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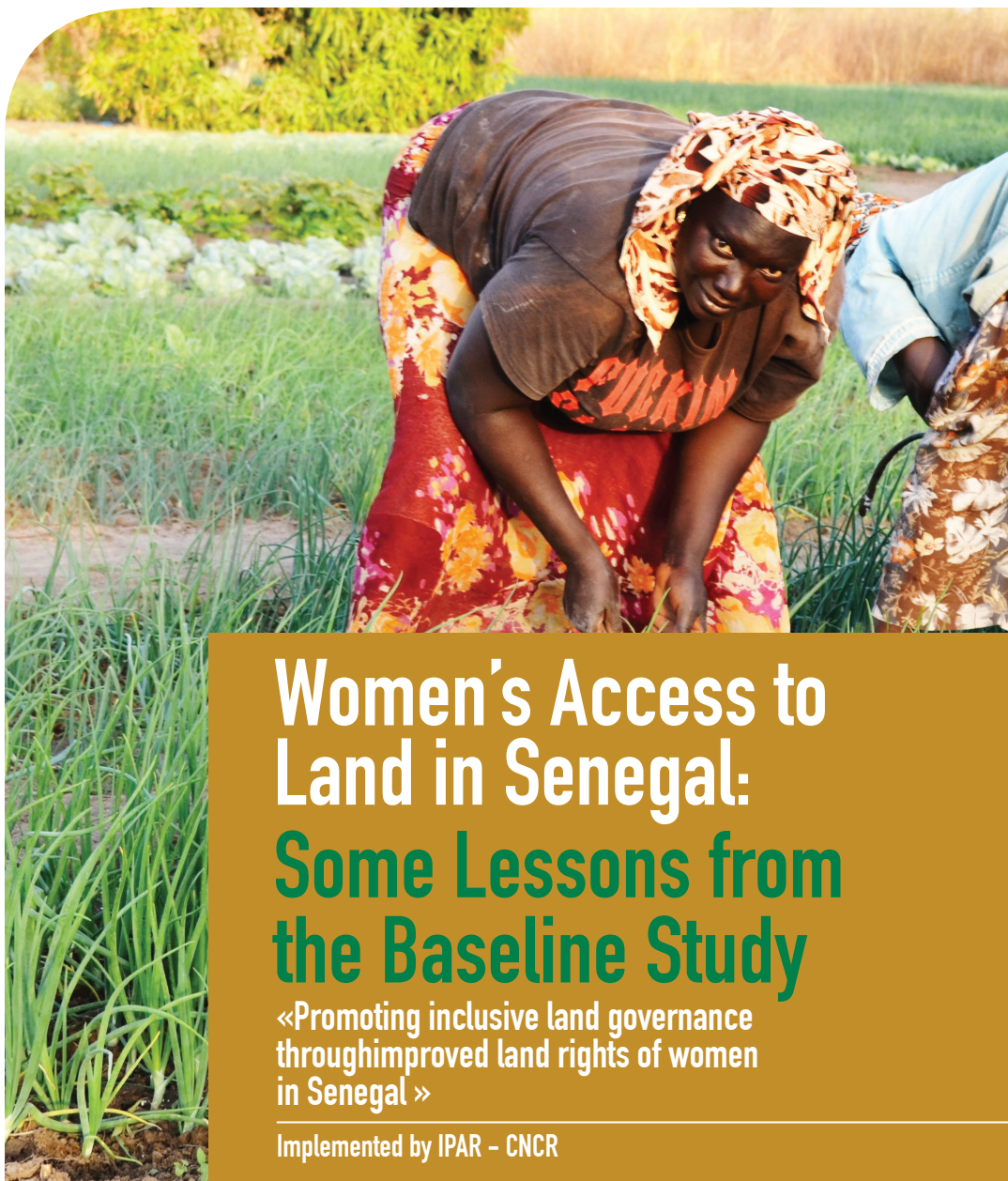
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IDRC Grant/ Subvention du CRDI: 108695-001-Promotion of inclusive land governance to improve women's land rights in Senegal



Women's Access to Land in Senegal: Some Lessons from the Baseline Study

«Promoting inclusive land governance
through improved land rights of women
in Senegal »

Implemented by IPAR – CNCR

In partnership with :



IDRC | CRDI

International Development Research Centre
Centre de recherches pour le développement international

Canada 

Women's Access to Land in Senegal: Some Lessons from the Baseline Study

Quality and equity in women's access to land in Senegal: Some lessons learned from the first results of the baseline study of the action research project «Promoting inclusive land governance through improved land rights of women in Senegal »



Interview with the Chairman of the land Commission of Toubacouta

The first results of the evaluation of the initiatives in the three (03) target agro-ecological zones comprising the Niayes, the Senegal River Valley and the Groundnut Basin, reveal that there are innovative strategies and approaches that have allowed the improvement of women's land rights to land. These experiences demonstrate that there are not only challenges but also opportunities for change in favor of more equitable and sustainable solutions for women's access to and control over land.

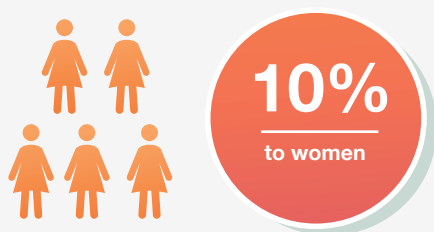
But these results raise on the other hand questions about the adverse effects of the intervention of development projects and programs relating to land tenure security, the risks of the enforcement of the quota system and the limits of collective access to the land through groupings.

All this testifies to the need to go beyond the generalities regarding access to and control of women over land in Senegal to address this issue in its entirety, but by taking into account the zonal specificities to be able to address the interests of all social classes - women, young people, men, «social classes», ethnic groups.

Because it is impossible to secure women's land rights without taking into account the rights of all sections of the targeted communities. The cases presented here testify to these specific situations.

Case 1: Quota system for women's access to land: a floor that has become a ceiling

The quota system is one of the mechanisms that promotes women's access to land resources. It is considered by its critics to be unconstitutional in Senegal, a country that enshrines gender equality in access to land and property rights and, by its advocates as a palliative measure to achieve ultimately equality between men and women .



In Senegal, a quota of at least 10% is non-formally allocated, that is to say outside any legislation, to women's groups in the Senegal River Valley, during the redistribution of certain amenities from public funds, as did SAED in the Delta, or and with the support of donors, as in the case of the MCA project in the Moyenne Vallée

This system, which allows women to collectively benefit through the groupings from developed / rehabilitated lands, aims to correct inequalities between men and women in this area.

It should be noted that the enforcement of a quota for women is a request from the African Union that advocates a rate of at least 30%, but leaving each country the freedom to adapt it as it sees fit. Mali, for example, has passed a law setting a quota of 15% for women, while in Senegal the land reform has remained silent on the issue.

The application of this quota has allowed women who, until now struggled to gain access to land, to get access to this land and to carry out agricultural activities (rice or market gardening).

However, although laudable, this measure which should go in the direction of better supporting women in terms of access and control of land resources, has a mixed impact on several points. In the Middle Valley, most of the Women's Promotion Groups benefitting from the quota are still exploiting the allocated land; however, the areas allocated are very small in relation to the number of members, with few possibilities for other types of acquisition.

In the Delta, on the other hand, much of the quota land allocated by the Delta Development and Operations Corporation (SAED) is either untapped, sold, or exploited by male members of the beneficiary women's families.

It should also be noted that instead of being a floor, the quota system has become a ceiling for most women beneficiaries. Indeed, the floor is being turned into a ceiling both in the Middle Valley, where the land market is underdeveloped and women do not have the financial means, and in the Delta where only a few women leaders of the beneficiary groups can afford commercial land transactions as a source of access to secure land.

In the Middle Valley, the testimonies of both institutional and community actors have constantly recalled the important effort that has been made in allocating this quota to women, which according to them, has solved the problem, which is far from being the case. In addition, it is also noted in the Delta that quota-allocated land seems to benefit the women leaders of these organizations more than the mass of other women members.

In short, in the Delta as in the Middle Valley, this quota system confines the bulk of women to small areas, not to mention the lack of means to exploit them or the difficulties of access to water.

Case 2: Perverse effects of a development project with a land security component: the case of the village of Mbala, in Ndiayenne Pendao Commune

Access to and control of land resources by women becomes a legitimate claim. At this level, the legal framework in Senegal is unequivocal. It enshrines constitutional equality between men and women in terms of access to and control of land resources.

The results of the baseline study showed that women's mere access to land is not a problem in most of the areas studied, as access is limited to the possibility for a woman to have land for the realization of any activity without this implying the possibility of decision making on this land.

However, in some areas of the country faced with land saturation or redistribution of land resources further restricting the rights of certain social categories, this simple access is less obvious. Because the limited land available land is used for food for the family and as such, the land is distributed among men who traditionally have the statutory responsibility of the family's food. In this case, access to land becomes a common challenge for women and men.

The case of the village of Mbala which, after the intervention of the Millennium Challenge Account Project (MCA) and the redistribution of land found itself in a situation of extreme land restriction, is an example.

After the intervention of the project, the situation in this village in terms of access to and control over land raises at least two issues. It is that of access to land for women in «landless» communities on the one hand and, on the other hand, the consequences of the questioning of customary positive practices of land use between owners and non-owners.

In general, the intervention of the MCA project in the commune of Ndiayenne Pendao, with the development of 450 ha of the Ngalenka basin, contributed to the development of

the beneficiary communities thanks to a redistribution of the developed lands and the access for the excluded social classes. This area, like the rest of Fouta, is characterized by a fairly clear socio-cultural hierarchy among its populations grouped in castes. This system comprises the Torobés, the caste of the nobles at the top of the ladder, the Wailubé, an inferior caste composed on the one hand by artisans specialized in manual labor and on the other hand by griots; and at the bottom of the hierarchy, we find the Matioubé, servants or «slaves».

Access to land, its right of occupation and use, and the management of this resource espouse this structuring of society. Thus, the land is in the hands of the nobles of three (03) lineages of the Wodabé, Sownabé and Nguénarnabé. At the time of apportionment, these three customary landowning lineages received 60% of the developed land. However, the women gathered in groupings, the «landless» and the occupants affected by the development, nevertheless benefited from a quota of 10% for each of the two (02) first categories, and 20% for the last one.

But, despite its real positive impact, this intervention has also generated perverse effects, the result of a lack of in-depth study to better understand social realities and to anticipate possible conflicts. Because it was at the time of the redistribution of the developed lands that the project came up against the reality on the field and a conflict between the customary owners, the «nobles» of the lineage of the Sownabe, inhabiting the village of Wouro Diéri, and the de facto occupants, their «slaves» from the village of Mbala.

The former claim ownership of land with the invocation of the right of *ax*¹, even if the purging of customary rights has been recorded by land legislation.

The latter, on the basis of a tacit multi-secular agreement, have always developed the lands of the basin. This social convention was sustainable and materialized by the donations - *assakal* - that the farmers granted after each harvest to the customary owners of the lands. This system lasted until

¹ It is the right recognized to the ancestors of an ethnic group to have been the first to proceed with the development of the land by trees cutting, and thus by the use of the *ax*

the arrival of the MCA project that wanted to deliver land titles for the benefit of users. The «slaves» of Mbala have claimed their property rights over these lands which they have been exploiting for a long time, in accordance with the law on the national domain, which stipulates that whoever exploits the land for more than 2 years can request its attribution. After a year of delay due to this conflict, the project finally distributed the developed lands to the protagonists on the basis of the aforementioned distribution key.

In the end, the traditional system of land occupation is broken, putting the Mbala people in a situation of more acute land precariousness.

10% - 3ha



intended for
the WPG of
the village

The families
shared

17ha



The populations of this village thus received 20ha, from which they deducted the 10% intended for the WPG of the village which received 3ha. The families shared 17ha.

The words of this head of household say a lot about the impact of this current situation: «(...) if you get only 12m² of arable land per family that is not even enough to feed the family, this question of the women's access to land no longer makes sense».

development of
450 ha
of the Ngalenka
basin

12m² ?



Case 3: Collective access to land: additional injustice to women

In a context of scarcity of resources, unprecedented land pressure, the persistence of sociocultural constraints and the weak economic power of women, collective access through women's groups is one of the strategies used by women throughout Senegal.

In Senegal, it is through WPG, essentially, and Economic Interest Grouping (GIE), that women benefit more from formal and direct land rights granted by the municipal council.

Although Senegalese women have a great tradition of association, the organization in particular WPG, with a legal status, was born from the wake of the decade of the woman, 1975-1985. Encouraged by the State of Senegal, under the impetus of development partners, the grouping organization aims to make women real actors of local development and to take better care of their specific concerns.

In recent years, this phenomenon has grown more rapidly, especially in rural areas where WPGs number in the thousands. Indeed, in order to promote the empowerment of women in agriculture and to promote the attainment of food security, this networking has become even a sine qua non condition for rural women to benefit from support with in the first place, access to land and water. This phenomenon has been accompanied by the development of female leadership, particularly in some areas able to advocate for the access of their group to resources and productive factors.

For the majority of the groupings met, it is by allocation by the municipal council that they benefit from this mode of acquisition. It may happen, however, that some groups acquire land through the land market, on purchase or lease, but this is rare.

In addition to allowing them access to productive resources, land and water, the grouping organization can also facilitate

access to finance and other types of support through development projects / programs.

Collective access through groupings has undeniably contributed to the improvement of women's land rights, particularly for certain groups in the Senegal River Delta where the phenomenon is more dynamic.

However, its real impact varies according to the area, the activities, the level of structuring of the group, the place of each woman in these organizations, among others. This means that this mode of acquisition is far from being a panacea; it has, indeed several limits in many respects.

Indeed, the narrowness of the areas allocated to women's groups, the lack of water, the quality of the soil, the accessibility of plots, the lack of means to exploit them, strongly limit the scope of this strategy.

For example, in the Delta often cited as an example in this area, more than one thousand (1000) women, members of a union share 280 ha of developed land. If they distributed these lands, each would get less 0.50 ha.



Although these women have introduced a rotation system to allow the greatest number of women to produce, few benefit from plots to work on.

The remoteness of these plots, which are more than 15 km away from the town of Ross Béthio where the beneficiaries live, entails a cost of transportation for them and their equipment. This further increases the cost of production for these women. Not to mention the difficulties of access to water, because the plots allocated to women are further away from the water supply points, lying behind those of men.

The analysis of this strategy also involves questioning the games of actors in these women's movements and the power relations between women. Indeed, another limitation identified by our baseline study is that collective access can accentuate the divide between women in these organizations. It benefits, in many cases, more women leaders and their close entourage and not the most deprived of them, that is to say the mass of members of these organizations.

As with the quota system, the poorest women are effectively locked into this collective access with insufficient acreage, which means that some women members have never been able to exploit a single plot of land allocated to their group.

Where men can seek and obtain individual deliberation or other forms of acquisition, where some women leaders of these organizations can access the land market to increase their land capital, the majority of women members can only hope to enjoy their land rights by getting together to obtain very small areas.

In short, collective access tends to become the norm for women who have no choice but that one, if they want to obtain land and support from projects and programs.

But despite its advantages, collective access can as well accentuate gender inequalities and the divisions between women, and does little to empower the mass of women who are theoretically the beneficiaries.



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