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Ensuring Protection of Women's Land Rights in Bangladesh: A Way Forward to Achieving Women Empowerment and Gender Equality

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ABSTRACT

Land is considered as a symbol of prestige and power all over the world. It raises the status of a person in a society. Although women currently constitute more than half of the total population in Bangladesh, they are deprived of their land rights which is essential for their personal and social security. Even after acquiring their land rights, it becomes difficult for women to enjoy their rights over land. Also, existing legal system and administration are not compatible enough for women to enjoy their rights over land. Keeping these matters in mind, this paper aims to find out the factors which put a bar to women's access to land. Moreover, this paper seeks to analyze women's land rights in light of the provisions of the Constitution of Bangladesh. Further, this paper also intends to examine and evaluate women's right to land in light of domestic laws and relevant international instruments as well. Furthermore, this paper also intends to analyze the socio-economic impact of women's access to land. This paper aims to establish the nexus between ensuring women's land rights and achieving women empowerment and gender equality. This paper purports to emphasize that ensuring protection of women's land rights will pave the way for achieving gender equality at an accelerated pace. Finally, after analysis of women's land rights within the ambit of the Constitution and existing domestic and international legal instruments, this paper intends to put forth recommendations in order to ameliorate the socio-economic conditions of women by ensuring their land rights.

Keywords: Women, Land Rights, Empowerment, Gender Equality

I. INTRODUCTION

Land is considered as the most important asset in this mundane world. Land is a source of food and it creates opportunities for income generating activities. Ownership of a piece of land creates a sense of self-worth and it uplifts the status of a person in a family and society (Scalise, 2009). In Bangladesh, particularly in rural areas, land is regarded as means of security (Karim,

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2013). It is applicable for both men and women. But women in Bangladesh face discriminations in every sphere of life, particularly in social and economic field. One of the key factors contributing to this discrimination is their limited access to land and deprivation of their land rights. Denial of women's land rights affects their livelihood and their position in the society. Women have to face immense difficulties in order to establish their rights over land. Even after establishing their rights over land, they face obstacles to take control over land. Although the Government of Bangladesh has taken steps for the development of women in respect of education, health and nutrition, no effective initiative has been taken to ensure women's better access to land (Sourav, 2015). Independent land rights of women can make a significant difference to their livelihood and wellbeing (Arens, 2014). This paper intends to identify the causes and factors responsible for women's limited access to land. Then it intends to discuss the position of women's land rights in light of the Constitution, the personal laws governing the religious communities in Bangladesh and relevant international instruments. After identifying the loopholes in the existing laws and legal system which contribute to restrain women's land rights, this paper aims to establish that only ensuring the basic necessities i.e. education, health, housing etc. are not enough rather ensuring women's land rights and ownership over land will contribute effectively to the development and socio-economic empowerment of women folk in Bangladesh which in turn will escalate the attainment of gender equality in Bangladesh.

Research Objectives:

This paper aims to find out the factors which put a bar to women's access to land. This paper seeks to analyze women's land rights in light of the provisions of the Constitution of Bangladesh. Further, this paper also intends to examine and evaluate women's right to land in light of domestic laws and relevant international instruments as well. Furthermore, this paper seeks to find out the factors which put a bar to women's access to land. This paper also intends to analyze the socio-economic impact of women's access to land. Finally, after analysis of women's proprietary rights within the ambit of the Constitution and existing domestic and international instruments, this paper intends to put forth recommendations in order to ameliorate the conditions of women by ensuring their land rights. Moreover, this paper aims to establish the nexus between ensuring women's land rights and achieving women empowerment and gender equality. This paper purports to emphasize that ensuring protection of women's land rights will pave the way for achieving women empowerment and gender equality at an accelerated pace.

Research Methodology:

In this research paper, qualitative approach of research has been followed. Also, the socio-legal approach has been undertaken through which an attempt has been made to identify the drawbacks in the existing legal system and administration and how it is contributing to the disadvantageous position of women folk in the society due to non-access of land on the basis of collected data. To conduct this research, both primary and secondary sources of data have been taken into account. The Constitution of Bangladesh, domestic legislations and relevant international legal instruments have been considered as primary sources of data. Text books and reference books, journal articles, newspaper reports, booklets, handouts and relevant websites have been consulted as secondary sources of data.

Meaning of ‘Land Rights’ and ‘Women’s Land Rights’:

Land rights in general include ownership of land; control and access to land property. These rights are often associated with varying degrees of freedom to transfer land. Such freedoms include freedom to sell the piece of land or bequeath the property either as will or gift and also to lease a parcel of land. Moreover, land rights also include the right to restrict or exclude others from land, develop or improve the parcel of land and also benefit from improved land values or rental income (FAO, 2002). These land rights may originate from inheritance on an individual or joint basis, from government transfers, purchases, etc. Protection of land rights are essential for various economic, social, and cultural reasons, as they often determine access to resources. Notably, ensuring land rights also guarantee a person’s livelihood and assurance of identity.

According to the UN Women, women all over the world are entitled to the enjoyment of all rights including right to land. The term women’s land rights include within its fabric multifaceted rights related to land including right to access, use, inherit, control or own land (OHCHR, 2017). Historically, in many societies around the globe, womenfolk have been disproportionately disadvantaged in terms of land ownership and access to land. Discriminatory laws, cultural practices, and social norms have often limited women's ability to own or inherit land. It has significant implications for women’s economic independence, social status, and overall well-being.

II. FACTORS RESPONSIBLE FOR CONSTRAINING WOMEN’S ACCESS TO LAND

Several factors are responsible for deprivation of women’s land rights including right of ownership of land and access to land. These factors are not in isolation of each other. Rather, all of these factors are interconnected and overlap with each other. These factors include, but is not limited to the following:

Lack of Literacy:

Illiteracy can significantly hinder women in exercising their land rights in several ways. It is often the case where people around an illiterate woman take advantage of her unfortunate situation and take control of the property to which she is the rightfully entitled. Illiterate women or women with little education are not aware of their land rights. Thus, they are unable to avail of their rights which creates injustice thereby. Women with little to no education lack legal literacy which excludes them from asserting and defend their land rights under the existing legal framework. Their limited knowledge of literacy prevents them from actively participating in the decision-making process related to their land. This also creates a heavy reliance on others for matters crucial to exercise their land rights. Moreover, illiteracy also lead to limited economic opportunities and lack of communication which make illiterate women susceptible to exploitation by unscrupulous individuals or family members who may take advantage of their lack of literacy to manipulate land-related transactions to their advantage. Furthermore, illiteracy hinders women's right to access information on land rights and thereby creating impediments to exercise those rights (Boughton, 2020).

Poverty:

Poverty and women's land rights are intricately connected. Absence or lack of proprietary rights can lead to poverty (Cheneval et. al, 2008). Conversely, poverty can significantly constrain women's ability to assert land rights in various ways. Impoverished women may struggle to afford legal representation or navigate the complex legal system. Moreover, poverty can exacerbate gender disparities perpetuated by cultural and gender norms, making it even more challenging for women to challenge traditional norms and claim their land rights (Dormekpor, 2015). Poverty-stricken women may face political and social marginalization thereby limiting their representation in decision-making processes on their proprietary claims.

Inequalities within the family:

Generally, women are regarded as subordinate to men in a family. The fact that a women's position in the family and society is undermined contributes greatly to their non-access of land. Due to this perception, economic resources are controlled by men in a family which put the female members of a family in a disadvantageous position to some extent. In many cases, brothers of a family sell the portion of a married sister's property without her knowledge and permission (Sourav, 2015). In such cases, it becomes difficult for a woman to claim her property back through all the time-consuming official processes.

Prevailing Patriarchal Practices:

Prevailing patriarchal practices may also significantly hinder women from asserting their land rights in a number of ways. Traditional gender roles dictated by patriarchal norms often assign men as the primary landowners and decision-makers within families (Kelbert and Hossain, 2014). Existing structures entrenched in patriarchy which treat males as the head of the family often lead to economic dependence on men (Velayudhan, 2009). As such, women who are financially dependent may find it difficult to challenge unfair land practices, as they lack the economic autonomy to do so. Patriarchal practices may limit women's participation in family and community decision-making processes, including those related to land. Moreover, such practices may perpetuate violence and coercion against women who attempt to assert their rights (Hossen, 2020). Furthermore, patriarchal societies may stigmatize assertive behavior in women, particularly when it challenges traditional gender roles. This cultural stigma can discourage women from speaking up and asserting their land rights.

Misinterpretation of Religious Texts:

Misinterpretation of religious texts can contribute to the violation of women's land rights in several ways. To be noted that the religious texts themselves are open to various interpretations influenced by cultural, social, and historical contexts. Misinterpretation may involve selectively emphasizing certain passages that reinforce traditional gender roles or stereotypes which treat women as second-class citizens and as subordinate to men (Mir-Hosseini, 2006). This can contribute to the justification of discriminatory practices against women and are detrimental to the promotion and protection of women's rights in general (Belkner, 2011). Misinterpreting religious texts in a narrow and restrictive manner may lead to the belief that women's roles are limited to certain prescribed activities, excluding them from leadership roles or decision-making positions. Misinterpretations may lead to the imposition of restrictions on women's mobility and autonomy, limiting their ability to make independent decisions on land related matters. In Bangladesh, the people are governed by general as well as personal laws. People of a particular community are governed by their respective personal laws. In Bangladesh, majority of the people are Muslims and they are governed by Sharia Law. Owing to the patriarchal mindset of the society, original texts of the Holy Quran are often misinterpreted although there is no discrepancy in the texts itself (Siddika and Khatun, 2014). It severely affects women's land rights as people in our country are still more inclined to follow personal laws and regulations regarding their religion. Moreover, even after acquiring ownership over land, it becomes difficult to control such land since Muslim women have to fulfill the requirements of 'Purdah' (literal meaning veil i.e. seclusion to men) owing to the conformity to religious traditions. Hence, it becomes difficult for women to control their land since they have to be dependent on

men in such cases (Arens, 2014).

Cultural Expectations:

Cultural expectations also plays a disadvantageous role regarding women's access to land. According to this notion, a woman should not claim her portion of parental property (Monsoor, 1998). Rather, she should give her portion of the property to her brothers. Such cultural expectations of female submission and obedience can discourage women from asserting their rights, including those related to land. Violation of this cultural norm is deemed to be unacceptable in many parts of the society. This is a clear hindrance to ensure women's land rights. The fear of social ostracism may deter women from challenging patriarchal norms. Moreover, threats and intimidation can create a climate of fear, deterring women from pursuing legal avenues to claim their land rights.

III. DOMESTIC LEGAL FRAMEWORK ON THE PROTECTION OF WOMEN'S LAND RIGHTS IN BANGLADESH:

In Bangladesh, the issue of women's land rights holds profound significance as it represents a crucial dimension of women empowerment, gender equality and social justice. While Bangladesh has made considerable strides in acknowledging and safeguarding the rights of women, challenges persist, particularly in the realm of land ownership and control over land. The legal framework governing women's land rights in Bangladesh reflects a complex interplay of constitutional provisions, statutory laws, and cultural dynamics which is analyzed under the following heads:

Women's Land Rights under the Constitution of Bangladesh:

The Constitution of Bangladesh (Hereinafter referred as the Constitution) serves as a cornerstone for safeguarding fundamental rights, including the crucial aspect of women's land rights. Enshrined within the fabric of the constitutional framework are provisions designed to promote gender equality and ensure equitable access to land resources for women. The preamble of the Constitution of Bangladesh has ensured fundamental human rights and freedom, political, social economic equality and justice for all the citizens of Bangladesh. Under Part II and Part III of the Constitution, several rights have been incorporated in the forms of fundamental principles of state policy and fundamental rights which guarantee women's land rights either expressly or impliedly. Part II of the Constitution includes several economic, social and cultural rights which, although not judicially enforceable as per Article 8(2), such provisions will act as a guide to the interpretation of the Constitution and effectively contribute

to enforcing the fundamental rights as enshrined under the Constitution (Haque, 2018). As per Article 13, people shall own or control the means of production and distribution and the provision also lays down principles of ownership which are equally applicable to both men and women. Article 14 enshrines the State's fundamental responsibility to emancipate the toiling masses which include peasants and workers and also the backward sections of the society. Even though the conditions of women are changing slowly, they are still regarded as the backward section of the society (Ramani, 2016). As such, this provision contributes to a great extent to ensure women's land rights. Right to social security of widows has been guaranteed under Article 15(d) of the Constitution. Ensuring the right to social security can guarantee women's land rights by providing a financial safety net that enhances their economic independence which in turn empowers women to assert and maintain their land rights, thereby fostering greater economic resilience and reducing vulnerabilities (Huber et. al, 2009). Article 19 states that the State shall ensure equality of opportunity, equitable redistribution of wealth and participation of women in all spheres of national life. Equitable redistribution of wealth contributes to guaranteeing women's land rights by addressing economic disparities and promoting a fair distribution of resources. Such redistribution paves way for a more inclusive and just society, ensuring that women have the means to assert their land rights, invest in property, and contribute to sustainable economic development (Lastarria-Cornhiel, 2014). Part III of the Constitution incorporates provisions on fundamental rights which are judicially enforceable as per Article 44 of the Constitution read with Article 102. The interplay between fundamental rights under the Constitution and women's land rights is pivotal in ensuring women empowerment and gender equality. Constitutional guarantees of fundamental rights lay the very foundation for challenging gender-based disparities in land ownership and access to land. Article 27 under Part III guarantees equality before law which is applicable for both men and women. Equality before the law ensures women's land rights by guaranteeing women equal access to legal processes thereby allowing them to defend or assert their land rights without facing gender biases. By providing equal access to legal resources and representation, equality before the law empowers women to navigate complex legal procedures related to land rights. Article 28 plays a significant role in ensuring women's land rights. It lays down that the State shall not discriminate any person on grounds of religion, caste sex etc. and also ensures equal rights of men and women in all spheres of life. Notably, Clause 4 of Article 28 incorporates the notion of positive discrimination, otherwise known as affirmative action whereby women's right to positive discrimination is explicitly recognized under the Constitution (Anju, 2011). This is undoubtedly an effective measure for the betterment of the women folk as it paves way for the state to ensure

women's land rights by implementing measures that address historical and systemic gender-based disadvantages and also overcome entrenched inequalities. Such provision aims to rectify gender disparities and enhance women's access to and control over land resources. Article 42 guarantees right to property as a fundamental right whereby it states that every citizen has the right to acquire, hold, transfer or otherwise dispose of the property (Lina, 2023). The right to property as a fundamental right ensures women's land rights by legally affirming their entitlement to own, inherit, and control land. This guaranteed constitutional right provides women with equal protection under the law, challenging historical and socio-economic biases that marginalized them in matters of property ownership. By securing women's right to property, this fundamental right makes way for socio-economic empowerment and gender equality.

Women's Land Rights under the Personal Laws of Bangladesh:

In Bangladesh, women's land rights are predominantly regulated by personal laws governing different religious communities in Bangladesh. Owing to the existing socio-economic practices, it is necessary to examine the legal provisions under the existing family laws of Bangladesh impacting women's access and ownership of land. This intersection of family laws and land rights plays a crucial role in shaping gender equality and empowerment in the Bangladeshi context which is analyzed as below:

Muslim Personal Laws: According to the Muslim Personal Law (Shariat) Application Act, 1937, Muslim women's inheritance of property will be regulated by Sharia Law. Consequently, Muslim women's right of inheritance of property has been recognized in The Muslim Family Laws Ordinance 1961 and this right has been affirmed again through the enactment of Family Courts Act, 2023 which was enacted by repealing the Family Courts Ordinance, 1985. According to the Islamic Law of inheritance, otherwise known as *al-faraid*, all classes of women are entitled to fixed share of property (Hossain and Jamil, 2023). Muslim women are entitled to only half of what their male counterparts inherit from their father. Women also inherit property from their husbands. After the husband's death, the widow gets one-eighth of the property if they have children and one-fourth of the property if they have no children. The Islamic law of inheritance, based on the combined ideas of the holy Quran and the Sunnah, considers various factors on distribution of property between men and women including the roles and responsibilities of everyone in the society. It provides for just and equitable distribution of property including land for Muslim women (Khan et. al, 2016). Even though the Islamic law of inheritance ensures just distribution of property for Muslim women, the provisions are not implemented in reality owing to the misinterpretation of religious texts and

existing socio-economic practices.

Hindu and Buddhist Personal Laws: The followers of Hindu religion in Bangladesh are governed by the *Dayabhaga* school of law. To be noted that the Buddhist community in Bangladesh is governed under the Hindu Personal Laws. Therefore, Hindu personal laws applicable to the Hindu women in Bangladesh are also applicable to the Buddhist women in Bangladesh. Under the *Dayabhaga* school, a woman may acquire two types of property, namely- (a) inherited property i.e. widow's estate over which she has limited rights although having the ownership of the same and (b) *Stridhan* over which a woman has absolute control and such property is usually comprised of gifts. After the widow's death, property goes to the heirs of the husband and not to her own heirs in case of widow's estate. Section 3(1) of The Hindu Women's Right to Property Act, 1937, recognizes widow's inheritance simultaneously with her son(s) (Huda, 2011). Under the Hindu law of inheritance in Bangladesh, a daughter is completely excluded in presence of a son. In case where the deceased leaves only daughters, the daughter's inheritance is solely dependent upon the birth of a male issue. In the case of *Abdul Gani Khan vs. Tamijuddin Howlader [5 DLR (1953) 440]*, it was held that a barren daughter or widow without female issue or mother of a daughter is excluded from inheritance. Therefore, it is evident from the reading of the existing laws that the Hindu women in Bangladesh face systematic discrimination and are deprived of their proprietary rights. Even though the Constitution of Bangladesh guarantees equality, no effective measures have been undertaken to reform the Hindu law of inheritance in Bangladesh owing to the indifference and resistance of groups supporting orthodox laws and also prevailing religious norms and customs. As such, in spite of the guarantee of secularism under the Constitution, the Hindu women in Bangladesh are categorically marginalized due to deprivation of proprietary rights (Al-Ifran Hossain, 2020).

Christian Personal Laws: As regards to proprietary rights, followers of Christian religion in our country are governed by the Succession Act 1925. According to Section 33 of the Act, widow receives one-third of the property. In absence of lineal descendants and kindred, widow inherits the whole of the property. Moreover, children receive equal share of the property under the Act. Apparently, legal provisions on proprietary rights of Christian women are gender-friendlier in comparison to those under the Islamic and Hindu law. The Christian law of inheritance is highly regarded from a legal perspective as it grants the Christian women in Bangladesh substantive inheritance rights. However, due to the prevailing discriminatory practices existing in the patriarchal Christian community in Bangladesh, it becomes difficult for Christian women to effectively exercise their land rights and control over land in practice (Das,

2016).

Women's Land Rights under the Secular Proprietary Laws of Bangladesh:

Similar to the Constitution of Bangladesh, womenfolk in Bangladesh possess the right to own and control land as per the secular proprietary laws of Bangladesh. These legislations do not impose any restrictions on women regarding the acquisition, holding, transfer, or disposal of property. For instance, Section 7 of the Transfer of Property Act, 1882 states that any person, including both male and female citizens in Bangladesh, who is competent to contract and entitled to transferable property can transfer such property in accordance with the prevailing laws. Consequently, women have the legal entitlement to purchase, own, and transfer landed property. The State Acquisition and Tenancy Act, 1950 (Hereafter referred as the SAT Act) was enacted with an intention to maintain the agricultural character of land by granting cultivators the first right of purchase and restricting other uses. Nevertheless, due to numerous exceptions and inadequate enforcement, the expected outcomes have not been achieved. In case of private ownership, there is a limit or ceiling of land determined by the Government. Previously the highest limit or ceiling was 375 bighas as per Section 90 of the SAT Act. Subsequently, the Bangladesh Land Holding Limitation Order, 1972, and the Land Reform Ordinance, 1984, set limits on land ownership, with 100 bighas as the maximum, and 60 bighas as the ceiling for land ownership respectively. Very recently, the Land Reforms Act, 2023 was passed repealing the Land Reforms Ordinance, 1984 where the provision on ceiling of land ownership remains unchanged. Even though the general laws impose no bar on women to own, possess or transfer property, the expected outcomes have not been achieved due to numerous exceptions and inadequate enforcement (Iqbal, 2023).

IV. INTERNATIONAL LEGAL FRAMEWORK ON THE PROTECTION OF WOMEN'S LAND RIGHT

The protection of women's land rights, as emphasized by a number of international instruments, is a crucial element in advancing women's empowerment, fostering economic independence, and promoting gender equality on multiple fronts. The provisions outlined in these instruments serve as a foundation for legal reforms and societal changes that empower women in diverse aspects of their lives. The protection of women's land rights under the international legal framework involves various conventions, treaties, and principles aimed at promoting gender equality and eliminating discrimination. Key instruments include the following:

The Universal Declaration of Human Rights (UDHR), 1948: The Universal Declaration of Human Rights (UDHR) adopted by the United Nations General Assembly in 1948 is a seminal

document that proclaims the fundamental rights and freedoms to which all individuals are entitled. Serving as a beacon for global human rights standards, the UDHR stands as a testament to the international community's commitment to the dignity, equality, and inherent rights of every person worldwide. Articles 2 and 16 of the UDHR emphasize the principle of non-discrimination and the right to marry and found a family. These principles form the basis for recognizing and addressing gender-based discrimination in the context of property and land rights. Protecting women's land rights under the UDHR promotes equality within the family structure, contributing to women's empowerment by ensuring they have equal rights in marriage and family matters. Article 17 of the UDHR recognizes the right to property, emphasizing that everyone is entitled to both individual and joint ownership of property. Although the term 'land' is not mentioned explicitly, it can be inferred that land rights is recognized within the fabric of the right to property.

The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), 1979: The CEDAW is a comprehensive international treaty that specifically addresses gender discrimination. The obligations of States parties concerning women's land rights stem from various rights associated with this issue, such as equality in marriage and family as per Article 16, economic rights under Article 13 or the rights of rural women under Article 14. Notably, Article 14 of the CEDAW remains the only legally binding provision under an international legal instrument out of the nine core instruments within the international human rights law framework which explicitly recognizes women's land rights by highlighting the need for women's equal treatment in land and agrarian reform, as well as in land resettlement schemes (Gilbert, 2013). Additionally, Article 15 of the CEDAW addresses the rights of women in relation to property, emphasizing the right to own property and the right to inherit. It is evident that there is a necessity of adopting a holistic approach to define State obligations concerning land rights as the three levels of obligation i.e. obligation to respect, to protect, and to fulfill can be applied to land rights (Wyttenbach, 2018). Ensuring women's land rights aligns with CEDAW's broader goal of eliminating discrimination against women. By recognizing and protecting these rights, the CEDAW contributes to empowering women economically and socially.

The Beijing Declaration and Platform for Action, 1995: The Beijing Declaration, adopted at the Fourth World Conference on Women in 1995, emphasizes women's equal rights to land and property. Paragraph 51 of the Declaration speaks of the direct nexus between poverty and women's lack of economic opportunity including ownership of land. It calls for the elimination of discriminatory laws and practices and encourages governments to enact and enforce laws

that ensure women's access to and control over land. The commitment to women's equal rights under the Beijing Declaration is integral to women's empowerment, fostering economic independence and challenging traditional gender norms.

Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security, 2012: Developed by the Food and Agriculture Organization (FAO), these guidelines provide a framework for improving the governance of tenure rights, including recognizing the significance of women's land rights. They emphasize non-discrimination and equal rights for women in relation to land access and ownership.

The Sustainable Development Goals (SDGs): Goal 5 of the SDGs focuses on achieving gender equality and empowering all women and girls. Target 5.a specifically calls for reforms to give women equal rights to economic resources, including access to ownership and control over land. Achieving this target directly contributes to women's empowerment and broader gender equality. SDG 5 holds the potential to improve food security by addressing women's access to land and natural resources thereby paving way for women empowerment and achieving gender equality (Agarwal, 2018).

V. NEXUS BETWEEN PROTECTION OF WOMEN'S LAND RIGHTS AND ACHIEVING WOMEN EMPOWERMENT AND GENDER EQUALITY

Generally, the term 'empowerment' denotes changes which enables individuals to make decisions and undertake actions based on those decisions (Pallas, 2011). Ensuring women's land rights particularly women's ownership of and control over land is indispensable for promoting women empowerment. Women empowerment is vital for the socio-economic growth of any country. Low percentage of women's ownership of land is responsible to a great extent for the lower position of Bangladesh in respect of socio-economic growth. The nexus between the protection of women's land rights and women's empowerment is therefore integral to advancing gender equality. Following is a detailed explanation of how securing land rights contributes to women's empowerment and leads towards broader gender equity:

Economic Empowerment: Based on several empirical studies, it has been found that access to land resources and land ownership significantly increases economic empowerment of women (Mishra and Sam, 2016; George et. al, 2015). Economic empowerment provides women with a tangible economic asset, enabling them to generate income through agriculture, rental income, or collateral for loans. This financial independence enhances their economic standing and decision-making power within the household. Moreover, access to land allows women to

engage in entrepreneurial activities, such as starting small businesses or agricultural ventures. This economic agency not only contributes to household income but also boosts their self-esteem and societal status. Over time, as women accumulate wealth through land ownership, they gain financial stability, allowing for greater economic decision-making autonomy. Furthermore, women's economic empowerment through ensuring land rights contributes to broader community development by fostering sustainable practices, creating employment opportunities, and promoting overall economic growth fostering sustainable practices, creating employment opportunities, and promoting overall economic growth.

Social Empowerment: Ensuring women's land rights empowers women by granting them a stake in household decision-making processes (Mahmud et. al, 2023). The ability to control and manage property often translates into increased autonomy, influencing decisions related to education, healthcare, and family planning. In many societies, land ownership and access to land is linked to social status. Land ownership contributes to the elevation of a woman's social status (Goldman et. al, 2016). Women who own land may experience a shift in societal perceptions, challenging traditional gender norms and contributing to redefining women's roles in both public and private spheres.

Political Empowerment: Land ownership and access and control over land can translate into increased participation of women in community and political affairs. As empowered landowners, women are more likely to engage in local governance, advocating for policies that address gender-based disparities and promote inclusive development. Women who own land often gain increased visibility and credibility within their communities, leading to greater recognition of their capabilities and perspectives both of which are crucial aspects of political empowerment (Dekker, 2013). Landownership can empower women to actively participate in local governance structures, such as village councils or community committees, where decisions impacting the entire community are made. Ensuring women's land rights can help to challenge traditional gender roles, break stereotypes and pave the way for broader societal acceptance of women as capable leaders, manifesting their political empowerment at various levels of governance (García-Morán and Yates, 2022).

Legal Empowerment: Securing legal rights to land ensures that women are recognized as legitimate landowners. This recognition is a crucial step in challenging discriminatory legal frameworks and cultivating an environment where women's rights are protected and upheld. Land rights empower women to seek legal recourse in cases of property disputes or violations (Rashid, 2010). Legal empowerment through land ownership enhances women's ability to navigate and influence legal processes, promoting a more just and equitable system.

VI. RECOMMENDATIONS TO ENHANCE PROTECTION OF WOMEN'S LAND RIGHTS IN BANGLADESH

Ensuring land rights of women is essential for the socio-economic development of a country. If women have effective access to land, then their risk of being poverty stricken would be reduced. It would ensure their welfare as well and it would benefit the country immensely. Ensuring the protection of women's land rights in Bangladesh requires a multifaceted approach involving legal, social, and economic measures. Following are some recommendations to enhance the protection of women's land rights in the country:

Legal Reforms: Conducting a thorough review of family and property laws is a crucial first step. By identifying and amending discriminatory provisions, the legal framework can be reshaped to explicitly guarantee women's equal rights to own, inherit, and manage land. Moreover, simplifying legal procedures is essential to facilitate women's access to land ownership. This not only ensures equal opportunities for women but also promotes a fair and efficient legal system. Furthermore, taking a holistic approach to understanding laws is vital for effective implementation (Rao, 2017). This involves considering the interconnected nature of legal provisions and their impact on women's rights. By addressing the issues on women's land rights comprehensively, policymakers can create a more cohesive legal framework that ensures gender equality in land ownership.

Awareness and Education: Public Awareness Campaigns should be launched to raise awareness about women's land rights, targeting both urban and rural populations. Again, various media channels should be utilized to disseminate information about legal provisions, rights, and avenues for redressal. Steps should be taken to integrate information on women's land rights into educational curricula at various levels. This can contribute to changing societal attitudes and norms regarding women's roles in ownership of land.

Capacity Building: Legal Literacy Programs should be implemented to enhance legal literacy among women, ensuring they are aware of their rights and how to navigate legal processes. This can be done through workshops, community outreach, and partnerships with legal aid organizations. Moreover, Training for Legal Professionals including judges, lawyers, and law enforcement officials should be arranged, on gender-sensitive approaches to property disputes and the enforcement of women's land rights. Establish and promote legal aid services specifically focused on women's land rights. Ensure that women have access to affordable legal assistance to navigate property-related disputes.

Access to Justice: Legal Aid Services specifically focused on women's land rights should be

established and promoted to ensure access to justice. Initiatives must be undertaken to ensure that women have access to affordable legal assistance to navigate property-related disputes. Moreover, rules and procedures to expedite the resolution of land related disputes should be adopted.

Community Engagement: open dialogues about gender equality, women empowerment and the importance of women's land rights should be arranged within the community level. community leaders, religious leaders, and influential figures should come forward in this regard to advocate for women's rights. Moreover, networks of support within communities should be created to provide assistance and guidance to women facing challenges in asserting their land rights.

Governmental Initiatives: Effective monitoring mechanisms should be established to monitor and evaluate the implementation of laws and policies related to women's land rights. Regularly assess the impact of legal reforms and make necessary adjustments. Moreover, steps must be undertaken to Ensure that land administration offices are gender-sensitive and gender inclusive and equipped to handle women's land rights issues. This includes training officials to address gender biases and provide respectful and supportive services to women.

International Collaboration: Engaging in international collaboration with organizations specializing in women's rights and land tenure is a strategic and impactful approach towards ensuring women's land rights in Bangladesh. Collaborating with international organizations provides a multidimensional approach to advancing women's land rights, offering a platform for knowledge exchange, capacity building, resource mobilization, advocacy, and effective monitoring and evaluation. Such partnerships amplify the impact of national initiatives, thereby fostering a more inclusive and equitable and women-friendly land tenure system.

By implementing these recommendations, Bangladesh can make significant strides in safeguarding women's land rights, promoting gender equality, and contributing to broader social and economic development.

VII. CONCLUSION

The protection of women's land rights serves as a cornerstone for fostering women's empowerment and achieving gender equality in Bangladesh. Secure land tenure empowers women economically, providing a foundation for financial independence and entrepreneurship. Through legal reforms that ensure equal access to and control over land, women are empowered to challenge discriminatory norms and redefine their roles within families and communities. This empowerment extends to social spheres, as women gain increased autonomy, decision-

making power, and elevated social status. Education and healthcare outcomes improve when women have control over land, creating a positive ripple effect on the well-being of entire communities. Economic empowerment, a key outcome of ensuring women's land rights, contributes to breaking the cycle of poverty and promotes sustainable development. Political empowerment follows suit, with empowered women playing a pivotal role in shaping policies that address gender disparities and advocating for inclusive governance. As women gain legal recognition and access to justice in matters of land ownership, the legal landscape becomes a catalyst for societal change, challenging deep-seated inequalities. The nexus between women's land rights, empowerment, and gender equality represents a transformative force that transcends individual rights to impact entire societies. It is a call to action for comprehensive legal, social, and economic reforms, recognizing that the empowerment of women is not merely a matter of justice, but a fundamental driver for achieving a more equitable and prosperous world.

VIII. REFERENCES

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