

The Opportunities and Challenges of Gender Mainstreaming Policies in Agricultural and Pastoral Areas: a Study on Gender Issues Related with Rights Confirmation of Grassland-Use in Inner Mongolia, China

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ABSTRACT. *By analyzing the opportunities and challenges of promoting gender mainstreaming policies in the agricultural and pastoral areas of Inner Mongolia, China, this paper attempts to study gender issues related with the work of rights confirmation on land/grassland-use. It is found that the main opportunities of gender mainstreaming policies in agricultural and pastoral areas are: the establishment of local laws and regulations, the promotion of gender evaluation mechanism and women's federation, and the existing demonstration of typical models to protect women's rights. In the meantime, the realistic challenges for gender mainstreaming in agricultural and pastoral areas are: the benefits of gender mainstreaming policy is progressively weakened from the top-down promotion progress, the insufficiency of gender guarantee mechanism and resources, the lack of local participation, and the missing of gender statistics.*

KEYWORDS: *Rights confirmation of land-use, Agricultural and pastoral areas, Gender mainstreaming*

1. Introduction

The United Nations defines gender mainstreaming as “The process of assessing the implications for women and men of any planned action, including legislation, policies or programmes, in all areas and at all levels. It is a strategy for making women’s as well as men’s concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres so that women and men benefit equally and inequality is not perpetrated. The ultimate goal is to achieve gender equality.”^{[1][2]} This definition and issues related with gender mainstreaming play an important role in the process of policy making, implementing, and evaluating at the official level of the international community and Chinese government^{[3][4]}. The academic community has conducted a lot of researches on the theory and the application of gender mainstreaming as well. However, relevant researches about its social practice, opportunities, and challenges in the agricultural and pastoral areas of China has not drawn a lot of attention yet. Rights confirmation on the land/grassland-use is an important reform project in agricultural and pastoral areas in China, therefore, the gender issues related with rights confirmation reflect the status of gender mainstreaming in agricultural and pastoral areas to a certain extent.

2. The Status of Farmland and Grassland Rights Confirmation in Inner Mongolia

In 2011, the Ministry of Agriculture of China proposed the “Notice of the Pilot Project for the Registration of Rural Land Contractual Management Rights according to the Actual Conditions in all Provinces Nationwide”. In the same year, two villages and towns were selected as the pilot counties of the registration and certification of land contract management rights in Inner Mongolia Autonomous Region. Furthermore, in 2013, four counties/banners and five townships were listed as national pilots. In 2014, the government of the Inner Mongolia Autonomous Region issued the “Implementation Plan for the Pilot Work of the Registration and Certificate of Land Contract Management Rights in Inner Mongolia Autonomous Region”, the “Implementation Plan for the Inner Mongolia Autonomous Region to Improve the Pilot Project for the Pasture Rights Confirmation”, and the “Implementation plan for the Delineation of Basic Grasslands in Inner Mongolia Autonomous Region” and decided that each city within the region had to select one banner/county to promote the pilot work. As of the end of October 2016, the work of rights confirmation in the pilot banners/counties of Inner Mongolia were roughly completed. According to the incomplete statistics, 101 townships and 2,148 administrative villages, including about 1.7208 million people and 445,600 households^[5], were involved in the confirmation work of land-use rights. Besides, 72 townships and 1,073 villages, including 774,700 people and

250,300 households, were involved in the work of rights confirmation of grassland-use.

3. The Realistic Opportunities to Promote Gender Mainstreaming in the Agricultural and Pastoral Areas

3.1 The Foundations of Local Laws and Regulations

The policy of promoting gender mainstreaming in agricultural and pastoral areas requires local laws and regulations as the foundation of the system. Inner Mongolia has basically established a legal system, including local laws and administrative regulations, to protect women's rights and gender equality. In the rights confirmation of land/grassland-use, relevant departments have issued special regulations and rules to protect women's rights and interests in using land and grassland. For example, the Grassland Supervision and Administration Bureau of Inner Mongolia Autonomous Region printed the "Analysis of the Problems of Grassland Rights Confirmation and Contracting Work" in 2015, with which pasture rights issues caused by marital relationship were interpreted while some successful experiences were introduced via case sharing^[6]. As it indicates:

Disputes caused by unshared pastures due to marriage or divorce are also common phenomena in the registration of rights confirmation. On the premise of ensuring that registration is not repeated, the contracting rights and interests of such personnel must be protected.

Those pilot counties who organized the implementation work of rights confirmation has individually formulated a guidance or question and answer manual, which specifically stipulates the rights of women as co-owners or contractors, writes the names of women on the land-use rights certificates, and confirms the rights of the divorced and married person^[7].

For example, as "58 Questions about the Registration and Certification of Rural Land Contract Management Rights in Barlin Left Banner" claims:

For those women who become new member of family due to marriage, even if they do not have land, it is necessary to register them as co-owners and mark their identities in the remarks column.

Furthermore, Tumote Right Banner published "Question and Answer Manual for the Registration Policy for Confirmation of Rural Land Contracting Management Rights" which clearly stipulates the rights of the divorced, the married, and widow. Meanwhile, Wuyuan County proposes to prevent the situation in which married women are not registered and confirmed in their natal families and in-laws during the rights confirmation work. Besides, Alashan Left Banner formulated the policy of "one equity and one means of production" during their rights confirmation work while the Women's Federation, Agriculture and Animal Husbandry Bureau, and Grassland Bureau of Keshiketeng Banner issued jointly the "Notice on Reposting the Announcement of the Meeting Minutes of the Ministry of Agriculture and the All-China Women's Federation on the Protection of Women's Land Rights and Interests in the Registration and Certification of Rural Land Contract Management Rights".

The proposal and formulation of local laws, regulations, policies and rules provide a model way to protect women's rights and interests from the legal system and promote gender mainstreaming in agricultural and pastoral areas as a result.

3.2 The Foundations of Organization and Human Resources

In Inner Mongolia, the evaluation mechanism of gender equality in laws and regulations was established in 2015, which was one of the few provincial-level leading institutions to deliberate the issues related with the evaluation of gender equality in laws and policies at that time. It carries out gender equality assessment on local laws, government regulations, regulatory documents, and development plans of the autonomous region. Its member unit is composed of 17 organizations, including three committees/departments of the Standing Committee of the People's Congress of the Autonomous Region: the Committee for Internal and Judicial Affairs, the Committee for Legislative Affairs, and the Organization Department, the Agriculture and Animal Husbandry Department, the Press and Publication Bureau, and the Women's Federation. This evaluation committee relies on the experts and scholars in related fields, such as universities, scientific research institutions, and law firms in Inner Mongolia to organize an expert group. Each municipality in Inner Mongolia also organizes their own gender equality assessment mechanism to carry out assessment work in laws and policies. The establishment of such organizations has an important role in promoting gender mainstreaming in Inner Mongolia, especially in agricultural and pastoral areas.

The Women's Federations at all levels are important human resource bases for the promotion of gender mainstreaming in agricultural and pastoral areas. During the work of rights confirmation, 12 Women's Federations at the municipal level participated in the coordination work. The Women's Federations in those countries/banners where rights confirmation was conducted has carried out a lot of promotion work on women's rights confirmation and gender mainstreaming. Most of the chairman of Women's Federation in townships and the representatives of the women's congress of the village participated in the implementation work of rights confirmation. For instance, the Women's Federation in Arun Banner have invited relevant business staff of the Banner Agriculture and Animal Husbandry Bureau to train more than 130 cadres of the federation and directors of the women's congress in 11 townships within the whole banner and mobilizes the cadres of the federation to enter the households to promote relevant policies and understand the current practice of women's land rights and interests. In addition, the Women's Federation of Urad Back Banner and Horqin Right Wing Front Banner uses "Women's Home" and "Women's Rights Protection Station" as the platform to increase women's awareness of their land rights. Besides, through promoting the "Law on the Protection of Women's Rights and Interests" and holding rights protection seminars, the Women's Federation in Jarud Banner propagates and explains the policy of rights confirmation of grassland-use to women. Meanwhile, the Women's Federation of Wuchuan County and the Agriculture Bureau of Wuchuan County jointly put forward the suggestion that "during the work of rights confirmation, it is forbidden to have the controversy between village regulations and laws." Furthermore, the Women's Federation of Wuyuan County has conducted a field investigation on the implementation of the basic national policy on equality between men and women in the registration of land rights. Lastly, the Women's Federation in Alashan Left Banner promotes the basic national policy of gender equality during the week of 8th March, which is also called "the week of rights protection of the women", and delivers Mongolian propaganda posters of rights confirmation.

According to a questionnaire survey of 360 directors of women's congress in villages, 73.79% of interviewees choose "coordination" in response to resolving disputes over women's land rights in the village while 12.62% of interviewees choose "report to the higher-level officials"^[8].

Women's federations at all levels have played a role that cannot be ignored in uniting and mobilizing women in agricultural and pastoral areas. To some extent, the members of the Women's Federation are the main human resource to promote gender mainstreaming in agricultural and pastoral areas. In particular, in pastoral areas, cadres with Mongolian ethnicity within the Women's Federation have unique advantages and roles in Mongolian-language propaganda, communication, and training. Therefore, they are important human resources for gender mainstreaming.

3.3 The Foundation of the Influence of the Existing Demonstration

It requires successful experiences as a model guide to promote gender mainstreaming policies in agricultural and pastoral areas. In the process of rights confirming, the successful experience collected from the work of maintaining women's legal rights and interests of using grasslands has a model effect, which is a great advantage and opportunity to promote gender mainstreaming policies in agricultural and pastoral areas.

During the process of rights confirmation, there are three successful experiences to promote gender mainstreaming as a model guide: firstly, the women's names has been basically listed on the certificate of grassland-use rights; secondly, a large amount of statistical information about women's rights is collected; thirdly, practical problems about the difficulties of rights confirmation for women have been solved.

In the process of rights confirmation, although men's name is mainly registered as the head of the household (the representative of the contractor), women's name is basically registered as the co-owner on the relevant rights certificate as well, ensuring that women are "known on the certificate and entitled under the name". At the same time, in several pilot counties for rights confirmation, women's participation in the registration is roughly the same as that of men. For example, the ratio of men and women who participates in the work of rights confirmation in Arun Banner is 54.% and 45.22%. And, the ratio is 51.04% and 48.96% in Tumote Right Banner; 57.50% and 42.50% in New Barag Right Banner; 60% and 40% in Jarud Banner; 51% and 49% in Keshiketeng Banner. In addition, in many banners/counties, it happens that some women participate in the work of rights confirmation as the head of household.

Moreover, the collection and calculation of women's statistics has an important role in promoting gender mainstreaming. In the work of rights confirmation, most of the pilot counties/banners record a large amount of data about women's participation, including the information on the participation in rights confirmation, total number of women who have complete (or have not completed) their rights confirmation, the number of female heads of households during the second round of rights confirmation of land/grassland-use, and the number of

female head of household...etc. At present, the counties/banners with such data are: Arun Banner, Jalaid Banner, Tumote Right Banner, Qahar Right Wing Middle Banner, Bayintaohai Town, Barunbieli Town, New Barag Right Banner, Horqin Right Wing Front Banner, Jarud Banner, Keshiketeng Banner, Siziwang Banner, and Urad Back Banner. Among them, Arun Banner, Tumote Right Banner, New Barag Right Banner, Jarud Banner, Keshiketeng Banner, and Siziwang Banner have the most complete data. Taking the number of female head of household as an example, 2,135 female heads of household are recorded during the work of rights confirmation in Arun Banner, 6,115 in Tumote Right Banner, 7,000 in Jarud Banner, and 15,109 in Keshiketeng Banner. Compared with the number recorded during the second-round of land contract, female contractors increase 2,015 in Arun Banner while the number increases 5,037 in New Barag Right Banner. The collection, calculation, and maintenance of women's statistics provide an important model platform for in-depth understanding and analysis toward the extent of gender mainstreaming in agricultural and pastoral areas.

Furthermore, regarding the difficulty in women's rights confirmation, the Hainan District Public Security Bureau of Wuhai City, as a member of the authority, issued the "Implementation Plan for Land Rights Confirmation of the Hainan Public Security Bureau", making important arrangements for the protection of women and children's rights in land-use. They solved the problem of rights confirmation and household registration for 96 people, including 86 women, 4 men, and 6 migrant children. Besides, the Women's Federation in Darhan Muminggan United Banner conducted a special survey on the problem of "missing households" at the first-round of grassland contracting work in Bayin Aobao Town and solved the problem of women's rights confirmation for 1 person; Siziwang Banner settled a historical dispute over nephew's encroachment on the land-use rights of the aunt's pasture, which effectively protected the woman's rights in using pasture; Alashan Left Banner solved the problem of two divorced women's grassland rights being held by their husbands for a long time.

4. The Challenges of Promoting Gender Mainstreaming in the Agricultural and Pastoral Areas

4.1 The Benefits of Gender Mainstreaming Policy is Progressively Weakened from the Top-Down Promotion Progress

Although "the Chinese government has made fruitful efforts in signing international treaties, elaborating political commitments, and establishing and improving the legal system^[9]", however, the promotion progress of domestic gender mainstreaming is not only relatively slow, but also has a decreasing effect from top to bottom. In the work of rights confirmation, the "2014 Document No. 1 of the Central Government" emphasizes "to effectively protect women's rights and interests in land contracting" while the "Chinese Women's Development Program(2011-2020)" regards "ensuring rural women's equal access and ownership of land contract management" as one of the main objects of the program and proposes strategic procedures to put forward the "implementation and the improvement of related policies to guarantee rural women's land rights". Toward the implementation of the responsibilities of the charged departments, the Ministry of Agriculture is the responsible institution while the Women's Federation is the cooperating one. Nevertheless, in the specific implementation of the rights confirmation, some local policy makers have insufficient understanding of the gender policy during the work of rights confirmation. Many local government policy makers have a lower level of knowledge or recognition of protecting women's rights on land/grassland-use during the work of rights confirmation. Even worse, they only regard protecting women's rights as a way of "maintaining stability of the society". There are also some other authorities regarding that it is the job of the Women's Federation to protect women's rights and promote gender mainstreaming instead of theirs. In addition, some individual officials have even frankly claimed that the work of rights confirmation is based on households, which has nothing to do with women's rights.

4.2 The Insufficiency of Gender Guarantee Mechanism and Resources

The establishment of the gender evaluation mechanism in Inner Mongolia Autonomous Region provides a platform to promote gender mainstreaming and to protect women's rights in agricultural and pastoral areas. However, such mechanism is still difficult to become a strong constraint against village regulations and civil agreements that actually ignore women's rights in agricultural and pastoral areas. For instance, during the work of rights confirmation, there exists following common phenomenon.

Firstly, village regulations ignores the interests of the married women. Although the rights of the off-married women have been confirmed by law, the village committee and the villager group believe that such women have left their maternal villages and therefore cannot cultivate the land. It would be better for the village to take back the land and redistribute to those who can cultivate.

Secondly, the divorced women leave the land registered under their names in their husbands' homes. Although the divorced women have confirmed their rights, they cannot effectively use the land in the original village due to the lack of management tools and manpower. As a result, they can only leave the land in their husbands' homes.

In terms of the resource guarantee, the first predicament is the lack of human resources. The women's federation is the main institution for promoting gender mainstreaming, but short-staff is a serious practical problem. The chairman of women's federation in the township or and the directors of women's congress in the village often hold several positions. They describe their working situation as "thousands of threads above connecting with one needle below". For instance, some directors of women's congress have been transferred to participate in the "Ten Full Coverage"^[10] project due to their family planning work and some of them cannot participate in the rights confirmation work due to their personal health problems.

The second predicament is the lack of financial support. Inadequate funding for the promotion of gender mainstreaming is related to the mechanism of national gender budget. Local governments, especially in farming and pastoral areas, are generally financially strained. The director of the women's congress in villages generally relies on subsidies to carry out their work, which is an obstacle to the promotion of gender mainstreaming in agricultural and pastoral areas, and is also a practical challenge.

4.3 The Lack of Local Participation

Farmers and herdsmen have lower consciousness to support the promotion of gender mainstreaming. One of the reasons is that traditional patriarchal culture still exists in agricultural and pastoral areas. As a result, when promoting gender policies in agricultural and pastoral areas, male farmers and herdsmen generally have a low level of support and participation. For example, during the work of rights confirmation, many male heads of households usually attempt to prevent women's participation. In addition, there are also some men who ask to register their daughter's land/grassland in the name of their daughter-in-law or grandson.

Another reason is women's enthusiasm for participation is not that high in agricultural and pastoral area. For example, during the work of rights confirmation, some women do not understand the policy and some women think that rights confirmation has nothing to do with themselves. Many women do not care about whether their names can be certified as some women say "never keep meddling in others' business and know nothing about the enquiry". Besides, there are also some women who assign their husbands or the other family members to confirm their rights because they are illiterate. For most women in pastoral areas, not only do they have no ability to understand or recognize propaganda mainly written in Chinese, but they also cannot access adequate Mongolian propaganda on women's rights confirmation or gender mainstreaming because those have been translated into Mongolian are generally major principles and policies, which resulting in insufficient understanding of their rights and gender policies. As a result, it is difficult to encourage them to support or participate in gender mainstreaming policies.

4.4 The Missing of Gender Statistics

The promotion of gender mainstreaming requires the establishment and improvement of the gender statistics. Statistical data can not only reflect the usage of public resources by different genders, but also can help to find out prominent problems that hinder gender equality. "Establishing and improving gender statistics is one of the important contents to promote gender mainstreaming. In China, a unified statistical system serves more to higher level governments than local communities. In terms of gender statistics, inadequate attention to relate the data to other social parameters prevents local communities from collecting data that reflects the real lives of men and women."^[11] The lag of gender statistics has led to inadequate statistics on women, and also caused local governments to ignore the existing gender data. In the work of rights confirmation, the pilot counties/banners has attempted to design and record relevant information involved in the work of rights confirmation and establish a database and archive management system, including various demographic information, but gender data and gender statistics are not fully utilized due to the lag of the gender statistics system. As stated by an official who had participates in rights confirmation work in a banner:

There exists the information on women's participation in the library and there are records in the file. It is very comprehensive. However, the upper-level leaders do not have this requirement. We generally do not use relevant data during our work, so we ignore this work.^[12]

5. Conclusion

In terms of the promotion of gender mainstreaming in local societies of China, local laws and policies related to gender mainstreaming are gradually being formed^{[13][14]}, institutions and human resources implementing gender mainstreaming are developing^{[15][16]}, and successful cases of protecting women's rights are increasing^[17]. However, how to take a step further to promote gender mainstreaming policies under the existing opportunities still faces a lot of practical challenges^{[18][19]}. That is to say, the promotion of gender mainstreaming policy is still a long-term and arduous task, especially for agricultural and pastoral areas.

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