

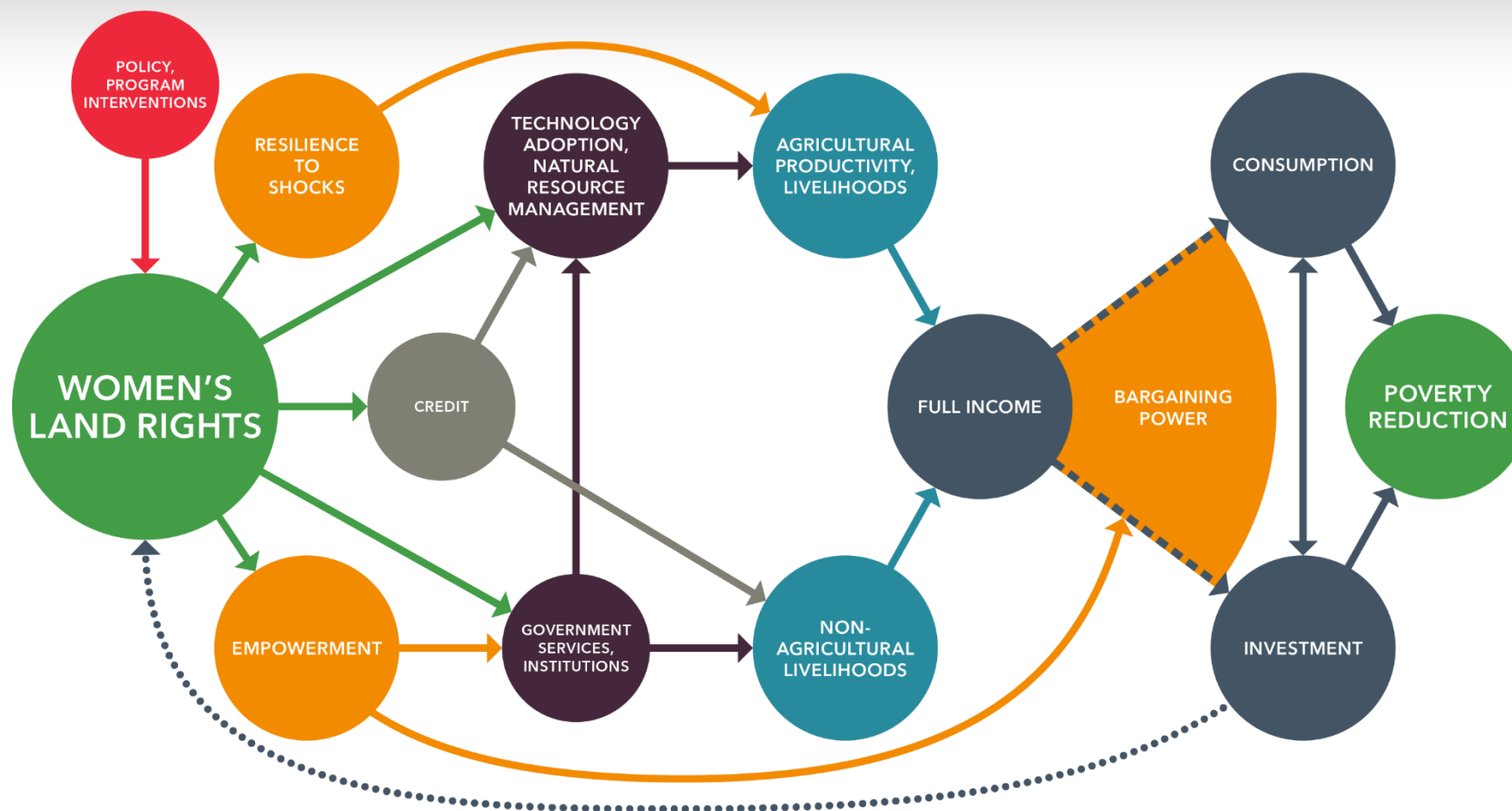


Women's Land Rights: Lessons from Recent Reviews

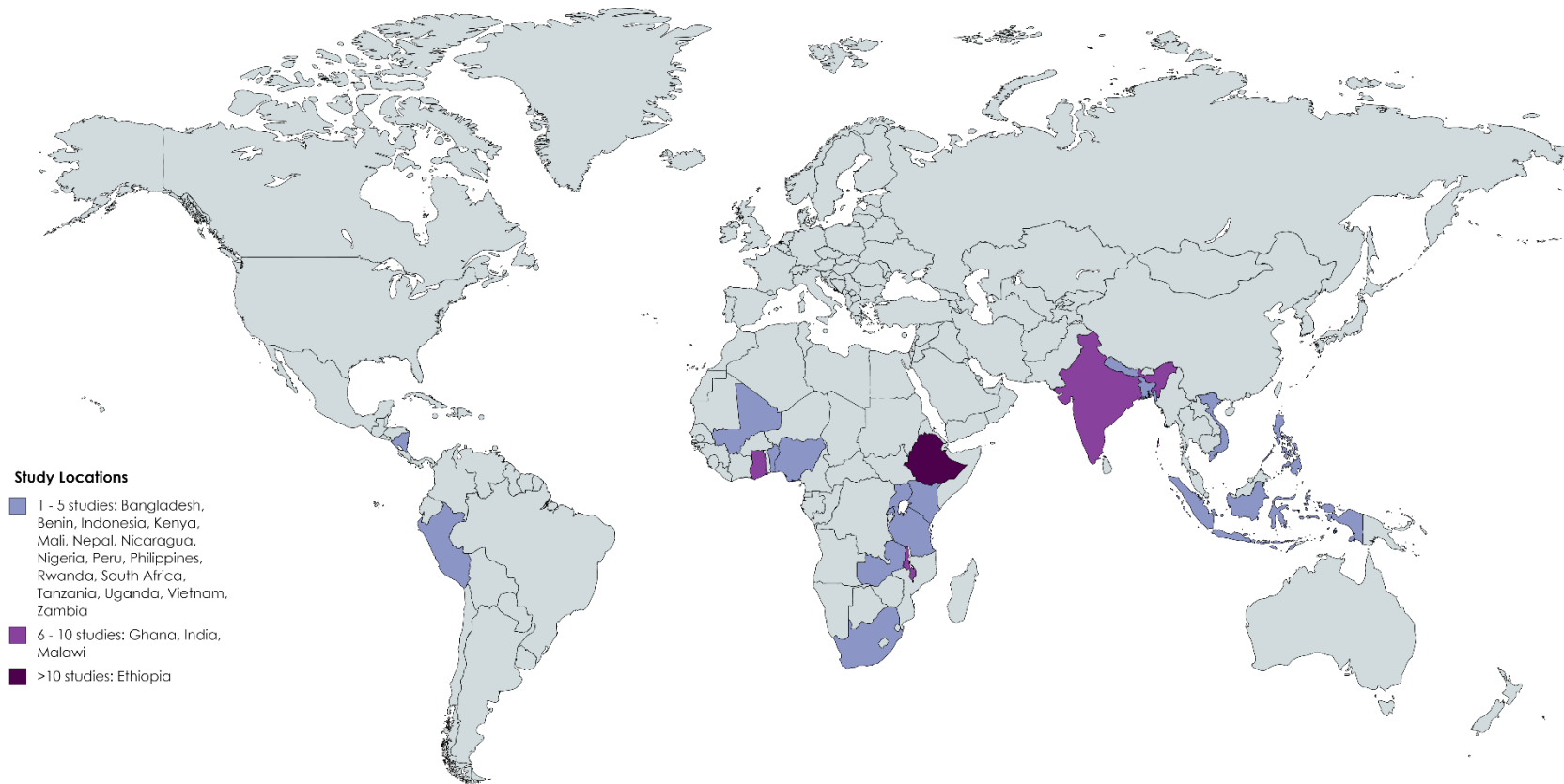
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Links from Women's Land Rights to Poverty Reduction



Country coverage of studies reviewed



Summary of Findings



		Amount of evidence		
		Limited	Medium	High
Level of agreement	Low	<i>Suggested but unproven</i> <ul style="list-style-type: none"> Other livelihoods 	<i>Speculative</i>	<i>Alternate explanations</i>
	Medium	<i>Tentatively agreed by most but unproven</i> <ul style="list-style-type: none"> Credit Technology adoption Agricultural productivity 	<i>Provisionally agreed by most</i>	<i>Generally accepted</i>
	High	<i>Agreed but unproven</i> <ul style="list-style-type: none"> Poverty reduction 	<i>Agreed but incompletely documented</i> <ul style="list-style-type: none"> Natural resource management Government services and institutions Empowerment and domestic violence Resilience and HIV risk Consumption and food security 	<i>Well established</i> <ul style="list-style-type: none"> Bargaining power and decision making over consumption Bargaining power and decision making on human capital investment and intergenerational transfers

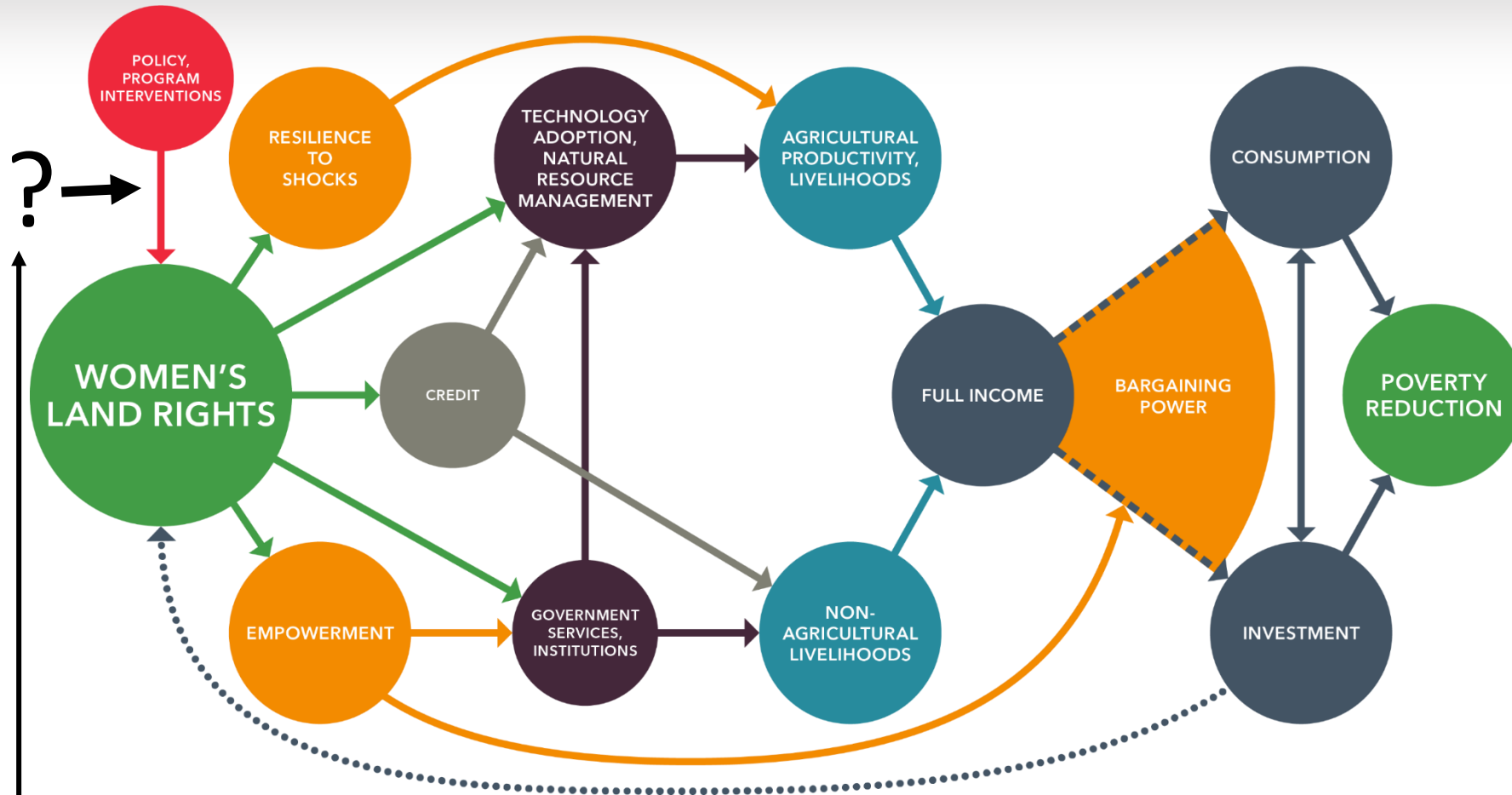
Evidence Gaps



- Most studies only compare MHH/FHH
 - Confounds household structure with gender; ignores women in dual adult HHs
 - Studies concentrated in few countries, mostly Africa
 - Short-term impacts of reforms, not long-term
 - Dynamic effects, e.g. with rapid male outmigration
 - Women's tenure security in collective tenure; empowerment effects of land rights at community and higher levels
 - Quality of land
 - Life cycle effects: land rights for youth and old age security
- Nuance needed to understand women's land rights, if interventions are to be effective in strengthening them

- **What works to strengthen women's land rights?**
 - **Gender-sensitive registration** programs may strengthen WLR, but:
 - Little quantitative data on effects of **gender-blind programs**.
 - Qualitative studies suggest negative effects of poorly designed formalization
 - Trade-offs between high speed/low cost vs inclusive processes
 - If technology-driven formalization, how do women participate?
 - How do women "**actualize**" their rights (in the face of social pressures, etc.)
 - **Knowledge** of land laws is important: by women, men, and land administrators
 - How to strengthen women's tenure in **collective tenure** systems? Internal governance, not just external boundaries

Links from Women's Land Rights to Poverty Reduction



See Doss, C. and R. Meinzen-Dick. 2018. Women's land tenure security: A conceptual framework. Background paper. Research Consortium.

<https://consortium.resourceequity.org/wp-content/uploads/2018/06/CF-FINAL-2018.pdf>

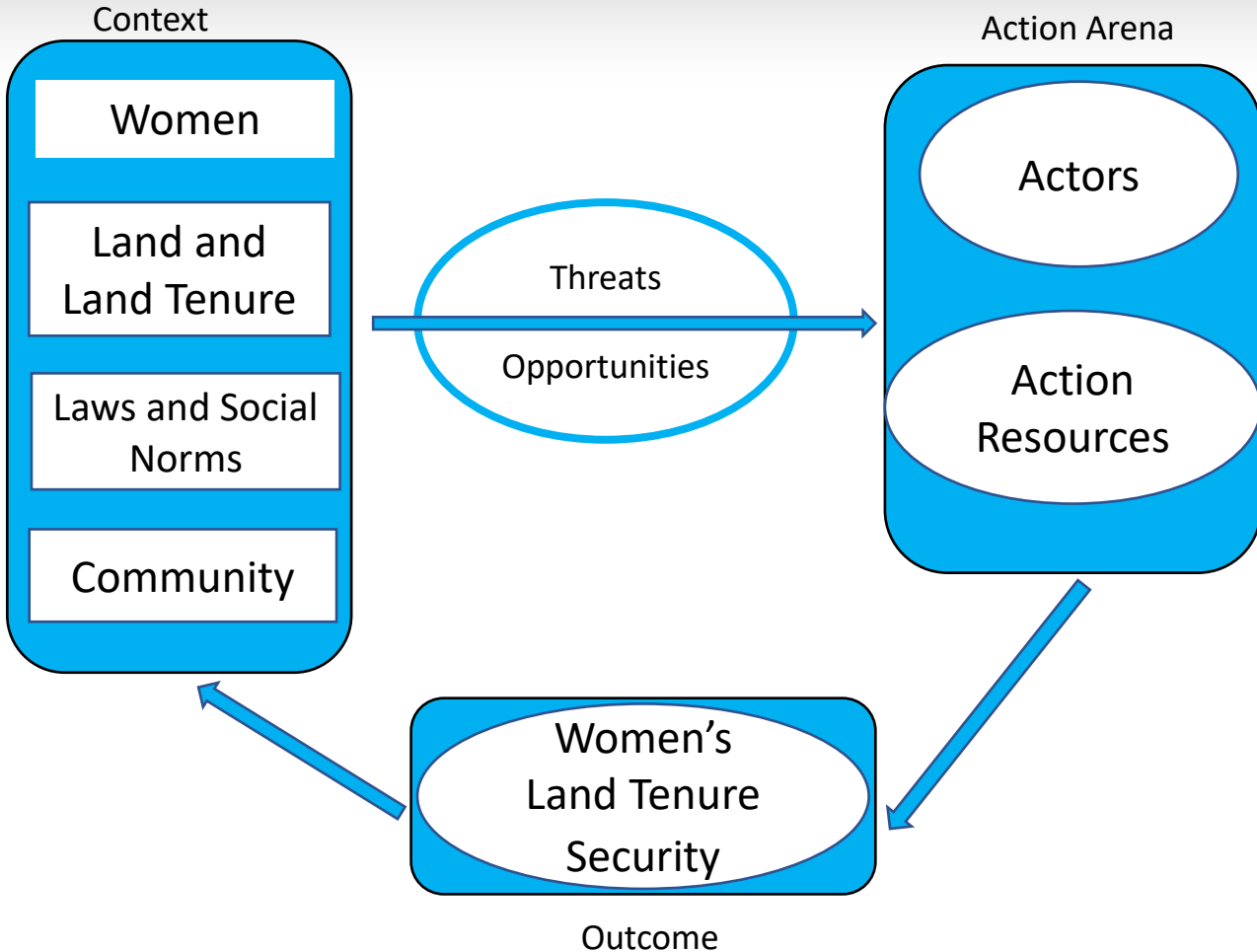
What Do We Mean by Women's Land Rights?



- Individual level—**not just FHH**
- Tenure security:
 - **Robustness/resilience** (can withstand challenges, e.g. land grabs)
 - **Duration** (long horizon, **not changed by change in marital status**)
 - **Assurance/enforceability** (can present claim, be heard)
 - **Cultural and legal legitimacy** (recognized by law, **custom, community, family**)
 - **Exercisability** (informed of rights, understand meaning and how to document)
- Beyond “ownership” —Bundles of rights (use, **fructus**, control)
- Often depends on how acquired, social categories of land
- **Degree of individual vs joint rights**

However, this data is rarely available in the literature

What affects women's land rights?



Context



- Women
 - Ethnicity, religion, caste
 - Age, marital status, head of household
 - Relationships: extended family, groups
 - Community membership, status
- Land and Land Tenure
 - Physical characteristics of land
 - Use: Residence/Agriculture/Business
 - Social understandings
 - Characteristics of land tenure system
 - Historical context
- Laws & Social Norms
 - Constitution
 - Property laws
 - Family law
 - Social norms
- Community
 - Spatial community
 - Family structure patterns
 - Social status
 - Challenges
 - Fora

BOX 4.1 EXAMPLES OF INNOVATIVE PRO-WOMEN LAND TENURE REFORMS

Nature of intervention	Countries
1. Recognition of customary land rights of women	<ul style="list-style-type: none"> • Mozambique, Uganda, Ghana
2. Legal protection of individual use/occupancy rights (issuance of certificates of occupancy) of women	<ul style="list-style-type: none"> • Tanzania, Ethiopia, Malawi, Nigeria
3. Community land demarcation and collective titles	<ul style="list-style-type: none"> • Uganda, Mozambique, Ghana
4. Decentralized land administration system <ul style="list-style-type: none"> • Establish land boards • Village-level land administration council/committee • Promote women’s participation in decentralized land administration 	<ul style="list-style-type: none"> • Mozambique, Uganda, Ghana • Tanzania, Ethiopia • Ethiopia, Rwanda, Uganda, Zambia
5. Land registration/documentation <ul style="list-style-type: none"> • Sporadic (demand-driven) land registration • Systematic (supply-driven) joint land registration 	<ul style="list-style-type: none"> • Tanzania, Uganda, Mozambique • Rwanda, Ethiopia
6. Forms of decentralized dispute resolution mechanisms	<ul style="list-style-type: none"> • Uganda (tribunals, local government mediators) • Tanzania (village land administration council) • Ethiopia (local conflict mediators) • Malawi (land tribunals—proposed)

Factors affecting women's land rights



	Nigeria	Ethiopia	Mozambique	Malawi
More youth	-ve	-ve	-ve	-ve
Population density	-ve			-ve
Land scarcity	-ve	-ve	-ve	-ve
Land market vibrancy	-ve	-ve	-ve	n.a.
Agricultural commercialization	-ve	-ve	-ve	-ve
Agricultural modernization	-ve	-ve	-ve	n.a.
Land registration	n.a.	+ve	-ve	n.a.
Legal literacy	n.a.	n.a.	+ve	n.a.

Effects of joint land certification (case of Ethiopia)



	Women land rights			
	Make business decision	Right to bequeath land	Right to manages output	overall land rights
Treatment	-0.036 (0.02)	-0.128*** (0.03)	-0.084** (0.03)	-0.039** (0.02)
Treatment*Female head	0.299*** (0.06)	0.609*** (0.07)	0.404*** (0.07)	0.177*** (0.04)
Prob > chi2	0.0000	0.0000	0.0000	0.0000
Number of Observation	1937	1843	1917	1947

- **Dependent variable** is a dummy variable equals to 1 if a household has reported at least one female member (excluding the head/spouse) with the right to make business decisions (such as rent or fallow), bequeath/transfer, manage outputs from the parcel, etc
- **Treatment** is a dummy variable =1 if the household has received a joint land certificate for at least one parcel of the household

Policy and programmatic implications



- Despite encouraging reforms in Africa, women's land rights remain in a dire situation
- Lack of implementation and enforcement undermine potential outcomes of reforms
- Factors eroding women land rights: **population pressure, commodification** of land, and **commercialization** of agriculture, which result in **increasing land values**
- Interventions such as recent wave of systematic land tenure regularization programs should prioritize hot spot areas with explicit provisions for women's land rights (both primary and secondary) and legal literacy programs to:
 - Maximize potential gender parity outcomes (intra-household dimensions)
 - Help maintain the sustainability of the interventions.

- **Women's land rights are important for empowerment and investment, but they are not a panacea**
- Framework helps think through downstream impacts (on women, households, communities)
 - Guidance for program design (e.g. what rights to be strengthened, need for complementary programs, etc.)
- Formalization of tenure programs offer serious risks as well as opportunities
 - Urgent need to address women's land rights in their design, implementation, and accompanying regulatory reforms and legal literacy campaigns
- Land rights derive from more than state law—embedded in social relations
 - Strengthening women's land rights is a process of long-term social change.

- Meinzen-Dick, R., Quisumbing, A.R., Doss, C., Theis, S. 2017. Women's land rights as a pathway to poverty reduction: A framework and review of available evidence. *Agricultural Systems*. <https://doi.org/10.1016/j.agsy.2017.10.009>
- Meinzen-Dick, R. S., A. R. Quisumbing, C. R. Doss and S. Theis. (2018). Women's land rights as a pathway to poverty reduction: A framework and review of available evidence. *Agricultural Systems*. <http://dx.doi.org/10.1016/j.agsy.2017.10.009>
- Ghebru, Hosaena. 2019. Women's land rights in Africa. In 2019 Annual trends and outlook report: Gender equality in rural Africa: From commitments to outcomes, eds. Quisumbing, Agnes R.; Meinzen-Dick, Ruth Suseela; and Njuki, Jemimah. Chapter 4, Pp. 44-56. Washington, DC: International Food Policy Research Institute (IFPRI). https://doi.org/10.2499/9780896293649_04
- Ghebru, Hosaena; and Girmachew, Fikirte. 2020. Direct and spillover effects of land rights formalization in Africa: A case study of the Second-Level Land Certification (SLLC) in Ethiopia. IFPRI Discussion Paper 1968. Washington, DC: International Food Policy Research Institute (IFPRI). <https://doi.org/10.2499/p15738coll2.134083>