>7</sup>. [http:// earthtrends.wri.org/text/forests-grassland-drylands/country-profile-14.html](http://earthtrends.wri.org/text/forests-grassland-drylands/country-profile-14.html) accessed on 12August, 2006

Despite the policy directive and follow up memorandum, there is evidence that the joint rights policy is not being broadly implemented. We interviewed several *Char* women in the *Noakhali* and *Gaibandha* who said that they were aware of this policy and assured us that since its enactment land was being jointly granted. In our field research, however, we encountered few cases of government-granted land allocated in the joint names of husband and wife or the independent name of a woman. In fact, we encountered several examples of families that had received government-allocated land after the adoption of this policy who stated that the land was granted solely to the male head of household. It is possible that the land, in such examples, had been granted jointly because we did not have the opportunity to examine the land documents. If this is the case, however, female grantees are not aware that they are joint owners and thus are less likely to realize the benefits of joint ownership. In the field study in the *Char* areas of *Gaibandha* it is also found that the major government allocated *char* land are redistributed through the law of *Bengal Alluvion and Diluvion Regulation, 1825* in which *char* lands is distributed to the owners of the records whose lands are lost through river erosion earlier.

We asked RRA interviewees (all women) their opinion on joint titling. Many women said that granting land jointly to both spouses is important because it increases a woman's security. Some, however, were ambivalent about such a policy and thought it did not matter which person in the family owned the land.

### ***Recommendations***

- **Adopting a national level advocacy campaign for granting government-allocated land in the joint names of husband and wife or in the independent name of a woman.**
- **Campaigning for an effective Khas Land distribution policy extensively for landless people where destitute women should be given preferences.**
- **Promote group-based production activities related to application of women-owned lands such as group-farming by groups of women, or joint management of fish ponds, poultry farms or animal husbandry**
- **Promote schemes which foster women-owned group assets, including, but not restricted to, village common lands and village forests.**

## **C. Marriage and Dowry**

### ***1. The Law***

Dowry has been illegal in Bangladesh. Since the Dowry Prohibition Act was adopted in 1980. The Act defines "dowry" as a means of property or valuable security given or agreed to be given either directly or indirectly-

(1) by one party to a marriage to the other party to the marriage ; or

(2) by the parents of either party to a marriage or by any other person to either party to the marriage or to any other person, at the time of marriage or at any time before or after the marriage as consideration for the marriage of the said parties, but does not include dower or mahr in the case of persons to whom the Muslim Personal Law (Shariat) applies either directly or indirectly;

The Act prohibits both taking and giving dowry regardless of whether it is given on behalf of the bride or groom. Taking or giving dowry is punishable by one-year imprisonment and a fine of upto Tk 5,000.

## **2. Findings**

Despite this formal prohibition, the practice of paying dowry is widespread in the areas we visited, with the exception of tribal areas, where grooms still customarily pay a small bride price--generally a symbolic amount of rice, and a cow. Another circumstance when dowry may not be paid is when a couple has a "love marriage," or unarranged marriage. Aside from these limited exceptions we found that all Hindu and Muslim communities we encountered practice dowry. The questionnaire survey included questions on dowry. Respondents were asked the average dowry amounts for families that were landless, those owning one acre of land and those owning five acres (see Table III). The average dowry is Tk. 35,000 for a family with one acre of land and Tk. 5,000 for a landless family.

One tradition that Muslims do follow is the custom of agreeing, at the time of marriage, on a sum that the groom is to pay the bride, termed "*denmehr*". In practice this sum is only transferred to the bride if the couple divorces and then, we were told, the amount given is usually less than the original agreed-upon amount. *Denmehr* is set in relation to the amount of dowry or jewelry the bride's family gives the groom's family at the time of marriage (generally exceeding that amount). In addition to dowry, the cost of a wedding celebration itself is also high and rising. As one interviewee stated, "Once you only needed a tree, now you need a tent and decorations." During our interviews women told us that the cost of a wedding celebration is a minimum of Tk. 15,000 to 30,000 per celebration and that a celebration is held in both the bride and groom's villages. The bride's family pays for the celebration in the bride's village and the groom's family pays for the celebration in the groom's village out of the sum paid to them for dowry.

The sums required for dowry and wedding expenses are extremely high relative to both agricultural wages and the price of agricultural land. The average cost of an acre of non irrigated land is around Tk. 75,000 in the areas of rural areas visited. The combined dowry and wedding celebration expenses typically spent by a family that owns one acre of land is about Rs. 45,000. The expense of marrying one daughter is then almost equivalent to the price of one acre of agricultural land – often a rural household's major asset. The questionnaire survey included questions on what prompted landowners to sell land .

Considering the relatively high cost of dowry, it is not surprising that one of the most common reasons given by questionnaire survey respondents for selling land or other assets is to raise money for a daughter's dowry and wedding expenses. During the RRA fieldwork we interviewed many families that had sold or mortgaged land or animals to raise dowry. Others took high interest loans from moneylanders. Most respondents feel they have no choice but to pay these expenses. As one man put it, "Two *bighas* equals lifelong happiness for a daughter

### ***Recommendations***

- **It is needed to adopt a support mechanism through awareness building programmes so that the parents of the bride do not feel pressured to give dowry to the other party in the marriages**
- **Awareness building in the communal level for less expensive marriage ceremony responsible for creating extra burden for the family leading to distress selling of property i.e. land.**

## **D. Inheritance of Land by Women**

### ***The Law***

Muslim law of inheritance has two distinct elements, namely, the customs of ancient Arabia and the rules laid down by the Quran and prophet Mohammad. Under the customary law of pre-Islamic Arabia the women in whatever capacity were excluded from inheritance. The Quran made quite a considerable change of the position. According to the Muslim Law there are three kinds of heirs

- (i) "sharers" who are entitled to a prescribed share of the inheritance,
- (ii) "residuaries" who take on prescribed share, but succeed to the residue left after satisfying the claims of the sharers, and
- (iii) "distant kindreds" who are blood relations other than the sharers and residuaries, and succeed generally in the absence of sharers and residuaries.

In the classification of the heirs, it is important to note that though the son's son and son's daughter have been made residuary and sharer respectively, daughter's children have been made distant kindreds. The principles of succession among the sharers and residuaries are two-fold, i. The nearest in blood relationship excluded the remote one and ii. Whoever is related to the deceased through any person shall not inherit while the person is living. Under the Muslim Law, the wife (or wives taken together) get one-eighth if there is child, and one fourth if there be no child from the estate of her husband, though the husband gets exactly double. Mother gets from the estate of her sons one-sixth when there is child of her son or when there are two or more brothers or sisters or one brother and one sister of her son, and one third when there is no child and not more than one brother or sister of her son. On the other hand, the father gets from the estate of his son one-sixth if there be child of his son and in the absence of any child of his son, he gets the entire residue

after satisfying other sharers claim, and so on and so forth. It is significant that the Quran has provided that daughter, mother and wife would under all circumstances be entitled to some share in the inheritance and are not liable to exclusion from inheritance, but they are not treated at par with their male counterparts, i.e. son, father and husband and to this extent rules of inheritance are discriminatory. Women in fact were not given parity in the matter of their shares and as a general rule; the female is given one-half the share of the male.

The case of sister's inheritance is equally discriminatory. According to the rule of nearer in relationship excluding the remoter in relationship, children of a pre-deceased son or daughter would not inherit if a person died leaving another son. This often rendered the child or child of pre-deceased child destitute. This inequity, however, has been removed by Muslim Family Laws ordinance, 1961 which provides that the children of the predeceased child would inherit the share which the pre-deceased children would have inherited had he or she been alive. But the widow of a predeceased son remains as helpless as before as she does not inherit anything of this ordinance.

### ***Findings***

During our interviews we found that Hindus and Muslims are generally aware of the inheritance law that applies to them. The tribals we interviewed were unsure what law is supposed to apply to them, but uniformly follow the customary practice of passing all land to their sons, and never to their daughters. Most Hindu and Muslim women also realized that they have to “sign away” their inheritance rights in order to give them up. Daughters and sisters sometimes use this required step to leverage other assistance from their family or to receive a cash payment if the land is sold. Daughters also occasionally claim their share with the intention of selling it, often giving their brothers the first right of refusal to purchase the land. It was positive to discover that the written law is known and that daughters and wives are using the law to their benefit in some cases.

With women's growing awareness and use of the written inheritance law, however, there also seems to be a growing use of mechanisms by men to gift away land during their lifetime to circumvent women's claims. We encountered several cases where land was titled in sons' names before their father's death, specifically to prevent daughters, sisters and widows from claiming land rights.

Muslim widows regularly inherit land in accordance with law. Hindu widows sometimes inherit land, but not as frequently as Muslims. Generally, when either a Muslim or Hindu widow inherits land she does not cultivate the land herself, but depends on male relatives, usually a son, to oversee the land for her. A son who cares for his mother will often inherit his mother's share of the family land when she dies. We encountered, however, many cases of widows not receiving their lawful share of land. Sometimes this occurs because their sons refuse to change the registration records (keeping the land in the name of the deceased father) effectively denying a widow the opportunity to assert her

rights, because she does not know how to, or feels she does not have the clout to, demand that a portion of the land be transferred into her name.

We encountered fewer daughters who inherited agricultural land than widows. Married Hindu daughters rarely claimed their right to inherit land. Married Muslim daughters were more likely to inherit land than Hindus, but did not always inherit land. Often daughters stated that they did not demand the right to their share of land because: (1) they wanted to maintain good relationships with their brothers; and/or (2) they felt their family had already given them their fair share of family property by paying a dowry when they married. The general opinion was that sisters who demand a share of land were “bad” or “naughty” and that they claimed their share of land at the expense of their brothers. Indeed, several mothers stated that they would not want their daughters to pressure their sons for a portion of the land. They considered the idea to be distasteful and disrespectful. It is more socially acceptable for daughters that have been left by their husbands to demand their share of land. It is also more practical for a separated woman to inherit land from her birth family. Daughters almost always move to their husband’s when they marry. Therefore, it can be difficult for married daughters to take advantage of inherited land because the land is often situated some distance away. Unmarried or separated daughters usually move back to their birth village and, as a result, can more easily use inherited land.

### ***Recommendations***

- **Consider granting widows the sole right to inherit the family house and house plot.**
- **Consider amending the Hindu and Muslim Succession Law to prohibit husbands from completely disinheriting wives.**
- **Provide greater government assistance to widowed women who have no means of support.**

### **E. Separation/Divorce**

If a woman marries into a household that owns land, her marriage generally ensures her access to the land and/or the produce of the land. When a woman is abandoned or separated, however, she often completely loses access to land and its produce. Laws regarding separation and divorce, like inheritance laws, are different for Hindus, Muslims and tribals.

### ***The Law***

Both Hindu and Muslim women have the right to maintenance if there is a formal divorce, but neither have the legal right to claim any of their husband’s land. Tribals are governed by customary practices rather than codified law. Hindu women have the right to permanent maintenance from their husbands. Under the Hindu Marriage Act either spouse can request maintenance based on each spouse’s income and property. Additionally, during the divorce

proceedings the court can order temporary maintenance for either husband or wife, if either has no independent income sufficient for his or her support. Under certain circumstances, a woman can claim maintenance from her husband even though she is still married to him. These circumstances include when: (1) her husband deserts her; (2) her husband has been cruel to her such that it is reasonable for her to believe that living with him would cause injury to her; (3) her husband has another living wife; or (4) her husband has a mistress in the house or resides habitually with a mistress elsewhere. A divorced Muslim woman is entitled to several forms of support under Muslim law. First, she is entitled to “reasonable and fair” maintenance during the period of *iddat* (three menstrual cycles, three lunar months, or the period until the birth of a child). Second, she has the right to any *denmehr* agreed to at the time of marriage (which is presumed to exist even if not agreed to at the time of marriage). Third, she can claim any property given specifically to her. After the period of *iddat* a Muslim woman’s ex-husband has no legal obligation to support her, unless she has a child under two years of age. If a single woman does not have means to support herself she can seek an order requiring any relatives who are her heirs to support her in proportion to the amount they will inherit from her. If no such relative exists, the State *Waqf* Board is to pay maintenance to support her.

### ***Findings***

Hindu women do not seek any maintenance from the husbands, but are usually able to take their jewelry and household utensils with them. Separated Muslim women also receive utensils or jewelry they brought to a marriage and often recover their *denmehr*, but usually less than was originally promised. We only encountered two cases of women receiving maintenance. Both were educated women that went to court to seek maintenance. When asked, most other separated women said they did not know how to seek maintenance or did not have the resources to pursue a case in court. Women rarely receive their dowry back at the time of divorce. The rare cases usually involve very short marriages. Some of these cases required the intervention of a socially active *Shamaj* to ensure that any dowry given was returned

In rural Bangladesh, both Hindu and Muslim women who are separated or divorced generally return to their birth family’s home for shelter, but often must earn their own money for food. Some, especially the poor women, work as agricultural laborers to raise their own income. Some of these women, however, have poor relationships with their brothers and are not even allowed to return home for shelter. These women become landless and destitute despite the fact that their birth family or in-laws own agricultural land.

### ***Recommendations***

- **Loosen restrictions on alienating government-allocated land to permit separated and divorced women to sell their share of government-allocated land.**

#### **IV. Commercialization of Agriculture and Women's Right to Land**

Women are intensively involved in agriculture of Bangladesh. It can be said the women are prominent producer of food in Bangladesh. They are active in every sphere of agriculture from gathering, paddy crashing, drying etc. Besides crop production women are involved in homestead gardening, kitchen gardening, and forestry. However the in the society 'work' is considered as doing something outside in exchange of wage. So the women farmers in Bangladesh are only considered only as farmers' wives in Bangladesh. About 73.6 percent of the rural women are involved in agriculture.

In Bangladesh their contribution is not evaluated properly. For instance, in the USA the government mentions in their statistics that they process 70% of their food whereas in Bangladesh this figure is only 1% and it is an emerging industry. However, this does not mean that the Bangladeshi take raw food. The truth is that the women process these foods and make it eatable but their contribution is not counted in the statistics. Traditionally not only in food processing but also in water and fuel collection, cattle and poultry rearing women are contributing. In general contribution of women farmers is not counted officially; however, discrimination towards them is also in the official policy guidelines. In 1995 wage of male day labourer was 30 taka with three meals a day, whereas it was for 22 taka with three meal a day for women day laborer was regulated by the government rule. However this rate of labor has been defeated to the open market.

The liberty if women in participation to agriculture in Bangladesh have been decreased gradually after independence. This reduction has occurred in three stages.

1. In macro economics the agriculture was ignored due to liberalization of economy and giving attention to the manufacturing and service sector. The example is the national budget allocation.
2. Proliferation of technology in agriculture. For example increase in rice meal, making brickfields on agricultural land.
3. Increased cultivation of cash crops instead of subsistence food crops. For instance cultivation of HYV rice.

The first agriculture policy of Bangladesh was adopted about three decades after of its independence in 1999. Among the 18 objectives of that agriculture policy none addressed the issue of women in agriculture. There is a chapter about integrating women in agriculture where it was said: "the involvement of women should be increased in order to prevent rural urban migration...so in order to increase interest and expertise of women extensive training shall be given." It is worth to look at that in spite of intensive involvement of women in agriculture the policy is only started to looking for integrating them in agriculture and urged to give training to raise their interest in agriculture.

Land is the fundamental resource for the existence of human being. Land is very limited and the population is over growing day by day. Therefore, land to human ratio is decreasing. Women have very limited access to inheritance property. There is unequal distribution of cultivated land. Eighty two percent farmers are small owning less than 2.5 acre of land . Men owned more than 96% and women owned only about 4% of the private land in Bangladesh.

**Table-13: Land Ownership by Sex of Head of Holdings, 1996**

<b>Land Ownership</b>	<b>Total in Acre</b>	<b>% of Total Ownership</b>
Both Sexes	17828168	100
Male	17208635	96.52
Female	619533	3.60

*Source: Bangladesh Census of Agriculture, 1996*

Bangladesh economy is based on agriculture. About 51% of population is engaged in agriculture. Ninety-percent rural women are involved in the agricultural sector. Women complete most of the agricultural activities. Women do not have decision making role to choose the crop and cropping pattern. Traditionally women play vital role for the selection and preservation of the seed in Bangladesh. The high breed seeds of the multi national companies have disturbed this system. These issues should be addressed seriously. There is no doubt that one of the key tools to address these issues is land management. Therefore a proper coordination and mutual cooperation is needed among the concerned organizations for land management.

The victims of hunger and malnutrition are small landholders and land less people, who are mostly concentrated in rural areas. Among them women are mainly affected by malnutrition and anemia. Asia with largest share of world population has the highest proportion of small holders and land less people. In most of the Asian countries and particularly in South Asian countries, more than 50 percent of people are holdings less than one hectare. In Bangladesh the majority land holding is of those with less than 0.2 hectare. Large landholders dominate local power structures and influence government policies and programs at local as well as central.

Labor force, not absorbed by other sectors, remains in agriculture creating heavy pressure on unevenly distributed and ill managed-mismanaged land. Social justice and poverty reduction is possible through proper land management in the developing countries like Bangladesh. In fact, the greater the concentration of land and powers of land holders, the greater the neglect of food production and the high ignoring of distribution effects on poor. Women do not get equal wages for the equal works in agricultural sectors in Bangladesh. Intervening in the land ownership and tenure system should change thus the situation, where the inverse relationship between land holding and poverty is dominant. The productive land use system based on long term vision and design is necessary for overall change of rural land based economy. Thus the right based approach on land urges for change in land ownership structure in

favor of better livelihood position as well as increased support through easy input availability & technological assistance as a part of productivity movement in rural land base of the economy.

Therefore land is the key factor for societal change in Bangladesh. More than 38 percent of GDP is contributed as the single largest sector by agriculture where share of employment is as much as 76 percent of the total economically active population. Land-based livelihood strategy cannot be replaced without massive transfer of wage labor and self-employed labor including unpaid family workers of the farm families. Fast growth of non-agricultural employment does not seem possible at the extremely difficult present context. So land based strategy is a long way to go ahead. Thus land is to be considered our focal point in the development strategy of Bangladesh.

Cropping pattern has been changed day by day. The big farmers or business companies capture most of the agricultural lands. Substance farming system has been changed into specified cropping pattern. Most of the lands are used by the business purpose. We can take an example of sugar cane, tobacco, tea and cotton. Most of the families, who are involved in the non-food cash crop production, have faced food deficit problems. Women and children are deprived and suffered by malnutrition, because they do not have sufficient land to produce vegetables and fruits to fulfill the family needs. In urban areas, most of the fertile lands are changed into cities, population depending agriculture are changed into wage labors and involved in the informal sectors.

Most of the peasants are losing their seeds due to the use of high breed seeds. For example, high breed corn replaces local corn, the high breed rice varieties, and local fruits replace local rice varieties and vegetables are replaced by the high breed varieties of vegetables. High breed varieties demand more chemical fertilizers as well as pesticides. Fertility of the land is decreasing due to the use of chemical fertilizers. Pesticide resistance is also being increased. There is lack of awareness among farmers on the effect of chemical fertilizer and pesticides. The chemical pesticides replace traditional pest control systems. Chemical fertilizers replace the organic manure or compost manure.

Use of chemical pesticides has affected on human health. For example, reproductive systems and nervous systems are affected. Pesticides are easily found in the remote villages too. Women are victims of pesticides. Their cloths are more open and they do not know about the proper use of the pesticides, because most of the rural women are illiterate and have no or low chance to participate in the training activities.

Agriculture related employment opportunities are decreased and people are migrated to the cities as well as foreign countries for the employment. National industries are being privatized and people are losing their jobs.

WTO membership has increased the risks in the agricultural sector in Bangladesh. It is difficult to compete with multi national companies, therefore, peasants are raising the issue "WTO out of agricultural sector".

### ***Recommendations***

- **Since women are significantly involved in, and dependent on farming, they need to be recognized formally as farmers through an issuance of a GO - that those rural women in the state who are not employed or skilled workers will, through presumption of law, be deemed as a cultivator and therefore get all benefits of the status of a farmer in state policies and programmes.**
- **Agricultural extension services and other infrastructural support for women farmers**
- **Resource pooling and group investment in capital equipment; cooperative marketing**
- **Women's effective presence in village decisionmaking bodies**
- **Gender sensitizing through the media, educational institutions, etc., for changing social norms and social perceptions.**

## **V. Conclusion**

Rural women, NGOs, policy-makers and researchers have all become increasingly aware of the multiple benefits possible from granting women secure right to land. These benefits include drastically enhanced security, increased and dependable income, ability to access credit and government programs, and more leverage and respect within the household. Notwithstanding these benefits, rural women generally do not have secure land rights. First, approximately 96% of privately owned land in Bangladesh owned by male. Second, women do not generally have the resources or access to credit necessary to purchase land in their own name. Third, the government has not historically titled government allocated land in the names of women separately. Fourth, daughters and widows often do not inherit land despite legal provisions granting them some inheritance rights to land. Fifth, separated and divorced women have no right to claim any portion of their husband's land. Sixth, women use right of land and traditional role in agriculture has been undermining day by day in the backdrop of globalization and commercialization of farming. Finally, because Bangladesh does not have the legal concept of co-ownership of marital property, unless a woman's name is actually on the land document, she has no ownership interest in that family land, even if she contributes to the land by working on it or processing the crops from it. Many women are aware of these rights, but either do not know how to exercise them or feel socially barred from exercising them. For these reasons, the legislative and policy recommendations outlined throughout the report and recapped below, must be paired with education for men and women about the benefits to women of land ownership as well as access to improved legal aid to assist women in asserting these rights. The recommendations provided throughout the paper are addressed to both civil society and government policy makers. Not all would result in immediate improvements to women's land rights on the ground, but they would grant women the knowledge and the legal space necessary to begin to assert and use their rights. Some recommendations, however, such as amending legislation to require government-allocated land to be jointly granted, would have the immediate affect of granting women ownership rights to land.