



**Women's perceptions of
tenure security**

Evidence from 33 countries

March 2019

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Cover photo: Kausar Shaheen lifts a ladder at her home in Manhiala, Chakwal District, Pakistan. © Andrew McConnell/Panos.

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Contents

Abstract	5
1. Introduction	6
1.1 Aim of the report	7
2. Approach and methodology	8
2.1 Approach	8
2.2 Methodology	8
3. Data analysis	10
3.1 The difference between perceived tenure security for women and men	10
3.2 Strengthening women's tenure security: the role of joint titling and gender-equal legal and policy frameworks	14
4. Conclusions and policy implications	21
4.1 Do women feel more insecure than men about their land and property rights?	21
4.2 The influence of demographic and socioeconomic factors	21
4.3 How best to strengthen and protect women's tenure security?	21
References	23

Figures

Figure 1: Perceived tenure insecurity by gender and country	11
Figure 2: Difference in perceived tenure insecurity between men and women by country	11
Figure 3: Tenure insecurity between men and women in single-versus multi-person households	12
Figure 4: Difference in tenure security rates between men and women who 'stay with permission'	12
Figure 5: Tenure security between men and women by marital status	13
Figure 6: Difference in tenure security rates by gender in a divorce scenario	13
Figure 7: Difference in Tenure insecurity rates by gender in a spousal death scenario	14
Figure 8: Comparison of tenure insecurity of women in a divorce scenario and whether the law provides for equal access to non-monetary contributions	17
Figure 9: Comparison of tenure insecurity of women in a spousal death scenario and whether men and women have equal inheritance rights	17
Figure 10: Documentation of property rights among female and male respondents	18
Figure 11: Tenure security by type of documentation among female and male respondents	18
Figure 12: Difference between women and men who have names on titles by country	19
Figure 13: Tenure security by whether name is on title or not	20
Figure 14: Difference in knowledge of defending property rights if challenged between men and women by country	20

Tables

Table 1: Sample size by country and gender	8
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Abstract

This report uses household-level data from 33, mostly developing, countries to analyse perceptions of tenure insecurity among women. We test two hypotheses: (1) that women feel more insecure than men; and (2) that increasing statutory protections for women, for instance by issuing joint named titles or making inheritance law more gender equal, increases de facto tenure security. The findings show that: (1) women in intact households perceive similar rates of tenure insecurity as men; (2) in contrast, when households

break down due to spousal death or divorce, women are exposed to much greater tenure insecurity than men are; and (3) changes in statutory legislation are not enough to improve the tenure insecurity of women facing widowhood or divorce – deeper changes in social attitudes and cultural norms are needed. The data suggests that improving women’s knowledge of how to defend themselves in the event that their property rights are challenged may help improve their tenure security in such scenarios.

1. Introduction

There is a saying, 'To count, you have to be counted'. For too long, women's rights to land and other assets, as well as their perception of security in those rights, have not been sufficiently counted, and their voices have not been adequately heard. This was recognised in the Sustainable Development Goal indicators related to poverty eradication (Goal 1) and gender equality (Goal 5), which specifically require counting both men's and women's legally recognised rights to land as well as their perception of the security of those rights.¹ It is also reflected in wider efforts to generate internationally comparable gender indicators, integrated into the regular production of statistics, for better, evidence-based policies, such as the Food and Agriculture Organization's EDGE project and the World Bank's (2019) research, *Women, business and the law*.

However, we still have a way to go: until now, much of the research looking at women's land and property rights – whether women have secure land and property rights and what interventions are successfully ensuring women have secure land rights – has focused on only a handful of countries, specifically countries where large-scale land projects are underway. While this research is extremely valuable, it is not sufficient for a full understanding of the disparities in land and property rights between men and women, and their impact on development outcomes.

Several decades of academic research have confirmed the importance of women's ownership of – and access to – land for women's empowerment and a range of associated household and development outcomes (Lanz and Daley, 2016; Meinzen-Dick et al., 2017). This draws on the empirical evidence showing that who owns and controls assets affects household outcomes (Haddad et al., 1997; Quisumbing and Maluccio, 2003; Doss, 2006). Unequal gender relations within the household limit women's decision-making power and constrain their ability to autonomously decide how to manage and invest in land-related resources (Udry et al., 1995; Adesina and Djato, 1997; Meinzen-Dick et al.,

1997; Quisumbing et al., 1999; Goldstein and Udry, 2008 World Bank, 2009).

This research identifies three main pathways through which clarifying and strengthening women's land and property rights in order to increase tenure security can affect development and well-being:²

1. strengthening women's empowerment and influence over decision-making
2. increasing women's productivity/incomes in farming and other agricultural-related livelihoods, and investments in housing improvements; and
3. enabling women to mobilise their land rights to diversify into non-agricultural activities and sources of income, e.g. through rental of land as well as via industrial activity such as agri-processing.

Resilience cuts across these categories, with the theory that more secure women's land and property rights can provide a more secure asset base and more diversified livelihood opportunities, allowing women to cope better with shocks.

Prindex allows us to compare women's and men's perceptions of tenure security across a wide spectrum of countries to update conventional wisdom with evidence relevant to achievement of the Sustainable Development Goals. Prindex data gathered for 33 countries³ enables us to disaggregate levels of insecurity of tenure by gender and by country on a comparative scale for the first time, to test the widely held view – supported by case studies – that women tend to be more tenure insecure than men. It also allows us to investigate what is linked to tenure insecurity by gender, including demographic and socioeconomic household characteristics, which can negatively affect women's access to land.

Further, the data enables us to probe whether a commonly advocated policy response to this – increasing statutory protection for women, through formalising tenure status via joint titling, or making

1 The African Union's Declaration on Land (AU, 2009) aims to achieve a 30% target of documented land rights allocated to African women by 2025.

2 This draws on the International Food Policy Research Institute's (IFPRI) conceptual framework on the links between women's land rights, poverty reduction and economic empowerment (Meinzen-Dick et al., 2017). The literature tends to focus mainly on women's land rights in rural and peri-urban settings.

3 Additional data are being gathered in 2019/20 which will scale up the sample of countries to fully global size.

inheritance law more gender equal – improves de facto, or perceived, tenure security for women.

The data collected includes whether or not land is owned by respondents, whether the land and property rights are documented, and in whose names. The data also looks at level of perceived tenure security when women's and men's marital status changes because of divorce or death of a spouse. This information is crucial for policy-makers working for gender equality and for programme designers seeking to benefit both women and men through land and resource projects.

1.1 AIM OF THE REPORT

This report aims to provide answers to three broad questions:

1. **Do women feel more insecure than men about their land and property rights?** Do women display lower rates of perceived tenure security than men across our sample and what factors influence that?
2. **Can women's tenure security be strengthened and protected through increased statutory protections for women by carving out explicit legal recognition of women as spouses/inheritors and framing this in joint titling/inheritance law?**
Is there a correlation between perceived tenure security and tenure security backed by formal documentation for women? Is perceived tenure security influenced by other factors related to women's legal protection, norms, legal barriers and other indicators of women's empowerment?
3. **What implications do the findings have for policy to improve women's tenure security?**

2. Approach and methodology

2.1 APPROACH

To answer the three main research questions, we start with a brief assessment of the state of the evidence on the distribution of tenure insecurity between men and women across the 33 countries surveyed; and on the link between formal documentation and perceived tenure security for women. We then explore what light Prindex's data can shed on this evidence. Finally, we bring the two together to discuss what this might mean for how policy interventions are designed and implemented to improve tenure security for women.

2.2 METHODOLOGY

In line with efforts to build a comparable dataset for tracking progress in the land sector, we report on perceived tenure security against the following question:

In the next five years, how likely or unlikely is it that you could lose the right to use this property, or part of this property, against your will?

We conducted interviews in each country among a nationally representative sample of people 18 years or older with a total sample of just over 53,000 respondents, of which nearly 28,132 were female (Table 1).

In all countries except the United Kingdom (UK), we used a multistage stratified cluster sampling approach to select respondents using the latest available census data. In the UK, surveys were conducted over the telephone and respondents were selected from national landline and mobile phone lists. As we aim to interview a representative sample of the adult population, not the head of household or the most knowledgeable person, about the dwelling or land, we used a randomisation process to identify which household adult was selected for interview. Questionnaires were localised to ensure that the questions could be understood unambiguously, particularly in relation to types of documentation. Through these interviews, we collected data on a range of demographic and socioeconomic characteristics of respondents, and land-related variables that may influence perceived tenure security, such as documentation and ownership status. Interviewing individuals allows us to present results for both men and women, and young and old people, and compare their situations.

TABLE 1: SAMPLE SIZE BY COUNTRY AND GENDER

Country	Male	Female	Total
Benin	584	385	969
Bolivia	426	568	994
Burkina Faso	574	686	1,260
Cambodia	359	632	991
Cameroon	782	714	1,496
Colombia	1,685	2,311	3,996
Costa Rica	414	567	981
Côte d'Ivoire	658	512	1,170
Ecuador	368	617	985
Ghana	619	836	1,455
Honduras	462	518	980
Indonesia	1,737	2,229	3,966
Jordan	509	500	1,009
Kenya	926	1,067	1,993
Liberia	459	500	959
Madagascar	606	587	1,193
Malawi	459	542	1,001
Mexico	1,205	1,791	2,996
Morocco	633	877	1,510
Mozambique	717	719	1,436
Namibia	471	527	998
Niger	719	745	1,464
Nigeria	1,634	1,279	2,913
Peru	580	900	1,480
Rwanda	456	512	968
Senegal	469	543	1,012
Tanzania	2,161	1,860	4,021
Thailand	744	1,204	1,948
Tunisia	548	464	1,012
Uganda	990	988	1,978
United Kingdom	484	516	1,000

TABLE 1 CONT'D: SAMPLE SIZE BY COUNTRY AND GENDER

Country	Male	Female	Total
Viet Nam	1,104	931	2,035
Zambia	506	505	1,011
Total	25,048	28,132	53,180

We use descriptive cross-tabulations to analyse the data.⁴ The tabulations are easy to denote

graphically and lend themselves to clear and straightforward infographics.

It should be noted that these tabulations are in no way an attempt to prove causation, especially when it comes to the relationship between formal documentation (de jure) and perceived (de facto) tenure insecurity among women. However, as the Prindex initiative expands globally and further rounds of data collection are conducted to give time series data, we envisage that the dataset will grow to become one of the benchmark indicators for tracking global efforts to secure women's perceived property rights.

4 Where relevant, an asterisk (*) next to a number denotes that the difference observed is statistically significant at a 90% confidence level. Percentage point=pp.

3. Data analysis

The descriptive analysis in the following section predominantly reports against two dependent variables of interest: perceived tenure insecurity (or, where relevant, security) and the possession of formal documented property rights. The results are shown for female respondents within or across 33 countries. Where necessary for comparison, we also show the equivalent figures for male respondents. While the dataset covers a very wide range of interesting household-level characteristics, with few exceptions we only report channels of perceived and formal tenure (in)security where patterns significantly deviate by gender. Findings that are of importance to the whole sample, regardless of gender, are discussed in our main report.⁵

3.1 THE DIFFERENCE BETWEEN PERCEIVED TENURE SECURITY FOR WOMEN AND MEN

Gender inequalities in access and control over land are touted as a key problem in both research and policy literature (Peters, 2004; 2009). It is widely acknowledged that women do not enjoy the same rights to own property or land as men (see, for example, Clark, 1994; Place, 1995; Brydon, 1996; Lastarria-Cornhiel, 1997; Meinzen-Dick et al., 1997; Walker, 2002; Payne, 2004; Goldstein and Udry, 2008; Lambrecht, 2016) and that female-headed households face more limited access to land (Deininger and Jin, 2006; Horrell and Krishnan, 2007; World Bank, 2009; Mason et al., 2015). Women are less likely to own land, and when they do, plots are smaller (World Bank, 2012) or the productivity of that land is lower than that of men (Udry et al., 1995; Adesina and Djato, 1997; Quisumbing et al., 1999; Lawry et al., 2017).

Ghebru and Lambrecht (2017) find a strong association between gender and perceived tenure security in Ghana. They show that male heads of household are generally more secure compared to female heads of household using a measure that assesses the risk of losing land in the event of leaving it empty over a period of several months. Further analysis in a separate study shows that in the case of Nigeria, perceived risks of a private land dispute are higher for female-managed plots of female-headed households than they are for female-managed plots of male-headed households (Ghebru and Girmachew, 2017).

In contrast, Stickler et al. (2017) find no significant relationship between household head gender and tenure security, defined as 'relatively unchallenged access to forest resources'. Likewise, van Gelder and Luciano (2015) find that gender does not correlate with perceived probability of eviction, although they do find a weak but statistically significant correlation with *fear* of eviction, with female heads of household being more likely to express fear compared to male heads. In an earlier study of perceived tenure insecurity in informal neighbourhoods in Argentina, van Gelder (2007) makes similar findings, showing that both men and women considered the probability of eviction equally likely.

3.1.1 Overall gender differences

Our main indicator of tenure insecurity, based on the likelihood of losing the right to use a property against a respondent's will, shows no meaningful difference between men and women over the 33-country sample (0.1% overall).

However, while, on balance, gender differences are not evident, they do appear to exist in certain country contexts. Figure 1 displays rates of tenure insecurity for men and women by country and Figure 2 shows the percentage point (pp) difference between the two groups. The results are ranked according to the size of this difference. Benin displays the highest reported difference in tenure insecurity among countries where insecurity rates are higher for women than for men (six percentage points)⁶ – equivalent to around 200,000 women – with generally high levels of tenure insecurity for both genders compared to the sample average. Benin is followed by Peru and the UK (the only high-income country within the 33-country sample) with five percentage points disparity between men and women's perceptions of tenure insecurity (although both countries have below average levels of tenure insecurity for both genders). These figures mean there could be 3.6 million women in the UK who are insecure compared to 2.2 million men – a difference of 1.4 million – and 2.3 million women in Peru compared to 1.7 million men – 600,000 more women than men.

Nonetheless, there are also examples of countries at the other end of the spectrum that show higher rates

5 Prindex (2019) 'Comparative Report, March 2019' (www.prindex.net/reports).

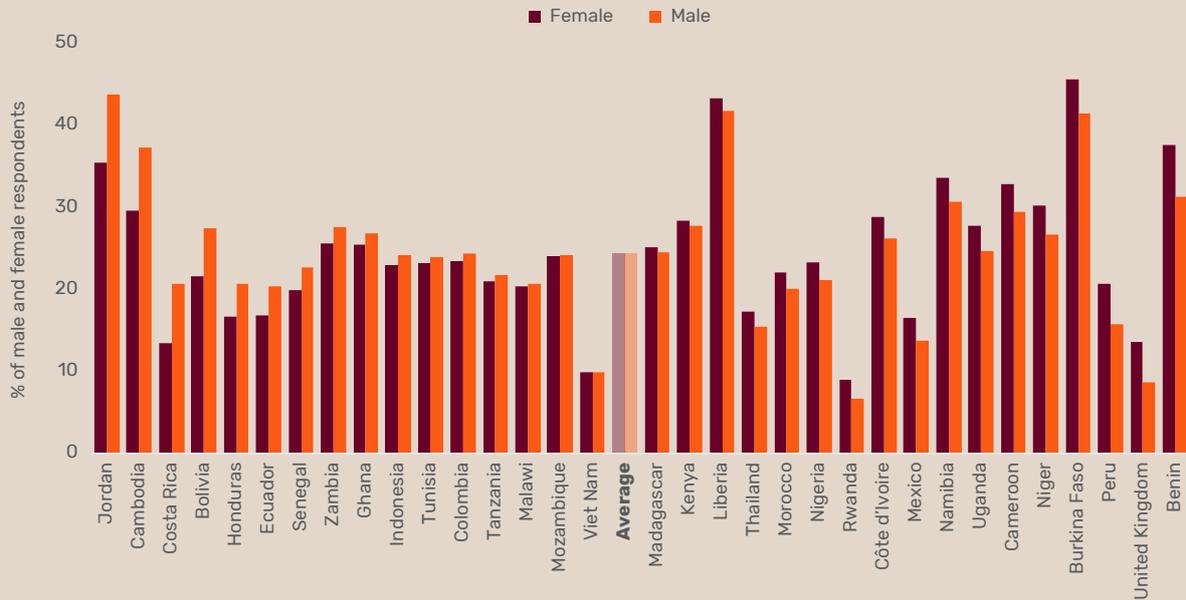
6 This observation should be cautiously considered as it is not statistically significant.

of insecurity among men than women, such as Jordan and Cambodia (eight percentage points).

Similarities between men and women are also observed for a majority of channels through which

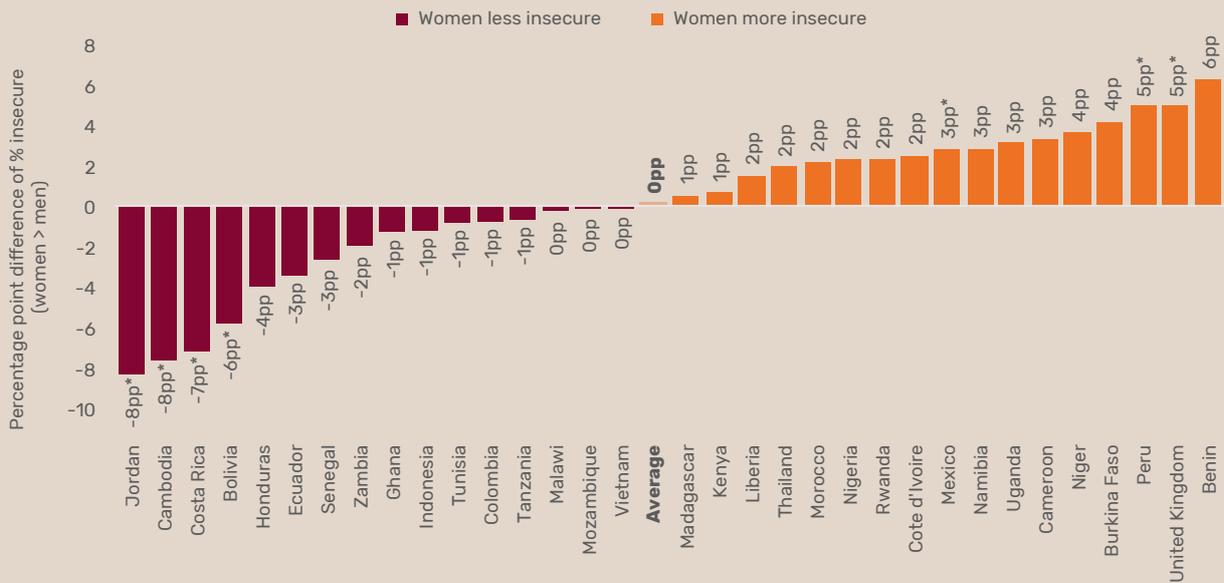
perceived tenure insecurity takes place. For instance, the correlations between age, levels of educational attainment or income within the female sample resemble those of the male sample. However, there are notable differences for household size and tenure status.

FIGURE 1: PERCEIVED TENURE INSECURITY BY GENDER AND COUNTRY



Note: numbers were rounded to zero decimal places; there are small differences between countries that may be observed by the size of the bars even though the number is the same. Source: authors using Prindex data.

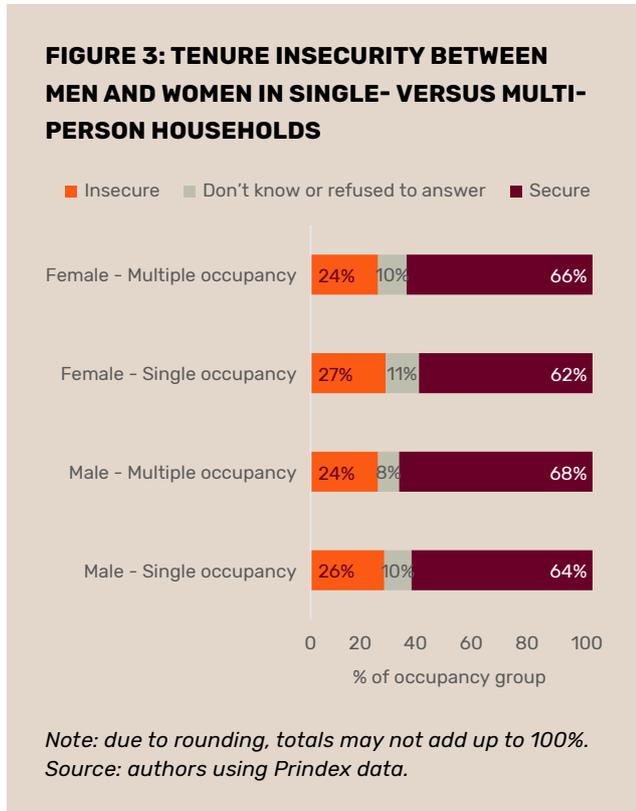
FIGURE 2: DIFFERENCE IN PERCEIVED TENURE INSECURITY BETWEEN MEN AND WOMEN BY COUNTRY



Note: numbers were rounded to zero decimal places; there are small differences between countries that may be observed by the size of the bars even though the number is the same. Source: authors using Prindex data.

3.1.2 The influence of household size

Figure 3 illustrates rates of tenure insecurity among men and women by household size, distinguishing between single- and multiple-adult occupancy. Averaged across



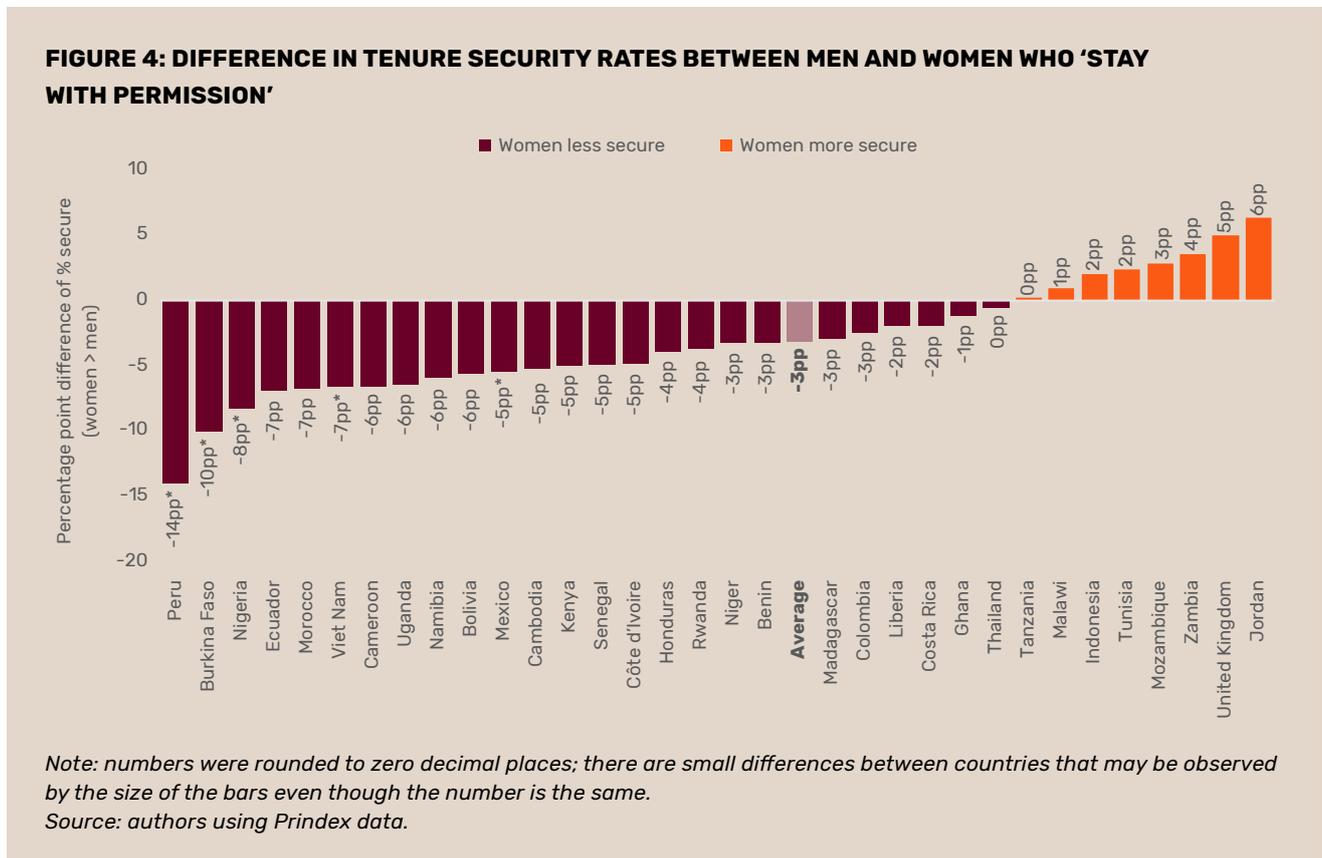
the sample, tenure insecurity appears to be higher among single occupancy women (27%) compared to, say, men who live in multiple occupancy households. As women in single occupancy household are also heads of said household, the results could lend strength to previous evidence that female-headed households are more tenure insecure than male-headed households (Deininger and Jin, 2006). The results could also be seen as evidence that widows or divorced female respondents are more tenure insecure (Peterman, 2012).

3.1.3 The influence of tenure status

There is an important gender difference when it comes to tenure status. Renters are more likely to be men (55% of all renters) while women tend to 'stay with permission' (59% of people who 'stay with permission' are women). Although overall the difference in tenure security between the two groups (women versus men who 'stay with permission') is marginal (three percentage points), large and statistically significant in-country divergences can be observed in Figure 4.

3.1.4 The influence of marital status

Another important difference between men's and women's channels of tenure insecurity is marital status. Aggregated data displayed in Figure 5 shows that widowed and divorced female respondents show much lower rates of tenure security (68% and 62%, respectively) than male counterparts do (77% and 69%).

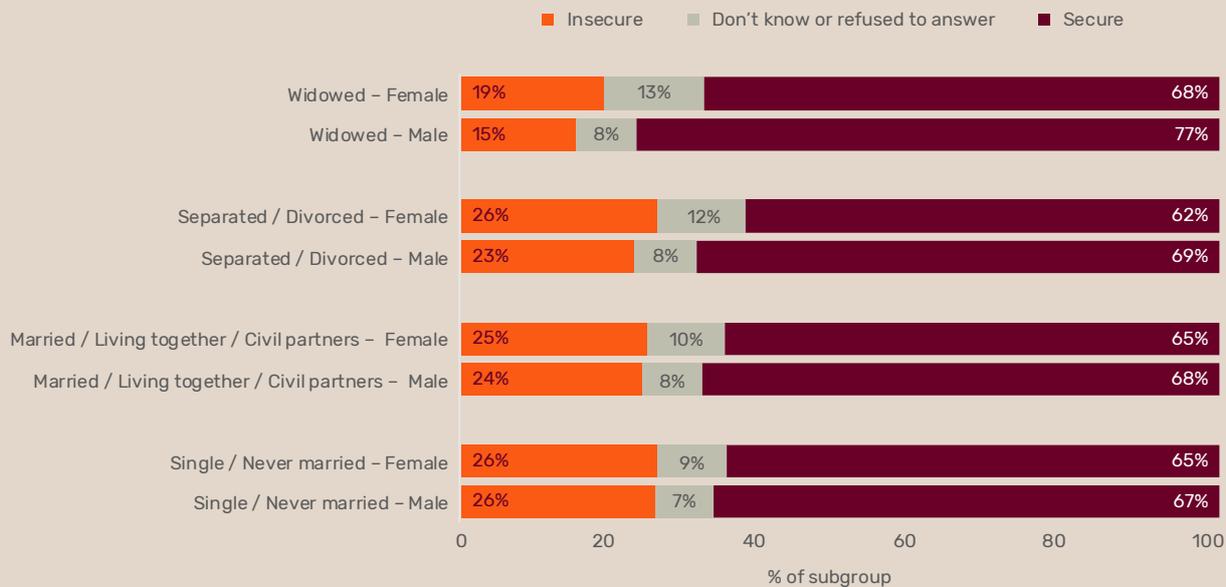


This again confirms the vulnerability of widows that has previously been evidenced in the literature (see, for example, Chapoto et al., 2011; Peterman, 2012; Dillon and Voena, 2017).

Further demonstration of the susceptibility of divorced and widowed women to tenure insecurity is provided

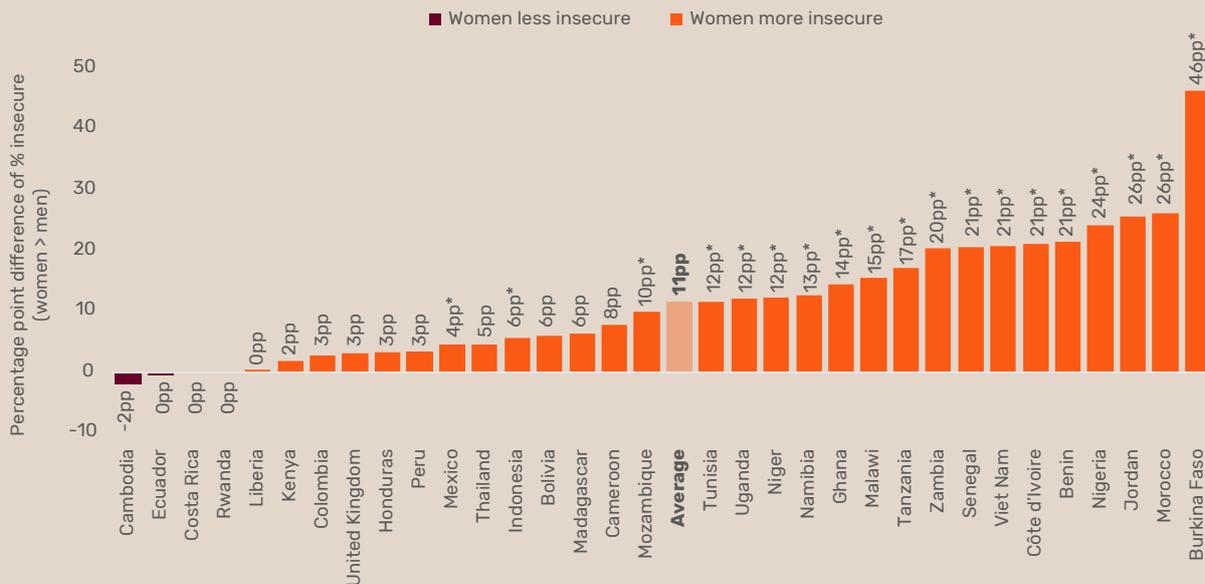
by data that captures tenure insecurity in the event of divorce or spousal death scenarios. The percentage point difference of tenure insecurity between women over men is illustrated in Figures 6 and 7 for the two scenarios, respectively. Both show that in all the 33 countries, women are more likely to feel tenure insecure in such circumstances.

FIGURE 5: TENURE SECURITY BETWEEN MEN AND WOMEN BY MARITAL STATUS



Note: due to rounding, totals may not add up to 100%.
Source: authors using Prindex data.

FIGURE 6: DIFFERENCE IN TENURE SECURITY RATES BY GENDER IN A DIVORCE SCENARIO



Note: numbers were rounded to zero decimal places; there are small differences between countries that may be observed by the size of the bars even though the number is the same.
Source: authors using Prindex data.

FIGURE 7: DIFFERENC IN TENURE INSECURITY RATES BY GENDER IN A SPOUSAL DEATH SCENARIO



Note: due to particular cultural sensitivity around asking a question relating to the possibility of spousal death, the question was excluded from the survey for Viet Nam.

Source: authors using Prindex data.

Overall, there is little difference in the perceived tenure insecurity of men and women across the 33 countries of our sample. This is reflected in the analysis of different household-level characteristics and tenure insecurity among men and women. The exception concerns household size and marital status, which shows that women who are in single occupancy households, widowed or divorced are more insecure than men in the same circumstances. It should be noted that there is highly likely to be some interaction between female single occupancy households and being widowed or divorced.

3.2 STRENGTHENING WOMEN'S TENURE SECURITY: THE ROLE OF JOINT TITLING AND GENDER-EQUAL LEGAL AND POLICY FRAMEWORKS

There is an important distinction to be made between access to legal rights of ownership and perceived security: 'both de jure and de facto equity of access to resources' is important (Meinzen-Dick et al., 1997: 1306) and 'analysis should pay particular attention to the reasons for divergence between de jure and de facto equity' (ibid.). As a consequence, equal access to formal property rights will not necessarily conflate with high perceived tenure security. Vice versa, high rates of perceived tenure security among women do not necessarily indicate that women enjoy legal ownership of the land.

Women may be formally cut off from formal land markets because they have less access to money, political connections and other resources needed to acquire a title (Meinzen-Dick et al., 1997). However, the causes of perceived tenure insecurity are predominantly pinned on deeper social institutions, customary practices and rules that discriminate against women and do not recognise their land rights (Tsikata, 2003; Cousins, 2005). There is some debate over whether customary systems are more gender equitable than alternative tenure arrangements. For example, Whitehead and Tsikata's (2003) study of gender-related land disputes shows evidence that customary tenure systems are able to exercise more flexibility in their treatment of women claimants. However, there is no doubt that in some contexts customary regimes can in practice reinforce or legitimise rules of access to land and other natural resources that discriminate on the basis of gender (Boone, 2007). As a result, reinforcing communal rights can have damaging effects on women's access to land if neo-traditional authority and institutions are supported.

Two policy responses are commonly advocated to tackle women's unequal access to land:

- One response involves the government or local authority awarding access to land through formal (joint) titling.

- The other response suggests that access must not be enabled only through titling, but through changes in inheritance and family law or by tackling deeply embedded societal gender discrimination.

3.2.1 Titling

Titling has been endorsed as a way of enhancing access to land, especially among vulnerable groups. A 'rights-based' land system that improves women's ability to buy, own, sell and obtain titles on land has been suggested as a way of allowing women to escape the patriarchal biases of customary land law (Tripp, 2004). There is evidence of the generally positive effects of certification on land leased to women (Holden et al., 2011) or on the increased confidence and tenure security of female heads of household (Holden and Tefera, 2008). Joint naming of male and female spouses is essential if titling is to have any positive impact on women's empowerment (see, for example, Walker, 2002; World Bank, 2012; Ali et al., 2011).

However, tenure formalisation has also been criticised for aggravating gender inequality (Varley, 2007; Peters, 2009). Without enough caution, private land titling can rein in customary authority and expose those with or without land to the pressures and compulsions of the market (Boone, 2007). The socially embedded nature of customary rights means the land rights of many women depend on social entitlements that can be eroded due to reforms that make land rights marketable, resulting in de facto transfer of a greater share of rights to (typically) male title holders (Lawry et al., 2017). Registration in many settings can thereby have deleterious effects on women and other vulnerable groups, particularly when they are not listed as joint title holders.

This is reflected in the evidence, with Ali et al. (2011) finding no clear indication that recognition of ownership by women or share of land owned by women had increased as a result of titling. In the case of Ethiopia, Teklu (2005) finds that despite land policies giving equal access to women, access does not translate to equal control, and cultural norms continued to prohibit women from, for instance, ploughing land. Lastarria-Cornhiel (1997) cites several studies which find that government registration programmes tend to marginalise women even further by formally excluding their rights and interests in land. This has also been argued by Pandey (2010) in the case of Nepal, who finds that property laws tend to be male-biased and that when formal rules are changed, the informal rules, customs, traditions and codes of conduct can be slow to follow or remain unchanged altogether. Likewise, d'Hellencourt et al. (2003: 37, cited in Payne, 2007: 27) observed that 'despite women's property rights being protected by the statute law, they are not customarily

respected'. Recognition by the community itself and by the neighbourhood is often therefore considered more important than recognition by public authorities for ensuring secure tenure (Durand-Lasserve, 2005).

Overall, the evidence on the impact of titling on gender equality is therefore mixed. This was confirmed in a recent systematic review of the effects of formal tenure recognition on economic and social outcomes (Lawry et al., 2017). The authors conclude that the quantitative evidence base provides little insight on the consequences for gender equality, although there is clearer qualitative evidence. As such, providing a title to a female member of a household – whether joint or individual – may not guarantee tenure security among women (Varley, 2007). Legislation will fail without affecting the day-to-day denial of such rights, ruled more by enduring social customs and cultural norms than by legislation.

3.2.2 Divorce and inheritance legislation

Women often face difficulties holding on to land in the event of divorce or spousal death (Deininger and Castagnini, 2006). In many parts of the developing world, women generally access land through marriage. For example, in many parts of Nigeria, women's land rights depend on their relation with men (Aluko and Amidu, 2006). This means that their rights are secondary in the sense that their husbands hold the de jure right to cultivate the land. This presents particular problems in the event of divorce, as assets revert to each party upon dissolution of the union. In practice, this means that following divorce, women in many countries do not have access to land brought by their husbands into the marriage.

Women in polygamous marriages have been found to be particularly vulnerable to tenure insecurity. The presence of multiple wives can reduce the level of support expected from the male spouse for access to land (Lambrecht, 2016). Moreover, women in polygamous households face an additional risk of losing their land to their co-wives in case of leaving land fallow (Goldstein and Udry, 2008; Ghebru and Lambrecht, 2017). As husbands often assign different fields to their wives each cropping season, tenure arrangements are particularly unclear and insecure in the event of spousal death.

Further literature identifies the vulnerability of widows whose rights to land are also generally weak; the onset of widowhood tends to lead to reductions in wealth and asset-holding in many communities (Peterman, 2012). This is especially the case for women who are not indigenous to a particular community (Lastarria-Cornhiel et al., 2014). Studies have documented the widespread expropriation of land from widows in

Zambia (Chapoto et al., 2011) and demonstrated strong causal linkages between the security of widows' land inheritance rights and investments in land productivity (Dillon and Voena, 2017; 2018).

Targeted policy interventions that have aimed to improve women's access to land include: issuing titles to unmarried poor women in Costa Rica (Tinker, 1995); new intestate inheritance laws in Ghana to ensure land goes to wives and children upon spousal death (Awusabo-Asare, 1990); and legal provisions protecting women's access in Thailand's family law (Vandergeest, 1996). In Rwanda, adding the succession law to the constitution was judged to have enabled the tenure security of women (Daley et al., 2010). Similarly, Hindu succession law in India allows daughters to inherit land like sons, although the rights of widows are often unclear.

However, evidence indicates that changes in inheritance law might not always be needed. While patrilineal systems where land transfers exclude women are found in many parts of the developing world, matrilineal land systems exist, for instance in parts of Malawi, Zambia, Mozambique and Nigeria. Even within the same region, the extent of land rights of women varies among ethnic groups and religions (Madu, 2013).

3.2.3 The influence of divorce and inheritance legislation on perceived tenure security

With Prindex's household-level results pointing towards tenure insecurity among female respondents in widowed or divorced single occupancy households, we seek to draw comparisons to macro-level data on statutory legal protection of women's inheritance and family rights in the next stage of analysis. For this purpose, we have drawn on the World Bank's (2019) *Women, business and the law* scored questions on 'using property'. The methodology was designed to benchmark the legal and regulatory environment for women, providing comparable indicators on standardised assumptions. The data is collected based on domestic laws and regulations using legal experts. The questions of relevance to our analysis include:

- **Question 13:** Does the law provide for valuation of non-monetary contributions?⁷ This assesses the legal right of women to property in the event of divorce/dissolution of marriage.
- **Question 16:** Do female and male surviving spouses have equal rights to inherit assets?⁸ This analyses men's and women's inheritance rights under law.

Figure 8 depicts the results of this comparison for women who perceive tenure insecurity in a divorce scenario against the World Bank's indicator of whether men and women have equal ownership rights to immovable property. Purple columns indicate that the country has equal rights, either because there is no specific legal restriction related to property based on gender, or because no discrimination or inequality has been reported. Orange columns show countries in which unequal rights exist because there are legal restrictions based on gender or there are gender differences in the legal treatment of a spouse's property.

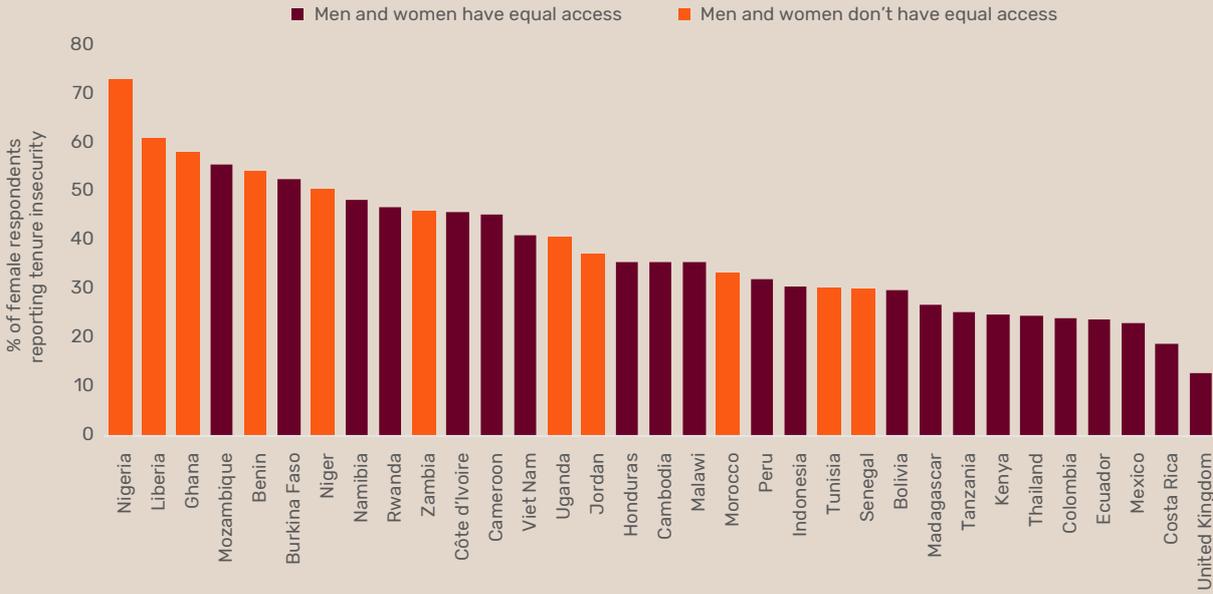
The figure shows that countries where women display relatively low rates of tenure insecurity in divorce scenarios (30% or below) are all countries in which the division of property benefits both spouses at the time a marriage is dissolved. Countries in which women do not enjoy equal rights tend to be high-insecurity countries. However, there are also examples of high-insecurity countries, such as Mozambique, Burkina Faso and Rwanda, in which the legislation is gender equal, suggesting that such policies are not the only pathway to tenure security for women facing divorce.

The picture for countries in which tenure insecurity is high for women in spousal death scenarios is less clear-cut. Fewer countries in the sample have unequal inheritance rights and, counter-intuitively, the 10 countries in which female tenure insecurity is highest in a spousal death scenario are also countries in which inheritance rights are equal (Figure 9). Overall the findings do not suggest that there is a correlation between female tenure insecurity in a spousal death scenario and laws governing inheritance between men and women.

7 Gender equality exists if the law ensures equitable division or if community regimes implicitly benefit both spouses in the case of a divorce. The answer is 'no' where the default property regime is separation of property and there is no explicit legal provision providing for equitable division (for more information, see World Bank, 2019).

8 The answer is 'yes' if either gender has the same legal rights or aspects related to inheritance fall under a mix of customs, law and judicial precedent and secondary sources do not reveal the existence of inequality. The answer is 'no' if there are gender-based differences in inheritance or sources confirm that the customary system is unequal. The question is left unanswered where aspects related to inheritance fall under unwritten custom (World Bank, 2019).

FIGURE 8: COMPARISON OF TENURE INSECURITY OF WOMEN IN A DIVORCE SCENARIO AND WHETHER THE LAW PROVIDES FOR EQUAL ACCESS TO NON-MONETARY CONTRIBUTIONS



Source: authors using Prindex and World Bank data.

FIGURE 9: COMPARISON OF TENURE INSECURITY OF WOMEN IN A SPOUSAL DEATH SCENARIO AND WHETHER MEN AND WOMEN HAVE EQUAL INHERITANCE RIGHTS

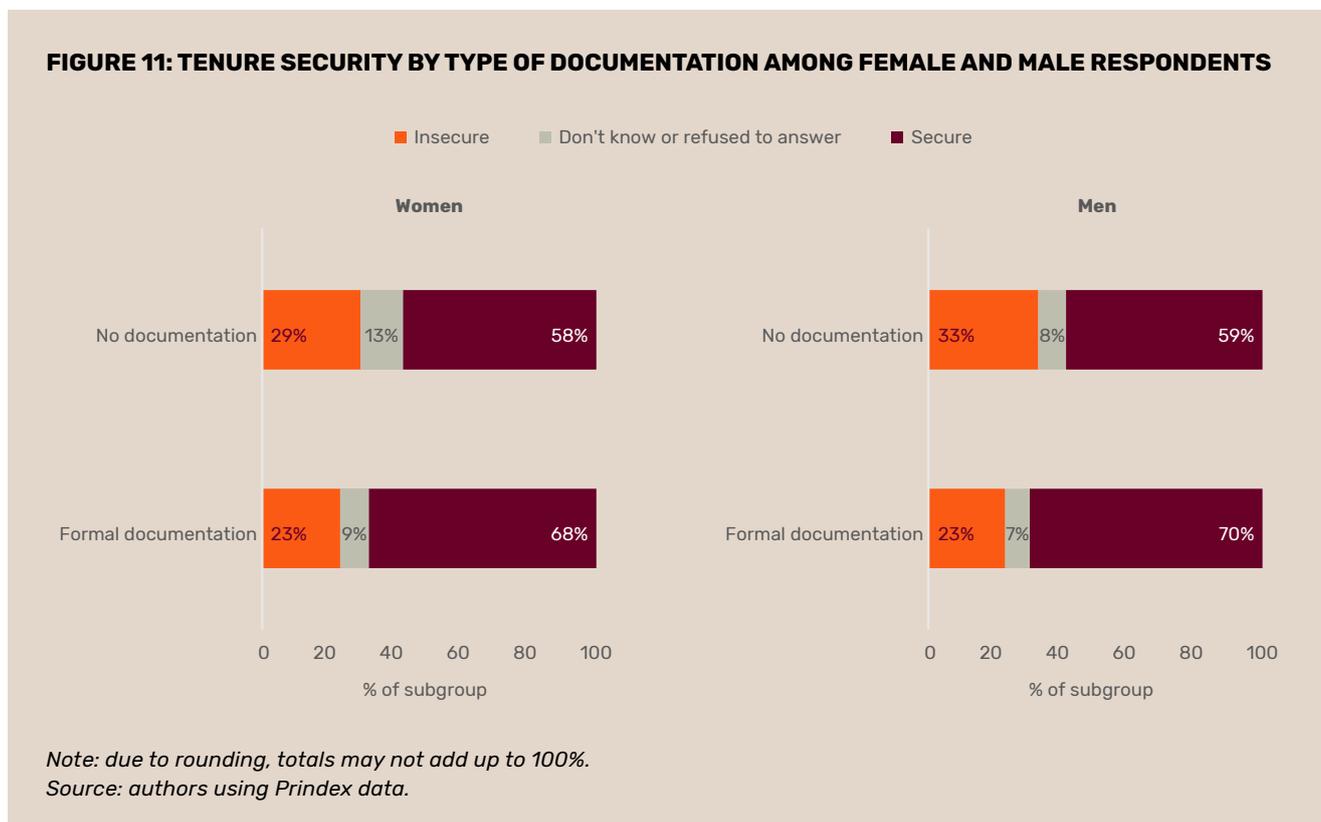
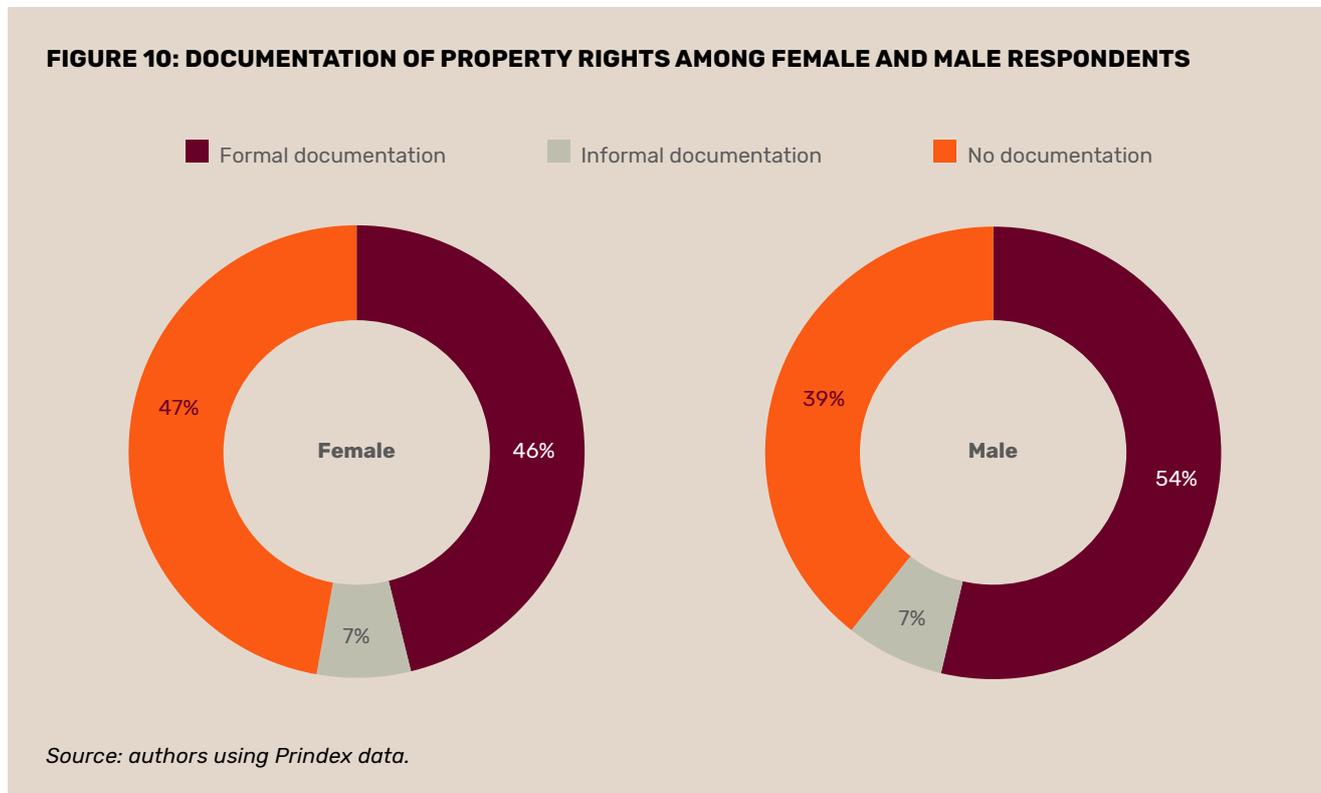


Note: due to particular cultural sensitivity around asking a question relating to the possibility of spousal death, the question was excluded from the survey for Viet Nam.
 Source: authors using Prindex and World Bank data.

3.2.4 The influence of tenure formalisation on perceived tenure security

Figure 10 displays rates of formal, informal and no property documentation among female and male respondents, showing:

- Overall, women have both lower rates of formal documentation (46%) and higher rates of no documentation (47%) than men do (54% and 39%, respectively).
- However, it should be noted that if we consider owners and renters, who are more likely to possess



documentation, rates of formal documentation between men (69%) and women (67%) are very similar. The difference in rates of documentation between the whole sample and the sample of owners and renters is due to the higher proportion of women who ‘stay with permission’ and who do not tend to have formal documentation.

- The Middle East and North Africa stands out as a region in which female owners and renters have lower rates of formal documentation (72%) than male owners and renters do (80%).

To investigate the potential correlation between formal documentation or titling and tenure security, we have compared rates of tenure security and insecurity among men and women who are owners and renters, with formal documentation and without any documentation at all. Figure 11 shows that the correlation between tenure security and formal documentation is similar across genders, suggesting that titling alone will not address differences in tenure insecurity between men and women. Although we cannot prove causality, these findings could be interpreted as contradicting evidence of the positive effects of certification on women’s tenure security (Holden and Tefera, 2008).

However, there are stark differences when it comes to measuring the proportion of women versus men who are named as owners or renters on documents⁹ (Figure 12). On average, the share of women who are named on documents is 15 percentage points lower than that of men, with individual countries displaying extreme disparities. Further analysis of the results shows that being named on a document has implications for feelings of tenure security (Figure 13). While naming men on titles seems to be correlated with greater tenure security (71% of men who are named on documents are secure versus 64% of men who are not named), the difference for women is negligible (67% versus 65%). This may suggest that simply naming women on titles does not guarantee de facto tenure security, implying the need to further investigate evidence of the positive impact of joint titling on women’s empowerment (see, for example, Walker, 2002; World Bank, 2012).

Overall, the evidence of the impact of formal documentation – whether joint or not – does not indicate that it positively affects women’s tenure security. Further interventions are needed to ensure that equal access translates to equal control, mainly by changing cultural norms and social attitudes that discriminate against women (Teklu, 2005; Pandey, 2010).

FIGURE 12: DIFFERENCE BETWEEN WOMEN AND MEN WHO HAVE NAMES ON TITLES BY COUNTRY



Note: numbers were rounded to zero decimal places; there are small differences between countries that may be observed by the size of the bars even though the number is the same.
Source: authors using Prindex data.

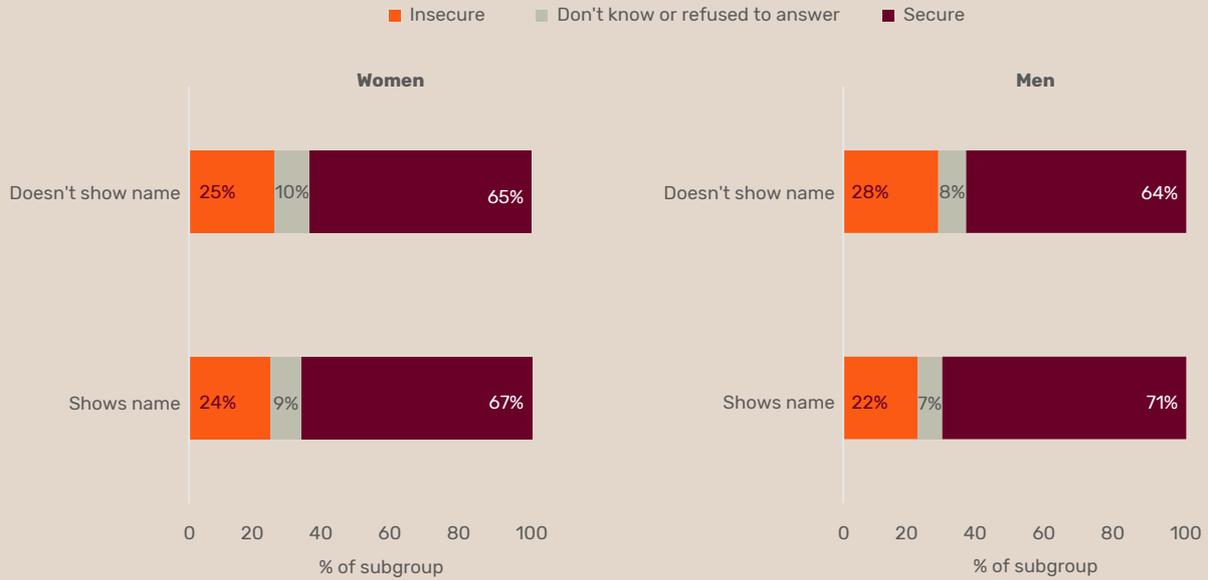
⁹ Prindex’s questionnaire asks respondents whether they have any formal documents that show either their own name or the name of a family member to indicate whether someone in the household has documentation; a subsequent question identifies who is named on the document.

3.2.5 The role of legal empowerment

A final investigation reveals how women’s perceived tenure security may be improved. Specifically, educating and giving women the knowledge to defend their property may prove a more effective method.

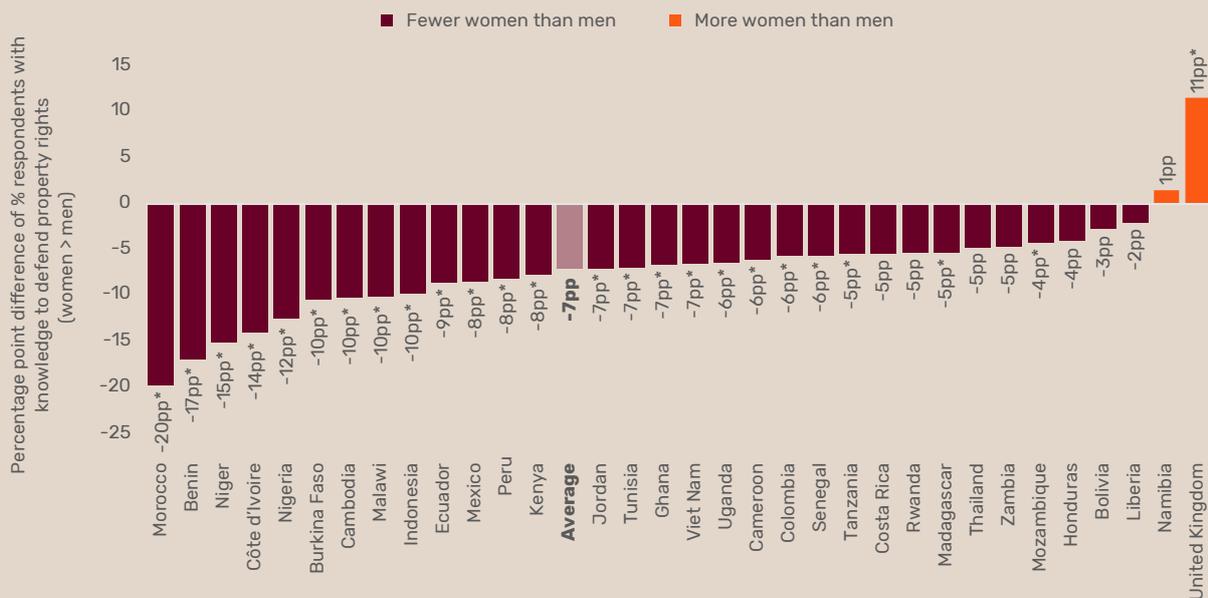
Across the vast majority of countries in the sample, women display significantly lower rates of knowing how to defend property rights if challenged than men do (Figure 14). On balance, the share of women with knowledge is seven percentage points lower than that of men.

FIGURE 13: TENURE SECURITY BY WHETHER NAME IS ON TITLE OR NOT



Note: due to rounding, totals may not add up to 100%.
Source: authors using Prindex data.

FIGURE 14: DIFFERENCE IN KNOWLEDGE OF DEFENDING PROPERTY RIGHTS IF CHALLENGED BETWEEN MEN AND WOMEN BY COUNTRY



Note: numbers were rounded to zero decimal places; there are small differences between countries that may be observed by the size of the bars even though the number is the same.
Source: authors using Prindex data.

4. Conclusions and policy implications

Our review of Prindex data on gender and perceived tenure security indicates that the discussion of women's land and property rights needs to take into account a series of factors that can influence different levels of tenure security across countries.

4.1 DO WOMEN FEEL MORE INSECURE THAN MEN ABOUT THEIR LAND AND PROPERTY RIGHTS?

At first sight, the answer appears to be 'no': our main indicator of perceived tenure insecurity does not show any meaningful difference on a global scale.

However, the data shows a wide variation between countries, many of which do display divergences in either direction. Women are more insecure in countries such as Benin, Peru and the UK (with different implications for the total number of women affected) but less insecure in Jordan or Cambodia. Taking a stronger stance, these results require collecting further data (preferably with larger sample sizes) to further investigate women's tenure insecurity in particular contexts. Such analysis may go as far as investigating subnational differences, often caused by local divergences in customary law.

Another important area for further research is how complementary measures of perceived tenure security can shed light on results: although our findings are in line with those that use similar measures of tenure insecurity, notably van Gelder's studies that use the perceived probability of eviction (van Gelder, 2007; 2010; van Gelder and Luciano, 2015), there may be higher levels of insecurity for women using alternative measures of perceptions. Importantly, women may be more prone to tenure insecurity when a question addresses a 'feeling state' such as *fear* or *worry* of eviction rather than a 'thinking state' produced by assessments of probability or likelihood (van Gelder, 2007). Future studies could usefully take multiple measures of tenure insecurity into consideration, especially within certain country contexts. However, for the purposes of international comparison we consider a measure based on probability to be more appropriate.

4.2 THE INFLUENCE OF DEMOGRAPHIC AND SOCIOECONOMIC FACTORS

Considering that overall rates of tenure insecurity vary little between men and women, it is not surprising that

factors linked to insecurity are similar. As evidenced in the overall sample, channels of insecurity include low income, tenure type (especially respondents in rental accommodation) and age, with younger men and women being more likely to express feelings of insecurity.

The exceptions to this are household size and/or marital status: single, widowed or divorced female respondents display particularly high levels of insecurity compared to men in similar circumstances. This supports previous evidence that female-headed households are more insecure than male-headed ones (Deininger and Jin, 2006) and that widows or divorced female respondents are more likely to be exposed to tenure insecurity (Chapoto et al., 2011; Peterman, 2012; Dillon and Voena, 2017). Further support for this finding comes when women are asked about their perceived tenure insecurity in a divorce or spousal death scenario as they are overwhelmingly more likely to feel insecure than men are.

4.3 HOW BEST TO STRENGTHEN AND PROTECT WOMEN'S TENURE SECURITY?

The data also gives an indication of the types of policy responses governments could usefully pursue to strengthen and protect women's tenure security to achieve positive development outcomes.

4.3.1 Divorce and inheritance law

Our data indicates that countries in which women do not enjoy equal rights in the event of marriage dissolution tend to be those in which women are more tenure insecure. This implies that a legal framework that provides for valuation of non-monetary contributions is important for improving tenure security.

However, there are also countries where tenure insecurity for this subsample is high but the statutory law is gender equal. This lends strength to the need to address underlying social imbalances of power within each country context in parallel with any legal reform.

This is further underscored by the results on inheritance: no correlation exists between high levels of tenure insecurity among women in a spousal death scenario and the gender-equal access to inheritance rights.

4.3.2 Formalisation of women's rights

Although women are less likely to hold formal documentation to prove their property rights, this is largely due to the higher proportion of women who 'stay with permission'. The Middle East and North Africa stands out as a region where a disparity in formal documentation between men and women exists even if we take into account differences in tenure types between genders. However, the correlation between titling and tenure security is similar between men and women. There is also a lack of association between named documentation of women and higher rates of tenure security.

This indicates that – with the exception of the Middle East and North Africa, where formal documentation among women is relatively low – issuing titles to women may not, in itself, achieve gender-equal tenure security.

Elsewhere, policy-makers could focus on supporting women who currently 'stay with permission' into pathways of ownership or even rental accommodation to support formal documentation and the associated tenure security that we have observed in our data.

4.3.3 Going beyond formalising women's rights

These results do not mean that getting changes in law that improve women's land and property rights is not important; on the contrary, it is an absolutely critical first step and can itself be difficult to get done: 155 of 178 countries continue to have laws, policies and administrative practices that discriminate against women (IDLO, 2016). Even more difficult is getting

such legal changes implemented adequately. Putting laws into practice relies on social mobilisation, raising awareness of legal terms and conditions through public outreach and education, with well-crafted, targeted communication – and making the justice system work for women.

However, interventions will need to go further to break down social attitudes and cultural norms that currently threaten the tenure security of women, particularly those who live in single occupancy households as a result of being widowed or divorced.

The results are evidence that to advance women's equality, policies which reduce women's fear of divorce and death are obvious targets. Educating women about their inheritance and the valuation of non-monetary contributions in the case of divorce is a vital step – particularly for those who feel threatened by the possibility of spousal death or divorce. Certainly, our data show that women are less likely to know how to defend their property in the event that it is challenged.

Educating men, as well as women, might help improve the understanding of the general population around gender-equal statutory protection in such circumstances. Creating champions of change among custodians of customary law to act as role models is a key route for changing norms and practices.

Women's voices need to be heard. Prindex aims to listen to women and amplify their voices, by quantifying their tenure insecurity across a wide spectrum of countries to update conventional wisdom with evidence relevant to achievement of the Sustainable Development Goals.

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