Navigating Legal Pluralism and Patriarchal Norms in Women's Land Rights In MENA region

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SUMMARY

Women's access to and control over land in the Middle East and North Africa (MENA) region remains one of the most pressing yet under-addressed development challenges. Despite constitutional commitments to gender equality and widespread ratification of CEDAW, women's land and property rights are severely constrained by overlapping statutory, religious, and customary legal systems; entrenched patriarchal norms; and weak institutional enforcement. This paper examines regional trends and emerging reforms, drawing on comparative evidence from Arab states and the work of the Arab Land Initiative, and UN-Habitat.

The analysis reveals that inheritance laws rooted in Islamic Shari'a continue to dominate land ownership, alongside social and cultural norms that often compel women to forfeit their inheritance rights in favour of male relatives. According to the analysis, Islamic Shari'a-based inheritance laws still control land ownership, and social and cultural norms frequently force women to give up their inheritance rights in favour of male family members. Expensive and bureaucratic land registration processes also disadvantage women, who are the dominant rural and displaced populations. In conflict-affected contexts such as Iraq, Syria, and Yemen, dispossession and lack of adequate legal protection exacerbate women's tenure insecurity.

Despite these barriers, momentum for reform is evident. Among the significant milestones towards reducing gender disparities is Morocco's 2019 Sulaliyyate land reform, which extended equal rights to women in collective lands. Regional attempts to operationalize gender equality are also reflected in the adoption of gender limitations in land governance institutions, the promotion of Fit-for-Purpose Land Administration models, and awareness-raising campaigns. The 'Stand for Her Land' campaign is one example of a civil society initiative that is essential to bridging the gap between law and

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practice.

The paper concludes that, while legal guarantees exist, women's tenure security in the MENA region hinges on shifting entrenched socio-cultural norms and building gender-responsive institutions. Key recommendations include integrating gender in land registries, simplifying property registration, collecting sex-disaggregated data, and scaling up legal literacy programs. In addition to promoting gender equality, empowering women as landowners and decision-makers is crucial for strengthening food security, resilience, and inclusive development in the region.

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