

Threats to Women's Land Tenure Security and Effectiveness of Interventions - Annotated Bibliography

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Introduction

Background

This annotated bibliography consists of documents identified as part of a literature review on existing research on the external and intra-communal threats to women's land tenure security and the effectiveness of interventions that respond to these threats. With the understanding that broad research gaps remain, the review focuses only on threats and interventions related to women's insecure land and resource tenure but does not focus on the scope of the problem or on the benefits of securing women's rights to land.

The assessment seeks to answer the following questions:

The **impact** of external and intra-communal threats on women's land tenure security:

What rigorous research has been done on the range of external and intra-communal threats to women's land tenure security, including acquiring land? The research will focus on four requirements for tenure security – cultural/legal legitimacy, resilience/durability, exercisability, and enforceability.

What does the research tell us about which areas require the most attention to secure women's tenure?

The **effectiveness of interventions** that respond to these threats:

What interventions have been rigorously assessed?

What conclusions have these studies reached about effectiveness?

To what extent have these findings informed practices in the field?

What are the opportunities for further research and new avenues for dissemination?

Methodology

The methodology for the annotated bibliography is based on a set of exclusion and inclusion criteria that helped to narrow down the material and also ensure only the most relevant documents were included.

Criteria for Inclusion:

Studies were included only if published on or after 2000.

Studies either identified a threat or threats to women's land rights or rigorously evaluated an intervention that responded to one or more of these threats. Threats included not meeting one or more of the four criteria below for secure land tenure. The criteria are:

Cultural and legal legitimacy: Land rights are recognized by law, custom, family, clan, and community.

Resilience and durability: Women’s land rights are not vulnerable to changes in her social status or her family structure such as the death of her father or husband, or to changes in her clan or community, including “land grabs.”

Exercisability: Women are informed of their land rights, understand the meaning and value of these rights, and understand how to obtain or document them. Land rights can be exercised without additional layers of approval.

Enforceability: Women can access their rights, have the ability and means to present a claim, be guaranteed that cases will be heard, and that the resulting decision will be implemented.

There are many cases of overlap where the study included more than one threat. Studies are not repeated in different sections and studies that overlap are in their primary category.

Identified issues are:

Lack of cultural and legal legitimacy: Legal rules and implementation regulations and procedures that treat women and men differently in terms of rights to land; land rights documentation efforts that do not ensure that women’s rights are legally documented; customary norms that do not allow categories of women to have or control certain land rights (i.e. married women).

Lack of resilience and durability: Legal or customary norms that do not allow certain categories of women to keep their rights to land—widows, married out daughters, divorced women, women who marry into a community, women in polygamous relationships, or women who remarry out of the community. Legal or customary norms that do not protect women when communities change due to changes in leadership, conflict, natural disasters, or compulsory takings.

Lack of the ability to exercise legal or customarily held rights: Legal or customary norms that treat women differently than men in terms of: receiving the same information as men because of norms related to public space or meetings; receiving information because material is inaccessible due to language or literacy; having enough information to take steps to gain or keep rights to land; having access to the means to exercise their rights—lack of transportation, lack of ability to access specific spaces, etc. Excluding women from bodies that govern land rights, or decision-making bodies; excluding women from governing or decision-making venues.

Lack of the ability to enforce rights: Legal or customary norms that exclude women from enforcing their rights when faced with a dispute or challenge to their rights. De facto or de jure exclusion of women from accessing dispute resolution forums (financial, physical, social access), lack of faith in the likelihood of a favorable outcome for women, lack of faith in the fairness of decisions with regard to women’s land rights, lack of information on how to pursue enforcement options, social stigma or other social costs that prevent women from making use of dispute resolution forums, and lack of implementation of decisions that are favorable to women.

Excluded Studies:

This study excluded qualitative or quantitative studies that focus on evidence of impact of improving land tenure security for women, including outcomes related to food security, poverty alleviation, agricultural production and investments in technology, health and education. Also excluded were unpublished studies or those that did not include any original research.

To find the studies, we searched a number of databases, including: Google Scholar, JStor, University of Washington Faculty e-Journals, FAOLex, LandWise, and the Land Tenure and Property Rights Portal. All combinations of the terms listed below in the articles title, abstract, and keywords were searched for:

Land rights
Land tenure
Women
Security
Threat*
Gender
Divorce
Inherit*
Polygamy
Dispute
Conflict
Inherit*
Customary
Commun*

The report is organized around 3 key headings: Legal and Cultural Legitimacy, Resilience to Change and Durability, and Exercisability and Enforceability.

Within sections, the studies are organized by date, most recent first, and within the same year, alphabetically.

Annotated Bibliography

Legal and cultural legitimacy

The threat that has been studied the most appears to be women's lack of legal documentation to land. The interventions, joint titling of spouses (legally married or not) and individual titling of women have been studied in the African, Asian, and Latin American context.

Threat: Lack of legally documented rights to land

1. Alvarado, G. et al. (2015). "Women, Land and Law in Vietnam." ICRW.

In this report, ICRW and the Institute for Social Development Studies (ISDS) present early findings from a study carried out by the Vietnam Land Access for Women (LAW) program, which aims to help farmers – particularly women – realize their land rights. Funded by the U.S. Agency for International Development (USAID), the LAW program is a two-year pilot effort that aims to strengthen the reach and efficacy of land-related rights for women in two provinces in Vietnam. *The report finds that more men than women have their names registered on land use rights certificates (LURC) and that women own fewer plots of land than men, because cultural practices like inheritance favor men. The study also shows that women face barriers related to traditional customs and negative attitudes towards women's access to land, and to lack of knowledge of processes to obtain the LURC and registering the name in a LURC. Creating an enabling environment for women's improvement in their access to land and housing also involves changing attitudes towards women's right to own property.*

2. International Land Coalition. (2013). "Women's land rights and gender justice in land governance: pillars in the promotion and protection of women's human rights in rural areas." Synthesis of contributions by members, partners and individual experts in the International Land Coalition's network to the e-consultation facilitated by GI-ESCR and IWRAW-AP.

While this document covers all categories of threats, the greatest emphasis is on "pervasive patriarchy, which creates legal, political and economic limitations to the advancement of women. Across the developing world, rural women suffer widespread gender-based discrimination in laws, customs and practices causing severe inequalities in their ability to access, control, own and use land and limiting their participation in decision-making at all levels of land governance. This synthesis of submissions resulting from a consultation, to which 19 members, partners and individual experts from the International Land Coalition's network responded, highlights the threats to women's legal and customary land rights. Contributors to the consultation emphasized the need to achieve de facto equality, the diversity of rural women and tenure, as well as the importance of women's participation in land governance. The synthesis closes with specific recommendations to the CEDAW Committee to reaffirm women's land rights as a fundamental human rights issue for rural women.

3. Hallward-Driemeier, M. and Hasan, T. (2012). "Empowering Women: Legal Rights and Economic Opportunities in Africa." Africa Development Forum Series, World Bank, Washington, DC.

This paper finds that out of forty-three African jurisdictions twenty-two formally recognize males as the head of the household, giving them sole discretion to represent the household and make household decisions.

4. Rabenhorst, C. and Bean, A. (2011). "Gender and Property Right: a Critical Issue In Urban Economic Development."

This paper looks at: (1) gender equality in property rights, i.e., the rights of women to participate in property use and ownership with full legal and societal protection; (2) the importance to economic development of residential and commercial property rights in urban areas; and (3) the role of women in economic development. It profiles the Tanzania Settlements Trust, which forms groups of women that advocate together and provide support for tenure and housing access. It recommends that projects make gender a focus, adequately assess political, legal, and socio-cultural factors regarding gender, and provide training to the community covering: the legal rights of women specifically, including inheritance and divorce; special problems encountered by women such as documentation, location of registration offices, access to credit; involvement of both men and women in the adjudication process and in registration of rights; and clear communication of the benefits of participation.

5. Giovarelli, R. (2009). "Gender and Land Tenure Reform," in ONE BILLION RISING 196 (R. Prosterman, et al. eds., Leiden U. Press).

This chapter talks about specific threats to women's land rights. They include that it may be culturally or legally impossible for women to acquire land rights through markets, inheritance, transfer or gift; that a woman's marital status (marriage, divorce, bride price, dowry or polygamy) may create barriers to women's land rights; that privatization or individualization of land may result in loss of non-ownership rights that women have to land (e.g., the right to use land); and that land titling programs may fail to formalize women's rights.

6. Joireman, S.F. (2008). "The Mystery of Capital Formation in Sub-Saharan Africa: Women, Property Rights and Customary Law," World

Development, Elsevier, vol. 36(7), pages 1233-1246, July.

Economists such as Hernando De Soto have argued that clearly defined property rights are essential to capital formation and ultimately to economic growth and poverty alleviation. This article traces two impediments to the clear definition of property rights in the African context: customary law and the status of women. Both of these issues interfere with the attempt of African countries to rearticulate property law with the goal of capital formation. Constructive attempts to define property rights must address the problem of enforcement in under-resourced environments where changes may not be welcomed.

7. Razavi, S. (2007). "Liberalisation and the Debates on Women's Access to Land." *Third World Quarterly*, 28(8), 1479–1500.

This article focuses on the tensions and ambiguities that may keep women from effectively accessing land. Barriers include liberalization policies that focus on "family farming," customary land tenure systems, and decentralization of land management. Women's rights advocates fear that these can be manipulated by groups hostile to women's rights.

8. UNECA. (2007). "Women and access to land and credit: discussions and key findings of the African Gender Development Index in Selected African Countries," June 2007, p.17.

In 2004, the African Centre for Gender and Social Development (ACGSD) launched AGDI, which provides a holistic perspective to gender (in)equality in Africa, consisting of three main areas: economic, social and political. This paper recommends that countries develop innovative strategies to address women's equal access to land and credit directly and firmly in the economic policies. While countries have been active in developing gender policies, the approach does not have a long-term impact or maximum outreach if women's access to resources is addressed in policies that target women only. Therefore, comprehensive mainstreaming strategies for inclusion of women need to be developed. In the case of land rights, despite the fact that much has been done already, women's access to and control over land remains extremely low. This clearly indicates that the existing systems are not working to the full capacity or that they are not working at all.

Intervention: Include women on legal documents recognizing land rights (individually or jointly)

9. Giovarelli, R., Hannay, L., Scalise, E., Richardson, A., Seitz, V. and Gaynor, R. (2015). "Gender and Land: Good Practices and Lessons Learned from Four Millennium Challenge Corporation Compact Funded Land Projects." *Landesa Center for Women's Land Rights*.

This paper looks at four MCC projects that involved titling land in Benin, Lesotho, Mali, and Namibia and how they ensured women's rights to land were recognized. It finds that it is important to consider both formal and customary laws and provides examples of both; that it is important to identify all property rights holders, regardless of the overarching objectives of the project; that communication, education, and training activities are vital; and that donors play a key role in ensuring gender is considered in land documentation projects.

10. Newman, C., Tarp, F., and Broek, K. (2015). "Property Rights and Productivity: The Case of Joint Land Titling in Vietnam." *Vol.91(1), pp.91-105*.

This paper explores the effect of land titling on agricultural productivity in Vietnam and the productivity effects of single versus joint titling for spouses. The results show that obtaining a land title is associated with higher yields, for both individually and jointly held titles. The study concludes that there is no tradeoff between joint titling and productivity, and so joint titles are potentially an effective way to improve women's bargaining power within the household with no associated efficiency losses.

11. Ali, D.A., Deininger, K., and Goldstein, M. (2014). "Environmental and gender impacts of land tenure regularization in Africa: pilot evidence from Rwanda." *Journal of Development Economics*, vol. 110, 2014, 262-275.

This paper evaluates the short-term impact (approximately 2.5 years after completion) of Rwanda's land tenure regularization pilots. The findings included, land tenure regularization improved land access for *legally married* women and prompted better recordation of inheritance rights without gender bias; and for female-headed households, specifically, regularization had a very large impact on investment and maintenance of soil conservation measures.

12. Hannay, L., & Scalise, E. (2014). "Improving Land Tenure Security for Women: A Women First Approach." *Landesa Center for Women's Land Rights*.

This paper discusses a pragmatic, adaptive framework and approach for understanding and taking action to strengthen women's land tenure security in the context of customary tenure in northern Uganda. The project team developed a Women's Land Rights Framework ("Framework"), which provided a specific definition of secure land rights. The Framework defines secure land rights in terms of five elements, which each serves as the basis for distinct, measurable indicators upon which to base the project assessment, design, and evaluation. This paper presents the Framework and suggests its potential as an analytical foundation for assessing the security of land rights, for designing projects or developing policies that protect and strengthen women's land rights, and for evaluating the effectiveness of such policies or projects.

13. International Land Coalition. (2014). "Greater empowerment and security of women through the Joint Land Ownership Certificate."

This paper looks at work in Nepal to push for joint ownership and increased ownership for women of land. Pre-titling activities included workshops, demonstrations, art work, meetings, and street drama. The Government of Nepal then introduced the Joint Land Certificate (JLC), issued to both husband and wife, through the Budget Policy of 2011/12. It finds that good practice calls for reducing cost and increase access generally. Fee waivers, special rates or subsidies in formalization programs for certain groups might be needed given the interaction between improved livelihoods and tenure reforms and gender gaps.

14. Menon, N., van der Meulen Rodgers, Y., and Nguyen, H. (2014). "Women's Land Rights and Children's Human Capital in Vietnam." *World Development*, 54, 18-31.

Vietnam's 1993 Land Law created a land market by granting households land-use rights which could be exchanged, leased, and mortgaged. Using a matched household sample from Vietnam's 2004 and 2008 Household Living Standards Survey, this study analyzes whether land titling for women led to improvements in child health and education. Results from the land market indicate that female-only held land-use rights decreased the incidence of illness among children, increased their health insurance coverage, raised school enrollment, and reallocated household expenditures toward food and away from alcohol and tobacco. These effects were almost all stronger than in households with male-only or jointly-held land-use rights.

15. Benbih, K. and Katz, J. (2014). "Land Tenure Rights for Women Under Customary Law."

This paper highlights women's rights issues in accessing land under dual systems. The goal is to make the knowledge resulting from the use of a platform, such as the Global Housing Policy Indicators (GHI), accessible on an open source to all land specialists, NGOs, policy makers, governmental agencies, as well as a global audience, including women around the world. The cases presented illustrate various difficulties to secure land tenure for women. The GHI assessment tool finds first hand evidence of the discrepancies between constitutional laws that are mostly gender neutral and the set of unspoken social norms or customary laws that discriminate against women, by way of practices restricting women's ability to own, inherit or individually use land.

16. FAO. (2013). "The Gender and Equity Implications of Land-Related Investments on Land Access and Labour and Income-Generating Opportunities: A Case Study of Selected Agricultural Investments in Zambia." FAO.

This paper is two case studies of the gender dimensions of agricultural investments in Zambia. The lack of explicit corporate gender policies and strategies have meant that prevailing socio-cultural attitudes towards gender have penalized women in relation to the costs and benefits created by the venture. A key principle is that a 'gender neutral' approach to agricultural investments is not enough: investors must adopt explicit gender policies and take proactive steps to ensure that company behaviors help to overcome rather than reinforce pre-existing gender inequalities. This means adopting policies to offer employment on a priority basis to those local women and men who have suffered a loss of livelihood as a result of the land acquisition. All investors should also ensure that the scheme's membership criteria do not directly or indirectly discriminate against women, and should take proactive measures to encourage women to join.

Two fundamental aspects of land tenure governance in particular need to be addressed: the cost of land rent required for leasehold tenure and the powers vested in customary authorities. Options for communal registration of customary land tenure should be explored. Affirmative action to protect women's rights to land and natural resources should also be prioritized including ensuring that the new land policy provides for joint registration of land under joint occupation by married people.

17. OHCHR and UNWOMEN. (2013). "Realizing women's rights to land and other productive resources."

This piece identifies barriers to women's access to, use of and control over land and other productive resources as primarily being inadequate legal standards and/or ineffective implementation at national and local levels, as well as discriminatory cultural attitudes and practices at the institutional and community level. The publication provides guidance to support the adoption and effective implementation of laws, policies, and programs to respect, protect, and fulfill women's rights to land and other productive resources, including an overview of international and regional legal and policy instruments recognizing women's rights to land and other productive resources, and ways of advancing a human rights-based approach to women's rights to land and other productive resources.

18. Rolfes, L. and Seitz, V. (2013). "Providing Farmland Ownership Rights to Women in Rural Mali: the MCC Experience." Washington, DC: World Bank Annual Conference on Land and Poverty.

This paper examines the Alatona Irrigation Project in Mali, which converted almost 5,000 hectares of Sahel scrubland into high-value irrigated farmland. One of the project's key components was its land allocation activity, through which the irrigated land was transferred from the state to beneficiary families, with a particular focus on ensuring women had access to and control over land. This paper is a short history of project design and implementation, and how the Alatona Irrigation Project developed and executed an approach for allocating land rights to women, the results achieved and the lessons learned.

19. Deere, C. D., Oduro, A., Swaminathan, H., and Doss, C. (2012). "Property Rights and the Gender Distribution of Wealth: Evidence from Ecuador, Ghana and India."

This paper finds that basic property rights are insufficient, for much depends upon the legal and cultural regimes related to marriage and inheritance. Drawing upon household asset surveys which collected individual level ownership data in Ecuador, Ghana and the state of Karnataka in India, it estimates married women's share of couple wealth and relate it to whether major household assets are owned individually or jointly during the marriage as well as to different inheritance regimes and practices. In Ecuador, married women own 44 percent, in Ghana, 19 percent, and in Karnataka, nine percent of couple wealth. Ecuador is characterized by the partial community property regime in marriage while inheritance laws provide for all children, irrespective of sex, to be treated equally, rules that are largely followed in practice. In contrast, Ghana and India are characterized by the separation of property regime which does not recognize wives' contribution to the formation of marital property, and by inheritance practices that are strongly male biased. Reforming marital and inheritance regimes must remain a top priority in many regions of the world if gender economic equality is to be attained.

20. IDLO and Namati. (2012). "Protecting Community Land and Resources: Evidence from Liberia, Mozambique and Uganda."

The study's objectives were to: facilitate the documentation and protection of customarily held community lands through legally established community land titling processes; understand how to best support communities to successfully protect their lands and determine the types and level of support required; and pilot strategies to guard against intra-community injustice and discrimination during community land titling processes and protect the interests of vulnerable groups. Cross-national analysis of the data illustrates that the by-laws/constitution-drafting process had a statistically significant impact on the substance of women's and other vulnerable groups' land rights.

21. Deere, Carmen Diana, Jackeline Contreras and Jennifer Twyman. 2010. Property Rights and Women's Accumulation of Assets Over the Life Cycle: Patrimonial Violence in Ecuador. ALASRU Nueva época. Análisis latinoamericana del medio rural, No. 5, 2010: 135-176.

This study looks at the recognition of women's property rights in practice in Ecuador. One finding is that women may accumulate property in two ways, as individual property and as community property. While individual property, generally acquired through an inheritance, provides a fall back position, community property in marriage or unions has special benefits. Joint property compensates women for their work and provides security.

22. Deininger, K., Augustinus, C., Enemark, S., and Munro-Faure, P. (Eds.) (2010). "Innovations in land rights recognition, administration, and governance." World Bank Publications.

This paper brings together a variety of studies on land rights. Chapter 4 in particular focuses on efforts to improve tenure security. One study in India examines whether changes in inheritance legislation impact the socioeconomic status of females, and found that when daughters were granted coparcenary birthrights in joint family property denied to daughters in the past, the amendment significantly increased the probability of females inheriting land. However, even after the passage of the amendment, significant bias against females persists. Another study in Ethiopia assesses the effects on the allocative efficiency of the land rental market of the low-cost approach to land registration and certification of restricted property rights that were implemented in Ethiopia from the late 1990s. Four rounds of balanced household panel data collected from 16 villages in northern Ethiopia are used. After controlling for endogeneity of land certification and unobserved household heterogeneity affecting land market participation, it was found that land certification enhanced land rental market participation of female landlord households.

23. Holden, S. and Tewodros, T. (2008). "From Being Property of Men to Becoming Equal Owners? Early Impact of Land Registration and Certification on Women in Southern Ethiopia, UNHABITAT, Shelter Branch, Land Tenure and Property Administration Section.

Land certification has been implemented in Ethiopia since 1998 and over 5 million certificates have been delivered. This study in the Oromiya region (OR) and the Southern Nations, Nationalities and Peoples region (SNNPR) of Ethiopia, aims to assess the early impacts of land registration and certification that has been implemented there since 2004. Special emphasis is placed on the impacts of the reform on women, including the impacts of joint certification for husbands and wives. While the land laws first introduced in the Oromiya and SNNP regions in 2002 and 2003 stated that the husband could have his name on only one certificate, resistance caused a change such that certificates could be issued jointly to the husband and his wives, or the husband's name could also be included below the name of his second and later wives, while he has his name first on the certificate with his first wife.

The study finds that low-cost land reform in Southern Ethiopia has contributed to increase the perceptions of tenure security for both women and men. The women's names on the land certificates increased the perception that the women would be able to keep the land after the divorce or death of their husband, with some differences among wives in polygamous households. The reform had limited impact on women's ability to influence farm management, perhaps because of the prevalence of sharecropping. The study recommends that information dissemination, mobilisation and organisation of women's group

24. Field, E. (2007). "Entitled to Work: Urban Property Rights and Labor Supply in Peru." Quarterly Journal of Economics 122 (4): 1561-602.

Receipt of legal documents (land titles) allowed former squatters, especially women, to join formal labor markets instead of staying at home to guard their land, thereby increasing their income and reducing child labor.

25. Datta, N. (2006). "Joint-titling—A Win-Win Policy? Gender and Property Rights in Urban Informal Settlements in Chandigarh, India."

This article explores the impact of joint titling of houses on women's empowerment in urban informal settlements in Chandigarh, India. It finds that property rights increase women's participation in decision making, access to knowledge and information about public matters, sense of security, self-esteem, and the respect that they receive from their spouses. Women display a higher attachment to their houses than men, especially after getting joint titles, because houses play a valuable role in fulfilling women's practical and strategic gender needs. This increased attachment to the house helps reduce property turnover in regularized settlements, hence assisting the government in attaining its goals and making joint titling a win-win policy.

26. Deere, C.D. (2003). "Women's land rights and social movements in the Brazilian agrarian reform." *Journal of Agrarian Change*, 3 (1-2), pp 257-288.

This article examines the evolution of the demand for women's land rights in the Brazilian agrarian reform. Most of the credit for raising the issue of women's land rights rests with women within the rural unions, as a by-product of the effort to end discrimination against women in all its dimensions. The achievement of formal equality in land rights did not lead to increases in the share of female beneficiaries of the reform, which remained low in the mid-1990s. This was largely because securing women's land rights in practice was not a top priority of any of the rural social movements. Moreover, the main social movement determining the pace of the agrarian reform, the landless movement, considered class and gender issues to be incompatible. By the late 1990s, however, there was growing awareness that failure to recognize women's land rights was prejudicial to the development and consolidation of the agrarian reform settlements and thus the movement. The growing consensus among all the rural social movements of the importance of securing women's land rights, coupled with effective lobbying, encouraged the State in 2001 to adopt specific mechanisms for the inclusion of women in the agrarian reform.

27. Deere, C.D. and Leon, M. (2001). "Who owns the land? Gender and land-titling programmes in Latin America." *Journal of Agrarian Change*, 1 (3), pp 440-467.

The main focus of state intervention in Latin American agriculture in the 1990s was on land-titling programs, designed to promote security of tenure and enliven land markets. A review of seven of these projects suggests that they were often designed without sufficient attention to civil codes and marital regimes that protect women's property rights. They often ignored that a household's endowment of land may consist of three forms of property: the wife's, the husband's, and jointly owned property. By assuming that the family farm is owned by the male household head, these projects trampled upon women's ownership rights. Nonetheless, the share of female beneficiaries of land-titling projects has been much higher than the share of women adjudicated land under the agrarian reforms of previous decades. This is partly because the primary way that women acquire land is through inheritance, and inheritance appears to be more gender equitable than other manners of acquiring land. It is also due to the impact of the more gender-equitable agrarian legislation of the current period, itself a product of the impact of women's movements on the state.

Resilience to change and durability

Interventions that focus on making women less vulnerable to changes in their social status or family structure generally focus either on improving legislation or on informing and educating women about legislation that protects women's land rights even when their status changes.

Threat: Women lose rights to land if their status changes

28. Fonjong, L., Fombe, L., & Sama-lang, I. (2013). "The paradox of gender discrimination in land ownership and women's contribution to poverty reduction in Anglophone Cameroon." *GeoJournal*, 78(3), 575-589.

This study adopted a method of field work involving observations, the use of questionnaires, interviews, and focus group discussions for data collection that was able to capture key issues related to women, culture and land. The sample size of 2,205 participants included 80 % women and 20 % men from all socio-economic, political, demographic and ethnic groups. In addition to this sample, interviews were conducted and focus-group discussions held with key women, human rights NGOs and, traditional and administrative authorities in each of the localities.

The study found that land is an important factor of production for both men and women in predominantly agrarian Cameroon. While the legal framework in Cameroon advocates for equal rights and opportunities to resources, the majority of rural women who are mostly peasant farmers can neither inherit nor own land due to gender discriminatory customary practices. The findings revealed that although women are key players in the struggle against poverty who depend solely on land, they still do not have security of tenure over the land they cultivate. Specifically, land inheritance is one of the areas in which gender discrimination is still prevalent. It is deeply rooted in the socio-cultural practices of both patrilineal and matrilineal societies. In matrilineal communities like Aghen and part of Kom, where inheritance follows the female lineage, the sons, and not the daughters of this lineage have inheritance rights. Field investigation indicates that men and women are unanimous on the fact that current practices discriminate against women.

29. Doss, C., Truong, M., Nabanoga, G., & Namaalwa, J. (2012). "Women, Marriage and Asset Inheritance in Uganda." *Development Policy Review*, 30(5), 597-616.

The study uses a combination of qualitative and quantitative research. The first phase involved interviewing focus groups and key informants about assets held by men and women in the communities and on patterns of acquisition and social norms surrounding asset ownership and inheritance. The second phase was a household and intra-household survey. Life-history interviews were also conducted. The study found that many women gain access to land

or ownership through their marital relationships. Both husbands and wives often indicate that land is owned jointly. However, rights over land differ for men and women, with women having fewer rights than men. Women do inherit land, both from their fathers and from their husbands, although it is much more common for men to inherit land. While women may successfully access land through their husbands, and may even claim ownership, these rights frequently depend on the stability of the marriage. Under most customary systems, a widow can claim land that belonged to her husband only if she has a son. The land will be inherited by the son, and the mother can continue to farm it until the son is grown-up and can claim it. Women without sons are at risk of losing access to the land, depending on their relationships with their husband's family and the community. In spite of this arrangement, some widows have been able to maintain independent claims on land.

30. Duncan, B.A. (2010). "Cocoa, Marriage, Labour, and Land in Ghana: Some Matrilineal and Patrilineal Perspectives." *Africa: Journal of the International African Institute* 80 (2), 301–21.

Based on field research conducted between April 2006 and November 2007 in four matrilineal and two patrilineal communities located in the Brong Ahafo, Western and Volta regions, the study sets out important changes taking place within the institutions of marriage, land tenure and conjugal labour relations, within the cocoa production sector. Many scholars have documented systems of land exchange between husbands and wives for services rendered within the context of cocoa farming. This study shows that new and previously undocumented forms of informal conjugal unions may be coming into existence in the context of cocoa production, and these new arrangements provide much less land tenure security for women.

In the matrilineal communities especially, formal marriage arrangements appear to be an exception rather than the prevailing norm. Contract marriages, popular in the western region, are essentially seasonal arrangements made between men and women particularly during the cocoa harvesting season, which lasts for a period of three to six months, after which the relationship is either renewed or terminated. No land is exchanged in a contract marriage. Consensual unions are not as secure as formal marriages, but are a step toward formal marriage. In one case, the Ghanaian court said women in such relationships were entitled to a one-third share of cocoa land which they had assisted their partners to develop.

31. Liaw, R. H. (2008). "Women's Land Rights in Rural China: Transforming Existing Laws into a Source of Property Rights." 17(1) *PACIFIC RIM LAW & POLICY JOURNAL* 237.

In the aftermath of legal reforms designed to secure land tenure for farmers, women in rural China lost rights to land at marriage, divorce, and widowhood. Despite a central legal framework that facially protects women's property interests, ambiguity in the property and marriage laws have allowed village leaders to reassert traditional social norms and deny constitutional equal rights guarantees for women. Recent attempts to ameliorate landlessness for women, specifically in the Rural Contract Law and the Property Law, offer little promise of providing a significant solution for rural women. New proposals to mitigate rural women's loss of land rights must be framed in the cultural context of how social relations affect land rights. Legal reforms in rural China should focus on strengthening women's property rights within marriage, as well as securing external rights to property. Women's land tenure would be better protected under a more clearly defined community property regime that recognizes rural land contracts issued both prior to and during marriage as jointly possessed. Such measures would give women access to a legal platform at divorce or widowhood, when they are most likely to experience landlessness.

32. Patel, R. (2006). "Hindu Women's Property Rights in India: A Critical Appraisal." *Third World Quarterly*, 27(7), 1255–1268.

This paper looks at changes in Hindu women's position regarding property rights, and argues that rights conferred through law must be analyzed in light of their contexts (cultural, historical, etc.) to determine their practical legitimacy. It addresses the need to critically define the bases and contours of 'rights' as created by law. Taking the example of changes in Hindu women's position in relation to property through the rights generated by statutory and constitutional provisions, the article critically evaluates the potential for such a 'rights regime' to enable Hindu women's greater access to property. It argues that the idea underlying a particular claim, its legitimacy and therefore effectiveness within a legal framework must be critically evaluated. The legitimacy of claims presumptively conferred within a legal framework must be interrogated in the light of legal, historical, political and cultural contexts. Such a contextual and critical analysis is crucial for effective protection of rights claims through law. To the extent that legal regimes reflect and substantiate wider social relations, their potential for bringing about substantive change in the lives of women can only be realized through ongoing critical analyses of gender, law and society.

33. Li, Y. and Yin-Sheng, X. (2006.) "Married Women's Rights to Land in China's Traditional Farming Areas, *Journal of Contemporary China*." 15:49, 621-636.

This paper focuses on women's land rights in their maiden village in traditional farming areas, and shows, based on an analysis of a case study combined with a questionnaire survey, that married women's land rights tend to be retained in their parent's village with the implementation of new policy and land contract laws, but that they have almost no rights in their maiden families after marriage, due to the influence of traditional marriage notions and customs.

34. Giovarelli, R. and Lastarria-Cornhiel, S., (2005). "Shared Tenure Options for Women: A Global Overview." *UN-HABITAT Report*.

This is an overview of different types of shared tenure options. It concludes that separate property provides women with the most power and control over their own land, but that compulsory joint ownership in formal law for married women or for women living in consensual unions provides women with some protection against being left without land or a home when her relationship with her husband breaks down either due to divorce, abandonment, polygamy, or death. Women's rights to land and other immovable property within different tenure structures varies considerably depending on family and

lineage structures, the strength of customary norms and practices, observed and enforced legislation, and active organization on the part of women, and customary norms and practices seem to exclude women from enjoying property rights with the exception of some matrilineal societies and some family tenure forms.

35. Deere, C. and Leon, M. (2003). "The gender asset gap: land in Latin America." *World Development*, 31 (6), pp 925-947.

The gender asset gap in Latin America with respect to ownership of land is significant. In few countries do women constitute even one-quarter of the landowners. Gender inequality in land ownership is related to male preference in inheritance, male privilege in marriage, male bias in community and state programs of land distribution as well as gender bias in the land market, with women less likely than men to be successful buyers. But there are also important differences by gender in how land is acquired. Inheritance is the primary means by which most women become landowners; men are much more likely than women to acquire land through its distribution by communities or the state and via the market. Factors contributing toward a trend toward greater gender equity in land inheritance and in recent state programs are highlighted.

Intervention: Legal reform

36. Kumar, N. and Quisumbing, A. (2015). "Policy Reform toward Gender Equality in Ethiopia: Little by Little the Egg Begins to Walk." *World Development*, 67, 406.

Using data from the Ethiopian Rural Household Survey (ERHS), the study shows how two seemingly unrelated reforms—community-based land registration, undertaken since 2003, and changes in the Family Code implemented in 2000—may have created conditions that reinforce each other in improving gender equity. Specifically, the analysis finds (among other things) impacts of the land registration effort on the evolution of perceptions of the distribution of assets upon divorce. The study found that awareness about the land registration process is positively correlated with the shift in perceptions toward equal division of land and livestock upon divorce, particularly for wives in male-headed households. The presence of female members in the Land Administration Committee also had a positive effect on the shift in perceptions toward a more equal distribution of assets upon divorce.

37. Deininger, K., Goyal, A., and Nagarajan, H. (2013). "Women's Inheritance Rights and Intergenerational Transmission of Resources in India." *Journal of Human Resources*, 48(1), 114-141.

Using inheritance patterns over three generations of individuals, this study assesses the impact of changes in the Hindu Succession Act, which grant daughters equal coparcenary birth rights in joint family property, that were denied to daughters in the past. The study shows that the amendment significantly increased daughters' likelihood to inherit land, but that even after the amendment, substantial bias persists. There were no detectable changes before the legal amendment, with a sharp increase in land bequests to daughters occurring only after HSAA became effective. The effect persists over time, showing a modest but significant upward trend, in line with a gradual pattern of dissemination and learning.

38. Quisumbing, A. R., Payongayong, E., Aidoo, J. B., and Otsuka, K. (2001). Women's land rights in the transition to individualized ownership: Implications for the management of tree resources in western Ghana. *Economic Development and Cultural Change* 50 (1): 157-182.

This study explores the impact of changes in land tenure institutions on women's land rights and the efficiency of tree resource management in Western Ghana. It finds that customary land tenure institutions have evolved toward individualized systems to provide incentives to invest in tree planting. However, contrary to the common belief that individualization of land tenure weakens women's land rights, these have been strengthened through inter vivos gifts and the practice of the Intestate Succession Law. Investment in tree planting, in turn, is affected not simply by the level of land tenure security, but also by its expected changes, as tree planting strengthens land tenure security. Cocoa yields are lower on allocated family land and rented land under share tenancy due to distorted work incentives. While men and women are equally likely to plant trees, women obtain lower yields on their cocoa plots, suggesting the presence of gender-specific constraints.

Intervention: Communication focused on social change

39. UN Women. (2014). "Empowering Widows: An Overview of policies and programmes in India, Nepal and Sri Lanka."

This paper finds that strengthening engagement with civil society in the implementation of government programs results in a more enabling environment for widows to claim services, including land rights. Focus group discussions in India and Nepal showed that widows who were a part of this collaborative effort were more articulate, confident and aware of their rights. This played an important role in helping them claim their entitlements, including land rights. In Sri Lanka, widows have been able to take advantage of government programs for capacity building and skills training due to the partnership between the government and the groups working with widows. In the process, many widows have become agents of change in their community.

40. Ubink, J.M. (2011). "Towards Customary Legal Empowerment in Namibia: Enhancing gender equality in customary justice systems." *International Development Law Organisation*.

In Namibia, national authorities have made various interventions aimed at enhancing the functioning of customary law and traditional leadership. These efforts include both the creation of institutional linkages as well as community-based activities. One issue has been the position of women under

customary law, and especially the fact that widows often have no rights to their deceased husbands' lands. At a workshop, the traditional leaders present unanimously decided that widows should not be chased from their lands or out of their homes and that they should not be asked to pay again for the land. The president of the country was also a proponent of the change. This research found that this statement led to positive change.

Exercisability and Enforceability

Interventions may focus on making sure that women can access their rights, have the ability and means to present a claim, be guaranteed that cases will be heard, and that the resulting decision will be implemented. This includes ensuring that women's land rights can be exercised without additional layers of approval.

Threat: Women do not participate in governance of natural resources

41. Kiptot, E. and Franzel, S. (2012). "Gender and agroforestry in Africa: A review of women's participation." *Agroforestry Systems*, 84(1), 35-58.

This paper presents a review of agroforestry in Africa from a gender perspective. It examines women's participation relative to men and the challenges and successes they experience. The review shows that agroforestry has the potential to offer substantial benefits to women; however, their participation is low in enterprises that are considered men's domain, such as timber and high in enterprises that have little or no commercial value, such as collection of indigenous fruits and vegetables. Data on whether women are able to manage agroforestry practices as well as men are mixed, although it is clear that women do most of the work. In cases where they do not perform well, the reasons are mostly due to scarcity of resources. In marketing, women are confined to the lower end of the value chain (retailing), which limits their control over and returns from the productive process. In order to promote gender equity in agroforestry and to ensure that women benefit fully, the paper recommends various policy, technological and institutional interventions.

42. Agarwal, B. (2010). *Gender and Green Governance* (Oxford: Oxford University Press).

This book is based on a primary survey of community forestry institutions (CFIs) in the early 2000s, and on fieldwork in Nepal and India. It examines the impact the gender composition of a group has on women's effective participation, rule-making, rule violations, forest conservation, and firewood and fodder shortages.

It finds that women's greater presence in CFIs has many statistically demonstrable benefits. It enhances women's effective voice in decision-making; influences the nature of decisions made, especially the rules of forest use and their implementation; and improves forest condition. Measures that help increase women's presence in governance institutions (and especially poor women's presence) would thus be beneficial both because their participation is intrinsically important for inclusive governance and successful institutional functioning, and to better fulfill the conservation and subsistence objectives of such institutions.

43. Padmanabhan, M.A. (2005). "Institutional Innovations Towards Gender Equity in Agrobiodiversity Management: Collective Action in Kerala, South India."

This study compares two institutions of collective biodiversity management in Kerala, India. The traditional mechanisms of a scheduled tribe, the Kurichyas, are contrasted with the new institution of the People's Biodiversity Register (PBR) under the local form of governance, the panchayat. Collective action is analysed for the core variables of reputation, trust and reciprocity. In the tribal institutions, traditional seed exchange rests on reputation and gender complementarities, which are eroded by a diminishing degree of trust and dissolving property rights for women and weakened by failing norms of reciprocity. The new institution of PBR threatens tribal women's reputations and their knowledge by reducing it to a bureaucratic register, the disembodiment of knowledge into information reduces trust and unpredictable returns diminish reciprocity. A massive public investment in strengthening women's capabilities for a transformation from conservers and users to advocates, managers and decision-makers regarding biodiversity might halt the loss.

Threat: Women are unable to exercise or enforce their rights

44. Euphrasia, A. (2015). "Delivering on Women Farmers' Rights."

This policy brief discusses the reasons that the situation for women smallholder farmers across Africa has not changed much in the past decade. It identifies four main barriers to women smallholder farmers' participation: women's access to and control of land; unpaid care work (childcare, household maintenance, etc.); women's lack of access to finance and extension services offered by the state; and limited state investments in the agricultural sector.

45. Quisumbing, A.R., Rubin, D., Manfre, C., Waithanji, E., van den Bold, M., Olney, D., Johnson, N., et al. (2015). "Gender, assets, and market-oriented agriculture: learning from high-value crop and livestock projects in Africa and Asia." *Agriculture and Human Values*.

This paper explores changes in gender relations and women's assets in four agricultural interventions that promoted high value agriculture with different degrees of market-orientation. It finds that while projects can successfully involve women and increase production, income, and the stock of household assets, generally men's incomes increased more than women's and the gender-asset gap did not decrease. Some threats were gender- and asset-based

barriers to participation in projects and gender norms that limit women's ability to accumulate and retain control over assets (including land). Other targeted support to women farmers may also be needed to promote their acquisition of the physical assets required to expand production or enter other nodes of the value chain

46. Quisumbing, A. and Kumar, N. (2014). "Land Rights Knowledge and Conservation in Rural Ethiopia: Mind the Gender Gap." IFPRI.

This paper examines the community-based land certification effort in Ethiopia, an early successful attempt to implement a cost-effective and transparent land-registration process. It found that while the difference between male- and female-headed households' proportions of land registered is small, there is a "glaring" gap in men's and women's knowledge of land rights and that educating women had significant impact on soil conservation. Using the 2009 round of the Ethiopian Rural Household Survey, the paper examines the medium-term impact of the land registration on investment behavior by households, particularly the adoption of soil conservation techniques and tree planting. The paper suggests that closing the knowledge gap in legal rights is an important step to improving adoption of soil conservation technologies and sustainable farming techniques.

47. Odeny, M. (2013). "Improving Access to Land and Strengthening Women's land rights in Africa." World Bank.

The need to improve access to land and strengthen women's land rights in Africa has elicited a lot of discussion with women's rights activists arguing for increased access and control over land and other productive resources. The paper examines inter-relations between women's land rights and socio-economic development, peace and security and environmental sustainability in Africa. It goes on to highlight the impacts of the discrimination against women with regard to access, control and ownership of land and identifies promising practices related to strengthening women's land rights with possible benchmarks and indicators to track progress made in strengthening women's land rights in the context of the implementation of the AU Declaration on land. It concludes by providing concrete recommendations on how to further promote dialogue, advocacy, partnerships and capacity development in support of women's land rights in Africa. This paper is as a result of a study commissioned by AU-ECA-AfDB Land Policy Initiative (LPI) which is implementing a 5- year Strategic Plan and Roadmap to assist member states in the implementation of the AU Declaration on land issues and challenges in Africa, in accordance with the Framework and Guidelines on Land Policy in Africa in order to achieve socio-economic development, peace and security, and environmental sustainability

48. Budlender, D. and Alma, E. (2011). *Women and Land: Securing rights for Better Lives*. IRDC.

This book focuses on recent findings from sub Saharan Africa on women and land. It finds:

- Participation-oriented research methods are much more likely to bring about immediate benefits than other, more traditional research methods.
- Merely passing legislation is of little effect without the necessary resources for implementation, without informing and educating all relevant actors on the provisions of the legislation, without monitoring the reforms, and without effective sanctions on failure to implement.
- It is crucial both to consult and involve women when designing reforms and monitoring their implementation.
- Women's access to land does not simply hinge on a choice between customary and statutory systems. Rather, we are faced with a more complex question of how the two systems interact and are used by different groups of women and men. The research also emphasizes the need to think about customary law as "living" and evolving.
- Addressing land injustices requires varied approaches that streamline and consolidate numerous land laws in a given country. It is vital to establish and maintain links among research, policy, practice, and people.
- The importance of providing teaching and training in a variety of disciplines for a young generation of women in Africa cannot be overstated.

49. Henrysson, E. and Joireman, S. (2009). "On the Edge of the Law: Women's Property Rights and Dispute Resolution in Kisii, Kenya." *Law Society Review* 43(1), 39-60.

This study used interviews and focus groups to explore property disputes and perceptions of formal and customary systems of dispute resolution. The initial interviews were structured and conducted with various groups and individuals.

In Kenya, government efforts at establishing clearly defined property rights and adjudication mechanisms have run up against alternative processes for the adjudication of disputes. This research demonstrates that customary processes may also carry a monetary cost that puts them beyond the means of many citizens. This article compares the costs and processes of the formal and informal methods of property rights adjudication for women in the Kisii region of Kenya. The research results suggest that women have weak property rights overall, they have limited access to formal dispute resolution systems because of costs involved, and even the informal systems of conflict resolution are beyond the means of many citizens.

Attempts to maintain use rights over their land when widowed or divorced are not taken to the land tribunals because of the expense involved. Pursuing the resolution of disputes through the customary system is also prohibitively expensive.

50. World Bank. (2005). "Gender Issues and Best Practices in Land Administration Project."

This report is a synthesis of information from four case studies of World Bank-financed land programs in Azerbaijan, Bolivia, Ghana, and the Laos People's Democratic Republic, focused on how these four land administration projects included and worked with women. Barriers identified in this report include gender-specific social norms that circumscribe women's economic activities and decision-making roles and discrimination in the markets for land,

labor, and capital. Legal barriers include of adjudication activities, requirements for documentation, and location of services (such as registration offices).

Threat: Women unable to assert their rights in large-scale land deals

51. Doss, C., Meinzen-Dick, R., and Bomuhangi, A. (2014). “Who Owns the Land? Perspectives from Rural Ugandans and Implications for Large-Scale Land Acquisitions.” *Feminist Economics*, 20(1), 76-100.

This article is based on a 2008–09 study of land tenure in Uganda. It analyzes how different definitions of land ownership – including household reports, existence of ownership documents, and rights over the land – provide very different indications of the gendered patterns of land ownership and rights. While many households report husbands and wives as joint owners of the land, women are less likely to be listed on ownership documents, and have fewer rights. A simplistic focus on “title” to land misses much of the reality regarding land tenure and could have an adverse impact on women’s land rights

52. Behrman, J., Meinzen-Dick, R., and Quisumbing, A. (2012). “The gender implications of large-scale land deals.” *Journal of Peasant Studies*, 39(1), 49-79.

This article addresses the current information gap on the differential gender effects of large-scale land deals through an overview of the phases of large-scale land deals and discussion of related effects on rural men and women; a presentation of further evidence using several case studies on the gender effects of large-scale deals; and a conclusion that looks at knowledge gaps and areas for further research as well as broad recommendations for gender equitable large-scale land deals.

Intervention: Education

53. ExxonMobil. (2013). “A Roadmap for Promoting Women’s Economic Empowerment.”

This roadmap has a section on the importance of formal ownership and control over farmland for women’s productivity and economic security, hinging on paying attention to social and local contexts. It recommends an integrated suite of services, which target both production and marketing and address social constraints. It notes that land titling programs can help women where women’s names are on the title and where attention is paid to customary rules and the ways they may discriminate. Also finds that agricultural interventions have successfully increased the stock of both men’s and/or women’s tangible assets, but particularly those assets they own jointly. In addition, projects have also increased the stock of social and human capital, particularly for women.

54. Freudenburg, M., & Santos, F. (2013). “Enhancing Customary Justice Systems in the Mau Forest, Kenya: Impact Evaluation Report.” USAID.

This paper evaluates a project which piloted an approach for improving women’s access to justice, particularly related to women’s land rights, by enhancing the customary justice system in one target area: OI Pusimoru sub-location, Mau Forest, Kenya. The Justice Project consisted of: (1) delivery of a training curriculum to targeted groups (Chiefs, Elders, women and youth) focused on civic education, legal literacy, rights and responsibilities related to land and forest resources (with special emphasis on rights of women and children), and skill-building; (2) facilitated community conversations with target groups; (3) peer training for targeted groups to share information with others in the community; and (4) public information and education activities to reach the broader community.

The evaluation found improvements in legal awareness, particularly women’s legal knowledge, men’s knowledge of women’s rights, and women’s familiarity with the local justice system and alternative dispute resolution; women’s confidence in both fairness and outcomes if they need to access the local justice system, and procedural and process improvements in local dispute resolution institutions; respect for women’s rights by men in the community; increased access to land by women; improvements in women’s perceptions that they have access to an appropriate forum for dispute resolution; improvements in women’s land rights and tenure security, particularly in men’s expressed intentions to leave equal inheritance to all children, including girls, and women’s confidence in their ability to protect their land rights with support from local institutions; increased perceptions by women of improvements in the promptness and affordability of the local justice system and in Chiefs and Elders’ knowledge of the Constitution.

55. International Development Law Organization. (2013). “Accessing Justice: Models, Strategies, and Best Practices on Women’s Empowerment.”

This paper highlights some of the challenges and solutions for women’s access to justice in diverse legal systems. It shows that women face structural and cultural barriers to accessing justice – insufficient knowledge of rights and remedies, illiteracy or poor literacy, and lack of resources or time to participate in justice processes. This is all the more so as women usually have intensive family responsibilities. Even where women can access the formal justice sector, the outcomes of the process often fall far short of those envisaged by international standards, particularly with regard to property rights, inheritance, divorce and child custody, and spousal abuse. Focusing on legal empowerment as a way to improve both access to justice and the quality of justice women receive, the study presents strategies and best practices in both formal and informal justice systems. Legal empowerment approaches share one core concept: using the law to enable disadvantaged groups to access justice and realize basic rights. They include legal education; legal aid services;

support for non-discriminatory dispute resolution fora to complement or supplement informal systems; training of paralegals; and rights awareness. In considering whether such approaches can improve the quality of justice women receive, Accessing Justice brings together a number of IDLO-sponsored case studies in Afghanistan, India, Namibia, Rwanda, Mozambique, Tanzania, Morocco, Papua New Guinea and the Solomon Islands. These highlight a variety of lessons for development practitioners, both in terms of engagement with the informal legal sector and, more generally, for the use of legal empowerment and top-down / bottom-up strategies. In an appropriate context, carefully designed legal empowerment strategies may constitute a valuable contribution to improving women's access to justice.

Intervention: Women's groups

56. Brody C, De Hoop T, Vojtkova M, Warnock R, Dunbar M, Murthy P, Dworkin S. (2015). "Economic Self-help Group Programs for Improving Women's Empowerment: A Systematic review." *Campbell Systematic Reviews* 2015:19.

This review looks at the impacts of self-help groups with a broad range of collective finance, enterprise, and livelihood components on women's political, economic, social, and psychological empowerment in low- and middle-income countries using evidence from rigorous quantitative evaluations. The secondary objective was to examine the perspectives of female participants on their experiences of empowerment as a result of participation in economic SHGs in low- and middle-income countries using evidence from high-quality qualitative evaluations. The study found that women's economic SHGs have positive statistically significant effects on various dimensions of women's empowerment, including economic, social and political empowerment, but no statistically significant effects of SHGs on psychological empowerment. The study also found no evidence of adverse effects, including no negative consequences regarding domestic violence.

57. Katungi, E., Edmeades, S., and Smale, M. (2008). Gender, social capital and information exchange in rural Uganda. *J. Int. Dev.*, 20: 35–52.

Established social structures, such as grassroots associations, have contributed to efforts at agricultural development in rural areas. By disaggregating the analysis by the gender of the household head, the study provides a detailed assessment of how differences among male and female heads of households influence information diffusion in rural areas. Results support the premise that social capital significantly influences information exchange among rural households, with evidence of gender disparities in the process. Female heads of households appear to be disadvantaged in their access to information related to agricultural technologies. Local associations have a higher effect among female heads of households while social institutions have a higher effect among male heads of households. An important implication from this result for outreach programs is that different forms of social capital may need to be accounted for in development programs. The results provide support for group-based approaches in technology dissemination. Since both male and female heads of household have the same propensity to join associations, this type of social capital should be encouraged. Strategies that promote gender heterogeneous groups may have a greater impact on information diffusion. Formal extension activity in the village stimulates information exchange, particularly among women that head households.

Finally, the direction of information exchange is also of policy relevance. Both informal and formal mechanisms for information dissemination appear to have a significant impact on a two-way information sharing. This warrants support for formal extension programs and community associations as two complementary mechanisms for information diffusion in rural areas.

58. Mwangi, E., Meinzen-Dick, R. and Sun, Y. (2011). "Gender and sustainable forest management in East Africa and Latin America." *Ecology and Society* 16(1): 17.

This paper presents a comparative study of forest management across four countries in East Africa and Latin America: Kenya, Uganda, Bolivia, and Mexico. It focuses on whether varying proportions of women (low, mixed, high) in forest user groups influence their likelihood of adopting forest resource enhancing behavior and finds that higher proportions of females in user groups, and especially user groups dominated by females, perform less well than mixed groups or male dominated ones. This may be because of gender biases in technology access and dissemination, a labor constraint faced by women, and/or a possible limitation to women's sanctioning authority. Mixed female and male groups offer an avenue for exploiting the strengths of women and men, while tempering their individual shortcomings.

59. Sun, Y., Mwangi, E. & Meinzen-Dick, R. (2011). "Is gender an important factor influencing user groups' property rights and forestry governance? Empirical analysis from East Africa and Latin America." *International Forestry Review*, Vol. 13 (2), pp. 205 – 219.

This article explores the effects that gender composition of forest user groups has on property rights and forestry governance, based on data from 290 forest user groups in Kenya, Uganda, Bolivia, and Mexico. It finds that while female-dominated groups tend to have more property rights to trees and bushes, and collect more fuelwood but less timber than do male-dominated or gender-balanced groups, gender-balanced groups participate more in forestry decision-making and are more likely to have exclusive use of forests. Female-dominated groups participate less, sanction less, and exclude less. It's therefore important to gain better understanding of the dynamics of mixed-gender groups, including the nature and types of cooperation among males and females when determining what kind of group-based intervention to pursue.

Intervention: Paralegals/Legal Aid

60. Billings, L.; Meinzen-Dick, R.S. and Mueller, V. (2014). "Implications of community-based legal aid regulation on women's land rights."

This brief looks at the consequences of regulating services provided at the community level to support women's land rights, with a focus on Tanzania. They recommend programs:

- evaluate the implications for geographic coverage and program quality by defining at least two distinct tiers of paralegals to provide legal services at different levels of decentralization
- identify the appropriate educational criterion for each tier of paralegal that will identify individuals with the facility to access training materials and complete reporting requirements
- undertake additional research to establish distinct, paralegal training curricula that consider topic breadth versus relevance according to the services provided in each tier. Curricula for community paralegals should be based on analysis of the cost-effectiveness of initial training investments versus regular periodic training
- for additional insight on modalities to reduce paralegal attrition, conduct analysis on the cost effectiveness of paralegal compensation to assess the implications on program quality and sustainability

61. Brown, J., & Gallant, G. (2014). "Engendering Access to Justice: Grassroots Women's Approaches to Securing Land Rights." Huairou Commission and UNDP.

The community-based study has three purposes: 1. Highlight the multitude of issues and challenges facing African women in relation to land and property. 2. Document the main strategies that grassroots women's groups are using to help women attain justice, either by working within or influencing customary legal frameworks, or by assisting women to access the court system, in order to develop a cohesive series of strategies for grassroots women-led groups to use in achieving justice in relation to land and property. 3. Provide evidence that can be used to insert grassroots women's perspectives and practices into the existing development discourse on women's access to justice in relation to land and property, particularly within the African context. It finds broadly that the most important components of successful approaches are: community sensitization and training sessions on customary and statutory legal systems; community mapping; local-to-local dialogues with headmen, chiefs, and local leaders; • the use of community paralegals for information, advice, and access to resources for grassroots women; the use of watchdogs to identify and highlight problems in a community; and, • the development of partnerships with key stakeholders.

62. Patel, P. Douglas, Z., and Farley, K. (2014). "Learning from a 'paralegals' intervention to support women's property rights in Uganda." ICRW.

This paper analyzes an ICRW and Uganda Land Alliance program to establish and build the capacity of a legal rights worker organization in Luwero District, Uganda. The program aimed to support women's property rights by training a group of male and female community members to become legal rights workers. Referred to as "paralegals", these legal rights workers provide legal advice, mediation services, and education about WPR and other property rights issues to people in their communities. It found that targeted sensitization messages help to support the intensity and reach of community education efforts on women's property rights, that two levels of training and technical support for paralegals have been critical: 1) formal, structured trainings on the law and women's property rights; and 2) ongoing, more personalized assistance on handling property rights disputes/cases and delivering sensitization messages on women's property rights, that strengthening relationships with local leaders and institutions — whether with local councilpersons, religious leaders, or law enforcement bodies — is critical for the successful implementation of a community-based legal aid program that aims to strengthen women's property rights, and that implementing a comprehensive monitoring and evaluation system enabled the program to identify challenges and formulate new approaches will help increase its effectiveness.

63. Behrman, J.L., L. Billings and A. Peterman, 2013. Evaluation of grassroots community-based legal aid activities in Uganda and Tanzania: Strengthening women's legal knowledge and land rights. CAPRI Working Paper No. 108.

This is a qualitative study of community-based legal aid programs in Uganda and Tanzania. It assesses the efficacy of legal aid activities, the challenges faced by implementing organizations, and it documents opportunities and potential for scaling-up. It finds that legal aid activities will only be successful if they also succeed at changing the mindsets and attitudes surrounding women's rights, and that further impact evaluation should be done to determine how to improve activities.

64. Pasqual, L. (2012). "Land in the Right Hands: Promoting Women's Rights to Land." UNWomen. Almaty.

This paper summarizes several UN Women projects from 2004 to 2009 aimed at improving women's land rights in Kyrgyzstan and Tajikistan. The key objective was to drive and boost positive changes in political, legal and public domains through mainstreaming gender in ongoing agrarian reforms and follow-up monitoring.

One key set of programming was the provision of legal counseling, business training, and the establishment of cooperatives and self-help groups. Over 2002-2006 the number of women running farms in Tajikistan increased from 2 to 14 per cent.

the nation's largest fiscal sponsor.

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