

## Empowerment initiative of the poor and marginalised through property rights

Bangladesh  
Faustina Pereira



**Organization type:**  
nonprofit/ngo/citizen sector

**Budget:**  
\$1 million - \$5 million

**Website:**  
<http://www.brac.net>

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Project Summary

Elevator Pitch

**Concise Summary: Help us pitch this solution! Provide an explanation within 3-4 short sentences.**

The Empowerment Initiative impacts behavioral and structural change through improved access to property rights for the poor. We will sharpen

our legal tools, mobilization methods and ground knowledge to act upon equal rights to property. We will help poor communities in myriad ways, including through social mobilisation, land measurement training, and addressing market demands for their services.

#### About Project

##### **Problem: What problem is this project trying to address?**

Our program addresses gender disparity, human rights abuses, and economic stagnancy due to deficient property rights. Economically, the lack of property rights impedes people from using their property productively, withdrawing loans, investing in, lending, or leasing their land. The economic atrophy resulting from weak property rights thwarts all other efforts of poverty alleviation. Poor property rights are the disease to which human rights abuses are a symptom and unfortunately, but not unusually, women bear the brunt of this burden. Discriminatory laws are deeply rooted in religious and cultural tradition, perpetuating abuse against women and exclusion from the economy. Without property rights the systems that keep rights remiss continue to flourish, economic prosperity stalls, and gender disparity prevails. Women are sidelined; Never given the chance to participate or compete with men, they are treated as if they can't. This mentality has seeped deep into Bangladeshi social psyche, perpetuating abuse.

##### **Solution: What is the proposed solution? Please be specific!**

Our program's strength is found in its approach, scope, and magnitude. Property rights cut across all sectors of society affecting economic, social, individual, and institutional relations. By offering programs which address every sector, property rights are brought within our grasp. Like all lasting movements, ours begins by building courage and conviction in the hearts of citizens who are marginalised and discriminated. Before property rights can empower people, people must be empowered to claim their property rights. Our legal literacy courses will combine legal aid with rights articulation, taking legal empowerment beyond courts and to hands-on application at the grassroots. Unlike typical legal education courses, these classes will give individuals knowledge of their constitution, its practical implications, and demonstrable use of that knowledge in accessing their rights. There's a latent demand for property rights waiting to be awakened. Our retraining of a cadre of barefoot lawyers as land surveyors will directly serve the needs of rights-claimers by providing access to services, offering a better alternative to the existing rent seeking culture in land administration services. The introduction of a market mechanism will stabilize prices in the land sector, establishing a sustainable economy. Data collected from our work will complement policy advocacy and advance reform. The reform in policy, along with the swell of rights-claiming people will reshape the social structures of Bangladesh providing more equality, prosperity, and opportunity. The combination of individual empowerment, rights articulation, provision of services, gender direction, market mechanism, and policy advocacy makes the Empowerment Initiative one of a kind, truly unique.

#### Impact: How does it Work

##### **Example: Walk us through a specific example(s) of how this solution makes a difference; include its primary activities.**

The impact of the Property Rights Program can be previewed by the story of Luthfa, a Shebika ('barefoot lawyer') in the BRAC Human Rights and Legal Education Program (HRLE) in Gazipur, in the outskirts of the capital Dhaka. She is a mother of two sons, a social worker and a teacher. When she requested her husband to include her name on land deeds that he had inherited from his father, he flatly refused. Her training from HRLE had taught her the value of property ownership and also her entitlement to family property. She used this knowledge creatively to turn the discriminatory patriarchal inheritance system on its head. She convinced her husband that since they had only sons, there was no fear of land moving out of the family, and that with her education, she could take care of the land until their sons were ready to inherit it. Her husband was convinced of the plan! With her new found social and economic power, she opened a school, serving local children abandoned by other educational institutions. Luthfa's is one of many cases where we have seen that property rights have the ability to transform community outcasts into community members, and community members into community leaders. Sometimes, we have seen, they do not transform at all, rather they simply remove the impediments to already empowered leaders. Either way, they move a society forward. The impact of our program will be seen in the woman who takes out a loan for investment, because she's not scared of being unable to repay it; a community where divorce and abuse rates drastically drop because women have demanded greater respect; a society where men and women are regarded equally. Our impact will be individual, communal, national, economic, and long-lasting.

#### About You

##### **Organization:**

BRAC - Human Rights and Legal Aid Services

[Visit website](#)

##### Section 1: About You

###### **First Name**

Faustina

###### **Last Name**

Pereira

###### **Website**

<http://brac.net/content/what-we-do-human-rights-legal-aid-services>

###### **Country**

##### Section 2: About Your Organization

##### **Is your initiative connected to an established organization?**

###### **Organization Name**

BRAC - Human Rights and Legal Aid Services

###### **Organization Phone**

+880-2-9881265, 8824180-7

**Organization Address**

75 Mohakhali, Dhaka 1212, Bangladesh

**Organization Country**

, XX

**How long has this organization been operating?**

More than 5 years

Your idea

**Country your work focuses on**

Innovation

**Do you have a patent for this idea?**

Impact

**Actions**

- 1) Conduct rights awareness and articulation courses. These courses will give women knowledge and tools needed to claim their rights. Rights-focused shebikas (barefoot lawyers) will teach the courses.
- 2) Leverage and re-skill the existing HRLS infrastructure. We will re-train existing personnel to be more knowledgeable on property rights and use community and local government support to build and expand the program.
- 3) Conduct proactive outreach to women and vulnerable populations. Support groups and safe spaces will support women claiming rights and generate a grassroots movement for reform.
- 4) Introduce a microfranchising model for property rights services. This model will establish a sustainable provision of land measurement services.
- 5) Advocate for policy reform. We will join other groups to reform property rights and campaign in Dhaka to show support to the grassroots movement of the people.
- 6) Explore possibilities of building property ownership through common possession and enjoyment.

All of the above initiatives will be carried out against the backdrop of stiff resistance for changing the patriarchal status quo.

**Results**

We expect an increase in people seeking information on property rights, an increase in claimants to property, and increased titling and ownership registration in our targeted areas. Initially we will take up a three year phased plan, which will build on the achievements of each quarter of the year. The phases are: awareness raising, awakening latent demand for property, targeted services to meet those demands, building on groundswell towards ownership. By year two, we expect an increase in services provided and a market mechanism to stabilize and sustain the economy surrounding property rights. By year three, we expect large steps towards equality, both legally and socially. The goal of this program is to provide much more than property. It is to provide pride, dignity, entitlement, and opportunity. These are the results we expect. Property rights are the means to an end, an end where gender disparity, human rights abuse, and economic dysfunction don't exist. We want to find women aware of their rights and not afraid to claim them. We want to find women equally interacting in business. We want to find women strong and empowered. These are the results we expect to see.

**How many people will your project serve annually?**

More than 10,000

**What is the average monthly household income in your target community, in US Dollars?**

\$100 1000

**Does your project seek to have an impact on public policy?**

Yes

**If so, how?**

Our program is designed to have an impact on social, economic and public policy. The Rights Awareness and Articulation Courses combined with the support groups and safe spaces will give women and vulnerable populations the communal support and encouragement they need to create a grassroots ground swell clamoring for change in public policy. Once demand for equitable land distribution and reform of land administration becomes embedded throughout Bangladeshi discourse and citizens raise their voices for change from every rice farm, market, and house; the government will need to listen. Our role lies in 'handing the megaphones' to the people, as well as complementing their grassroots campaign with an advocacy campaign. Currently, property rights laws are dependent on a person's religion and sex. There is no unified Bangladeshi law for property rights, leaving women in all the religious communities discriminated against. It is our goal to unify the country's property rights under a single law that expresses the equality promised in the Constitution. The intensified social pressure from the masses and the strong advocating we do organisationally will have a large, momentous, and lasting impact on public policy.

Sustainability

**What stage is your project in?**

Idea phase

**Does your organization have a board of directors or an advisory board?**

Yes

**Does your organization have any non monetary partnerships with NGOs?**

Yes

**Does your organization have any non monetary partnerships with businesses?**

Yes

**Does your organization have any non monetary partnerships with government?**

Yes

**Please tell us more about how partnerships could be critical to the success of your innovation.**

Partnerships are imperative to the success of our program. The government will be a key partner in policy reform and issuing certification to the land surveyors we train. Local entrepreneurs will be our partners in providing services to the population. Local land and property officials will assist us in addressing systemic barriers to property rights. BRAC offices will use the connections they have with local government to validate and support our program. And more importantly, BRAC offices will help connect us to the communities we seek to serve. It is easy to imagine the importance of partnerships to this project with a metaphor of a wheel. We are the hub - the place where everything converges. The partnerships are the spokes - giving support and connection. And the people are the wheel. They give shape, meaning, and purpose. They are the part that will roll and move forward.

**We would like to learn more about how your initiative is financially supported. Please explain your business plan/revenue model**

Our program will require outside funding for its beginning but soon it will take a self-sustaining financial model. The courses we offer on land training will not be given for free. It is a cornerstone of our philosophy that when a person must pay for an object, they will value it higher. The fee for the class encourages members to be more invested in the class and the tools they gain from it. The fee will be a small, subsidized amount that will not inhibit people from taking the course. The new class of land surveyors not only offer a service that rights-claimers need, but through the implementation of a market mechanism, an entirely new market is introduced into the economy. This market will grow as demand is awoken and spreads. A price that gives the maximum number of people access to the services and covers the costs of maintaining a business will be found and set. The market will mature into a self-sustaining sector of the economy that spurs more business.

The Story

**What was the defining moment that led you to this innovation?**

Many years ago, as an intern in a legal aid organisation and through my interactions with poor clients, the connection between access to resources and an imbalanced power structure began to become clear in my mind. The more imbalanced the access, the more fractured the scales of justice. This imbalance became more and more visible as I sought out clients, who would tell their stories that were steeped in trends and traditions of discrimination. They all connected back to a common theme: justice and development are inextricably linked to one's proximity to or distance from power and privilege. When it comes to property and productive resources, this imbalanced see-saw most clearly tips in favour of the privileged. Patriarchal laws, customs and institutions help hold the imbalance in place.. Balancing the power structure is possible by redressing the long standing injustice and discrimination that tarnishes the history of property rights. It is envisaged that a just property rights system will help reconfigure the social dynamics based on patriarchy; it will engender gigantic steps towards greater social justice. A just property rights system will give identity, dignity, and opportunity to those who have been historically excluded. While all of this is envisaged, a quick check on reality demonstrates the complexity of the task at hand is : as women gain power and mobility in society, they suffer a backlash. Women are harassed and discriminated against, in new and innovative ways. For example, public sexual harassment, euphemistically known as "eve-teasing", has become a terrible weapon with dire consequences and implications. Eve-teasing turns to molesting and molestation turns to murder. Some women are driven to the point of suicide; others suffer depression. A simple increasing of power at the symptomatic level will not overturn the discriminatory system. Women must be helped in accessing and enjoying power through tangible means. Access to resources, especially control of property is a very tangible pathway for marginalised citizens to gain real power, real mobility, and real opportunity.

**Tell us about the social innovator—the person—behind this idea.**

Dr. Faustina Pereira is an Advocate of the Supreme Court of Bangladesh. She is a public interest lawyer, human rights activist, author, and single mother to an adopted child. She is currently the head of the Human Rights and Legal Aid Services for BRAC. After receiving her PhD in International Human Rights Law from the University of Notre Dame, and later a post-doctorate degree from the University of Ireland, she has acquired a large number of accomplishments including becoming a Director of the leading legal aid and human rights organisation of the country, Ain O Salish Kendra (ASK). The cases she has dealt with range from release of foreign prisoners in Bangladeshi prisons who have served out their sentences, to family law and custody cases and issues of forced marriages of British-Bangladeshi women. She has worked closely with international and regional organisations specialising in advocacy on access to justice. Her areas of strength are in public interest law and litigation, legislative advocacy and policy reform, constitutionalism, and critical feminist and human rights jurisprudence. She authored the book "The Fractured Scales: The Search for a Uniform Personal Code", which won the Gold Medal in 2006 from the Asiatic Society. She is also the author or co-author of several national and international papers on gender, human rights and state obligations. In 2006 she was named Young Global Leader by the World Economic Forum.

**How did you first hear about Changemakers?**

Through another organization or company

**If through another source, please provide the information.**

Approximately 50 words left (400 characters).

Additional

**Which (if any) of the following strategies apply to your organization or company (check as many as apply)**

Policy advocacy to strengthen property rights or increase security of tenure, Formalizing and documenting property rights (i.e. titling, leasing or certification), Legal education and awareness, Developing/applying technology for surveying, mapping and documenting property rights, Other.

**Please explain how your work furthers one or many of the above strategies (if you selected "other", please explain your strategy)**

We provide in policy advocacy, training and certifying land surveyors in new technology and titles/leasing. Our classes are based on land education

we partake in policy advocacy, training and certifying land surveyors in new technology and titling/leasing. Our classes are based on legal education and awareness. The Property Rights Program courses specifically are geared to move beyond legal awareness into rights awareness and transformative justice seeking behaviour.

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