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Investigating the Challenges of Women Land Rights in Suakoko District, Bong County: A Case Study in Sinyea and Suakoko Townships

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Abstract

The Customary systems of Land tenure in Liberia which account for about 70 percent of the land is discriminative against gender equality, women sustainable development, pro-poor growth, alleviation of hunger in Liberia, and conditions for better future for Liberians. Recently, investigating the right to Land ownership has focused on male participation (Ownership), leaving the right to ownership by females in the region. Land plays an integral part of Agriculture crops production but also hinder crop production in the country on the basis of ownership. Because this, a research was conducted to investigate the challenges of Women Land rights in Suakoko District, with a case study in Sinyea and Suakoko communities in Bong County, Liberia. The study adopted a descriptive survey design, which also afforded the study the opportunity to use uncomplicated numerical methods to present data in an accurate approach, thus supporting the endeavor to obtain responses to the research inquiry. The collected data was arranged in excel and analyzed using descriptive statistics such as mean and frequencies. Chi-square was also used to determine the relationship between the observed and the predicted values. The statistical analysis was performed using IBM SPSS 25. Results from the analyzed data shows that; 39.3% of those said yes cited family law, 29.5% said the death of their husbands was the reason for their being

denied the right to own the inherited land, 16.4% of them cited death of parents, 8.2% cited property right, 4.9% cited divorce as the reason, while 1.6% cited land inheritance law (Table 2), while Table 1. Present the demographic of the respondents. (Table 4.3), shows that the minimum expected cell frequency was 14 or 66.7%. This shows that one of the conditions of chi square, related to the minimum expected cell frequency was met. Figure 1. Also shows the percentages of challenges that prevent respondents from having equal rights with men over inherited land ownership. 65% of the respondents say the legislative laws prevent them, 21% blame it on tradition, 10% say it is their religion that prevents them, while 4% admit that it is their own beliefs.

To conclude, even though the women in Suakoko District have indicated their beliefs that the legislative law is most responsible for their denial to inherited land right. This seems to have come from wrongly filling out the questionnaire. However, this cause was closely followed by the belief that tradition is the primary cause. The women also believe that the primary factor responsible for the unequal land ownership right with men is traced to family laws, where the family decides to grant ownership to a member of the family, who is more often than not a male.

Keywords: Customary Systems, Land Tenure, Sinyea, Suakoko

Introduction

Customary systems of property tenure which account for about 75 percent of the land in African countries are discriminative against gender equality, women sustainable development, pro-poor growth, alleviation of hunger in Africa, and conditions for better future for Africans. Besides, upon the introduction of individual land ownership, customary systems mainly in Africa tend not to grant gender equality in access to land, which condition is evidenced by lack of implementation of existing legislative laws, by customary law, traditional and social practices, norms and power structures within communities and households, by lack of legal security systems to protect women against land grabbing, Osorio (2021).

Local land ownership through either inheritance or legal acquisition through financial transaction, labor services, etc should have been blessing to indigenous people and their generation. Land conflict in Bong County and other parts of Liberia has resulted into death. For personal safety others escape and relocate to continue with of their lives. It is the vulnerable and powerless women and their children that go wondering for home without right to access any piece of the inherited land.

Male and female indigenous individuals have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired. Moreover, they have the right to own, use, develop and control the land, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use as well as those which they have otherwise acquired (United Nations Declaration on the Rights of Indigenous Peoples, Article 26 sec. 1&2, Article 44, 2007)^[8]. To enjoy the minimum standards for the survival, dignity and well-being of the indigenous peoples of the world, (United Nations Declaration on the Rights of Indigenous Peoples: Article 43, 2007), Ericsson (1999)^[9] equated access to land as a human rights issue, while the United Nations Economic and Social Council Commission on the Status of Women states that land rights discrimination is a violation of human right (Ericsson, 2002). World Neighbors (2000) as cited in Ericsson (2002) argues that because of women homework schedules, they are rarely able to visit geographically remote areas for the purpose of attending meetings to present their independent inputs on projects that may affect their well-being, and get information on essential issues like how to seek redress on problems regarding women's unequal access to land and associated resources of inheritance, divorce, property rights, family law, when there exist controversy between written and customary laws. Besides, Ericsson (2002) stressed that women need to know about the quality and distribution of rights in land, the economic and cultural impediments that limit women's effective and secure access to land and the benefits that can be achieved by enhancing women's access to land as well as the options that exist for improving equitable access to land and be able to evaluate the full range of implications of these options. As put forward by Osorio (2021), the millennium goal 5 identified as government commitment to end discrimination across the spectrum stress the achievement of gender equality and empowering of women and girls as well as the fundamental role of women in achieving poverty reduction, food security and nutrition. Millennium goal 5a, one of the 9 components of millennium 5 says that women should be given equal rights to economic resources as well as access to ownership and control over land and other forms of property, financial services, inheritance and natural resource in accordance with natural laws.

Besides, evidence also suggests that women are as efficient as men when given access to the same productive resources. But on the contrary, women inheritance right to land has not fully been addressed as evidenced of by the incidence of violence and constant clan fights across the country. Women do most of the farm work provide labor services for agricultural production to safeguard food security and strengthen one rural town in Bong County Suakoko is an area of attraction where women have organized themselves to champion their cause for equal right to land ownership. Sons and daughters of parents grow and depart the parents' homes to find life partners and raise their own families, but it is the daughters who are forbidden to return and have shares in inherited properties of their parents whether in the event of husband death, divorce, and separation. Even in family of all girls the father's property upon his death are rather given to their uncles while the girls go wondering for land and home to begin another journey in life. Lack of access to land tenure for women is discriminative and threatening to developing nations' ability to feed themselves;

lack of access to land promotes food insecurity and weakening the livelihood of rural women (Swaminathan, 2012). Thus, leading to increase in number of early adolescence parental hood parents, increase in gender-based violence cases, increase in number of child street peddlers and increase in number of school dropout. If nothing is done timely to minimize the factors responsible for lack of women access to land inheritance, too many women in rural setting may remain vulnerable to customary land law injustices as they live in abject social-economic condition for life time.

Hence, this study attempts to investigate the challenges that women in Suakoko are confronted with and the available opportunities that can be used to mitigate the inequality on land ownership.

Woman Ownership to Family Land Inherited

In practice, about 62% of unmarried Liberian women lack ownership to land or have no house of their own, thus leaving them squatting with friend or family members. These Liberian women are often unpaid laborers within their families who must tend to the land and take care of relatives at the same time, but yet they are not allowed by customary law to own land of inheritance or make decisions about the very land they stand on.

In rural communities of Liberia, a married woman is seen as property of her married husband who paid the dowry, which means he bought the woman from her family thereby making the woman the husband's possession. As property of the husband, the wife cannot own a property owing to a customary that property cannot own property, (Siscawati, *et al.*, 2017)^[15].

This is absolutely a contrast to the customary law regime of Liberia; Section 2.6: Wife's Property Exclusively Her Own, which says. The property acquired or owned by a customary woman, either before or during marriage, belongs to her exclusive of her husband and she is therefore free to do any lawful business in her own name, including the right to contract with third parties but to the full knowledge and consent of her husband.

Any customary husband who shall control, or attempts to control his wife's property, or prevents her from operating her lawful business has committed a felony of the second degree (theft of property), and upon conviction in a court of competent jurisdiction, shall be fined the amount of not less than L\$200.00, nor more than L\$500.00 including restitution of property of the wife converted to his personal use, (The Decedents Estate Law, 1973).

Male and female indigenous individuals have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired. Moreover, they have the right to own, use, develop and control the land, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use as well as those which they have otherwise acquired, (United Nations Declaration on the Rights of Indigenous Peoples, Article 26 sec. 1&2, Article 44, 2007)^[8].

To enjoy the minimum standards for the survival, dignity and well-being of the indigenous peoples of the world, (United Nations Declaration on the Rights of Indigenous Peoples: Article 43, 2007), Ericsson (1999)^[9] equated access to land as a human rights issue, while the United Nations Economic and Social Council Commission on the Status of Women states that land rights discrimination is a

violation of human right. (World Neighbors, 2000) as cited in Ericsson (2002) argues that because of women homework schedules, they are rarely able to visit geographically remote areas for the purpose of attending meetings to present their independent inputs on projects that may affect their well-being, and get information on essential issues like how to seek redress on problems regarding women's unequal access to land and associated resources of inheritance, divorce, property rights, family law, etc. when there exist controversy between written and customary laws. Besides (Ericsson, 2002) stressed that women need to know about the quality and distribution of rights in land, the economic and cultural impediments that limit women's effective and secure access to land and the benefits that can be achieved by enhancing women's access to land as well as the options that exist for improving equitable access to land and be able to evaluate the full range of implications of these options.

As put forward by (Osorio, 2021), the millennium goal 5 identified as government commitment to end discrimination across the spectrum stress the achievement of gender equality and empowering of women and girls as well as the fundamental role of women in achieving poverty reduction, food security and nutrition. However, the Millennium goal 5a, one of the 9 components of millennium 5 says that women should be given equal rights to economic resources as well as access to ownership and control over land and other forms of property, financial services, inheritance and natural resource in accordance with natural laws. Besides, evidence also suggests that women are as efficient as men when given access to the same productive resources.

But solid evidence shows that deep gender inequalities persist in ownership and control over land across all regions. About 50% of women are actively engaged in crop and animal husbandry, fisheries, agro-forestry and agro-processing, and approximately 60% of them provide labor services in the agricultural sector to safeguard food security and strengthen the livelihood of rural women (Swaminathan, 2012).

Woman Access to Land in a Married Home

According to (Togba-Aboah, 2021) ^[7] individuals and nations especially those Africa need to go beyond improving women's access to land rights and control over resources to bring about agricultural productivity, increased food security that leads to zero hunger, poverty reduction, a healthy society, education for all and the nation's sustained social and economic development.

Customary lands held under communal ownership recognize administration and management only by men according to customary norms and practices since men are heads of families and decision-makers regarding land. Moreover, women in customary/rural communities have access and use to land through the approval of their husband, brother, uncle or male counterpart, which means women's land rights are still not secured.

Liberia Revenue Authority (LRA) says that each resident within a customary community is entitled to one acre of land for homes but most man residents are heads of household are men so most of the land are deeded or documented in the husband's/male's name, meaning that the wife still do not have equal rights making decisions regarding access, use, transfer and etc. to that land as compared to her husband whose name bears the deed/document. Women constitute

more than fifty per cent of farmers and about sixty per cent of the farming sector's workforce; women farmers experienced several handicaps related to land titles, access to credit, inputs, insurance, technology and the market; safeguard the nation's food security and strengthen the livelihood security of rural women, a majority of whom were engaged in crop and animal husbandry, fisheries, agro-forestry and agro-processing; provide for the gender-specific needs of women farmers, protect their entitlements, and empower them with rights over agricultural land and water resources, and also access to credit, among other things, (Swaminathan, 2012). LGSA Women's Land Rights Study, (Doss, C., & Meinzen-Dick, R. 2018) stressed that the civil law of Liberia provides for civil, customary and presumed marriages with sort of marriage having its own implications for property, especially those of inherited land and resources. Women's land rights in the context of de facto unions or long-term cohabitation. In many urban and rural areas more than half of marriage-like relationships have not been formalized in accordance with customary law or civil law. Predominantly, de facto unions exist in a legal vacuum thus given widespread confusion about legal framework for presumptive marriages in which women and children in such arrangements have only tenuous rights to land, typically obtained through the husband's male lineage and family.

Woman Access to Land in the Home at the End of Marriage

According to (Barry, Luke E., *et al.*, 2014) ^[13], outcomes of regional study carried out in 10 countries throughout the African continent shows that African women, predominantly rural women labeled the sexist statutory and customary laws as discriminatory for depriving of the rights to lease, rent in, own or inherit land and housing irrespective of marital status, and or biological birth right to the father who left behind these properties after death.

In most African traditions, women cannot inherit from parents, since women are destined to get married and become part of another family. Any inherited land might become property of the husband. When there are only girls in a family, the father's possessions are usually passed on to his brothers upon his death. Besides, as population growth skyrockets and production factors become scarce, women should be given rural land tenure rights to enable them to access sufficient farm land to produce and feed their families and market the excess produce and send their children to school and financially handle a health problem especially in the case the husband who fathered her children is dead.

Challenges for women's access to land

Customary law enforcement practice ignores women access to land despite the 2003 Inheritance Law, which defines some land rights for married women (granting them just a third of their husband's property after death), but women in Liberia still have no land rights outside of inheritance. Unmarried women are not able to own land privately or collectively. Under customary law, when the father died, the land should be passed to their brother but event next in kind is unwell community authority use Customary law to deny the female children of their land, and declare the as public land for the community use. A widow refusing to take a brother of the late husband is forcibly driven off her land.

Many times customary laws have mother driven off her land by her brother; a woman who is precariously sustaining her family on land she doesn't own; of a daughter forced, along with her mother, off their land by her late father's wife.

Significance of the Study: The results of this study are importance to rural women and girls of the studies area in the following ways:

1. Some of the rural women affected by social and economic impact as the result of women lacking access to land and control over associated resources of inheritance may gain knowledge to begin engaging male family members and local authorities on land inheritance issues that negatively affect them;
2. Local authorities and male family members might gain knowledge from outcomes of this study that will enable them see reasons while women access to land inheritance is a human right and should be treated as such;
3. Researcher intending to research this topic or similar one may use the outcome of this study as reference source.

Objective of the Study

- 1 Identify basic principles obstructing women equal access to land inheritance;
2. Determine some social and economic impact that lack of women access to land inheritance has on rural women livelihood in the studies area;
3. Identify some possible means by which the social and economic impact of women unequal access to land and associated resources of inheritance land in the studies area can be minimized.

Research Questions

For the purpose of the study, the research formulates the following research questions in order to guide the conduct of the study.

1. What factors prevent women right to inheritance land in Suakoko District?
2. What are the factors contributing to women unequal access to land and associated resources of inheritance?
3. What opportunities would women have as a result of inherited land ownership in Suakoko District?

Research Methodology

Study Area

The study was conducted in the Suakoko Clan, Suakoko District, Bong County, Liberia. The setting was ideal for this sort of studies as it contains twenty (20) communities in the studies area; namely: Suakoko Dark Forestry community in Suakoko Town, Firestone Camp community in Suakoko Town, AG community in Suakoko Town, Tower

Community in Suakoko Town, conqueror community in Suakoko Town, Edward Quarter community Sinyea Town, Center Sinyea community in Sinyea Town, Kissi Quarter community Sinyea Town and Kpoquellie community Sinyea Town, Dolomue community in Sinyea Town, New Camp community in Sinyea Town and Frog Island community in Sinyea Town to name few. Suakoko District is situated about 80 kilometers south east of Monrovia, the capital city of Liberia with a population of approximately 45,000 populations.

Research Design: This research adopted a descriptive survey design. This design afforded the study the opportunity to use uncomplicated numerical methods to present data in an accurate approach, thus supporting the endeavor to obtain responses to the research inquiry. Qualitative data was collected from questionnaire distributed to respondents. Moreover, wherever the study find fit that using survey method was not disclose plain and direct information as expected, person-to-person interview was used to complement the questionnaires administered.

Sample and Sampling Techniques: Hundred (100) participants were considered in this particular study that have being affected directly or have adequate information on the topic under investigation. Because of the critical nature of this study, it was identified and interacted with only women participants in the study area to investigate the desired information. During the data collection, a purposive sampling technique was applied.

Data Collection Instrument: The study chooses to collect data for the research through the use of research questionnaires that contain self-explanatory questions and clear instructions on how to respond to these questionnaire items. Person-to-person interview method was done using further clarify information that was sufficiently handled by the research questionnaire items.

Statistical Analysis

The collected data was arranged, organized, analyzed, and summarized using descriptive statistics such as mean, and frequencies. Chi-square was also used to see if there was any relationship between the observed and the predicted values. All the statistical analysis was performed using IBM SPSS 25. Values were tested at $p \leq 0.05$ level.

Results and Discussion

Demographic Characteristics of the Respondents

All the 100 questionnaires that were administered were returned, but with one unfilled. This indicates a response rate of approximately 100%. The demographic characteristics of the respondents are shown in Table 1 below.

Table 1: Demographic characteristic of the respondents

		Marital Status						Total
		None	Married	Unmarried	Single	Divorced	Widow	
Age Range	18-24	0	0	1	0	0	0	1
	25-34	0	2	2	0	0	0	4
	35-44	1	3	13	5	0	0	22
	45-54	0	5	14	7	2	2	30
	> 55	0	12	8	3	1	19	43
Total		1	22	38	15	3	21	100

An examination of Table 1 shows that the age of respondents in this study ranged between 18 and above 55 years. Also, 1% of the respondents were between the age 18 and 24, 4% between 25 and 34, 22% between 35 and 44, 30% between 45 and 54, and 43% were above 55 years. With only 1% non-compliant respondent, who refused to fill

in the questionnaire, 22% were married, 38% were unmarried, 15% single, 3% divorced, and 21% widowed. Therefore, the greatest percentage of respondents constituted unmarried women.

Challenges in Women Land Rights Ownership

Table 2: Chi-square analysis results to see if there is any relationship between the observed and expected values

Have you ever been denied the right to own an inherited land		Reasons for denying from the right to inheritance land							Total
		None	Death of husband	Death of parents	Divorce	Family law	Land inheritance law	Property right	
No	Observed	29	0	0	0	0	0	0	29
	Expected	11.3	5.2	2.9	0.9	7.0	0.3	1.5	29
	% within reasons	100%	0%	0%	0%	0%	0%	0%	100%
Yes	Observed	0	18	10	3	24	1	5	61
	Expected	23.8	11.0	6.1	1.822	14.6	0.6	3.1	61
	% within reasons	0%	29.5%	16.4%	4.9%	39.3%	1.6%	8.2%	100%

Table 2 displays causes for respondents' denial to land ownership right. In response to the question that asked whether they have ever been denied the right to own an inherited parcel of land, 39.3% of those said yes cited family law, 29.5% said the death of their husbands was the reason

for their being denied the right to own the inherited land, 16.4% of them cited death of parents, 8.2% cited property right, 4.9% cited divorce as the reason, while 1.6% cited land inheritance law.

Table 3: Chi Square test results

Chi-Square Tests			
	Value	Df	Asymptotic Significance (2-sided)
Pearson Chi-Square	100.000 ^a	12	0.001
Likelihood Ratio	133.750	12	0.001
N of Valid Cases	100		

a. 14 cells (66.7%) have expected count less than 5. The minimum expected count is 0.10.

Table 3 shows that the minimum expected cell frequency is 14 or 66.7%. This shows that one of the conditions of chi square, related to the minimum expected cell frequency was met. According to (Pallant *et al.*, 2011), this minimum expected cell frequency in Chi Square testing should be at least 5. Also, the Pearson Chi-square value $p < 0.001$, which indicates that there is a statistically significant difference between the observed and expected variables.

Fig 1 Shows the percentages of challenges that prevent respondents from having equal rights with men over inherited land ownership. 65% of the respondents say the legislative laws prevent them, 21% blame it on tradition, 10% say it is their religion that prevents them, while 4% admit that it is their own beliefs. This finding is somewhat contradictory to conventional reasoning and expected reality.

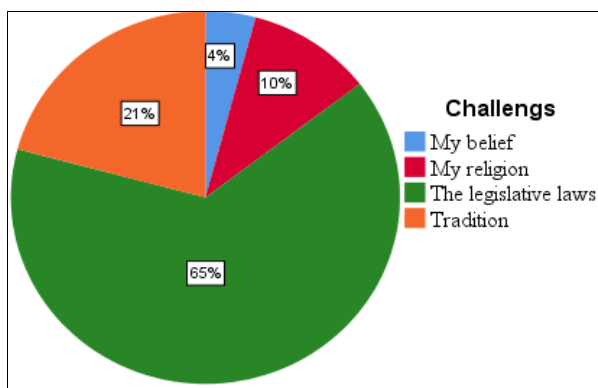


Fig 1: The challenges that normally prevent women from having equal right over inherited land ownership

Table 4: The opportunities that women should have in land ownership

Opportunities	Frequency	Percent
50% right to own land	3	3.1
Carry on agriculture activities	65	67.0
To own land through deed	29	29.9
Total	97	100.0

An examination of Table 4 shows that 3.1% of the women participants viewed equal right to own land as opportunity, and 67% consider that owning land will be an opportunity to carrying on agricultural activities, while 29.9% believe that an opportunity for them will be to own plots of land through deed.

The women participants in this research were mostly unmarried (38%) and age between 18 and the data reveals that the most reason why the women respondents do not have equal right as men was attributed to family law. This law is applicable in a family where, the family can transfer ownership of the family's parcel of land to one of their children or ward.

Families in the Liberian culture usually transfer ownership of the parents' parcel of land to the male child instead of the female. The reason for this preference is that the male child will carry the name of the parents and family unlike the female, who may get married to different family. Should land ownership be granted females, this will lead to the transfer of property (Land) from the females' father's family to her new (husband's) family; since women cannot own property as they themselves are property to be owned by men ((Kai, 2019).

They least believe that it is due to land inheritance law, which is the law that grants the parents the right to transfer land ownership to any of their children. This revelation indicated how strong family members believe in the laws governing their family unit than other laws of the land. This is more strongly supported by the fact that the land inheritance law constituted the least reason why they are denied land ownership.

However, the legislative law is the most referenced regarding the hindrance that prevented them from having equal rights over land ownership, followed by tradition, and least by their personal beliefs. This means that the women do not see the legislative law to be in their land ownership interest. The highest percentage, being associated with the legislative law as the principal cause for women not having equal right to land ownership is unexpected. The expected highest percentage should have been associated with the tradition rather than the legislative law. However, a high percentage associated with the legislative law could have come about as a result of human error made by the women respondents in filling out the questionnaire.

Opportunities in Women Land Rights Ownership

Also, concerning what opportunities they think that land ownership can offer them, the women thought most highly about acquiring the land for agricultural purposes. The tradition beliefs, as well as the cultures of the people have rendered women the most deprived and under-privileged. No wonder the women in this study considered the ownership of inherited land an opportunity. However, the denial of women to own land actually amounts to a violation of their human rights (Ericsson, 1999)^[9].

Conclusion

In conclusion, although the women in Suakoko District have indicated their beliefs that the legislative law is most responsible for their denial to inherited land right. This seems to have come from wrongly filling out the questionnaire. However, this cause was closely followed by the belief that tradition is the primary cause. The women also believe that the primary factor responsible for the unequal land ownership right with men is traced to family laws, where the family decides to grant ownership to a member of the family, who is more often than not a male. This believes is perpetuated because of the traditional belief that the females will get married off to men who will own them and their properties, since women don't own properties in our tradition. Lastly, the women in this study consider that the most opportunity that land ownership can grant them is the opportunity to use the land for agricultural purposes. It is however recommended that: There should be awareness by Government through the Ministry of Land Mines and Energy or actors in the Land Authority in the region about the need to include women equally in land ownership matters. Considerably, actors in the Land Authority should embark on radio programs as well as well as other media platforms to communicate the importance of the involvement of women in inherited family land ownership.

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