Migration and Women’s land tenure rights in the Mekong Sub-region

Soimart Rungmanee, Ph.D.
Puey Ungphakorn School of Development Studies, Thammasat University

Patcharin Lapanun, Ph.D.
Faculty of Humanities and Social Science, Konkaen University

Maw Thoe Myar and Suoknida Soutouky
Faculty of Social Science, Chiang Mai University

with contributions from Philip Hirsch and Daniel Hayword
Gender inequalities in formalisation of land rights (Lastarria-Cornhiel 1997)

Men are viewed as the head of the household
- land is issued under husband’s name.

Land title programs ignore the complex cultural norms and practices around land rights
- discrepancies between statutory and customary laws.

Patriarchy ideology in the society
- Land officers reject to register co-ownership titles to couples without a legal marriage
- Male household heads and community authorities refuse to include women in the process and on the land titles.
When men migrate and women stay at home

- Women take responsibility for agricultural production, social and communities' duty.

- This could be a burden for women, or this could empower them. An example is, having to hire labour or investing remittances (more supervisory roles).

- Women work on the land but could not own the land.

https://wle.cgiar.org/thrive/big-questions/what-truth-about-role-women-agriculture-today
When women migrate and men stay at home

- 60% or more of international migrants from Indonesia and the Philippines are females (Yeoh 2016). Who does childcare and housework?

- Statistics show that women remit higher incomes than men (UN Women 2010)

- Most destination countries have gender segregated labour markets
  - migrant women are concentrated in domestic and care work

- Migrant women are empowered through their money, skills and social networks earnings.

- Who controls assets and remittances? Who makes a decision?
  - Remittance forest (Peluso & Perwanto 2018)
    - gendered transnational labour migration
    - women’s remittances are remaking agrarian livelihoods in migrant-sending communities.
    - village men manage work in the forest, the remittances from women has funded housing and property, vehicles, education, debt repayment, and, particularly for this story, livestock (especially cows for milk production).
Research Sites

- Nwa Lar Woe
  - Village established 1975
  - Only Hmong (White)
  - Forced relocation from highland to lower land, 40 km from Luang Prabang
  - 74 households, 511 people (251 male and 260 female)
  - Young generation are migrating for education.

- Long Lan
  - Village established 1999
  - Villagers are Karenni
  - Forced relocation (part of four-cut policy) from highland to the outskirt of Loikaw township
  - 37 households (150 people)
  - (male) migration as an important livelihood strategy

- Na Dok Mai
  - 40 kilometers south-west from the town of Udon
  - 5 villages: 920 households, population 4,539, male-female ration = 49:51
  - Long history of domestic and international migration
# Land Tenure Systems and Development Trajectories in Laos, Myanmar and Thailand

<table>
<thead>
<tr>
<th>Country</th>
<th>Land tenure system</th>
<th>Women’s land ownership</th>
</tr>
</thead>
</table>
| Laos     | - post-socialist/post-conflict reforms  
- government tried to stop shifting cultivation  
- involuntary resettlement  
- Land and Forest Allocation (1990s) | Women's right to own land is recognized by law.                                         |
| Myanmar  | - post-socialist/post-conflict reforms  
- involuntary resettlement  
- 60 duplicated laws in relation to land  
- opened up to global markets through a neoliberal policy agenda caused negative impacts upon land tenure security for smallholders |                                                                                       |
| Thailand | a distinctive position due to the long-standing land policy for more than half century  
- land reform 1954 |                                                                                       |
# Gender, migration and land relations in the study sites

<table>
<thead>
<tr>
<th>Case study</th>
<th>Land Relations</th>
<th>Current migration, Who migrates, who stays?</th>
</tr>
</thead>
</table>
| **Long Lan Village (Hmong), Laos** | - a strong patriarchal and patrilocal tradition  
- most assets are under male’s names. However, each household registered both husband and wife’s names on their housing land, following the state’s Property Law (because the registry office had done it for the community)  
- woman works in vegetable farm, men take care of livestock and trading  
- limitation of land for livestock, rich villagers bought more land from Khmu villagers | - refugee migrate to USA, Canada and USA after 1975  
- migration of young people for education in the city  
- Some females migrated for education but the ratio of dropping out of school to get married remained high  
- A Hmong woman who migrated for education and succeeded to obtain a middle-class job had more acceptance from the family. |
## Gender, migration and land relations in the study sites

<table>
<thead>
<tr>
<th>Case studies</th>
<th>Land Relations</th>
<th>Current migration, Who migrates, who stays?</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Nwar La Woe Village (Karenni), Myanmar</strong></td>
<td>- House goes to youngest son, agricultural land would be equally divided</td>
<td>- Migration is dominated by men</td>
</tr>
<tr>
<td></td>
<td>- Clear labour division among men and women</td>
<td>- Women migration is restricted by norms and contexts of war in the previous era</td>
</tr>
<tr>
<td></td>
<td>- Housing certificates (form 7) are under men’s name as a family head</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- You own the plot where you are working on, if not, the land must be returned to the village to distribute to others</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Na Dok Mai Village, Northeast Thailand</strong></td>
<td>- Matrilocal land relations in the past</td>
<td>- 1970s domestic migration because of Vietnam war (men for labour works, women for entertainment works)</td>
</tr>
<tr>
<td></td>
<td>- The trend is family diving land equally to their children</td>
<td>- 1980s men migrate aboard</td>
</tr>
<tr>
<td></td>
<td>- Female’s names on the title if it’s her money spent on the land</td>
<td>- 1990s both men and women migrated to East Asian countries</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- More than 150 women married to foreigners</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Female has autonomy to manage resources</td>
</tr>
</tbody>
</table>
Do remittances play a role in accessing land through the market?

- In Northeast Thailand, transnational marriage migrant women remit money to buy plots of land at home, predominantly for residential land and land for cash crops, which often improved women’s economic position in households and communities.

- In the Karenni community in Myanmar, agricultural land accumulation appears to be a relatively minor motivation, housing and establishment of non-agricultural enterprises is more significant.

- Richer Hmong families in Laos tend to purchase both land in urban areas and agricultural land with commercial tree crops such as rubber in other villages, with an expectation of future profit. However, the educated migrants who successfully move to skilled jobs rather then stay in town.
The relations between women's empowerment, land tenure, migration

- While it is often assumed that women have less access to land than men, women in Northeast Thailand played strong roles and had great influence in land affairs including decision making to buy, sell or rent out the land.

- Our study showed that empowerment of women came from being away from the village rather than being left-behind in agriculture (Lao case study).

- The left behind women in Myanmar tend to abandon the land and depend on remittances remitted by men.
THANK YOU