

# Women's Right to Land Entitlement an Effort of the Gender Mainstreaming for Gender Equality (The Case of Gilgit-Baltistan, Pakistan)

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**Abstract** This study deals with the women's right to land ownership. Economic Transformation Initiative, Gilgit-Baltistan (ETI-GB), an ambitious program supported by International Fund for Agricultural Development United Nation (IFAD, UN), aims to reduced poverty and increase income through agricultural development. Strengthen land reforms through land development is one of the core component in the program. This is a pioneer project undergoing in the region. It has been anticipated that this project is a significant development when it comes to land reforms and land policies in GB. The ETI-GB provides substantive support to Government of GB in developing policy measures and initiatives to promote women's right to have and to own land is quite encouraging development going on in the region coined Gilgit Baltistan, the northern areas of Pakistan. One of the primary goals of his pioneer project is to bring attention to this land ownership issue and women's participation in acquiring the land. The study is specifically focusing on gender perspective regarding land ownership and drafting policies. The study has used mixed method for data collection. For qualitative data, content analysis is used to have a thorough understanding of different types of land reforms across the globe, particularly in South Asia. Theoretical understanding of the literature is essential which provides the basis why land reforms are the and how far it plays an important role when it comes to eliminating inequality. Focused group discussion was carried out for verification and triangulation of data. For quantitative data, a survey was conducted to collect responses from six thousand eight hundred and fifty-two people of the region regarding the issues of land ownership and subsequently analyzed. The program is in its initial phase of implementation. Currently, the program is implemented in 10 villages of 4 districts. Combining all research site responses, of the total six thousand eight hundred and fifty- two identified beneficiaries, the majority of six thousand six hundred and thirty-six are men households, and only two hundred and sixteen are women households. There is a considerable difference in households. In spite of the considerable difference, it is a great achievement of the donor that in the history of GB, first-time women will have the right to own land. In developing countries, such as Pakistan, the awareness of land property rights has not been given proper attention to gender equality development frameworks. In this paper, it is argued that land property rights of women have not been taken into mainstream policymaking in the development of nation- building process. Consequently, this has generated deprivation of women's property rights, low- income level, lack of education and poor health. This paper emphasizes that proper policy at the state level is necessary to maintain the property right of women in GB-Pakistan, which can be the initial step towards the support of gender equity in the region.

**Keywords:** women's rights, land reforms, landownership, land policies

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## 1. Background

Gilgit-Baltistan (GB) is situated in the northern part of Pakistan bordering China in the North, Afghanistan in the West and Indian-administered Kashmir to the East. The total covered area is 72,400 square kilometers with 2 percent of the arable land of which half is barren (without crops). According to Planning and Development Department, GB (2013), the total population of the region is 1.3 million

of which half are women. According to Rehman, Jingdong, & Hussain [1], 41% of women in GB are educated as compared to 65 % men. Women are hardworking and performing the different tasks in and outside the home. For example, they are working in education, health and agriculture sectors. With increase in literacy in the region, the number of women in different activities and interventions in the social and economic domain is increasing significantly.

Like other patriarchal societies, the role of women in societies is stymied because of gender- biased ethos. In

addition, women's role and efforts are not recognized. Although, Islam gives women rights to land, they are not considered for land entitlement and ownership in patriarchal societies like GB. This is despite the fact that Pakistan is a Muslim country. Owing to tribal social set up and male dominated society, men are entitled to get more land, while women are denied of this right. This situation marginalizes women, creates inequality and push women of GB into very vulnerable position.

Since majority of women are engaged in agriculture, gender mainstreaming in land reforms can enact a crucial role in the socio-economic empowerment of the women in GB. The male dominated society is not approved of land reforms because it can make dent to economic interest and social domination of men. However, different government and non-government organizations endeavor to bring about change in the status of women by initiating different projects and program aiming at women empowerment. One of such initiatives is the Economic Transformation Initiative in Gilgit-Baltistan (ETI-GB). It is a government of Pakistan program co-funded by International Fund for Agricultural Development- (IFAD). Through this program a total of USD 120 million (PKR. 12 billion) will be spend to implement and complete various activities over the period of 7 years (2015-2022) in 10 districts of GB. The Program consists of two main components:

Component 1: Economic Infrastructure for Value Chain Development  
 Component 2: Support Services/PPPP (4Ps) for Value Chain Development  
 Component 3: Program Management and Policy Support

The goal is to reduce poverty through agricultural development by improved production and productivity through value chain and land development (PDR 2015). The primary objective is the development of additional

50,000 acres of irrigated crop area benefiting around 50,000 smallholders. It will increase the landholding size of existing landowners and also provide productive land to the landless living in beneficiary villages including women on an equitable basis. The programme target group consists of around 100,000 smallholder farmers; women-headed, the vulnerable, landless households and youth in target villages of GB. Within this target group, the women will be the targeted regarding asset and skill enhancement and entrepreneurship and education/awareness on nutrition. Approximately, 100,000 poor households would benefit from the programme including women and the landless. The valleys/production areas with high yielding agriculture crops and newly developed irrigated areas will be provided improved connectivity to markets through the upgrading of 400 km of farm to market road and promotion of demand-driven value chains of farm-based products.

It is the first development project in the history of GB that focuses on women right to land ownership. From planning to implementation through to monitoring and evaluation and gender-sensitive budgeting, gender has been specifically targeted. Under ETI, Gender and Poverty section has been created focusing on gender aspect of the project. The harsh reality is that around the world, 70% women live in poverty [3]. The ETI's commitment is to reduce poverty by achieving gender equality is integral in the Project Policy Document Report (2015) through women right to land ownership. It has been emphasized in the policy document that women would be focused as beneficiaries. It has been highlighted to ensure at least 10% of land ownership should be entitled to women in the newly developed land, which is 5000 women of an estimated total beneficiary population.

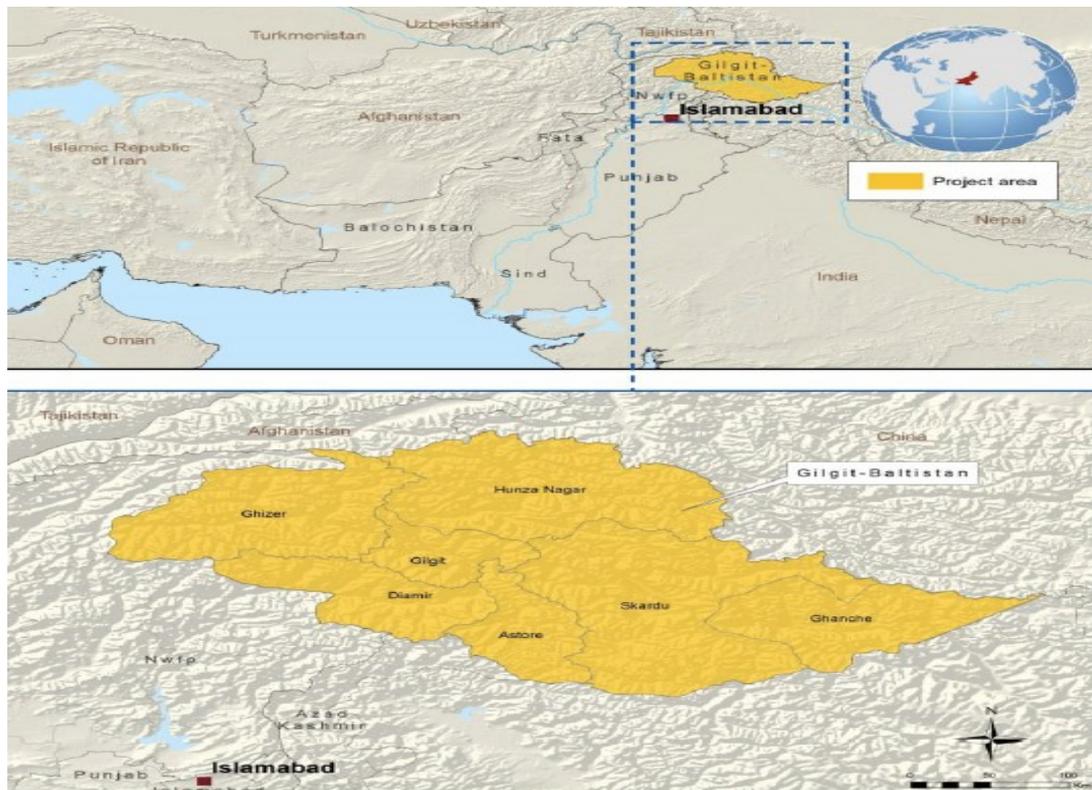


Figure 1. Map of Gilgit-Baltistan (Source: Economic Transformation Initiative Programme Design Report, (2015).)

## 1.1. Introduction

Land is considered as the most valuable property, which improves individual's socio-economic position. According to Agerwal [4] land rights, as a set of institutionalized rules and regulations, are socially recognized and enforced by an external authority, are linked with the notion of property rights. Land rights as property rights mostly involve the control, use, and transfer of land as property. It is challenging when there is a difference between statutory, customary and social and religious laws. The situation gives birth to confusions, ambiguities, loopholes and contradictions in recognizing and setting women's rights to land. In the particular context of Gilgit-Baltistan existing of multiple and contradictory laws are maintains for they protect of males' economic interest at the expense of women's right for land.

Land poverty and land development have got importance with the advancement of nation-states during the 19<sup>th</sup> century. Constitutional rights and the rule of law were given pivotal attention in the nation-state. This concept has affected every aspect of society including land reforms and right to the land. Almost every democratic state of the world has introduced the process of land reforms. It is also important to mention that in the South Asian region, India has done land reforms very efficiently. On the other side, Pakistan introduced land reforms three times, but these did not work well because among other factors gender dimensions have never been considered. However, there has never been land reforms in Gilgit-Baltistan (GB) in Pakistan. GB has a male dominated society and women right to land is ignored. Various customary rule and cultural practices have made the situation even worse for women folk. In this situation, ETI-GB commitment for entitlement of land to women headed household has got special attention.

To further stress on women right to land ownership, it is imperative to know the ground realities and challenges faced by women. This study is critical and will provide some information on the legal, religious, socio-cultural challenges faced by women in entitlement and ownership of land.

This study intends to analyze the policy document of ETI-GB and investigates how the policy is translated into practices. As the project is in its initial years of implementation, the study will probe, achievements of ETI-GB project in its commitment to the entitlement of land to women in selected areas of GB. It is claimed that the project is gender sensitive from the phases of inception to implementation. The findings of this study will help in the formulation of appropriate policy to overcome socio, religious and legal barriers to women rights to own land in GB. As a document, it can also be used by Government line departments and Non-Governmental Organizations (NGOs), and academic institutions to design programs and projects that could help in overcoming the sociocultural and legal barriers towards women's land ownership rights. The study was conducted in conduct in GB, a far-flung, rural and mountainous area of Pakistan.

The motivation for this study stems from the fact that for the first time in the history of GB, the government is working on land reforms. This study will demonstrate the need to transform the existing power relations of land holdings at the household level if the government is earnest in the gender dimension of land reforms in GB.

This study will add to the few researches on land reform and women right to land in GB. It will provide a gendered critique of the land reform program in GB.

## 1.2. Research Objectives

The objectives of the study are to:

- a) Analyze whether the aims and objectives of the ETI to land titling and ownership of women translated into implementation and practices in GB
- b) Provide awareness to the women of GB about their legal land rights and highlighting the uplifting of socio-economic status of women because of land reforms.
- c) Collaborate with the governmental and non-governmental agencies towards land issues and invokes government attention towards this issue that will help to direct the policy measures.

## 1.3. Research Questions

- a) Does ETI policy translate into practice?
- b) What is the contribution of ETI towards land entitlement to women in GB?

## 2. Methods of Case

### 2.1 Study Research Methodology

The study employed both qualitative and quantitative research methods to investigate the issues of land entitlement to women in GB. For data collection, primary and secondary sources were used. In primary data, a focused group discussion was used for key informants of villages for identification of beneficiaries of specific land. After identification of beneficiaries, participatory wealth ranking was carried out for identification of poor people in the village among the scheme beneficiaries. A survey was conducted by using poverty scorecard method for verification of data and validation of identified poor people of the village. In addition, detailed discussion with Program Coordinator ETI-GB, and regional and other representatives of ETI was made. For secondary data, content analysis of policy documents was used. Besides that, government and Non-Governmental Organizations records were also consulted to collect relevant information. Gray literature was also used for further strengthening understanding of the issue.

### 2.2. About ETI-GB

According to the program design report (PDR, 2015), Gilgit-Baltistan was highlighted as deprived area and marginalized in the result of lessons learned during previous IFAD funded Northern Areas Development Program (NADP) in the region during Pakistan Country Strategy Opportunities Program (COSOP, 2009-15). As the area is mountainous, only 3 percent land is fertile and within this land only 1.5 is in use. The land is scattered in small pieces, which makes it not favorable for agriculture. Production is dispersed over large areas in small-scattered pieces of land where access is difficult. That is why

poverty is comparatively high in GB than other parts of Pakistan. In order to address poverty, contextualized policies and integrated approach and infrastructure need to be incorporated for sustainable development of the area. ETI-GB is a developmental program with the estimated cost of US\$ 120 million. The program has been working since September 15, 2015.

According to PDR [2], the program aims to improve the production and productivity through the development of additional 50,000 acres of irrigated crop area benefiting around 100,000 smallholders, including poor, women-headed households, vulnerable and landless and providing 50,000 land titles for newly developed land.

**Table 1. Economic Transformation Initiative Gender Perspective at a Glance**

S.No.	Component	Unit	Total	Women	% of Women
1	Economic Infrastructure				
1a	New Irrigation Land	Acre	50,000	5000	10
1b	Land levelling package	Acre	50,000	5000	10

Source: Economic Transformation Initiative Programme Design Report, (2015).

New irrigated land development is the largest component of the ETI-GB, with around 50,000 acres. It is expected that it would double the cultivated land in the region. It is mentioned in the above table that 55000-acre land will be irrigated and 10 percent would be given to women. In addition, land-levelling packages will also be specified for women beneficiaries.

## 2.3. Gender Dimension of the Social Assessment

### 2.3.1. Gender and Poverty Targeting

Gender and poverty is the crosscutting theme and it is ensured to integrate it into all program activities around irrigation and value chain development of ETI-GB. To develop economic infrastructure for value chain development, irrigation channels, and farm to market roads are constructed in the different areas of four major districts of GB: Ghizer, Ghanche, Diamer, and Astore. It is mentioned in the PDR 2015, that the community-based irrigation development approach would be applied in the program. In this approach, 50,000 acres of newly irrigated land will be developed for irrigation, which will result in the provision of, on average, one acre of irrigated land to the beneficiaries including women-headed households and landless.

It is clearly stated in the PDR, 2015 that "the farmers will be also supported in the early development of land and the program will pay full construction cost of the channel. For that purpose, around US\$ 20 - 30 million would inject in the local rural economy in the shape of wages during construction of channel and would be paying to the local community involved in program implementation process. However, it is the compulsion that the beneficiaries will be required to pay back 50% of the construction cost of irrigation channel. Expected paying back period is over three cropping seasons. The money will be put into a community account jointly operated with ETI. The collected

money which used for additional infrastructure, value chain related facilities and local social development needs as per criteria and agreed village development plans."

### 2.3.2. Poverty Assessment Process

A vital part of the program design is social assessment of the scheme beneficiaries. Through social assessment, four poorest segments were identified that are; "Women-headed, or, landless and vulnerable households (headed by men suffering from a chronic debilitating disease or handicapped). They will be excluded from payment of 50% cost of the total cost incurred on the construction of Irrigation Schemes" [2]. The payback means the amount of money the community is bound to pay after three cropping seasons (four years) from the developed land followed by the construction/rehabilitation of the irrigation channel in the identified village/valley into a joint account of community and ETI-GB. An estimated total of 5000 women headed poor households, and 5000 vulnerable households will benefit from the facility according to the criteria mentioned in the Program Design Report. It would be 10 percent of total beneficiaries of the program.

For the identification of the most impoverished households among the scheme beneficiaries the Gender and Poverty Section of ETI and Social Mobilization Partner of ETI-GB use two methods. Initially, after the detailed household profiling of scheme beneficiaries, the Participatory Wealth Ranking (a Participatory Rural Appraisal PRA tool) is conducted at the first stage. In the participatory wealth ranking process, a detailed Focus Group Discussion (FGD) takes place with the notables and Scheme Management Teams (SMT) members. During the discussion, the community members define rich, middle, poor and extremely poor classes according to their perception (keeping in view the beneficiary household's living condition and standards).

Afterward, the community members are asked to put each beneficiary household in one of the defined category and class. Then the households in categories of poor and extreme poor are finalized with a mutual consensus of community representatives for further assessment and verification through Poverty Score Card (PSC) method. PSC is applied as the second assessment method on the identified poorest households as a result of participatory wealth ranking. These households are visited door to door for verification through PSC standard questionnaire including questions related to household living standards. Afterward, the collected data is punched, cleaned and analyzed.

The data after in-depth analysis segregates each household against poverty band 0 – 50. Further, keeping in view the program requirements and poverty situation in the village the poorest households falling between 0 – 34 poverty band, the category of extremely poor, chronically poor, transitory poor and transitory vulnerable, are considered as the deserving persons to be exempted from 50% payback. As a result of the detailed analysis of the PSC data, the households falling in 0 – 34 band are segregated against the mentioned four categories (Women, Poor, Vulnerable and Landless headed household) in the PDR. To ensure the exemption of poorest households from 50% payback, based on the actual cost of the irrigation scheme. The process will be helpful to provide ownership rights and land entitlement to women and poorest.

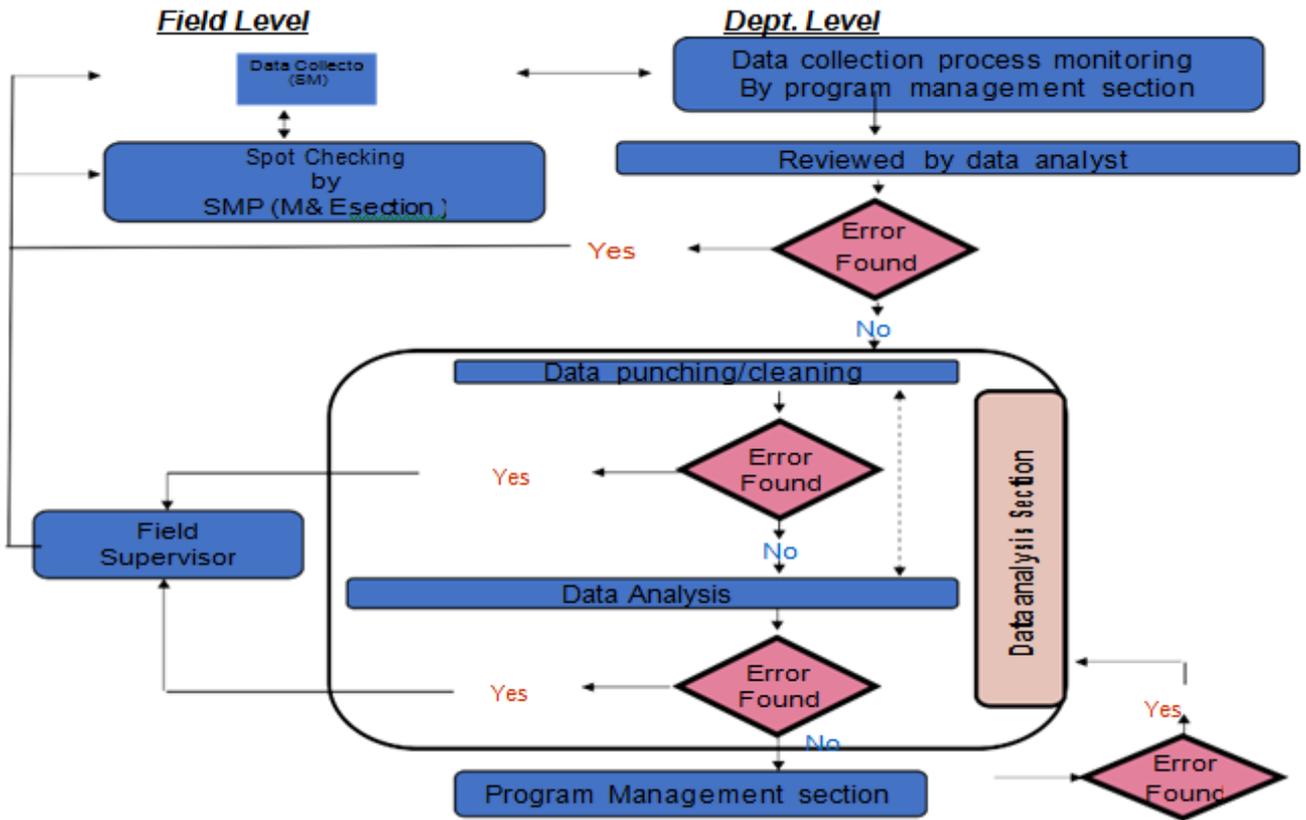


Figure 2. Data Editing Mechanism

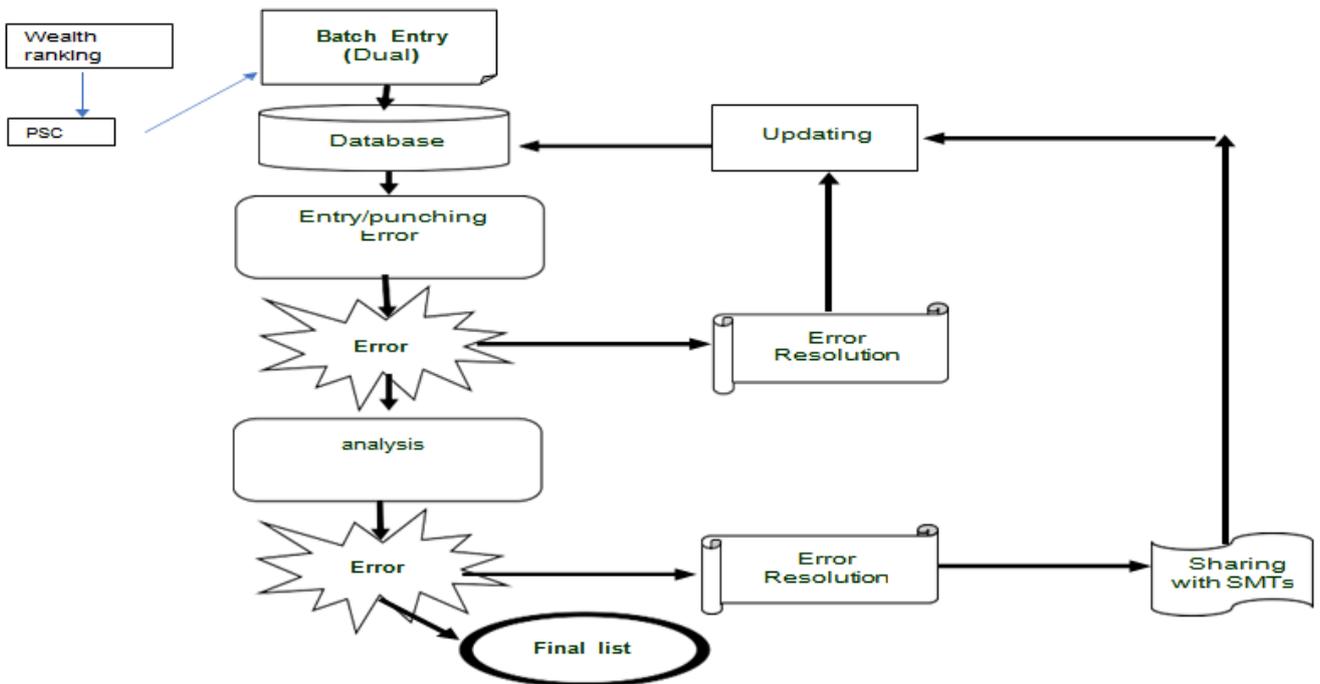


Figure 3. Data Validation Process Chart

### 2.4. Survey Teams on the Ground

Teams of field researchers conducted the fieldwork, each consisting of one team supervisor and four or six field researchers (in total seven supervisors and 28 field researchers). The interviewers worked in pairs, where at least one of the two people was a female. The purpose is to ensure that sensitive questions for women were handled

appropriately. The team supervisors were all SMP staff and were responsible for liaising with village leaders, overseeing the selection of the households and monitoring the work of the interviewers. Supervisors were also in charge of reviewing and processing the completed questionnaires on a daily basis, creating back-ups of the data and, if a data connection was available, uploading completed questionnaires to an aggregate server.

The SMP team conducted pre-testing of the questionnaire in March 2016, and the feedback from the pre-test was incorporated. The collected data were uploaded to an aggregate server, which was monitored and managed by the Database Specialist. 7-day training of supervisors and interviewers, led by AKRSP and the ETI gender and poverty team, took place in AKRSP Gilgit Head Office from 4th to 11th of August 2017. The training covered a detailed review of the questionnaire, translation, and practice by local language groups: Burushaski, Khowar, Shina, and Wakhi. Practice sessions in pairs and groups, as well as a full day pilot, were organized as part of the training.

### 2.3.3. Data Processing and Analysis

Supervisors were responsible for reviewing, checking and processing completed questionnaires during the fieldwork and at the end of each day. The review process included:

- Verifying that data collected by both interviewers, working in pairs, matched;
- Making sure that all relevant sections of the questionnaire were completed, depending on who the respondent(s) were;
- Checking that only one person was identified as a household head and the male and female respondents were identified

Once the data was verified and backed-up, the completed forms were collected, data was entered and sent to database specialist.

The finalized list is shared with SMT for the final verification. Afterwards, the completed list is printed on stamp paper duly signed by final authorities. The reason behind the process is the validation of final list of poorest persons for the purpose that their exemption is ensured as the payback starts. The Gender and Poverty section is responsible for closely monitoring the poverty assessment activities done by SMP and shares the final report including payback details with the regional coordinators and other concerned staff.

## 3. Literature Review

### 3.1. General Historical, Geographic and Socio-economic Context

Historically, the areas that have become part of Pakistan were predominantly ruled by the feudal system. Even during the colonial rule, feudals of India remained loyal to the British Empire. The British did not change the feudal system because it was instrumental in the control of vast swaths of Indian sub-continent. After the creation of new state of Pakistan, the Muslim elite colluded with local feudal to make an inroad into power structure. Since the very power of feudal- derived from their huge landholding and serfs, they have enacted laws and built an institutional structure to ensure the protection of their interests.

### 3.2. Land Poverty, and Reforms in Pakistan: Historical Overview

The firm grip of feudal over the state institutions is the primary reason that the lot of the wretched of earth has not

changed since the inception of the country. Owing to this, land reforms have become a contested issue and linked to political rights. Considering the increasing unrest among the common people, the government of Pakistan introduced land reforms in the country in 1959, 1972, and 1977. However, the reforms were not promulgated in true letter and spirit. It is important to highlight that the ruling elite of the country abolished feudal system in East Pakistan, now Bangladesh, but did not do the same in West Pakistan because in the former majority of feudal were Hindus, whereas in the latter majority were Muslims. Brohi [5] says that East Pakistan's "political development about land reforms evolved on a separate trajectory, and with the East Pakistan Land Acquisition Act of 1951, and East Pakistan Estate Acquisition and Tenancy Act of 1951, abolished landlordism and feudalism". This explains the convoluted nature of state rules regarding land rights.

Now within this land laws and policies in Pakistan, poor landless people work as serfs to fill the coffers of rich lords. Unlike the West, the society in Pakistan has taken a different turn. According to the Marxist theory, the feudal system tends to be replaced by emerging capitalist and industrialists class. Contrary to this formulation in Pakistan, the same feudal either have become industrialists or colluded with industrialist to sustain their stronghold in power. Though this helped the ruling class to make their grip over the rule strong, it did not work in the case of Bangladesh. As mentioned earlier, unlike West Pakistan feudal system in East Pakistan was abolished. In lieu of Bengali feudals, industrialists from West Pakistan colluded with the Pakistan Army to establish their monopoly over economic resources. This gave birth to strong Bengali nationalist sentiments. The founder of Bangladesh upon his visit to the newly established capital in Islamabad said that the capital smelt of jute from Bengal. What he meant was that ruling class from West Pakistan rode roughshod over the land rights of native Bengalis.

The approach of Pakistani rulers is manifested in the pronouncement of East Pakistan Commander of Pakistan Army General Tika Khan who said to order his soldiers that he needs a land of Bengal, not Bengalis. After the debacle of East Pakistan, a judicial commission probed the causes of a succession of East Bengal from Pakistan and identify monopoly over the economy and land resources of Bengal by military and capitalists. Seen in this way the very reason for the separatist movement among Bengalis is the absence of their rights over their land and its resources.

The land reforms introduced by Zulfikar Ali Bhutto were also compromised because he belonged to the very influential feudal family. As a result, the reforms did not have an impact on the tenants. According to Harris (2009) "The agrarian reform agenda was a limited attempt at reforming the more archaic features of the old order the, and it fulfilled some of its objectives." In the context of Pakistan tenants and serfs have do not have fundamental political and human rights. So, within that position of objects of the feudal the rights of land for women become secondary. Even in the policies and reforms, women do not figure and those raising voice for land rights did not take into considerations for women rights primarily because their primary objective was to achieve general

human rights. Hence, women have become double victim of the feudal and social system.

When it comes to GB, situation is different for two reasons. First, the region is not a part of the constitutional and political system of Pakistan. Hence, the reforms and laws of Pakistan do not extend to the region. Therefore, the land reforms in Pakistan did not directly affect GB. Secondly, the social structure of the region is different from the rest of Pakistan. When these reforms were introduced, different valleys of GB were ruled by the various princes. However, unlike feudal the status of people to princess was not of serfs and tenants. The society is largely egalitarian as economically and socially common people have the same status. However, the society has patriarchal setup and it is the most prominent barrier to women ownership of land. Moreover, within the social structure women has a subaltern position.

### 3.3. Pre-Partition Land System in GB

Before the emergence of foreign rule by Dogras of Kashmir and British Empire after the mid-nineteenth century, the land laws in the region were entirely indigenous and local princess of principalities had full authority to decide about it. Over the centuries organic laws regarding land evolved. However, in the traditional or local law women did not have right to land. According to customary laws, the land is automatically transferred to male descendants. In the case of a person who has a daughter, the first claim over land was by his brothers or cousins. Because of the strict tribal system, the land was not allowed to transfer outside family or clan.

Shigri [6] claims that "according to the Dogra system, the land was divided into three categories for revenue collection. While individual ownership was recognized for cultivated areas, the rest of the land under common use of the people was owned by the state. While the old rajas were exempted from land revenue, the burden of payment of land revenue was borne by the landowner with smallholdings". This situation puts a common person at disadvantageous position.

Dogra rule in colonial period introduced State Subject Rule, which prohibits the selling of land to outsiders. The purpose was to keep the local population in the majority. But Pakistan rescinded this law in the 1970s in GB, but it kept the law intact in Azad Jammu and Kashmir part of Pakistan. As a result, it opened opportunities for outsiders to purchase local lands. Now in all the transactions local do not have any rights. Women in GB do not have any say in all the land transactions. Thus, it keeps them in a disadvantageous position.

Also, tribal system and procedures are significant hurdles to the women's right to land. According to Islam, women are entitled to half all property including land. But in the tribal ethos and patriarchal social system, their right is denied primarily to protect the interest of men. It is contrary to other practices where men invoke Islam to suppress women but ignore injunctions of Islam about property rights. Because of this, women do not get opportunities provided by modern developments such as the emergence of commercial properties and compensation on projects like dams, hydro powers, infrastructure, and roads.

## 3.4. Laws for Land Ownership of Women in the Different Context

### 3.4.1. Law for Land Ownership of Women in Islam

The primary governing law of Islam states that only blood relatives may inherit land and adopted children are not able to inherit. Inheritance devolves according to the 'Quranic Shares' which are pre-defined. The general principle about the allocation of shares [7] is that the women sharers receive half the share of a male sharer. Therefore, under Hanafi Law, the father would receive the one-sixteenth share, and the mother would receive the one-third share. The husband would receive the one-half share, and the wife would receive the one-quarter share of her husband's estate. Daughters would receive half the share of the sons.

### 3.4.2. Law for Land Ownership of Women in Pakistan

According to Ali and Rahman [8] the Law and the Constitution of Pakistan under Article 23, allow the citizens of Pakistan equal rights to own, acquire, hold, own land as property. The State is also responsible for protecting its citizens. Thus, the State, under Article 24 of the Constitution of Pakistan could interfere in an individual's property rights to protect the rights of those who are disadvantaged in the areas of ownership and devolution, i.e., women and children.

In Pakistan, adult women have the right under law to own, acquire, transfer, sell land. Women as landowners also have the right to mortgage such property to get a loan. The law recognizes that both the husband and wife have independent property rights. Ahmad [9] says that the Civil Laws governing property transactions, e.g., the Contract Act 1872, the Transfer of Property Act 1882 or the Registration Act 1908 do not make a distinction based on gender for adult persons (over 18 years of age).

### 3.4.3. Customary Law for Land Ownership of Women in Pakistan

Customary laws that are recognized valid by the court regarding land ownership also discriminate against women and considered limited rights of ownership of land for a woman. Due to these limited rights, a woman cannot easily access and control over lands such as use, entitlement, and the ownership of land.

### 3.4.4. Critical Analysis of Land Ownership of Women in GB

The land is viewed as a significant natural resource in GB as the traditional subsistence economy was entirely dependent on agricultural products. While modernization has vastly improved the ability of the people of GB to diversify their economic activities but the burgeoning population, global food price inflations, and the potential of cash crops have brought land back to the center stage. Admittedly less than three percent of the total landmass of GB is fit for agriculture and settlement purposes while the rest is occupied by mountains, glaciers, lakes, rivers, and just inaccessible plains called "Dass."

The land tenure has evolved and developed as a mosaic of formal and informal patterns of exchange and engagement. Das and Abbas (2017) argue that "although

various exercises to prepare land records have been taken in hand since 1887 to bring lands in the formal fold yet a larger part has remained unsettled till today. Major portions of the districts of Gilgit, Astore, Skardu, and Khaplu have been settled while districts of Hunza, Ghizer, and Diamer are still unsettled."

The authors further say that the areas which are not still settled or under the law, people follow customary laws. Moreover, the practice of *haqshuba* (right of kin over land) is still in practice. So, what appears to be a *modus-operandi* in GB where three different laws operate to regulate land rights. First are the overall laws and policies regarding land in Pakistan. But these are not extended to GB because of its constitutional status. Second are the laws operating in settled areas. The third are the areas, which are under the customary laws still in practice in large parts of GB. Coexistence of multiple laws in the same space has created a complicated situation in the region and people's rights in the region.

The Dawn News reports that till date, there has not been any land reform in GB. Until 1977 the region of GB was an isolated area. The construction of Karakoram Highway (KKH) has connected it with the mainland Pakistan and China [6]. It has opened up many opportunities. One of the benefits is the emergence of commercial towns and cities. It has resulted in a phenomenal rise in the price of land and people constructed commercial markets and shops that ensured a sustainable income. However, none of these roadside lands were given to women. Markets in GB are exclusively male-dominated. It is only recently that women- specific markets at the micro level (small retail shops in the rented building) have started emerging, but men own the property and land. This has deprived women of their legitimate rights and opportunities.

So, the complicated legal arrangement, anomalous policies, and local customs put women in a disadvantageous position. To empower women, there is a need to bring changes in existing power of relationships towards land ownership at the household and policy level. Developmental projects can be a role model and motivation in this regard. Gender mainstreaming in mega developmental projects like ETI, as well as at government level can be initiative towards gender equality in GB.

## 4. Discussion

The UN System Task Team on the Post-2015 UN Development [10] asserted that gender inequality is the most significant barrier to the progress of all other areas of development. Women right to land is the key to progress in achieving sustainable social and economic development [11]. Keeping in view the hurdles in the right to land, ETI aims to strengthen land development and increase land-holdings focusing on four categories of women-headed households (poor married, widow, divorced and separated). Arauco et al. [12] also endorse the fragility of women rights in above mention categories of women. Currently, the program is implemented in 10 villages of 4 districts. Table 2 shows the households identified as beneficiaries of newly developed land.

The total 6800 and 52 are identified beneficiaries. The majority of 6600 and 36 are men households and only 216 are women households. There is a huge difference in the women and men households. Many factors are contributing in this huge difference. The historical, traditional, cultural, religious and other factors have affected the women's land ownership rights. Traditionally women in the area, like other developing countries around the world [13] do not own land assets for that reason it becomes challenging for the poor, widow, to get ownership rights as household head in the newly irrigated land.

The elder's men prefer to give the land ownership rights to the son of the women because culturally he has to become the head of the family even if he is in his adolescent age. In this situation, women have access to land only for the use of growing food through their relationships with male relatives, like the husband, father, and son. In case of separation, divorce or death of husband, women become head of the house. However, if the son of a woman is not adult or not mature enough to take care of other family members, the women are not allowed to live as women headed household. Culturally, the women are supposed to go back to her parents' home where she starts living with her parents and brothers. Furthermore, women are not allowed to live alone as women headed household. Because of that cultural constraint, there is a huge difference of the number of women households.

Table 2. District Wise Detail of Identified Beneficiaries

S.No	District	Village	Total HHs	Total Identified Men HHs	Total Identified Women HHs	Percentage of Total Identified Women HHs
1		Gulapur	743	723	20	3
2		Singul	629	620	9	1.4
3	G.hizer	Famani	150	144	6	4
4		Dahimal	332	324	8	2.4
5		Ghakuch Bala	486	474	12	2.4
6		Sutt	718	685	33	4.5
	Diamer					
7		Goharabad	3000	2917	83	2.7
8	Astore	Gudai	200	197	3	1.5
9		Sailing	297	280	17	5.7
	Ghanche					
10		Thagus	297	272	86	8.4
<b>Grand</b>	<b>Total</b>		<b>6852</b>	<b>6636</b>	<b>216</b>	<b>3.15</b>

Table 3. District wise percentage of Households

S.No	Districts	Total HH	Total Identified Men HHs	% of Men	Total Identified Women HHs	% of Women
1	Diamer	3718	3602	96	116	4
2	Ghizer	2340	2285	97	55	3
3	Astore	200	197	98.5	3	1.5
4	Ghanche	594	552	93	42	7
<b>Grand Total</b>		<b>6852</b>	<b>6636</b>	<b>96.8</b>	<b>216</b>	<b>3.15</b>

The above table shows district wise percentage of households. It is clearly shows that Ghanche district of GB has highest women-headed households that are 7%. However, Astor has the lowest women households with 1.5 % followed by Diamer and Ghizer with 4% and 3% respectively.

Currently, total land is 10124 acres is identified for entitlement in program targeted areas. In the identified land, the 9742-acre land would be entitled to men

households, whereas 300 and 81 acres would be given to the women. That is only 3% of total land. Although, it is considered a significant achievement of the program in the history of GB as first-time women are going to be entitled land ownership, there is a substantial difference in the program target women beneficiaries that is 10 percent of total population. The program target of 5000 women households can be achieved by narrowing the difference, and bringing change at the policy level.

Table 4. District-wise land in Acres

S. No	District	Village	Total acres	Total HHs	Total Identified Men HHs	Total acres to men HH	Total Identified Women HHs	Total acres to women HH	Percentage of acres to Women HHs
1		Gulapur	775	743	723	754.14	20	20.86	3
2		Singul	680	629	620	670.27	9	9.73	1.4
3		Famani	500	150	144	480	6	20	4
4	Ghizer	Dahimal	320	332	324	312.29	8	7.71	2.4
5		Ghakuch Bala	1500	486	474	1462.96	12	37.04	2.4
6	Diamer	Sutt das	2200	718	685	2098.89	33	101.11	4.5
7		Kino das	1920	3000	2917	1866.88	83	53.12	2.7
8	Astore	Gudai	479	200	197	471.82	3	7.185	1.5
9		Sailing	850	297	280	801.35	17	48.65	5.7
10	Ghanche	Thagus	900	297	272	824.24	25	75.76	8.4
<b>Grand Total</b>			<b>10124</b>	<b>6852</b>	<b>6636</b>	<b>9742.83</b>	<b>216</b>	<b>381.17</b>	<b>3.15</b>

Note: Overall Percentage of land for Women HH 3.15.

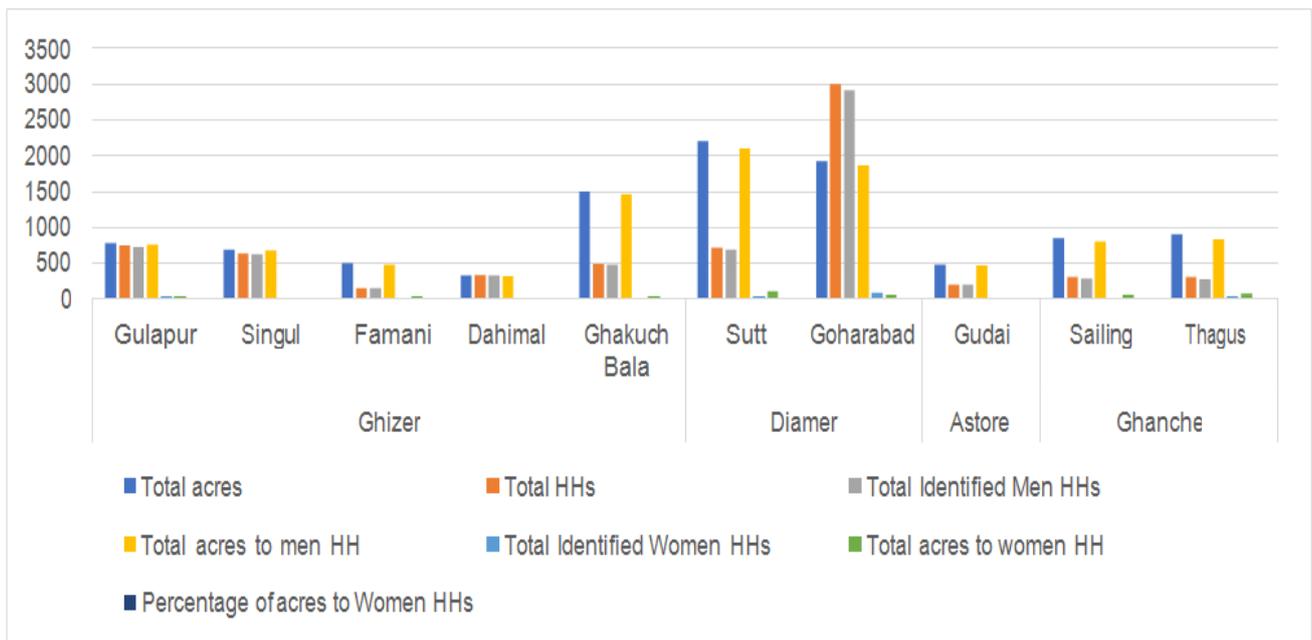


Figure 4. District-wise detail of land entitlement to beneficiaries

As the above data shows, the program is implemented in 10 villages of four districts of Gilgit-Baltistan initially. A total of 6852 beneficiaries were identified for the development of 10,124-acre land. Among the 6636 are men households and 216 are women households that is 3 percent of total population of program implemented area. There is a huge difference between men and women households. However, it does not meet the 10 percent women beneficiaries of program criteria.

**Poverty Assessment Exercise:**

After identification of total beneficiaries' households' poverty assessment exercise was carried out.

Poverty scorecard (PSC) is filled for 348 identified poorest households and analyzed for further verification of data. Among these 348, the data was further categorized into four segments. 188 were poor households. Women headed household were 69.5. While 37 were landless headed HHS. It is clear from above table that women households were on the third. Based on the analysis, the list of poor households is finalized for exemption from the 50% payback of actual irrigation scheme cost.

It is depicted from the above graph that women households are less as compared to other categories. The findings of poverty assessment study reveal that

households headed by separated and divorced women are not considered for the exemption and land ownership. Because the land is rather owned by their father or brother especially in the situations when her husband belongs to some other village or district, she becomes dependent on her parents. During the poverty assessment in the program targeted four districts these issues have surfaced. For enabling women for entitlement of the land ownership and control of land by women, these issues are needed to be considered. The ETI is the first developmental project that is gender mainstreamed and recognizing gender equality for the first time in the history of Gilgit-Baltistan.

At this stage, no conclusive evidence has come to light with regard to the impact of the gender mainstreaming of the ETI on women's access to land and (control over) land resource ownership. The data shows an increase in women's ownership and land entitlement would be expected as result of implementation in targeted areas. The role of development assistance in the reform process is visible through its support to the ETI-GB. The project is also illustrative of how donor policies advocate the recognition and involvement of traditional communities as main actors in the land development and reforms implementation.

Table 5. District-wise Detail of Poverty Assessment Exercises

S.No	District	Village	Total HHs	Total Identified Poorest HHs	Women HH	Poor HH	Vulnerable HH	Landless HH
1		Gulapur	743	72	8	31	13	20
2		Singul	629	13	2	4	2	5
3	Ghizer	Famani	150	30	3	25	1	1
4		Dahimal	332	70	5	41	5	19
5		Ghakuch Bala	486	28	6	17	0	5
6	Astore	Gudai	200	25	3	5	1	16
7		Sailing	297	42	5	31	5	1
8		Thagus	297	39	14	18	7	0
9	Diamer	Kino Daas	3000	224	83	102	17	22
10		Sutt Daas	718	85	17	55	07	06
<b>Grand Total</b>			<b>6852</b>	<b>628</b>	<b>146</b>	<b>329</b>	<b>58</b>	<b>95</b>

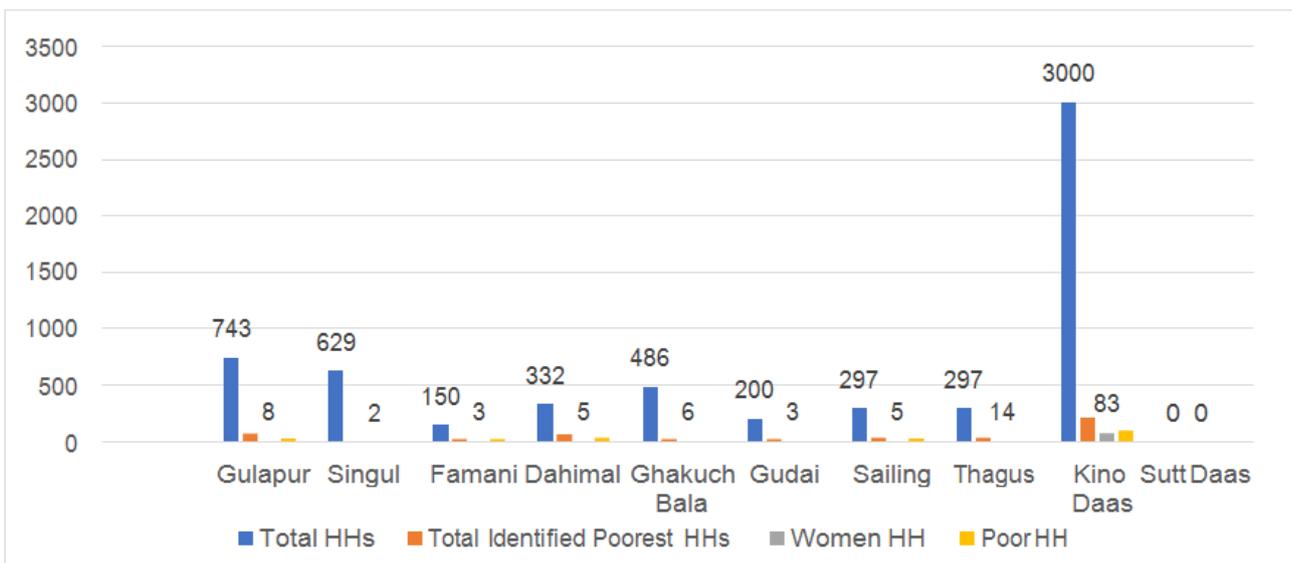


Figure 5. District Wise Detail of Poverty Assessment

At the same time, the call for greater attention to be paid to women's access to land shows that despite a progressive legal framework of the program, gender equality is facing challenges in a context of cultural and social practices that can prove discriminatory against women. For the time being, however, gender equality in the land administration seems to be at the core of donors' focus. Support to the gender in general also seems promising. Nevertheless, the data shows huge difference between the newly irrigated land entitled beneficiaries. For example, there is a huge difference between the number of men headed households and women-headed households. One of the reasons could be the patriarchal culture of GB. It is culturally acceptable that men family household head is in charge of establishing land ownership under the existing power structures. Besides that, the women in the households are not included in decision-making. The main decisions makers are men. Due to this, the social status of women also gets affected. Since there are four segments of women i.e, ever-married poor, widow, separated and divorced, they are exemption from 50% payback for these segments of women.

The study aims to redress the gender imbalance with regard to land ownership. Indeed, women's access to assets and control over land is weak. Legislation aiming at protecting and promoting women's rights is in place, but it has been weakly implemented. This program initiative is expected to bring a significant change in the status of women in the poorest categories. Their access and control over land and economic assets will be enhanced that would in its turn raise confidence level and agency of women at large. Identification and involvement of special target groups including women, women-headed households, individuals with special needs, landless and unemployed youth for targeted assistance as well as assurance that they get equal priority benefit from project funded activities are the main achievements of the program. There is still a dire need to pay focus on gender equality regarding land rights. More attention is, therefore, required to examine how the gender mainstreaming of ETI activities will tackle these issues, and to what extent donors will support and push for resolution of these challenges.

All the inhabitants of Gilgit-Baltistan are followers of Islam, which, has given have right of land to women. In addition, legislation to protect women rights to land also exists. However, the laws are weakly promulgated. It is common practice in the area that women are not allowed to live alone as a separate household. Adult women regardless of marital status supposed to live with men guardian. In case of the demise of husband, a woman is supposed to live under the supervision of any male blood relative. As a result, their access to and control over assets is weak. She cannot live independently that's why they do not have the same magnitude of control over their properties.

## **5. Conclusion and Recommendations**

The land in GB remains a primary means of production, and agriculture is the mainstay of economy of the region. The land is governed by a plural legal system of customary, statutory and religious law. However, most of the land is under control of men.

This study has examined the role of ETI-GB in assisting land development, reforming laws, and entitlement to land and in promoting gender equality. The study was explicitly focusing on women's right to land by setting up incentives to give women ownership of land. Gender-sensitive land management institution can diminish gender inequality regarding land rights. It shows that legislation is imperative. Therefore, gender-sensitive legislation is needed in GB for social and economic empowerment of women in GB. Moreover, the analysis presented in this paper shows that it is not sufficient to focus either on land legislation and land administration. The policies supporting women's rights to land need to be implemented in true letter and spirit.

Given that gender-sensitive land legislation is in place or being put in place when working with rights and access to resources, it is essential to understand that rights are continuously negotiated, demanded and challenged. Therefore, while the entitlement of land to women owners is important, attention should be given to ensure women's access to the institutions that can help enforce those rights. Thus, while this analysis has focused on women's rights to land, it is clear that other elements are needed to help enable women to acquire and keep the land, as well as to be able to have authority (control over) of it. And for this, it is relevant to include women's literacy, and especially their legal literacy, as well as their access to institutions, information and economic resources. Gender-sensitive education in educational institutions can also play a vital role in giving awareness regarding land rights to masses. The only university of GB, Karakorum International University does not have any department regarding gender studies. Besides that, gender is not taught in any department as a cross-cutting theme. Establishment of gender department and facilitating students about subject area of land reforms could be another strategy for sustainable change.

An important point to make is that while gender-sensitive policies, legislation, and education are those measures, that are incentives which can promote equal access to opportunities for women and men. However, we need to consider the specific contextual and cultural issues when analyzing gender rights. Context, as well as culture, affects women differently. Cultural practices are greater hindrances than the legal or religious factors. In the customary system, some practices may be discriminatory because women are seen and also see themselves as subordinate to men. Changing the mindset and attitude towards gender equality are the most significant challenges. Overcoming these barriers can take time, and this needs to be overcome, not only at the local level but the national level. There can be resistance to gender equality at the level of society and power, but sustained endeavors must be made to dent in the existing structures of power. ETI-GB has been playing an active role, and every segment of the program is gender mainstreamed, but further efforts are needed to replicate it by the government of GB.

The existing practices and laws governing land are developed in a society that functioned under patriarchal interests. So, it can be said that the customary laws and social ethos of society reflect the tribal and kinship-based structure that inform not only worldview of people but also determines the status and rights, including land rights,

of a woman in Gilgit-Baltistan. If modernity is the name of creating the rupture in continuity, then it will be interesting to see the type of social changes when women perspective of rights makes the alliance with forces of modernity to defeat traditional laws that deprives women of their rights, in the area of land ownership and assets in general.

## List of Abbreviations

<b>GB</b>	Gilgit-Baltistan
<b>IFAD</b>	International Fund for Agricultural Development
<b>SGDs</b>	Sustainable Development Goals
<b>GE</b>	Gender Equality
<b>M&amp;E</b>	Monitoring & Evaluation
<b>SMP</b>	Social Mobilization Partners
<b>SMT</b>	Social Mobilizer Teams
<b>ETI</b>	Economic Transformation Initiative
<b>PSC</b>	Poverty Score Card
<b>AKRSP</b>	Aga Khan Rural Support Program
<b>HH</b>	House Holds
<b>VDP</b>	Village Development Program
<b>VPG's</b>	Village Producer Group
<b>NADP</b>	Northern Area Development Program

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