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AN ASSESSMENT ON GENDER EQUITY AND LAND
OWNERSHIP, AND IT'S IMPACT ON FOOD SECURITY IN
SIERRA LEONE

Tesi di Dottorato di: Isata Mahoi

Matricola: 4110840

Anno Accademico: 2014/2015



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Dedication

This work is dedicated to my Late Father, Alhaji Sulaiman K. Mahoi. May your soul continue to rest in peace Daddy. I am dedicating this piece of work to you, for the role that you played in raising me since my formative years, helping me to create a vision for my future, encouraging me to learn and supporting my education before you departed.

Declaration

I, Isata Mahoi, I do hereby declare that the work contained in this thesis is entirely my own work, except where it is attributed to other authors or sources. This work has not been submitted for a degree in any other university

Dated at.....this.....day of2015

Signed.....

The following amended thesis declaration is recommended to meet the requirements of electronic publication of PhD theses

I Isata Mahoi hereby certify that this thesis, which is approximately 80,000 words in length, has been written by me, that it is the record of work carried out by me and that it has not been submitted in any previous application for a higher degree.

I was admitted as a research student in November, 2012 and as a candidate for the degree of PhD Economic Policy in 2012; the higher study for which this is record was carried out in the Catholic University of Milan between 2012 and 2015.

Date signature of candidate

I hereby certify that the candidate has fulfilled the conditions of the Resolution and Regulations appropriate for the degree of PhD in Economic Policy at the Catholic University of Milan and that the candidate is qualified to submit this thesis in application for that degree.

Date signature of supervisor

The following is an agreed request by candidate and supervisor regarding the electronic publication of this thesis.

Acronyms and Abbreviations

ADB:	African Development Bank
AJAR:	African Journal of Agricultural Research
ALLAT:	Action for Large-scale Land Acquisition Transparency
BTI:	Bertelsmann Stiftung's Transformation Index
CAADP:	Comprehensive Africa Agriculture Development Programme
CEDAW:	Convention on the Elimination of all forms of Discrimination Against Women
CFS-RAI:	Principles for Responsible Agricultural Investments
CFSVA:	Comprehensive Food Security and Vulnerability Analysis
DFID:	Department for International Development
DHS:	Demographic and Housing Survey
EA:	Enumeration Areas
ECA:	Economic Commission for Africa
FAO:	Food and Agriculture Organization of the United Nations
FDI:	Foreign Direct Investment
FGM:	Female Genital Mutilation
FHCI:	Free Health Care Initiative (HIV/AIDS)
G8NA -G8:	New Alliance for Food Security and Nutrition
HLPE	High Level Panel of Experts
GDP:	Gross Domestic Product
GII:	Gender Inequality Index
GoSL:	Government of Sierra Leone
IBFAN	International Baby Food Action Network
IDRC:	International Development Research Centre
IFAD:	International Fund for Agricultural Development
IFPRI:	International Food Policy Research Institute

IMF:	International Monetary Fund
LDCs:	Least Develop Countries
MDG:	Millennium Development Goal
MFIs:	Micro Finance Institutions
MOU:	Memorandums of Understanding
MSWGCA:	Ministry of Social Welfare, Gender and Children's Affairs
NGOs:	Non-Governmental Organizations
NSADP:	National Sustainable Agricultural Development Plan
ODA:	Official Development Assistance
ODI:	Overseas Development Initiative
OECD:	Organisation for Economic Co-operation and Development
PPS :	Probability Proportional to measures of Size
PSUs:	Primary Sampling Units
SLIEPA:	Sierra Leone Investment and Export Promotion Agency
SLIHS:	Sierra Leone Integrated Housing Survey
SLPHC:	Sierra Leone Population and Housing Census
SSA:	sub-Saharan Africa
UN:	United Nations
UN/SRRF:	UN Special Rapporteur for the Right to Food
UNECA:	United Nations Economic Commission for Africa
UNSC:	United Nation Security Council
USAID:	United States Agency for International Development
VGGT :	Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security
WB:	World Bank
WHO:	World Health Organization

Abstract

Landownership is associated with status, power and wealth in most African societies and agricultural land property belongs to men. The aim of this study is to examine the link between land ownership and gender differences in land tenure systems. This study explores women's access to land under the customary tenure systems. It reviews the major aspects of African women's contribution to food and cash crop production and offers some suggestions to improve their participation and intensification in the smallholder sector. Also, the study examines how the changes in land tenure, ownership, access and rights to land as a consequence of customary laws are affecting agricultural productivity, food security and poverty alleviation. The debate is centred on concerns of equitable distribution among men and women and looks at rural women as agricultural workers at a level where gender inequalities coincide. The findings from this study illustrate the predominant culture and traditional practices still affect women, disadvantaging them in favour of men regarding inheritance and direct ownership of land and property in the household.

Keywords: Gender Equity, Land ownership, Land Reform, Food Security.

Della proprietà astratta è associata con lo stato, potere e ricchezza nelle società più africane e terreni agricoli di proprietà appartiene agli uomini. Lo scopo di questo studio è di esaminare il legame tra proprietà fondiaria e differenze di genere nei sistemi di possesso della terra. Questo studio esplora l'accesso delle donne alla terra nell'ambito dei sistemi di consueto possesso. Rassegna i principali aspetti del contributo delle donne africane alla produzione alimentare e raccolto in contanti e offre alcuni suggerimenti per migliorare la loro partecipazione e intensificazione nel settore dei piccoli. Inoltre, lo studio esamina come i cambiamenti nella proprietà fondiaria, proprietà, accesso e diritti alla terra come conseguenza di leggi consuete stanno influenzando la produttività dell'agricoltura, sicurezza alimentare e lotta alla povertà. Il dibattito è incentrato sulle preoccupazioni di un'equa distribuzione tra uomini e donne e Guarda le donne rurali come operai agricoli a un livello in cui le disuguaglianze di genere coincidono. I risultati da questo studio illustrano la cultura predominante e le pratiche tradizionali ancora colpiscono le donne, andare a loro discapito a favore degli uomini per quanto riguarda l'ereditarietà e la diretta proprietà di terreni e proprietà in casa.

Parole chiave: Equità di genere, Proprietà della terra, Riforma agraria, Sicurezza alimentare.

CHAPTER ONE: INTRODUCTION

1.0 Introduction

The number of existing female headship is believed to have increased worldwide and, in both developed and developing countries, a high proportion of these households are found to suffer poverty Chant, (1997). Some other writers have posited that; female-headed households have become an easily identifiable group on which to target poverty alleviation measures. However, the efficacy of such targeting has been widely questioned Kennedy and Haddad (1994), Blackden and Bhanu, (1999), Quisumbing et al, (2001), Chant, (2003). Widowhood, divorce and de facto headship are amongst the causes of female headed households. Many studies have proved that many of the households headed by women are as a result of death of the husband, some lost their husbands as a result of the war in Sierra Leone, others having sick husbands that are more like not able to do anything in the home; maybe disabled and automatically the woman becomes the head of the household, who carries all the household burden. However, there is more work to be done in order to understand the relationship of forms of female headship access to resources like land, the patterns of acquisition and the consequential effects on the ability to improve the household's position by enhancing Food Security. This is the base of my study.

“At the global level, a general consensus emerging is that a new approach to development must of necessity focus on sustainable food security, poverty reduction and environmental security. There is no longer need to debate the fact that agriculture in Africa is the foundation on which sustainable development must be based. The debate should be on how to move from extensive low productivity to intensive high productivity agriculture as a pre-requisite for food security” (ZERO, Sam Moyo, not dated)

Considering the insurgence of the food crisis in 2008, there has been an escalation in the number of hungry people globally. The numbers grew from 820 to more than 1 billion people. Approximately two thirds of these people live in the rural areas of development countries, and a majority of these are involved in smallholder agricultural activities FAO, (2009). An underlying factor behind the food crisis was underinvestment and neglect in developing country agriculture,

both by donors and governments, for some 30 years ago Diouf, (2011).¹ The World Bank's structural adjustment programs led to removal of subsidies to smallholders, sharp decrease of development assistance and public investments in agriculture and deregulation that increased exposure to market volatility Havnevik, (2009). But according the World Bank's World Development Report 2008, it stipulated that the agricultural sector "must be placed at the center of the development agenda if the goals of halving extreme poverty and hunger by 2015 are to be realized" World Bank, (2007). Therefore, there was the call to invest more on interest in the agricultural sector.

This study explores the link between gender differences on land tenure systems and food security in Sierra Leone. Looking at the issues that link land and food security for the most vulnerable sections of the population who are the women. Especially those women who live in the rural or customary law settings. There are global concerns now that, there must be equitable distribution of land and or other property among men and women. As it is the fact that land is at the centre of attaining Economic growth and economic development. Therefore, denying women the opportunity to own and inherit property has serious implications on the productivity and income of households. Thereby leading to negative impact in enhancing food security and reducing poverty. Some countries of the world are not honouring their international and regional commitments that call for gender equality in property and inheritance rights. Even though they will sign the treaties and try to make them as domestic policies, but it does not hold. There are serious problems when it comes to implementing those policies. In Sierra Leone, the government has signed several treaties and domesticated most of these laws, but the concern is that not all of the policies in the land are being looked at with seriousness. This has raised interests in policies issues that promote women's access to land and other assets, and gender equity, among development practitioners.

It is true that in most developing countries agricultural land is the property of men who are the heads of households and have command over almost all property that belongs to the family. Landownership is associated with status, power and wealth. Scholars also posit that those who

¹ E.g. FAO's Director General Jacques Diouf has pointed out that the share of agriculture in ODA dropped from 19 % in 1980 to 3% in 2006 and up to 5 % in 2011. Low-income food-deficit countries spend about 5 % of their budgets on agriculture. Private investments in agriculture amounts to around \$140 billion per year, compared with global military spending of \$1,500 billion per year (Diouf 2011).

own the property within the household often determine who has more bargaining power within the marriage and make the household and farm decisions D. Orge Fuentes and H. Wiig, (2009). Women's lack of access to productive resources in Africa is a serious economic problem. Consequently, denying working women the opportunity to own and inherit property has serious implications on the productivity and income of households. This has raised interests in policies that promote women's access to land and other assets, and hence gender equity, among development practitioners and academia in general. Since the early 1990s governments throughout the developing world have been pursuing formalization of land rights through land titling and registration programmes, but much is yet to be done in enhancing the women's right to land ownership not as a secondary holder, but as the primary recipient Orge, D. and Wiig, H, (2009).

“Generally conceived as part of pro-growth agendas, programmes have aimed at providing tenure security in order to encourage and activate land and credit markets, thus enhancing agricultural productivity and production. In some countries, formalization of land rights has also been accompanied by individualization of collective or community-owned lands to create the incentives for enhanced market production. These land programmes were often conceived without attention to their impact on gender” USAID, (2013).

A study in Uganda shows how land tenure insecurity can affect agricultural productivity and food security. When women farmers did not have independent and secure rights to the land they were farming, most of them, choose not to let it lie fallow for an optimal period USAID, (2013). Since their rights to use the land were insecure and dependent on a relationship with a man, the women feared that not using the land for one season would affect their longer term access, thus they overworked the land USAID, (July 2013). Women tend to be in the fight against hunger more than the men. But they are less considered in the development agenda. Even though they are at the strategic centre of reducing hunger, malnutrition, and poverty, women play a central role in household food security and poverty reduction and they are the ones that suffer much more than their male counterparts.

1.1 Background to the study

Many researchers have found out that, while many people in the developing world lack secure property rights and access to adequate resources, women have less access to land than men do in

all regions and in many countries FAO, (2011). According to FAO 2012 report, it is estimated that while the number of undernourished people in the world is declining slightly, approximately 870 million people or one person out of every eight is undernourished, and more than three million children die each year from malnutrition before their fifth birthday FAO, (2012). When considering household well-being, it is important to consider who within the household manages the family's resources, including land, as women are much more likely than men are to spend income from these resources on their families. According to another FAO report, women access to land and property is essential for food production and sustainable livelihoods is dependent on natal and marital affiliations. Thus, they can easily lose their rights to land when there is a change in marital status due to marriage, divorce, or death of a spouse. In order for the women and their land rights to be secure, the rights to access land should not depend on their marital status FAO, (2007). To allow women to be effective, interventions must focus on women's rights to access land, as well as on the cultural and social factors that prevent women from obtaining secure rights to that land, that is the basis for my research a project that will eventually look into new strategies or strengthening the already favourable approaches pertaining to women's land tenure and property rights, and provides recommendations for policy formulation and implementation. In one of their studies, Uthman and Aremu found out that women face many constraints in their quest to access and produce food and make a living out of agriculture. Their findings went further to estimate that, 68 percent of rural women in sub Saharan Africa are more likely to be malnourished compared to their counterparts in the urban areas Uthman, O.A. Aremu. O, (2008)

It is evident that food security and agricultural development programmes that have been initiated long before now have failed to reach their intended goals. Negligence of land tenure issues is one of the main reasons for this failure. The secure rights to land and property for women are widely regarded as fundamental to ensuring effective and sustainable human development. Rights to land and property include the right to own, use, access, control, transfer, exclude, inherit and decision making about the land. Secure rights to land are rights that are clearly defined, long-term, enforceable, appropriately transferable, and legally and socially legitimate M. Gomez and D. Hien Tran, (2012). The poorest people in Sierra Leone are landless people and small-scale farmers, particularly women who head rural households.

The consequent of the Ebola outbreak has made these set of people more vulnerable and are living in acute poverty. Agricultural output has continued to decline, with drastic effects on food prices and rural incomes. The Ebola outbreak disrupted education in all areas of the country. It is more difficult for children of the rural poor where the outbreak had caused more devastating effects. Women were also hardest hit by the outbreak besides medical people who were directly being in contact with the sick. The social and economic effects of a decade of civil war were devastating and the Ebola outbreak also did worse in terms of taking their economic activities away from them. Women once working in groups' or in cooperatives stopped doing so in the event of protecting themselves from getting contact with the Ebola disease. This has caused many of these groups to come to standstill at the moment.

A World Bank report stated that, a clear and secure property rights for owners and users reduce the potential for conflict and the threat of eviction. The provision of incentives to conserve and improve these assets; encouraging land-related investments; allow land rental and sales markets to transfer land to more productive uses and users; and, if coupled with cost-effective systems of land administration, reduce the cost of credit by leveraging these assets as collateral World Bank, (2008). A large proportion of the poor, however, lack adequate access to quality land, and when they do have access, they have limited rights to it. For example, they might be able to use land for cultivation but not be able to use it as collateral, rent it, sell it, or hold the land for a long enough period to recoup labor and capital investments. Others are unable to enforce the rights they do have because they are unaware of those rights, they cannot afford the required paperwork, or because the legal or customary authorities do not recognize them World Bank, (2008) These are all factors that impede the development and growth of people.

In another related study by Mwaniki, it is estimated that over 70 percent of the food insecure population in Africa lives in rural areas. Smallholder farmers, the producers of over 90 percent of the continent's food supply, make up half of this population. The report went further to illustrate that, the rest of the food insecure population are the landless poor in rural areas and the urban poor Mwaniki, (2005). A study in Nepal suggests that children of mothers who own land are significantly less likely to be severely underweight because those women are more likely to have control over household decisions USAID, (2013). Another study indicates a positive relationship between the amount of assets, including land, that a woman possesses at the time of marriage and

the share of household expenditures devoted to food, education, health care, and children's clothing Quisumbing and Maluccio, (2002). Secure rights to land including the right to manage it and control the income from it go beyond mere access. Yet we ignore these facts and have failed to recognize their roles as productive labourers. There are "differences and inequalities that exist between men and women in the agricultural development agenda and women farmers are "frequently underestimated and overlooked in development strategies" World Bank, (2009).

The USAID policy brief finds out that, aside from economic gains, land and property rights can empower individuals to participate more effectively in their immediate communities and in the larger civil and political aspects of society. Women with property rights are more likely to be active members of their communities, and community institutions themselves are more likely to be responsive to the needs of women as a result USAID, (2013). Evidence from studies across the developing world shows that increases in land tenure security correlate with improved food security, particularly for women. Therefore, securing and recognizing women's land rights can increase agricultural productivity and shared household decision making, and thereby increase the total amount of resources available to the family for nutrition and food security Allendorf, (2007).

The global current challenge that is facing us is how to achieve a reversal of present trends in economic and human development and gender equality within a timeframe of less than a decade. Experts indicated that the gaps in incorporating the MDGs into policies and operational planning within governments or international organizations, and allocating corresponding investments are some of the key factors persistently hindering progress in implementation Yeshiareg Dejene AFDB...Draft Copy, (n.d.). They also note that in order to change the lives of women and men in Africa, a massive scaling up of efforts is needed in all developmental fronts. Women's economic empowerment is recognized as one means for reducing poverty and economic growth. Women play a significant role in African economies, and are highly represented in the micro and small enterprises sub-sector.

"The majority of women are engaged in small income generating self-employment in agriculture and non-agricultural activities with low prospect for growth. Since women's economic wellbeing is linked to the development of the sectors and sub-sectors in which they operate, the following part of the paper is devoted to examining women's role in MSE and assessing the challenges and opportunities for promoting women's economic empowerment through developing the MSE". (Promoting Women's Economic Empowerment in Africa by Yeshiareg Dejene (AFDB))

Hunger and malnutrition are global problems that have great impact on the rural poor and on women in particular. Again, Uthman and Aremu suggested that, rural women in sub-Saharan Africa are 68 percent more likely to be malnourished than urban women, and “malnourished mothers are more likely to die in childbirth and to give birth to low birth-weight babies who are more likely to have stunted growth” O.A., Uthman, O. Aremu, (2008). According to the United National Human Rights Council, countries where women lack land ownership rights have an average of 60 percent more malnourished children UNHRC, (2012). Since the rights of women to use the land are said to be insecure and strongly dependent on their husbands, brothers or Fathers, and that working on the land does not guarantee them their ownership on the land, they tend to overuse the land, thereby making the land lose its productivity value. They fear that if the land is not cultivated every season they will have to lose it to the owner.

A study by Action Aid suggest that, when women farm, they prioritize growing food for the family, but they are commonly overlooked in agricultural policy Action Aid, (2008). Despite the positive relationship between secure land rights and increased agricultural productivity, and the fact that women play a significant role in agricultural productivity, food security programs designed to formalize land rights may weaken rather than strengthen the land rights of women Action Aid, (2008).

Agriculture sector in Sierra Leone

Sierra Leone is one of the smallest countries on the African continent, with a total area of just 71,740 square kilometres (7,174,000 hectares (or ha)), just slightly larger than Ireland. Of that, an estimated 5.4 million ha are considered arable Social and economic impact of large-scale land investment in Sierra Leone: cost- benefit analysis, (2013). The country gained independence from British colonial rule in April, 1961 and it is a multiparty democratic state. It has an estimated population is of 5,245,695 CIA World Fact Book, (2010). The country is rich in natural resources such as arable land, water, diamonds and rutile, but also one of the poorest countries in the world and far from meeting the MDG 1 hunger target GTZ, (2009)

Sierra Leone is a tropical country situated on the coast of the Atlantic Ocean, bordering to Guinea in the North and Liberia in the South between latitudes 7° North and 10° North, and longitudes 13° 30' West and 10° 30' West. It has a total surface area of 72,000 km². The country is divided into four regions called provinces. There is the Northern Province, which is divided into five districts, the Southern Province which has four districts, Eastern Province with districts and the Western province, which is further divided into Rural and Urban areas. The urban area is where the capital city of Freetown is situated. The Provinces and the Western Area is subdivided into districts making it a total of fourteen districts GTZ, 2009, pg. 216-217. According to the Sierra Leone Web, provincial districts are further divided into 149 chiefdoms (Sierra Leone Web). Smallholder agriculture is predominant in the rural areas within the country and its economy is an agrarian economy. The 2014 United Nations Human Development Index ranked the country as one of the world's least developed countries, at 183rd of 187 nations UNHDI, (2014). There was some improvement in 2012, wherein the country's HDI was valued as 0.359 in the low human development category and was positioned at 177 out of 187 countries and territories. This was a very big improvement made. But then in 2013, the same report found Sierra Leone at 0.336, which ranks the country 180th place out of 187 countries in the world and places it below the regional average of 0.463. But the results keep the country's position keep staggering. This is evident when the HDI value for 2013 is 0.374 which is in the low human development category positioning the country again at 183 out of 187 countries and territories. Between 1980 and 2013, Sierra Leone's HDI value increased from 0.276 to 0.374, an increase of 35.6 percent or an average annual increase of about 0.93 percent². The food insecurity situation was classified as "alarming" in the 2010 Global Hunger Index (IFPRI 2010). The population in Sierra Leone is very young with an estimated 41.7% being less than 15 years old and 54.7% between 15-64 years old (CIA World Fact Book 2010). Another study suggests that about 70 per cent of its population of about 5.5 million falls below the national poverty line of US\$2 a day and roughly half of all Sierra Leoneans are under the age of 18 and population growth is estimated at 2.5 per cent. The Gender Development Index of a measurement of the HDR of 2013 female value for Sierra Leone is 0.329 in contrast with 0.412 for males, resulting in a GDI value of 0.799 UNHDI, (2013).

² I compared the Human Development Index of various years.

Sierra Leone was a big exporter of cash crops like cocoa, coffee and rice. There was a sharp decline in the country's agricultural performance due to the consequences of the Structural Adjustment Program policies and a devastating civil war between 1991 and 2002 M. Frances (2010). Social indicators were below regional levels, as life expectancy at birth is 47.8 years while under-five mortality is 192 deaths per thousand live births ADB, (2011). The country has one of the highest maternal and child mortality rates in the world, largely due to malnourishment, malaria and diarrhoea WFP (2007). Despite the Free Health Care Initiative (FHCI) for lactating mothers and children under five years of age that launched in 2010, the country was still struggling to reach MDG 4 (on child mortality) and MDG 5 (on maternal health), by 2014 ADB, (2011). The HIV/AIDS component of MDG 6 was the only target that the country managed to stabilize at 1.5 %. The African Development Bank (ADB) Health Districts Services Project and other strong efforts have contributed to the prevention and treatment of malaria and tuberculosis, with literacy rate for women at 30% for women and 50% for men approximately ADB, (2011).

There are fewer opportunities for women, than the men. Women cannot inherit or own land in many rural areas and they thus lack access to financial services apart from those offered by family, friends and moneylenders etc. It is estimated that 45% of the country's GDP is derived from the agricultural sector ADB, (2011). The 2013 Human Development 2013 Report estimated that, adult literacy is at 40.9% of the population aged over 15 years; gross enrolment ratio in primary education stands at 106%, while for secondary school it is 54.5% Africa Economic Outlook, (2013). More than a decade since the end of the civil war fuelled by 'blood diamonds' that decimated the country, Sierra Leone is still struggling to address the root causes of the conflict and overcome the negative legacy that has kept development indicators in the country below the average for sub-Saharan Africa USAID, (2013).

According to the Gender Inequality Index, the country has a GII value of 0.643, ranking it 139 out of 149 countries in the 2013 index. In Sierra Leone, 12.4 percent of parliamentary seats are held by women, and 9.5 percent of adult women have reached at least a secondary level of education compared to 20.4 percent of their male counterparts. For every 100,000 live births, 890.0 women die from pregnancy related causes; and the adolescent birth rate is 100.7 births per 1000 live births. The female participation in the labour market is estimated at 65.7 percent compared to 68.9 for men GII, (2013)

However, the agricultural sector would seem to be the most realistic means of achieving increased productivity growth, and hence the rules governing land tenure plays a pivotal role in the process. It is evident that Sierra Leone is one those countries that are heavily dependent upon agriculture in order to help boost its economy. I am therefore going to select the primary objective of this study as looking at the gender differences on Land tenure systems in Sierra Leone and its impact on agricultural productivity for reasons that will be outlined below.

1.2 Problem Statement

Sierra Leoneans suffer from mass poverty (more than half of the population lives under conditions of “severe” poverty), widespread malnutrition, high infant and child mortality rates, low life expectancy, deficient infrastructure, a poor education system, and insufficient availability of basic medical services to cope with tropical diseases, malaria, tuberculosis and HIV/AIDS BTI, (2014). While the majority of the population is poor, there is a high level of gender inequality, with women affected far more dramatically by the consequences of poverty than are men³ BTI, (2014). GDP growth was mainly driven by developments in the mining, manufacturing and construction sectors, while agriculture, which still forms the backbone of employment for the majority of the population, under-performed in terms of growth BTI, (2014). Much attention was given to the mining sector, because there are large state deals involved that are not transparently done. This serves as a prerequisite for corruption by some government and state officials. According to the BTI report, the minerals sector in 2011 produced 69% of export earnings, while agriculture generated just 13%, with re-exports (10%) and light industries (8%) contributing the remainder. Further stating that, diamonds remained the most important product,

³Sierra Leone country report is part of the Bertelsmann Stiftung’s Transformation Index (BTI) 2014. It covers the period from 31 January 2011 to 31 January 2013. The BTI assesses the transformation toward democracy and a market economy as well as the quality of political management in 129 countries. More on the BTI at <http://www.bti-project.org>. Bertelsmann Stiftung, BTI 2014 — Sierra Leone Country Report. Gütersloh: Bertelsmann Stiftung, 2014.

earning 37% of foreign exchange, with cocoa (13%), bauxite (11%), rutile (10%) and iron ore (4%) following. In 2012, iron ore was scheduled to lead the export economy, generating 49% of foreign exchange alone, while diamonds were projected at 15%. Subsequently, export earnings were expected to skyrocket from \$363m and \$371m in 2010 and 2011 respectively to \$1.2bn in 2012 (BTI, 2014). The report continues to highlight that, “despite a slight upward trend in the period under review, foreign direct investment is still too poor to foster sustainable economic dynamism. Structurally, tax revenue does not meet fiscal requirements. Inflation remains erratic, often soaring up to double- digit figures”. The result of all this however is that most of these mining companies are either sold out or are closing down. Leading to high unemployment rate among the working population and increasing crime rate in insecurities. If only a greater attention was given to the subsistence agriculture sector, there would have been increased performance in the sector that would continue to boost economic development.

FAO estimated that the global demand for food is expected to increase by 60 percent by 2050. Given climate change, natural resource constraints and competing demands, especially for the production of bio-fuels, among other factors, this presents a considerable challenge for the agriculture and food systems worldwide (FAO,2012). Smallholders will need to play a key role in meeting these requirements, if for no reason other than the sheer magnitude of their production in developing countries FAO, (2012). The agricultural sector in many developing countries is one that is grossly affected by traditional cultural practices. The work of women does not limit them to produce and prepare food; they also transmit knowledge and skills relating to food, agriculture, and natural resource management. While they are often regarded as the keepers of the environment, under many land tenure systems women do not hold primary rights to land. The women instead gain access to land through male relatives. Security of tenure in private, communal, and other forms of land ownership can encourage women to invest in the land available to them. They adopt sustainable farming practices, and better take care of other resources FAO, (2011). The report went further to state that, women represent a crucial resource in agriculture and the rural economy through their roles as farmers, labourers and traders, yet they face numerous constraints because of their gender that reduce their productivity and retard progress on broader economic and social development goals FAO, (2011).

In most developing countries agricultural land is regarded as the property of men. Landownership is associated with status, power and wealth. Scholars also posit that those who own the property within the household often determine who has more bargaining power within the marriage and make the household and farm decisions Agarwal, B. (1994). The factors responsible for the present status of women's increased insecurity in land tenure and property rights can be traced to the economic and social pressures that have transformed social structures and land tenure systems. These factors include; colonial and post-colonial private property legislation, with the influx of investments, an increase in the resource value of land, liberalization of markets through structural adjustment programs in the 1980s and 1990s, commodification of land, growth of land markets, population increase, large-scale resettlement of people, rise in competition over land, "land scarcity," and recent large-scale land acquisitions FAO, (2007); Cousins, (2009); Anseeuw et al., (2012).

The introduction of private property tenure systems and the growth of land markets sustained by post-independence governments have triggered changes in customary tenure regimes (FAO, 2007). The largest impact has been on the social networks that existed in earlier customary systems. Where women's access to land (whether in natal or marital homes) was once protected by the clan and patrilineage, social safety nets are now highly individualized and less certain F. Fiona, (2010).

1.2.1 Women and Agriculture

Women represent a crucial resource in the agriculture sector and the rural economy through their roles as farmers, labourers and traders, yet they face many constraints because of their gender that reduce their productivity and retard progress on broader economic and social development goals S. Moyo, (draft document). Even though women are largely responsible for the actual agricultural work performed, men, generally own the land, therefore controlling women's labor upon the land Tiondi, T. (2001). According to the round table discussions on Land and Rural Poverty on Securing Access to Land for The Rural Poor by IFAD (2006), states that the common phenomenon of poverty worldwide is overwhelmingly rural with almost three quarters of all extremely poor people in the developing world living in rural areas and depending on agriculture

and agriculture-based activities for their livelihoods IFAD, (2006). Unequal distribution among men and women of unpaid work in agriculture and unpaid care work also contributes to women's lower access to productive resources due to their inability to engage in paid employment and build assets with their income. On average, an adult woman is the person fetching and carrying water in 63 percent of rural households in sub-Saharan Africa, spending about an hour a day on the task, as is the case in Benin United Nations, (2010). An increasing number of women are taking over and expanding their involvement in agricultural tasks but this has not changed the gender division of labor with regard to reproductive work Lastarria-Cornhiel, S., (2006).

Despite the central role played by women in agriculture production across the Africa, women are most times excluded from property and land ownership on gender grounds. They are frequently believed to only have secondary rights to land. This research seeks to investigate the land rights of women as well as female household heads as to understand the specific dynamics around women property or land rights specifically and their impact on agricultural productivity. Previous researches have shown that widows frequently have their right to land eroded. This tends to compromise the food security of this vulnerable group in society and also deepens poverty Jackson, (2003), Mutangadura, (2004), Shezongo-Macmillan, (2005). Consequently, reducing rural poverty is not possible without focusing on enhancing the productivity of rural women by enabling them to increase their agricultural productivity and thereby their income. Policy makers and gender activists have raised numerous concerns regarding the vulnerability of women and children and particularly widows and orphans, to loss or erosion of land rights as a direct consequence of aids Aliber and Walker, (2006: 704). Land remains the most important asset for Africans in general and Sierra Leoneans in particular. Even after many decades of attaining political independence, the majority of the country's households largely depend on land-based activities especially subsistence agriculture-related activities for their livelihoods. Land and its natural resources are closely linked with the socio-economic interests of the rural communities Acquaye, (1984).

1.2.2 Women, land and community in Sierra Leone

As I have stated earlier on, in the customary settings, most of the rules and roles given to women are socially constructed. The rules are laid down by men who have the social status in the

community. In an email exchange with Yasmin Jusu Sheriff, about how land tenure functions in Sierra Leone, she stated that; “in Rural Areas outside the Western Area and Bonthe Island, land is communally owned by Land owning families who allocate portions of family land to members upon request for farming or to build houses and commercial premises. Family Lands may also be rented out to Non–Family members either from the community or ‘Strangers’ who will pay rent in cash, labour or share of crops harvested” Jusu-Sheriff, (2015)⁴.

Depending on the area of the country, if a woman lost her husband and becomes a widow, she can be relieved of land and property left by her husband and in most cases, she either marries one of her late husband’s relatives or she leaves the house after she has mourned her husband’s death. Mourning the death of the husband lasts according to the customs and tradition of the particular tribe or ethnic group in which the family of the man belong. This is a rite of passage for widowhood that mostly violates the rights of women. Considering the length of time spent during this period. Some women will be ordered not to do any job in the farm until the stipulated time frame set by the family members to go through the rites is over. Also the movement of these women are restricted. Hence the family will be able to know whether the woman was pregnant by the time of death of her husband. Doing so, the family is sure about the woman not bringing a bastard child into the home. This is just another way of violating the rights of women. When the woman becomes stubborn not to adhere to all those rules set aside by the family, they sometime consider the woman being an outlaw and accused her of bewitching and being the cause of the death of her husband. She will then be asked to pay some fines and thereby force her to marry within the deceased husband’s family, even when it is against her wish. If she refused to do so, this is when they will take away all what belongs to her and the deceased husband. Jusu-Sheriff went further to state that, “legal title for all land in the provinces is vested in the 149 Chiefdom Councils (each headed by a Paramount Chief) but the de facto control of lands is in the hands of the land owning families”. However, she concluded that, “disputes over land, including claims for access by women, are usually brought before and dealt with by the paramount chiefs and their sub chiefs but can be taken to the Local Courts where Customary Law is dispensed. Appeals lie from the Local courts to the Magistrate’s Courts” Jusu-Sheriff, (2015).

⁴ Yasmin Jusu-Sheriff is the Regional President for the Mano River Peace Network. Her interview was conducted via email on 19th August, 2015.

When women who have suffered victimization and denied their rights of the ownership of the husband's land or other property, she will return to her family, losing out on land they farmed and developed during their marriage. This is because customary law does not recognise marital property contributions to the acquisition of property during marriage. Even though widows might benefit from their children's inheritance, the fact that they cannot inherit property directly from their husbands increases their social vulnerability and increases and deepens their level and magnitude of poverty.

The agriculture sector is overwhelmed by unpaid family workers who are disproportionately represented by women. Flintan said, women's access to land was once protected by the clan and patrilineage, social safety nets are now highly individualized and less certain F. Fiona, (2010). Despite the multiple roles women play in the rural household not only as producers, but as the main caretakers of children and the elderly, they have little control over decision making in terms of implementation of agricultural technologies or access to credit and other financial services. Even with similar roles in agriculture, the women are not given equal opportunity and access to available resource like their male counterparts. The lack of women's rights to hold homesteads and land places them in a very insecure position ADB, (2001). Hence there is a need to encourage women's relevance. Even though women are playing a crucial role in the agricultural sector, they are most times excluded from property and land ownership. They control lands through their husbands or other male relatives. This research seeks to investigate the land rights of women as well as female household heads in order to understand the specific dynamics around women property or land rights specifically and the impact on agricultural productivity. Customary law in Africa held that men owned the land, and women owned the crops they produced on it Boserup, (1970, 58). In contrast to the developed countries, in much of sub-Saharan Africa, "nearly all the tasks connected with food production continue to be left to women" Boserup, (1970). While African men may not "provide" for their families in the Western sense of providing food or contributing to food security, their function as defender and protector continues to be an important one. This may continue to be true even if a man rarely or never has an occasion to exercise this role, as long as this threat exists. Note, however, that protection, while vital, is not a positively productive role C. A. Miles, (2007).

Previous researches have shown that widows frequently have their right to land eroded. This tends to compromise the food security of this vulnerable societal group and also deepens poverty Jackson, (2003), Mutangadura, (2004), Shezongo-Macmillan, (2005). Policy makers and gender activists have raised numerous concerns regarding the vulnerability of women and children and particularly widows and orphans, to loss or erosion of land rights as a direct consequence of aids Aliber and Walker, (2006: 704).

The failure of agriculture to provide for secure livelihoods is considered as a major contributing factor in widening rural poverty. Land is one of the most fundamental resources to women's living conditions. In order to stimulate agricultural production, especially in growing food crops, the Koroma government has opened the sector for liberalization and commercialization. The aim is to give incentives to smallholders to raise their production levels beyond mere subsistence agriculture. However, despite development incentives, market oriented policies have not refrained from elements of what could be termed predatory capitalism, including the unscrupulous exploitation of employees, land, water and the environment. "Having access to land may not solely be the resource to improve women's economic situation, but it can be a starting point for providing security and food. Women are highly dependent on their male counterparts in the access of resources. This creates a power advantage for the male and leaves the women subjected to men. However, despite the importance of land to women, their land rights are still often violated" A. Caroline, (2010). Despite efforts being made by government and other partners and instruments being signed and domesticated to promote the equality of natural resource ownership, including land ownership between men and women, there is still high inequality in terms of owning and accessing land in the rural communities of Sierra Leone. These inequalities have an influence on the nature of land in the current land tenure system and the livelihood of people in the country, specifically women. Simply because we are not doing the right thing with these laws and policies in our communities.

"Women still suffer the degrading and even life-threatening consequences of their lack of property rights and the resulting to absence of economic security. The denial of equal property rights puts most women at greater risk of poverty, disease, violence, and homelessness. This situation is a direct consequence of discriminatory laws and practices concerning women's access to and control of land and matrimonial property. In Sierra Leone, land laws were developed against a customary law system in which women had no rights to own land and only limited rights to access or use land" A. Caroline, (2010).

Women face huge challenges to own land and other property, this is an obstacle for them to get access to bigger loans from Micro Finance Institutions (MFIs) and banks. Therefore, this is a clear indication that, their rights to own property and access to credit are being denied. Most banks will not accept provincial land as security for loans because land owners do not have 'title deeds'; the banks are becoming more flexible on this. In the case of Sierra Leone, women I understand that Women in the Eastern Region have difficulty accessing land from their families for Cocoa and Coffee plantations or other cash crops, they are encouraged to limit themselves to market gardening and subsistence crops. Women complain that they are given smaller and less productive plots of family land than males and married women may be denied shares in land inherited from parents Jusu-Sheriff, (2015).

1.2.3 Customary law relating to land

There are several laws that govern Sierra Leone. They include; the general law, customary and Islamic law. Each of these mentioned laws make provision for the rights of women; in respect to and ownership to other valuable assets in different ways. In the 1991 constitution, the book that has the laws that governs the republic of Sierra Leone is the provision under section 170 sub-sections 1 the different laws of sierra Leone are found under: the 1991 Constitution, laws passed by Parliament, Laws passed by the Executive part of Government in order to implement other laws and laws that are already in existence (Action Aid -Women's Land Rights handbook, Abridge version, Sierra Leone). Also, under the same book, there is provision under section 170 sub-section 2 that the laws made by judges out of court decisions are described as; The English Common laws, the theories of laws based on fairness and Customary laws. The country has joined other states to sign several agreements under international laws and this includes the international bill of human rights on the 23rd August 1996 which supports the principle for non-gender based discrimination. Also to show support towards the rights of women's empowerment, Sierra Leone joined other states on 21st September, 1998 to sign the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW). Traditional cultural practices reflect values and beliefs held by members of a community for periods often spanning generations. For Cooper, women's ownership of land is considered to lead to improved

productivity and increased living standards for the whole household E. Cooper, (2012). Customary law requires inheritance to pass through the male line thus bypassing the widow and daughters. Indeed, wives are traditionally inherited by a kinsman of the husband, although the woman can refuse to be inherited. Under this arrangement she may be allowed to continue to farm the plots allocated to her by her husband Bourdillon, (1976). Women may not inherit if they were married under customary law. Land passes to the oldest son, possibly even the son of another wife, and the subsequent treatment of the widow is at his discretion. Some may manage the land on their son's behalf Mate, (2001). The situation of the divorced woman is usually worse than that of the widow. On divorce the woman receives no share of the household's land or assets, she may have to leave her children with her husband and she sometimes may require to hand over her possessions, such as clothes bought during the marriage and money saved from her own income-generating ventures Pankhurst and Jacobs, (1988).

Customary law is any rule in a community that have the same effect of other laws made by government. The definition of customary law can be found under the local courts acts of 2963. It is important to note that when making a customary law, it must not go against the other laws made by government and it must also be fair. Customary law can apply to communities according to the custom of the community although the constitution does not encourage laws that are bias, customary laws are at most times made to be bias against women. Most of the communities that allow the practice of bias customary laws are communities where the women are usually unprotected.

Customary law can be applied in the western area, eastern and southern and northern areas of Sierra Leone. The particular law that governs an individual can be determined only by personal customary practice or system of that person and not the place of residence. People who live customarily are in fact mostly found in the western areas. When a person practices customary law and his marriage is made binding under customary practice, upon his death, customary law will be applied in handling his property.

In Sierra Leone, there are two ways in which a person can claim ownership of a particular land. It could either be through a legal document signed, sealed and delivered affecting the transfer of property and the legal rights of ownership or a document containing a sworn oath. Chapter 256 of the laws of Sierra Leone 1960 states that, it is only when document dealing with ownership of

property or land was registered that a person can claim its ownership. All documents dealing with ownership of land must be registered within the timeframe provided under the law or at the expiration of such time if a person wants to register a document, an application for extension of time can be granted by the court Sierra Leone constitution, (1960).

Before a document relating to ownership is registered it must be signed by the person who is handing over the title or any other person the written authority to do so, a survey plan must be attached to the document. The director of lands and survey and a licensed surveyor must sign the survey plan. Finally, the necessary fees and tax must be paid. Agreements for lease or rent that are not registered have no legal rights. Sometimes most often create a lease agreement that does not meet the provisions of a legal lease, however such documents are still valid and can be taken to court.

1.2.4 Customary Law and access to resources

In customary law systems, access to resources is based on membership of a lineage, community, or household. These systems operate most effectively where land is relatively abundant and where most land users know one another and have regular and direct contact. Formal systems are mostly effective where land values are high and land transactions among strangers are frequent, requiring transparency and public records to reduce information asymmetries. Even in formal tenure systems, unwritten rights often coexist with the limited number of rights that are actually recorded in registries or titles. In practice, however, customary rights have often strengthened and concentrated the land rights of individual, senior, male household heads over multiple other interests. This results in only a small percentage of the population, and strikingly few women, holding land certificates or titles in developing countries. Joint titling appears promising, but its application is, as yet, too limited in time and scope to judge.

Despite their harmful nature and their violation of international and national human rights laws, such practices persist because they are not questioned and take on an aura of morality in the eyes of those practicing them. In many cases, socio-cultural factors limit women's access to and rights over resources (Women's land rights handbook, abridge version- Sierra Leone, pg.1). In

patriarchal cultures predominant in much of the world men as de facto heads of households have the largest role in decision making about resources at both the household and community levels, meaning women have disproportionately fewer rights to land and property FAO, (2011a), Doss, (2013). CEDAW is made binding on other domestic laws of the state on 11th November, 1998. Also, there is the optional protocol to the CEDAW that was signed on 21st September in the year 2000. This condemns the unequal treatment of women in line with the sharing of land; that is African Charter on human and people's rights on the rights or women in Africa (the African women's protocol). This however was not domesticated in Sierra Leone as the other laws (African Charter on Human and People's rights). Section 40 sub-sections 4(d) gives power to the president to make agreements in the name of Sierra Leone. For any international agreement or law to be made binding on domestic laws, it must have been accepted in Parliament after the signing of that agreement or law by the president. The laws of the country that deals with marriage, divorce inheritance or high status position in society did not make provision in the constitution for the protection against bad judgements (Women's land rights handbook, abridge version, Sierra Leone, pg.2). This is where some of the problems of owning property in the country began. The legal framework does not make provision for that under the 1991 Constitution which is the main book of laws of the land. Customary law is not uniform across Africa, but there are some common factors:

- i. Customary law tends to be the unwritten social rules and structures of a community derived from shared values and based on tradition.
- ii. Customary law pertaining to women's land tenure is based on social relations between men and women and, more specifically, husbands and wives.
- iii. Customary law seems to have few provisions for divorced women and even fewer for single women.

The issue of customary law has arisen within the land reform debates not only because the majority of feminist scholars have held the view that customary land law has not favoured women, but because the reforms are taking place in a context of a positive re-evaluation of customary land tenure Sierra Leone Constitution, (1991).

The problems of customary settlement raise the question how customary processes actually work in Sierra Leone specifically and in Africa in general. Historically, there is an agreement that

customary laws are flexible and are constructed in local social relations. Conflicting claims are negotiated on the basis of series of principles and not on a series of rules, it is hard not to agree that not enough is known about customary land tenure institutions within the modern nation state Okoth-Ogendo, (2000). Statutory and customary law systems have been found to operate in more interconnected ways than is realised. Land claims are socially embedded not only in the sense that the network of social relations gives rise to interlinked claims and obligations, but also in the sense that the processes of allocation and adjudication are themselves socially embedded Mackenzie, (1993).

As sated above, and like many African countries, Sierra Leone has a dual land tenure system, with aspects from the colonial era and customary ownership varying in proportion, depending on location. This creates confusion regarding land rights for women, says Catherine Gatundu, natural resource rights coordinator at NGO Action Aid International Mackenzie, (1993).

The 2007 Devolution of Estate Act criminalizes depriving a woman from inheriting her husband's property after his death. It recognizes customary marriage, the rights of polygamous spouses, and imposes penalties for evicting a spouse or child from the marital home. The inheritance should be shared among surviving family, with 35 percent going to the spouse, 35 percent to the children, 15 percent to parents and 15 percent in line with any customary laws Sierra Leone Devolution of Estate Act, (2007). But the act only recognizes an individual's right to land, not a family's, and the vast majority of Sierra Leonean women live under traditional land tenure structures that do not recognize a woman's right to own property.

Customary law applies in thirteen (13) of Sierra Leone's fourteen (14) districts. As the government looks to reform land policy ahead of presidential elections in November, gender activists are pushing to make women's right to land a reality, calling the current set-up "discriminatory". "The land tenure system in the rural areas actually affects women the most," The USAID report quoting to Gladys Brima, the founder of Women's Partnership for Justice and Peace, a local non-profit organization said; "Women use the land more. But when it comes to ownership, women do not own the land. "USAID, (2011). According to the US State Department's 2011 Investment Climate Statement, agriculture accounts for over half of Sierra

Leone's income, up to 80 percent of the country's agricultural workforce are women, and women farmers directly affect 40 percent of the national revenue USAID, (2011).

“Customary law governs land tenure throughout the rest of the country, and traditional paramount chiefs control land access. Conflict displaced rural populations in many areas (with more than a quarter of the population displaced at one time or another) and many local authorities were overruled by various factions in the conflict or simply killed. In the post-conflict period, donors supported government efforts to restore the authority of paramount chiefs in order to re-establish stability in the rural areas and hasten resumption of agricultural development and decentralization. Some observers have noted that the restoration of the chieftaincy system potentially perpetuates abuses of power and exploitation of the local population, especially the rural youth” USAID, (2011).

Quisumbing and Pandolfelli, (2009) argue that women often are disadvantaged in both statutory and customary land tenure systems, which placed the women at a highly vulnerable position. The World Food Programme in Sierra Leone reported that, more than 20 percent of households are headed by women, and in over a third of these cases is due to the death of her husband. Sierra Leone's conflict was set off in part due to highly unequal distribution of natural resources, including land. During the Civil war, two thirds of the country's population was displaced, and those who returned home mostly found their farmlands destroyed or occupied WFP, (2011).

In Sierra Leone, customary law regarding land is unwritten apart from reference to it, or to aspects of it within formal legislation. A significant legal issue is that customary law is enforceable in formal court, according to the Law Reform Commission Sierra Leone local Government Act, (2004). This is why a purchaser of land must contend with the ‘offense’ feature of any purchase, whereby the security of the purchase remains in effect as long as customary law, society, individuals and groups are not ‘offended’ with the definition of offended undefined and unwritten. Generally, when there is an issue that the formal legal structure does not deal with, then the procedure is to first look to customary law for guidance. If none is available, then the formal structure can attempt to pass legislation dealing with the issue. While the way ahead in Sierra Leone is with a merging of customary law with formal law, the governance issues regarding the former is of utmost importance. Governance in the customary sector needs to be seen as fair, reliable, and objective as priorities for this merging to be effectively realized.

1.2.5 Land Disputes and Conflicts in Sierra Leone

Land disputes are very common in Sierra Leone, especially in Freetown, though they have also clouded the rural areas, where land is supposed to be owned by the community and there is no need to fight over the land in the rural areas. Disputes arise from varied reasons. One, if one member of a particular family sold a piece of land to someone without the approval of the other family members; or two, as a result of lack of consent; or use of fraudulent documents; multiple interests asserted with regard to the same property; erroneous surveys; then, the exercise of authority over land by the paramount chief; and intra-family disputes over rights to land; including offspring of polygamous marriages. In the Western Area, land disputes account for 70% of the higher court dockets. A 2001–2006 study identified 17% of the disputes pending as between landowning groups or disputes over boundaries of family land Williams (2006); Dale (2008); Chauveau and Richards (2008); Unruh and Turay (2006); GOSL (2005). Some researchers suggest that a source of the conflict leading to the civil war was tensions among rural landowning elite seeking labour for their fields, and impoverished rural youth. In some areas, paramount chiefs helped supply labour to landowners by controlling access to land and assessing fines and fees on local youth, who were required to work off fines by performing agricultural labour, often under exploitative conditions ECA, (2009). Other researchers argued that, the nature of the agrarian relations constrained the economic future of rural youth, leading to discontent and disputes and creating fertile ground for the insurgency's recruitment efforts Richards (2005); Maconachie (2008). Land tenure and land use conflict have the potential to undermine both environmental stability and food security but investment in institutions for local level conflict management is often the missing dimension in development policies. In Africa, many diverse legal frameworks govern access to land and its use. These compete with one another, providing another source of the conflict ECA, (2009).

In the 149 chiefdoms, the chieftaincy hears land disputes in their local courts. The court of first instance outside the chieftaincy is the local court or native administration court. Each chieftaincy has one or two courts that apply customary law, which varies from chiefdom to chiefdom. Local courts are under the authority of the Ministry of Local Government and, thus, outside the

traditional judicial system. The traditional power exercised by the chieftaincy maintained much of its legitimacy through the years of conflict, and the government's decentralization plan and the 2009 Chieftaincy Act reinforced the chieftaincy's power in many areas. An aggrieved person usually goes to the lowest level of the chieftaincy structure, the village chief, for assistance. Appeals and more serious disputes are taken to a sub-chief, followed by the paramount chief. Those with a dispute may also seek assistance from a religious leader or a "secret society" to which most rural residents belong Manning, (2009); Unruh and Turay, (2006).

By statute, local courts mete out justice based on principles of equity, good conscience, and natural justice. There have many criticisms going on against the entire judicial system and specifically the local courts in the country. In most cases, the rich and influential people enjoy the benefits at the expense of the poor and less influential people. Customary Law Officers are responsible for the control and referral of cases to higher courts. Credible news houses have been writing and several reports have been going on about corrupt practices within the judicial system. Women face barriers to the courts due to lack of knowledge of their legal rights, low literacy levels, and cultural constraints Dale, (2008); Williams, (2006); Manning, (2009).

In many sub-Saharan African countries, land tenure reforms and the relationship of these to rural livelihoods and agriculture are currently the focus of lively policy debates. The majorities of the people in these countries live in rural areas and largely depend on access to land and natural resources for their livelihoods Quan, (1998). Governments are under pressure to re-examine their land policies with regard to rural livelihoods (Quan 1998), and the commercialisation of agriculture, partly as in response to the requirements of donor countries and international lending institutions Simon, (1993); Lawry, (1994).

1.2.6 Women's land interests and inheritance rights

Land problems in sub-Saharan Africa include growing land concentration and scarcity more or less acute in various countries and locations, there is competition over land use and environmental and land degradation Mabilinyi, (1997); Odagaard, (1997).

These land tenure problems have country and intra country specificities, some of which will be discussed later in chapter two.

“Colonial and post-colonial processes and policies have directly and indirectly shaped land tenure and its problems and with it women’s interests. Anthropological work on women’s interests in land has tended to argue that women did have some significant interests under customary land tenure which have been eroded by agrarian change and largely male out-migration, colonial and post-colonial processes and policies such as the codification of customary law. While various factors affected the outcomes of these processes and their implications for women’s interests in land and other resources, it has been the judgement of commentators that overall, these changes were mostly detrimental to women, although not in a simple linear fashion” Mabilinyi, (1997); Odagaard, (1997).

Odagaard in women’s Land and Privatization in Eastern African study stated that, policies in the post-colonial era have tended not to fundamentally address the core land tenure problems of access and equity. Policies under the Structural Adjustment Programme have resulted in a massive expansion of mining, commercial farming, industry and real estate Odagaard, (1997). Furthermore, Orgadaard said that, the expansion of mostly private and housing has created many problems in the buying and selling of land resulting in the urban areas, as well as increasing land concentration and many land conflicts and litigation in the rural areas in some mineral rich districts of the country, it is mostly the problem of state distribution and sales of land to international cooperation’s. An important issue in all these problems is the growing differentiation in land control and questions of access and equity.

The Devolution of Estates Act (2007) provides that both men and women have the same inheritance rights in the event of the death of a spouse or a parent, regardless of religious or ethnic identity CEDAW (2012 p.47); World Bank (2013). The law similarly provides sons and daughters with equal inheritance rights World Bank (2013). With regard to marriages with more than one spouse, the Act provides for distribution of the estate among the surviving spouses in proportion to the duration of their respective marriages, accounting for other factors such as any contributions they have made to the estate CEDAW (2012). Widows cannot be evicted from the home that she shared with her husband, though sometimes this is not the case. However, there are certain types of property that cannot be passed to a widow (namely ‘family property’ and ‘community property’) Social Edge (2008); Devolution of Estates Act (2007). It is estimated that 83% of the land in Sierra Leone is owned by family Action Aid, (2013). So in actual fact, it is in most cases difficult or even not visible for widows’ to inherit their husbands property. It should

be noted explicitly in the text that the Devolution of Estates Act 2007 contains a claw-back clause at the very outset article 1(3), which states that: “This Act shall not apply to family property, chieftaincy property or community property held under customary law Devolution of Estates Act (2007). While such legislation represents an improvement over previously more discriminatory practices, widespread ignorance of civil legislation relating to inheritance means that the law is rarely effectively enforced US Department of State (2012). While some tribes grant women the right to inherit property, others considered the wife to be a possession of the dead husband, and part of his inheritance CEDAW (2012, p.47). Under Islamic law, the deceased man’s son, brother, or another (male) administrator distributes the property and women often inherit little or nothing; indeed, in some cases women are expected to remarry a male relation of her deceased husband, otherwise she loses all rights or interest in her deceased husband’s property US Department of State, (2012). This makes it difficult for women to own or inherit property. However, according to research done by the Chronic Poverty Research Centre, it is estimated that, only 12.65% of widows inherited majority of assets after their spouses in 2008 Chronic Poverty Research Centre, (2011, p.205).

Women in Sierra Leone may initiate divorce under certain circumstances according to the law. Wherein the Registration of Customary Marriages and Divorce Act, (2007) provides that gifts, payments, or dowries are non-refundable, thus allowing women in unhappy marriages to divorce without being forced to return dowries US Department of State (2012); CEDAW, (2012). According to the Matrimonial Causes Act, (1960), women alone may petition for divorce for reasons of her husband being guilty of rape, sodomy, or bestiality CEDAW, (2012 p.48). There is currently a law under governmental review entitled Matrimonial Causes Bill that would add additional grounds for petition for divorce, put women and men on equal footing on the grounds for divorce in customary marriages, and further regulate the transfer of property and custody of children upon divorce Matrimonial Causes Act, (1960). Under customary law in some areas, women are still held to returning any dowry, as well as relinquishing custody of their children. In addition, it remains far more difficult for a woman to obtain a divorce under customary law than it is for a man, who may divorce his wife for a variety of reasons including disobedience and

laziness, non-cooperation with co-wives, or refusal to convert to Islam or husband's religion Matrimonial Causes Act, (1960). The Act continues to states that, wives in customary marriages may not initiate a divorce on the grounds of slander, persistent adultery, or refusal to convert to her religion.

Processes of differentiation and individualization of land rights and land shortages have resulted in the increasing concentration of land in male hands. Orgadaard finds out that, in several countries, daughters are finding their inheritance rights under contestation, with erosion occurring in the process R. Odagaard, (1997). In countries where women have the statutory right to own, rent, lease and inherit housing, land and property, tradition and dominant social attitudes may still prohibit these rights from being claimed or enforced in practice D. Hien Tran, (2012).

On the other hand, the growing incidence of divorce, single parenthood and male labour migration and the increase in avenues of formal education meant that more women had to take responsibility for family members in the provinces.

1.2.7 Disparities in asset ownership

In many countries there are gender disparities in asset ownership. Land is often the most valued asset, and where women are constrained by law or custom in owning land, they are unable to use land as an input into production or as collateral for credit. Access to and control, but not ownership, of land becomes a more central question. Gordon and Gordon, argue that the colonial time introduced unequal gender and family structures has undermined women's opportunities for economic well-being Gordon, A., A. & Gordon, L., D. (2007). This is inefficient and may hamper growth. An example of how to address this issue comes from Vietnam, where land title certificates have been reissued with the names of both husbands and wives, giving women land use rights previously denied to them. The question of land ownership could be seen as a debate between liberalization where the issue of privatization and open market is of importance, while others highlights a more state-led development with development from within the country followed by investment in agriculture that could make the country independent from food

imports S. Abrahamsson, (2013). Problems associated with land redistribution are derived largely from inequitable and limited access due to past colonial patterns of unequal ownership and the costly and cumbersome processes associated with the predominantly market redistribution processes⁶.

1.2.8 Labour market imbalances

The BTI reports that, since the end of the war in 2002, the banking sector has grown substantially, thanks to the rise of new banks and the re-emergence of banks established before the war. There are now a number of banks and non-bank financial institutions concentrated primarily in Freetown. In addition, the country is developing a microfinance sector that is promoting small-scale business, especially in rural areas BTI, (2014). The report notes that, the banks still perform poorly and have been temporarily affected by the global financial and economic crisis, which was felt with particular keenness in 2009. BTI continue to report that, the IMF has estimated the return on equity of commercial banks decreased from 17.0% in 2006 to 4.0% in 2009 but rebounded to 12.1% and 15.6% in 2010 and 2011 respectively.

There are exhibiting taboos and prejudices against hiring women which is considered costly to society as a substantial proportion of its productive potential is stifled. Scepticisms against female workers may hamper private sector development: as it restricts total labour supply, the price of male labour is pushed up and artificial labour shortages may result. Current concerns with economic restructuring and moves towards a market economy in sub-Saharan African countries have brought fresh energy to the longstanding debate on the reform of indigenous or customary land tenure arrangements. These apply on land on which most rural households graze their animals, gather forest products and cultivate their holdings West, (1982); Simon, (1993); Bruce, (1993b); Amanor, (1999).

⁶ Linking land and food security. A Southern African approach

The low productivity within the agriculture appears to be based upon two, interlinked aspects beyond the unequal gender structures in the society. One, being the issue of land ownership in general, and the other being how and why women are restricted in access, control, and management of land (Linking land and food security - A Southern African approach).

1.2.9 Consequences for Production

Production is directly influenced by measures for improving land management. It is indirectly influenced by incentives affecting work performance and investments that ensue from a land ownership reform. Regarding the effects on the production rate, it is possible to differentiate between short term and long term effects. In the short run, there is the danger that there will be a setback in production; or at least, significant increases should not be expected. Particularly slow enforcement of the reform causes periods of insecurity. The new farmers still lack experience and do not have sufficient inputs. In the case of collectivization, the new organizational and decisional structures have to get into full swing. The danger of a setback in production can, however, be reduced greatly by means of intensive land management reforms measures.

In the long-run, an increase in production can be expected. The new farmers have reason to work hard, and the old large landowners will try to make up for losses by intensive cultivation of the remaining land at their disposal. This will, on the other hand, be all the more successful the more intensive the help given by means of providing the necessary services. The higher the level of development, the easier this is, and therefore it is possible in this case to expect larger increases in production than at a lower level.

The effects of the agrarian reforms on the type of production are generally clearer. The transition from large to small farms leads to a tendency to increase the planting of crops that guarantee self-sufficiency, animal husbandry, multi crop farming instead of one crop farming, and annual instead of perennial crops. The drop in the market share resulting from this can be aggravated by the new farmers increasing their consumption. Fears that the rural population's supply will suffer are generally exaggerated and are the result of false agrarian reform measures. Appropriate

measure for promoting land management make it possible to avoid decreases in the share designated for the market and setbacks in the cultivation of export crops. F. Kuhnen, (1982).

1.2.10 Access to financial services

Equal opportunities do not exist for the country's inhabitants. About three-quarters of Sierra Leoneans live in poverty. The massive disparity in income distribution has been and remains a major source of conflict in the country BTI, (2014).

According to statutory laws, women should have equal access to bank accounts and ability to lend money from the bank as men. Although this is not happening in practice and following customary laws, women had to go through their husbands or brother because they are considered having fixed assets such as land which will be used as collateral to access loans. Young single women are in a more critical situation when it comes to accessing financial services. If the woman is not married, a relative, such as a brother, is often in charge of her finances.

“When women have secure property rights including rights over the land they cultivate they gain improved social status which leads to their empowerment and greater influence over household decisions. For instance, a study in Central America found that women with land rights are more likely to exercise control over household income and have access to credit. In Nicaragua, women with either individual or joint title control over 50 percent of the crop income while women who have no land rights control only 14 percent of that income” BTI, (2014).

Poor people, people with disabilities (often as a consequence of war) and women are heavily discriminated against, as demonstrated, for example, by the literacy rate of 53.6% males to 31.4% females. There are also strong biases in terms of ethnicity when it comes to economic opportunities, social equity and political influence BTI, (2014).

When women lack financial capital, it is difficult for them to make investments in their agriculture activities to expand production. They have low income yield, due to low purchasing power and underdeveloped markets. As men are in charge of the household budget, women lack financial assets and are excluded from decision-making regarding the household budget. This often put the women at risk.

The banking system and capital market are poorly developed, and regulation and supervision by the central bank remain inadequate. The central bank itself lacks the autonomy necessary to be an effective player in supervising monetary, exchange rate and credit policies BTI, (2014).

1.2.11 Economic, cultural, nutritional and social value of the land

In Sierra Leone, most people have to rely on family and community structures as the social basis of survival. Subsistence agriculture, the informal sector and international humanitarian assistance comprise the basic means of livelihood for a large majority of the population BTI, (2014). Land is the most valuable possession for people living in customary areas in Sierra Leone. There is great spiritual and cultural significance to land. Cemeteries where ancestors are buried and society bushes where rites of passage and important ceremonies are held are considered sacred USAID, (2013). Boundaries between communities and different landowning family lands are generally marked by large trees planted for the purpose and land disputes have not been uncommon in rural areas. However, in the past, a disputed area was flagged and left alone if chiefs or local authorities were unable to get the two parties to agree on the boundary. Outside of the Western Area, where the majority of the population resides, customary practices determine land access, and they are discriminatory against women. Women's land problems stem mainly from the patrilineal inheritance system that privileges men over, women. While women cannot inherit land, they have rights to land before marriage and are entitled to land to cultivate upon marriage Inheriting property has always been a big problem for women, because they cannot control the land themselves.

Issues of land as productive resources have always been of crucial importance in the predominantly agricultural West African societies; including societies in Sierra Leone. Apart from its economic value, land is a social and cultural yardstick for the men and women living in these societies wherein majority of the rural population realize their livelihood. So, the reality about land tenure system in many African countries has greatly influenced the speed of development in the continent. Land tenure remains; at least one part of a complicated combination of structural factors contributing to poverty and violence in contemporary Africa Egemi, (2006).

The farming systems and land use patterns are extremely complex, with different land types used for different purposes. Nearly all have some upland sites that are planted at the beginning of the annual rainy season, usually in May, with a wide variety of crops, including upland rice, numerous kinds of vegetables, leguminous bean crops, groundnuts, sesame (benniseed) and other oil seed-crops such as egusi, grains, tubers and leafy greens. The upland areas are also used to nurse rice plants for transplanting in August or September to inland valley swamps Egemi, (2006). Typically, farmers in Sierra Leone intercrop rice with other valuable crops that they produce for both home use and for sale, including maize, sorghum, sesame (benne), pepper and other vegetables, and cassava. There is no shortage of experience in rice cultivation in Sierra Leone. People have been cultivating rice in the country for many centuries. Early European explorers dubbed it the 'Rice Coast' and many people from the area were shipped to the Carolinas in what is today the United States because of their skills in rice cultivation Egemi, (2006).

1.2.12 Women and the Economy

We Effect argues that control over land, which imply the right to use land and not exclusively ownership of land, is vital for women's economic independence since land is the basis of producing food and gaining an income W. Effect, (2013). The subject of land tenure in Sierra Leone would seem a highly relevant and indeed pressing one, when one is concerned with the broader problem of the country's economic underdevelopment. The question of why to study the gender differences of land tenure is much more complex. There is a link and a clear manifestation that the current system of land tenure has a significant influence on the lives of people especially women in rural communities. Throughout the world, women constitute a large portion of the economically active population engaged in agriculture, both as farmers and as farm workers and play a crucial role in ensuring household food security W. Effect, (2013). Åkesson and Reisenfeldt argued that, economic empowerment of women is one of the single most important factors contributing to more equal gender relations. Control of land should be seen as a mean to increase economic empowerment of women since it "can serve as collateral for credit and as a means of holding savings for the future", but not as an end in itself Åkesson and

Reisenfeldt, (2009). The economic position of women is recognized, when they are given the liberty to make economic decisions and when given the same economic opportunities as men.

Improving women's access to entitlements such as land will enable the women producers access other assets and to undertake economic activities that foster agricultural development which will increase the likelihood that benefits from these activities are put to the service of the welfare of the family FAO, (2002). This research therefore, seeks to answer and address the question of how the current land tenure system affects the socio-economic livelihood of women with a specific case of Sierra Leone.

Sierra Leone is a country that is particularly dependent on agriculture, coupled with its large deposit of other mineral resources. But despite that, it is one of the poorest countries in the world in terms of GDP, and suffers from systemic food insecurity and dependent on aid from multilateral cooperation's and other aid agencies. Majority of the country's population lives in the rural communities. The country suffered from an eleven-year brutal civil war leaving most of its people devastated. Making it very difficult for people to adjust into their normal lives as they were before. The World Bank report revealed that the population of Sierra Leone in 2001 was 5.8 million people. And 51.3 % of that total population were women. Also, the Poverty Reduction Strategy Paper of 2005-2007 stated that out of the 51.3% of the women in the entire population on 5% of the women personally owned land. This confirms that, household headed women suffer from the rights to own property and high rate of poverty World Bank, (2011).

The report went further to say that, women are far more economically active than men in terms of the role they play in farm-workers and as farmers, as a result of this role, it is true that they contribute immensely in the drive to food security achievement World Bank, (2011). If measured, the agricultural productivity of women without land rights is restricted by lack of complementary inputs, because the higher the income and stronger bargaining power of women with control over resources like land, has implications for the distribution of welfare within the household since there is growing evidence that women and men spend income under their control in systematically different ways. In the homes, it is observed that women spend a higher proportion of their income on food and health care of the children, which has important implications for overall welfare and poverty reduction. There is a link and a clear manifestation that the current system of land tenure has a significant influence on the lives of people especially

women in rural communities. Throughout the world, women constitute a large portion of the economically active population engaged in agriculture, both as farmers and as farm workers and play a crucial role in ensuring household food security. Indeed, women make a great contribution to the welfare of the family, carrying out economic activities and taking care of children and other dependants. Therefore, improving women's access to entitlements such as land rights will enable the women producers access other assets and to undertake economic activities that foster agricultural development which will increase the likelihood that benefits from these activities are put to the service of the welfare of the family FAO, (2002). This research therefore seek to answer and address the question of how the current land tenure system affects the socio-economic livelihood of women with a specific case of Sierra Leone.

1.3 Research Objectives

Main objective

One of the main objectives of this study is to investigate the oppressive aspects of African tradition, as well as various interconnected forms of race, class and gender oppression which hinder women from developing a full sense of selfhood.

Specific objectives

- i. Identify the various forms/types of harmful traditional practices in Sierra Leone and its effects on women's landownership.

- ii. Enumerate the factors that support the persistence of the culture and people-centered solutions in Sierra Leone

- iii. Determine the effectiveness and application of the domesticated legal instruments- the three Gender Acts 2007 in safeguarding women in Sierra Leone
- iv. Assess the current roles of the Government of Sierra Leone in promoting the rights of women towards land issues.
- v. To investigate the land rights of female headed household women as well as to understand the specific dynamics around women property rights and as they are unfolding in Sierra Leone.
- vi. To examine how the changes (overtime) in land tenure, access and rights to land among widows are affecting agricultural productivity, food security and poverty.
- vii. To examine the Food Security implication for female headed household farmers in Sierra Leone looking at land tenure issues.
- viii. Come up with answers on how the relationship between food security and large scale land acquisition be improved
- ix. To briefly examine the role major transnational land acquisitions for agriculture and land grabbing major play in enhancing food security.
- x. Assess the current policy environment that should be strengthened to promote food security and business investment concomitantly in Sierra Leone.
- xi. Then come up with policy recommendation that will help shape the economy of Sierra Leone through agricultural activities that will hence and improve the food security situation.

1.4 Justification

It is important to note that the horizon of tenure studies in sub-Saharan Africa has widened to include a focus on the connection between land tenure and rural people's livelihoods (Quan, (1998); Amanor, (1999); Pottier, (1999); Toulmin, and Quan, (2000)). Gender differences with respect to land tenure systems have not been thoroughly explored in Sierra Leone. It is of no doubt that the majority of rural households depend on land based subsistence agriculture for their livelihoods. An important rationale for this study is that the majority of poor people in Sierra Leone live in rural areas and these are the principal beneficiaries of land rights, because they are covered by customary laws and are being oppressed by sometimes government and other local authorities in their communities. For these households farming is only one of several livelihood-generating activities. Apart from agricultural activities, these households also depend on other safety net programs that will help uplift them from their present state.

The subject of land tenure in Sierra Leone is highly relevant and a pressing one, because it is concerned with the broader problem of the country's economic underdevelopment. The question of why to study the gender differences of land tenure is more complex. The specific rules of a tenure regime must be implemented within, and indeed be derived from, a given society, and hence the political entity that governs and legislates that society must also be a primary determinant of both the nature and efficacy of the tenure system.

The study will be undertaken using an in-depth analysis of the gender and economic analysis of land tenure in Sierra Leone and its prospects on the country's economic development. In this study it is also important to understand that rural livelihoods like rural people are differentiated by social identity, with variable and unequal outcomes depending on age, gender, education, location, and so forth' (Kepe, (2002: 42)). Shipton and Goheen have also observed that land claims in Africa depend on broader social entities, or combinations of them such as homestead families, lineages, villages, chiefdoms, ethnic sections, or other groups or networks (Shipton and Goheen, (1992: 307)). Their study also explores the degree to which rural households depend on land as a natural resource for their livelihoods, and estimates direct use values of case study

natural resources. Particular attention is paid to social differences of individuals and case study households in relation to access to land and use of natural resources as these have policy implications.

This study focuses on the changing socio-economic realities in respect of land rights of individuals and households living in the customary lands of Sierra Leone. The thesis argues that land tenure rules and practices are developed in response to a community's need to assure its livelihood and reflect the nature and organisation of its social structure. Thus, policies to promote individualisation of tenure in rural Africa overlook important socio-economic factors that affect how rural productive resources are accessed, used, and contested by individuals or households in support of a whole range of land-based livelihoods. Further it is important to note that livelihood strategies are mediated by formal and informal land tenure rules Freundenberger, (1994: 60). Thus, knowledge of how formal and informal tenure rules interact in a community is valuable because it assists in identifying constraints and opportunities to sustainable livelihoods Quan, (1998).

The main aim of this study is to analyse the position of women in Sierra Leone by examining social aspects, with an emphasis on gender roles, the family and the community, access to natural resources and women's status within the legal system and traditional legal structures, with special attention to land and women's land rights and its impact on agricultural productivity. I will attempt to rectify the deficiency on land tenure systems for the case of Sierra Leone, and produce a more thorough analysis of land tenure in the country. Secondly, I will then develop a concept of political economy in Sierra Leone and in turn produce a more realistic and penetrating analysis of its land tenure system considering its gender gaps and its impact on agricultural productivity.

Turning now to the issue of how to justify the aforementioned subject choice, the above has more or less answered the question of why land tenure in particular has been singled out as a component of Africa's underdevelopment that is worthy of investigation. In short, it constitutes the institutional and legislative framework within which the majority of the continent's microeconomic activity takes place. What remain to be clarified are the reasons why I have chosen this topic to study the gender differences of land tenure systems and its impact on Food security.

1.5 Research Hypothesis

H1: Married women obtain land rights through joint-registration.

Marital status of women mattered as far as their access to and control over land was concerned. I expect married women to obtain rights to land through joint-registration with their husbands.

The method will consist of comparing the relative distribution of rights (i.e. the rights distributed between the categories “household heads”, “spouses/cohabitants” and the “joint ownership”. If there is a statistical difference between the relative distributions of rights, the zero hypothesis of no change can be rejected.

H2: Married women have a higher propensity to obtain land than women living in cohabitation unions.

H3: Education increases women’s propensity to obtain land.

Hypotheses 2 and 3 refer to the determinants of women’s land rights. As stated, there might be reasons to believe that women’s marital status does matter for the granting of land, especially joint land ownership. I am also hypothesizing that women in general have lower status, among other things reflected in their lower levels of education, making them more sensitive to not obtaining rights. Lower levels of education are not only important in terms of having the capacity to read and write, but can also be important for legal literacy, knowing what laws exist, how to use them to protect their own rights and so forth. With the expectation that women with higher levels of education have been travelling more outside their own communities and this experience makes them more equip to claim property rights.

1.6. Layout of the thesis

In order to guide this investigation towards an eventual analysis of contemporary land tenure in Sierra Leone, the study is structured in six chapters, with chapter one outlaying the general background including land tenure literature.

The introduction presents the problem statement. It also sets out research questions and outlines the research methodology and research methods and a definition of key terms develops the theoretical framework of the thesis. It reviews and defines land tenure related principles and concepts to indicate how they are understood and used in this study that will be used throughout the study period. In chapter two, a review of prior studies on land tenure in Africa and a justification for further research on the topic will be discussed. The study will delineate the customary and traditional forces that have undermine the economic development of Sierra Leone since it was founded. The evolution of land tenure systems will be throughout expounded, in terms of its interaction with, and indeed derivation from, broader political and socioeconomic conditions. This chapter will constitute an analysis of land tenure, considering the gender differences both in Sierra Leone and other countries from Africa and Asia.

Chapter 3 presents the research methodology and research methods, which are used throughout the process. The chapter explains the appropriateness of the methodology adopted for the study. I will elucidate the theory and empirical evidence that has emerged from that material in order to aid our understanding of what constitutes an effective tenure system. I will also consider the deficiencies of that body of work, most notably in its neglect of political factors, and outline the ways in which this may undermine and/or necessitate revisions of its overall prognosis. Chapter four and five will draw analysis and conclusions from primary data gathered during field research that is comprised of a four-month stay in Sierra Leone between October, 2013 to February 2014, during which time interviews were conducted with key actors in the field. In chapter four, I will augment the preceding chapter by the undertaken survey of gender differences on land tenure systems and its impact on food security in a broader socio-economic

development or under-development in Sierra Leone throughout the same period. This part of the paper is presented by laying out the econometric analysis, using regression analysis. For the purpose of this study, two distinct econometric models are estimated, which are logit and probit models with STATA. I will then estimate variables of interest to explain the nature of land ownership and food production in Sierra Leone are multi-category variables at various levels. In order to ascertain the factors that have influenced land ownership and agricultural outputs, several models are due to be tested. Followed by a descriptive statistics, using tables and charts to accompany the narrative explanations. Chapter five will constitute the culmination of the project, by examining the contemporary debate on land tenure systems in Sierra Leone looking at the gender differences and the impact on agricultural productivity. Chapter six will look at policy recommendations and conclusions from the research.

The study will seek to present and critique the views of the key stakeholders involved in the entire developmental process in the country, i.e. government, donors, indigenous analysts, and ordinary female household farmers, local government workers etc.... In so doing it will seek to answer the research questions raised above about the nature and developmental potential of land tenure in Sierra Leone, as well as how it has been perceived and utilized by those involved.

CHAPTER TWO: LITERATURE REVIEW

2.0 Introduction.

“Land is at the heart of all rural societies and agricultural economies. When you have land, and are able to use and control it, will help increase your livelihoods and it is a vital determinants of accelerating rural wealth and rural poverty. The basic human right, the right to food has been in jeopardy” Sandesh Silpakar, (2008).

The chapter gives an overview of issues that gives clear understanding of the research problem and identifies the knowledge gap this study seeks to fill. As I have earlier stated in the introductory chapter, I will first of all develop a conceptual framework that is used in this thesis by reviewing land tenure related principles and concepts to indicate how they are understood and used in this study. I will explain concept of ‘land tenure reform’, indicate how important they are for the purpose of this study. Then elaborate on ‘gender’ equality and inequality and economic development of women. Looking at the role of gender in the economy, with specific focus on issues that might be the most critical for overall development and the impact of gender equality on food security. I will establish the historical position of women on land rights in Sierra Leone and other parts of the world and how the current land tenure in West Africa is generally defined by the customary laws. My focus here will be on the customary land tenure system and how it influences the livelihood of women. Then, I will thoroughly deal with the concept of ‘Food Security in relation to the topic under study.

2.1. Defining Land

Throughout history, land has been recognized as a primary source of wealth, social status, and power. It is the basis for shelter, food, and economic activities; it is the most significant provider of employment opportunities in rural areas and is an increasingly scarce resource in urban areas FAO, (2002).

In Sierra Leone, there are many statutory definitions of land all pointing in the same direction. It is defined as thus; “Land includes, land covered by water, any house, building or structure whatsoever and any estate, interest or right in, to or over land or water Act no. 8, (1971). Land also includes corporeal hereditament, rent charges and any legal or equitable state or interest therein, including an interest in the proceeds of sale of land held upon trust for sale, but save as aforesaid does not apply to any incorporeal hereditament” Act no. 51, (1961). From statutory definitions of land, the word ‘land’ is a technical word which legally means more than the mere surface of the ground. It includes other interests in land which could be tangible or intangible. These are identified in the definition as corporeal and incorporeal hereditaments. Historically, the term hereditament refers to any real property that can be inherited by a successor. There are two types of hereditaments, which are corporeal and incorporeal hereditaments. Corporeal hereditaments consist of land and such objects in land that is permanently attached to it. Corporeal hereditaments can be physically owned because it can be touched. Incorporeal hereditament on the other hand is an abstract interest in land that only exists in the mind. It can neither be seen nor handled, but rather indicates a right in land. Both corporeal and incorporeal hereditaments are interrelated in the sense that both can subsist at the same time in a piece of land. This is because one is tangible and the other intangible. Incorporeal hereditament is also considered as property rights in land Stevens, J et al, (2008). They are also capable of being passed to successors but for their abstract character in nature i.e. right of way.

The common law definition of land also captures elements of the statutory definition. In the common law, land includes the surface of the earth, the air space above the land and the soil underneath the ground. Thus the traditional Latin maxim “ *cuius est solum, eius est usque ad coelem et ad inferus*” means “whoever owns the sod owns everything up the heavens and down to the depths of the earth”. It is obvious that this is not the common knowledge to many lay people. However, it is my belief that this justifies the right of land owners to dig wells and build high duplex buildings on their land. It is however worth noting that the common law Latin Maxim is no longer feasible in modern times. This is so because, scientific development and modern civilization have made it impossible for land owners to enjoy their rights as stated in the maxim. Moreover, legally, air space and mineral rights have been seized by the government.

A land owner is generally entitled to the area underneath his land. This included things found beneath the land, be it minerals or not and spaces below the ground level are all *prima facie* that of the owner of the land. However, the Mines and Minerals Act of 2009 provides that precious minerals found beneath the surface of the land, belongs to the state Act no. 2, (2009). “Thus in Sierra Leone, statute provides that “All rights of ownership in and control of minerals under or upon any land in Sierra Leone and its continental shelf are vested in the Republic notwithstanding any rights of ownership or otherwise that any person may possess in and on the soil, or in or under which minerals are found or situated Act no. 12, (2009).

Notwithstanding the above statements, the Act went further mentioned the rights to be granted to people, whether land owners or not, for the mining of such minerals by way of a license Act no. 12, (2009). This is the reason leading to mining companies operating in Sierra Leone conduct mining activities within the territory of Sierra Leone without violating section 2(1) of the Mines and Minerals Act, 2009. Also, the law states that any person who finds a precious mineral in Sierra Leone is required by law to deliver such precious mineral to the owner of the license where there is one or to the director of mines where there is no license owner for the land. This should be done not later than three days from the discovery. The individual that discovers the mineral shall entitle to forty percent of the total value of the Mines and Minerals Act, (2009).

However, the provisions in the Mines and Minerals Act of 2009 does not deprive the right of the land owner to other items found underneath the land which are not categorized as precious minerals Mines and Minerals Act, (2009).

Generally, land is the total surface of the earth, but for the interest of this study, land could be referring to as the total area of the surface of the earth meant for cultivation either communal or private use. Whereas, tenure itself is a social construct (meaning it is make up by people living in a particular locality), defining the relationships between individuals and groups of individuals by which rights and obligations; with respect to control and use of resources are defined ECA, (2009).

According to IFAD, Land is an economic resource and an important factor in the formation of individual and collective identity, and in the day-to-day organization of social, cultural and religious life. It is also an enormous political resource that defines power relations between and

among individuals, families and communities under established systems of governance IFAD, (2008).

Land also has great cultural, religious, and legal significance. There is a strong correlation in many societies between decision-making powers and the quantity and quality of land rights one holds. In rural areas social inclusion or exclusion often depend solely on the individual's land holding status. Even in urban areas, the right to participate in municipal planning, in community decisions, and sometimes elections, can depend on the status of an individual as a "resident" or "home owner" FIG Publication, (no. 24).

The term land tenure is derived from the Latin word 'tenere' which means "to hold". The concept of 'tenure' is a social construct that define the relationships between individuals and groups of individuals by which rights and obligations are defined with respect to control and use of land ECA, (2009). As defined by the Global Land Tool Network (GLTN), Land tenure is the relationship, whether legally or customarily defined, among people, as individuals or groups, with respect to land. (For convenience, "land" is used here to include other natural resources such as water and trees.) Land tenure is an institution, i.e., rules invented by societies to regulate behavior. Rules of tenure define how property rights to land are to be allocated within societies. They define how access is granted to rights to use, control, and transfer land, as well as associated responsibilities and restraints. In simple terms, land tenure systems determine who can use what resources for how long, and under what conditions (GLTN web page).

Land tenure is an important part of social, political and economic structures. It is multi-dimensional, bringing into play social, technical, economic, institutional, legal and political aspects that are often ignored but must be taken into account. Land tenure relationships may be well-defined and enforceable in a formal court of law or through customary structures in a community. Alternatively, they may be relatively poorly defined with ambiguities open to exploitation (GLTN web page).

There is still a lack of adequate provisions for women to hold land rights independently of their husbands or male relatives. Since women are frequently the major household food producers, there are usually customary provisions for indirect access to land in terms of use rights acquired

through kinship relationships and their status as wives, mothers, sisters, or daughters FAO, (2002).

2.1.1 Tenure Security and Land Access

Landlessness is a global phenomenon that disproportionately affects women. The rights of women to own, use, access, control, transfer, inherit and otherwise take decisions about land are recognized within a wide body of national, regional and international legal frameworks. These frameworks also encompass women's rights to secure land tenure and to meaningfully participate in all stages of the development of land law, policy and programs, including assessment and analysis, program planning and design, budgeting and financing, implementation and monitoring and evaluation UN Women, (2014).

In many communities, access to resources is governed by both written and customary laws. In instances when conflicts exist between traditional norms and national laws, as is often the case when women's rights are considered, local norms generally prevail and are enforced by community members. Written national laws granting women equal access to productive resources are essential but for these rights to be legitimate and adhered to, it is necessary to secure the support of the local community. Thus "having a law" does not necessarily mean that women have equitable recourse to remedies should the law be broken FIG Publication, (no. 24). According to FAO, Access to land is governed through land tenure systems. Land tenure is the relationship, whether legally or customarily defined, among people, as individuals or groups, with respect to land FAO, (2002). In another report, FAO defines land access as opportunities for temporary or permanent use and occupation of land for purposes of shelter, productive activity or the enjoyment of recreation and rest. Land access is obtained by direct occupation, by exchange (purchase or rental), through membership of family and kin groups or by allocation by government, other land owners or management authorities FAO, (2011).

Not only do women have less access to land than men, but they are also often restricted to so called secondary land rights, meaning that they hold these rights through male family members, and thus risk losing these entitlements in case of divorce, widowhood or the migration of the male relative. Frequently, women have only user rights, mediated by men, and those rights remain highly precarious FAO, (2010).

Access is the right or opportunity to use, manage, or control land and its resources. It includes the ability to reach and make use of the resource FIG Publication, (no. 24). There is also evidence that even small incremental gains in secure access to land can have a significant impact in enhancing food security and increasing the resilience of poor rural people to external shocks. Tenure security is not only important to agricultural production: it also provides poor people with the means to equitably negotiate the diversification of their livelihoods and build up their capacity to undertake viable, alternative off-farm activities by using their land as collateral, renting it out or realizing its true value through sale IFAD, (2008). Access to land is a cross-cutting issue that strongly influences efforts to achieve the Millennium Development Goals (MDGs). For instance, land ownership is closely tied to efforts to achieve Goal 1 on eradicating extreme poverty and hunger due to the link between food security and access to and utilization of land UN Women, (2014). When describing access to land, we can distinguish between quantitative parameters (such as the nature of tenure, the size of the parcel and its economic value) and qualitative parameters (for example, legal security, and documented or registered evidence of rights to land). These parameters play an important role in "measuring" access to land before, during and after development projects FIG Publication, (no. 24). In terms of achieving Goal 3 to promote gender equality and women's empowerment, women's access to and use of land, property and inheritance rights are important indicators of women's empowerment and human development UN Women, (2014). Large-scale acquisitions of land by foreign and domestic investors have increased due to various factors such as the growing demand for food, flowers, biofuel, timber and other raw materials, the development of extractive industries, industrial development and tourism. Even apart from large-scale acquisitions of land, poor women in urban and rural areas often do not have reliable access to land; secure land tenure or customary land rights. Therefore, such land deals may exacerbate women's low access to and ownership of land UN Women, (2014). FAO describes land tenure as the way land is held or owned by individuals and groups, or the set of relationships legally or customarily defined among people with respect to land. In other words, tenure reflects relationships between people and land directly, and between individuals and groups of people in their dealings in land FAO, (2011).

Considering that landlessness compromises food production and income at the household level, which limits access to food of good nutritious value and quality health care, access to land has a

direct impact on MDG 4 to reduce child mortality, MDG 5 to improve maternal health and MDG 6 to combat HIV, malaria and tuberculosis.

Land access and tenure security issues are linked, directly or indirectly, to all the strategic areas of IFAD's interventions. Land issues are of particular concern, today, when population growth, high food prices, the impact of climate change, trade regimes, global consumer- and corporate-driven food systems and growing demand for agro fuels and feed are causing fierce competition for land and very high pressures on tenure systems IFAD, (2008). For this study, the FAO definition of Land Access and Land Tenure will be used interchangeably.

However, Brasselles and others states that, the primary constraint on making lands available for cultivation is the tenure insecurity of the customary landowning families not the insecurity of tenants or strangers, although the latter is connected to the former. Secure land tenure has been argued to increase investment incentives for three main reasons Brasselle et Al, (2002). The first is the assurance effect, which is when a farmer feels more secure in maintaining the long-term use of the land and in the returns on long-term land improvements says Brasselle et Al, (2002). The second is the realisation effect, or tradability, which is the ability to convert land into liquid assets through land sales or land rentals. This makes land available to more efficient users. The third is collateralisation effects, which are the ability to use land as collateral to access credit. Many studies have looked at the empirical evidence of the former but have found inconsistent results. Studies on the second effect have been hampered mostly by the lack of land markets in most customary land tenure systems Barrow and Roth, (1989). Women, the elderly, minorities and other sometimes marginalized groups can be at risk in land reform and land administration projects. Very often, when land values increase as a result of external investments, women get marginalized in the process, and risk losing former benefits and accommodating situations. Women can be at risk even if it is intended that they share the benefits FAO, (2002). There is also broad recognition that women's rights to inheritance and property are crucial factors in reducing women's vulnerability to violence and HIV, as well as for empowering women to cope with the social and economic impact of the HIV/AIDS epidemic at the household level UNDP, (2008).

The centrality of land in all dimensions of rural life in the context of Africa means that, the analysis of land tenure issues should be broadened from its traditional links with issues such as

land-use, agricultural production efficiency, and access to credit, conflict management mechanisms, fragmentation of landholdings and so on, to include all aspects of power/ politics and social position ECA, (2009). Land tenure may also have both spatial and temporal dimensions and are typically defined through statutory or customary law USAID, (2010). There has been an ongoing argument, that land tenure security is necessary, but it is not sufficient for sustainable rural poverty reduction and improved livelihoods. Measures to strengthen land tenure security must be complemented by pro-poor policies, services and investments that reduce vulnerability and enable people to make the best use of their access to land. Furthermore, enabling policies are needed beyond the national level to address issues such as migration, pastoralism and conflicts that cut across national boundaries and even regions, and require multi-country or regional approaches IFAD, (2008).

In societies following customary rules, women's direct access to land through purchase or inheritance is often limited. Since women are the major producers of household food supply there are usually customary provisions for indirect access to land in terms of use rights as community members, wives, mothers, sisters, or daughters. These use rights, however, do not grant enough security for women when traditional family structures dissolve. The economic and social well-being of women and their children are at increased risk when women face widowhood and divorce, or when the male head of household does not or cannot exercise his traditional responsibilities to his family FIG Publication, (no. 24). Statutory law often does not provide for women's independent rights and when such legislation does exist, mechanisms to enforce it are often absent. In traditional or "customary" societies, women's direct access to land through purchase or inheritance is often limited, yet they may have greater management and use rights than men FAO, (2002).

In many communities, access to land resources is governed by both statutory and customary laws. Conflicts can exist between traditional norms and national laws, as is often the case when land rights are considered. Local norms as enforced by community members are most likely to prevail, particularly in rural areas. National constitutions and laws granting equal access to productive resources are essential for gender equity FAO, (2002). Understanding the local situation, as well as the national legal structure, is therefore essential in land-related programs. Land tenure security and women's access and control over land have also been associated with

production efficiency Fuentes and Wiig, (2009). However, for these rights to appear legitimate and be enforced, they need to be accepted by the local community. Such acceptance is primarily enhanced through local community involvement in the process of the design and implementation, as well as the approach used during information and education campaigns FAO, (2002).

Tenure insecurity by landowning families' results in an extreme reluctance to allocate lands to others in a secure way, due to a fear that 'others' may make claims. Insecurity also results in a reluctance to disconnect improvements made to land by tenants or strangers including even occupation of the same land for a number of years with the perception that these improvements are forms of claim, and therefore represent a real threat to customary ownership D. Unruh and H. Turray, (2006).

There are many ongoing land disputes in the rural areas, a post-war socio-political environment where a degree of social capital involving trust has been compromised and fear of government taking land GoSL, (2005); also see Renner-Thomas, (2004); Gbamanga, (2004) for further descriptions of land disputes). Land tenure security and women's access and control over land have also been associated with production efficiency Fuentes and Wiig, (2009).

2.1.2 Land tenure reform and security of tenure

It should be noted that land tenure reform and land reform do not mean the same thing. As pointed out earlier, the land reform process often includes the redistribution of landholdings, which in turn affects the agrarian structure. Land tenure reform on the other hand is aimed at changing the rules of tenure. The use of the term 'land tenure reform' refers to "a planned change in the terms and conditions on which land is held, used and transacted" Adams et al, (1999:2).

Reform of land tenure implies an improvement aimed at providing more robust property rights in favour of the land users' tenure security Bruce and Migot-Adholla, (1996). Usually it also includes confirmation of de facto rights in land, thus leaving the people holding the same parcels of land with the benefit of increased 'security of tenure' Bruce, (1993a); Adams et al, (1999).

The term 'security of tenure' is widely used in the land tenure literature with regard to economic development. Investigators of social and economic aspects of land tenure have used the term security of tenure in three distinct ways that require clarification. Security of tenure is often used with reference to: the certainty, duration and full rights or robustness of land rights Bruce, (1993a); Bruce et al, (1994a). It is instructive at this stage to review the differences in the usage of the term. When used with reference to certainty, security of tenure refers to the landowner's protection of rights or security of possession and non-interference by the state or private entities. FAO, 2011 defined tenure security to be all of the following;

1. The degree of confidence that land users will not be arbitrarily deprived of the rights they enjoy over land and the economic benefits that flow from it;
2. The certainty that an individual's rights to land will be recognized by others and protected in cases of specific challenges; or, more specifically,
3. According to Bruce, the right of all individuals and groups to effective government protection against forced evictions. This means that as long as the landholder is assured of possession and use of a particular land for a specified period, which may be long or short, then according to this usage, the tenure is secure Bruce, (1993a). The other usage of security of tenure includes certainty and long duration of tenure. In this case the certainty and long duration are related to incentives in investment in the land. The measure of security of tenure is examined in connection to the time required to recover the capital investment in land. Thus a tenure which is not of sufficient duration or is uncertain for desired investments will be judged to be insecure Bruce et al, (1994). Security of tenure in this respect must be of sufficient time to satisfy the purpose for which the land will be put to use. For instance, the security of tenure for annual crops such as maize is not adequate for long term crops such as coffee Simpson, (1976). Another dimension of security of tenure is the requirement of full rights in land or robustness of rights. Bruce went further to state that 'even if the tenure is secure for the lifetime of the holder, and inheritable by the children of the owner, it may be considered insecure under this use of the term, for example, if it cannot be freely bought or sold Bruce, (1993a).' This usage of the term refers to full private ownership. However, Bruce points out that although this usage of the term is common among advocates of private ownership, it is confusing Bruce, (1993a).

Tenure rules and laws define the rights to use, control and to transfer land as well as associated responsibilities and restraints. Land tenure therefore, is the relationship (legal or customarily defined) among people as individuals or groups, with respect to land. In simple terms, land tenure systems determine who can use what land resources, for how long, and under what conditions Joseph, (2011). He went further to state that, land tenure is the institutional structure that determines: how individuals and groups secure access to land and associated manage land resources and who can hold and use these resources for how long and under what conditions. For Cornheil, land tenure is a social relation that determines who can use which land and how Lastarria-Cornhiel, (2001). This gives certain rights to the benefit stream. It is empirically useful to distinguish between access rights to land and ownership rights for land. Tenure security more broadly defined as the perception of the likelihood of losing a specific right to a given parcel of land. Rules and laws of tenure describe how property rights to land are to be allocated within a particular community. Land tenure is a derivative of the concept of natural resource tenure, which in essence refers to the terms and conditions under which natural resources are held and used Bruce, (1986); Moyo, (1995); Shivji et al., (1998). Throughout this work, I am distinguishing access to land and having ownership to land. These are two different variables that will be studied in order to clearly understand the differences of owning land and just having access to a particular land.

2.1.3 Women farmers and security of tenure

Historically women's access to land was based on status within the family and involved right of use, not ownership. The most prevalent barrier to acquiring real property in Asia is through inheritance laws which favour male inheritance over female. If a woman inherits property, it is managed by her husband. Hindu women formally hold rights in property for life only; at death it reverts back to the male line. In Africa, custom rather than religious practice excludes women from ownership; property is held in a man's name and passed patrilineal with the group. A widow's right to remain on the land is not secure. In Latin America, discrimination results more

from limited status under the law. Women, for example, may reach majority age at 21, but still be required to be represented by their husbands in all legal capacities.

Land reform, legislative reform and the forces of modernization have had a mixed effect. Agrarian reform or resettlement programs use the "head of family" concept, usually a male, as the basis of land reallocation. Few have significant numbers of female beneficiaries or even pay attention to gender as a beneficiary category. New legislation on equality for women is more applicable to the urban-employed class than rural persons: agricultural land is even excluded in some new inheritance schemes. Statutory reform of customary law is confusing and open to interpretation; when customary religious or statutory systems coexist, the law least favourable to women is often selected. Traditional or customary systems that might have protected a woman's access to land during her lifetime are breaking down under population, economic and environmental pressures. Growing male rural to urban migration is leaving women as de facto heads of household without management authority over land resources. Even under resettlement schemes in irrigated areas. Women de facto heads of household rarely benefit.

In some cases, however, women have gained better access to land through land reform, generally where the participation of rural women is a well-defined state policy. In some countries, agrarian reforms replaced the feudal system where women traditionally held a subordinate role in family production. Women's organisations; in Thailand. China, Nicaragua, Malaysia and Cuba have helped to overcome existing barriers or to protect women's rights regarding inheritance of land. There are also many instances where women's organisations; have fought to gain access to land which they farm collectively.

2.1.4 Insecure Land and Property Rights for Women in Africa

“Women’s insecure land tenure and property rights in Africa can be linked to a mix of economic and social pressures that have profoundly transformed social structures and land tenure systems. These factors include colonial and post-colonial private property legislation, an influx of investments, an increase in the resource value of land, liberalization of markets through structural adjustment programs in the 1980s and 1990s, co-modification of land, growth of land markets, population increase, large-scale resettlement of people, rise in competition over land, “land

scarcity,” and recent large-scale land acquisitions” FAO, (2007); Cousins, (2009); Anseeuw et al., (2012)

Equitable access to land is a human rights issue and, as the UN Economic and Social Council Commission on the Status of Women states, “land rights discrimination is a violation of human rights FAO, (2002). *Inequities Arise from the Transformation of Customary Laws and Practices* Post-colonial land distributions, formalization of individual land rights, and subsequent land transactions frequently vested titles to land in the head of the household only. These were most often men, according to patrilineal custom, and this vesting shifted the traditional concept of what it means to have rights to land. One study in Uganda observes that now “The man as an individual, rather than as the responsible representative of his family, has become the person with all the authority to use, sell, and control land” Adoko and Levine, (2005).

The introduction of private property tenure systems and the growth of land markets sustained by post-independence governments have triggered changes in customary tenure regimes FAO, (2007). The largest impact has been on the social networks that existed in earlier customary systems. Where women’s access to land (whether in natal or marital homes) was once protected by the clan and patrilineage, social safety nets are now highly individualized and less certain F. Flintan, (2010). The following are implications of these changes. While clan elders continue to facilitate allocation of land and patrilineal inheritance procedures, their authority to regulate and protect women and children from land grabbing, distress land sales, and forced eviction upon spousal death or divorce has been weakened. In many cases, wives in polygamous marriages are vulnerable to insecure land rights and require clan intervention for protection.

Where land is scarce, first wives may lose rights to a portion of their land when their husband takes a second or subsequent wife, because traditionally each wife has her own plot of land, and this plot may be taken from the first wife’s portion of land. Second or subsequent wives may also have insecure land rights due to their status within the family. In Burundi, for example, the law does not recognize polygamous marriages, so only the first wife’s children are entitled to inherit land. Subsequent wives would need to appeal to clan elders for assistance. This has led to increased female poverty and household food insecurity Doss et al., (2011). One study of Borana pastoral communities of southern Ethiopia found that while women’s rights as primary and secondary users of rangeland were strongly protected by traditional rules, the declining authority

of customary leaders, combined with increasing privatization of rangeland, was having a disproportionately negative impact on Borana women Flintan, (2010).

In general, married women in sub-Saharan Africa access land held under customary tenure through their husbands. These women are especially vulnerable to losing their land when their husbands become ill or die from HIV/AIDS Budlender and Alma, (2011). In many customary systems, people risk losing their land if they are not using it productively. Many widows struggle to retain land when their husbands die because tribal or customary leaders may assume that she cannot productively use some or all of the land. Research in Uganda found that, due “The rules, norms, and customs which determine the distribution of land and resources are embedded in various institutions in society family, kinship, community, markets, and states. The distinctions between ownership, access, and control, and between statutory and customary laws, have resulted in varying degrees of complexity in the distribution of land and property” United Nations Department of Social and Economic Affairs, (2009). To constraints on labour, households decreased land cultivation area when HIV affected a household member. Female-headed households decreased cultivation area by 26 percent compared to an 11 percent reduction for male-headed households FAO, (2003).

The rise in forced sales of customary land without regard to women’s and children’s rights has resulted in the loss of livelihoods, as documented by studies in Uganda Adoko and Levine, (2005). In Kenya, where women head 70 percent of all squatter households, more than 25 percent of female slum dwellers report having been displaced from their rural homes as a result of land dispossession Benschop, (2004). The current surge in interest in farmland in Africa by large-scale investors is likely to cause greater vulnerabilities among women, because their claims to land rights are generally weak. As a study by the World Bank indicates, “countries with poorer records of formally recognized rural land tenure attracted greater interest” from investors World Bank, (2010). Statutory Law Impacts Women’s Land Rights Traditional land tenure systems have often been transformed in ways not beneficial to women, while positive changes in statutory law to protect women’s rights may have a limited effect due to the lack of enforcement and cultural and social norms that may limit women’s willingness to exercise their rights under the law Budlender and Alma, (2011). Statutory law if enforced can support women’s secure rights to land, but enforcing the law can be difficult, because the justice system is often

inaccessible and costly, and high land values provide an incentive for illegal land grabbing. In Rwanda, where 50 percent of women are widows, 34 percent of women head households because of the 1994 genocide.

The formal legal system and land law provide equal rights to land for women, including equal rights to inherit land. However, a study in Bugesera district, the area with the highest number of cases of women involved in land disputes, found that the most common cause of disagreement was women trying to enforce their right to inherit land. The study shows that the majority of defendants in the disputes were male relatives and spouses of the women Rwanda Women Network, (2010). A study on the impact of statutory land policies and land reform in Uganda's Kapchorwa and Luwero districts found that a majority of women did not have land registered in their names. In most cases, the few women who purchased land registered the land in their husband's names, according to custom USAID, (2013). The same study showed that women have limited knowledge of their property rights under the legal system, and that gaps in the legal system prevent inheritance and co-ownership of property acquired in marriage Women's Land Link Africa et al., (2010). Statutory law can also weaken customs that favour women. The Malawi National Land Policy, which passed but is being implemented very slowly, provides for all children to inherit land equally from their parents. However, some ethnic groups in Malawi are matrilineal and matrilineal, and their current customary system is more protective of women's land rights than the new law ECA, (2003); Government of Malawi, (2002).

2.1.5 Land rights in social context

The value system in western societies emphasises competition and economic growth. In these societies consideration is given to competition in a market driven property rights structure, and emphasis is put on ensuring the security and efficiency of land transactions. However, it seems that in African rural communities, emphasis is placed more on the social needs of the community than economic growth Ezigbalike, (1996). Generally African systems of access to land and the patterns of land and natural resource use are often described as flexible and negotiable. They are created by use and are embedded in complex social and political relations Berry, (1989); Okoth-

Ogendo, (1989); Moore and Vaughan, (1994); Leach et al, (1997); Cousins, (2000); Peters, (2000b); Lund, (2002). Although usually individuals and households get access to land through intergenerational succession and inheritance,

Most land claims are claims to use the land. At both household and community-level, patterns of land use are flexible and negotiable. The claims to use land arise out of social relations, that is out of relations between people and not out of property relations between people and land Whitehead and Tsikata, (2003) Individuals, households or groups of land and natural resource users in communities are socially differentiated along various dimensions; wealth, political authority, class, gender, age, ethnicity and so forth. There are often competing interpretations of principles governing claims and use of land and natural resources and much of the contestation occurs over definitions and interpretations. Peters, (2002b) gives an example of how struggles over resources take place in terms of meanings. She cites Carney, (1988) who has shown that an important matter in the struggles between men and women over relative authority over fields and crops in a rice project in Gambia was the particular cultural meaning given to the project crop fields: If these were defined as maruo or compound fields, then husbands retained authority, whereas if they were defined as kamanyango or personal fields, then wives (as well as some junior men) could claim authority over them. Because this cultural struggle over definitions remained invisible to project managers and donors, the expected benefits of a rule change placing women's names as holders of the plots did not materialise. The local men had managed to get those fields defined as maruo and thus, even though women's names might appear on the books, the authority continued to lie with their husbands Peters, (2002b: 14). In addition, Shipton and Goheen, (1992) have also recognised the importance of "power, wealth and meaning" with regard to land holding and natural resource use in Africa.

Property rights are socially constructed. Rights exist in a meaningful sense only when community members recognize and accept them as legitimate. Private property rights are often viewed as illegitimate because they disinherit so many community members. Thus, community members respond to the introduction of private property rights with 'determined resistance', ignoring, violating and violently opposing those rights Firmin-Sellers and Sellers, (1999).

2.1.6 Women's rights to land and International Instruments

Women have been deprived of the right of accessing land and most especially the right of owning land within their different communities in Sierra Leone and in Africa as a whole. This nature of land tenure system has affected not only the economic livelihood of women, but also their social livelihood. This could be attributed to the fact that majority of rural women in Africa, especially in developing areas such as northern districts of Sierra Leone, cannot take any active role on decisions influencing their own development and sometimes development of their communities. The international law makes provisions protecting women in instruments such as the human rights law, international environmental law and other soft-law instruments. The International Human Rights Law states that, women have the right to own land and administer property without discrimination UDHR; arts .2 and 17, CEDAW, art. 15, and to an “equal treatment in land and agrarian reform” (CEDAW, art. 14 (2) (g). within the family, both spouse have equal rights in the “ownership, acquisition, management, administration, enjoyment and disposition of property” (CEDAW, art. 16). Women's rights to natural resources have also been addressed on soft law documents adopted by other international conferences. The Beijing Platform for Action envisages legislatives and administrative reforms to ensure gender equality in access to natural resources, including inheritance and ownership rights FAO, (2010).

2.1.7 Declaration of title to land

Presently, the Sierra Leone Constitution of 1991 is currently under review and a new version of the Constitution is expected to be adopted by referendum after a nationwide awareness-raising and consultation process, plus peer review and drafting by experts, in 2015 Constitutional Review Committee, (2014). Also, the Gender Equality and Women's Empowerment Policy is currently being drafted. This will precede the adoption of the Gender Equality Bill. At present,

despite legislative changes that have increased women's legal protection, women continue to experience discriminatory practices (OECD SIGI-report).

The rights to owning a land can also be carried out by seeking a confirmation to the ownership of the land. The court relies on rules that relates to the application of law and judgements of previous case that had similar circumstances. The statute of Limitation Acts forbids a claim to a land or property if the person said to have committed the offence has been in possession of the land with no interruption for more than twelve years (Women's Land rights handbook, Abridge version. Common Wealth Secretariat and Action Aid Sierra Leone). When a court states that a land or property belongs to someone, the person is given the right to the land against the whole world. The person claiming the land must prove ownership of the land by producing documents to the land. Some of the orders that the High Court can give are as follows: Confirmation to the name of the owner of the land, the recovery of ownership or possession of land, money awarded for loss or any injury and legal expense or fees. In order to stop any development or continued entry on the land before and after the action in court. The orders of the court can be carried out by making:

1. A written command following the court judgement
2. A written command following the judgement of damages
3. A written command to recover a ward of money made

Decisions of both the Magistrate court and High court can be taken to a higher court for reversal. Usually in practice very few of the decisions are presented to a higher court or authority due to the high cost and the lengthy wait of a court trial without jury. Most women cannot take actions to court for their land due to low income and high rate of literacy; therefore, most of them seek community dispute systems to resolve their land matters most women are disadvantaged by the system as the opponent usually has the financial means to take the action to court.

According to CEDAW report on Sierra Leone, Article 27 of the current 1991 Constitution of Sierra Leone, which was amended 2001 makes provision for equal rights for both men and women in, but the principle of non-discrimination does not apply in all areas CEDAW, (2012

p.10) The Convention on the Elimination of All forms of Discrimination against Women, was ratified by Sierra Leone in 1988, but has not yet ratified the Optional Protocol on violence against women (Nations Treaty Collection). The government of Sierra Leone in 2007 passed a set of “gender laws”: The Domestic Violence Act, the Registration of Customary Marriage and Divorce Act, and the Devolution of Estates Act. They also enacted the Child Rights Act in the same year. These laws were followed in 2012 by the enactment of the Sexual Offences Act. According to the Ministry for Social Welfare, Gender and Children’s Affairs (MSWGCA), the Maputo Protocol to the African Charter is due to be adopted, likely with reservations in relation to the banning of female genital mutilation Awareness Times News Paper, (2014). Which is one of the most harmful traditional practices within the country and this practice often violates the right of women. The rights and position of these women are largely contingent on customary law and the ethnic group to which they belong. The secret societies to which most girls and women belong, serve to uphold and reinforce harmful practices such as female genital mutilation (FGM) and early marriage.

2.1.8 Land lease

The ECA report on land in 2009 states that ‘Leasehold’ lands are based on the notion of rentals for long periods. Those families that come from lineages and clans have rights of access, use, and control the lands and they are the ones that do the transfer by lease. The ECA reports went further to state that, land belonging to one entity either the State or an individual, is by contractual agreement, leased to another entity ECA, (2009). Such leases can be long or short. In practice, the issuing of ninety nine (99) year leases is considered to be as secure as a freehold tenure system. The lease agreement is then registered against the title of that land to create real land rights that are enforceable. ‘Statutory allocations’ were a particular form of state land where such land, by virtue of some statutory provision, was allocated for the use of some legally constituted body ECA, (2009). According to Turray, ‘fear of agreement’ was noted in some rural areas which is relevant to leasing arrangements. Part of this has to do with the literate – non-literate divide in the country, which results in certain levels of distrust for arrangements where

many documents are involved and the language includes formal legal terms. There is a sense that farmers do not know or understand how leasing arrangements work D. Unruh and H. Turray, (2006).

In some areas people from outside the chiefdom, including migrants, tenants, and “strangers”, make up 20–40% of the chiefdom populations. Landowning families lease land to “strangers” on an annual basis. The “strangers” pay a nominal amount of the crop-yield to the family and are restricted from planting trees and perennial crops as an acknowledgement that they have no long-term interest in the land Unruh, (2008); Unruh and Turray, (2006). Rights to sell chieftaincy land are generally limited to sales within the family or community and are not recorded; in most regions, customary law prohibits the sale of chieftaincy land to non-family or non-community members. Some chieftaincy land is retained as communal land for community use Williams, (2006); Unruh and Turay, (2006); Maconachie, (2008); Dale, (2008). This implies that there are structures that deal with land matters in communities, but ownership and control of the land belongs to few individuals, making some individual more superior to other.

2.1.9 Land ownership in Sierra Leone

Every sierra Leonean can own land in the western areas as long as they have the legal power to enter into agreement. Only 35% of the population of Sierra Leone lives in the western area and even smaller amount of women own land in the western area Statistics Sierra Leone, (2004). Under Sierra Leone law, a foreigner can gain a legal agreement to pay money for the use of land and property for not more than 21 years. The minister of trade and Industry, lands and finance development and the Attorney General can give out an official permit for a legal agreement to pay money for the use of land or property for more than 21 years. However, foreigners can own land permanently under a will or through someone who dies without making a will.

Owing to its historical heritage, Sierra Leone’s land tenure system is characterized by a regional dual holding system. Before independence in 1961, the colony of Freetown was ruled by an elected local government which applied the British legal system, while the rest of the country,

known then as the Protectorate, remained under the control of local chiefs. Thus, Freetown (Western Area) and its environs, the former Colony, were governed by an English system of land ownership which includes fee conveyances, mortgages and leases. As a result, the land tenure system in the Western Area, which is dependent on the market economy, has no discriminatory customary practices against women. Women who have the means can acquire land without any hindrance.

Outside of the Western Area, where the majority of the population resides, customary practices determine land access, and they are discriminatory against women. Women's land problems stem mainly from the patrilineal inheritance system that privileges men over women. While women cannot inherit land, they have rights to land before marriage and are entitled to land to cultivate upon marriage. But they usually encounter problems over control of land when their husbands die or if they divorce. If there are children from the marriage, they will inherit the land, and if there are no children and a woman remarries into her late husband's family, she can continue to cultivate the land. A woman who returns to her patrilineal family regains her rights to land for cultivation from the male head of her family.

A Person can own land in Sierra Leone no matter their sex. In relation to a matter of land ownership, a person is made to obey the law through an action taken to court when someone enters the said land not belonging to him or her without permission or when someone wants confirmation of the actual owner of the land. A confirmation of the owner of the land can only begin in the high court whilst an action for the unlawful entry into another person's property or land can start in a magistrates' court or in the High court.

Section 2 sub section (1) of the Mines and Minerals Act No.12 of 2009 gives ownership and control of minerals on any land in Sierra Leone in the republic no matter the right of ownership a person may have Mines and Minerals Act, (2009). However, section 2 subsection 2 states that any mineral acquired from the land must be used in the interest of the public. Chapter 122 of the laws of Sierra Leone 1960 provides that all land in the provinces belongs to the Chiefdom councils who hold the land for/and on behalf of the community and exercise the right for the

benefits of the community Sierra Leone Constitution, (1960). This provision is also found under section 28 sub-section (d) of the Local Government Act No.1 of 2004.

Rights to land ownership in Sierra Leone

In general, land is a key component in a society's wealth. Apart from its economic value land is a social and cultural benchmark for the men and women living in societies. For those that own land, the rights they enjoy an effect on the welfare of the rural population. In addition to the general functions of land as the basis for subsistence agriculture, it also has functions of power, status, and cultural identity Lorenzo, (2007). Furthermore, land holds a special place in almost all societies of the world. What differs is the nature of tenure. And this nature of tenure, has affected many people trying to make use of the land most especially women Lorenzo, (2007). Having the rights to own land is very instrumental in influential in the lives of both men and women living in the rural areas. This is so, because when one has the rights to land, that person will receive benefits more from economic small farming and animal rearing to social-power position and thus establishing an identity which has respect in his or her community making the person more powerful.

A description made by FAO in her Gender and Access to Land report, states that, rights to land are diverse and, in practice, multiple rights to an object that can be held by several persons or groups. This definition gave rise to the concept of the "bundle of rights" FAO, (2002). The report went further to state that, different rights to the same parcel of land, such as rights to sell the land, rights to use the land through a lease, or rights to travel across the land, may be pictured as "sticks in the bundle", each of which may be held by a different party. Although there are large and varied numbers of rights existing, it is sometimes useful to illustrate that rights of access to land can take the form of:

- ***Use rights:*** the right to use the land for grazing, growing subsistence crops, gathering minor forestry products, etc.

- ***Control rights:*** the right to make decisions on how the land should be used and to benefit financially from the sale of crops, etc.
- ***Transfer rights:*** the right to sell or mortgage the land, to convey the land to others through intra-community reallocations or to heirs, and to reallocate use and control rights.

However, access rights to land simply mean that a person is able to make use of the land and enjoy its benefits in the meantime, while ownership rights entail the perpetual enjoyment of the stream of benefits from the land Bruce, W, J., Migot-Adholla, E.S. Atherton, J. (1994). Bardhan describes land use as the family farm, with its labour cost advantage when there are transactions costs on labour markets and incomplete incentives to hired labour can be particularly effective for this Bardhan, (1984). He went further to explain that it is the existence of an inverse relationship between farm size and total factor productivity, derived from the labour cost advantage of the family farm, this has been used as the empirical regularity justifying redistributive land reforms toward a family farm system. Wherein Agarwal emphasizes that access to even a small plot of land can be a source of security in the face of food market and labour market risks. Women's control over land can be a source of empowerment, helping them consolidate their decision-making status over household expenditures that will often favour children Agarwal, (1994).

There is a provision for equal ownership rights to property for married and unmarried women under the 1991 Constitution of Sierra Leone World Bank, (2013); Constitution of Sierra Leone (Chp.3 Subs.15)). Even though women constitute the largest group of agricultural labourers, it is unlikely that they have full access to land. There are two main types of farmland ownership in Sierra Leone: one based on customary laws and traditions and the other based on the statutory freehold, or community, system IRIN, (2012); Action Aid, (2012, p.14). While statutory law governs Freetown, and its surroundings, customary law under the heads of ruling families known as paramount chiefs - governs the provinces (customary law applies in 12 of Sierra Leone's 14 districts). The section should be clearer on the fact that the Devolution of Estates Act does not apply to the majority of the land in Sierra Leone: "This Act shall not apply to family property, chieftaincy property or community property held under customary law Devolution of Estates

Act, (2007, Article 1(3))". Paramount chiefs (or the "custodians of the land") are generally men and most ethnic groups do not allow women to inherit land and property IRIN, (2012); Action Aid, (2012, p.14). Although customary means of allocating land may vary, wives are often considered "strangers" or property themselves, which excludes them from the right to own or inherit land Action Aid (2012, p.14); US Department of State, (2012). Customary laws vary as well: in the north and west of Sierra Leone, women can own plots of land, but in the south and east, they can access land only through their husbands or other male family members, meaning they lose this access to the latter upon the death of their spouse Action Aid, (2012, p.14).

Meanwhile, the statutory tenure system in Sierra Leone is based on English law inherited at independence and allows individuals male or female to own private land through the issuance of title deeds. In many cases, however, women are granted the right to use such land only if they first obtain their husband's consent, and even then only on a temporary basis IRIN, (2012). In terms of access to property other than land, under civil law, women have equal rights to ownership, before and during marriage CEDAW, (2012, p.46). The default marital property regime is separation of property and the original owner is legally responsible for administering the property during marriage World Bank, (2013). Additionally, the 2007 Devolution of Estate Act criminalizes the deprivation of women from inheriting their husband's property or evicting them from their marital homes. The law recognizes customary marriages and the right of polygamous spouses and provides that inheritance be shared among the surviving family (35% to the spouse, 35% to children, 15% to parents and 15% in line with any customary laws) IRIN, (2012). The Act, however, recognizes the individual, not the family's right to land and the large majority of women in Sierra Leone live under customary law systems that do not recognize women's right to own property US Department of State, (2012).

The rights to land ownership in Sierra Leone have left out very important groups of people, thereby increasing the weight of poverty and widen sectionalism in the country. In the constitution of Sierra Leone, "sovereignty belongs to the people of Sierra Leone" the omission of who owns the territory of Sierra Leone in the constitution has some serious implications to the country and the communities in which we live in. Land ownership has excluded the most vibrant

and hard working group especially women Constitution of Sierra Leone, (1991). Women, especially those in the northern region of the country are not given the right to own land/s, even though they have all the rights and capabilities to own and improve the asset. After the long decayed war that ended some eleven years ago, women are increasingly becoming heads of households. The right of a woman to even work or farm on a particular land will be in jeopardy when the land owner dies (in cases where brother, son, or husband may be involved) or a divorce or separation occurs between husband and wife. When the woman refuse to marry a family member of the dead husband, she will be forced to relocate and start a new life or moved to her parents' home and suffers the pain of not owning. Even in the parents' home, she will have access to invest but not to have ownership over the land that she will be given. This in most cases will be shared among the family members and whatever yield they get from it will not be sufficient for the up keep of her children, thereby leading the female children to also suffer the consequences, for not being the male child and thus, in most cases have been the causes for girls to drop out from school for lack of support and also will be forced into early marriage which is a menace in the country and ne that is responsible for the increase in the illiteracy rate and underdevelopment on the nation. Based upon the uncertainty within customary laws, Sierra Leoneans that are born in one part of the country are not allowed to own lands in the other part of the country. According to the constitution; "every citizen without discrimination on any grounds whatsoever, shall have the opportunity for securing adequate means of livelihood as well as adequate opportunity to secure suitable employment". This I must say has not been the case. In the constitution; it is stated that "all persons are equal under the law, unless customary law says otherwise". That clause which states "otherwise" is the cancer that has been eating our growth in the country. Studies of land tenure and agricultural development have focused on testing neo-classical theory with regard to the property rights and agricultural development examines the proposition that traditional land tenure systems are a major constraint on African agriculture development. It is true that Africa's underdevelopment is stemmed up from the fact that, land tenure issues are of critical importance. In many of the agrarian states in Africa, agriculture sector is the primary component of the economy. With subsistence agriculture being the available source of livelihood for its people in the rural communities. This is especially true for those countries that has not been endowed with an abundance of mineral wealth, such as oil reserves or precious stones. This is a totally different case for Sierra Leone in particular. Wherein

we are endowed with precious stones (diamond, gold, bauxite, iron ore, rutile, etc....) and quiet recently there is news that oil has been discovered offshore. But the main source of livelihood of the people still remain as subsistence agriculture with the old traditional way of farming for majority of the people. Land is considered the main source of economic empowerment for people in rural communities and it represents a key factor in the struggle for equity and equality. Therefore, the rights to use and control land are therefore central to improving rural livelihoods.

Presently, there is an increase in number of women's farmer groups and cooperatives with support of donors or NGOs, and a number of groups appear to be able to obtain land for their farming activities and successfully grow and market primarily vegetables. This is the benefits of being in a group rather than operating as an individual. The reason being that, women who participate in these groups have more security on the land they work on, than when being in a union that she will probably end up with nothing as a result of the death of the spouse or at the time of a divorce or during separation.

Bomah, (2004) considers the prospect of significant progress on the issue of women's rights in land to be slow, but also notes that, forms of compensation based on rural credit and marketing facilities, if implemented would be a step forward. There is a feeling on the part of some women's groups, of having little voice, including in land and agricultural matters. Such as being unable to plant trees themselves on land. In other areas women's agricultural cooperatives are significantly powerful, such as in the Warawara yagla Chiefdom, and the Koinadugu District Women's Vegetable Farmers Group with sub-groups in eleven chiefdoms. In these examples women either cultivate part of their husbands' land, rent additional land, or as a group they will ask the paramount chief for land to farm. Women's groups generally allow strangers women married from other parts of the country and have relocated to Koinadugu to become members.

2.1.10 Land Distribution

Land issues have been recently receiving increased attention by development researchers and practitioners alike. Several factors have contributed to this trend. In parts of Latin America,

Southern and Eastern Africa, and Asia the extremely skewed land distribution continues to hamper broad-based growth and has led to civil unrest, natural resources degradation and even violent conflicts IFAD, (2008).

Sierra Leone is divided into three provinces (Southern, Eastern, and Northern) and the Western Area. The country has about 13 tribes, eight of which are major ethnic groups that have historically resided in distinct areas of the country. The Susu, Limba, and Koranko were generally associated with the northern regions, the Temne in the central and western region, the Kono in the central eastern region, and the Mende in the south. The Creole and Sherbro primarily inhabited coastal regions USAID (n.d.). The years of conflict, urban migration, and mining industry have created a more mixed distribution of people in the last decades. Sierra Leone does not suffer from severe ethnic/tribal tensions, but there is a deep rift between the few rich elite and the bulk of people who continue to live in desperate poverty MRGI, (2005); Kabbah, (2006).

In rural areas social inclusion or exclusion often depends solely on a person's land holding status. Even in urban areas, the right to participate in municipal planning, in community decisions, and sometimes elections, can depend on the status of an individual as a "resident" or "home owner". This is not a new phenomenon, since for many centuries only "land owners" could participate in elections in most western democracies FAO, (2002). Land in Sierra Leone is classified as state land, private land, or communal land. In the Western Area, some land is held in private ownership, with freehold rights of exclusivity, use, and transfer. The informal settlements have been constructed on urban and peri-urban land in and around Freetown and are subject to both statutory and customary tenure systems (GOSL 2009a; Unruh and Turay, 2006). The land is mostly owned through chieftaincy rules that are under customary tenure, with chiefs serving as custodians of the land. The land is considered held by ancestors, community members, and unborn family members. Much of the land has been individualized in the names of lineages, families, and individuals (Unruh and Turay 2006; Dale 2008). In most cases, chieftaincy land is held by extended families.

These increased interests in land tenure and management has also been fueled by contemporary development research, which, as noted, shows that countries with a more equal distribution of assets experience faster, more sustained and inclusive economic growth than those with a highly unequal asset distribution IFAD, (2008).

2.1.11 Land Alienation

According to customary law, land can be given as a gift, inherited, purchased or even rented. Land When given as a gift, it can be used for farming, as housing or for a business activity. Women who have gained enough finance and education are better prepared to reach a land agreement independently.

Land is rented mainly for agricultural purposes. A small amount of money is usually paid followed by small gifts of agricultural products from the land. The tenancy is automatically renewed if the right is not challenged and respect is shown. With regards the tenancy, only a small amount of the arrangement is shown in writing. These arrangements are made before family members and traditional leaders.

2.1.12 Enforcement of rights to land

The right to land is enforced by either community dispute solving system or by written laws that form court rulings. The most known place where customary property rights can be enforced is through the local courts. Members of the local court question both the one making a formal demand and the person against whom the action is filed.

The extended family is the first point of call for most of the people in enforcing land rights under customary law. Members of the family or secret groups usually mediate on land matters. Some however go direct to the traditional courts where the chief is the head along with his elders. The person making the demand can start an action by simply asking the chief to hear the matter by paying a small amount of money the person whom the claim is against is then orally asked to appear before the chief and the elders. The process in the traditional court is the same as in the local court. For most of the people who live in the provinces, the traditional court remains the

best option despite the fact that it is not in line with the constitution. This due to its low cost effect, easy access and familiarity.

2.1.13 Land acquisitions and conflicts in urban settings

It is clear that land issues are sensitive issues in our country. Some of the researchers I worked with told me that land acquisitions by corrupt officials are very common in urban settings. This is true because even before I left Sierra Leone to study in Italy, according to my knowledge this has been the case for several years. They told a story about a corrupt official who had misused his office to confiscate land and had been brutally killed by angry citizens in Freetown. There are some stories that, high military officers like other important state functionaries were appointed and dismissed on political grounds. I.e. they belong to the party that presently holds state power. He said that military officers sometimes used their troops to evict people in order to get hold of urban land, both in an ad hoc manner and by targeting residents and businesses of supporters of the oppositional party. I could not confirm stories like these, but they are examples of perceptions of land acquisitions amongst various people in the country.

2.1.14 Corruption and land acquisitions in Sierra Leone

The United Nation Security Council (UNSC), (2010) commended the GoSL for its anti-corruption work, but it will be interesting to note that, even though opinions varied, some respondents believed that progress were being made to minimize corruption. It is very common to meet and talk to people who tell you that they do not to have confidence in their leaders. However, many respondents in the focus group discussions, mentioned about how they don't trust those in government and nearly everyone viewed corruption as a major problem. They mentioned that, petty corruption, like giving small bribes is very common among police officials, civil servants working in public offices who hold positions of trust are very much embedded in corruption and it is the order of the day.

There is the Anti-Corruption Commission in the land; a state institution which is supposed to be independent. Although many people believe that this is not an independent body and is always taking sides on government officials whenever these government officials are involved in big public scandals. The way and manner in which some of the investigations involving big government workers are sometimes handled is a cause for alarm. The civil society groups are doing very little to stop the state and make them accountable most times. There was a time in 2010 when the head of the commission, Abdul Tejan-Cole resigned after corruption charges against the Minister of Fisheries had been dropped without any apparent reason. Many believed that he resigned because he was not happy in the way and manner the issue was handled and did not want to stain his already fine character. Junior state officials, Police Officers, university lecturers, soldiers, have difficulties to live on their salaries and must seek additional incomes. This is given as a reason for the rampant corruption going on in the country. Many of the respondents said that, corruption is a threat against the development opportunities of land acquisitions or in the way and manner in which other deals are done.

2.1.15 Land and Agriculture

Land and agriculture plays the leading part in the social, economic, and political life through the centuries. However, the importance of land is immeasurable displayed by the fact that out of total households within the country. Land has therefore traditionally represented the principal form of wealth, the principal symbol of social status, and the principal source of economic and political power. Ownership of land has meant control over a vital factor of production and therefore a position of prestige, affluence, and power. Access to land, and the conditions under which it happens, play a fundamental role in economic development. This is as a result of how the modes of access to land and the rules and conditions of access are set, as policy instruments, has the potential of increasing agricultural output and aggregate income growth, helping reduce poverty and inequality, improving environmental sustainability, and providing the basis for effective governance and securing peace. Secure access to land and to complementary inputs in a context that allows productive use can be a powerful instrument for poverty reduction. This has been explained by the fact that small farms often produce with help of family labour with high

incentives rather than hired labour with lower incentives Djurfeldt in Swedish FAO Committee, (2010, p. 11, 14). Citing the Vietnam and Thailand as examples here. Since the Vietnamese government shifted its ideal from large-scale collective farming to household farming in the 1980's, the country has turned from net-food importer into the second rice exporter and second coffee robust producer in the world Nguyen and Folkmanis, (2010). Thailand agricultural success can also be attributed to governments' encouragement of smallholders Djurfeldt, (2010).

Economics of scale in agricultural production without the consideration to e.g. added value and better market infrastructure for smallholders have also sometimes led to large agricultural sectors dependent on subsidies and with few economic and social benefits (Responsible Agricultural Investments website). But mainstream development actors also believe that, while smallholders should be prioritized, large-scale farming can have a place, and it is argued that, when done right, large agricultural operations may support and integrate small-holders throughout-grower schemes etc. World Bank, (2010, p. xi).

Many people live in extreme poverty in rural Sierra Leone and are desperate for development and jobs. This; coupled with weak capacity of the government and sometimes lack of political will, usually make it easy for investors without concern about the environment or wellbeing of the people to gain access to land and mining concessions in the country.

2.1.16 Customary land tenure system

Land tenure systems are diverse and complex. They can be formal or informal; statutory or customary; legally recognized or not legally recognized; permanent or temporary; of private ownership or of common property; primary or secondary. Tenure systems in many developing countries have been influenced by former colonial land policies that overlaid established patterns of land distribution. Thus, many national and local systems are made up of a multiplicity of overlapping (and, at times, contradictory) rules, laws, customs, traditions, perceptions and regulations that govern how people's rights to use, control and transfer land are exercised IFAD, (2008).

The legal system by which land is owned in the provinces is something to be discussed on a particular topic. Customary tenure is critical in both rural and urban areas. In many countries in the world the only tenure type available is customary tenure. This is true both in Africa as well as in Asia (e.g. India). Given the inability of the state to deliver security of tenure through existing statutory systems, customary tenure is critically important for food security, agricultural productivity, family and group right tenure approaches and protects the rights of secondary tenure rights holders (GLTN, Web page). It is believed that the provincial lands are shared among the community people when on the other hand Chapter 122 of the laws of Sierra Leone states that the chiefdom councils are the people who have the responsibility of taking care of the community lands. Even though there is the belief that land in the provinces is owned by families and individual, others believe that individual ownership exists Sierra Leone Constitution, (1991). Within the headquarters of the 12 districts in Sierra Leone, customary law has passed across the different laws of government. In those areas, land can be owned and sold off by individuals. When a land is sold in the provinces, a contract, which sets out the names of the people, the date of the sale, the particular place that was sold and the price is completed. The completed agreement is signed and witnessed by the people involved and survey plan is attached to the document. The paper is then taken to the District office and can be used as evidence in a court of law as proof of transaction. Recently, in the provinces, the practice of drawing up the registering legal document that transfers property from one person to another has developed gradually and there is no legal authority for this type of practice.

However, recognizing the decision-making power of customary systems and authorities may have serious implications for women's land rights and those of the poor, as land allocation and dispute settlement tend to be dominated by elites, usually men. At planning level, it impacts negatively on urban management. Customary land development does not comply with formal planning regulations and norms, does not provide basic infrastructure and services, and the lack of transaction records generates a series of land disputes (GLTN, web page). Under this tenure, land is owned by a family or lineage in a particular area. Its utilization is usually controlled by elders, clan heads or group in its own well-defined administrative structures. In principle, the paramount chiefs hold the land in trust for those extended families or lineages attached to a particular chiefdom, no significant land related decision is final until a paramount chief approves (Unruh and Turray, 2006).

Rules and laws in the customary and statutory land tenure system can be very different and also similar. Though however, in the customary system, they are not fixed, but gradually developing based on the diverse factors like cultural interactions, population pressures, socio-economic change and political processes. And these laws L. Cotula, (2007) believed are typically based on (usually unwritten) rules founding its legitimacy in “tradition”, i.e. in its claim to have been applied for time immemorial. So, one will find that, the content of customary law is extremely diverse, possibly changing from village. Generally, this diversity is an upshot of series of cultural, ecological, social, economic and political factors. Because of this assortment, generalizing the system is not too necessary. Customary land tenure issues are linked as fundamental and economic Rosalind Hanson-Alp CARE-Sierra Leone, (2005). In Uganda over 70% of land is held on customary tenure system. In such cases, people own their land, have their rights to it, but do not have land titles. Some tenants on such land allocate specific areas to themselves with known and defined boundaries usually marked by ridges, trenches, trees etc. Alconland, (2008). Customary tenure is critical in both rural and urban areas. In many countries in the world the only tenure type available is customary tenure. This is true both in Africa as well as in Asia (e.g. India). Given the inability of the state to deliver security of tenure through existing statutory systems, customary tenure is critically important for food security, agricultural productivity, family and group right tenure approaches and protects the rights of secondary tenure rights holders (GLTN, web page).

Kenya being a diverse country in terms of its ethnic composition has multiple customary tenure systems, which vary mainly due to different agricultural practices, climatic conditions and cultural practices. However, most customary tenure systems exhibit a number of similar characteristics in Kenya; to start with, individuals or groups by virtue of their membership in some social unit of production or political community have guaranteed rights of access to land and other natural resources. Individuals or families thus claim property rights by virtue of their affiliation to the group. Secondly, rights of control are vested in the political authority of the unit or community. This control is derived from sovereignty over the area in which the relevant resources are located. Thirdly, rights similar private property accrues to individuals out of their investments of labour in harnessing, utilizing and maintaining the resource. Lastly, resources that do not require extensive investment of labour or which by their nature had to be shared, for example, common pasturage are controlled and managed by the relevant political authority. Every

individual member of the political community has guaranteed equal rights of access thereto. The regulatory mechanisms imposed by the political units such as exclusion of outsiders, seasonal variations in land use and social pressure ensured sustainable resource utilization. This mode of ownership in Kenya is currently governed by the Trust Land Act by which all land in the rural areas which is either government land nor individually owned is vested in the country council trust for the residents living there. Waiganjo and P.E.N Ngugi, (2001).

Constitutions, Statutory Law, Titling and Registration Constitutional provisions serve as an important justification for trying to improve women's interests in the context of reforms. It all depends on how the constitution is used depending on the strategies adopted within that country for securing women's rights. Somehow, these constitutional provisions largely require some form of effective monitoring and scrutiny in order for them to be properly applied in the countries and for the benefit of all. The processes which challenge the constitutionality of laws and practices or re-examine the constitution itself in the light of its principles raise questions about the use of the courts and state processes. Some feminist lawyers have brought out some very critical limitations in the use of law to produce gender equity. In the first place there is a problem of access. Time and again, the point has been made about women's distance from legal processes and their inability to access the courts. This is underlined by how celebrated the cases of the few women who do go to the courts become. It has been reported that women have been saying they need ways of resolving disputes which are accepted by male relatives and members of the community Odgaard, (2000), Leonard and Toulmin, (2000).

It is true that formal legal cultures and institutions are women friendly, despite them claiming their impartiality and neutrality. Women and feminist lawyers in the world at large have exposed gender bias in legal cultures and the law, criticising not just lawmakers and legal practitioners, but many legal concepts. One of the paradoxical features of Africa's legal cultures and law is that some of the gender bias in formal law arises precisely from the construction of 'lawyers customary law'. As well, women's claims under modern legal systems in African states are undermined when men argue that their positions are contrary to 'custom'. The language of custom here is being used politically in national level discourses to undermine the legitimacy of women's claims within modern legal frameworks using a rights discourse Stewart, (1996). This creates a hard job for women's activist.

Also, some of the tenets of the formal equality and individual person's rights does not posit easily within customary practices that are embedded in social relations. This is so in so many African settings. More than that, those principles, when applied to conflict adjudication or law making, may lead to outcomes that ignore social relations. The discussions around women's interests in the context of land reforms raised the issue of the breadth and depth of approaches to women's interests in land, i.e. whether to focus solely on gender equality or take also into account more general issues which could undermine women's gains. The implication here was that the law reforms had to be judged by multiple criteria, that are women's interests were best served by simultaneously addressing broader local and community interests as well as gender discrimination. Within such an approach, commentators have suggested that the Land Acts of Tanzania have been a setback for local communities in spite of what women have gained. As noted by Mbilinyi, 'the irony is that whereas women's rights to land e.g. as wives seem to be protected under the new Village Land Law, their rights as members of communities are at risk given the liberalization principles and the administrative structure established' Mbilinyi, (1999, 5). According to Wily and Hammond, similar concerns have been voiced in relation to land tenure reforms in Ghana, that as designed, they were likely to hurt the interests of groups with insecure land interests Wily and Hammond, (2001).

2.1.17 Property Rights within Marriage

In several countries, customary land registration systems require a husband's authorization for a woman to acquire title independently, and single women and single mothers are obstructed from acquiring title altogether. Under customary law, widowed women traditionally do not inherit land, but are allowed to remain on the matrimonial land and home until death or remarriage. Over the past decade, however, even this social safety net has eroded, with male heirs tending to sell off the land, leaving widows landless and homeless. In most ethnic groups, a married woman does not own property during marriage. In some communities, all her property, even that which was acquired before marriage, is under the sole control of her husband. We Effect argues that, men have more access to productive resources, such as land, than women. Men also own bigger livestock such as cows, while women have the responsibility for smaller livestock such as chickens and goats. Even though women account for the largest agricultural labour and are

responsible for the production of food crops, at the same time as they help their men on the fields where cash crops are produced, their control over the resources is marginal W. Effect, (2011: 8). Although the wife has the right of use over property, such control must be exercised with her husband's consent. Most control exercised by women on land is over use rather than control and ownership. This subordination of women socially and economically renders them less competitive than they should be under the current economic structuring of society⁷.

2.2 Gender

“Gender refers to the array of socially constructed roles and relationships, personality traits, attitudes, behaviours, values, relative power and influence that society ascribes to the two sexes on a differential basis. Whereas biological sex is determined by genetic and anatomical characteristics, gender is an acquired identity that is learned, changes over time, and varies widely within and across cultures. Gender is relational and refers not simply to women or men but to the relationship between them”⁸. According to Mazvita, Gender determines the way women are treated, and this also prescribes the way women ought to behave. One dimension of this is the exaggerated importance of the male child, whilst the female child is regarded as inferior Mazvita stated. In most African societies, it is often the women and female children who suffer most in times of economic deprivation. A woman cannot even control her future. Even in marriage, the girl child is expected to make life easier for her brothers and in order to achieve this, it is required that the girl child should inherit the ability to do this, coupled with domesticity, from her mother. “Gender refers to the economic, social and cultural attributes and opportunities associated with being male or female at a particular point in time” World Health Organization (WHO), (2001).

“Gender refers to the roles and responsibilities of men and women that are created in our families, our societies and our cultures. The concept of gender also includes the expectations held about the characteristics, aptitudes and likely behaviours of both women and men (femininity and masculinity). Gender roles and expectations are learned. They can change over time and they vary within and between cultures. Systems of social differentiation such as political status, class,

⁷ http://www.capri.cgiar.org/pdf/brief_land-05.pdf

⁸ INSTRAW, Glossary of Gender-related Terms and Concepts -www.un-instraw.org/en/index.php?option=content&task=view&id=37&Itemid=76).

ethnicity, physical and mental disability, age and more, modify gender roles. The concept of gender is vital because, applied to social analysis, it reveals how women's subordination (or men's domination) is socially constructed. As such, the subordination can be changed or ended. It is not biologically predetermined nor is it fixed forever" UNESCO, (n.d.) .

2.2.1 Gender equality and inequality

Many studies show that gender equality is important for overall development, as well as development within the agricultural sector for food security. Reports about how to support women is not lacking, despite the strides, progress is excessively slow and women's opinion is rarely and listened to in society. The patriarchal structures do not favour women, and are additionally reinforced with the foreign paragon that men are owners or have the right to land S. Abrahamsson, (2013). Gender inequalities in agricultural development contribute to lower productivity, higher levels of poverty, as well as under-nutrition World Bank, FAO and IFAD, (2009); FAO, (2011).

The definition for gender inequality arises from reading of various social sciences literature, including economics. It manifests as hierarchical genders relations, with men above women, and women being regarded as inferior and less valuable solely by virtue of their sex. Although the literature predominantly focuses on women we recognize that men in less developed countries also suffer from behaviours and policies that foster hierarchical gender relations. Gordon and Gordon, (2007: 309) posit that, women who are elites and are educated are crucial to be able to reach gender equality in both economic and political issues as they have knowledge of politics and the ability to mobilize other women. Further definitions of gender inequality can be found in United Nations declarations of human rights beginning in 1948. In 1979, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) was adopted by the United Nations General Assembly. The convention defines discrimination as "any distinction, exclusion or restriction made on the basis of sex....in the political, economic, social, cultural, civil or any other field." Lack of discrimination in this sense could be seen as equal status between genders CEDAW, (1998). There appears to be considerable inequality among men within most countries, a fact that manifests itself in the marginalization of those worse off economically. Jacobsen argues that the marginalized men such as those imprisoned, immigrating

or single may be systematically invisible and omitted from the published statistics. This may correspond to the large numbers of female-headed households and their measured, visible, poverty.

Gender inequality in food production has costs for developing countries in both economic and social terms and at the household, community and national levels. If women had the same opportunities as men, they could increase the yields on their farms. This would raise total agricultural output in developing countries and reduce the number of hungry people in the world (FAO, 2011b: 5). Men generally have higher variability in their outcomes than women, being disproportionately represented among high achievers and low achievers as measured by grades, test scores and incomes. Observed variation across societies suggests that the differences are cultural rather than genetic. Jacobsen has also studied the changing structure of work in the developed countries. When women began to enter the labour force in large numbers in the 1970s, they moved to the growing service sectors of the economy. Men were disproportionately in the declining sectors, like manufacturing, mining, and agriculture. Galor and Weil, (1996) point out that, men have lost some of the rewards for their comparative advantage in physical strength as the societies have become more capital and knowledge-based. They explain the increase in women's relative wages by means of a model in which women and men have equal quantities of brains, but men have more brawn. With development, the return to brawn has fallen relative to brains.

Gender differentiation is what agriculture is characterized by in Sierra Leone and other parts of Africa. Generally speaking, agricultural activities such as crop farming, household poultry raising of chicken and ducks, fish processing and marketing and gathering of fuel wood, vegetables, herbs, fruits and nuts from forests are classified as females' jobs, while the men are known for their skills in raising cattle and small ruminants, such as goats and sheep, hunting and logging for timber and fuel wood. The assumption that the farm manager is usually the male head of the household tends to neglect the actual contribution of women regarding decision-making and farm Claudia Carolina Cardona Villabón, (2006).

It is possible to estimate gender differences related to efficiency in farming systems in which men and women manage separate plots Boserup, (1970). Furthermore, Boserup presented a threefold classification of farming systems according to the varying degrees of women's

engagement in farm work. She uses the following classifications: (i) high female participation combined with low technology in sub-Saharan Africa; (ii) low female participation associated with animal draft technology, hired labour and cultural proscriptions on women's work outside the home; and (iii) sharing of farm work between women and men associated with intensive cultivation, land scarcity and small farm size. However, women's roles in agriculture may be much more heterogeneous than these classifications suggest Deere, (1982); Ellis, (2000). In 2006, Statistics Sierra Leone carried out a survey and found out that women dominate the crop and poultry sub-sectors at 53% and 52.3% respectively, while men dominated the livestock, hunting, forestry and fishery sub-sectors at 53.1%, 61.2%, 65.4% and 64.8% respectively. Even though women are the major fish processors and gatherers of fuel wood, fruits, vegetables, nuts and herbs from forests, their dominance were not properly captured in the census, hence their low participation rate in forestry and fishing the report stated statistics Sierra Leone, (2006).

Some feminists have argued that because of the serious problems facing African economies, governments cannot afford not to utilise all available resources. So they need to put other incentives in place to ensure equitable access to land. One such incentive, as the arguments goes would be the promotion of a more gender neutral system of land ownership and control so that women who are the lynchpin of small holder agriculture can have the power to make production choices. In the absence of this, many women are unable or unwilling to risk investing in long-term agriculture ventures or cash crop growing Butegwa, p. 46; see also Himonga and Munachonga, (1991); Karanja, (1991) and Knowles, (1991). This issue of efficiency is not proven empirically. As well, efficiency itself is contested in social science, particularly within the livelihoods approaches. Until such time that it is, it seems to be a more reasonable strategy to focus on issues of equity and discrimination and the rewriting of customary law rules.

The 2012 World Development report dedicated to Gender Equality and Development warns that the failure to recognize the roles, differences and inequities between men and women poses a serious threat to the effectiveness of agricultural development strategies World Bank, (2012). In gender equality all individuals hold a similar level of power and treat other people with respect and consideration, regardless of their sex Nelson and England, (2002). However, the framework for understanding gender relationships therefore sees them as falling along a spectrum, with

gender power hierarchy and restrictions at one end and equal opportunities and equal value for both sexes at the other.

The Millennium Development Goal 3: Promote Gender Equality and Empowerment of Women (MDG.3) is recognized not only as a goal in itself but also as an essential step for achieving all other goals. Paragraph 58 of the World Summit Outcome Document of 2005 explains the resolution of the world leaders to eliminate pervasive gender discriminations in primary and secondary education, property and housing rights, access to reproductive health, access to labour markets, sustainable employment, and labour protection, and representation in government decision-making bodies as well as elimination of all forms of violence against women and girls. There is evidence that gender equality and empowerment of women are instrumental for achieving other MDGs; universal primary education (MDG.2). Lower under-five mortality (MDG4) improved maternal health (MDG5) and lower likelihood of contracting HIV/AIDS (MDG.6) recognition that gender equality is key in achieving other MDGs UN Millennium Project, (2005).

Over the last three decades gender issues and women's empowerment have received greater visibility and attention on global, regional, and country level development agendas resulting in modest and uneven attainments in most regions in general, and in Sub Sahara Africa (SSA) in particular. There are now more girls in primary and secondary schools compared to the situation of three decades ago.

Gender inequality remains a big challenge in particular in sub-Saharan Africa, despite the recognition that educating and empowerment of women and young girls are important to achieving all MDGs. Various reasons have been cited as to why Africa is off track in terms of meeting the MDG targets. Some of the reasons include, (i) the economic growth experienced in some SSA countries has not been rapid, sustainable and inclusive enough to lift the poor out of poverty, (ii) weak capacity and quality of governance, (iii) the impact of HIV/AIDS on economic growth and social development, (iv) persistent gender inequality and discrimination, (v) war and conflict which affected close to 20 percent of the population in SSA in 2000, women and children accounting for the majority of people affected by the situation. Persistent gender discriminations in Africa remain a major barrier to advancing development in the region UNECA, (2005). While women's land and property rights are vital to development discourse,

the reality remains that in many parts of the world these rights are often not shared equally between men and women, and are routinely violated, denied, and given insufficient protection and enforcement. Leading to social exclusion which constraining woman's ability to participate fully and equally with men. Furthermore, where gender-sensitive laws exist, progress can be constrained by the lack of resources necessary to reach rural communities through practical, low-cost, and culturally acceptable means. Furthermore, when women own land, their purchasing decisions are likely to benefit the household's food security and their children's nutritional status. Indeed, a World Bank report points out that "the income and resources that women control wield disproportionately strong effects on health and nutrition outcomes generally. Unfortunately, the obstacles which prevent women from effectively enjoying these rights equally with men are complex, and at times context specific UNECA, (2005). This has resulted to gender biased statutory laws, customary law, traditions, and social norms and attitudes is that women cannot or do not use, access, control, own, rent, lease, or inherit land and property without consent from a man.

Certainly, when women have secured rights to use and access land, they use resources sustainably. Secure rights to critical resources are connected to broader social concerns of power, status, personal autonomy, and economic independence. Some formal laws do not recognize equal inheritance for women and men and for daughters and sons. However, in customary law settings, primary property rights are allocated to the males in the household, and widows are not permitted to inherit those rights from their deceased husbands. Protections for women which may have existed traditionally are no longer recognized or are trampled upon as land pressures increase.

2.2.2 Gender and Poverty

Cagatay explains that, although there is an overall agreement on the notion that men and women experience poverty differently, linking gender and poverty is a complex matter that has increasingly become the focus of analysis. The growing literature on poverty has helped to broaden the definition of poverty and generated greater recognition on the multi-dimensionality

of poverty. This called for a better understanding of poverty not only in terms of income and expenditure, but in the broader sense of human poverty; which is the state of deprivation in capabilities (education, health, nutrition, etc.) Cagatay, (1998). It has been argued that the household income/expenditure based measures, while they are important and provide comparative analysis of incidences of poverty between male headed and female headed households, they do not show the level of poverty experienced by women and men within the households Klassen, (2005), Cagatay, (1998), Quisumbing et al, (1995). Cagatay also went further to say that, from a human poverty or capabilities (education and health) perspective, women are poorer in most societies. There are fundamental gender inequalities in access to and control over productive assets such as land, labour and credits, earned income as well as gender biases in the labour market that form the ground for women's enhanced vulnerability to poverty. The gender dimension of poverty emerges more clearly through approaches of social indicators and those that capture the intra-household processes underlying resource allocation DAI, (2005). It is possible to argue that men and women differ physically, and these differences explain why men tend to have higher yields. However, the planting and maintenance of crops does not typically require high levels of strength. Harvesting can be physically demanding, but even plots managed by women usually have access to male labourers. Therefore, physical differences do not appear to adequately explain the productivity gap. Another argument involves the breakdown of household chores between men and women Jason T. Clark, B.S., (2013). Due to the disproportionate gender division of labour in the household and their increased responsibilities for domestic and productive work, women tend to be more time poor than the men. Others argue that poverty is also related to the type of employment in which people are engaged in, and majority of the poor are in informal employment. Chen, et. Al, (2002) argues that there is a closer correlation between gender, informal employment and poverty which has not been adequately explored. Women's high illiteracy rate, lack of decision making power over their fertility and early marriage of girls limit their chances of coming out of poverty.

2.2.3 Gender equality and economic growth

There are several arguments that have been going on in the development agenda, some say that economic growth can lead to greater equality; others argue that, gender equality can contribute to poverty reduction and economic growth. Klasen pointed out that gender inequalities in education have direct impact on growth, and through distorting incentives and indirect impact on investment and population growth Klasen, (2009). The World Bank study pointed out how Africa needs to capitalize on its unexplored growth potential, as they contribute half of the labour force, but whose productivity and growth has been affected by discriminatory practices in access to education and training and limited control over resources Gleb, A., (2003). Although there is a considerable literature on the relationship between gender and agricultural productivity and technology adoption in Sub-Saharan Africa, gender gaps in food security have received far less rigorous empirical attention Peterman et al., (2010; 2011)

Amartya Sen suggest that restrictions on an individual's right to own property, save, borrow, become educated, and make labour contracts or to control the products of one's own labour would qualify as disincentives to growth, while freedom to exercise these activities would be associated with economic growth. Given that roughly half of the population of any country is female, it is reasonable to postulate that a society's failure to provide such freedoms or resources to them would be reflected in failures at the macroeconomics level as well. Although the literature exploring such a relationship between the freedoms accorded women and development is still small, interest in this area is growing. It has been advised that, those writing in the feminist economics tradition challenge the general invisibility of gender in economic studies and urge that it be considered in order to avoid further biased results Ferber and Nelson, (2003). Blank and Reimers, (2003) point out that the standard economic method of focusing on choices under given tastes and constraints tends to simply accept the status quo concerning cultural issues as permanent and unchanging.

2.2.4 Gender discrimination and Access to Financial Resources

Land may be the most important resource in agriculture, but there are other notable examples include education, credit and technical assistance. Women's ability to obtain agricultural inputs is usually claimed to be constrained by gender discrimination. However, the indirect effect that differential access to resources (like credit, for example) has on women's ability to obtain inputs for production may be equally important Villabón, (2006). Women's lack of assets, due to the gender discriminatory property and inheritance practices in many of the African countries limit women's access and control over resources specifically land. For example, female headed households in Uganda claimed that their inability to finance their start-up capital prevented them investing in businesses and trade activities Dolan, (2002), cited in USAID, (2005). The lack of both start up and working capital limits the size, type and location of income generating activities. In recent decade micro-credit institutions have gained greater prominence in filling in the financial resource gaps to the poor in general and to poor women in particular. This is so especially after war. While some of the successes of micro-credit institutions has gained recognition over the years, the unmet credit needs of men and women in many parts of Africa remains a big problem.

2.2.5 Credit opportunities

Female farmers produce less than male farmers, but not because they are less-efficient farmers extensive empirical evidence shows that the productivity gap between male and female farmers is caused by differences in input use FAO, (2010-2011). Legally, women have equal right to access bank loans and other forms of credit; they may also open a bank account in the same way as men World Bank, (2013). The fact that very few women own land, however, restricts their access to bank loans, particularly in rural areas: financial institutions often require land as collateral Action Aid, (2012). The difficulties in accessing credit from banks means women in rural areas often have to rely on moneylenders, who charge very high interest CEDAW, (2012).

Several micro-credit programmes run by NGOs and the government target individual women or women's groups, enabling them to acquire funds to start small enterprises CEDAW, (2012).

The growth of micro-finance institutions and their impact in helping reduce poverty has gained worldwide recognition. By the end of 2003, about 80 million people were accessing micro-credit by about 2,900 Micro Finance Institutions. Despite this continued growth, there is a considerable gap of unmet credit demand worldwide. The success of micro-finance in supporting micro and small business in general and those operated by own women in particular in India and Bangladesh is well known. Studies have shown that similar successes have been noted in South Africa and Mauritius. Appanah, v. (n.d.). However, there are many challenges that need closer attention if micro-credits are to sustain supporting the reduction of poverty and contribute to growth.

However, Stevenson and St. Onge argue that the current lending mechanisms (loan ceiling and other limitations) used by micro-finance institutions are not geared towards the growth of the micro-enterprises. Because micro-entrepreneurs cannot take loans beyond the limited size, they tend to take repeated loans and try to grow "horizontally" by diversifying their businesses and engaging themselves in multiple small-scale businesses, L. Stevenson and A. St-Onge, (2005). There is also another school of thought that recognizes the limitations of micro-finance institutions from the perspective of women's empowerment. Mayoux, (2004) argues that cost effective ways of integrating micro-finance with other empowerment interventions, including group development and complementary services are still lacking. The term empowerment here means that as women control decisions on savings and credit, they can optimize their well-being and those of their households. For Mayoux, this approach is believed to be considerably different from the poverty reduction project approach where the emphasis is more to use the loan for increasing income at the household level more for consumption.

There is ample evidence that suggests that men may have more control on the incomes of women's micro-enterprises and often they may decide to finance their own personal interests instead of the households' Yeshiareg Degene, (n.d) "women's micro and small entrepreneurs

often complaining about the lack of demand for their products, although according to the earlier mentioned study in Southern Africa, they do not respond to increased markets” DAI, (2005).

There are various factors that limit women’s income generating activities access to markets. As noted earlier, women disproportionately experience limited mobility due to various factors linked to either their family responsibility or cultural practices. Those who can travel lack the market information on products and inputs, thus become dependent on the middle traders who buy their products at relatively lower than the market price. Yeshiareg Degene (n.d.). Due to the fact that women often produce small amounts, they are limited to the local village markets, where the market for their products and services are already saturated. Some projects which organized women producers in handicrafts and other goods have shown some good practices where women producers were linked to international markets. Such projects invest extensively into training and coaching to ensure the products match the international quality standards and improve competitiveness.

2.3 Patriarchy

According to Hartmann, (1980), the term patriarchy essentially means the rule of the father or patriarch. The concept of patriarchy has evolved from the struggles of women all over the world. It encompasses the totality of structures of domination and exploitation that affect women's position in society Walby, (1990); Smith, (1997); Larsson and Schlyter, (1995). In feminist theory and practice, patriarchy has been looked at differently from the liberal to socialist feminism. It is a system in which the father or a male member who is considered as the head of the family, he controls all economic and property resources, makes all the major decisions of the family and thereby maintains ongoing control over all members of the family and those related to it L. Alcoff, (1990). The original theory of patriarchy was employed in the 17th century to justify the rule of monarchs. Twentieth-century feminism has used the term to describe a division of power and advantage along lines of gender E(ed). Fischer, (2000). The concept itself is not new. It has a history with feminist thought, having been used by the anti-Marxist sociologist, M. Weber, (1968). Patriarchy is the single most life-threatening social disease assaulting the male body and spirit in our nation. Yet most men do not use the word “patriarchy” in everyday life. Most men

never think about what patriarchy means, how it is created and sustained. The word “patriarchy” just is not a part of their normal everyday thought or speech. Patriarchy is defined as an authoritative male system that is both oppressive and discriminatory. It is oppressive in social, political, economic and cultural environment. It is discriminatory in its control of access to power management of resources and benefits and manipulation of public and private power structures SAGE Publication, (2004).

There has been some argument by different writers that, there existed the system of matriarchy which preceded patriarchy, but patriarchy did not replace matriarchy. The two social systems originated from different parts in the world and they are antithetical systems in that they are based on different principles. In the African conception, a matriarchy is a society in which maternal energy and mother love are socially cohesive forces. Matriarchy differs from patriarchy which is a dominating ruling system. It is a social organization focused on the power of women as mothers and on the matrilineal ownership of the home and wealth (SAGE Publication, (2004 5:01 PM Page 395). Very clearly, patriarchy establishes male dominance and control over women in society, in general, and particularly so within the family. The "unequal power relationship" between men and women, accrues power to men in an important institution of society. Thus, it is important to see patriarchy as both an ideology of women's subordination and control, and, a concept of struggle against the same K. Millett, (1996). The theory of patriarchy attempts to penetrate beneath the particular experiences and manifestations of women's oppression and to formulate some coherent theory of the basis of subordination which underlies them Morriss, (2002). At the most general level patriarchy has been used to refer to male domination and to the power relationships by which men dominate women. Unlike radical feminist writers like K. Millett, (1969) who have focused solely upon the system of male domination and female subordination, Marxist feminists have attempted to analyse the relationship between the subordination of women and the organization of various modes of production. For Pateman, the concept of patriarchy has been used within the women's movement to analyse the principles underlying women's oppression C. Pateman, (1998). In the theoretical framework, the concept of patriarchy has been used to address the question of the real basis of the subordination of women and to analyse the particular forms which it assumes.

Patriarchy is conceived either as a tool or concept for analysing power and kin relationships; as ideology; or as a gender system Coetzee, (2001). As a gender system, patriarchy is “reproduced through the ability of fathers to bequeath to their sons the power to command resources, direct the labour of their wives and children, monopolize material control of the ‘public sphere’ and enforce ideologies which legitimate all this as natural, godly and inevitable state of affairs” MacInnes, (1998:16) or as a “system of social structures and practices in which men dominate, oppress and exploit women” Walby, (1990:12). According to Rogers, (1998) although almost all men share in masculine privileges and institutionalized subordination of women, the benefits accruing to individual men “vary according to class, age, race and sexual orientation” to which may be added education, employment, social and political disposition. That is, in a patriarchal society, men of higher socio-economic and political status dominate all women and men of lower social standing. MacInnes said the rise of public patriarchy in recent times has been due to “the development of modernity, individual rights, capitalist relations of production, commoditization of labour, and the decline in household or subsistence production” MacInnes, (1998).

Under all systems of law in many African countries, land ownership is anchored in patriarchy. Law can be used to reinforce or make permanent social injustices, and, in the realm of women’s rights, legal rules may give rise to or exacerbate gender inequality. The predominance of patriarchy in law, policy, and practice ensures that the land has owners but that they are not women. For law and policy to influence gender relations in the tenure realm, are needed to deconstruct, reconstruct, and re-conceptualize customary law notions around the issues of access, control, and ownership. The view should be to intervene at points that make the most difference for women USAID SL, (n.d.).

The way and manner in which power is exercised is what patriarchy is all about. Power does not merely manifest itself in and through gender relations but gender is constitutive of power itself insofar as relations which may not always literally be about gender utilize the language of sexual difference to signify or legitimize power differentials” Kandiyoti, (1998). Thus, men derive their power from culturally constructed rules on marriage, inheritance, work, social status and participation in politics and other extra-domestic activities Kandiyoti, (1998). Kabeer, (1999:441) observes that power relations are expressed not only through the exercise of agency

and choice, but also through the kinds of choices people make and which derive from a 'deeper' level of reality, one which is not evident in daily life because it is inscribed in the taken-for-granted rules, norms and customs within which everyday life is conducted. People often make choices to conform to societal expectations, rather than what would have otherwise been their independent preferences. Women may tolerate domestic violence, e.g., in order to conform to social norms C. Arisunta, (2010). Furthermore, the patriarchal system can be viewed as a 'gender system' consisting of societal norms or contracts based on formal and coded or unwritten and assumed rules and regulations that govern the position of women and the prerogatives of men within the family and household, in the sphere of production or the labour market, in the political system, and in cultural institutions Hirdman, (1991).

One of the main criticisms of patriarchy is that, it merges explanation with description and collapses into a form of abstract structuralism, losing the tension between agency and structure necessary to understand complex social processes Pollert, (1996). Fischer, (2000) and other liberal feminists often see precisely the patriarchy theory as potentially undermining the gains of the women's movement with polarizing rhetoric that invites backlash and hold that they overemphasize sexual politics at the expense of political reform. Other critics of patriarchy theory from the political left, including socialist feminist strongly disagree with the patriarchy theory position that the oppression of women is fundamental to all other forms of oppression; these critics hold that issues of race and of class are as important or more important than issues about gender C. Arisunta, (2010). Queer and postmodernist theorists often argue that the patriarchy theory ideas on gender are essentialist and that many forms of gender identity complicate any absolute opposition between "men" and "women" Gottfried, (1998).

2.4 Polygamy

Polygamy is a practice that has existed in many African cultures for different reasons. Even with the encroachment of Western culture and the great strides towards gender equality. Polygamy as is seen in some communities is practised as a sign of wealth, or serves as a way of producing

more labour to help in the fields. Polygamy is prohibited under Sierra Leone's Penal Code and is punishable by eight years in prison, but it is authorised in customary marriages, where a man can take as many wives as he wishes OECD report (n.d.). According to the 2008 DHS, 37% of married women were in polygamous relationships, and the practice is more common in rural than in urban areas. Men tend to marry healthier and strong women, in order for them to have a huge yield from harvest each season even if it's cost them their fortune in that particular moment. The proceeds from the year's harvest that have been toiled on by the other wives will be used to pay as the bride price for the supposed new wife. This as a result creates tension between the wives and even older children at some point. A number of other African authors show the emotional pain that can be caused by polygamy and describe how detrimental polygamous relationships are to the happiness of women Nyanhongo, (2011, p.26). Mazvita further states that, polygamous marriages do not only create tensions between the co-wives, but also within the family at large. Nasimuyu-Wasike says that polygamy is the source of enmity of women against other women in which the women remain powerless together trapped in the „dynamics of patriarchy that divide and rule“ cited in Fonchingong, (2007). Addison and Ndabayakhe observe that even the male authors in African literature who project positive images of polygamy do not manage to demonstrate convincing sisterhood among the co-wives (pg94) cited in Fonchingong, (2007).

The problem of polygamy also occurs when the husband becomes particularly fond of one wife, neglecting other wives in favour of one, resulting in emotional and psychological stress. Men can afford to be careless and selfish in their choice of partners, allowing themselves to be guided by physical desires and their eagerness to enhance their social status, simply because they can marry more than one wife. This does encourage men to take on younger wives, partly because they are physically appealing and also because they are easy prey for them, sometimes because they have no say in the matter. These marriages also take place because men in positions of economic power are able to take advantage of young girls from economically deprived backgrounds M. M. Nyanhongo, (2011).

2.5 Food Security

The concept of Food security was originated around mid-1970s during that period; there was a global food crisis during the discussions of international food problems. Initially, the focus was primarily on food supply problems of assuring the availability and to some degree the price stability of basic foodstuffs at both the international and national level. That led to a process of international negotiation leading to the World Food Conference of 1974, where a new set of institutional arrangements covering information, resources for promoting food security and forums for dialogue on policy issues ODI. (1997). The initial focus, reflecting the global concerns of 1974, was on the volume and stability of food supplies. Food security was defined in the 1974 World Food Summit as: “availability at all times of adequate world food supplies of basic foodstuffs to sustain a steady expansion of food consumption and to offset fluctuations in production and prices” UN, (1975).

The relative decline of agricultural production for domestic food and industrial requirements is a major concern in Africa. There has been increased food insecurity and impoverishment because of the increasing cost of food for the majority of the poor and the concentration of consumption among the relatively wealthier and better-endowed countries, regions and social groups with access to land and incomes in and outside the agriculture sector UN, (1975). A further crucial component was later recognized: as the individuals’ ability to utilize the food to which they had access. Hence food availability, access, and utilization are the three general components usually mentioned in definitions of food security today. Another dimension called stabilization is also seen added on to the definition of food security Amataya, 1981.

One of the most common definitions of food security is that adopted by the World Food Summit of 1996: ‘Food security exists when all people at all times have physical and economic access to sufficient, safe and nutritious food to meet their dietary needs and food preferences for an active and healthy life’ (FAO, 2008). From this definition four dimensions of food security can be drawn out. People will be food secure when:

- a. sufficient food is available
- b. people have access to it (largely a matter of incomes and food prices)

- c. food is well utilized (largely a matter of people being in good health to make use of nutrients), and
- d. Availability and access to food are stable and reliable.

Food security has become a key national security issue. Since the food price crisis of 2007-2008, and it is a critical global issue. Increased food insecurity and higher food prices immediately led to social unrest and has worsened the political instability in many developing countries. During the crisis, capital exporting but potentially food insecure countries dependent upon imports and/or with limited or waning capacity to produce food domestically also had problems to source sufficient amounts of food on the world markets. Some of these countries (e.g. Gulf states and South Korea) lost confidence in global markets as a steady source of food. Hence, they began to acquire farmland overseas in order to produce food for their own populations. Food security concerns as a motivation to acquire land are also related to global trends of soil erosion, depletion of water resources, the conversion of farmland into non-food producing purposes as well as population growth, urbanization. Changing and/or improving food consumption patterns (e.g. from vegetables to livestock products), which require more resources, is another factor to consider Havnevik, (2009), p. 5, De Schutter, (2009b).

Energy security and Global Climate Change concerns has led to a rush toward biofuel production spurred by fiscal incentives and subsidies in developed countries. This has stimulated acquisitions of land by private and institutional investors for the purpose of large-scale biofuel projects (De Schutter, 2009b, Havnevik, 2009). As in many other countries in SSA, land tenure rights are often weak and poorly defined, especially for women. The state's formal ownership of the land in the provinces is tangled with an informal and traditional communal land-holding system F. Martinez, (2010, p 9), Unruh & Turay, (2006).

Given the fact that the state apparatus of the country is weak and that poverty and food insecurity is endemic it seems very challenging to create a "win-win" scenario from large-scale transnational land acquisitions here. Considering the latest development, most analysts have agreed that rural development is key to food security and poverty eradication in Sierra Leone, and the country's agricultural sector has an enormous potential GoSL, (2009b). 65% of the

country's population lives in rural areas, but during the last decades' rural neglect and the civil war has speeded up the rate of urbanization compared to rural population growth GTZ, (2009). Approximately 60% of the population is engaged in subsistence farming and 95% of the rural inhabitants is engaged in agricultural activities. The most important food product is rice followed by cassava, sweet potatoes and oil palm WFP, (2008). The country has to import one third of its rice requirements WFP, (2008). Yet, about 63% of the rural population cultivate upland rice and 57% cultivates more lowland rice varieties WFP, (2007). But there is a gross lack of agricultural inputs, and lack of investment and incentives for investments has been pointed out as an important reason GoSL, SLIEPA web page, (2009).

The GoSL has set food security and agriculture at top of their development agenda and according to the Deputy Director General of MAFFS, it has implemented the 2003 Maputo declaration, which requested that at least 10% of the national budget be allocated to the agriculture sector Horner, (2010). The country became part of the African Union's Comprehensive Africa Agriculture Development Programme (CAADP) in 2009 and has initiated a National Sustainable Agricultural Development Plan (NSADP). It is believed that agricultural led development should increase economic growth, eliminate hunger, reduce poverty and food insecurity and expand exports (GoSL, 2009). It is emphasized that CAADP "emanates from and is fully owned and led by African governments" (ibid.). CAADP is also conducive to the development community's new focus on agriculture which is worth to mention since many LDC's in SSA, including Sierra Leone, derives over 50% of their budgets from donors.

According to GoSL's NSADP, and its second Poverty Reduction Strategy Paper "The Agenda for Prosperity," this aims "at making agriculture the engine for socio-economic growth and development through commercialization and the promotion of the private sector, including farmers and farmer-based organizations." To this end GoSL will work to:

- Increase agricultural productivity;
- Promote diversified commercial agriculture
- Improve agricultural research and extension delivery
- Promote efficient and effective management systems
- Mainstream cross-cutting issues like social protection, safety-nets, gender and youth,

health and sustainability

Due to acute lack of e.g. inputs, credit, and market outlets, the Sierra Leonean smallholders only achieve a fraction of potential productivity. The amount of land a household can cultivate is typically limited by its lack of access to tools. Yields are low WFP, (2007).⁹ Since most cultivation is rain irrigated and done without fertilizers. Farm sizes are small but an increase in rice production has occurred in recent years which can be attributed to increase in farm size and total area cultivated WFP, (2007). According to Martinez Frances, of the estimated 7.2 million hectares of total landmass, about 5.365 million ha are considered arable. 4.2 million ha is comprised of upland, and 1.165 million ha are lowlands, distinguished by 4 main agro-ecologies as shown in Figure 1 below F. Martinez, (2010. p. 6).

The FAO Agriculture Sector Review and Agriculture Development Strategy FAO, (2004), stated that, less than 1 million hectares, or less than 15% of the arable land was considered to be cultivated in 2004. Rice was grown on approximately 660 000 hectares F. Martinez, (2010). According to a Bio-energy Background Review compiled for the FAO, (2004). There is thus in principle a clear potential for land acquisitions for the purpose of cash-crop production without intrusion on local smallholders or forested areas. According to the *Review*, 28,447 % of the total area of Sierra Leone will be needed to ensure food security in 2050, and up to 61,823% could be used for other purposes.

2.5.1 The global food crisis and transnational land acquisitions

The outset of the food crisis also renewed the interest in the agricultural sector among key development actors and institutions. As a result of the food crisis the number of hungry people in the world grew from 820 to more than 1 billion people. Approximately two thirds of these people live in the rural areas of development countries, and a majority of these are involved in smallholder agricultural activities FAO, (2009). An underlying factor behind the food crisis was

⁹ E.g. 0.63 metric tons per hectare in upland rice cultivation and 1.23 metric tons per hectare in lowland rice cultivation (WFP, 2007).

underinvestment and neglect in developing country agriculture, both by donors and governments, for some 30 years Diouf, (2011)¹⁰. The World Bank's structural adjustment programs led to removal of subsidies to smallholders, sharp decrease of development assistance and public investments in agriculture and deregulation that increased exposure to market volatility Havnevik, (2009). But the World Bank's World Development Report 2008 stipulated that the agricultural sector "must be placed at the center of the development agenda if the goals of halving extreme poverty and hunger by 2015 are to be realized" World Bank, (2007).

Since the food price crisis of 2007-2008, food security has become a key national security issue and a critical global issue. Increased food insecurity and higher food prices immediately led to social unrest and worsened political instability in many developing countries. During the crisis, capital exporting but potentially food insecure countries dependent upon imports and/or with limited or waning capacity to produce food domestically also had problems to source sufficient amounts of food on the world markets. Some of these countries (e.g. Gulf States and South Korea) lost confidence in global markets as a steady source of food. Hence, they began to acquire farmland overseas in order to produce food for their own populations. Food security concerns as a motivation to acquire land are also related to global trends of soil erosion, depletion of water resources, the conversion of farmland into non-food producing purposes as well as population growth, urbanization. Changing and/or improving food consumption patterns (e.g. from vegetables to livestock products), which require more resources, is another factor to consider Havnevik, (2009, p. 5), De Schutter, (2009b)

World hunger is arguably the most acute global issue. It is not only a major disgrace in its own rights but also have bearings on e.g. new and traditional security issues like armed conflict, mass migration and global climate change. According to the UN's Food and Agricultural Organization (FAO), "Global food production is more than enough to feed the global population, the problem is getting it to the people who need it" (FAO webpage, Organic Agriculture). In Africa, the need to increase food production to enable increased food consumption has become more desperate as

¹⁰ E.g. FAO's Director General Jacques Diouf has pointed out that the share of agriculture in ODA dropped from 19 % in 1980 to 3% in 2006 and up to 5 % in 2011. Low-income food-deficit countries spend about 5 % of their budgets on agriculture. Private investments in agriculture amounts to around \$140 billion per year, compared with global military spending of \$1,500 billion per year Diouf, (2011).

the demands of an increasing population have not been met. As a result, marginal land has been brought into production, and commercial operations continue to use fertilizers and chemicals for increased productivity, while fallow periods have been reduced (FAO webpage, How to Feed the World in 2050). The present problem of hunger must therefore address the issues of redistribution and distribution. However, FAO estimates that production must increase, and increase in a sustainable manner, in order to meet the food needs of the estimated global population of 2050 (e.g. FAO webpage, How to Feed the World in 2050). Thus one can argue that sustainable strategies to feed the world in the short and in the long run must address both issues of power and justice (redistribution, distribution etc.) and the issue of growth (increased food production).

Serious investments are needed to achieve sustainable rural development in the poor countries. FAO estimates that additional investments of US\$83 billion yearly are needed if the developing countries' agricultural sectors are to meet food needs of 2050 Hallam, (2010, p 3). Transnational farmland acquisitions are seen as one potential source of investments. It is believed that foreign investments in agricultural land can facilitate "win-win" scenarios like energy and food security in investor countries and broad-based rural development in host countries. However, Olivier De Schutter, UN's Special Rapporteur for the Right to Food (UN/SRRF) has written that the debate on large-scale land acquisitions "should not distract us from acknowledging that, to a large extent, the rush towards farmland in developing countries is the result of our own failures. We have failed in the past to adequately invest into agriculture and rural development in developing countries, particularly sub-Saharan Africa. We have failed to promote means of agricultural production which do not deplete the soils and exhaust groundwater reserves." De Schutter, (2009)

A starting point for considering individual transnational land acquisitions must be basic human rights, including land rights and food rights, of impacted inhabitants. I met a lot of respondents among committed civil servants and staff at donor organizations who were very concerned about FDI in mining and extractives. At the same time many of them believed in the potential of FDI in agriculture, even though many of them pointed to risks related to weak monitoring capacity of the state, and weak political will. To assist them, and pressure their potentially less honest colleagues and superiors, I believe that international guidelines and principles could have merit.

Especially if they are developed through an inclusive process and tailored to specific local conditions that acknowledges inequalities and asymmetric power relations both within communities and between communities, the state and investors.

As illustrated by the Addax Bioenergy case, problems may occur even in cases where the foreign investors have followed existing formal international and national guidelines and laws regarding FPIC, food security, food rights and land rights. This suggests that both international and national guidelines and laws need to be revised and/or strengthened.

- 1) The Human Right to Food Framework,
- 2) The development of international guidelines such as the RAI principles and voluntary guidelines on responsible governance of tenure of land and other natural resources and
- 3) The elaboration of alternative concepts such as land sovereignty, land security and food sovereignty are worth to consider.

The importance of access by all in its widely repeated definition of food security was emphasized by the World Bank, “access by all people at all times to sufficient food for active, healthy life” World Bank, (1986). Even though it was a global agenda, the World Bank’s definition applied to other levels as well national, regional, household, or individual and is commonly referred to the household level. Knowing that the household is the institution through which most people have access to both land and food. In fact, an improved understanding of the household, based on differential intra household access to resources and food, is a potential result of closer examination of the links between land tenure and food security. For Chambers, (1988); Frankenberger and Coyle, (1993), food security has come to be seen as a subset of “livelihood security,” which recognized the importance of other basic needs in addition to food. Additionally, a secure livelihood is a necessary and often sufficient condition for food security Maxwell, (1994).

The World Bank’s definition of food security also requires that access to food be sufficient at all times. This requirement can be interpreted in at least two important ways. First, access must be sufficient over the long term, that is, it must be sustainable. A household can hardly be considered food secure if it is able to meet its current nutritional requirements only by depleting or selling its endowment of resources-yet this is what an uncritical focus on access and

sufficiency alone implies. Sustainability involves the ability of households and individuals to “generate access to sufficient food while maintaining their endowments of resources over an extended period of time” Wiebe, (1994).

The World Bank’s definition of food security contains two features that help us sharpen our focus on access to food. First, it requires that access be sufficient for activity and health. Sufficiency is usually measured in terms of caloric intake relative to physiological requirements for a specified period of time. Requirements vary with individual characteristics such as age, sex, and level of physical activity and with environmental characteristics such as climate and quality of water and health to which the household has access. A complete notion of sufficiency must also recognize factors such as cultural acceptability as well as the subjective criteria by which poor individuals and households are sometimes forced to weigh the trade-off between reduced consumption-with its attendant health risks and depletion of the household’s non labour resource base. The World Bank’s definition of food security also requires that access to food be sufficient at all times. This requirement can be interpreted in at least two important ways. First, access must be sufficient over the long term, that is, it must be sustainable.

In 1983, FAO expanded its concept to include securing access by vulnerable people to available supplies, implying that attention should be balanced between the demand and supply side of the food security equation: “ensuring that all people at all times have both physical and economic access to the basic food that they need” FAO, (1983). According to the highly influential World Bank report, “Poverty and Hunger” focused on the temporal dynamics of food insecurity World Bank, (1986). It was introduced the widely accepted distinction between chronic food insecurity, associated with problems of continuing or structural poverty and low incomes, and transitory food insecurity, which involved periods of intensified pressure caused by natural disasters, economic collapse or conflict. This concept of food security is further elaborated in terms of: “access of all people at all times to enough food for an active, healthy life” World Bank, (1986).

The World Food Summit in 1996 adopted a more complex definition: “Food security, at the individual, household, national, regional and global levels (is achieved) when all people, at all times, have physical and economic access to sufficient, safe and nutritious food to meet their dietary needs and food preferences for an active and healthy life” FAO, (2002). Which was

again refined in the State of Food Insecurity in 2001 it was defined as “a situation that exists when all people, at all times, have physical, social and economic access to sufficient, safe and nutritious food that meets their dietary needs and food preferences for an active and healthy life” S. Amartya, (1981). This new emphasis on consumption, the demand side and the issues of access by vulnerable people to food, is most closely identified with the seminal study by S. Amartya, (1981). Eschewing the use of the concept of food security, he focuses on the entitlements of individuals and households (Sen).

Given the fact that the state apparatus of Sierra Leone is weak and that poverty and food insecurity is endemic it seems very challenging to create a "win-win" scenario from large-scale transnational land acquisitions here. Moreover, as in many other countries in SSA, land tenure rights are often weak and poorly defined, especially for women. The state's formal ownership of the land in the provinces is tangled with an informal and traditional communal land-holding system F. Martinez, (2010, p 9), Unruh & Turay, (2006). At the same time, most analysts have agreed that rural development is key to food security and poverty eradication in Sierra Leone, and the country's agricultural sector has an enormous potential.

As I have stated above, 65% of the country's population lives in rural areas but during the last decades' rural neglect and the civil war has speeded up the rate of urbanization compared to rural population growth GTZ, (2009). Approximately 60% of the population is engaged in subsistence farming and 95% of the rural inhabitants are engaged in agricultural activities. The most important food product is rice followed by cassava, sweet potatoes and oil palm WFP, (2008). The country has to import one third of its rice requirements WFP, (2008). Yet, about 63% of the rural population cultivate upland rice and 57% cultivates more lowland rice varieties WFP, (2007). But there is a gross lack of agricultural inputs, and lack of investment and incentives for investments has been pointed out as an important reason (SLIEPA web page). This situation still remains the same with little or no improvements in the agricultural sector.

As stated by Horner, the GoSL has set food security and agriculture at top of their development agenda and according to the deputy director general of MAFFS, it has implemented the 2003 Maputo declaration, which requested that at least 10% of the national budget be allocated to the agriculture sector Horner, (2010). Sierra Leone became part of the African Union's

Comprehensive Africa Agriculture Development Programme (CAADP) in 2009 and has initiated a National Sustainable Agricultural Development Plan (NSADP). It is believed that agricultural led development should increase economic growth, eliminate hunger, reduce poverty and food insecurity and expand exports (GoSL, 2009). It is emphasized that CAADP “emanates from and is fully owned and led by African governments” (ibid.). CAADP is also conducive to the development community’s new focus on agriculture which is worth to mention since many LDC’s in SSA, including Sierra Leone, derives over 50% of their budgets from donors.

The GoSL’s NSADP, and its second Poverty Reduction Strategy Paper, the then “The Agenda for Change,” aims “at making agriculture the engine for socio-economic growth and development through commercialization and the promotion of the private sector, including farmers and farmer-based organizations.” To this end GoSL is working towards achieving; Increase in agricultural productivity; Promote diversified commercial agriculture, improve agricultural research and extension delivery, promote efficient and effective management systems and include Mainstream cross-cutting issues like social protection, safety-nets, gender and youth, health and sustainability (GoSL, Development Plan).

Less than 1 million hectares, or less than 15% of the arable land was considered to be cultivated in 2004. Rice was grown on approximately 660 000 hectares F. Martinez, (2010). According to a Bio-energy Background Review compiled for the FAO (ibid), in principle, there is a clear potential for land acquisitions for the purpose of cash-crop production without intrusion on local smallholders or forested areas. The Review went further to state that, 28,447 % of the total area of Sierra Leona will be needed to ensure food security in 2050, and up to 61,823% could be used for other purposes FAO, (2004).

2.5.2 Food security and Land ownership

Considering that women have the tendency to grow food as opposed to cash crops and to spend income on family food, their security of tenure must be viewed as a key link in the chain from household food production to national food security this brings us to realize that economic investment, good governance, gender equality, conflict prevention and management, climate change mitigation and adaptation, and sustainable natural resource management are as a driving force for improved food security. A woman cannot access credit and have membership rights in agricultural cooperatives. This is particularly true for those processing and marketing agricultural commodities if she does not have secure land tenure. A woman can invest in rather than exploit the land's productive potential and is more likely to adapt to environmentally sustainable farming practices if she has a secure tenure. Women are more likely to plan and quickly adjust resource allocation decisions under changing climate or economic conditions and rely on the productive results of her labour. Having a security of tenure is often the key to having control over major decisions such as what crop to grow what techniques to use in the production process and also what decision to consume and what to sell.

It is also important to consider the control of product, in examining women's land rights. Having clear rights to land, farmers are more likely to make investments that increase crop yields, practice sustainable farming methods that improve soil quality, and better manage their resources. At the same time, transparent land rights provide those interested with the option to move out of agriculture and encourage responsible investment for those who choose to stay. Therefore, strengthening property rights is even more important for women, who often have fewer and weaker property rights than men, yet play a larger role in agriculture in many countries where we work. When property rights are clear and secure, all farmers are empowered to make better economic decisions, including whether to sell or lease their land, expand their

production, recruit non-family labour, and plant long-term crops for local consumption and for the market.

WFP and other UN agencies supports the Government of Sierra Leone in the implementation of its 'Agenda for Prosperity' (2013-2018), this development agenda succeeded the Agenda for Change. which prioritizes agricultural and infrastructure development and works to improve social services through the UN Joint Transition Programme and the fifth component of the Smallholder Commercialization Programme (Social Protection, Food Security and Productive Social Safety Nets). The situation in Sierra Leone has significantly improved since the end of the war in 2002, because there have been significant increase in security and peace-building efforts. In 2013, Sierra Leone was ranked the 59th most peaceful country out of 162 in the world by the Global Peace Index (GPI). The return of displaced rural populations to their homes has helped agricultural recovery across most of the country World Global Peace Index, (2013).

The agricultural sector contributes over 40 percent of Sierra Leone's GDP. In the President's Agenda for Prosperity (2013-2018), the Government of Sierra Leone declared agricultural development and food security the foundations for the country's economic growth and poverty reduction. Sierra Leone faces significant challenges related to food security and nutrition. Average lifespan is roughly half that of western nations and malnutrition rates are among the world's highest, with acute malnutrition at or above emergency levels of 15 percent among children under five years old. Poverty remains pervasive, particularly in the Eastern and Northern regions, where more than six out of ten people live on less than one euro a day. According to a 2011 Comprehensive Food Security and Vulnerability Analysis (CFSVA), 45 percent of households (2.5 million people) are classified as food-insecure during the lean season. Unemployment (especially among youth), low labour productivity, lack of irrigation, over-harvesting and inadequate access to food markets as a result of poor infrastructure continue to threaten food security¹¹.

¹¹ Accessed web page <http://www.wfp.org/countries/sierra-leone/overview>

‘According to a 2013 report, Sierra Leone has the highest inflation in West Africa with 11.5% and 10.9% year-on-year in April and May respectively. Food prices remained high, with a yearly food inflation of 13.3% and 11.8% during the same months. Although domestic food production has recovered since the end of the conflict in 2002 and provides a major part of Sierra Leone’s staples rice and cassava as well as pulses, oils, vegetables and fruits, the country remains in food deficit.

Households spend on average 63% of their total expenditure on food. Borrowing money to buy food is common (52%). Three quarters of the population rely on markets as their main source of food. Under such conditions, the trend of high and rising food prices poses a serious threat to food security in Sierra Leone’¹². While national and international food security concerns and programs for the country may be focused on how to improve food security, local customary concerns are focused on how to avoid food insecurity from getting worse, and prevention of landlessness is seen as the primary way to go about this. Improving food security from its current status can require significant risk-taking on the part of the local community such as using land as collateral for a loan, using new seed varieties, adopting new ways of farming, etc. Avoiding a worsening food security situation from its current status becomes risk averse behaviour resistance to transferring land and using land as collateral, not adopting new seed or farming approaches, etc. As such poverty reduction programs along with economic opportunities in the rural areas may impact the willingness to make land more available.

An alliance has been formed by the global community and is recognizing the critical role that property rights play in achieving food security for all and has recently increased its support for strengthening property rights. In 2012, African leaders, G-8 nations and private sector partners formed. Its goal is to lift 50 million people in sub-Saharan Africa out of poverty over 10 years G8 Nations, (2012). The report went further to state that, to realize this goal, nine New Alliance countries in Africa have committed to a number of policy reforms, including strengthening land governance, partnering with private firms and allocating a larger portion of their national budgets to agriculture. This is a breakthrough approach intended to deliver results at scale and transform economies G8 Nations, (2012).

¹² Accessed web page <https://www.wfp.org/countries/sierra-leone/food-security>

2.5.3 Rural women and Food Security

“Rural women in sub-Saharan Africa are 68 percent more likely to be malnourished than urban women, and “malnourished mothers are more likely to die in childbirth and to give birth to low birth-weight babies who are more likely to have stunted growth” Uthman, and Aremu, (2008). There is a strong correlation to women’s land tenure insecurity: countries where women lack land ownership rights have an average of 60 percent more malnourished children. The rights of most women have been deprived of owning land within their different communities in the entire African Continent Uthman, and Aremu, (2008). This has affected not only the economic livelihood of women, but also their social livelihood. This could be attributed to the fact that majority of rural women, especially in developing areas such as those in the customary districts of Sierra Leone, cannot play active role on decisions influencing their own development and sometime in the development of their communities.

Evidence from studies across the developing world shows that increases in land tenure security correlate with improved food security, particularly for women. Securing and recognizing women’s land rights can increase agricultural productivity and shared household decision making, and thereby increase the total amount of resources available to the family for nutrition and food security Allendorf, (2007). The Committee on World Food Security was officially endorsed the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security in May 2012. The Guidelines recognize the importance of gender equality in land tenure as critical to the strategies to reduce hunger and poverty, support sustainable development, and enhance the environment. They exhort States to “ensure that women and girls have equal tenure rights and access to land, fisheries and forests independent of their civil and marital status,” and to ensure that policy, legal, and organizational frameworks for tenure governance are “non-discriminatory and promote social equity and gender equality Allendorf, (2007). Women constitute a large portion of the economically active population globally, who are engaged in agricultural activities, both as farmers and as farm workers and play a crucial role in ensuring household food security. Therefore, improving their access to land and other assets like credit will enable the women become efficient producers’.

They will undertake economic activities that will foster agricultural development which will increase the likelihood that benefits from these activities are put to the service of the welfare of the family FAO, (2002). Although income has been one of the main factors or one of the major ingredients for achieving food security than land, it is evident that inefficient and insecure land processes has often resulted in food insecurity S. Sandesh, (2008). Women play a significant role in the agricultural labour force and in agricultural activities, although to a varying degree. The contribution of women to agricultural and food production is clearly significant. However, it is impossible to verify empirically the share produced by women because agriculture is usually a venture among household members and involves a range of resources and inputs that cannot be readily assigned by gender FAO, (2010-2011). Consequently, their contribution to agricultural output is undoubtedly extremely significant, although difficult to quantify with any accuracy. It has often been claimed that women produce 60-80 percent of food FAO, (2010-2011).

2.5.4 Food Security and implications of Large scale land acquisitions

Many people in Sierra Leone believed in the potential of Foreign Direct Investment (FDI) in agriculture. Although there may be risks related due to weak monitoring capacity of the state, and weak political will. To assist and pressure the potentially less honest colleagues and superiors, I believe that international guidelines and principles could have the strong force to help reduce the damages that will be caused in the future. Especially if they are developed through an inclusive process and tailored to specific local conditions that acknowledges inequalities and asymmetric power relations both within communities and between communities, the state and investors.

In many parts of the world, farmers lack the tools, technology and rights to achieve their aspirations. Farmers in all countries of the world especially where agriculture is predominant need strong property rights to be certain that they will have their land long enough to realize the benefits of their investments. They need to have confidence that their land and crops will not be seized by more powerful interests particularly if they make productivity-enhancing investments, for example in soil and water conservation without due process and compensation. Strengthening

property rights is even more important for women, who often have fewer and weaker property rights than men, yet play a larger role in agriculture in many countries.

When property rights are clear and secure, all farmers are empowered to make better economic decisions, including whether to sell or lease their land, expand their production, recruit non-family labour, and plant long-term crops for local consumption and for the market. With clear rights to land, farmers are more likely to make investments that increase crop yields, practice sustainable farming methods that improve soil quality, and better manage their resources. At the same time, transparent land rights provide those interested with the option to move out of agriculture and encourage responsible investment for those who choose to stay. The global community has recognized the critical role that property rights play in achieving food security for all and has recently increased its support for strengthening property rights.

2.6. Summary

From the above discussion, there is no doubt that tensions still persist between feminists and the supporters of traditional patriarchal society. Feminism today is faced with the challenge of negotiating better prospects and greater gender inequalities. For this reason, civil society must remain active in efforts to cultivate the promotion of human rights, as seen in the works of organizations such as Lawyers for Human Rights and the Legal Resources Centre. It is important, indeed crucial to remain firm on the cause of women because gains in one sphere have produced new detrimental forms of gender inequality, so the battle for the total emancipation of women is far from over.

Land administration becomes unworkable where there is ambiguity in governance, inadequate resources, low legality, insensitive approaches, excessive control and lack of commitment. If, disturbingly, most of these apply, then the best solution might be to aim for less ambitious goals and merely to prepare a land policy, create a simple unified land administration organisation, recognise and support customary tenure structures, aim to establish a fair and gradually improved register of deeds with simple sporadic methods, and only to consider self-financing, systematic registration when legal enforcement and resources improve.

Workable land administration is in itself one of the factors behind sustainable development. But many of its key issues also have tangible significance. Very positive factors are associated with land tenure, including balance, security and flexibility. In a nutshell, a secure flexible all-inclusive tenure form, whether customary or statutory, provides the best basis for development. Less tangible positive impacts can be expected from good governance, an appropriate approach, land distribution and commitment. If ambiguity, low legality, insecurity, insensitive approaches, low resources and a lack of commitment prevail, then land administration will significantly disrupt sustainable development. In other words, an ambiguous, ineffective land administration that fails to serve a large part of the population and promotes insecurity of tenure is a harmful institution.

CHAPTER THREE: METHODS

3.0 Introduction

This chapter describes and justify the qualitative research methodology used to provide answers to the research questions. The chapter began by recapping the research problem being investigated. It highlighted why qualitative research methods are appropriate to collect data from the respondents and why purposive sampling was the right way to go in terms of selecting interviewees. It also looked at issues of access and entry to the research site. It further described how data was collected mainly from some form of observations, interviews with female household heads, Focus Group Discussions and key informants. We will discuss the methodology employed in this study for the purpose of collecting data required to understand the phenomenon under which this study is centred. It includes the selection of participants, the research team, the survey, ethical considerations, limitations, research design, the instruments used, data collection procedures, data presentation and analysis. Finally, this chapter will make an attempt to describe the data analysis procedures employed in the research.

3.1 Research process

We used both quantitative and a qualitative approach to design, collect and analyse the data. The goal of this method is defined as describing and understanding rather than explanation and prediction of human behaviour Babbie, (2001). Qualitative research involves exploration, elaboration and systematisation of the significance of an identified phenomenon. Babie and Mouton, (2001:270) define qualitative research as an approach in which research takes as its departure point the insider perspective on social action. It is a research approach that privileges the emic perspective that is, the lived experience of the subject, and the meaning the subjects attaches to the phenomena being investigated while quantitative research involves counting and

measuring of events and performing the statistical analysis of a body of numerical data Smith, (1988). Being deductive and particularistic, quantitative research is based upon formulating the research hypotheses and verifying them empirically on a specific set of data K, D. Bailey, (1998) while qualitative research involves an in-depth understanding of human behaviour and the reasons that govern human behaviour. In a simpler form, it investigates the why and how of decision-making, as compared to what, where, and when of quantitative research. Rees, (1997) asserts that rather than presenting the results in the form of statistics, qualitative research produces words in the form of comments and statements. Qualitative research offers insights and understandings of participants, which is unobtainable by quantitative research, but is more than just non-numerical research. It aims to study the subject in their natural surroundings and to collect naturally occurring, non-biased data. It describes in words, rather than numbers, the qualities of the subject through observation. While qualitative data analysis can take a wide variety of forms it tends to differ from quantitative research in the focus on language, signs and meaning as well as approaches to analysis that are holistic and contextual, rather than reductionist and isolationist. Nevertheless, systematic and transparent approaches to analysis are almost always regarded as essential for rigor. For example, many qualitative methods require researchers to carefully code data and discern and document themes in a consistent and reliable way. According to Creswell, (2003) qualitative methods yield large volumes of exceedingly rich data obtained from a limited number of individuals. Qualitative data collection methods include the use of photography, interviews, group and/or individual, observation, field notes, projective techniques, life stories etc. While quantitative methods include a representation of an empirical system in a numerical mathematical system for the purpose of reasoning analytically within the mathematical system.

The decision to use qualitative methodology in this study has been influenced by qualitative researchers that point out that qualitative methods permit a considerable amount of flexibility. Grinnell, (1987) points out that qualitative data with its emphasis on people's lived experiences is fundamentally well suited for locating the meanings of people, place on the events, processes and structures of their lives. The qualitative approach has many advantages which this study draws on. These include, producing more in-depth and comprehensive information, it makes use of subjective information and participant observation to describe the context, or natural setting, of the variables under consideration, as well as the interactions of the different variables in the

context. The disadvantages of qualitative method are that it is very difficult to prevent or detect researcher induced bias and its scope is limited due to the in-depth, comprehensive data gathering approaches required. Validity can be a major concern. Observers are forced to rely almost exclusively on their perceptions. They are, therefore, more susceptible to subjectivity, prejudices and selective perceptions. This can be major obstacles in participatory observation; since the researcher forms a close link with respondents and actually becomes part of the total situation Bailey, (1998).

The first aspect of the methodology was involved conducting an in depth survey of various secondary literatures that were identified as pertaining closely to key aspects of the land tenure problem. More specifically, the literatures that were studied, and the justifications for the inclusion of each, are as follows:

This first dimension of the methodology is comprised of a critical approach to a range of secondary theoretical and analytic resources, which has allowed for the construction of a broad conceptual framework for the study of contemporary land tenure. The other aspect of our methodology that need to be discussed pertains to our approach, and mode of, primary data collection. That data would of course constitute the raw material to which the theoretical framework would later be applied. And whilst some recent empirical studies were utilised, the perceived inadequacies in that work necessitated that more extensive use was made of first hand data gathered during fieldwork. Therefore, a qualitative approach to data collection, which involved conducting around seven hundred semi-structured interviews with female headed households and key informant interviews with key stakeholders, was the primary means by which this was achieved. In light of the host of methodological issues that are raised by conducting such interview-based research, ethical and other such relevant and constraining factors that were encountered.

As will be discussed later in the other chapters of the thesis, much of the contemporary published research on the subject of land tenure suffers from a lack of political and historical analysis, and has rather confined itself to a comparatively shallow and conceptually restricted econometric approach to the issue. A lengthier explanation of this situation will again be provided later, but for now I will say that two main reasons can be identified for the limitations to this study. Land tenure is an intensely political subject in Sierra Leone, for reasons that will again be outlined

later. Hence, in light of the aforementioned political economy approach to the issue adopted, it was necessary to conduct field interviews in Sierra Leone in order to try and compensate for the lack of enough evidence, and uncover sufficient information on the political and traditional dimensions of the land tenure debate.

A series of semi-structured interviews was carried out within the country between January and February, 2014. Most interviews lasted for about one hour to one hour 30 minutes, and comprised ten sections with semi-structured questions, which were varied somewhat according to the specific vocation and/or background of the individuals in question, and to which interviewees were encouraged to respond at length and in depth. Questions for the female headed households were coded questions. Whilst there was considerable variance in the questions asked, several issues central to the thesis were, in most cases, raised in some form, such as: the extent to which the interviewee considered the land tenure system as a whole and the specific problem of gender imbalance which is considered an obstacle to development; the views on the potential of land tenure reform to instigate productivity growth, as well as the efficacy of the current land grabbing problems going on within the country that is being carried out by central government (especially within the three districts; Port Loko, Bombali and Pujehun districts, where land grabbing is going on presently) and finally whether, to what extent, and in what ways they believed that politics have influenced land tenure policy making and practices, and related developmental activities. Interviewees were also encouraged to describe their own individual involvement in land tenure-related activities/projects.

3.1.1 Rapid Rural Appraisal (RRA)

We studied village centres using Rapid Rural Appraisal (RRA) methods. Freudenberger, (1994:7) has defined the methodology of RRA as “a family of methods designed to get practical information on development issues in local communities quickly”. This methodology has been improved upon through the years by allowing local people to actively participate in the collection and analysis of data. The improved version of RRA is referred to as participatory rural appraisal (PRA) Chambers, (1992). Chambers has however cautioned that there is likelihood that PRA

may be misused to describe RRA that is extractive rather than participatory. He points out that it is important to separate out definitions of RRA as a form of data collection by outsiders who then take it away and analyse it; and PRA as more participatory, meaning that outsiders are convenors, catalysts and facilitators to enable people to undertake and share their own investigations and analysis.

3.1.2 Field Pre-test

The first phase of the study was a pre-test of the five districts and in each district one community was selected to test the relevance of the research tools and how quick can respondents be able to understand the questions was the purpose of this first aspect.

In planning and coordination of the research, a pre-test activity was held between 3rd – 5th January 2014 across five selected districts as a sample trying to capture whether this work will identify the various forms/types of harmful traditional practices in Sierra Leone and its effects on women's landownership, enumerate the factors that support the persistence of the culture and people-centred solutions in Sierra Leone, determine the effectiveness and application of the domesticated legal instruments-the three Gender Acts 2007 in safeguarding women in Sierra Leone, and assess the current roles of the Government of Sierra Leone in promoting the rights of women towards land in Sierra Leone.

As part of the fulfilment of this research, the pre-test activity was conducted in these five districts Bombali, Tonkolili, Western Rural, Bo and Kenema districts. Targeting one female household head each. This process plays an important role in providing a strong background ascertaining whether the objectives of this research are in line with the questions in the questionnaire to address the issues stated above in chapter one. Moreover, the aim of the pre-test was also to determine the applicability of the questions to the current burning issue and check whether the timing is appropriate for the interviews and how well understood the subject matter would be to the interviewees and the interviewers.

This activity started with a brief introduction which is the normal norm in the targeted communities with a group of stakeholders involving local leaders, youths and women

respectively. The introduction gives a clear picture on the process of the entire research. Communities were receptive and with enthusiasm cooperated with the enumerators to conduct the pre-test. At this point the researchers understudy the trend at which the questions were asked, how the perception of the respondent influences greater discussion to generate realistic information, taking in to consideration the different languages spoken in the targeted areas, their perspective about gender (male and female) and issues affecting both sex with emphasis on land ownership and its impact on food security.

Challenges from the pre-test

Some of the enumerators are not familiar with the issues containing the questionnaire. As a result of this, inappropriate information was captured during the pre-test of the questionnaires. This gave rise for the lead researcher to organize another sessions (debriefing) of the content of the questionnaire with the enumerators. After which, enumerators were then able to interpret the questionnaire in a simpler way that responded could easily understand and provide relevant information pertaining the questionnaire.

3.2 Questionnaire survey

The second phase of the fieldwork involved administering a short and structured questionnaire to a sample of heads of households in each village. The questionnaire was designed and carried out on the basis of insights derived from the RRA. The objective of the questionnaire survey was to reveal trends or common patterns within the research communities relating to land tenure issues, livelihoods, credit and how customary or traditional practices affects or promotes gender relations with regards to the present land tenure systems. The questionnaire was designed in the form of an interview schedule and was divided into sections. These sections covered questions on: (i) Demographic information, (ii) Land acquisition, (iii) Inheritance (iv) Land Rental, (v) Land Allocation, (vi) State Distribution, (vii) Marital property practice. (viii) Gender specific land use, (xi) Purpose and benefits of using land and (x) Traditional and customary practices. Although pre-coded answers were provided for each question, respondents could provide

answers that were outside the answer categories provided and these answers were jotted down on notebooks.

A fieldwork team of twelve researchers were recruited, plus four team leaders. The team leaders were lecturers and staff at the University of Makeni and have got a very good experience in doing research. The field researchers were students from the Faculty of Social Science and the Research department at the above mentioned university. All the researchers employed were locals and were competent in English and the local languages spoken in all the communities we interviewed. This is one of the criteria for recruitments to the research team. The field researchers were trained in the administration of the questionnaire over a period of three days. During this period, all questions in the questionnaire were analysed and later translated those sentences that we think were difficult to understand by the participants into the local languages, so as to ease the burden of translation on the field. The questionnaire was pre-tested and corrections were made.

3.2.1 Interview and translation effects

There is always a risk that respondents tell the researcher what they believe the researcher want to hear McCracken's (1988); Mikkelsen's, (2005). I tried to avoid this by explaining that I was a research student, that they could chose to be anonymous, the information being given is for academic purposes and that we were only interested in their views.

None of the female respondents asked specifically to be anonymous, and they did not seem to be afraid of speaking about sensitive issues. But I have chosen to leave out the identities of the respondents for purpose of the study in order for them not to get into any trouble especially with their local chiefs and village heads. In many of our communities here in Sierra Leone especially in the Northern region, women were not until lately been allowed to talk to strangers. But also, taking into considerations that the researchers used were Sierra Leonean citizens familiar with the customs, norms and traditions of their enumeration areas.

Semi-structured interviews were carried out with two randomly selected people in the concerned villages. These included one female head of household, one village headman, one male or female

member of a youth organisation, and one male or female member of a farmer's organisation and one landless tenant. This sample was mixed and intended both to obtain key-person opinions and to learn more about the area and issues to be covered as well as to probe for other suitable individuals and groups to interview.

3.2.2 Defining the Household head for this study

This survey concentrated on the characteristics of the basic economic and social unit of the Household. A household was defined as a person or group of persons related or unrelated who live together and make common cooking arrangements. Simply put a person or group of persons eating from the same cooking pot. In the SLIHS survey, a household head was defined as the person who makes economic decisions in the household, the breadwinner. A household member included all persons who have lived in a household for at least 3 months. The Demographic characteristics examined here include; age, sex, household composition, religion, ethnicity and nationality of the households SLIHS, (2004). In the present constitution of Sierra Leone, there is no article that states which of the parents is the head of the family, and in principal both parents share parental authority World Bank, (2013). However, custom generally grants these positions to men CEDAW, (2012). Therefore, for the purpose of this research, all household heads are female. Looking at their marital status and the roles they play both in their homes and in their communities.

Under General Law, husbands have the duty to maintain their wives and children, including the provision of a home, food and clothing. This duty is not similarly imposed on wives, who instead have the duty of conducting all household chores CEDAW, (2012). These roles are changing over time. In most communities, women play the role of the latter. Most of the men are just there as the figure heads and for security reasons. When it comes to decision-making, the 2008 DHS reports that decisions over how to use the cash earnings of wives are primarily made jointly between husband and wife (37.2%), although in many cases it is either the wife (34.2%) or the husband (26.5%) who primarily decides. A similar scenario is reported with regard to decisions concerning the purchase of daily household needs: 25.3% primarily the wife, 38.0% the husband

and wife jointly, and 34.8% primarily the husband decides. Decisions over major household purchases tend to be made either primarily by the husband (49.4%) or jointly by the couple (39.4%) and more rarely primarily by the wife (9.6%) DHS, (2008 p.240).

3.2.3 The researchers view on “the field” and respondents

Generalizability

There may be some generalization problems in conducting qualitative research with relatively few respondents from this broad respondent group of this nature. However, I chose the above-mentioned methods in order to obtain detailed and unpredictable answers. It was not the aim of this study to generalize the perceptions and views of entire groups. But the sampling of respondents in impacted communities were done on a take what you get basis, the sampling in the villages were varied. It is my impression that the methods and sampling used ensured that the answers from the respondents within the sampled communities are generalizable for the majority of the entire population in the country.

Validity

The research, both the literature review and field study were carried out in ways to obtain the purpose of the study. Most interviews with key informants were of an unstructured character even though they were prepared to ensure that answers obtained would help to obtain the purpose of the thesis and to answer the research questions. A semi-structured interview template based on the research questions, as well as lessons learned from probing interviews and observations, was created and used both for the personal and group interviews in the villages. The use of the template ensured that the answers helped to obtain the purpose of the thesis and to answer the research questions.

3.2.4 Study Target population

For the purpose of this study, we used the target populations for female headed households as sampled, based on the Sierra Leone Census 2004 population distribution in different communities. The respondents constituted of widows, divorced and unmarried women. The sample size varies, depending on the location and size of the locality. The Sierra Leone Integrated Household survey estimated a mean household size of 5.9 persons per household across the country with a national population of about 48 percent males and 52 per cent females. The survey also shows that 39 per cent of the population lived in the urban areas whilst 61 per cent live in the rural settlements Census, (2004).

One out of every five households is headed by a Female, with the proportion of female-headed households slightly higher in rural areas (10.19%) than in the urban areas (8.68%). This is an indication of the role of women and the need to empower women to be self-reliant. The population in general was quite young; about 69 percent of the population was under 30 years of age. Therefore, we used the sample frame for the said total to select the number of households we used for the purpose of this research.

The women selected for this study have in one way or another experienced customary practice such as wife or widow inheritance, polygamy, patrilineal inheritance of land and property stripping. The choice for the sample size was mainly based on the need for accuracy required by the researcher and the degree of variation in the sample Babbie, (1990).

Qualitative methods (i.e. In-depth interviews and focus group discussions) was also utilized to collect additional information at various levels within communities in order to discover, in more detail, the harmful impact of traditional practices on the living condition of women. Women and men who were willing to share their experiences of land rights issues, were interviewed using focus group discussions. Additionally, perceptions and experiences surrounding traditional cultural practices and beliefs will be explored to discover reasons why people adopt or do not adopt certain behaviours with regards to landownership in Sierra Leone.

3.2.5 Selection of Participants

The population lists produced from the Sierra Leone Housing census 2004 were used as a sampling frame for the households to be interviewed. The number given during the participatory social mapping and census exercise identified each household. It should be noted that the survey technique by questionnaire, which is often associated with the positivist approach, was used as a preliminary to the main qualitative study. The samples were small and were meant to show patterns through distribution tables and to be used in tests of statistical significance. The total figures of household will be seen on tables that will be presented here in this chapter.

The importance of information from the questionnaire was that it was used to complement the RRA in presenting the overview socio-economic and environmental context of the communities under study. In particular, the survey revealed patterns in village demographics, household land holdings, economic activities, farming systems, access to credit, and household asset variations. In this way it served the intended purpose of providing quantified background data in which to put in context the small-scale intensive and qualitative studies in the two case study sites. Thus, the questionnaire survey technique was useful as a data condenser to give a picture of the whole sample in summary form concerning land tenure and livelihood trends in the two case study areas. The information also complemented and enhanced the data collected through in-depth qualitative methods in the last stage of the fieldwork to support interpretation.

For the purpose of this research, the study population consists of seven hundred and five female household heads, approximately ninety-four focus group discussions were conducted with between 10-12 participants making an approximate total of nine hundred and forty group participants in all and at least Ninety-four key informants who lived in the forty seven research sites were interview during the process.

The participants include; female headed household, women, teachers, local government representatives, NGO staff and civil society groups representatives. Such a range of actors was selected for interview in an attempt to garner a representative array of views that would

correspond to the range of persons and organisations that have inputted into the contemporary debate on land tenure reform. For focus group discussions, community members were requested to participate in an interview on the grounds that they had published material on the subject of land tenure and perhaps that document will in the future help to influence new laws and policies regarding to land issues in the country.

The researchers made a deliberate effort to include both adult male and female, in special groups according to their sexes. Special attention was given to working with women as well as men since many of the gender issues are concerned with men as well and men have important gender issues to talk about because most times when issues of gender are talked about people only consider women components. By collecting information from different groups such as young women, young men, adult women, and adult men, it was possible to simultaneously learn about the views of each group and to contrast the perceptions of adults (men and women) and young people.

Table 1. Study participants and method of data collection

Level	Method of data collection	Participants
District	In-depth Interviews	District Council, Agricultural Ministry representative, Civil Society groups representative
Chiefdom	In-depth Interviews	Paramount Chief, civil society groups Representative, village Elders/Leaders
Community	Focus Group Discussions	Women 15-59 years, Village Elders/Leaders, Men

3.2.6 Research Team

The research team included a mix of final year students from the faculty of Social Science and the Research Department at the University of Makeni, all of whom had had some research experience, keen ethical sensitivity, and in depth understanding of the local culture and languages of Sierra Leone. There was the lead National Researcher and four other team leaders (Lecturers and staff) that contributed to the development of the methodology and supervised the data collection by a team of two researchers in each community. The rest of the field researchers (students) who worked under the supervision of the Team Leaders had been selected for their prior experience in qualitative research, motivation, openness, and flexibility.

i. Selection, and training of Field Researchers

This aspect of the research was to prepare the field researchers for their work; a three days preparation training session was conducted January 8th-10th, 2014 in the Abatti Hall, at the University of Makeni under the joint leadership of the Lead national researcher and the national team leaders. The session was aimed to develop the skills needed to collect quality data, sharpen ethical awareness and ability to manage challenges that might arise, and to field test and finalize the research tools, which are described below. We used a highly participatory methodology that included role plays, discussion of ethical dilemmas, group problem-solving discussions, and field experience in participant observation, group discussions, and in-depth interviews. These activities were guided by an action-reflection methodology wherein group reflection and problem-solving followed each activity. A two one hour and twenty minutes long in-depth interviews of a flexible nature was used to learn about the views of individual participants. This group process created a spirit of mutual learning and camaraderie, and it also helped to identify specific improvements in the research tools and processes. After the training session, the team Leaders worked with the field researchers in their respective sites, offering mentoring and

supervision to ensure the collection, recording, storage, and sharing of data of high quality. They supervised the research design and methodology and the collection of quality data, ensured that the research met appropriate ethical standards. Whilst the lead national researcher led the process general supervision and of data input, and will prepare technical reports on the research and its findings (research work still in progress).

3.2.8 Site selection

The selection of district research sites was guided by criteria such as security, accessibility, diversity, and availability of NGO partners that can help support the research. The number of communities that were sampled is based on the size of that district and number of households that are there. In some districts, you have four communities with a number of fifteen households each. In some other districts, there are two communities, some three communities and off course western area rural has eight communities in all. This is due to its large geographical area and vast number of populations in this part of the country. All of the analysis on how the sites were selected will be shown later in a tabular form.

For purposes of depth of learning, the research did study a nationally representative sample of villages and chose to focus on selected communities in all districts of the four regions of Sierra Leone which according to the sample frame it represents the entire country although it is not sufficient to say that the views gathered are the views of all Sierra Leoneans. Through a sampling approach, forty-seven communities were selected from the sample frame as the research sites using the sample frame from the Sierra Leone census 2004 that reflects diversity and including both rural and urban communities. Considering the time and other constraints that we had for the period of the research, the location sites were selected based on distance and accessibility into these communities. In each district, with the consultation of district officials, NGO workers and Chiefs we were able to have easy access into the communities and the selection of the houses and women to be interviewed.

3.3 Research procedures

According to Grinnel, (1987), a procedure refers to prescribed specific manner in which the goals are to be achieved. The study was conducted in all fourteen districts of Sierra Leone. Permission was sought from the community leaders in the selected communities before the information gathering process started. This has always been the case in the rural areas. Although majority of the people in rural Sierra Leone understands the national language which is krio¹³, there were incidences where the interviewees did not understand the questions, they preferred some of the questions translated into the local language they understood well. That was why when we were selecting the interviewers, we selected them based on the preferred languages spoken in each of these communities. Meaning, we selected researchers according to the familiarity or knowledge of the location and the language spoken in each community. The focus group participants, who preferred to speak in their own preferred local languages, were given the opportunity to do so. The scripts were transcribed and translated into English before analysis. Each interview was conducted at a meeting place identified by the participant as convenient, usually a workplace, home, or public outside meeting area. Focus group discussions were mostly held in school buildings and community halls in some communities. Individual interviews lasted between 1 hour to a one hour and twenty minutes' duration for each respondent, on average, and focus group discussions were held for about 90 minutes per session. Appointments were made through mobile phones for interviews dates for key informants, some of them were there in the communities already. Interviews were conducted by the researchers and four trained local research assistants helped in the supervision of the entire process. One team leader was stationed in each of the four regions in Sierra Leone. These team leaders are Lecturers from the University of Makeni. The researchers were mostly final year students from Social Science Faculty at the University of Makeni.

¹³ Krio is the national dialect spoken by almost everybody in the country and everybody understands it in all localities. It is a mix of languages, majority of the words are from the English language. This was learnt from the freed slaves that came to settle in the country after the abolition of the slave trade.

It was very difficult to make appointments via e-mail and phone with key informants in the different locations especially in the urban areas. Although very few key informant interviews were done through email exchange. Sometimes one had to wait for hours in vain at their offices because they were too busy to receive me. Government officials and civil servants were sometimes not able or too reluctant to share detailed information on for example contracts on land acquisitions under negotiations. But in most cases for some of the key informants in the villages we were able to meet them on site and personal meetings were held without making any long meeting appointments.

3.3.1 Entering into the sites

As it is the ritual, the first step in the site visit was to meet with the Paramount Chief, who is the traditional leader and highest authority in the chiefdom. If the he or she is not present at the moment, a phone call was made to him or her, and he will assign the researchers to other community elders or authorities whom the Chief has recommended. These meetings demonstrated respect to the local leaders and served as venues for explaining the purpose of the research and inviting support and collaboration. Typically, Chiefs and elders expressed interest in the research idea and seemed interested by its focus. Subsequently, the prospective villages were visited for purposes of relationship building, verifying information on the villages, and learning more about the sites. The village meetings typically began with a discussion with the village Chief or other village leaders and elders in order to demonstrate respect, explain the purpose of the research, and invite support.

Upon our arrival in the villages, it was easy to get in touch with village chiefs, heads of landholding families, and representatives for farmer organizations and other stakeholders. We did not have problem since all of the enumerators were selected based on the languages they speak and their familiarity with the areas in which they were posted. The people were curious and eager to help. The village leaders or others allowed us access to move freely around in the villages or talk to any inhabitants. Except that there are some places within the communities that they would not let us go to. These are areas referred to at their shrines or secret society bushes.

No categories of people in the villages seemed to be reluctant to share their views. However, I observed a gender and class dimension. Women, especially those that came from very poor families, were sometimes less active in group interviews and somehow afraid to share their views.

For the purpose of the study it was also important get in touch with potentially more marginalized people such as landless tenants and women. These groups of women were included in the group discussions. People from some better off families, especially those that are somewhat educated like teachers, local nurses were also very active to talk during group discussions. It is evident that some respondents were reluctant to share opinions, especially opinions that may have opposed the general view in their particular village in front of fellow villagers. Therefore, we made sure to have informal conversations with individuals and small focus groups.

Discussions under informal circumstances often turned out to be more suitable than semi-structured interview situations. Respondents in the villages often provided valuable information during informal discussions that were carried out before and between the more organized personal and or grouped interviews this occurs when the researcher try to socialize with them. In some parts of the country, we asked people to show us their lands and plantations or farms, their agricultural methods, refinement of oil palm nuts or cassava etc. and people sometimes spoke more freely during these occasions than during semi-structured interview situations. Informal discussions were carried out with respondents from all social categories in the villages. Many interesting informal discussions were conducted with young men and women from different social categories who had been very keen to meet strangers and are always willing to talk. Informal conversations were carried out with at least two or three people per village.

3.4. Research methods

A household survey was conducted in order to quantify levels of traditional cultural practices and beliefs within communities that affect women's landownership and its overall effect on food security. Qualitative methods (i.e. In-depth interviews and focus group discussions) were also

utilized to collect additional information at various levels within communities in order to discover in more detail, the harmful impact of traditional practices on the living condition of women. Additionally, perceptions and experiences surrounding traditional cultural practices and beliefs were explored to discover reasons why people adopt or do not adopt certain behaviours with regards to landownership in Sierra Leone.

The research approach used was mainly in-depth in character and was complemented by Rapid Rural Appraisal (RRA) methods and a small-scale socio- economic survey. Rapid Rural Appraisal methods used include focus groups, key informants and the approach was eclectic in the sense that it combined some elements from the positivist, and interpretative approaches to constitute a methodology, that embraces qualitative and quantitative methods of research.

3.4.1 Sampling

On the field, the researchers used purposive and convenience sampling to select two key informants in each community where the process was carried out. Participants were selected using convenience sampling. Community leaders were asked to help identify and invite representatives from the target groups (for e.g. Women 15-59 years) and to participate in the study. All FGDs and IDIs was carried out anonymously, meaning that all data that was collected from individuals will not have any personal identification information included on the data form. The key informants in this study consisted of a government official or representative from the local government departments, teachers in some communities, Food and agriculture officials, Traditional leaders, be they male or female, people from civil society groups within the communities, representatives working within the Land and Agriculture Ministry and also experts working on projects that promotes the rights and empowerment of women. Strydom and Venter, (1996) describe sampling as the process of taking a portion of a population as a representative of that population. The process of sampling is necessary due to large size of a population and the consequent impracticality and prohibitive cost of testing each member of any population Denzin, (2000).

3.4.2 Probability Sampling

The type of non-probability sampling that was used is purposive sampling. Purposive sampling is when you select your sample on the basis of your own knowledge of the population, its elements and the nature of the research aims, in short based on the judgement and the purpose of the study Babbie, (2001). Purposive sampling procedures were used for the purpose of drawing a representative sample, from whose findings generalizations to the bigger population can be made. Advantages of purposive sampling are that people who do not fit the requirements are eliminated and it is less expensive as it involves lesser search costs. A limitation of purposive sampling is that, it is the responsibility of the researcher to choose participants, there is a possibility that the researcher could be wrong in choosing suitable participants for the study Gillham, (2000).

This method was used to generate household data/information. Data generated by this method must statistically enable projections over populations, and support valid conclusions and recommendations based on the sample population studied. Below is a detailed explanation of sampling procedures, sample size selection, as well as the sample allocation for the entire process.

3.4.3 Sampling frame

A sampling frame is one of the most important basic materials necessary for a probability based survey sampling. It allows a variety of ways to select a random probability sample, which guarantees a positive chance to be selected for every sampling unit of the target population. For a household based cluster survey, a sampling frame of Primary Sampling Units (PSUs) is a complete list of area units or administrative units covering fully the target population of the survey. Such a list could be the list of Enumeration Areas (EA) created for population census;

high resolution satellite pictures covering the target survey area; basic administrative units covering the target population, etc. In most cases the census EAs is the best sampling frame for household based surveys since they have the following characteristics:

- Full coverage of the target population
- Appropriate EA size for field work load
- Well maintained/updated social-economic and demographic information such as type of residence, number of households and inhabitants, etc.
- Officially recognized geographical/administrative classifications
- Cartographic materials (maps) with easily identifiable boundaries available for every EA

For most of the household based surveys, the census frame is the best frame for PSU selection.

In addition to the administrative units, during the 2004 Sierra Leone Population and Housing Census (SLPHC 2004) conducted by Statistics Sierra Leone, each administrative section was subdivided into convenient area units called Enumeration Areas (EAs). An electronic file of a complete list of all the EAs is available. The list contains census information on household, population, urban, rural specification and administrative structures for every EA. Therefore, the census EAs will be used as primary sampling units (PSUs), also called clusters, for the study. The sample of the study will be selected from the frame of PSUs constituting the targeted districts/areas. An analysis of the frame of PSUs constituting the targeted areas/districts will be done to determine relative proportions of the stratified sub-levels.

Table2: Distribution of Enumeration Areas (EA) and their average size by district

Domain (District)	Number of EAs			Average number of households per EA		
	Urban	Rural	Total	Urban	Rural	Total
Kailahun	86	618	704	109	90	92
Kenema	312	691	1003	99	84	88

Kono	109	496	605	180	79	97
Bombali	166	644	810	93	72	76
Kambia	84	422	506	81	72	73
Koinadugu	41	468	509	91	85	86
Port Loko	124	767	891	85	72	74
Tonkolili	122	703	825	74	62	64
Bo	251	586	837	115	80	91
Bonthe	53	310	363	70	70	70
Moyamba	67	549	616	57	75	73
Pujehun	49	428	477	76	75	75
Western Area Urban	1349		1349	99		99
Western Rural District	90	86	176	196	145	171
Sierra Leone	2903	6768	9671	102	77	85

In total, there are 9671 EAs in Sierra Leone. 2903 EAs are located in urban areas and 6768 EAs are located in rural areas. On average, a census EA has 102 households in the urban areas and 77 households in the rural areas, with an overall average of 85 households per EA. In Table 3 below we give the distribution and proportion of households by domain, and by urban rural residence. In Sierra Leone, 35.8% of the household population lives in urban areas and they occupy 36.3% of the households according to the sampling frame. The statistics obtained from the sampling frame have no difference compared to the census report; this means that the sampling frame covers the whole country.

Table 3: gives the distribution and proportion of households by domain, and by urban rural residence.

	Households	Proportion
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Domain/District	Urban	Rural	Total	Urban	Rural	Domain
Kailahun	9353	55573	64926	0.14	0.86	0.079
Kenema	3078 3	57773	88556	0.35	0.65	0.108
Kono	1964 2	39184	58826	0.33	0.67	0.072
Eastern Region	5977 8	15253 0	21230 8	0.282	0.718	0.259
Bombali	1550 3	46408	61911	0.25	0.75	0.076
Kambia	6793	30346	37139	0.18	0.82	0.045
Koinadugu	3714	39986	43700	0.08	0.92	0.053
Port Loko	1055 2	55038	65590	0.16	0.84	0.08
Tonkolili	9058	43803	52861	0.17	0.83	0.064
Northern Region	4562 0	21558 1	26120 1	0.175	0.825	0.319
Bo	2893 2	46868	75800	0.38	0.62	0.092
Bonthe	3701	21784	25485	0.15	0.85	0.031
Moyamba	3857	41366	45223	0.09	0.91	0.055
Pujehun	3712	31927	35639	0.1	0.9	0.043
Southern Region	4020 2	14194 5	18214 7	0.221	0.779	0.222
Western Area Urban	1341 38		13413 8	1	0	0.164
Western Rural District	1761 7	12443	30060	0.59	0.41	0.037
Western	1517	12443	16419	0.924	0.076	0.200

Region	55		8			
	297	522	819			
Sierra Leone	355	499	854	0.36	0.64	1

Table 4: Proportion of female households and their proportions

District	Strata			Proportion		
	Urban	Rural	Total	Urban	Rural	Domain
Kailahun	15335	4089	19424	0.789487	0.210513	0.090024
Kenema	9716	8342	18058	0.538044	0.461956	0.083693
Kono	7785	3937	11722	0.664136	0.335864	0.054328
Bombali	12050	5062	17112	0.704184	0.295816	0.079309
Kambia	6148	2026	8174	0.752141	0.247859	0.037884
Koinadugu	10234	2074	12308	0.831492	0.168508	0.057044
Portloko	11169	3488	14657	0.762025	0.237975	0.067931
Tonkolili	9482	3196	12678	0.74791	0.25209	0.058759
Bo	9755	10267	20022	0.487214	0.512786	0.092796
Bonthe	5712	1423	7135	0.800561	0.199439	0.033069
Moyamba	11158	1959	13117	0.850652	0.149348	0.060793
Pujehun	8695	1486	10181	0.854042	0.145958	0.047186
Western urban	12048	0	12048	1	0	0.055839
Western Rural	298	38830	39128	0.007616	0.992384	0.181346
Sierra Leone	129585	86179	215764	0.600587	0.399413	1

3.4.4 Sample Size

In order to make the survey focused and tailor made to the study needs, the research covers all regions and districts in Sierra Leone to ensure the indicators represent the country as a whole. The target sample size for the study was calculated as 705 households.

The following formula was used to estimate the required sample size, n :

Where,

- n is the required sample size, expressed as number of households;
- 4 is a factor required to achieve the 95 % level of confidence.
- r is the predicted or anticipated prevalence (coverage rate) of the key indicator;
- f is the shortened symbol of Design effect. Here we use 1.5
- 1.1 is the factor necessary to raise the sample size by 10% for non-response;
- $0.1r$ is the margin of error to be tolerated at the 95% level of confidence;
- p is the proportion of the total population upon which the indicator, r , is based; and,
- h is the average household size in Sierra Leone.

For the calculation, r (proportion of women engaged in the agriculture sector) is estimated to be 51% (source: 2004 Population and Housing Census). The value of the design effect, f is taken as 1.5 based on surveys of similar kind, p (proportion of the base population in the total population) is taken as 14%, and h (average household size) is taken as 6. Using the formula above, the number of required households is calculated as **705**. With a cluster size of **15** households, the total number of required clusters/EAs is **47**.

INPUT VALUES			OUTPUT VALUES	
Parameter		Value	Estimates	Value
Predicted value of indicator (in target/base population)	r	0.51	Estimate, r	0.51
Design Effect (DEFF)	f	1.5	Confidence Limits	
			(at 95% Confidence)	
Relative margin of error at 95% Confidence	RME	0.1038475	Upper	0.562962
			Lower	0.457037

Proportion of base population	P	0.14		
			Number of Households	705
Average Household Size	h	6	(Sample Size)	
Adjustment for Non-Response	AdjN			0.02648112
	R	1.1	Standard Error	5
Cluster Size		15	Number of clusters	47

3.4.5 Sample allocation and selection

The allocation was done in two steps: firstly, a proportional allocation was used to allocate the target number of households to each study domain; then the domain sample size will be proportionally allocated to each sampling stratum (that is, the urban and rural areas of each district) within the domain.

The sample was randomly selected using a two-stage cluster sampling methodology; using the census frame for all the districts. Stratification is achieved by separating each district into urban and rural areas. In total, 27 sampling strata have been constructed. Samples were selected independently in each stratum, by a two was stages selection. The first stage was involved in the selection of EAs while the second stage involved in the selection of households in the selected EAs. In the first stage, sample size of 47 EAs were selected from 9671 EAs making the sampling frame, with probability proportional to measures of size (PPS); where measure of size will be the number of households from the 2004 population and housing census.

Samples were selected independently in every stratum (urban, rural), with a predetermined number of EAs selected within each stratum. By using a probability proportional to size selection at the first stage's sampling, an implicit stratification and proportional allocation will be achieved at each of the lower administrative levels of the districts, by sorting the EAs, within each sampling stratum, according to lower administrative units.

Before the main survey, household selection was carried out in the field, in all of the selected EAs. Household selection in the second stage is an equal probability systematic selection of fixed size: 15 female headed households per cluster. With a fixed second stage sample size, it is

easy to allocate the fieldwork load to different interviewers and easy to control the field work quality.

Table 5. Sample allocation of Households and EAs by Domain and by stratum

FEMALE HEADED HOUSEHOLDS				
District	Total	Proportion	SAMPLE SIZE	
			Household s	Clusters
Kailahun	19424	0.090024	60	4
Kenema	18058	0.083693	60	4
Kono	11722	0.054328	30	2
Bombali	17112	0.079309	60	4
Kambia	8174	0.037884	30	2
Koinadugu	12308	0.057044	45	3
Portloko	14657	0.067931	45	3
Tonkolili	12678	0.058759	45	3
Bo	20022	0.092796	60	4
Bonthe	7135	0.033069	30	2
Moyamba	13117	0.060793	45	3
Pujehun	10181	0.047186	30	2
Western urban	12048	0.055839	45	3
Western Rural	39128	0.181346	120	8
Sierra Leone	215764	1	705	47

3.5 Ethical Considerations

According to Strydom, (1998; 24), he defines ethics as a set of moral principle which is suggested by an individual or group, is subsequently widely accepted, and which offers rules and behavioural expectations about the most correct conduct towards experimental subjects and respondents. The study did not expose respondents to any harm be, it physical, emotional or

psychological. The researchers explained to the respondents what the research was all about, and how it would benefit them and other people.

This study requires that participants expose issues that they may consider extremely private. Recognizing that such revelations may have far reaching implications for the participants, the principles of voluntary participation and informed consent was implemented during identification of interviewees and their recruitment to the study Babbie and Mouton, (2001). Land issues can be quite contentious among the members of the immediate family or in-laws of the widow as well as all other gatekeepers of culture and tradition. Where relationships between widows and in-laws may already have been strained consequences of the research could have led to further strain to the relationships. To ensure no harm to the participants the study adhered to the principles of confidentiality and anonymity.

The research was conducted in a manner designed to ensure that the benefits to participants outweighed any costs or unintended harm, and that the research process embodied the ethical principles of humanity, impartiality and neutrality. Recognizing that in practice, researchers often cause unintended harm, careful steps were taken throughout the research to strengthen ethical awareness, to prevent and manage Do No Harm issues, and to provide ethical oversight. Ongoing reflection and discussion of ethical issues by the researchers and local stakeholders who have keen insight into the local context has been a central part of the methodology.

3.5.1 Informed Consent

Obtaining the approval and support of the Chief is necessary on entering the villages. Will village people feel free to not participate in the research when the Chief has expressed his or her support for it? Well educated outsiders are typically viewed by villagers as wealthy, powerful, and in a position to help meet basic needs. Will village people fear that by saying No ‘they might reduce the chances of getting support for themselves, their families, or the entire village?

How can the purpose of the research be explained in a way that people understand and that does not raise unrealistic expectations?

What does informed consent mean in a collectivist context?

Is it appropriate to ask a woman to participate without having obtained the husband's permission in advance?

We all agreed that to do the research in an ethical manner required ongoing reflection and a self-critical stance in which one views one's own work through the lens of the Do no harm perspective.

3.6 Research tools and instruments

An instrument is any tool that is used in data collection. Babbie, (2001) defines a research instrument as a tool that is used for collecting data needed to find solutions to the problem under investigation. The researcher used interviews, focus group discussions, and key informants as her instruments. Interviews are face to face meeting between the interviewer and the interviewee Smith, (1995:18). For the purpose of this study semi- structured interviews were used.

Semi -structured interviews were used as the principal data gathering techniques for this study. The semi -structured interviews are defined as those organized around areas of particular interest, while still allowing considerable flexibility in scope and depth Neumann, (2000). Semi-structured interview questions were used to allow participants to engage in a process of exchanging information and experiences. This technique was deemed appropriate for the data gathering process among the widows because, it allows for an open interview that enables the subject to speak freely. The advantages of semi- structured interviews are that they provide the opportunity to pose questions in an open-ended manner as the researcher aims to elicit responses of an introspective nature, it is flexible and participants' ideas guide the process.

The disadvantages of semi structured interviews are that it can be difficult to elicit participation from individuals who have time constraints; documentation and analysis can be time consuming and may require the help of someone versed in qualitative analysis. Key informant interviews are qualitative in-depth interviews with people who know what is going on in the community. The purpose of using in depth interview was to elicit from the key informants what they know vis-à-vis the focus of a particular study Gillham, (2000).

The advantages of using key informant interviews in this research were to collect information from a wide range of people including government officials, professionals, who have first-hand knowledge about the community and woman land rights problems, this allowed the interviewer to establish rapport with the respondent and provided an opportunity to build relationships. One of the weaknesses of this method is that the researcher might face challenges in selecting the right key informant Neumann, (2000).

We used focus group discussions as a data gathering tool. Kruger, (1990) defines focus groups as a carefully planned discussion designed to obtain perceptions on a defined area of interest in a permissive non-threatening environments. A focus group is a form of qualitative research in which a group of people are asked about their attitude towards a product, service, concept, advertisement, idea, or packaging Neumann, (2000). Group discussions of approximately 90 minutes' duration with approximately 10-12 participants were used to identify the issues that are responsible for the way in which women are perceived in each community. The discussion participants came from a pre-defined sub-group such as young women, and men and adult men and women. Within each group, participants were selected with an eye toward capturing diversity of, for example, socio-economic status and ability status. Questions were asked in an interactive group setting where participants are free to talk with other group members. The main purpose of focus group research is to draw upon respondents' attitudes, feelings, beliefs, experiences and reactions in a way in which would not be feasible using other methods, for example observation, one-to-one interviewing, or questionnaire surveys. These attitudes, feelings and beliefs may be partially independent of a group or its social setting, but are more likely to be revealed via the social gathering and the interaction which being in a focus group entails Creswell, (2003). Compared to individual interviews, which aim to obtain individual attitudes, beliefs and feelings, focus groups elicit a multiplicity of views and emotional processes within a group context. In a focus group the researcher is interested in such things as how people respond to each other views and build up a view out of the interaction that takes place within the group. As with most other methods of qualitative inquiry, its use is expected to adhere to a number of prescriptions, some of which touch on: Size of the group-the number of participants appropriate for a group Babbie and Mouton, (2001). In line with the assertion of Krueger, (1988) that focus groups involve small groups of people with particular characteristics convened for a focused discussion of a particular topic. The researcher used 4 focus group discussions which comprised

of ten to twelve participants in each group within the selected communities. The participants in the focus groups comprised of women between the ages 18-59 years from different works of life. The advantages of this technique are that focus group discussion produces data and insights that would be less accessible without interaction found in a group setting. Focus groups also provide an opportunity for disclosure among similar others in a setting where participants are validated. One of the challenges of focus groups is that it tends to become influenced by one or two dominant people in the session thus making the output very biased. The moderator plays an essential role in handling the situation, but if the moderator is not experienced enough, it is very easy for the whole discussion to be dominated by a few people Cresswell, (2003).

In order to learn about linkages between community processes and gender issues, especially with special interest on women's empowerment issues, key informant interviews were conducted with Chiefs, NGOs, local government staff, civil society organizations. At the district level, interviews were conducted with members of the District Council, staff of the Ministry of Social Welfare Gender and Children's Affairs (MSWGCA), a representative of the Ministry of Agriculture where present. More emphasis was placed on in-depth interviews. This phased approach aimed to build the trust that was needed for in-depth interviews, and the early conduct of group discussions was intended to provide a snapshot of similarities and differences of views in the community, identify people who should be selected for in-depth interviews subsequently.

However, there were numerous logistical and other challenges necessitated adjustments to the plan and the use of a flexible, contextualized approach.

The plan for data collection called for the availability of two researchers in each community to conduct two focus group discussions in each research location (one each with adult female and adult male), fifteen in-depth interviews with female headed households and at least two key informant interviews in each community. More emphasis was placed on in-depth interviews. This is aimed at building the trust that was needed for in-depth interviews, and the early conduct of group discussions was intended to provide a snapshot of similarities and differences of views in the community, identify people who should be selected for in-depth interviews subsequently.

Due to the nature of the data/information that was generated, a mixed methods approach was utilized in order to capture both quantitative and qualitative measures with regard to land tenure systems and management.

The initial research plan was for two researchers, who spoke the local language of a certain community, to live in a particular village for one week and to collect information using methods such as participant observation, in-depth interviews and group discussions and key informant interviews. However, this has not been the case. We managed to get at least one of the researchers to be able to speak the local language of each community visited. However, this has not got much difference even if both of them were able to speak the language, because we were able to capture and rectify certain problems encountered with regards translating few of the questions or rather simplifying the questions which were a bit too technical or complicated for uneducated rural people to understand.

3.7 Summary of Research Tools

The various research tools are summarized below, and the revised tools are;

Participant observation: The field researchers lived in their respective research sites approximately four days, to understand how the sampling of the households will be done and which members of the households to be interviewed.

In-depth interviews: The field researchers conducted one-on-one interviews of approximately one hour thirty minutes' duration in the local languages with diverse young people and adults. The interviews aimed to probe the questions outlined on the questionnaires. The interviews were semi structured in that they were scripted, but the researchers had been trained to ask probing questions where necessary and to follow the interests of the participants.

Group Discussions: Group discussions were researcher facilitated discussions with 10-12 participants over a period of approximately 90 minutes. The discussion participants came from a pre-defined sub-group such as women, and men. Within each group, participants were selected with an eye toward capturing diversity of, for example, socio-economic status and ability status.

Key Informant Interviews: At district level, research team leaders or international researchers interviewed officials from the Ministry of Social Welfare, agricultural workers and local government staff in order to learn about how they view their responsibilities, relations, and effectiveness in regard to gender and land issues. The key informant interviews invited suggestions for strengthening the linkages between these systems thereby providing useful information for the subsequent action phase of the research.

3.8 Data Capture, Transcripts, and Records

During each interview, the researcher took jottings during the interview and recorded the interview on tape, assuming that the participant had granted permission to tape. Soon after the interview, the researcher used the jottings and the tape recording to prepare a compressed verbatim transcript of the interview. The highest priority was to accurately capture the participants exact words, without summarizing or inserting their own categories or vocabulary. The compression was intended primarily to delete repetitions and to reduce the volume of the records, thereby making the task of analysis more manageable. Significant time was devoted during the preparatory workshop to developing the skills needed to prepare accurate, complete compressed verbatim transcripts.

The participants spoke in the local languages of each community such as Mende, Temne, Loko, and Krio, Limba, Yalunka, Kuranko and Sherbro. We had to choose between if the respondents speak in a language other than the national language ‘Krio’ instead of their local languages, whether we should write the transcripts in the language used by the participant or in English. The use of the local languages in the transcripts had the advantage of staying very close to the exact words used by the participants. The disadvantage, however, was that the local languages had evolved for oral use, and the researchers deemed it very challenging to write in those languages, because it will take so much time and the lead researcher will not be able to understand all the local languages when doing the analysis. English had the advantage of being a written as well as a spoken language, yet there were risks that the researchers ‘translations would be imperfect and might lose too much of what the participants had said. We eventually agreed that we should prepare the written transcripts in English, with key phrases or terms written in the local language

and also translated and explained in English. To ensure the transcripts 'accuracy, I regularly read the written transcripts of their respective researchers, checked them against the tape recorded interviews, and advised on how to improve their accuracy, comprehensiveness, and overall quality. This was exactly the case for the group discussions, wherein in each group discussion we have two researchers, one who served as discussion facilitator and another who served as a note taker. This was the reason why we deployed two researchers in each location at a time. During each discussion, the note-taker took jottings, recorded the entire discussion (after the participants had granted their informed consent to be recorded on a tape). Because most of the discussions took place in places that are noisy or with poor acoustic qualities, we took care to capture as much as possible via the jottings and to assign a particular number to indicate which participant had said this (e.g. we use coded numbers like R1, R2, R3 etc.) identifying each participant according to the manner in which they were seated. This made it possible for readers of the transcripts to see whether one or two participants had dominated the discussion and to identify the diversity of views expressed. The two researchers immediately reviewed the jottings, filled in key points, and used the tape recording to develop the compressed verbatim transcript. As it was done with the interviews, the team leader read the transcripts, checked them for accuracy, and advised on how to improve both the group facilitation and the accuracy of the transcripts. In some cases, the team leaders observed or served as note-takers or facilitators for group discussions, providing additional mentoring as part of these activities.

3.9 Limitations

One of the most significant limitations of the research was its short time frame; this was so because of the limited funds that I have already mentioned above. Also, there was limitation from the data collection aspect by field researchers who were not professional researchers. The ability for them to learn fast and learn diverse methods rapidly and to collect rich and useful information under challenging conditions was very impressive. To reduce such difficulties, it would have been useful to extend the training session held before the research by adding more days and include a greater variety of field activities that are more closely related to the research locations.

However, the team agreed to remove names and other individual identifiers, except in cases such as a discussion with a Chief where it was important to know who the participant was. For the most part, the records included only general identifiers such as adult woman or man and codes such as R1 and R2. If the researchers needed to keep a record of names, for example, in order to keep track of people they had already interviewed or that they hoped to line up for an interview, they kept the names in a separate book that was not publicly available and kept in a safe place.

A number of problems were encountered during the fieldwork for this research. The study approach required the researcher to stay at the research locations longer than we did. This was a problem because the research was not funded. We only managed to get some funds from the University of Makeni and the Justice and Peace and Human Rights Commission of the Catholic Mission who helped with fuel and vehicle support and provided space for training of the field researchers and an office space. There were no provisions for the training session held and also no provision for fieldwork expenses. I, the Lead National researcher had to make personal arrangements to fund the fieldwork from the usual stipend given to me by the Catholic University of Milan. I had to use the three months of my stipend to fund the other aspects of the research.

A big problem was the lack of large-scale maps to show topographic details of the village. The only maps available were small-scale and did not show the location of farms, homesteads or village boundaries even these ones were paid for at the Statistics Sierra Leone Office. In addition, the state of roads and footpaths at the sites were very poor. Long distances had to be travelled on motor bikes (commonly called Okada) to reach the distant communities in the rural areas.

The aspect of language was also an issue in some villages, particularly during the focus group discussions, wherein few of the participants were not able to understand one or two of the questions very well. They instead preferred the facilitators to repeat the questions in their local languages. This happened koinadugu district and in Port Loko district all in the northern region of Sierra Leone. Although it was possible to conduct most interviews and discussions in Krio the national language, we took time to explain why it was necessary to capture the participants exact words and idiomatic expressions and why it is important to avoid rephrasing with our own words. Knowing this will lose the meanings of the participants own words.

However, one must, admit that information from the survey questionnaire though sufficient for the production of a comprehensive description of the study locations, was insufficient for the purpose of explaining the reason for the research. It was not possible in the questionnaire survey to capture people's perceptions of land rights. Local power plays around land rights and access to natural resources, changing interpretations of custom and tradition on land matters, gender dimensions, and land disputes. These issues are qualitative and are not easily understood using formal and standardised questionnaire based surveys Sayer, (1992). It is with regard to these issues that the role of the interpretative approach in this study became crucial. It has been maintained that to capture land tenure processes one must observe them Berry, (1994). Thus, the third and last stage of fieldwork entailed ethnographic assessment of land tenure and livelihoods using conversations, semi-structured interviews, participant observations, and focus group discussions. The objective of the third phase of fieldwork was to seek causal explanations of the changing socio-economic realities in respect of land rights, women's empowerment and its impact on food security. Thus, it entailed studying people in their causal context and subsequent analysis of data involved interpretation of the meanings and functions of human actions.

There were numerous ethical issues that arose in the field. Despite the promise of confidentiality to interview and discussion participants, individual participant names sometimes occurred in written records. In addition, the research instructions and training called for careful documentation of the exact verbal interchange wherein the research was framed and informed consent was obtained. However, some transcripts had clearly used a cut and paste method of documenting the important initial interaction and granting of consent and also permission to use the tape recorder. Although these lapses probably reflected the pressures of time and a heavy workload, corrective steps will be taken in the future.

A stronger process would have included additional time and also opportunities for the entire research team, including the field researchers, to review and discuss the data and explore various patterns and interpretations together. But it required more funds and this was not readily available for the research process. Considering the fact that this research was not funded. I used funds meant for my upkeep and meagre contributions from friends to support it. With other logistical support, like the use of computers, and other office supplies for the printing of questionnaires, use of the hall for conducting the three days training, an office space, vehicles

and fuel support to the various locations from the University of Makeni. The costs of such a process, however, exceeded the limited amount that was available.

3.10 Data Analysis

The process of data analysis involves structuring and bringing logical order to the vast volume of data collected. The data was first transcribed verbatim from the tape recordings onto a computer. Then we later use excel and STATA as software packages for descriptive statistics and run some regression analysis. It is argued that no single software package can be made to perform qualitative data analysis in and of itself. The appropriate use of software depends on appreciation of the kind of data being analysed and of the analytic purchase the researcher wants to obtain on those data. The researcher analysed data using a coding process. According to Neumann, (2000) coding is the process of organizing the material into ‘chunks’ before bringing meaning to those ‘chunks’. It involves organizing text data into categories and labelling those categories with a term, a term often based in the actual language of the participant called an *in vivo* term Cresswell, (2003). We used the coding to generate a number of themes. These themes are the ones that appear as major findings in the study and appear under separate headings in the findings section. According to Smith, (1995), there is no one correct way to employ qualitative thematically analysis. Smith, (1995) asserts that each project creates the appropriate manner for the employment of thematic analysis. Researchers should give meaning to the participant’s interview and engage in an ‘interpretative relationship with the transcription’ Smith, (1995).

Before proceeding with our analysis, some details will next be provided about the methodology that has been employed for this research. It has essentially comprised two primary dimensions – on the one hand, relating to the use of secondary literature, and on the other, to interviews that were conducted during fieldwork. We have discussed the approach that was taken to each of these components in detailed above, with particular emphasis on the latter process, in order to provide a suitable research context within which our findings can be situated.

However, the interviewees were willing to provide more important information about the issues at stake, on the condition that they were not directly quoted. Indeed, many of the interviewees stated that they were enthusiastic about giving the interviews, except for those people who are one way or the other are patronising with the present government that did not want to be personally quoted on any sensitive issues. This reflects the uncertainty about the extent of free speech that will be respected in the country. In order maintain a high degree of anonymity and minimise the possibility of any subsequent difficulties for any of the interviewees

Having collected this range of informed perspectives, the latter chapters of the thesis (and in particular the final chapter) then applied our political economy conceptual framework to the data in order to produce an interpretation of the politics of contemporary land tenure in Sierra Leone. Key quotes of participants deemed necessary, will be included where appropriate and an attempt was made to present a spectrum of views on the issue, highlighting recurrent areas of agreement/disagreement, as well as accentuating any relevant individual nuances of perspective that might shed new light on it. Therefore, my research output will be analytic and interpretative in nature, as well as with econometric analyses that are prevalent nowadays. However, the relatively unquantifiable insights that were obtained as a consequence of the methodology adopted here can contribute much to an enhanced understanding of land tenure and its related issues.

3. 11 Summary

This chapter has shown that the research approach adopted for this study is eclectic. It has combined some elements from the positivist, interpretative and critical social science approaches to constitute a methodology that embraces qualitative and quantitative methods of research. Fieldwork took place in three phases, in the following chronological order: (i) Rapid Rural Appraisal (RRA); (ii) Pre-test and (iii) Questionnaire survey including in-depth interviews, focus group discussions and participant observations. The idea was for RRA tools and a small-scale survey questionnaire to complement ethnographic methods. Some information gaps emerged as the study proceeded and this meant that travelling to study communities were necessary to fill the gaps. The choice of communities and methods has been described above.

The combination of participatory methods, sample surveys and the traditional anthropological method is meant to serve different but complementary purposes. To this end, the discussion has attempted to emphasise the complementary role of research methods, which are normally associated with the different social science philosophical perspectives. In the next chapter an analysis of the data will be employed using an econometric software to prove whether our hypotheses tested are significant, and our questions asked in the beginning of this process have been answered. Then we discuss our findings.

CHAPTER FOUR: ANALYSIS

4.0. Introduction

This chapter analyzes the findings presented in the preceding chapter and draw conclusions from the information recorded in the literature review. The conclusion established the views of the respondents on the way they inherit and access land and the challenges they are facing in terms of making use of the land and the purpose and benefit of using the land. The chapter discusses the analysis and findings in relation to the context provided by the literature. It presents the findings of the research as well as their analysis and interpretations. Where necessary, aids such as tables and graphs are used to elucidate the meaning of the data presented. The findings presented in tables and figures are further explained to equip the reader with a clear picture and understanding of the phenomenon under analysis. The focus is much more centered on the key findings that are important in the understanding of women's ownership and land rights in relation to their growth and empowerment in society. I will be using STATA for both descriptive analysis and regression analysis to come up with results.

4.1 Descriptive Analysis

Descriptive statistics for the data are presented to give important insights into the sample under scrutiny. The tables in these sections give the breakdown of all regression variables for all 700 households' female heads in the full sample. The findings presented in this dissertation are presented in accordance with questions asked during interviews with respondents. This part of the paper is presented using tables and charts to accompany by the narrative explanations.

4.1.1. Access to Land

The marital status of women in Sierra Leone is one of the determinants of owning and having access to land. The table below is a representation of the statistical analysis of the research findings. It is estimated that, women in married unions are more likely to have access to land. They constitute 43.5% of the population interviewed. However, this does not mean that they own the lands themselves. Interestingly, 25.5% of the interviewed population living in a cohabitation union said they have access to land compared to the 14.7% who are widows. Whereas women that have been separated from their husbands accounted for 3.8% and suffer the consequence of not enjoying their land rights, either because they voluntarily choose to leave their husbands homes for the issues they are unable to tolerate or they have been evicted from their matrimonial homes.

Table 10. Marital Status of Respondents and Access to Land

Marital Status of Respondents	Have Access to Land	No Access to Land	Total	Percentage of Respondents	Have Access to Land	No Access to Land
Cohabiting	76	17	93	13.3%	12.4%	19.1%
Married	266	41	307	43.9%	43.5%	46.1%
Divorced	156	17	173	24.7%	25.5%	19.1%
Widow	90	11	101	14.4%	14.7%	12.4%
Separated	23	3	26	3.7%	3.8%	3.4%
Total	611	89	700	100.0%	100.0%	100.0%

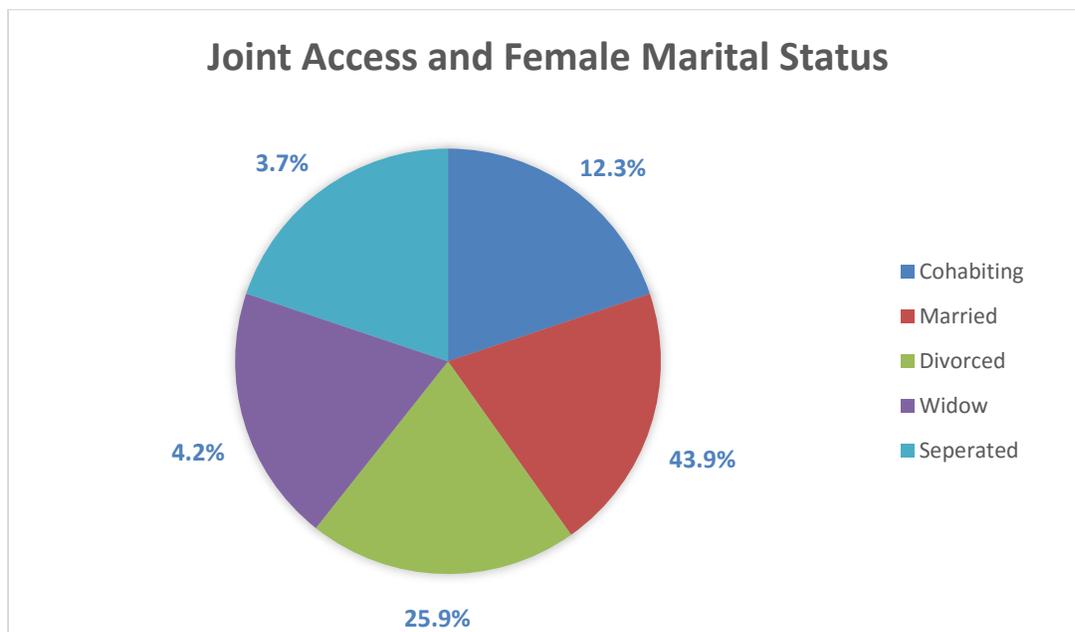
Source: Computed by the Author from the primary data.

When women have secure property rights including rights over the land they are well equipped to cultivate. This enable them gain improved social status which leads to their empowerment and greater influence over household decisions. Women with land rights are more likely to exercise control over household income and have access to credit.

4.1.2 Joint Access to Land

This pattern of having access to land did not come as a surprise to the researcher. Joint ownership is very common among or within the different categories of women selected for this survey. Almost all of the women who said they have access to land are having a Joint ownership to the particular land. But this type of ownership does not allow women to make decisions regarding the use of benefits gained from the land in question.

Graph 1. Joint Access and Marital Status of women.



The study finds that, married women have more access to land than those that are not. This is so because most of the women are having access jointly. Therefore, we accept the H1; which states that, 'Married women obtain land rights through joint-registration'. What is clear from the findings it that, it does not mean that they own the land alone. However, according to the findings, 25.9% of those that have been divorced and left their husbands homes scored more in having joint access than married women. This is mostly so because, most of these women now

have the opportunity to participate in some women's groups and can exercise their rights more, unlike those that are separated still waiting to settle disputes with their husbands and are hopeful of going back to their matrimonial homes. They would not want to jeopardize the peace process by taking up activities that will not be in support by their husbands.

Widows mostly lose their rights to access property for certain reasons determined by the community or the deceased husband's family. One of those reasons is that, if the wife refuses to go through certain traditional and customary rites. They will be ripped off all benefits and send them away. So with this type of development, it is difficult for women that are widows to have access to property. In most cases they access jointly through their children, if they have or through their own relatives. The hypothesis H2; which suggest that 'Married women have a higher propensity to obtain land than women living in cohabitation unions' is accepted.

Table 11 Joint Access and Marital Status

Marital Status of Respondents	Yes Joint Access	No Joint Access	% of total Joint Access
Cohabiting	56.6%	43.4%	12.3%
Married	57.9%	42.1%	43.9%
Divorced	58.3%	41.7%	25.9%
Widow	55.6%	44.4%	14.2%
Separated	56.5%	43.5%	3.7%
Total	57.4%	42.6%	100.0%

The above table represents statistics that women own the land with their husbands or with group members in cases where women belong to cooperatives or other groups. According to the table statistics, women that have been divorced by their husbands have the more likelihood to access land jointly than those that are in married unions.

Consequently, they cannot make any decision about the land and what crop to plant or what to do with the economic benefits alone. They do this in consultation with their husbands, who in most cases have the final say to make the decisions at home. This however has a very big negative impact in attaining Food Security at the household level.

4.1.3 Cash benefit by Region

Women with secure land and property rights have greater incentive to make productivity enhancing investments because they have greater confidence that they can recoup their investments over the medium and long term. According to the women interviewed nationwide, 34.3 % said they are making equal cash earnings less than Le 5million, which is \$ 1,000 equivalent. Whereas 28.4% said they are earning between Le.10-15 million per annum. This is equivalent to between \$ 2,000- 3,000 per annum. None of the respondent reported earnings above Le 25 million. The highest number of recorded interviews is from the North which accounted for about 42%. They are earning more than other women in other regions. This is so because in the north, people are more into business and because they grow more of potatoes which they throughout the year. In the other regions most of their crops are planted once every year.

Table.12. Percentage of Cash Benefit by Region

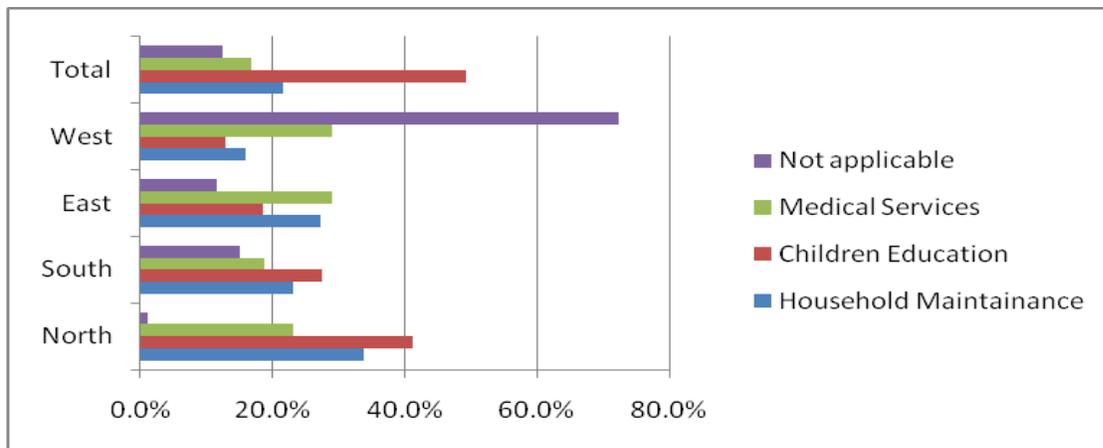
Benefit	Regions			
	North	South	East	West
Less than 5 million	23.5%	26.3%	23.9%	26.3%
5-10 million	33.0%	33.0%	7.8%	26.1%
10-15 million	34.6%	20.0%	31.4%	14.1%
15-20 million	57.1%	26.0%	15.6%	1.3%

20-25 million	48.6%	16.2%	32.4%	2.7%
More than 25 million	-	-	-	-
Total	31.6%	23.6%	21.3%	23.6%

Source: Computed by the Author from the primary data

A World Bank report states that “the income and resources that women control yields disproportionately strong effects on health and nutrition outcomes generally” World Bank, (2008). A study in Nicaragua, found out that women with either individual or joint title control over 50 percent of the crop income while women who have no land rights control only 14 percent of that income. Researchers in Nepal found that women who own land are significantly “more likely to have the final say” in household decisions. Similarly, a study in Brazil showed that women’s secure land rights are associated with a woman’s increased ability to participate in household-decision-making Hien Tran, (2012). An increase in agricultural productivity and production can in turn enhance household food security and nutrition directly through increased food production for consumption.

Graph. 2. How is Benefit from Land Utilized by Region



At regional level, the women in the northern region reported that they spend more on education than for medical bills and other household maintenance. At the national level, 49.3% of the women interviewed said they are using their cash benefits for their children’s education. Some 21.6% said they are using that for household maintenance which comprises of; food, clothing, and other household utilities. Education serves as a major role in the development and growth of people. So investing on education is a must.

4.1.4 Farm problems

About 26% of the respondent at national level said, pest is there major problem in the farm compared 25% who said the problem is because of less man power and lack of seeds which accounted for 21% at national level. This compared to the result at individual level. These three problems are most paramount of the problem regarding doing farm work.

When interviewed, the respondent said some of the activities in the farm require a huge number of people to do the job. But because most of these women do not have the means to hire labour all the times they are finding it difficult to cultivate more land in order to get more yields.

Table.13. Farm Problems by region

Benefit	North	South	East	West
Land/farm size	27.1%	21.4%	22.9%	28.6%
Pests	33.7%	26.5%	23.8%	16.0%
lack manpower	37.3%	24.9%	22.0%	15.8%
lack seeds	35.5%	24.3%	24.3%	15.8%
lack technology	26.9%	26.9%	17.9%	28.2%
Total	31.6%	23.6%	21.3%	23.6%

There are several factors that have contributed to the short-fall in agriculture in Sierra Leone. The problems may seem homogeneous across the country, but the factors hindering food security and agricultural sustainability vary in every region across Sierra Leone. The country's poor rural people are the most disadvantaged. Their levels of health, nutrition, education and food security are inadequate. As a result, productivity is generally low. Low productivity also stems from limited access to land and to technologies, markets and financial services IFAD, (2006) One cannot benefit from small-scale agriculture in Sierra Leone. What is produced is being consumed mostly by the family.

In northern Sierra Leone where I worked for several years, when asked most of the young people, they are more willing to embark in agricultural activities, provided it ensures that sustainable income and provided there are improved working conditions of the modes of production. It is evident that most time they get poor yields as a result of improper preparation of land, a direct consequence of a lack of technology, labour and land security, which inhibits farmers from investing much into improving soils.

4.1.5 Difficulties women get in buying land

According to the statistical representation below, 28.7% of the respondents at national level reported that inadequate or lack of financial services to enable them buy agricultural inputs is a key factor for them not to be able to purchase land. Cultural implication is also another impeding factor with 27.6%. This in the simplest form, is telling us that

Table 14. Sources of loans for women.

Sources of Loan	North	South	East	West	Total	%
Family disputes	3	2	2	29	36	5,1%
traditional Rites	41	34	33	30	138	19,7%
Legal implication	41	19	26	46	132	18,9%
cultural implication	65	53	48	27	193	27,6%
Financial Services	71	57	40	33	201	28,7%
Total	221	165	149	165	700	100,0%

4.1.6 Education

Not considering the age of the respondents, the study found out that better educated women, regardless of marital status, are more likely to adapt to new technologies. Therefore, increasing the educational level of female farmers by giving them more education has higher marginal effects on the probabilities of adoption generally. Women are less educated in parts of Africa, Asia, and the Middle East. Illiteracy hampers their access to and ability to understand technical information. Worldwide, women have less access to education and training in agriculture World Bank, (2008).

Education	Access to Land	No Access to Land
Went to School	31.8%	44.9%
Never went to School	68.2%	55.1%
Total	100.0%	100.0%

About 66.6% of the interviewed population said they have never been to school and only 33.4% of them said they have joint ownership of land. This is an indication that women with some level of education have better knowledge about land rights. Women with high educational level are more likely to advocate for their rights than those with little education or no education at all. Lower levels of education are not only important in terms of having the capacity to read and write, but can also be important for legal literacy, knowing what laws exist, how to use them to protect their own rights and so forth. With the expectation that women with higher levels of education have been travelling more outside their own communities and this experience makes them more equip to claim property rights. They have more negotiating power and enjoy better nutrition than those with no educational background. Their children, in turn, are more likely to be born at higher birth weights and receive better care critical to their nutritional well-being. It is evident that when women own land, their purchasing decisions are likely to benefit the household's food security and their children's nutritional status. When the woman of the house owns land and have access to income, they spend most of their income to help educate their

children and on food. However, secure rights to land help moderate the impact of food price volatility on poor households and benefits not only the children and families, but also the well-being of women themselves. Many empirical and theoretical studies have proved that female to male ratio of education is used as the measure of gender equality that is hypothesized to have an impact on economic growth and development. This could be true, due to the fact that comparable data on education is one of the only measures available across countries. Education of girls is an important factor in understanding the connections between the status and welfare women and of the family. However, there are many empirical studies that conclude that increased schooling of the mother is associated with the health and wellbeing of the child. In that light, the hypothesis 'Education increases women's propensity to obtain land' has been accepted.

4.1.7 Credit and inputs

An opportunity to improve women's access to inputs is through provision of credit to women. Credit gives women the ability to expand their life choices especially where control over it is exercised hence empowering Mehira, (1997). Mayoux also argued that, control over credit is not a guarantee for increased incomes as other factors might also play a role Mayoux, (2000). Alternately, Kabeer noted that though it is essential to support women with credit but formal microfinance institutions have failed to reach most of these women. She attributes this to the mismatch between the norms and procedures of the bank and on the other hand women's needs and constraints Kabeer, (1995). Furthermore, the complexity of the procedures requires some form of literacy which is lacking in majority of poor women (Milner, 2005). Women also face barriers to membership in rural organizations and cooperatives, agricultural inputs and technology such as improved seedlings, training and extension, and marketing services FAO (1998). For Garikipati, women who have access to credit might not attain their needs but strengthen their households' ability to cope with vulnerability. This is so since the credit will enable them to address household needs that might not in any way be linked to their practical or strategic gender needs Garikipati, (2007). The tables below show a statistical explanation that 47% of the respondents said micro credit finance is mostly available in their communities and that is how they get loan services to fund their agricultural activities. Another 25% said they get

seed loans as agricultural inputs. Giving women credit will enable them take responsibility of repayment but in most cases, they struggle to source funds for repayment for and sometimes lead them to migrate from one town to another for fear of being arrested. Ashraf, Karlan, and Yin, argued that, merely increasing income support to women can further marginalise them but giving them control and property rights over the allocated support can contribute towards their empowerment N. Ashraf, Karlan, and Yin, (2009). In the following section of this paper, I will however use probit and logit models to test whether credit has a correlation with enhancing their food security.

Table. 16. Sources of Loan for Agriculture services by Region

Sources of Loan	North	South	East	West	Total	%
Bank loans	37	15	10	14	76	10,9%
Grants	15	27	22	9	73	10,4%
Micro credit	94	79	81	77	331	47,3%
seed loan	75	44	36	20	175	25,0%
Not applicable	0	0	0	45	45	6,4%
.Total	221	165	149	165	700	100,0%

4.1.8 Credit opportunities

It is a fact that Agriculture and rural credit play very important role in poverty alleviation and in the creation of employment in the villages by promoting agricultural activities and other businesses. The lack of easy access for women to receive loans, lack of security of tenure, excessive indirect expenditure to receive loan and high interest loan have been observed as the obstacles in the development of this sector. Legally, women have equal right to access bank loans and other forms of credit; they may also open a bank account in the same way as men World Bank, (2013). The fact that very few women own land, however, restricts their access to bank loans, particularly in rural areas: financial institutions often require land as collateral. The difficulties in accessing credit from banks means women in rural areas often have to rely on moneylenders, who charge very high interests Action Aid (2012, p.15). Several micro-credit programmes run by NGOs and the government target individual women or women's groups, enabling them to acquire funds to start small enterprises CEDAW (2012, p.46). There is still the

potential for more women to be empowered and develop through these services, if the less fortunate women will be reached even in more remote places and are able to access credit.

Women in poorer conditions are always likely not to get access to these opportunities, as a result of the stringent or stiff rules attached to having access. In most of the cases, it is virtually impossible for a general public to receive a loan from bank without any collateral besides the tedious and lengthy process that they need to follow. To create opportunities for income generation activities and employment by removing these obstacles it is necessary to make agricultural and rural credit system easily accessible to the general public S. Durbar, (2002). Due to acute lack of e.g. inputs, credit, and market outlets, the Sierra Leonean smallholders only achieve a fraction of potential productivity. The amount of land a household can cultivate is typically limited by its lack of access to tools. Yields are low¹⁴ since most cultivation is rain irrigated and done without fertilizers. Farm sizes are small but an increase in rice production has occurred in recent years which can be attributed to increase in farm size and total area cultivated WFP, (2007). Of the estimated 7.2 million hectares of total landmass, about 5.365 million ha are considered arable. 4.2 million ha is comprised of upland, and 1.165 million ha are lowlands, distinguished by 4 main agro-ecologies F. Martinez, (2010. p. 6).

De Soto asserted that capital is an abstract phenomenon that must be tangibly fixed in order to be fully realized. Its usefulness is born of its interaction with other commodities, and hence must be in the form of material property in order for this productive combining to take place. For De Soto, many of the world's poorest people possess one such primary mode of capital, i.e. their land, which they could combine with their other assets, e.g. seeds and technology, in order to generate wealth¹⁵.

¹⁴ E.g. 0.63 metric tonnes per hectare in upland rice cultivation and 1.23 metric tonnes per hectare in lowland rice cultivation (WFP 2007)

¹⁵ From marginalization to empowerment: The potential of land rights to contribute to gender equality – observations from Guatemala, India and Sierra Leone

4.1.9 Gender Crop specific

According to the findings in this paper, it is estimated that only few women do cash cropping in those districts. It is estimated 97% of males do coffee production and 94% are involved in cacao production which are the main cash crops in the Eastern region of Sierra Leone.

Women are treated as minors who are subordinate to men in all aspects in our male dominance society. In most cases, especially so for married women, their husbands tend to cultivate cash crops on their own account, using the labour of wives and dependants but claiming ownership of both crop and fields even though the wife is contributing towards the farm. The wife's labour contribution goes unnoticed most times and unaccounted for. However, the wife is in most cases not considered a joint owner of her husband's cash crop field purely on the basis of customary practices that are not in favour of women. The wife has no authority to decide on what to do with the money from sales. The husband will use money from proceeds to marry additional women to increase labour in the farm. This they consider as male supremacy over women. On the other hand, if women own land on their own and make profits, they will use most of the money in taking care of their entire families.

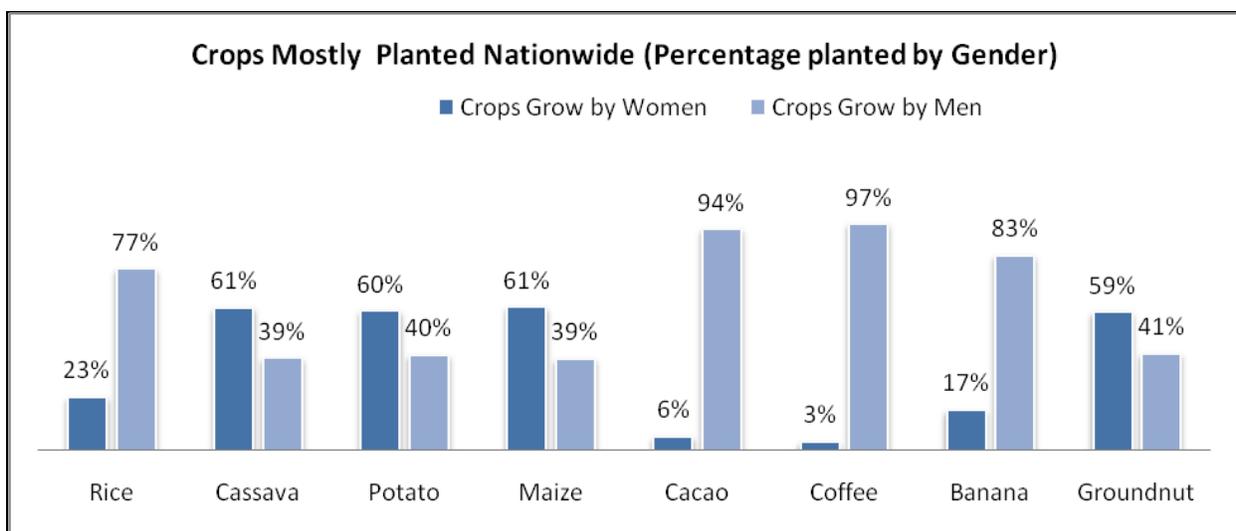
Table; 17 Issues labor hired by women by region

Hire labour	North	South	East	West	Total	% of overall
Very Common	103	56	75	90	324	46,3%
Not Common	118	109	74	30	331	47,3%
No Idea	0	0	0	45	45	6,4%
Total	221	165	149	165	700	100,0%

A primary issue in postwar Sierra Leone is the large need for labour on fields (in both upland and lowland areas), but the now much lower availability, and higher cost of labour D. Hunru and H. Turray, (2006). Turray went further to stat that, labour availability and cost made more difficult

after the war, opportunities for mechanization in agriculture become important. The desire for tractors is particularly acute and widespread, and was mentioned in almost every rural interview. While there is tractor renting opportunities for farmers via the Ministry of Agriculture, this option is quite expensive (requiring a large deposit), the number of tractors is few, and their availability in a timely manner is unreliable.

Graph. 3. Crops Grown by Women and Men



According to the graph, men dominate in cash cropping whilst women just provide labour but control food crop production. Initiatives have been promoted but have achieved their intended objectives. Indicating that the men have greater influence and the capacity to do cash crop farming activities. Most of the women interviewed are capable of only producing food crops which is mainly use for household consumption. That is why their earning power is very low compared to that of men. This is mainly due to traditional patriarchal roles given by society and their lack of the financial capability to negotiate or purchase land for cash crop farming inputs. This is more evident in some districts in the Eastern region of Sierra Leone.

4.1.10 Cultural and traditional norms

This study has further revealed that the major barriers to women’s empowerment for participation in agriculture are the patriarchy institutions and cultural norms that rigidly uphold men’s supremacy over women. These factors put women in subordinate position to men which affects their access to and control over productive resources. Furthermore, this paper has shown that women are overburdened by reproductive, productive and community roles prescribed by society. These roles sometimes impede the effectiveness of carrying out agricultural activities. Hence this is a big challenge in enhancing food security and efficiency.

Table 18. Customary/Traditional Restriction against Women

Restrictions	North	South	East	West	Total
‘Yes’ there are traditional restriction against women	34.9%	26.0%	24.5%	14.6%	84.0%
‘No’ there are no traditional restriction against women	14.3%	10.7%	4.5%	70.5%	16.0%

When asked if customary/traditional practices that restrict women from owning land, 84% of the women interviewed said “yes” there are customary and traditional practices that restrict women from participation in some agricultural activities, compared to 16% who said “no. Thus, can impede their level of productivity. 70.5% of the ones who “no” are found in western area urban.

Table 18.1 Customary problems that restrict women from owning Land

Restriction	North	South	East	West
FGM	34.3%	32.0%	18.9%	14.9%
Sexual cleansing	13.3%	0.0%	6.7%	80.0%
Widowhood rites	34.4%	16.7%	32.2%	16.7%

Being unmarried	40.6%	20.8%	23.4%	15.1%
Being barren	29.3%	36.2%	31.0%	3.4%
No idea	23.9%	17.9%	7.5%	50.7%
Total %	23.5%	20.6%	19.9%	30.1%

From the table above, 80.0% of the respondents in the Western area reported that sexual cleansing is the most prominent of customary practices that restricts women from owning land. Whist 40.6% of the respondents from the northern region reported that, women that are not married are being restricted from owning land. In the Southern region the 36.2% respondents reported that being barren in one of the main forms of customary practices that restrict women from owning land. There is a variation on the aspect of customary practices among regions. At national level, 27% of the women interviewed said if a woman is not married, there are some activities in the community that she will be excluded from. 25% of the women said Female Genital Mutilation (FGM) is responsible for their exclusion most times followed by being barren and not willing to go through widowhood rites.

Secure rights to land and property for women are widely regarded as fundamental to ensuring effective and sustainable human development. Rights to land and property include the right to own, use, access, control, transfer, exclude, inherit and otherwise make decisions about land and related resources. Secure rights to land are rights that are for long-run, enforceable, appropriately transferable, are socially legitimate. For women, exercising these rights should not require consultation or approval beyond that required of men.

According to several researches being done, there is an evident correlation between gender inequalities, societal poverty, globally and the failure to respect, protect and fulfill these rights for women is evident. This failure entrenches gender inequality by reinforcing women's dependence on men, and prevents poor countries from finding a sustainable and equitable path to development. Strengthening women's secure rights to land can help empower them to reach their potential as citizens and as economic actors, and enable them to take control over their own lives Hien Tran, (2012). The link between women's land and property rights and sustainable human development is evident for a wide range of issues. The United Nations Food and Agriculture Organization (FAO) estimate that if women had the same access to productive

resources as men, they could increase yields on their farms by 20-30 percent. These gains in agricultural production could lift some 100-150 million people out of hunger.

In May 2012, the Committee on World Food Security officially endorsed the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security. The Guidelines recognize the importance of gender equality in land tenure as critical to the strategies to reduce hunger and poverty, support sustainable development, and enhance the environment. They exhort States to “ensure that women and girls have equal tenure rights and access to land, fisheries and forests independent of their civil and marital status,” and to ensure that policy, legal, and organizational frameworks for tenure governance are “non-discriminatory and promote social equity and gender equality” Hien Tran, (2012). In 1997, the former United Nations Sub-Commission on the Promotion and Protection of Human Rights adopted the first resolution by an international body directly addressing women’s housing and land rights specifically, urging governments to:

- i. Take all necessary measures in order to amend and/or repeal laws and policies pertaining to land, property and housing which deny women security of tenure and equal access and rights to land, property and housing;
- ii. Encourage the transformation of customs and traditions which deny women security of tenure and equal access and rights to land, property and housing; and
- iii. Adopt and enforce legislation which protects and promotes women’s rights to own, inherit, lease or rent land, property and housing.

Beyond these resolutions, international bodies and experts relevant to women’s land rights have adopted a number of additional pronouncements. The General Comments and Recommendations of the UN Treaty Bodies are particularly instructive. The Committee on the Elimination of Discrimination against Women stated that “there are many countries where the law and practice concerning inheritance and property result in serious discrimination against women. Such provisions contravene the Convention on the Elimination of All Forms of Discrimination against Women and they should be abolished.”

The UN Committee on Economic Social and Cultural Rights (which monitors States party compliance with the International Covenant on Economic, Social and Cultural Rights) has stated in its General Comment No.16 that “women have a right to own, use or otherwise control housing, land and property on an equal basis with men, and to access necessary resources to do so” and has highlighted women’s equal inheritance rights. On food security, the Committee has said that national strategies to ensure food and nutrition security for all should “give particular attention to the need to prevent discrimination in access to food or resources for food. This should include: guarantees of full and equal access to economic resources.

The exclusion of women from formal and customary systems of property inheritance has received increasing attention over the past few years. Because property inheritance is fundamental to how wealth is transferred within a society, it directly relates to the protection of a woman’s economic livelihood and long-term security. This issue is especially vital because it addresses some of the systemic reasons for women’s disproportionately high levels of poverty around the world and disproportionately insecure land and property rights. For instance, widows may have traditionally retained the right to use matrimonial land and remain in the matrimonial home until her death, remarriage, or while her children are unmarried. Over the past several decades however, widows, particularly those who are younger, have found themselves especially vulnerable to their in-laws taking the land, leaving them landless and homeless’. In many parts of Africa where customary systems predominate, men control household land (and the house which sits on that land). Community authorities, who are predominantly male, generally allocate land to male household heads for use with their households. These rights to land are then most commonly passed down to male heirs. And because most women move to their husband’s home at the time of marriage, this means that for many women, access to land and property is entirely dependent on a relationship to male relatives (usually husbands and fathers). A husband may be obliged to provide arable land to his wife to farm, but he has ultimate authority to decide which piece of land the woman can use, for what purposes, under what conditions, for how long, and what she can do with the proceeds from that land. It also means that if their relationship breaks down, she must rely on his family’s goodwill (which is often tenuous) or return to her

father's/birth family's land (which is often not possible) to continue to provide for herself and her children.

4.2 Econometric Analysis

The variables of interest to explain the nature of land ownership and food production in Sierra Leone are multi-category variables at various levels. For the case of Sierra Leone, there is no specific law to refer to as far as land ownership and controls are concerned. This makes land ownership and the laws to vary across cultures. In order to ascertain the factors that have influenced land ownership and agricultural outputs, several models are due to be tested.

For the purpose of this study, two distinct econometric models are estimated. One such model is to capture access to land and the other to determine the influence on agricultural production which is used as indicator for food security. The dependent variable X is the access to land by the respondents of which are female headed households. This takes two values: 'Yes' for access to land or 'No' with no access (in other words, it is a 0 – 1 alternative). Access to land in this context refers to the FAO definition of having land access as opportunities for temporary or permanent use and occupation of land for purposes of shelter, productive activity or the enjoyment of recreation and rest. Land access is obtained by direct occupation, by exchange (purchase or rental), through membership of family and kin groups or by allocation by government, other land owners or management authorities FAO, (2011). Like in many developing countries farm lands and agricultural activities in Sierra Leone are concentrated in the rural area and predominant male central ownership due to several factors ranging from traditional rites and cultural beliefs and these have continued to work against their female counterpart. This, factors that inhibit access to land have the tendency to impact negatively on food production which lead to food insecurity. To measure the effect of being a female on output, these factors are accounted for in the analysis.

The following variables are identified to influence women access to land and the production of women in the society. Several studies have shown that resources, especially food controlled by female headed household improve the welfare of family members. With this notion, agricultural production by female are expected to be used for the family irrespective of it being consumed or sold in the market.

For access to land the following variables are considered: education (Ed), marital status (MS), mode of acquisition of land by women (MOA), land used as collateral for women to access financial loan for agriculture (CLW), customary problems encountered by women in communities (CPW), and access to income opportunities.

For food security, agricultural output (crops women grow (CWG)) by female headed household and control by them is used as proxy for food security. As discussed above, resources generated by women are all likely to be used for the welfare of family members. The following variables influence women's food production capacity: Mode of acquisition of land (MOA), number of year spent in farming (TW), level of education (Ed), joint ownership of land (JO), and farm general problems (FP). Other variables in the descriptive analysis clearly show that female headed households engaged in agricultural activities are confronted with numerous problems that range from credit facilities, favoritism in support of their male counterparts in the communities. From the survey data, eight (8) main crops are grown nationwide by both male and female headed households. Out of these, female headed households grow six (6) with cassava, potato, maize, groundnut and rice being the main crops.

Two models are estimated for access to land and food production. For each, the general estimation is using the variables discussed above and the specific factors that influenced the general variables.

For robustness of the results of the Probit and Logit estimation techniques, are used to select the most preferred estimated results.

4.2.1 Specification of the Model

Based on the discussion, the econometric model used in this study is specified below:

i) Access to Land Equation

$$\Pr(Y_j = i) = f(Ed, MS, MOA, CLW, DWL, CPW, AIO) \dots\dots\dots(1)$$

For $i = 0,1$ for access to land.

$$\Pr(Y_j = i) = f(edu, (married, cohabit), (inherit, bought)(land_col, land_notcol), (trad_rite, fgm, sex_clean, unmarried, barren) \dots\dots\dots(2)$$

ii) Food Production (Food Security) by Women

$$\Pr(CWG_j = j) = f(TW, Ed, JO, MOA, FP) \dots\dots\dots(3)$$

For $j = 1,2,\dots,8$ crops women grow.

Definitions of variables are as discussed above.

4.3 Estimation of the Model

From the survey data, the two (logistic and probit regressions) estimation techniques are used.

4.3.1 Estimation of Access to Land Equation

The estimated results of access to land are provided in the tables below.

The robustness among the two estimation techniques (logit and probit) was determined using the test specification test was performed¹⁶ and the result shows that there is no significant difference between the estimation techniques.

¹⁶ Specification outputs not included,

For ease of appreciation and convenience, the logit estimation results are discussed. As observed from the tables, the reference category is ‘yes’ for acquisition of land (AL) and the coefficients of the variables are taken to be zero (0) against the ‘no’ with estimated coefficients of the variables. The following can be observed. The models fit reasonably well with the following variables, mode of acquisition of land (MOA), land as collateral for loan by women (CLW), difficulties to acquire land by women (DWL), and customary problems encountered by women (CPW) significant at least 5 % (percent) significance level.

From Table below, the mode of land acquisition seems more preferred in favour of the base/reference category of ‘yes’ have acquired land than not acquired land. On the other hand, collateral for land, difficulties for women, and customary practices against women strongly specifies that women do not easily acquire land. Specifically, more respondents to issue ‘collateral for land’ indicated that they have not acquired land in their communities. Similar results are reported for the specific variables that influence acquisition of land nationwide.

Table: 19 Regression Models (General to specific)

Dependent variable: Access to Land	Logit model	Probit model
	Coefficient [Standard Error]	Coefficient [Standard Error]
Yes	(Base outcome)	
Education	-0.4424 [0.3595]	-0.3282 [0.2464]
Married	0.2490 [0.3164]	0.1621 [0.2247]
Cohabit	-0.9606 [0.6677]	-0.6759 [0.4303]
Inherit	1.0020*** [0.3736]	0.7045*** [0.2594]

Bought	0.5841 [0.3864]	0.3854 [0.2637]
Land collateral	-7.1498*** [1.2627]	-5.5003*** [0.7925]
With collateral	-7.0617*** [1.2472]	-5.4578*** [0.7797]
Traditional rite	-0.9008* [0.4890]	-0.5922* [0.3265]
FGM	1.6196 [1.0529]	1.0921* [0.6348]
Sexual cleansing	1.4811 [1.4608]	0.9761 [0.9544]
Widowed rite	1.3250 [1.1009]	0.8778 [0.6694]
Unmarried	1.5543 [1.0528]	1.0488* [0.6338]
Barren	1.6910 [1.0649]	1.1129* [0.6449]
Pseudo R ²	0.370	
Prob>chi ²	0.000	0.000

Note: Standard errors in parentheses/ *** and * significant at 1% and 10%, respectively.

4.3.2 Estimation of Equation for Food Production (Food Security) by Women

The analysis of the equation ‘food production’ by women is done using logistic model. The output of the estimation is provided below.

Table. 20. Estimation of Equation for Food Production (Food Security) by Women

Variable	Rice	Potato	Maize	Banana	Groundnut
Yrs in farming		0.1754* [0.0950]			0.2707** [0.1101]
Education					-0.6198**

					[0.2581]
Joint Ownership					0.5117*** [0.1942]
Mode of Acquisition	-0.3380** [0.1558]		-0.2198** [0.1039]		
Farm problems				-0.9781** [0.4028]	
Cassava (base outcome)					
Prob>chi ² = 0.0000					
Pseudo R ² = 0.1386					

Note *, ** and *** Significance at 10%, 5% and 1% level, respectively.

Also, the analysis is a primary survey data, the low overall pseudo R-Squared of 14 percent could be concluded as relatively good fit. Besides, the pseudo R-squared may not be used to evaluate the overall model. The reference base outcome is cassava farming. All the crops farmed are compared to the reference base.

The following can be also observed that those who acquire land by means of inheritance prefer less of rice farming and other crops production compared to cassava farming which is the reference crop. The years of farming farmers point out that 0.17 of the number of years is spent on potato as compared to cassava farming; similarly, 0.27 of the years spent in farming is on groundnut when compared to cassava planting.

Groundnut (*Arachis hypogaea* L) also known as peanut is an important food and cash crop across West Africa. The crop is cultivated by small-household and resource poor farmers especially women AJAR, (2014).

The study found that most of the women groundnut farmers are in to full time ground nut production; the young ones are likely to adopt improved groundnut production technologies than the elderly ones. Most of the women famers had been left out by the agricultural development services in the country.

Groundnut is by far the most important grain legume grown in Sierra Leone. It is predominantly grown in the Northern province of the country IDRC, (1982). This however, does not agree with the findings of this research. The research results found out that, groundnut is now grown mostly in all areas in Sierra Leone even in the western area urban where agricultural activities are very

few. This probably as a result of the migration patterns after the war, wherein there has been internal migration. People moving from one part of the country to another, establishing homes and family and new patterns of agricultural activities.

The crop is among the most important crops for smallholder farmers in Sierra Leone, providing both food and income for households. Groundnut is a nutritious source of fats, protein, carbohydrates, vitamins and minerals for human consumption and parts of the crop can be used for livestock feed. Groundnut production is dependent on land preparation, seed extraction, seeding, cultivation, harvesting, stripping and sun-drying. This process is labor intensive which can affect the productivity and quality of nuts produced. However, with the introduction of groundnut projects and simple technologies production yields can be increased.

The educational level of female headed farmers prefers less of groundnut farming as compared to cassava farming. The result for joint ownership which is predominant in rural area indicates that over half of those with joint ownership allocate land to groundnut farming as compared to cassava and other crops. Education is a measure for judging the quality of human resources and development stage of a society. Majority of the women that are engaged in groundnut production are illiterates or have very low level of education. This has a negative impact in terms of adapting to new and improved technologies that will foster yield. This agrees with reports of Imoh and Essian, they noted that farmers' level of education influenced adoption of technologies positively Imoh and Essian, (2005).

Groundnut farming is considered a women's crop in Africa. It was originally grown by women to supplement their family's diet with protein. However, groundnut production can also be a way for women to earn cash income and participate in the economy. Consequently, increasing women's agency, and empowerment. Women value groundnut harvests for many reasons, including: harvest profits can send children to school, provides a high energy and protein food source for their children, oil for cooking, and high quality feed for cattle¹⁷.

Groundnut is among the most important crops for smallholder farmers in Sierra Leone, providing both food and income for households. Groundnut is a nutritious source of fats, protein, carbohydrates, vitamins and minerals for human consumption and parts of the crop can be used

¹⁷ <http://forest.mtu.edu/pcforestry/resources/studentprojects/groundnut.html>

for livestock feed. Groundnut production is dependent on land preparation, seed extraction, seeding, and cultivation, harvesting, stripping and sun-drying. This process is labor intensive which can affect the productivity and quality of nuts produced. However, with the introduction of groundnut projects and simple technologies production yields can be increased¹⁸.

¹⁸ <http://www.icrisat.org/gender-approach/ICRISAT-Gender-Research-Strategy>.

CHAPTER FIVE: FINDINGS

5.0 Introduction

I have explored how women access land as a property, used and managed and contested by households in the rural or customary communities in Sierra Leone. The focus of the study has been on gender equity on land ownership linking that to food security. Other literature has been used to illustrate and argue that land and natural resource rights underpin land-based livelihood activities of women. In concluding this study, this chapter discusses the findings made during the research process.

5.1 Access to land and its benefit

In line with the reviews conducted, the predominant land tenure system in Sierra Leone is customary and as that respected by community members. Patricia Kameri-Mbote, (2005) suggests that, access to land is by a system of ownership through men (husbands, sons, father etc.) this applies for the communities where this research was conducted. Women in all focus groups discussions stated that, they not own land but access it through their male counterpart in the same vein; almost all key informants interviewed also confirmed their claims. A.R Quisumbing and R.S M-Dick, (2001) proposed that, access to land has benefit for physical wellbeing and prospect of children. The women in the group discussions confirmed this. They mentioned that they are getting benefits as a result of accessing land. The benefits they get include, feeding, taking care of household maintenance, pay school fees and medical expenses. The majority of the key opinion leaders also see benefit in paying school fees and feeding as result of women accessing land surprisingly, out of the nine opinion leaders. Although, only few made mentioned of medical expenses as benefit as compared to paying of school fees and other household maintenance. Since the findings proved that women allocate resources gain from access to land to children and household welfare, it is right to assume that, if women have more right over land or decision over use of resource, more resource will be allocated to the welfare of

children and the household as whole. The women and some key informants made mentioned of this also. A woman in the urban areas of Freetown mentioned that “it is difficult to even see a small piece of land to make back yard garden for where I can plant pepper, potato leaves and tomatoes. I buy everything from the market. The land belongs to those whose families are rich”. Another woman in a focus group discussion told me that “I came from another district and married to my husband who is born in this village, but I am using the land given to him by the elders. So I don’t regard myself as a stranger here. We are all the same.”

A woman in Pujehun district told me that, “it is very difficult for us to do our gardening activities. Sometimes we rent he land from other people for short periods and plant our corn (maize). We will then use the money to pay for the land after harvesting the crops”. These are all clear indications that, the use of land in the urban areas is different in the rural areas. Unlike the rural areas, in the urban areas there is not sufficient land. Free land can be seen n those areas that are not highly populated or close to the mountains. Most of those land that you belong to people and once cannot just go and plant vegetables there.

Agriculture is the main alternative for Rural Women, and it should come with better access to land and resources for the prevention, adaptation and mitigation of climate change, combined with rural women learning how to deal with cultural resistance and adapting to various manifestations of this phenomenon.

Realizing the importance of rural women in agriculture is an important aspect of gender relations. In many countries, the role of women in agriculture is considered just to be a "*help*" and not an important economic contribution to agricultural production.

Social customs dictate, moreover, that women, especially rural women, should in addition to agricultural activities be responsible for cooking, carrying water and fetching firewood, limiting their participation in decision-making processes and their exposure to those economic opportunities that arise, thus increasing the level of inequality vis-à-vis their partners.

Although African women are often responsible for providing food to their families both in female and male-headed households, they generally have less access to land than men, less access to education, and are expected to carry most of the burden for housework and childcare. In addition to such observable inequality, there is also prevalent, less easily identifiable, discrimination in the form of less secure tenure.

Fighting hunger and malnutrition are some of the measures which should be taken to guarantee higher income and better living conditions for the most vulnerable communities, which are mostly formed by rural women who practice small-scale agriculture, especially in developing countries. If only there will be an increase in cultivation, the women will get more income as benefits from land which will reflect on the allocation of resource to children and household. The findings clearly show that, land that is accessed by women plays an obvious role in making a living for women's family and food security. The study cannot draw direct correlation on this one, but has to assume in terms of giving more positive economic effect from secure land tenure. The gender and agriculture sourcebook describe a positive correlation between secure ownership of land for women and increase the allocation of resource towards children and household welfare World Bank, (2009). Another key aspect of access to land is that, there will be an increase in income independency FAO, (2002), R.S.M-Dick, (2001), ECA, (2009).

5.2 Access to information about land matters

Some villagers said that they did not have the means of transport to participate in meetings outside of their villages. Whilst others said they had at least participated in one meeting relating to land in their village. It is mostly difficult for the youth to have control over land. So when meetings of land matters are called, they rarely participate in them. They had received information from their relatives or leaders. Consequently, in some communities, respondents confirmed that only few meetings regarding land have been held in their village or section. Some said they have never talked about land issues in meetings and does not think that their issue of land does have an international focus. For them, all they know and understand about land is that, land is owned by the community people. They regard themselves as family members in the communities. Therefore, there is no need to worry about owning it. "if we want to use the land,

we will inform the chiefs in the village and they will give us some areas to plant our crops, but part of the proceeds we sometimes give to the elders, so they will not take the land away from us” said one male farmer in a mile community in Mile 91.

5.3 Current land tenure system

The study finds that the current land tenure system is discriminative against women. Therefore, the system needs to be improved and rights of women strengthening. The majority of the key informants acknowledge there is huge discrimination against women in the current customary land tenure system. The laws of the land states that everybody has equal rights in the country. But practically this is not so. There is unfairness in the system. However, there is need to change the current land tenure system.

In one FDG, the women say the current system is not appreciable because it does not favour them and it prevents the progress of women, thereby debarring their economic development. Some men said that the current land tenure system is good because it is their custom and prefers the system to remain as it is. Few women believe in the notion that they should follow the customs and traditions, because it started long ago from the rule of their ancestors. “We cannot change that now; we will continue to suffer the consequence. We are women and it has to be like that” one woman in Koinadugu district mentioned. This however reveals that there are varied perceptions about the discriminatory practices of the land tenure system against women and also, there are different opinions on whether to change the present land system or not especially among men.

5.4 Crop specific production

An FAO researcher staff in a Bio Energy background review stated that, the crops sub sector has contributed about 67% to agriculture GDP FAO, (2010). The review went further to state that, Sierra Leone was a major exporter of cocoa, coffee, ginger palm kernel, rice and piassava in the

sixties and early seventies. Sierra Leone's performance in agriculture commodities declined sharply as a result of structural adjustment policies and as a consequence of the civil war. But in recent years, there has been a modest increase in the volume and value of agriculture exports. The total value of agricultural export in October 2009 increase to US\$ 33.1 million and cocoa exports made up US\$15.4 million or 46.6% of the total value of agricultural exports. (Source: MoFED). Looking at my research findings, it is men who dominate in cash cropping whilst women just provide labour but control food crop production. Women's labour Initiatives have been promoted country wide, but they have not achieved their intended objectives.

5.5 The consequence of large scale land acquisitions

There is still uncultivated land suitable for agriculture in the country that is currently being used for large scale land transactions. But little has been done to support smallholder farmers especially female farmers. There is apparently a culture clash between risk minimizing strategies of smallholders and profit maximizing strategies of companies. To obtain sustainability it is also vital to reconcile these parallel agricultural models and/or to limit the (incentives for) the former while maximize the (incentives for) the latter. In the western area, there are many land disputes between families and non-family members are like and conflicts over land are not uncommon. Moreover, the underlying causes of the civil war are still there. They must not be worsened by the entry of agribusiness investors. Some respondents warned that foreign land acquisitions might bring conflict. There are not yet proper, inclusive and broad based national discussions on what to do with land and water resources in the country.

The present land tenure system has limited the rural households not only to access to productive resources but also to other survival strategies. Migration, both internal and external, has been viewed as one of the coping strategies to deal with poverty and hunger. This again is impeded if the tenure of land is weak, thus preventing the movement of people from going to one place or the other in search of employment during lean periods of production.

The study shows that there is a clear linkage between appropriate land policies and food security. This expresses itself in various types of problems, each with particular implications for land

policy and food security. The implications can be summarized as persistent and worsening inequity in land ownership and land tenure issues.

5.6 Perception from widows and other vulnerable women

This study has revealed that widows are exposed to dispossession of land. They have extremely limited options to help them remove themselves from the clutches of bad or discriminatory policies. It is not an easy route for widows to inherit their deceased husband's property. Only few women, not only widows, in the western area know the implication of using the legal means to pursue their property. Other women in the rural communities find it difficult to do so. They most times do not know what to do when faced with such problems. For most respondents, it is a mere waste of time and resources to pursue such issues. The law most times favours the ones that have money. Therefore, the legal option is perceived as not being viable and discriminates against the poor, who are mostly women.

Despite the important roles played by women in agricultural economies, rural women in Sierra Leone suffer from the highest illiteracy rates and are the most visible face of poverty. Women guarantee livelihoods, especially in rural areas. Even in cases where widows are allocated land they do not have full control of that land. In the case of a widow's use and rights to land the important players are her brother-in-law and sons. As a result of their great efforts in agricultural production, women's production helps to guarantee their self-sustenance. This is still not enough, however, to cover other needs, such as health care, paying for the education of their children or the acquisition of other products and goods which are necessary on a day-to-day basis since they have a limited financial capacity caused by an inefficient supply chain and poor conservation of their surpluses.

Rural women have to walk, moreover, long distances to carry water and fetch firewood, which is harmful for the health of humans, causing high rates of infant and maternal mortality, reversing progress in education and endangering food sovereignty, as well as food security and nutrition. When a follow up interview was conducted, after 18 months of initial survey in Sierra Leone, some widows in western area have started following land rights issues on the radio. There was a

particular woman, who had managed to ask for the help of some people to help her get back her land from her marital home and all of her three (3) children returned to her. The majority of respondents also indicated that the legal institutions are not easy to access by women in rural communities. So the situation is still problematic and women still face huge challenges.

5.7 Cultural Norms and Patriarchal Institutions

It has been revealed that, Patriarchy institutions and cultural norms which hold men's supremacy over women are the major barriers to the empowerment of women and their participation in agricultural activities. For women living in male headed households, the major economic decisions are made by the men even though women may seem to have their own strengths in terms of decision making processes. The men do so because, they want achieve or benefit more than the women. When interviewed during focus groups discussions, we noted that these challenges are mostly common in women living in rural households. Also, it is clearly note that women are overburdened by reproductive, productive and community roles prescribed by norms in their respective communities. This is a clear manifestation that women are in subordinate position to their male counterparts which affects their access to and control over productive resources like land and other property.

5.8 Key responses from government

A male government official from the ministry of Agriculture, Forestry and Food Security is aware that both men and women should have equal rights to ownership and access to land. He argued that women have the same capability as men, as well as being heads of households and the welfare of the household which mostly lies on them. He went further to say that, equal rights to land will improve production and food security. The ECA's, (2003) study in Botswana also concluded that increasing women's land rights would improve agricultural production and their household food security as this would improve their access to productive resources. Another government official thinks that women have sufficient rights to land whilst another traditional leader felt that women do not have sufficient rights to land. He made mentioned of the Gender

Acts, (2007). That “there are polices that are supporting women, they should not complain, they should try to make efforts to understand these polices”. Failing to mention that, only little has been done to reach out to those rural communities on the importance of these laws of the state. The facts remain that these laws are difficult to understand by women who are mostly illiterates. The process will take time. A chief in Bombali District said that women have primary land rights only when they are heads of households like any other man. The Sierra Leone Gender Act is a statutory law with the mandate to change arrangement under customary law. However, the majority of key informants stated that there has been little or no influence of the laws in their communities. Meaning, in reality, women are discriminate against because the customary system of engagement is what is predominant.

5.9 Summary

Female household heads are the primary respondents, chiefs, heads of farmer groups, representatives of women’s organizations, primary school teachers, youths (male and female) NGO workers, government officials, and members of Civil Society groups were also interviewed in each cluster. Either as key informants or as individual perceptions on land issues, in groups to complement the other information gathered throughout the survey. Many of the respondents interviewed pointed out that the literacy rate in the rural communities where customary laws are practiced is very low, and that it is very important that women be educated in order for them to be able to really communicate and be aware about their rights within the communities.

The enhanced status of women is an important step to empowering women and achieving gender equality and economic and social development, as it leads to women’s increased decision-making power, greater autonomy, and greater participation in the community. Secure rights to land improve women’s ability to diversify livelihoods, better plan for the future, and escape the cycle of poverty and social exclusion.

When a woman’s rights to use land are derived from and dependent on a relationship with a male, she may fear that not using the land for one season will impact her longer-term access to the land. For example, a study in Uganda found that when women farmers did not have secure

rights to the land they farmed, many chose not to let it lie fallow during the most beneficial periods, contributing to soil degradation.

CHAPTER SIX: CONCLUSION AND RECOMMENDATION

6.0 Introduction

This chapter draws some conclusions and recommendations from the study by bringing out the main findings from the issues pertaining to women's access to land and their overall development. The conclusion focuses at some major barriers to women's participation in agriculture and the enhancement of food security issues specifically. Furthermore, the chapter suggest some viable recommendations to ensure women's role in agriculture is recognised and that no one is discriminated based on their gender.

6.1 Conclusions

Most women's empowerment interventions in Sierra Leone have failed because they have focused on addressing practical rather than strategic gender needs. In this case, enhancing women's control over decision making process over factors of production could significantly contribute towards their empowerment.

Globally, there is an evident correlation between gender inequality, societal poverty, and the failure to respect, protect and fulfil these rights for women. This failure widens the gender inequality gap, giving men more power against their female counterparts. Therefore, strengthening women's secure rights to land can help empower them to reach their potentials as citizens and as economic actors, and enable them to take decisions in the homes and take control over their own lives as well.

However, the study has shown that some women have also taken up some roles that used to be regarded as for men like household decision making especially on what and how to grow. This is

evident in their small farming and gardening plots. Also, it shows that women also contribute in terms of labour to agriculture like the men in the 12 districts I studied.

Land, Food Security and development

The overall development of a country depends upon agriculture and rural sector infrastructure development. The rural sector development in turn depends on agriculture for its livelihood, and various kinds of industries, businesses and employment opportunities. The linkage to food security and sustainable development is clear, looking at those with the least power having the little access to resources and the greatest constraints in using their resource base productively, facing the greatest risk of food insecurity and having the fewest opportunities to improve their livelihoods. Land tenure, tenure security issues and access to land strongly influence decisions on the nature of crops grown for subsistence agriculture. They are a great influence to the extent that farmers are prepared to invest their financial capital and human resource to improve production.

The landless or near landless and those with insecure tenure rights often constitute the poorest and most vulnerable groups, especially women. Agricultural productivity and industry is the combined result of technology being used or to be used, with complimentary inputs such as irrigation, fertilizer, supply of raw materials, and marketing, and easy access to rural credit.

There are a number of major challenges facing the agriculture sector worldwide, which is reflected through low productivity and worsened by recurrent droughts and floods, and have led to food insecurity in Africa. The most critical challenge is the decline of agricultural productivity for domestic food and industrial requirements, relative to both the growing needs in relation to demographic changes and the growth of production for exports.

Land policy reforms are more acceptable when a range of stakeholders is included. Recent land tenure policy reforms that have been developed from more participatory processes, are more comprehensive in scope, and have generally strengthen the rights for individual citizens and fewer rights to the State.

Land tenure

The findings from this study conform to assertions by Villarreal, that male family members have an upper hand when it comes to rights to inherit land Villarreal, (2006). As asserted by Moser, (1991) in rural areas women acquire land through their relationships to individual males. This is also confirmed by the experiences of the widows in the communities interviewed. It is further confirmed views expressed by Villarreal, (2006), Walker, (2002), Jackson, (2003) and UNECA, (2003) asserting that women's rights to land are directly linked or associated with the institution of marriage.

However, this study shows that the family as a unit can be more powerful regarding how land allocated to families is distributed. A defiant brother of the deceased can single-handedly deprive a widow and her family of their rights to family land. It reflects a breakdown in the traditional system resulting in land tenure tending towards being based on more subjective principles. This is confirmed by the varying treatment of widows.

The relationships between land tenure, agricultural investment and production have been thoroughly studied in Africa and there is ample evidence as a basis for the development of improved land policies in support of food security. The land tenure issues that affects food security includes; manifestations of unequal distribution of land, sub-optimal utilization of land and insecure tenure. Where the security of tenure is weak in general, livelihoods can be constrained. Thus, tenure remains a key factor for improving land management practices. And, where land distribution structures are highly unequal, the negative food security trends are exacerbated.

Access to land and control over productive resources

Secure access to land is vital when considering the question about productivity. Secure access to land would increase the flexibility and choices female peasants have when choosing their livelihood strategies. Most of the land tenure problems that exist in Africa have their origin in the colonial period. Women are highly restricted in land access compared to men, due to gender discriminations where men are seen as the head of household, hence the owner of productive resources.

This study has demonstrated that women face challenges to access productive resources more than men. There are some implications for technology adoption, food security and access to markets. Increasing women's access to land, education, financial services, extension, technology and rural employment has the potential to boost their productivity and generate gains in agricultural output, food security, economic growth and social welfare (FAO, (2011); Meinzen-Dick et al., (2010).

Women have limited decision making powers over land use, due to the inequalities in distribution of land rights which affects sustainable agricultural production. Besides land, this study has revealed that women's low economic status affects their affordability of inputs on the market. Giving women credit can enhance and boost their affordability of inputs, but the challenge is that financial institutions are mostly not available in the more rural areas. Furthermore, procedures to obtain credit limit their ability to access it.

Dispossession and threats to livelihood have happened in all wards. Women lost arable fields. The study established that widows are heavily exposed to dispossession of their land and other property rights. Most of the widows interviewed had been subjected to various kinds of threats. There were also some evictions where fields were not utilized following either the death of the husband, and at the same time, there were some instances of neighbors' encroaching on the land

of widows. The women complained that, the encroachers think that widows were underutilizing the land, thus tempting them to annex their land. The study has not gone in-depth to further examine this problem. So, the form of underutilization and the reasons behind it, require more investigations.

The finding of this study revealed that the level of relationship with in-laws can have a certain influence on the act of property grabbing. This is confirmed by Mamashela in Schuler, (1986:129), who shows that if a woman's relationship with the in-laws, is not cordial, she may not be able to convene a family meeting for intervention. However, from the findings of the study, it can also be argued that even where the level of relationship is good or moderate, death or separation may lead to the same consequence. The study showed that there are very few communities can do to protect widows land rights. The other reason given by widows for not fighting their in-laws was fear of antagonizing them and this would not be in the interest of the children. Fear of being bewitched also acted as a block to widows seeking protection of their rights, with few exceptions.

Policy response

There have been very slow efforts in the response by the legal framework regarding land reform policies. This limits the enforcement of policy initiatives. The Gender Acts of 2007 seeks to remove discriminatory tendencies to land use and ownership. It advocates for equal opportunities in inheritance of land for children regardless one's gender. But this has yet been fully operationalized. However, there are other international and national policies that promote women's empowerment or aimed at reducing gender inequalities, implementing them is however problematic. The structures have not been reviewed to create an enabling environment for policy implementation.

6.2 Recommendations

This study proposes several recommendations to ensure that women's empowerment initiatives are successful and sustainable. The findings from the study suggest that, development strategies

must be based on the individual need of the poor, which they themselves must define. In order to strengthen poor people's capacity, a focus on increasing poor people's access to productive resources such as land is of great importance, as well as giving them the possibility to develop their agriculture potentials through better markets and agricultural inputs. There is need to consider that women experience poverty due to gender discrimination and because of this they are denied access to land, owning property, bank account, health and education.

Implementation must be informed by country-level, context and culturally-specific assessments to determine the needs of women farmers on a community, regional and country level in order to tailor approaches which will address underlying causes of inequality while ensuring women's wellbeing. This should be informed by a broader gender strategy which establishes long-term goals and guides the intervention.

In order to reduce rural poverty, the issue of land as a secure property must be addressed. The fact that women are the most vulnerable groups in most communities, and at the same time amongst the poorest of the poor, their issues relating to land must be dealt with, paying special attention to their inheritance rights, because they are being discriminated against when it comes to matters that has to do with what property to receive upon the death of their fathers or husbands.

Securing the right to land rights for the right people. It is necessary to specify what kinds of rights (full private ownership or use rights) and whose rights (individual, family, village, ethnic group, state, etc.) need to be secured. Promoting private ownership by setting up cadastres and distributing formal individual legal titles is not always the best solution, as it is expensive and may benefit elite groups that can influence formalization processes.

It will be of great importance to increase the women's access to land and increase their access to agricultural inputs and rural credit by removing the constraints and help boost food sufficiency.

Given the importance of the rural sector in attaining food security and reducing poverty, there is recognition by policy-makers that a vibrant agricultural and rural sector, under-pinned by land reform, will provide the catalyst for improving living standards in Africa.

It is often better to build on and foster the progressive evolution of traditional land administration systems (subject to minimum requirements regarding inclusiveness and security of rights) instead of establishing new formal systems at the outset. This is particularly relevant for communal and common property lands, which are very important for the livelihoods of poor rural people and their cultural values. As recommended by IFAD, 2008, it is also important that we replicate same in Serra Leone.

Advancing women's empowerment

There is inadequate capacity on gender equality in the communities. This limits the women's ability to effectively plan interventions that address the needs of women. This study has shown that, the Ministry of Social Welfare, Gender and Children's Affairs have limited capacity in gender responsive budgeting which is essential for integration of gender into agricultural development.

There is an existing imbalance between the contribution women make and their control over, and access to, income, finance, technical assistance and other productive resources and decision-making. Despite women providing the majority of the labour at farm level, when it comes to delivering the crop to market and completing the sale, it is the men who take up that responsibility, women are often excluded. These tasks are mainly done by men, who subsequently in order to retain much of the control over household income. As a result, one will realize that the role played by women is often unrecognised, unpaid, and invisible. However, Discrimination against women should be acknowledged as a serious impediment to development, which must be eradicated through education and training of women and girls at primary, secondary, tertiary and post-tertiary institutions.

Discrimination and violence against women and girls should be addressed through education which complements anti-violence and anti-discrimination legislation.

There is the need to expand leadership and participation of women in agricultural decision-making at all levels and in all institutions (community, national, regional, and global) related to policy, investment allocation, program development, and implementation. Strengthening the

voice of women by increasing their participation in group activities leads to enhanced status and greater input into decision-making. The agricultural sector through its strategy on empowering women should operationalize the national gender policy which indicates the sector's will to enhance women's active participation.

We must address the underlying causes of income inequalities in order to empower women economically. Taking into considerations that there is variation between culture, religion, and infrastructure which exist among communities, strategies to empower women farmers should not be one size fits all, and there should be varied strategies.

Women's improved status benefits not only their children and families, but also the well-being of women themselves. This is paramount both to combat gender inequality and promote women's empowerment. For instance, women's increased economic empowerment through secure land and property rights can enhance their sexual autonomy. They become less vulnerable to engaging in offering sex as a means of survival, because having secure land rights can lead to increased household food security and they will be able to meet their other economic needs.

Enhance the level of Policy responses to Women's Participation in Agriculture

Since women are responsible for the household subsistence production and welfare of the family, strengthening their land rights will contribute greatly, not only to promote gender equality but also to help in the reduction of poverty.

Though there is the agricultural policy that provides the opportunity to women to demand services that address their needs through participatory approaches, comprehension and adoption of such technologies is a huge challenge. The laws relating to 'land' needs to be reviewed. Though there is a constitutional review process going on in the country presently, there is the need to have the represented voices of women and advocacy groups to enhance this process and ensure that they issues relating to women and land rights must be dealt with accordingly. The present laws, are biased against women, especially those living in rural areas or customary settings, must be in conformity with national and international policies and frameworks. So that, the laws will be able to challenge institutions and societal norms that discriminate against women. However, customary laws need to be scrutinized so that they do not infringe on the rights of women in general not only women farmers.

Gender discriminating laws and traditions has to be reviewed and reverse and allow women to receive quality and thorough information about their rights. Robust land laws are not sufficient, the gap between laws and practice has to be closed to improve women equal rights to inherit, access, use and control land. Strengthen rural women's rights to the access, use and control of property, including land is essential. The focus on the gender dimensions of land rights should be paramount. Because land tenure issues are inextricably linked to gender relations, a gender analysis is essential for designing effective targeted actions. Women are particularly vulnerable and disadvantaged under most tenure systems. Strengthening their rights to land will contribute not only to gender equality but also to poverty reduction, since women are responsible for household subsistence production and welfare.

The new lands Policy along with the Mines and Mineral's Act, together with the functions of the Land Ministry, will play a large role in the way forward for property rights and development in the country.

Development partners need to improve their understanding of gender relations in the context of land-related investments and how multiple and intersecting forms of discrimination can negatively impact rural women rights with respect to land.

The focus should be on women farmers

Due to the fact that women have different needs and interests that need to be addressed, and the fact that they contribute to unpaid family work as casual agricultural labourers, doing additional overlapping roles in the households and are most times the principal producers of crops, they often produce crops for household consumption rather than for sale contributing their labour as unpaid family workers. In light of the above, it will be of great importance to target and support women accordingly. Land sovereignty means that development should not be based on dispossession but on securing the rights of communities to their land, water and forests, and to supporting their types of farming methods. Similarly, the agriculture sector should involve

women farmers in planning of extension activities so that both practical and gender needs are addressed.

It is extremely important to recognize the role rural women play and the contribution they make in networks and cooperatives, giving them greater political and financial support and involving them in the training and conducting of development programs that enhance women's role in agricultural production. There is the need to involve women's networks operating in rural areas, especially those rural women's organizations or cooperatives, in the conception of development programs that are geared towards the empowerment and enlightenment of people in such communities, since actions are always local and by acting locally, it is believed that the beneficiaries of teach project will benefit and it will be result oriented when targeting the right people.

In order to contribute to an increase in the levels of production and productivity, it is necessary to provide support to those women's organizations and farmers who promote new conceptual and development programs and who contribute to the implementation of new ideas by women with a view to diversifying income-generating activities and the provision of other services in rural areas.

The focus should be on policies that ensure that women, as agricultural producers, have equal access to assets, inputs, and technologies, including land and other productive natural assets, extension services, financial services, agricultural inputs, and the knowledge to enable them to participate in and obtain appropriate returns from the agricultural system.

Expanding leadership and the participation of women in agricultural decision-making at all levels and in all institutions related to policy, investment allocation, program development, and implementation should be addressed.

Strengthening the voice of women by increasing their participation in group activities leads to enhanced status and greater input into decision-making in their communities.

Technological and capacity development

Providing women with appropriate the tools to produce more and market their crops does not guarantee that they will be able to get economic benefits. In order to significantly increase their future in agricultural productivity, basic agricultural and marketing training should be done.

Provide time-saving technologies for women and practices that contribute to reducing women's workload and save them time are an important aspect to address if market development programmes are to succeed in empowering women, both socially and economically and carefully designed appropriate interventions that will suit the socio-cultural context that will ensure the safety of female farmers.

The government should help link women farmers with input providers (inputs such as fertilizer, improved seeds, pesticides) for easy sourcing of these inputs in good time and at affordable prices in order to arrest adoption discontinuations.

It should be noted that mere information about improved groundnut production technologies by extension workers will not result in the adoption of such technologies unless female farmers have easy access to inputs which is a major factor in the adoption of technologies for increased crop productivity generally.

Improved production technologies to farmers should take into cognizance the prevailing farming system of the respondents. Technology dissemination to farmers should be based on potential economic benefits and should be simple and suited to the educational/ technological level of the farmers.

Participation of young women in agricultural development schemes should be encouraged by Government and other stakeholders because of their high level potentials of innovation as compared to their older contemporaries.

Investing in education and training

Given the importance of education and training in the areas stressed above, improvements in this multidimensional issue are crucial to the country's future development. Although the importance of education has been alluded to in various reports and in political action, emphasis on this issue should be further strengthened in the directions indicated. There is urgent need to make women in Sierra Leone be made to be aware of their rights on access and control over productive resources so that they are able to make informed decisions. Education should be promoted especially amongst women to improve on adoption of different initiatives besides understanding loan application procedures.

The training of rural women is very important, especially with the adoption of modern agricultural techniques that are tailored to local conditions and that use natural resources in a sustainable manner, with a view to achieving economic development without degrading the environment.

Women need assistance to develop their capacity in order to increase their incomes. In that light, the first most important step is to provide them with training as well as provide them with agricultural inputs and credit so that they can produce more, aggregate their crops, and market them collectively. Such education and training is still lacking in many places and is even lacking in many areas. What is required is an approach that will build local capacity in the process, recognise the need for adaptation, and ensure long term sustainability.

Tackle food security and conservation together

When producer organizations pursue environmental sustainability with good agricultural practice, they are thinking of food security. Without sustainable farming practices, the soils will deteriorate, water and the environment as a whole, thus deteriorating the land that food security depends on. However, Food security and environmental sustainability should be linked to each other.

To adopt measures that facilitate the transition to a type of agriculture that respects the environment and contributes to the conservation of natural resources that benefit women is, in particular, necessary.

Make smallholders a key to policy

Family farmers are the key to just and sustainable development. They must not be bypassed, but rather be the focus of development policy. They should be seen by policymakers as the main part of the solution to global food security, rather than the problem.

There should be recognition that land and natural resource rights underpin the multiple livelihood activities of rural people. These include subsistence farming, cash crops, animal husbandry, and the gathering of forest products and other CPRs Adams et al, (1999). With regards to the above, land tenure reform should situate the needs of farmers for secure tenure within the wider socio-economic context of diverse rural household livelihood strategies.

There is the need to remove less favourable policies that does not favour rural women, focusing on the appreciation of their role as producers of wealth and strengthening the network of public services in rural areas, including health, education, and welfare services, and as well as establishing policies that will combat the asymmetries that prevent rural women from being protected against the effects of climate change.

Reforming land access and tenure systems requires sustained political will and investment. It demands intensive supervision support and takes time, usually more than the lifespan of a single project. Therefore, the choice of implementing agencies is key to ensuring sustained commitment and support, especially from government.

Governments have a key role to play in relation thereto, as well as supporting the access to land, water and seeds by rural women who are involved in small-scale agriculture. Giving support to rural women is a way of breaking the vicious cycle that leads to rural poverty and to the expansion of slums in the cities, where the poor get poorer. Development strategies should

consider rural women as the epicenter, paying special attention to their social skills both within and without agriculture sector.

Policies established for the benefit of rural women should be tested and reassessed by the beneficiaries, using them as a social learning tool and not as individuals on whom political authority is exercised.

Enhance women's Access to agricultural services

Women's lack of access to finance and credit continues to inhibit women's participation in various aspects of economic activity. Also it is true that agricultural activities should lead to rural women increasing their income. But mere financial support is, however, not sufficient.

However, strengthening the financial sector in Sierra Leone and making it gender-responsive must remain a central building block in women's economic empowerment and it should include the concept of 'inclusive finance', which encompasses universal access, at a reasonable cost, to a wide range of financial services, provided by a diversity of sound institutions.

There is the need to ensure that women have access to services that will enable them to engage effectively in agriculture production. Market infrastructure and information should be made available to women farmers if market oriented farming is to be achieved.

There is need for development partners to facilitate rural women access to markets/value chain development. This is key to women's ability to access broader and more profitable forms of trade and business opportunities and realise their potential. In line with services, the agriculture sector should ensure that there is enough capacity in terms of human resources to provide extension services to women farmers.

Ensure that women, as agricultural producers, have equal access to assets, inputs, and technologies, including land and other productive natural assets, extension services, financial services, agricultural inputs, and the knowledge to enable them to participate in and obtain appropriate returns from the agricultural system. Legal reforms, especially related to land rights, are often important to ensuring access and use. The financial services include savings accounts,

loans, insurance, payments, pension plans and remittance facilities that can help people generate income, build assets, manage cash flows, invest in opportunities and strengthen resilience to setbacks.

For small-scale and women farmers, the international community must support investments to improve subsistence farming, expand opportunities for commercial farming, and increase access to wider and more lucrative markets.

For women to succeed as commercial farmers, development assistance and other efforts will need to support women's participation and leadership in mixed-gender farmer groups or strengthen and support women's associations to engage with agribusinesses.

Build and enhance the capacity on gender equality amongst stakeholders

The advocacy role played by civil society groups needs to be strengthened, as does its capacity to partner with government. Mechanisms for state-civil society interactions must emerge expand and be consolidated in order to form a broad pro-poor land reform coalition.

The country should also ensure that capacity in gender equality is built amongst custodians of the society norms that guide institutions that perpetuate gender inequalities (among the chiefs and leaders in the communities).

Below are some answers to important questions:

i. How can the relationship between food security and large scale land acquisition be improved? Possibilities include public as well as private investments in infrastructure, goods and services to enable farmers to commercialize and scale up production, access cheap and appropriate inputs, improve their productivity, add value to their products, access better markets, and fetch better prices for improved quality products. The challenge remains to develop concrete alternative development programmes that confirm land and other resource rights in the hands of local farming families and invest in them. The State, Civil Society groups and other institutions should put mechanisms in place to ensure that, all leases and Memorandums of Understanding (MOUs)

for land deals $\geq 1,000$ hectares go to Parliament for approval and the review existing land leases and MOUs, revoke all, or all clauses within them, that are not in the social, economic and environmental interest of affected communities. There should be a binding regulatory framework for foreign investment in farmland that emphasizes protection of local people and the environment and limits its size.

ii. What are the major transnational land acquisitions for agriculture and land grabbing major concerns?

Large-scale international land acquisitions for agriculture have been defined as allocation of agricultural land by private or public cross-border investors through purchase, lease or other means. Large-scale international land acquisitions refer to allocations of areas of agriculture land above 1000 hectares. The private sector has been involved in a lot of the documented land acquisitions up to date C. Lorenzo et.al, (2009). The phenomenon has also been called land grabbing. It is an appropriate term for describing many of the unjustly conducted transnational land acquisitions up to date. Critics see the phenomenon of transnational farmland acquisitions as such as a global, neocolonial rush for the agricultural land of the developing countries. I.e. a global farmland grabs Grain, (2008), Shepard and Mittal, (2009).

Major concerns include but not limited to:

- a. Opaque negotiations without explicit benefits for local people.
- b. Contracts ranging over periods up to ninety nine (99) years, which may lead to long standing alienation of land and water resources.
- c. Unequally skilled negotiating parties and asymmetric power relations ensuring that terms privilege the strong part.
- d. Governments of LDC's may compete with each other for agricultural investments by lowering the requirements imposed on foreign investors.
- e. Governments may not have the capacity or political will to ensure that land transfers benefit the rural poor.
- f. Corrupt officials may be more interested in personal gain than in the wellbeing of the people impacted by a particular project.

- g. The best pieces of land may be used for export crops rather than domestic food production.
 - h. Smallholders and pastoralists, often women without formal land titles, may be driven of their land.
 - i. Large-scale farming may lead to overconsumption of water, extensive use and dependence of pesticides, monocultures, depletion of forests and land as well as loss of traditional life and production patterns.
- iii. How can the current policy environment be strengthened to promote food security and business investment concomitantly in Sierra Leone?

There is no longer need to debate the fact that agriculture in Africa is the foundation on which sustainable development must be based. The debate should be on how to move from extensive low productivity to intensive high productivity agriculture as a pre-requisite for food security. This study builds on these debates and is calling for a better approach in dealing with food security issues and sustainable growth.

One of the major weaknesses of the agricultural sector is to be found in the production, disposal, and preservation, processing and marketing of agricultural products. We must undertake joint efforts to create favourable conditions in agricultural areas, including the reinforcement of road networks for the transportation of produce from production areas where rural women work, as well as the processing and commercialization of such products.

Key ingredients to improving access to land among women in Africa include legal recognition elevating women's secondary land rights to equal those of men; legal recognition of women's inheritance rights; and joint registration of spousal land rights. Supporting elements include conducting education, awareness, and information campaigns highlighting women's land rights; providing for adequate representation of women in program implementation teams; and having an open and accessible appeal system to address the concerns of any aggrieved parties.

Given the inherent complexity of land tenure systems, the limited capacity of the state, and the costs of tenure reform, there is need to monitor and learn from progress made with land reforms in the region and, if needed, to redirect policy design and implementation. It is imperative to

analyze the implementation and impact of the land policies and laws recently adopted by many African countries, so as to learn lessons for land policy design and implementation in the continent.

- a. The transparency, strengthened information systems, and increased accountability as presented in the Poverty Reduction Strategy Paper, MAFFS, (2005), if applied to the current legislative efforts regarding land, would contribute to landowner understanding of the new laws and landowner confidence in their ability to retain lands.
- b. The local chief's courts need to be examined and measures taken to improve the delivery of what are seen as legitimate, fair, equitable, objective proceedings. How disputes are dealt with, and effective recourse for perceived transgressions are fundamental to tenure security.
- c. There is a significant need for specialized banking institutions or loaning programs for agriculture in the provinces. The current arrangement with the national banks in Freetown are not facilitating to agriculture, customary or formal. Rural banks need to be able to handle leases as collateral for loans to agriculture projects, both small and large scale.
- d. Over the longer term, significant attention needs to be placed on increasing productivity per hectare in upland areas via extension and other outreach services, and importantly the timely availability of enough inputs so that farmers can reliably count on this availability. This would encourage the move toward more permanent forms of agriculture, and away from the perceived need by landowning families to keep an abundance of land available for shifting cultivation (which is presently the case) (also see Turay 1980a).
- e. Those that work in land issues may benefit from access to the various partnerships and platforms and other groups on the topic of land tenure.
- f. Customary farmers by and large do not know the benefits of demarcation, and have little experience with the requisites of investment, yet all paramount chiefs and farmers spoken to want outside investment. Sensitization is needed in order to bring greater understanding regarding what goes into securing an investment, and what realistic investor relationships are.
- g. Mechanized farming services need to be greatly expanded: rental, easy purchase, tractor cooperatives, etc. The problems of bureaucracy involving tractors donated by the

international community need to be overcome, in order to ensure that they arrive and are usable by farmers in their intended destination.

6.3 Areas for Future Research

1. The tenure security of landowning families and its relationship to allowing greater land access; and the specifics of leasing arrangements that provide for viable opportunities for investment by both customary and large-scale investors.
2. Regarding customary law, a form of codification of existing rules, practices, norms of customary leaders etc., is clearly desired by the land policy and by many local leaders as well.
3. However, flexibility and adaptability can frequently be important aspects of customary law regarding land, such that attention given to differences in interpretation, the creation of by-laws, would be worthwhile.
4. A review of existing examples where institutional adaptability has proven successful in this regard would be an important endeavour.
5. Further research is needed on how governance of the customary sector can be improved, particularly with regard to the customary courts. While there is variation in the legitimacy, capacity, and objectivity of these courts throughout the country, they are generally regarded as weak, and often of questionable priorities in terms of effective, fair decision-making.

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