



*Improving Women's and Girls' Land Rights:
Illustrative Interventions from India and Uganda*

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Land is a critical asset for women and men, and especially for the rural poor. Women's economic development and their rights to land are intrinsically linked. More than half of all women in the developing world still work in agriculture.¹ Africa's women produce 78 percent of the continent's food, mainly through subsistence agriculture and small land holdings.² In India, 86 percent of rural women work in agriculture.

Property rights to land—whether customary or formal—act both as a form of *economic access* to key markets and a form of *social access* to non-market institutions such as household and community-level governance structures. Secure land rights can ensure safety, food security, status, and adequate shelter for women and their families.³

Yet despite the myriad benefits that secure land rights bestow, many complex challenges remain which prevent women from receiving and benefiting from those rights.⁴ The complexity of the challenges—due to exogenous factors such as legal and regulatory structures and institutions, as well as endogenous factors such as deeply entrenched cultural norms and women's limited access to education and resources—have discouraged many from attempting interventions that could improve women's rights to land. Such interventions to improve women's rights to land, however, are needed. The complexity of the issues and the size and number of challenges should not be a deterrent.

The objective of this paper is simple and practical: to (1) suggest practical steps for placing a gender lens on land projects that lack a specific focus on women; and (2) provide illustrative examples of actual interventions designed to improve women's (and girls') land rights. Section I provides a cursory overview of the benefits of women's secure land rights, the barriers to those rights, and outlines steps for placing a gender lens on any land project. The following three sections are summary descriptions of specific interventions designed to provide secure land rights for women or girls. The three interventions are at different phases. The first has been in place since 2004. The second has just completed the design phase and about ready to begin implementation; and the third is still in the design phase. All three include monitoring and evaluation components to measure impact. Section II describes a project in Andhra Pradesh,

India that has helped more than 5,000 landless female agricultural laborers purchase their own land. Section III overviews a newly designed project in West Bengal, India that focuses on adolescent girls and their families to reduce their vulnerability to early marriage and trafficking. Finally, section IV describes a new project being designed for post-conflict Northern Uganda that targets women and girls exiting IDP camps.

I. Introduction

A. The Myriad Benefits of Women's Secure Land Rights

Land rights confer many benefits to women and their families, particularly in rural areas, including: (1) access to markets, (2) economic autonomy, (3) social security, (4) protection for female heads of household, and (5) greater bargaining power.

Access to markets. Land is a basic resource for agricultural production. It can be a source of income from production, rental or sale, and it can be used as collateral for credit that can be used for either consumption or investment purposes. When women have access and control over land, they are more likely to interact with other market actors while accessing agricultural inputs, obtaining credit, seeking government services, and marketing production. Such activities can improve a woman's confidence, status, and bargaining power in her community and household.

Economic Autonomy. If women are unable to legally own, control and inherit property, they have little economic autonomy because they lack access to wealth, and their contribution to the household can remain unremunerated and invisible.⁵ In addition to the short- and medium-term economic gains generated by greater access to capital and land markets, women with stronger property rights are also less likely to become economically vulnerable, especially in the event of separation from their spouse through death, divorce, or abandonment.

Social Security. Land ownership may be one of the few vehicles through which elderly women can elicit economic support from their children. In the absence of other forms of social security, the elderly rural population relies heavily on inter-generational transfers for their livelihoods, and

children are more likely to contribute to their parents' well-being if their parents retain control over a key productive, and inheritable, resource such as land.⁶

Protection for Female Heads of Household. Land is a particularly critical resource for a woman in the event she becomes a *de facto* household head as a result of male migration, abandonment, divorce or death. In both urban and rural settings, independent real property rights can mean the difference between dependence on support from her birth family and the ability to form a viable, self-reliant female-headed household.

Bargaining Power. Property rights can also empower women in their household, the community and society at large. In the event of a disagreement within a household, resolution may depend on the relative bargaining power of each individual and control over assets is one determinant of bargaining power.⁷ Intra-household economic research suggests that the strength of each spouse's "fallback positions" (that is, how well they can do in the absence of economic cooperation with their partners) is an important determinant of their ability to shape household preferences and decisions about allocating resources.⁸ One study found a positive relationship between the amount of assets (including land) that a woman possesses at the time of marriage and the shares of household expenditures devoted to children's food, education, health care, and clothing during marriage.⁹

B. Barriers to Women's Land Rights

Project interventions to improve women's land rights are typically designed to address specific barriers. From a legal perspective, those barriers to women's land rights include three basic categories; (1) problems with the formal legal and regulatory environment; (2) lack of awareness of legal rights and ability to assert them, and (3) challenges related to customary law. As distinct from their male counterparts, women may not gain land rights or may lose them for a number of reasons. First, it may be legally impossible for women to acquire land rights through markets, inheritance, transfer or gift. Second, even if the formal laws are favorable, women (and/or their families) may not be aware of their legal rights or have the legal assistance to assert them. Third, even when legal awareness and assistance exist, strong cultural barriers may prove

to be insurmountable. Deeply engrained customary law and practices concerning marriage, dowry, inheritance, divorce, and intra-household roles may mean that it is discriminatory in practice.

Formal Legal and Regulatory Framework

In many countries, the formal legislative and regulatory framework discriminates against women and girls with regard to land rights.¹⁰ In such cases, legislative or regulatory change can be a necessary first step, and project interventions can be designed to research, promote, or otherwise create the conditions for such change.

Legislation can be a powerful tool for economic and social change, but in the area of women's rights, it is rarely effective as a sole intervention. Rights to land and other property must be both legally and socially recognized to be optimally usable and enforceable. Making such land rights "legally legitimate" is important, typically necessary, but rarely sufficient. Improving the formal legal framework can legitimize the possibility of change. While changing laws does not itself change custom, it allows those who are brave enough or desperate enough or organized enough to use the formal law to support change.

Overcoming gender biases in the formal law often requires some progress in addressing gender biases within the cultural context in which legal environment was created and functions. For example, discriminatory legal provisions that require a husband's consent for a woman to acquire any property reflect gender biases in the culture and society.¹¹ Changing such legal provisions almost always require addressing the cultural bias, which may be tied to a perceived threat to men or to the family as a unit.

Laws or regulations can be problematic without being discriminatory on their face, such as when they fail to state clearly what rights women may exercise. For example, formal rights to land by virtue of marriage may not specify the exact nature of those rights and how they may be

exercised. Local governments and registration offices also may not register land in the names of both spouses – even when it is legally permitted – if it is not legally or administratively required.

Legal Literacy and Aid.

Improved formal legal frameworks are only helpful if women are aware of their land rights and in a position to assert those rights. In many settings, project interventions to increase legal literacy or legal aid can effectively address these barriers. Studies have shown the importance of public awareness for land rights beneficiaries. For example, a study looking at six land titling projects in Latin America found that in Honduras, where joint titling was voluntary, only 17 percent of titles corresponded to women, and all other titles were issued to men only. The joint titling program was weak because women were rarely aware of their rights under the program, and the titling of land to women varied across the country according to the willingness of regional functionaries to issue joint titles.¹² In areas where gender training has taken place with staff, titling brigades and with beneficiaries, there is a positive impact on women's knowledge and assertiveness with regard to their land rights.¹³

Awareness alone may not be enough. Women may be aware of their legal rights to land, but not in a position to assert them. In such cases, specific legal aid interventions can help women assert their rights, either through the courts or through other channels. RDI has been involved in such projects that provide such services in countries ranging from China to Rwanda to Russia.

Customary Law

Entrenched customs or customary laws often limit the type of rights a woman may freely exercise. In much of the developing world, customary law plays a more important role than formal law, especially in rural areas and especially as it relates to roles and rights among family members. In many countries, women's access to land is completely dependent on her relationships to men – husbands, fathers, sons – notwithstanding favorable provisions in the formal legislation. Cultural prohibitions against women's ownership of land can be more powerful than formal law allowing women's rights to land and may limit the type of land rights a

woman may freely exercise. For example, in some parts of Uganda, village men often oppose women purchasing land during the marriage because it indicates that she intends to divorce. Men will only allow such purchases if they are convinced of the economic benefit of women owning land.¹⁴

The various customs of bride price and dowry, which involve the exchange of wealth upon marriage, are often a primary contributor to women's inability to own or control land.¹⁵ In some countries, like India and the Kyrgyz Republic, dowry is seen as the daughter's pre-mortem inheritance, and she may not have a customary right to inherit land from her birth family at the time of her parent's death. In Uganda, when women are asked why they do not or should not own land, they cited "bride price" as the reason. Payment of bride price by their husbands to their families indicated respect and love for the bride and, at the same time meant that in essence, wives were the property of their husband. Thus, upon divorce, the woman's family is expected to return the bride price and the woman is left with no marital property or wealth. In fact, in interviews, men stated that women cannot own land because "property cannot own property."¹⁶

Likewise, polygamy seriously affects women's rights to property and complicates legislation requiring written consent of spouses for disposition of property. It also complicates provisions on inheritance and co-ownership of land. New wives often receive land at the expense of previous wives and children's inheritance may depend on their mother's status at the time of their father's death. In some cases, the eldest son of the most senior wife is likely to receive the largest share of the property¹⁷ and is responsible for administration of the estate, thus children of other wives may not fair well in the allocation.¹⁸ While legislating around polygamy is difficult, ignoring it would inadequately protect women's property rights.

Taken together, these challenges make interventions to strengthen women's legal rights to land daunting. It is not surprising, then, that documented large-scale, land project interventions that specifically target women are limited in number. While international development actors are gradually becoming more aware of the importance of providing securing land rights to women and girls, the authors have come to understand that many policy makers and practitioners are not aware of how to either place a gender lens on any land project or design a land project

intervention specifically focused on women or girls. Section I.C of the paper outlines a few practical steps for placing a gender lens on any land project. Sections II, III, and IV provide summary descriptions of land projects that specifically target either women or girls.

C. Building a gender lens into land projects

The three specific project interventions highlighted in the later sections of the paper are focused specifically on women or girls. Most land projects, however, do not have such specific focus, but rather are primarily targeted at the household as a unit. Incorporating a “gender lens” on such projects is critical in order to: (1) prevent unintended negative consequences concerning the land rights of women and girls; and (2) identify and recognize the potential for improving their land rights.

Land project planners can take place a gender lens on such projects by incorporating the following steps in the project design and implementation: (1) identify the legal and cultural factors and limitations that constrain women’s property rights; (2) involve women in the project planning and design; (3) develop outreach and awareness components aimed specifically at women as well as men; (4) design and implement activities that help overcome identified cultural obstacles to women and girls realizing property rights; and (5) include efforts to monitor and evaluate gender impacts and outcomes at the onset of the project.

Protecting and strengthening women’s rights in land projects requires a thorough analysis and understanding of the formal and customary law framework. The analysis of the formal legal framework is typically straight forward, but is not always undertaken. The analysis must go beyond the land laws to include other related areas of law such as family law and inheritance laws.

Reaching women effectively in land projects requires understanding customary law and traditions, what is possible and what is not, what women want to change, and what they do not want to change. Understanding such ground realities is impossible without field research. Field information must be gathered separately for men and women, and data

collection must be disaggregated by gender. Customary law varies greatly, even within one country, and it is critical to understand the norms as they relate to families, family wealth, and property ownership in order to create an effective intervention. Rural women understand where to focus change and what is possible within their communities.

Involving women and women's perspective in the project design is critical and has proven extremely successful.¹⁹ This can be accomplished through qualitative interviews with potential beneficiaries, involving local women in pre-project research, and involving local women in the initial design stage. Project planners should also consider including a gender expert (and particularly a host country gender expert) on the design team (and later the implementation and monitoring teams as well). According to one study, when a person who was trained and knowledgeable about gender differences and how to address them was involved in the project, the project was much more likely to meaningfully include women.²⁰

Education, training, and communication for the beneficiaries and the project are essential for promoting gender equity in land administration projects. Public awareness and training programs can serve three at least main purposes. First, they can raise awareness about the rights of men, women, girls and boys with respect to land and property and how those rights can be protected and strengthened. Second, they can provide guidelines to project implementers and improve their awareness of the social and cultural implications of land administration. Finally, they can increase participation of women in the process, whether it is land titling, registration, or other related activities.

A project's monitoring and evaluation component should monitor the involvement of women as well as the specific impacts on women and girls. Without monitoring the land project specifically for its impact on women and men separately (not on households), it will be impossible to know whether the project is meeting any objectives related specifically to females.

The IKP Land Purchase Program: Andhra Pradesh, India

A land purchase for women program in Andhra Pradesh sponsored by the state government and the World Bank illustrates how an intervention can provide land rights to poor, landless women and thus empower them (and their families) both economically and socially.

Extreme poverty in rural India is rooted in landlessness. Landless families who depend on agricultural wage labor are almost always the poorest of the poor. National survey data shows that landlessness is the best predictor of poverty in India—a much better predictor than either illiteracy or membership in a schedule caste or scheduled tribe.²¹ In rural India, landless, non-migrant agricultural laborers exhibit the highest incidence of poverty.²²

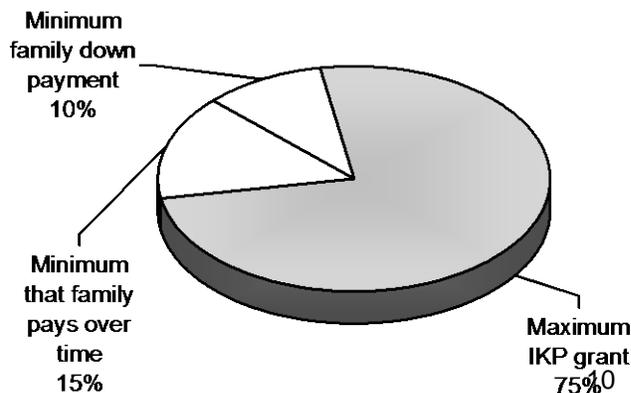
A poverty-stricken landless family of five in India is typically headed by uneducated and often illiterate parents from a scheduled caste or tribe who lack assets and have few livelihood options other than agricultural labor that typically pays Rs. 60 per day or less and is available only at certain times of the year. The poor bargaining position of laborers often subjects them to near-feudalistic relationships that further depress their wages and expose them to mistreatment at the hands of the employers on whose lands they work.

Although women comprise a significant majority of India's agricultural labor force, they rarely have legal rights to land and are often among the most vulnerable groups. Women's multiple roles in the household and informal sector, coupled with high illiteracy rates, childcare obligations, and cultural constraints, leave them with fewer options than men for non-farm employment. As a result, 80% of women workers in rural India depend on agriculture for their livelihoods.²³ Without secure rights to land and control over the income it generates, rural women are consigned to highly precarious positions in cases of widowhood, divorce or abandonment by the husband.²⁴

The state government of Andhra Pradesh in India has been implementing a rural poverty alleviation program called Indira Kranthi Patham (IKP) for more than 10 years. The program

has also received funding from the World Bank. The basic strategy of the IKP program is to help rural poor women operate self-managed institutions through which they can come together and initiate collective action to reduce poverty. This program built upon and strengthened a growing movement of women's self-help groups (SHGs) throughout Andhra Pradesh. The SHGs typically consist of 10 to 12 women, and several SHGs may exist in one village. The SHGs are federated at the village and higher level, and engage in a variety of economic and social activities. SHGs have a comparative advantage for poor and disadvantaged groups because of two salient factors; their accessibility and flexibility. The IKP program provides training and support to these SHGs and their federations.

The centerpiece of the IKP program is a micro-finance scheme for productive investments by rural women. In the early years of the program, women borrowers were prohibited from purchasing land, largely because World Bank rules prohibited use of World Bank funds for purchasing land. The program's early experience showed that few landless women were benefiting from the program because most of the successful productive investments required a land base. In 2002-2003, after the World Bank's prohibition had been lifted, RDI worked with the AP state government and the World Bank to design a land purchase activity as part of the IKP program. The program allows groups of landless women to identify agricultural land on the market, negotiate a price with the seller, and obtain financing to purchase the land. After purchase, the larger plot is subdivided and each woman in the purchasing group receives individual title to a parcel of up to one acre.



Initially, the beneficiary family must pay 10% of total project costs. The IKP program provides a grant of up to 75% of total project cost (up to an maximum that started at Rs. 45,000 per woman). The woman must pay the remaining

amount (that is, at least 15% of the purchase price) over 15 years, making payments to the village organization. In addition, many women purchasers have quickly added substantial "sweat equity" after the purchase to improve the land.

Between 2004 and 2009, IKP subsidized the purchase of 4,539 acres of land by 5,303 women, paying a total of Rs 2,937.45 lakhs (US\$ 607,418) for the land. Due primarily to an increase in land prices, the program has recently been suspended.

An assessment of the program in 2009 found that the women beneficiaries and their families are receiving significant benefits. The most significant impacts include:

- The women's families are generating a net annual average income of Rs. 19,688 from the plots, which is 72% of their total household income.
- The fact that the IKP land plots are titled in the name of women has improved the respect that women receive from their husbands, children and communities
- Women report that their families' diets and health have improved significantly.
- The women's families are better able to access credit from banks and moneylenders now that they own agricultural land.
- The women report that their husbands respect them more and that they are less likely to be victims of domestic violence.
- The women report that their status as the legal landowner substantially reduces the likelihood that their husbands will evict them from their home.
- The women report that they and their families receive much more respect in their village as landowners.
- Household spending on children's education has significantly increased.

Unfortunately, it appears that these gender-specific benefits will directly advantage only one generation of females within beneficiary families. When asked, the great majority of women plan to leave the IKP plots to their sons because their sons are bound by custom to take care of the women in old age. Only a minority of the women plan to leave their land plots to their daughters.

II. Daughters and Dowry: West Bengal, India

Adolescent girls in India are extremely vulnerable to poverty and injustice. In most families, girls have lower status than boys. Many parents struggling to provide for their families consider girls a burden and liability: girls have fewer prospects to earn income, are less valued workers, and will usually leave the family at marriage. Parents are typically required to pay for dowry and wedding costs for girls, and in many cases parents reduce their expenditures on and investment in girls and require girls to contribute more to the functioning of the household. RDI, with the collaboration of the Nike Foundation, has designed a new project in West Bengal, India to provide secure land rights to girls and their families in order to increase the value and opportunities for these girls as they grow into women.

Despite specific rights of inheritance under formal law, few girls ever inherit any portion of their family's land in India for two main reasons. First, most groups (castes, tribes, religions) in India are patrilocal, where girls move to their husband's home after marriage.

Second, in India, dowry -- although illegal under formal law -- continues to be widespread and is costly for a girls' family. Moreover, the dowry provided is typically controlled by the daughter's husband and in-laws rather than the daughter. Girls consider the dowry to be their portion of their family's wealth, yet this wealth is not controlled by them or even used to their advantage. Families without sons have the burden of dowry without receiving dowry. Especially for these families, girl children can create a tremendous economic burden on the family.

Girls have very low status in these households and may have to work and not attend school; they may be married early to avoid a high dowry payment and to avoid economic strain on the rest of the family. If the daughter does marry, her parents may be too poor to allow her to return home in case the marriage is not successful, leaving the daughter with no option but to remain with her husband. With no land rights, rural girls have no fall-back position in the event of death of their parents or husband, divorce, or abandonment.

The situation is even more difficult for girls who are members of the 15 million functionally landless families in India. For these girls, there is no hope of inheriting land. Their families are unlikely to secure access to agricultural land through ownership (or even tenancy, given the restrictions in tenancy laws) and many must resort to migrating for wage labor. When that happens, girls can lose the opportunity to continue their education and typically must work to supplement the family's income. Girls within such poor, rural families are highly vulnerable and risk being exploited.

RDI has been working with the West Bengal state government on a government-sponsored program to purchase and allocate home-and-garden plots to poor, rural families. The government land allocation program is in its early days and has thus far allocated land plots averaging 0.08 acres each to 1292 families. As of November 2009, the program had also purchased enough additional land for another 4,420 families.

The new intervention, which involves this government land allocation program, is targeted specifically at adolescent girls and their families. It involves five components. The first component is conducting ethnographic research within the communities that are receiving or will receive land allocations, and using that information to inform and improve awareness programs and community conversations.

The second component is working with the government to: (1) prioritize families with daughters and no sons in the beneficiary selection process of the program (and as a second priority, families with multiple daughters); (2) list all children as co-owners of land with their parents in the land documents; and (3) otherwise communicate that both daughters and sons are entitled to inherit the land.

The third component is an advocacy campaign in the communities that have received and will receive land plots. The advocacy campaign will be around issues that contribute to the

vulnerability of girls in those communities. It will include meetings with key community, government, and religious leaders to sensitize them to girls' vulnerability around issues that contribute to the vulnerability of girls in the communities.

The fourth component is organizing and supporting girls' groups and boys' groups to help both understand the effects of dowry, early marriage, domestic violence, trafficking, land ownership, and the value of girls. The girls groups will focus on improving girls' self-esteem, understanding their value, improving their bargaining power, and better enabling them to claim and use their land asset. The boys groups will strategize ways they can alleviate the problem like pledging dowry free marriages and pledging to allow sisters a right of return to the family land.

The final component involves convening workshops to share experiences throughout the 4-year project to better refine the project activities, to share the experience, and to encourage similar projects aimed at girls' land rights.

IV. Targeting Vulnerable Women and Girls: Northern Uganda

A new project RDI is designing in Northern Uganda illustrates the challenges of strengthening women's secure rights to land in a post-conflict setting, and the importance of involving male tribal chiefs to address customary laws in order to protect and empower at-risk and marginalized women and girls.

Over the last 20 years, Northern Uganda has been at war. Many of its citizens have lived in internally displaced person (IDP) camps for most of that time. For younger Ugandans, it is the only home they have known. The relative peace over the past year has encouraged the Ugandan government to close IDP camps and move people back to their family or clan land.

Traditionally, a woman's or girl's access to land is secured through her relationship to a male; her father until she is married, and then her husband. However, this customary support for girls

and women has broken down after 20 years of conflict and IDP camp life. Many women and girls lost husbands, brothers and other male relatives in the war. Women's and girls' ties to male relatives have been severed – by death, abandonment, or disappearance – making their rights to land highly tenuous.

Since land is the most important productive asset in Northern Uganda, this means that those women and girls have no way to support themselves and their children. Furthermore, Northern Uganda offers little in the way of employment opportunities for women, especially in the aftermath of conflict. According to government statistics, only 8% of land in Uganda is owned by women, yet more than 80% are engaged in agriculture—the backbone of the economy. Without access to land, these women and girls have restricted options for survival.

RDI is seeking to create opportunities for women and girls who remain in the Internally Displaced Persons (IDP) camps because they do not have land to which they can return. Based upon initial planning research and visits, RDI is designing a new project to provide women and girls with access to land through associations similar to those formed in the IDP camps. By accessing land as a group, it is expected that women and girls, who are often stigmatized due to their circumstances (by being unmarried mothers or former “wives” of rebel soldiers), will be able to provide material and moral support to one another and engage in mutual support activities such as collective input purchasing and marketing of goods they produce. It is also anticipated that they will be better prepared to defend their land rights as a group than they would if they were acting as individuals. Working with groups will enable the project to reach larger numbers of women and girls and provide them with a critical livelihood asset.

RDI and local partners will identify women and girls who are in need of land and willing to cooperate with an association of girls in order to access their own small land plots. The project will identify land that is available, which will include identifying chiefs and elders willing to allocate a portion of clan land and uphold their rights to this land. The project will work with women and girls to create a supportive group and help them gain the skills necessary to farm or

otherwise use the land. The project will also work with local leaders and members of the community so that they understand the needs and vulnerability of women and girls who are no longer connected to their families. Negotiation with community leaders, elders, and tribal chiefs will involve careful consideration of both statutory law and customs.

RDI and a local partner intend to establish both a monitoring and evaluation system for the proposed project as well as pave the way for future impact assessment. The project design includes a baseline study to be conducted prior to the initiation of other project activities to enable both process and impact monitoring.

The first 16 months of the project will be devoted to developing and piloting approaches for strengthening women's and girls' access to land via group rights. The overall objective will be to develop and test approaches that:

- Build on local knowledge and recommendations, including from women and girls;
- Garner the necessary social legitimacy; and
- Are cost effective, and succeed in securing land rights for women and girls.

A local partner organization will help to establish associations of women and girls and will work closely with RDI to effectively negotiate access to land, with the intent of securing a land agreement with the association for long term use or ownership. They will also help to interface with community leaders and organizations to advocate for their land rights, and participate in community conversations about land rights that will help strengthen the property rights of other women/girls.

The monitoring and evaluation systems will draw on the revised program design to identify specific objectives, outcomes and corresponding indicators. For each effort to secure women's and girls' land rights, baseline data will be gathered and indicators tracked at 3-month intervals. Benchmark data will also be used as a basis from which to measure longer term impacts of each of the cases in the years to come. The specific objectives and corresponding indicators that will

be tracked will derive from the approach that is developed, piloted and revised and therefore cannot be articulated at this stage with certainty.

RDI's local partner will have the capacity to scale up the approach within Northern Uganda and together with RDI will be able to share lessons more broadly with other countries experiencing post-conflict violations of women's and girls' land rights.

III. Summary of challenges and themes

The three specific project interventions highlighted in this paper focus specifically on women or girls and are illustrative of how interventions can be designed and implemented that focus on women or girls to strengthen their land rights. Most land projects, however, do not have such specific focus, but rather are primarily targeted at the household as a unit. Incorporating a “gender lens” on such projects is not only beneficial but critical in order to prevent unintended negative consequences for women and girls, and to identify and recognize the potential for improving their land rights.

Land project planners can take place a gender lens on such projects if they: (1) identify the legal and cultural factors and limitations that constrain women's property rights; (2) involve women in the project planning and design; (3) develop outreach and awareness components aimed specifically at women as well as men; (4) design and implement activities that help overcome cultural obstacles so that women and girls can realize their property rights; and (5) include efforts to monitor and evaluate gender impacts and outcomes at the onset of the project.

Despite the complex challenges and barriers to women's and girl's access to land, positive change is possible. Laws *can* legitimize the possibility of change, incorporating a gender lens into any land project *can* prevent unintended negative consequences and even strengthen the rights of women and girls, and land projects that specifically focus on women or girls are both possible and necessary.

¹ International Land Coalition, *Towards a Common Platform on Access to Land: The Catalyst to Reduce Rural Poverty and the Incentive for Sustainable Natural Resource Management*, report prepared for the World Bank Regional Workshop on Land Issues in Asia, Phnom Penh, Cambodia, June 3–6, 2002, 4 (ILC 2003), available at: <http://www.landcoalition.org/pdf/CPe.pdf>.

² Center on Housing Rights and Evictions, *Bringing Equality Home: Promoting and Protecting the Inheritance Rights of Women: A Survey of Law and Practice in Sub-Saharan Africa*, 26 (Geneva 2004), [hereinafter COHRE].

³ COHRE, *supra* note 2, at 30. It should also be noted that women's empowerment in the household creates the likelihood that her children will be better educated and nourished because women tend to prioritize family welfare higher than their male counterparts. See United Nations Children Fund (UNICEF), *THE STATE OF THE WORLD'S CHILDREN 2007: WOMEN AND CHILDREN: THE DOUBLE DIVIDEND OF GENDER EQUALITY*, 16 (UNICEF 2006).

⁴ Giovarelli, Renee, "Gender and Land Tenure Reform," in R.L. Prosterman, R. Mitchell & T. Hanstad (eds.), *ONE BILLION RISING: LAND, LAW AND THE ALLEVIATION OF GLOBAL POVERTY*. Leiden University Press. (Amsterdam, 2009). at 197.

⁵ COHRE, *supra* note 2, at 30.

⁶ See *id.*

⁷ A.R. Quisumbing & B. McClafferty, *USING GENDER IN RESEARCH DEVELOPMENT*, 8 (International Food and Policy Research Institute 2003).

⁸ E. Katz, *The Intra-Household Economics of Voice and Exit*, 3(3) *FEMINIST ECONOMICS* 25-46 (1997).

⁹ A.R. Quisumbing & J.A. Maluccio, *Resources at Marriage and Intrahousehold Allocation: Evidence from Bangladesh, Ethiopia, Indonesia, and South Africa*, 65(3) *OXFORD BULLETIN OF ECONOMICS & STATISTICS* 283-327 (2003).

¹⁰ See Gita Gopal, 1993. *Gender and Economic Inequality in India: The Legal Connection*, *BOSTON COLLEGE THIRD WORLD LAW JOURNAL*, Vol. 13 .

¹¹ M. Judd & J. Dulnuan, *Women's Legal and Customary Access to Land in the Philippines* , World Bank Report 29 (World Bank 2001).

¹² C. D. Deere & M. León, *EMPOWERING WOMEN, LAND AND PROPERTY RIGHTS IN LATIN AMERICA* (University of Pittsburgh Press 2001) at 294.

¹³ World Bank Agriculture & Rural Development Department, *Gender Issues and Best Practices in Land Administration Projects: A Synthesis Report*, Report No. 32571-GLB (World Bank 2005) at 27.

¹⁴ R. Giovarelli & E. Eilor, *Land Sector Analysis, Gender/Family Issues and Land Rights Study* (Government of Uganda 2002) at 34.

¹⁵ Dowry is generally money or goods given by the bride's family to the groom or the bride. Bride price is generally money or goods given by the groom's family to the bride's family. Sometimes these words are used interchangeably.

¹⁶ Giovarelli & Eilor, *supra* note 14 at 18.

¹⁷ T. Hilhorst, *WOMEN'S LAND RIGHTS: CURRENT DEVELOPMENTS IN SUB-SAHARAN AFRICA* in C. Toulmin & J. Quan, eds., *EVOLVING LAND RIGHTS, POLICY AND TENURE IN AFRICA*, 186 (DFID/IIED/NRI 2000).

¹⁸ Hilhorst, *supra* note 17, at 186.

¹⁹ R. Giovarelli & S. Lastarria-Cornhiel, *Study on Women and Property Rights: Project Best Practices*. USAID (October 2006) at 16.

²⁰ *Id.*

²¹ The World Bank, *India: Achievements and Challenges in Reducing Poverty* 16 (1997).

²² R. Srivastava, *Land Reform, Employment and Poverty in India* (2006), available at <http://www.iss.nl/content/download/3632/35325/file/Srivastava.pdf>.

²³ Office of the Registrar General & Census Commissioner, Census of India, 2001, available at http://www.censusindia.gov.in/Census_Data_Online/Economic_Data.html (number of rural women agricultural laborers and cultivators divided by total number of rural women workers).

²⁴ Besides addressing such crisis situations, secure property rights can also give women greater general bargaining power within households and are associated with much lower levels of domestic violence. Research in India's Kerala state found that 49% of women who had no property rights reported physical violence at home, compared to only 7% of women who had secure property rights. P.K. Panda, *Domestic Violence and Women's Property Ownership: Delving Deeper into the Linkages in Kerala*, ICRW Summary Brief Sept. 2005.