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Securing Women’s Land Tenure in Northern Uganda: An Empowerment Approach

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Introduction

This paper will discuss a pragmatic, adaptive framework for understanding and taking action to strengthen women's land tenure security in the context of customary tenure. Landesa developed and tested this framework through a pilot implementation in Pader and Agago Districts, in the Acholi sub region of northern Uganda, with a local implementing partner (Women and Rural Development Network), and a Kampala-based monitoring and evaluation partner (Associates Research Uganda Ltd. (ARUL)).

The aim of the project was to refine and test a model approach to strengthening women's land rights under custom through engagement with women and their communities. Because the purpose of the project was to assess the effectiveness and potential for scaling the model, evaluating its impact on women's land tenure situation was a central concern. The challenge we faced was that the objective – improving the security of women's land rights – was not defined in a way that facilitated measurement or evaluation; therefore, to understand whether we were successful in improving the security of women's land rights we needed first to define what it means for a woman to have secure land rights.

The project team therefore developed the 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. Section I of the paper sets the stage by describing the problem that the framework seeks to address. Section II presents the Framework. Section III provides an example of how the Framework was used to design, implement, and evaluate a pilot project in northern Uganda. Finally, Section IV offers concluding thoughts about how the Framework can be adapted and used to conceptualize and address women's land tenure issues in the context of customary tenure.

I. Towards a Nuanced and Pragmatic Approach to Women's Land Rights Issues under Custom

Across sub-Saharan Africa, there is a growing consensus that securing land rights for women is important for reducing poverty, ensuring household food security and sustainable use of natural assets, and advancing equality between women and men. (FAO, 2013; Giovarelli et al, 2013; AUC, 2010). Though most agree that the pervasive issue of women's insecure tenure within customary systems is a major

barrier to achieving equality and economic development in the region, (UN-Women and OHCHR, 2013; FAO, 2011) debate surrounding how to strengthen women's land rights within customary systems continues. In contrast to formal tenure systems, for which legislative or policy reform at the national or sub-national level offers a logical starting point for change, entry points for strengthening women's land rights under customary tenure systems are often less apparent. (Wily, 2012).

Working to strengthen women's land rights under custom brings its own set of challenges. The particular land tenure situation of women varies significantly from context to context. This variation can make it difficult to conceive of replicable or scalable solutions, contributing to a sense that the problem of women's land tenure insecurity is intractable, or on the other hand, that efforts to strengthen customary tenure are anathema to stronger land rights for women. This paper proposes that the Framework can be a useful tool to overcome this obstacle and that the tool could be used develop policy, programming and interventions to strengthen land rights for women that are scalable and replicable.

In many customary tenure settings in sub-Saharan Africa, women have limited use rights over land that depend on their relationships with others, usually men, while men tend to have rights to land by birthright. (FAO, 2007; Giovarelli, 2007). Women's rights tend to be secondary to those of men, and are often vulnerable to changes in a woman's personal status or changes in her family (for example, if her relationship with the male from whom she gains land rights changes because of marriage, separation, or his death). (Scalise, 2012). Compared to their male relatives, women generally have access to less land, have fewer rights to the land they can access, and their land rights are less secure. (FAO, 2011; Doss, 2013).

However, this characterization of customary rules does not hold true universally: the specific dimensions of women's insecure tenure vary significantly from place to place, frustrating efforts to identify "the problem" and determine a best way forward. Rather, threats to women's tenure security come from a host of sources, actors, and cultural and economic circumstances. Given this diversity, the question of how to strengthen women's land rights under custom can feel overwhelming.

Though there is no one-size-fits-all approach that will guarantee that women's rights are secure, or that will equalize imbalances in access, use, and control over land, this paper presents an analytical framework that *starts with women*, and posits that this starting point is a necessary first step towards correcting imbalances. *Starting with women* means grounding the design, implementation, and evaluation of a project in an assessment of women's particular challenges, needs, opportunities, and aspirations. The Framework provides a foundation for such an assessment, and for designing pragmatic and effective projects tailored to the women and communities that they aim to benefit.

II. Overview of the Women's Land Rights Framework

Gender-neutral land tenure analyses tend to presume that rules apply equally to both men and women. Yet under most customary tenure systems, the rules determining rights to access, control, use, own, transfer and bequeath land are expressly different for women and men, and certain factors that affect women are not an issue for men. Analysts who fail to ask questions that specifically target women's tenure situation are unlikely to discover information about challenges women face in exercising or maintaining their rights. By starting with women, the Framework provides a lens for understanding women's land rights in a given customary context.

A brief discussion of what is meant by "secure land rights" may help to demonstrate the distinct analytical viewpoint that the Framework provides. As a general matter, secure land rights are rights that are clearly defined, enforceable, legitimate, and durable (*i.e.*, lasting at least long enough for the right holder to see a return on any investment made in the land). (Hanstad, Prosterman & Mitchell, 2007; Deininger, 2003). Although these elements hold true for both men and women, if one considers the elements without specific reference to women's experience, it is possible (and even likely) that the analysis will overlook critical issues that arise for women, but which are not issues for men. For example, a man who is born into a patrilocal, patrilineal customary group may automatically gain a lifetime right to use and control (and in some cases, rent out, sell, or trade) land from his clan or family land. By contrast, his sister may gain a temporary right to use land, but she will likely lose this right if she marries or bears children. (Adoko et al., 2011). Under the rules of such a system, her rights are vulnerable to changes in relationships in a way that her brother's rights are not. (Giovarelli, 2007; Doss et al., 2012).

The Framework provides a guide for formulating questions that expose such differences. These questions help to illuminate women's insecure land rights in a particular customary setting, providing a nuanced analysis of the particular drivers, conditions, and participants in creating – or remedying – women's tenure insecurity. By breaking down the issue of insecurity under custom into specific, measurable elements, the Framework serves as a starting point for analyzing land tenure issues that ensures that women's experiences, needs, and rights with respect to land are considered.

The Women's Land Rights (WLR) Framework

A woman's land rights are secure if:

- they are legitimate;
- they are not vulnerable to changes in her social status or in her community;

- they are granted for an extended period of time;
- they are enforceable; and
- her ability to exercise them does not require an additional layer of approval that only applies to women.

Legitimate. The degree to which a woman's land rights are legitimate, and therefore secure, depends on who recognizes these rights; that is, on whether and how her land rights are recognized by law, by custom, by her family, her clan, and her community. This is especially critical in the growing number of countries whose formal laws guarantee protections for women's land rights that extend – at least in principle – to customary land. To produce improvements for women in practice, such formal rules must be recognized by the institutions and individuals that administer land rights in customary systems.

Not vulnerable to changes in family structure, social status, or community leadership. A woman's land rights are more secure if they are not vulnerable to changes in her family structure such as the death of her father or husband, or her husband taking a second wife; or to changes in her clan or community, such as changes in the leadership who granted her those rights. This vulnerability is often built in to customary systems, and is exacerbated by declining adherence to traditional protections for women in many customary settings today.

Durable. For rights granted for a fixed period of time, the longer the period, the more secure the rights. For example, land rights granted for an indefinite period may be less secure than those granted for a season, or for a longer fixed term. Other social arrangements can affect duration. For example, land rights may be linked to a marriage, in which case they last as long as the marriage does; or they may be linked to the presence of male children of the blood-line in the household, in which case they may last for as long as the children are unmarried and remain in the household. Many women under custom may be granted land for a season or two, but have no certainty that they will be allowed to continue using that land for a longer term. Such uncertainty deters many women from making longer-term investments in the land, such as planting higher-value crops with a longer germination period.

Enforceable. Land rights are more secure if they are enforceable. A woman will be able to enforce her rights provided that the following conditions are satisfied: she is aware of her rights, she is aware of where to present a claim and can easily get to that forum, she has the ability and the means to present her claim, her case will be heard, the overall process will not take a very long time, a fair decision is likely, and the resulting decision will be implemented. Enforcement options may be available in formal courts, or with customary institutions.

Can be exercised without additional layers of approval. A woman's land rights are more secure if she can exercise them without having to satisfy conditions that men are not asked to fulfill, such as obtaining permission of her husband, father, or other male relative to make decisions concerning the land.

These elements of land tenure security are often interlinked; factors making women's land rights insecure may share common bases in gendered cultural norms that are promoted or influenced by the same actors or institutions. That being so, the particulars of how these norms impact women's rights are critically important to understanding and addressing women's land tenure insecurity. The value of the Framework is that it facilitates the analysis of these elements individually, so that the root causes and leverage points can be understood, and this provides a clear basis for designing policies and direct interventions. In most cases, each of the elements will come into play to some extent, though the degree of importance and specific manner in which each element impacts women's tenure situation will vary. In some tenure contexts, one or more of the elements may not be relevant at all, either because that tenure system adequately protects women's tenure regarding that element, or because the circumstances that might make it relevant simply never arise.

The first step in applying the Framework is to assess women's situation in the context of the local tenure system. The elements of security serve as the basis for developing measurable indicators and a questionnaire (see Table 1). This assessment will, in turn, provide the basis for project design and evaluation, highlighting the most important issues to be addressed, and providing a clear mechanism for narrowing and prioritizing project activities. Finally, the Framework provides a clear way to assess the effectiveness of a project's attempts to improve women's tenure security, and provides a way to drill down to understand specifically what changed for women as a result of the project.

III. Applying the Framework in Northern Uganda

The northern Uganda pilot provides a useful example of how the Framework can be used as the foundation for assessing customary land rights of women in a given context, and for developing and evaluating a responsive intervention. The project was designed to be responsive to the local context, to focus specifically on women's particular situations and their own hopes for achieving land tenure security, and to be meaningful and locally appropriate.

In the pilot, Landesa and its project partners used the Framework to develop a baseline assessment and women's needs assessment that identified the specific elements of insecurity that were most relevant to

the project participants and their communities.¹ The project team validated this assessment with project participants and used the assessment as the basis for project design and evaluation.

First, the project team developed a logic framework based on the elements of land tenure security presented in the Framework (see Table 1). In the logic framework, each element of security served as an outcome measure, for which indicators were developed. Because the team specifically defined the elements, indicators could be developed to support the collection of relevant information to show the presence or state of each element of security.

The project team then used the logic framework to develop a baseline questionnaire and a focus group discussion guide for conducting women's needs assessments in the project implementation areas. The results of these quantitative and qualitative inquiries were used to identify women's aspirations regarding land, and the barriers, needs and opportunities in their local context that affect their land tenure security. The project team then validated these results with the project participants, and Community Based Facilitators² employed by the project worked with groups of women to develop proactive strategies to meet their goals and overcome the identified barriers. Finally, the project team then developed an implementation strategy that supported the groups' action plans, planning specific activities that supported common aims, while supporting each group's individual plans.

Using the Framework to Assess Vulnerability

Figure 1 illustrates how the Framework was applied in the northern Uganda pilot to assess one element of women's land rights insecurity: vulnerability to changes in social status. The Framework defines secure land rights as being unaffected by changes in her social status, *i.e.*, her rights are not vulnerable to changes in her family structure (death of father or husband, her husband taking a second wife) or to changes in her clan, community, or the leadership who granted her those rights. This definition provides the basis for asking specific questions to provide detail about the occasions that would increase insecurity, and the potential threats to security, for households and for women.

¹ The pilot enrolled individuals who either: (1) had an existing land problem that they wished to work on; or (2) expressed the desire to work with a group to strengthen women's land rights. Participants were enrolled into 10 groups of 25. In an effort to assuage potential feelings of exclusion or suspicion of the project, the team allowed men to enroll in two of the ten groups, with a maximum of two men per group. Two of the ten groups were therefore made up of twenty-three women and two men; the remaining groups were made up of women only (twenty-five women per group).

² Community Based Facilitators (CBF) were local volunteers whom the project educated about women's land rights and trained to be group facilitators. CBFs provided ongoing support to women, and served as liaisons between women and their leaders, families and communities to address specific issues, share information, and provide support to local customary institutions to help strengthen women's land rights.

Figure 1. Application of Framework in the northern Uganda pilot (focused on vulnerability only).

Element of insecurity: Vulnerability.		
<p>↓ Land rights are not vulnerable when they are unaffected by changes in her social status; <i>i.e.</i> not vulnerable to changes in her family structure (death of father or husband, her husband taking a second wife); or, to changes in her clan or community, changes in the leadership who granted her those rights.</p>		
Question asked in Uganda pilot	Responses in Uganda pilot	Implications for project design
Has anyone ever made threats to you or to a member of your household that you could be evicted from your land?	Yes: 53.3% No: 46.7%	Eviction threats are a significant issue for participants, though these threats are not generally linked to requests for payment. Future eviction threats are a major concern among respondents.
Have you or a member of your household ever had to pay anyone any money to avoid being evicted from land access?	Yes: 12% No: 88%	
Are you concerned that your household could be asked to leave land you currently access?	Yes: 50% No: 50%	
Do you think <u>your household</u> will continue to have the same level of access and control over these plots of land in 5 years? My household will likely... <ol style="list-style-type: none"> 1. Lose all access and control 2. Have less access and control 3. Have same access and control 4. Have more access and control 	(% respondents) 10.5 26.1 52.5 10.9	Household tenure security is an issue in the target community, with threat of eviction by the clan perceived to be the most likely source of household insecurity. Activities targeting clan/ extended family leadership awareness should be a focus.
What could make <u>your household</u> lose access or control over these plots? (choose all that apply) <ol style="list-style-type: none"> 1. Eviction by government 2. Eviction by landlord 3. Eviction by extended family/clan 4. Economic hardship that will lead to land sale 5. Not certain, some emergency or situation could arise 6. My household will not lose access or control 7. If I died or married elsewhere 	(% respondents) 6 1 67 3 10 2 26	

<p>Do you think that <u>YOU</u> will continue to have the same level of access and control over this land in 5 years?</p> <p>I will likely...</p> <ol style="list-style-type: none"> 1. Lose all access and control 2. Have less access and control 3. Have same access and control 8. Have more access and control 	<p>(% respondents)</p> <p>8.7</p> <p>28.6</p> <p>47.5</p> <p>15.2</p>	<p>Individual vulnerability is reported as higher than household vulnerability.</p>																																				
<p>What could make <u>YOU</u> lose access or control over land? (choose all that apply)</p> <ol style="list-style-type: none"> 1. Eviction by government 2. Eviction by landlord 3. Eviction by extended family/clan 4. Economic hardship that will lead to land sale 5. Not certain, some emergency or situation could arise 6. I will not lose access or control 7. If I died or got married elsewhere 	<p>(% respondents)</p> <p>5.1</p> <p>1</p> <p>69.7</p> <p>2</p> <p>13.1</p> <p>1</p> <p>23.2</p>	<p>Pilot participants feel they could lose access and control due to eviction by the extended family/ clan, death or marriage elsewhere, or due to an unforeseen situation or emergency.</p> <p>(As above, activities should target indirect beneficiaries)</p>																																				
<p>How likely are <u>YOU</u> to lose access to these plots if ...</p> <ol style="list-style-type: none"> 1. You have a disagreement with your household? 2. You or someone in your household could not repay a debt? 3. Someone in your household became very sick? 4. Your husband divorced/abandoned you? 5. Your husband married another wife? 6. Your husband died? 7. You were to move your place of residency? 8. The leadership of your community was to change? 9. Your clan leaders were to change? 10. The leaders of your husband's clan were to change? 11. Your father died? 	<p>(% women responding ...)</p> <table border="0"> <thead> <tr> <th></th> <th><u>Likely</u></th> <th><u>Unlikely</u></th> </tr> </thead> <tbody> <tr><td>1.</td><td>30.4</td><td>67</td></tr> <tr><td>2.</td><td>30.8</td><td>67.7</td></tr> <tr><td>3.</td><td>29.7</td><td>68.8</td></tr> <tr><td>4.</td><td>48.5</td><td>13</td></tr> <tr><td>5.</td><td>36.6</td><td>25.4</td></tr> <tr><td>6.</td><td>38.5</td><td>28</td></tr> <tr><td>7.</td><td>71.4</td><td>26.9</td></tr> <tr><td>8.</td><td>14.2</td><td>84</td></tr> <tr><td>9.</td><td>12</td><td>86.3</td></tr> <tr><td>10.</td><td>14.5</td><td>91.3</td></tr> <tr><td>11.</td><td>19.5</td><td>43.9</td></tr> </tbody> </table>		<u>Likely</u>	<u>Unlikely</u>	1.	30.4	67	2.	30.8	67.7	3.	29.7	68.8	4.	48.5	13	5.	36.6	25.4	6.	38.5	28	7.	71.4	26.9	8.	14.2	84	9.	12	86.3	10.	14.5	91.3	11.	19.5	43.9	<p>Land rights are vulnerable if a woman moves residence (50%), husband or partner abandons or divorces her (40.2%), dies (30.9%), or takes another wife (23.9%).</p> <p>This vulnerability is tied to variables associated with marital partners. Activities should target indirect beneficiaries of the project, especially partners of pilot participants.</p>
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Over half of the pilot participants reported having experienced threats of eviction, although few had ever paid anyone to avoid being evicted. Half of the women surveyed were concerned that they could be asked to leave the land they currently had access to. When participants were asked why they felt they or their households could lose access and control, the reason cited most often was eviction by the extended family or clan, followed by death or marriage outside of the clan, followed by the occurrence of an emergency situation that could result in loss of access and control.

The baseline also established that women perceived that their land rights were vulnerable to changes in their social status. Specifically, respondents said that they would likely lose land access due to: moving residence (50%); or if their husband or partner divorced or abandoned them (40.2%), died (30.9%), or took another wife (23.9%).

Based on this assessment, the major drivers of insecurity among pilot participants were identified with a level of specificity that facilitated a locally responsive project design. Among project participants, women's vulnerability in the context of eviction threats and their subordinate rights under custom were found to be a major driver of insecurity. The assessment exercise also found that intra-familial conflict over land was the most common source of tenure insecurity cited by pilot participants. Women reported that threats to their land tenure security from their in-laws, brothers, co-wives, and other relatives were more common than threats from those outside the family.

In light of the above, in this particular setting the assessment identified potentially effective strategies for the project to target vulnerability. These included:

- Specifically targeting women's spouses and partners in project activities;
- Strongly focusing on capacity building among pilot participants and leaders to increase their understanding of land rights provisions under customary and statutory laws;
- targeting, through sensitization activities, the cultural norms and practices that inhibit women's rights, particularly among: (i) the pilot participants themselves, (ii) *rwot kweri* (male leaders traditionally responsible for mediating land disputes), (iii) *rwot okoro* (female leaders with a traditional role in mediation and boundary demarcation), (iv) husbands, partners, and extended families of the pilot participants' mothers-in-law, and (v) sub-county area land committees; and
- Developing women's negotiation, public speaking, and consensus building skills so that they could effectively engage both within and outside of the family to secure fixed-term rights to land.

In the Acholi customary context of the pilot area, land issues are community issues: a woman's access to land depends on her status in the family, on the customary institutions and processes that determine rights to land in her community, on leaders' and communities' perceptions about women's rights to land, and on women's awareness of and ability to realize their rights as members of a community. In this context, the project engaged at three different levels to identify and address each element of women's land rights and to empower women to strengthen their land tenure security.

The project engaged with:

- (1) women in groups;
- (2) women individually; and
- (3) with women's communities, particularly with local and cultural leaders

Activities included weekly meetings, during which women discussed barriers, strategies, and action steps for addressing identified needs and pursuing individual and shared aspirations for land tenure security. The group meetings were also an opportunity to provide training and capacity building to the women. To target knowledge and awareness gaps identified through the baseline assessment activities, women were trained on women's land rights under customary and formal laws; customary rules and institutions; property rights of married and unmarried women under customary law; conflict resolution options under formal and customary systems; public speaking; and drama. In addition to group meetings, CBFs met with individual women; with women and their families; with cultural leaders individually and in groups; and with other key stakeholders to discuss women's land rights-related aspirations, challenges, and strategies for addressing those challenges.

Using the Framework to Evaluate the Project

As with the planning and design of implementation activities, the Framework provided the analytical foundation for evaluating the project. The objective of evaluation activities was to assess whether there were measurable changes in women's land tenure security as a result of the pilot implementation. The Framework provided a mechanism for breaking down the larger questions of "insecure tenure" into discrete, measurable elements that could then be quantitatively and qualitatively evaluated.

As discussed above, Acholi customary rules ascribe land rights for women according to their personal status. Thus, a married woman's situation, and the impact of the project upon her tenure security, is likely

to differ from that of a woman who is cohabiting, for example.³ Evaluation metrics were also chosen to assess variations in project outcomes among the various types of women enrolled in the project (married women, single women, cohabiting women, divorced women, and widows).

To assess these changes, the evaluation tools gathered quantitative information through baseline and endline surveys, and gathered qualitative information through group interviews with participants, individual interviews with authorities and other stakeholders, and individual and group interviews with project staff. The Framework was the starting point for developing these surveys; Landesa's Research, Monitoring and Evaluation team, in collaboration with ARUL, devised the questionnaires and Focus Group Discussion guides to allow for a nuanced assessment of women's insecure tenure as defined in the Framework.

The above provides a simplified illustration of how the Framework was used in the northern Uganda pilot to devise metrics, indicators, and appropriate intervention activities to address the vulnerability of women's land rights to changes in their social status. The project team used the same process for each element of insecure land rights defined in the Framework. The result was a holistic analysis that considered the various dimensions, drivers, and factors contributing to women's land rights insecurity.

Summary of Project Results

Twelve months after the project started, the endline assessment revealed marked improvements among pilot participants with regard to all indicators of security, with particularly strong improvements in the legitimacy, vulnerability, and enforceability of women's land rights.

Legitimacy of women's land rights increased. The proportion of women who reported that their land rights were being recognized by their partners, their partners' families, their partners' clans, their children, their birth families, their communities, and the leaders of their communities increased considerably over baseline.

Vulnerability of women's land rights to changes in social status or clan leadership declined over the course of the project. The proportion of women who perceived their land rights as vulnerable decreased markedly for every type of risk considered (*i.e.*, father died, husband divorced or abandoned the woman, husband married another wife, husband died, woman moved to another place, leadership in the

³ "Married" here refers to a couple who has completed the customary rites of marriage, including the payment of brideprice or dowry by the man to the family of the woman. By contrast, a couple who are cohabiting, and who may have children together and put themselves forward as a married couple, are not treated as married in the Acholi context: the clan's obligations to a spouse and to a cohabiting partner (and to children of those relationships) may be different.

community changed, or leaders of husband's clan changed). The improvement was especially notable—over 50%—concerning vulnerability upon the husband's death or vulnerability in the event that the woman moves to another location.

Enforceability increased overall, as well. At endline, all women involved in the project said that they knew where to go to present a claim regarding their land rights, a 15% increase since the project's inception, and the proportion of women who felt they could easily access those institutions increased by 57%.

In addition, the endline found an overall increase in the number of women who rented or borrowed land since the inception of the project, and an overall increase in women's land-related decision making. The proportion of women who reported being able to effectively influence the household's decisions on whether to sell or rent land, to use it as collateral, or to whom it would be bequeathed increased between 16% and 29% depending on the type of decision in question.

IV. Concluding Remarks and a Way Forward

Efforts to secure customary land rights at the household or community level often overlook the rights of women in those households. Even where planners make some effort to understand women's rights, they often employ a process that inquires about women's rights as an afterthought. Often, this reflection touches on only one dimension of women's rights to land, such as inheritance rights or how women fare in a dispute over land. These efforts are worthwhile, but very often relegate issues related to protecting or supporting women's land rights to the status of supplemental or secondary components of larger projects.

The proposed Framework seeks to improve development practice by inquiring about the nature and scope of rights that women have to land under custom. In essence, the Framework asks: In the context of tenure systems that give power over land to men, how can projects and policies strengthen the security of women's rights to land, and what indicators will show whether such movement is occurring? The Framework provides a method for answering these questions. The Framework can be applied to women all over the world and in every land tenure regime.

This Framework is a work in progress, and is presented here in its first iteration. Several insights and issues that arose in the northern Uganda pilot are worth sharing here.

Elements of the Framework Requiring Review

In the northern Uganda pilot, we found that the last two of the five elements of the Framework – duration and exercise of rights without additional layers of approval – though important, did not describe tenure

insecurity in a way that facilitated effective and responsive project design. Duration of rights is clearly an important issue, and in some contexts is one that disproportionately affects women. For example, in two customary groups studied in Liberia, while women have access to land for growing subsistence crops, they are not permitted to plant "life trees," that is, crops taking longer than five years to mature.⁴ (Namubiru-Mwaura et al 2012). This limitation on women's rights to use land impedes their potential productivity and earning potential from land. In the northern Uganda pilot, however, though women did face similar challenges regarding the types of crops they were able to plant, the issue of the duration of rights did not come across as clearly as hoped, either because women did not identify it as a priority issue, or because the questions were not formulated in a way that illuminated the issue clearly.

Similarly, according to the Framework, women's rights are not secure if they require women to obtain additional layers of permission that are not required of men. In the northern Uganda pilot, we did not explicitly ask women about additional requirements, though we did ask whether they could make decisions and whether they could influence their household's decisions. This element requires additional analysis and reflection both on how it relates to other elements (*e.g.*, legitimacy) and how a weakness in this area might be addressed by an intervention.

Additional tools and resources required for successful application of the Framework

The intent of the Framework is to support a holistic and context-specific approach to women's land rights interventions. The Framework on its own, however, is not enough to ensure that a project is successful: additional tools are needed. Landesa is now working to revise the Framework to incorporate the elements needed to make it a standalone tool. The following tools could help to prepare the ground for application of the Framework in a given context.

First, a stakeholder analysis is required to assess who the most important actors and institutions are in the context presented. This provides a basis for determining who to include in baseline data gathering, what kinds of institutions should be informed of and participate directly in the project, and who should be targeted as indirect participants of the project.

Second, some understanding of the local context is required as a starting point for developing the questions that come out of the Framework. The content of the rights at play, and some notion of the structure and function of the relevant tenure systems should inform the use of the Framework.

⁴ This appears to be a limited practice among customary groups in Liberia; in all but two clans included in the study, women *were* able to grow and benefit from life trees. Among these and many customary groups in Liberia, planting life trees asserts an ownership-like right to the land, which may explain why women in some clans are restricted from planting them.

Finally, the analysis of results from the assessment activities, and the development and prioritization of effective and locally appropriate solutions to the issues identified, requires working with a local partner who understands in detail what conditions, contexts, and other factors are at play that will contribute to or impede the success of the project.

Subjective and objective interpretations of project impact

The northern Uganda project evaluation assessed perceptions of pilot participants about their land rights security at baseline and at endline. In this regard, it is important to note that the baseline in some cases may have presented the participants' hypothetical assessment of her security, which may have been much more optimistic than an objective or informed view might have been. Over the course of the project, women learned about threats to women's land rights as experienced by their fellow group participants, or as discussed during training and interactions with leaders and others in the community. Thus, the perceptions assessed at the end of the project likely recorded a better informed group, one that was possibly more circumspect regarding their perceived security.

The subjective assessment of women's land rights – one that tracked the beliefs, awareness, and willingness to enforce women's land rights among leaders, community members, and family members of project participants – contributed to the interpretation of the project's impact on women's rights, but it does not tell us, objectively, what actually happened when women were faced with a given situation. Because many of the potential threats to a woman's security are linked to life events, such as marriage, death, or divorce, tracking what happens in the face of such events requires a longer period of time. However, women's perceptions do get to the issue of their sense of themselves in relation to the rest of the community and their families. It does tell us about women's own sense of their status in the household and community.

Looking Ahead

Landesa's project in northern Uganda piloted an approach for addressing women's land tenure issues by starting with women. The Framework informed the design and evaluation of a community-level intervention to empower women and to strengthen their land rights on customary land. The result was a significant success, yielding measurable improvements for each of the five elements of secure land rights that the Framework defines. This success demonstrates that the Framework is a useful tool that is worth further refining and developing.

By defining discrete elements of women's land rights in the customary context, the Framework does not constitute an attempt to generalize. Rather, the value of assessing women's land rights using this

Framework is that from the beginning of the design of a project to the end evaluation, the lens is not “improving land rights security, especially for women,” but is instead, “improving land rights security for women.” The Framework embraces the complexity of women’s tenure issues under custom, and provides a mechanism for breaking down the interrelated factors that contribute to secure land rights for women, facilitating clear analysis and more effective project design and evaluation.

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Table 1: Logic frame

Outcome: A woman's access and control over land can improve if:		
Outcome Measures	Indicator	Source
i) She gains access to more land	1) Average land holdings women own	
	2) Average land holdings women use	
ii) She gains access to land of higher quality or in a better location	3) Average distance/ time to land they regularly use	
	4) % of women by 'higher quality scale' of land they regularly use/ have access to	
	5) % of women by 'better location scale' of the land they regularly use/ have access to	
iii) She gains additional rights over a plot of land to which she already had access	6) % of women who can identify the land rights they have on the land they currently access	
	7) % of women who can sell the land they access	
	8) % of women who can bequeath the land they access	
	9) % of women who own the land they access	
	10) % of women who can rent out the land they access	
	11) % of women who can use the land they access as collateral/ mortgage	
iv) Her land rights become more secure.	See below outcome measures iv(a) – (iv)(e).	
Outcome: A woman's land rights are secure if:		
Outcome Measures	Indicator	Source
iv (a) they are legitimate; Legitimacy depends on who recognizes these rights (family, clan, community) and the basis of those rights whether it is custom or law	12) % of women who are legally married to their partners	
	13) % of women whose partners recognize that they have rights on land	
	14) % of women perceiving that their land rights are recognized by their children	
	15) % of women perceiving that their land rights are recognized by their partners family	
	16) % of women perceiving that their land rights are recognized by their partners clan leaders	
	17) % of women perceiving that their land rights are recognized by their natal families	
	18) % of women with knowledge that their rights to land are enshrined in law	
	19) % of women with knowledge that their rights to land are enshrined in custom	
	20) % of women perceiving that the communities in which they live recognize their land rights	
	21) Change in Prevailing perceptions on legitimacy of land rights among women	
	22) Change in Prevailing perceptions on legitimacy of women's land rights among stakeholders	
iv (b) they are unaffected by changes in	23) % of women assessing that their land rights would be negatively affected by change in their social status	

her social status; <i>i.e.</i> not vulnerable to changes in her family structure (death of father or husband, her husband taking a second wife); or, to changes in her clan or community, changes in the leadership who granted her those rights.	24) % of women whose land rights status would be affected negatively if their partner died	
	25) % of women whose land rights status would be affected negatively if they divorced/ separated	
	26) % of women whose land rights status would be affected negatively if they moved place of residence	
	27) % of women whose land rights status would be affected negatively if they moved place of residence	
	28) Change in Prevailing perceptions on the effect of social status on land rights among women	
	29) Change in Prevailing perceptions on the effect of social status on women's land rights among stakeholders	
iv (c) they are granted for an extended period of time; Rights that are granted for fixed period of time, the longer the period the more secure her rights are.	30) % of women reporting that land accessed through rentals is guaranteed through the period of the rental	
	31) % of women reporting increased durations of land rental periods	
	32) Average duration of land rental periods	
iv (d) they are enforceable; She will be able to enforce her rights if she is aware of where to present her claim, if she can easily get to that forum, if she has the ability/ the means to present her claim, if her case will be heard, if the overall process will not take a very long period of time, and if a decision in her favor will be implemented.	33) % of women who know where to present claims/ matters on land rights	
	34) % of women assessing that it is easy to get to the fora to present claims/ matters on land rights	
	35) % of women expressing confidence that they would be able to present claims/ matters on land rights	
	36) % of women assessing that their cases/ matters would be heard fairly in the fora	
	37) Average duration of process from presentation of a matter to conclusion	
	38) Average cost that women have to incur to engage with options	
	39) % of women with confidence that decisions in their favor would be implemented	
	40) Change in Prevailing perceptions enforceability of land rights among women	
	41) Change in Prevailing perceptions enforceability of women's land rights among stakeholders	
iv (e) The woman's ability to exercise them does not require an additional layer of approval that only applies to women. A woman's land rights are more secure if they can be exercised without	42) % of women who can make independent decisions on matters concerning exercise of land rights	
	43) % of women who can independently make a decision to sale land	
	44) % of women who can independently make a decision to use land as collateral	
	45) % of women who can independently make a decision to rent out land	
	46) % of women who can independently make a decision to rent in land	

being subject to conditions that men are not asked to fulfill such as obtaining the approval and permission of her husband, father, or other male relative.	47) % of women who can independently make decisions on how the land they access is used	
Impact Measures		
If a woman has better land rights then:		
1. She is likely to invest more in production	48) Level of income	
	49) No. Of income options/ farm enterprises	
	50) Acreage of land under cultivation	
	51) No. Of times she has been able to use land as collateral to access credit	
2. Her children are likely to be in school	52) No. Of school going children that are in school	
	53) Rate at which school fees problems are experienced in the household	
3. Food security is unlikely to be a problem	54) No. Of meals the women and her immediate dependents have in a day	
	55) Rate at which they experience food scarcity in the household	
4. She is likely be insured against shocks	56) No. Of times she/ household is unable to afford basic health care	
	57) No. Of times she has experienced domestic violence	
	58) Level of savings	