



# INTIMATE PARTNER VIOLENCE AND LAND TENURE

What Do We Know and What Can We Do?

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#### **ACRONYMS AND ABBREVIATIONS**

ADS Automated Directives Service

CDCS Country Development Cooperation Strategy

CLPP Community Land Protection Program

GBV Gender-Based Violence

HIV Human Immunodeficiency Virus

IPV Intimate Partner Violence

LGBTI Lesbian, Gay, Bisexual, Transgender, Intersex

LUC Land Use Certificate

PEPFAR The President's Emergency Plan for AIDS Relief

USAID United States Agency for International Development

USG United States Government

#### **EXECUTIVE SUMMARY**

The US Government is committed to preventing and responding to gender-based violence (GBV). This commitment is articulated in policies, laws, and other guidance documents. For USAID, addressing GBV is one of the three pillars of the Gender Equality and Female Empowerment Policy (2012). By preventing and responding to GBV, USAID can help protect the human rights of women, girls, and other vulnerable people and guard against physical, psychological, and economic harms. By addressing GBV, the US Government also helps promote individual and community resilience and increase the ability of women, men, and their communities to live safe and productive lives.

Development programming can be an important force in combating GBV and a subset of GBV, Intimate Partner Violence (IPV). Some programming focuses on supporting legal and policy changes to make certain forms of GBV illegal or train law enforcement officials to recognize and respond to GBV. In other cases, programming focuses on empowering women economically as a possible pathway to prevent GBV or IPV. For example, helping women to acquire and leverage a secure asset base, including land and other property, can increase women's status within households, enhance their decision-making powers and, in turn, reduce GBV or IPV and improve educational and health outcomes for women themselves and their children. In addition, women who hold secure rights to land and property may be better able to take advantage of livelihood opportunities, build or grow businesses, and contribute to economic growth and sustained development.

This report reviews existing literature to explore how, in some contexts, holding and controlling land and property rights can potentially empower women and reduce the likelihood of IPV particularly. Across the literature the incidence of IPV is high: 20 to 65 percent of respondents in these studies report IPV, with most of the studies reporting over 50 percent incidence of IPV. Some research, much of it from South Asia, suggests that empowering women with rights to land and property may help to prevent or mitigate harms from IPV, while other research reaches a more ambiguous or even contradictory conclusion. The evidence base for land tenure and property rights interventions as a pathway to preventing IPV directed at women is mixed. Research strongly suggests that the incidence or experience of IPV is highly context specific. Other factors, including prevailing social norms and support networks, the use or misuse of alcohol and drugs, socio-economic conditions, and childhood experiences may play important roles in determining if a woman experiences IPV.

Given the mixed state of the literature, the report recommends developing a sound understanding of local conditions before designing and implementing land tenure interventions to avoid creating situations that inadvertently harm women and their families. While land programming can be transformative and contribute to women's economic and social empowerment, under some conditions activities may generate resentment and backlash and lead to harm.

The following recommendations are designed to help prevent or mitigate IPV in land tenure and property rights programming:

This paper focuses on a subset of GBV: violence perpetrated by intimate or marital partners and experienced by women. The paper defines intimate partner violence (IPV) to include emotional, physical, and sexual violence committed by a current or former partner or spouse. IPV may also include economic violence, but findings related to this component of IPV are much more limited and therefore not addressed here. See the International Center for Research on Women's 2007 publication, "Women's property rights, HIV and AIDS, and domestic violence: Research findings from two rural districts in South Africa and Uganda" for a discussion of economic GBV. Available at: <a href="https://www.icrw.org/publications/womens-property-rights-hiv-and-aids-and-domestic-violence/">https://www.icrw.org/publications/womens-property-rights-hiv-and-aids-and-domestic-violence/</a>.

#### Higher level recommendations:

- Develop and execute a robust research agenda that seeks to establish an evidence base for the impacts of land tenure and property rights interventions on IPV for women. Key questions to address include:
  - Which assets (physical, financial, and social) in what combination work well to prevent or reduce IPV?
  - Under what conditions does joint titling of property help to prevent to reduce IPV? Under what conditions, if any, might joint titling of property increase women's risk for IPV?
  - What kinds of interventions work best to enhance women's control and decision-making authority over land and property and do these interventions (alone and in combination) work to prevent or reduce IPV?
  - What interventions work best to shift men's attitudes towards and use of IPV in response to women's exercise of land and property rights?
  - Is secure homeownership a positive strategy for preventing or reducing IPV and under what social/economic conditions does it work best?
  - What is the association between the relative property wealth within a couple and the likelihood of IPV?
  - What property rights and land interventions work best to prevent or reduce IPV for younger women? For wives in polygamous marriages? For older women?

#### **Program-level recommendations:**

- When initially conceptualizing a land tenure or property rights intervention:
  - Use a participatory approach to identify the specific factors that contribute to IPV in the proposed location and determine how pervasive these factors are. This may include participatory mapping exercises that identify stakeholders who may be affected by project activities to understand who supports and opposes women's exercise of rights to own and control land and property and for what reasons.
  - If increasing women's ownership of or control over land and property may increase the risk of IPV, work with a GBV specialist and the intended beneficiaries to identify risk mitigation strategies to increase the capabilities of women and men to negotiate asset control and decision making, mediate conflict over asset ownership or control that may lead to IPV, and hold those who perpetrate IPV accountable for harms. Ensure strategies provide feedback to enable learning and to allow for adjustments.
- When designing a land tenure or property rights intervention consider the following:
  - If the project will operate in an environment that is only moderately supportive of gender equality or that is highly unsupportive of gender equality (see Table 2 below) consider the following—
    - Include a GBV risk assessment (including IPV) or GBV safety audit to identify risk factors, community characteristics, kinds of support and safety services available to address GBV and IPV, local governance structures, and how rules and norms are enforced and against whom.
    - Identify and work with traditional authorities and religious leaders who can serve as advocates for women's peaceful and safe exercise of their land and property rights and who can serve as role models and mentors to other men and boys.

- Identify and work with women who can serve as advocates for women's peaceful and safe exercise of their land and property rights and build skills to participate in traditional and formal land governance institutions.
- Work with law enforcement officials to change attitudes and to improve enforcement of laws against GBV and IPV in cases where women exercise their land and property rights and face backlash and violence as a result.
- Include a behavior change component to influence the attitudes and practices of women and men around women's land and property rights and IPV and build awareness of strategies to reduce acceptance of, and toleration for, IPV related to the use and control of land. Create spaces for discussion and dialogue that are accessible, safe, and comfortable for both women and men.
- Consider supporting access to confidential and accessible support services for women who
  face GBV or IPV because they participate in land and property rights programming. This may
  include health care (including mental health care), mediation, or para-legal services.

#### In all environments—

- Work with government officials at the national, provincial, and local levels to expand
  understanding of how land tilting efforts might contribute to IPV. Government officials may
  benefit from focused trainings and support to develop GBV risk assessment tools to use
  during titling campaigns.
- Support governments to create strategies that address IPV associated with the exercise of women's legitimate land and property rights in gender policy documents and national actions plans on GBV and IPV and support efforts to implement these strategies.
- Provide training in support of women's exercise of their legitimate land and property rights.
   Trainings should build women's capacity to negotiate with men, resolve conflicts, and manage assets to improve self-confidence and resilience and support autonomous decision making.
- Be attentive to women's safety during mapping and land rights registration activities. When mapping activities are taking place, ensure that program implementers are trained to recognize conditions that may put women at risk of IPV. This may include taking care when speaking with women either in the presence of or separately from men.
- Work with local civil society organizations to build their capacity to engage with men and boys in culturally appropriate discussion of IPV that results from women's exercise of land and property rights and identify strategies to hold them accountable for their behavior.
- Ensure project monitoring and evaluation activities track activities and outcomes associated with preventing and reducing the risk of IPV.

#### 1.0 INTRODUCTION

Around the world, millions of people are harmed by GBV. Some face physical assault, even death; others are threatened or assaulted psychologically. The World Health Organization estimates that 35 percent of women worldwide will experience physical or sexual violence at some point in their lives (2013, p. 6). As a result, GBV has been called: "the most pervasive human rights violation in the world" (Grabe, 2010, p. 147). It is not only women who suffer from GBV; men and boys and members of Lesbian, Gay, Bisexual, Transgender, Intersex (LGBTI) communities are also at-risk. The physical, social, and economic costs of this violence and unequal treatment are enormous (USAID, 2014, p. 9).

The US Government (USG) is committed to preventing and responding to GBV in order to empower women and girls and build more prosperous and resilient societies.

To achieve this goal, the government has made several important commitments to fight GBV, including:

- Executive Order 13623, "Preventing and Responding to Violence Against Women and Girls Globally;
- The U.S. National Action Plan on Women, Peace, and Security (2012, updated 2016);
- United States Strategy to Prevent and Respond to Gender-based Violence Globally (2012, updated, 2016)
- USAID's Gender Equality and Female Empowerment Policy (USAID, 2012);
- ADS Chapter 205;
- USAID's LGBT Vision for Action (2014);
- The U.S. Global Strategy to Empower Adolescent Girls (2016);
- The President's Emergency Plan for AIDS Relief (PEPFAR); and
- The Girls Count Act of 2015

In its Gender Equality and Female Empowerment Policy (2012) USAID recognizes GBV as a widespread constraint on the development of individuals and their societies. To protect human rights and promote sustainable development

#### Box I. What is Gender-Based Violence?

The US Strategy to Prevent and Respond to Gender-based Violence (GBV) defines GBV as "an umbrella term for any harmful threat or act directed at an individual or group based on actual or perceived biological sex, gender identify and/or expression, sexual orientation, and/or lack of adherence to varying socially constructed norms around masculinity and femininity. It is rooted in structural gender inequalities, patriarchy, and power imbalances. GBV is typically characterized by the use or threat of physical, psychological, sexual, economic, legal, political, social and other forms of control and/or abuse." (USAID, 2016, p. 6)

outcomes, USAID is committed to reducing GBV as one of three key gender equality pillars and to mitigating its destructive effects on individuals and communities so that all people can lead healthy and productive lives. In addition, in its work to support implementation of the <u>Voluntary Guidelines on the Responsible Tenure of Land, Fisheries and Forests in the Context of National Food Security, USAID designs and implements a variety of programming to promote gender equality and non-discrimination, including through the recognition of and respect for women's land and property rights.</u>

When women are safe and healthy they are better able to participate in education and economic activities, feed and care for their families, contribute to civil society, and engage in political processes. GBV and IPV act as a barrier to these positive development outcomes. They violate women's human rights to dignity and to live free from violence. They affect millions by imposing physical, psychological, social, and economic harms on individuals, their families, and communities. While the causes and

motivations for GBV and IPV are complex, some research suggests that when women, girls, and other at-risk individuals are empowered economically, socially, and politically, they may experience lower levels of GBV and IPV and their partners may be less likely to engage in abusive behaviors. Providing those at risk with opportunities to accumulate assets,<sup>2</sup> increase financial security, and build skills and capacity may, therefore, be important components in the effort to combat GBV and IPV. It is also essential to work directly with men and boys to promote women's land ownership and to change discriminatory behavior, including the social norms and practices that enable GBV and IPV.

#### Box 2. What is Land Tenure?

"Land tenure is the relationship, whether legally or customarily defined, among people, as individuals for groups, with respect to land. Land tenure is an institution, i.e., rules invented by societies to regulate behavior. Rules of tenure define how property rights to land are to be allocated within societies. They define how access is granted to rights to use, control, and transfer land, as well as associated responsibilities and restraints. In simplest terms, land tenure systems determine who can use what resources, for how long, and under what conditions" (FAO, 2002).

For many people, land is a critical asset. It provides a place to build a home, grow food, maintain livestock, and base a business. However, for many reasons, in the developing world women's rights to land are often weak (USAID 2016). It is common for women to hold less than 20% of agricultural land despite playing a major role in food production (FAO, at <a href="http://www.fao.org/gender-landrights-database/data-map/statistics/en/">http://www.fao.org/gender-landrights-database/data-map/statistics/en/</a>). Lands women do hold tend to be smaller and of poorer quality than lands men hold. Therefore, providing women with secure tenure over the land and resources is viewed as an important goal to fight poverty and hunger, and to promote gender equality and empowerment.

While land is a critical asset, other important assets include housing, moveable property (such as business or farm equipment), financial assets, and social capital.

Depending upon the context, holding assets alone and in combination, may help to reduce gender discrimination and the incidence of GBV and IPV (Swaminathan, Ashburn, Kes, & Duvvury, 2007; Heise, 2011; Mishra & Abdoul, 2015).

This report reviews research on the impacts of providing women more secure rights over land and other property and their experience of IPV.<sup>3</sup> As noted, while some research highlights the importance of the asset accumulation for women's economic empowerment, agency, and development, less work has been done to explore which assets, in what combinations and under what conditions, help to limit or prevent IPV. Depending upon local conditions one can imagine that building social capital, or generating cash income through employment, may be as important, or perhaps more important, than securing women's land rights (Allendorf, 2007). Alternately, it may be that having secure rights to a field or a house allows some women to escape violent relationships and is more important than savings or access to dispute resolution mechanisms. In addition, the research suggests that it is not just property ownership that matters; ownership that is coupled with control over assets is, in several studies, associated with reduced incidence of IPV. How women property owners develop needed skills or exercise their capabilities for active control of assets is an important consideration in land programming.

<sup>&</sup>lt;sup>2</sup> An asset may be defined as "a stock of financial, human, natural or social resources that can be acquired, developed, improved and transferred across generations" (Moser, 2016). Having opportunities to accumulate assets enables agency which, in turn, supports empowerment. Agency is often defined as the ability to act independently and make one's own choices.

The paper focuses on GBV involving intimate or marital partners, sometimes referred to as Intimate Partner Violence (IPV), as experienced by women. The paper defines IPV to include emotional, physical, and sexual violence. IPV may also include economic violence, but findings related to this component of GBV are much more limited and therefore not addressed here. See the International Center for Research on Women's 2007 publication, "Women's property rights, HIV and AIDS, and domestic violence: Research findings from two rural districts in South Africa and Uganda" for a discussion of economic GBV. Available at: https://www.icrw.org/publications/womens-property-rights-hiv-and-aids-and-domestic-violence/.

It is also important to consider how to engage with men and build support for the shifting power dynamics that women's ownership of and control over land and property entails.

Evidence on the role that economic empowerment generally, and more secure land and property rights specifically, play in addressing IPV is mixed (Peterman, et al 2017; Mejia, Cannon, Zeitz, Arcara, & Abdur-Rahman, 2014). In some cases, empowering women with property leads to positive outcomes: increasing their status within households and communities, expanding voice and decision-making powers within households, and providing an "exit option" from abusive or violent situations (Agarwal and Panda, 2005). In other cases, securing women's land rights may inadvertently increase partner resentment and household, contributing to episodes of IPV (Heise, 2011). Positive outcomes may be more likely in situations where social norms and institutions are more supportive of women's rights (Gupta, 2006). Negative outcomes may be more likely in contexts where institutions (such as courts, or social norms and practices) are not supportive of women's empowerment and where partners are prone to misuse of alcohol or drugs or are unemployed. However, with the limited research available, such suggestions remain speculative.

A working hypothesis is that holding a bundle of diversified financial, social, and physical assets is most beneficial because this enhances the holder's agency and empowerment, but the level of benefit will be highly dependent upon local context and conditions (Moser, 2016). However, more rigorous research is needed to understand which assets help to prevent and mitigate IPV and under what conditions these assets have a preventive, rather than an aggravating (or negative) impact. Until the evidence gap is addressed, and more is known about how asset ownership and control impact the likelihood of IPV in a particular context, development professionals should act cautiously, drawing on sound local knowledge (Peterman et al 2017, pp. 752, 754). Land tenure and property rights interventions often shift long-standing social and power dynamics and so can be contentious at the community and family levels. In order to "do no harm," development practitioners should develop a holistic, context-specific approach to developing, implementing, and monitoring programming that shifts the land and property rights holding patterns of women and men.

# 2.0 HOW DOES LAND AND PROPERTY OWNERSHIP RELATE TO THE INCIDENCE OF IPV?

When laws, policies, and social norms and/or practices allow for women's unequal treatment in relation to land and other property, this violates their rights under national and international law and constrains economic and social development. It also impacts the broader business enabling environment by creating disincentives for women to conserve assets and invest to improve productivity. Weak land and property rights often contribute to conflict within and among families and communities and between individuals or groups and outsiders, including governments and some investors. When these rights are weak, and women have limited decision-making control over assets, fewer resources may be available to invest in the health and education of household members. Addressing the negative impacts associated with weak land and property rights is, therefore, important to protect women's human rights and promote their empowerment,<sup>4</sup> support economic growth, reduce conflict, and increase food security and nutrition. As highlighted by Agarwal and Panda: "the gender gap in command over property is the single most important factor in women's economic disempowerment" (2007, p. 366).

#### 2.1 THE BENEFITS OF SECURE LAND TENURE FOR WOMEN

Holding secure property rights is associated with several positive benefits. Women who have secure land and property rights have stronger incentives to invest in and conserve land because they will benefit from its productive use. Research finds that women are more likely to engage in soil conservation efforts and use labor and capital to increase productivity when their land rights are secured (Ali, Deininger & Goldstein, 2011). Productivity improvements can, in turn, lead to improved food security and higher household income (Hagos and Holden, 2013). In turn, higher incomes are often used by women to invest in the health and education of their children: creating positive future benefits for families and communities. Similarly, when women have improved tenure security in urban areas they increase investments in housing and they build the human capital of family members, particularly children (Rakodi, 2014). In Nicaragua and Honduras in households where women own more land, expenditures on food and schooling for children increases (Katz & Chamorro, 2002).

When women have secure land and property rights, and when they have control over how these assets are used, their decision-making power and roles within their household increase, which in turn may help to increase their agency(Deere, Alvarado, & Twyman, 2012). Combining ownership and control of economic assets such as land and housing with social capital such as education may be particularly important to increase women's household-level decision-making power (Klugman et al., 2014). This combination of ownership plus control plus capabilities/social capital may increase women's relative power within a relationship or in a community and enhance women's agency and autonomy.<sup>5</sup>

Holding secure rights to land and housing enables women to participate in land/property rental markets—generating new economic opportunities. In some cases, more secure rights to land and property may lead to improved access to credit (Menon, van der Meulen Rodgers, & Nguyen, 2014). The positive impacts of secure land tenure and property rights can empower rights' holders by enabling them to pursue opportunities and fulfill their unique potential (Golla, Malhotra, Nanda, & Mehra, 2011). For example, in Tanzania, women whose land rights were formalized were three times more likely to

<sup>&</sup>lt;sup>4</sup> Female empowerment is defined in ADS Chapter 205 in the following way: "When women and girls acquire the power to act freely, exercise their rights, and fulfill their potential as full and equal members of society. While empowerment often comes from within, and individuals empower themselves, cultures, societies, and institutions create conditions that facilitate or undermine the possibilities for empowerment, <a href="https://www.usaid.gov/sites/default/files/documents/1870/205.pdf">https://www.usaid.gov/sites/default/files/documents/1870/205.pdf</a>.

<sup>&</sup>lt;sup>5</sup> For a discussion of recent research on power as control versus power as autonomy see: Julie Beck, "People Want Power Because they Want Autonomy," The Atlantic, March 22, 2016, <a href="https://www.theatlantic.com/health/archive/2016/03/people-want-power-because-they-want-autonomy/474669/">https://www.theatlantic.com/health/archive/2016/03/people-want-power-because-they-want-autonomy/474669/</a>.

have off-farm work opportunities, and they earned nearly four times more income and were 1.35 times more likely to have individual savings (Peterman, 2011). In Nepal, 37 percent of women landowners had the final say on a household decision whereas only 20 percent of non-landowners had the same ability (Santos, Fletschner, Savath, & Peterman, 2013). Similarly, in Ethiopia, when women's land rights were certified, this led to a 44 percent increase in the likelihood that a wife could decide what crops to grow on the lands she controlled (Bezebih & Holden, 2010). In urban areas of Vietnam, women who held property jointly with husbands felt this provided them with more protection in case of marital conflict, greater equality within the marriage, more decision-making authority, and increased scope for engagement in business (World Bank, 2008). Citing Boudet et al. (2012, p. 102) Rakodi states: "urban women perceived extensive gains in their power when they control major assets, are free (or freer) from domestic violence, acquire greater social capital, and have a supportive local opportunity structure" (Rakodi, 2014, p. 14).

Securing land and property rights may have several important health impacts. Allendorf (2007) found that in Nepal, land is a source of power and status in addition to providing the basis for a large agricultural sector. While women do much of the agricultural work in the country, they have limited land rights. Analyzing survey data from the country's Demographic and Health Survey, she found that the odds that women who own land will have children who are severely underweight is reduced by half compared with non-land-owning women. Allendorf argues that this important positive outcome is the result of women land owners having larger incomes and resources. Further, she finds that "when comparing different sources of empowerment, land ownership is comparable to education and employment, both of which have received much more attention than land rights, Thus, while land ownership does not appear to be superior to education and employment, it may be just as effective as them" (Allendorf 2007) (emphasis added).

Also working in Nepal, Mishra and Sam (2015) find that land ownership increases women's bargaining power and is an important pathway to women's empowerment as defined (in part) by their ability to reach decisions on their own health care needs. Menon et al. (2014) point to positive impacts of women's sole land owning:

"female-only held land-use rights decreased the incidence of children's illnesses, raised school enrollment, and reallocated household expenditures away from alcohol and tobacco...Somewhat surprisingly, despite the emphasis of the 2001 policy reforms to increase joint titling, we found that in most cases jointly-held LUCs [land use certificates in Vietnam] did not have a statistically significant impact on measures of child health and spending or on household expenditures and where they did the impacts were essentially equivalent to male-only held LUCs."

These benefits of secure land and property rights for women, their families, and their communities are substantial. However, the question of how secure land and property rights relate to IPV is more ambiguous, as this paper discusses. The literature on the linkages between land and property or asset ownership and IPV is mixed. In addition, there is little rigorous research available that compares land tenure interventions or interventions that provide secure rights to assets and impacts on IPV. Larger scale empirical work often lacks a control group and much work is qualitative, providing important observations on individual experiences of IPV, but not generalizable guidance. Recognizing these limitations, some researchers have identified an ameliorative impact from enhancing women's rights and capabilities to own land and other assets. In other cases, researchers have found that when women own, or exert claims over, land and other assets this is viewed as a threat to traditional norms and power relations within a family or community and may trigger IPV. Given current limitations in the evidence base, it would be extremely useful to support a research agenda that both (1) rigorously tests hypotheses concerning causal links between land tenure and property rights interventions and IPV, and

(2) explores how interventions can decrease IPV while also strengthening women's land and resource rights.

#### 2.2 A PROPOSED THEORY OF CHANGE

A theory of change for how more secure rights to land and property works to promote women's economic and social empowerment and, in turn, prevent or respond to IPV would be as follows:

When women have secure rights to access, use, control, benefit from, and inherit land and other property through sole or (in certain contexts) joint ownership, they may experience increased empowerment in terms of voice and decision making. Providing women with these rights in turn shifts power dynamics within households and communities by enabling asset holders to bargain or make decisions about how to use resources (or income from resources) in ways that align with their preferences. Secure ownership and control of land and property may also create economic opportunities, and potentially greater economic independence, for women, enabling them to build businesses, accumulate assets, pursue education, or access health care. With more secure land and property rights, women may also be better able to exit abusive relationships. Increased empowerment, bargaining power and agency may reduce gender discrimination and the likelihood of IPV. However, context matters and so providing women with secure ownership and control over land and property under conditions where traditional leaders, men, and boys perceive these activities to threaten their power, authority, or status, may frustrate or block empowerment and, in some cases, contribute to IPV. The presence of supportive institutions and the ability of women to build other financial and social capital assets may, therefore, be important for women to exercise their rights. Land tenure and property rights interventions that take a more holistic approach to empowering women, and that attend to local conditions and context, may be better able to prevent and mitigate the risk of IPV.

#### 2.3 LAND TENURE AND PROPERTY RIGHTS AS A PROTECTIVE FORCE AGAINST IPV

In reviewing research that finds a positive impact from securing land or asset rights, broadly speaking, authors identify two ways in which these rights assist in reducing IPV. These are by (I) raising women's social and/or economic status within the household which, in turn, reduces threats or actual physical and psychological violence, or by (2) providing a refuge or "exit option" from abusive relationships<sup>6</sup>. Enhanced status or feelings of empowerment enable greater voice and household bargaining power, leading to more negotiated conflict resolution, increased decision-making opportunities, enhanced agency, fewer threats, and less violence. Having a place to which to escape may also limit the incidence of violence; women with property may feel at greater liberty to flee abusive situations.

Much of the "protective" literature comes from South Asia. A series of studies finds that when women have ownership rights to land, and especially to housing, household-level power dynamics shift in their favor and they face less IPV (Panda and Agarwal, 2005; Agarwal and Panda, 2007; Gupta, 2006; Swaminathan, Ashburn, Kes, & Duvvury, 2007). Owning a home may be especially helpful in that it can provide a ready escape (or exit) option. In addition, it may be important for levels of IPV when women acquire property: young women may face less IPV if they are property owners at the start of a marriage. However, these studies also point to the role that social support networks and social norms can play in shielding women from IPV. Supportive institutions, which may include matrilineal governance systems or more equitable social norms create disincentives for men to resort to IPV. However, these studies do not identify whether these support networks and norms are more, or less important, in terms of

<sup>&</sup>lt;sup>6</sup> It may be that providing women with more secure rights to land or other assets also raises their status at the community level and so provides some protection against IPV, however, research did not focus on this outcome.

experience of IPV than are secure property rights or how these elements reinforce or counteract one another.

The earliest work on the linkages between land rights and IPV comes from India where Panda and Agarwal (2005) examine how a woman's risk of marital violence is affected by her property status. The study is based on survey data from the state of Kerala, where matrilineal inheritance is practiced in some communities, where intra-village marriage is acceptable, and where human development indicators are comparatively good. Examining survey data from 500 respondents, the authors found that 48 percent of urban women and 34 percent of rural women in the survey area owned either a home, land, or both. Most land owners came from traditionally matrilineal castes, though 35 percent of women from these castes did not own any property. Many women (27 percent of urban women, 41 percent of rural women) reported long-term physical violence committed by husbands while 65 percent reported psychological violence.

Their analysis finds that women who own both land and a house report much less marital violence (7 percent report physical violence; 16 percent report psychological violence) as compared with women who own neither a house or land (49 percent of whom report physical violence; 84 percent report psychological violence). Women who own a house only or land only also experienced less marital violence. Property ownership also reduces dowry-related harassment. It did not matter, for reported experience of violence, if a woman was a member of a matrilineal caste. "Propertylessness" was linked to higher rates of marital violence among members of matrilineal groups. While factors such as the age gap between husband and wife, a husband's employment status, level of social support, household economic status, and witnessing marital violence as a child were also significantly related to long-term and current marital violence, the study finds that women's status as a property owner "is seen to make an unambiguous difference to the incidence of violence" (Panda & Agarwal, 2005, p. 836). The authors argue that property ownership increases women's capability "to function and to live the lives they value" and so to experience social and economic empowerment (Panda & Agarwal, 2005, p. 846). However, it is important to note that the study is small and has no control group and so cannot establish the direction of causality. While it is possible, even plausible, that women feel empowered and experience less IPV because they own land or a house independently from an intimate partner, it is also possible that women who are more self-confident, have aspirations to own property, or have a strong sense of agency, are more likely to pursue opportunities to acquire property, skewing results. The social capital arising from personal characteristics and a supportive environment may be as protective as land and property. Noting this, Panda and Agarwal's findings, particularly related to the importance of homeownership, are echoed in several other studies and suggest the need for additional research to compare the benefits of women's homeownership compared with women's control of other assets (Gupta, 2006; Swaminathan, Ashburn, Kes, & Duvvury, 2007).

In 2007, Agrawal and Panda revisited this material, but framed their research in terms of Amartya Sen's "Development as Freedom" paradigm, arguing that women with property may have enhanced capabilities to pursue their own well-being and agency. The authors re-surveyed approximately 80 percent of their original respondents. They also gathered new information on the property status of each spouse (property-less, house ownership, land ownership, ownership of both house and land). Through the re-survey they find, again, that women's property ownership "is associated with a dramatically and *unambiguously* lower incidence of both physical and psychological violence" (Agarwal & Panda, 2007, p. 372) (emphasis in the original). The violence-reducing benefit of property ownership held even if women owned more property than their husbands. Based on this data, they calculate the odds of women experiencing violence based on their property status:

"[T]he odds of being beaten if the woman owns both a house and land are 20 times less than if she owns neither. The odds are 11 times less if she only owns a house, and eight times less if she only owns land." (Agarwal & Panda, 2007, p. 377).

The authors conclude that providing women with property, in the form of land and housing, does have a deterrent effect, and helps to prevent marital violence, though this study also lacks a control group.

In a similar vein, Gupta studied the relationship between marital violence and women's property ownership in the state of West Bengal, which began providing husbands and wives with joint titles to former state land in the early 1990s. Women in West Bengal also inherit land from their natal families, which provides a secure way to acquire some property. This mixed methods study gathered information from rural and urban women, Hindu and Muslim women, and tribal and non-tribal women. The author finds that violence against women, including during pregnancy, is high: 64 percent of those interviewed report having experienced marital violence at some point in their lives; 49 percent report experiencing violence currently. This violence imposes substantial physical and emotional costs on women: 54 percent of those reporting IPV had injuries that required external care and 59 percent had suicidal thoughts (Gupta, 2006, p. 44).

Like Panda and Agarwal, Gupta finds that property ownership protects against marital violence with homeownership providing more protection than land ownership. Only 13 percent of women homeowners report current violence versus 30 percent of women landowners. Homeownership increases women's status within the family, increases their level of self-confidence, provides a refuge in case of violence and a place to pursue some livelihood options. In addition, it gives women a marketable asset. Land alone, however, provides some protection only if it is productive, accessible, and large enough to contribute to household earnings. Lack of capacity to farm or otherwise use land, coupled with social norms that limit women's ability to work land, makes land less valuable as a protective asset than a house. These findings track closely with those of Panda and Agarwal—property ownership increases women's status within families and this change in power dynamics tends to decrease rather than increase the incidence of marital violence—though both studies also point to the importance of accessible social support networks to address and reduce IPV. Once again, however, this study does not provide a control and so raises concerns related to reverse causality.

Looking at the Kerala and West Bengal research and at research from Sri Lanka, in a 2006 paper Bhatla, Chakraborty, and Duvvury point out that it matters for reduction of IPV when property is acquired. If women acquire property several years into a marriage "patterns of behavior, control and family dynamics may already have been set" (Bhatla, Chakraborty, & Duvvury, 2006, p. 76). It may be difficult to change the threatening or violent behavior of men that property-less women face within marriage. In Kerala, for example, women often bring land and homes into a marriage as part of their dowry or inheritance. Having property from the start of a marriage seems to create a more gender-equitable power dynamic within the family. In contrast, in West Bengal women typically acquire property, if at all, after marriage and this timing may help explain why property has a less protective impact in terms of IPV. However, other factors may also be at work—e.g., the social environment in West Bengal is generally less supportive of gender equality.

In Sri Lanka, fewer women receive property as dowry or at the time of marriage—in part because social norms do not promote payment of dowry. Instead, women are more likely to earn an income and accumulate assets before marriage and then work jointly with a husband to accumulate marital assets. In this environment, where dowry is not widespread, where women's inheritance rights are relatively strong, and where women earn and accumulate assets before marriage, there was little association or a slightly negative association of women's property ownership and reported levels of marital violence. The authors conclude that property status alone does not explain why some women face IPV. Rather, it is

property ownership coupled with factors including social support networks, household and natal family economic conditions, and husband's employment status, among other factors, that make women more, or less, vulnerable to violence. Property ownership may provide some level of empowerment and enhanced voice and agency, but this may not be enough to overcome personal and institutional conditions, particularly pervasive social norms that enable IPV. Understanding how these factors may work together in a particular context to reduce or increase risk is essential.

In more socially conservative Uttar Pradesh, authors Bhattacharyya, Bedi, and Chhachhi explore linkages between women's employment, property ownership and physical marital violence (2011). In this area 49 percent of women worked, most as agricultural workers, and a much smaller number (6 percent) had non-farm employment. Just over half, 52 percent, had experienced physical violence within their marriage. The authors hypothesize that an increase in access to land attributable to men should reduce a household's economic stress and, in turn, marital violence, whereas an increase in land holding attributable to women may have more ambiguous results and may, in some cases, generate violence based on changes in power dynamics within a household. Their findings, however, align with those of Panda and Agarwal and Gupta. Rather than creating enhanced risks for women, Bhattacharyya, Bedi, and Chhachhi find that homeownership by a wife reduced her likelihood of physical marital violence by 33-36 percent (2011, p. 39). Women's homeownership "increases a woman's economic security, reduces her willingness to tolerate violence [and] by providing a credible exit option works towards deterring spousal violence" (Bhattacharyya, Bedi, & Chhachhi, 2011, p. 1685).

In a small, qualitative study of the Harayana area of northern India (near Uttar Pradesh), Chowdhry also finds evidence of the protective power of property for women. In this highly traditional area, where women face strong social pressure to forgo legal land and inheritance rights, some of Chowdhry's key informants report that their families, including husbands, demonstrate greater respect and less physical and psychological violence after women exerted a claim to land or if they were likely to inherit land. Some women also experienced more voice and decision-making power within their household. On this point, she quotes a woman named Dhanpati who says:

"As long as our only son was alive my daughter was beaten by her husband as well as his other family members. Now that he [the son] is no more and the son-in-law knows that all the property will go to my daughter there is no violence; my daughter is now very happy in her conjugal home. There is no violence from anyone (2011, p. 32)."

This study also finds that even in cases where women serve as proxy owners, their status provides some protection against abuse. While the small respondent size in this study means its findings are not generalizable, it does track with other findings from South Asia.

Beyond South Asia, Grabe (2010) finds that in Nicaragua women's land ownership, while it challenges traditional gender norms, also increases the power and control women are able to exert within marriage and this helps prevents IPV. Grabe's analysis is based on survey data from land-owning and non-land-owning women in the state of León in Nicaragua.<sup>7</sup> Virtually all (99 percent) landowners held property individually, a highly unusual situation and not representative of common land holding patterns in any region of the world. A majority (58 percent) of land-owning women report making decisions about how to use the asset on their own and 36 percent report making decisions jointly with partners.

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<sup>&</sup>lt;sup>7</sup> This study does not focus on homeownership because it took place in an area where over 30 percent of women surveyed had received homes from development NGOs in the aftermath of Hurricane Mitch, and a majority of these homes were titled in women's names.

Exploring the linkages between landownership, gender ideology, partner control, and violence, Grabe finds that landowners had more progressive views on gender roles and more decision-making authority within their marriage, while partners had less control within the marriage. Landowners also report lower levels of physical and sexual violence over the preceding 12 months. Grabe argues that landownership coupled with more extensive participation in decision making about household assets may lead to a more progressive gender ideology (though the causality could be the reverse). A progressive gender ideology may influence the degree to which women's status is enhanced and the level of partner control within a marriage. With more relationship power, women report experiencing less physical and sexual violence. With more partner control, women report experiencing more psychological violence.

However, it is not clear how representative this study is given the unusual level of women's sole ownership in León and the presence of NGOs that actively promoted women's property ownership. Ownership may be a signal of a different, more independent mind-set, one that itself contributes to a more equitable household power dynamic and so, is more protective against IPV. Grabe's study, like those from South Asia, does not address this issue; however, it does suggest that supportive institutions or networks may play an important role in building women's capacity or sense of agency, which may also shift household power dynamics and reduce the likelihood of IPV. Further research could help to disentangle these issues and shed more light on the direction of causality between enhanced land and property rights and levels of intimate partner IPV.

Grabe, Gross, and Dutt compare women's experiences addressing structural gender inequities related to land ownership in Nicaragua and Tanzania. Although both countries have adopted formalized land reforms that provide women with *de jure* rights to own land, customary norms in both places limit women's *de facto* ownership and empowerment. In both countries, efforts to formalize land rights have often led to the recognition of men alone as owners. The authors argue that "privatization of land in each location has enforced and strengthened men's dominant positions while exacerbating women's dependence on their husbands" (2014, p. 3). However, in both countries women's organizations are active advocates for women's empowerment through legal awareness raising and the enforcement of land rights under national and international law. Working with local women's organizations, the authors surveyed land-owning and non-land-owning women.<sup>11</sup>

They report that in both countries land-owning women report lower levels of IPV, both physical and psychological violence, though significance of findings was stronger in Nicaragua than in Tanzania. The authors' qualitative data speaks to the "transformative" power of land to alter women's lives. Because property ownership in the developing world "reflects dominant roles and elevated [social] status," property-less women occur a subordinate status (Grabe, Gross and Dutt, 2014, p. 2). In this study, status is identified as the degree of power a person wields over decision making and resource allocation within a household. Owning land is reported as increasing a woman's sense of security by providing her

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<sup>&</sup>lt;sup>8</sup> This suggests an issue with endogeneity—women with more progressive ideologies may be more likely to test or reject cultural norms that discourage women's land and property ownership.

<sup>&</sup>lt;sup>9</sup> A progressive gender ideology would include: an awareness of legal rights, agreement that these legal rights are appropriate, and a willingness to embrace and seek opportunities to use such rights. In environments where social norms against women's land or property ownership are strong, this would entail support for a variety of activities including awareness raising, training on household-level negotiation, advocacy, and perhaps legal aid.

<sup>&</sup>lt;sup>10</sup> Partner control is described in the paper as a situation where a partner generally prohibits or controls a woman's ability to carry out her everyday activities such as visiting family or friends and exhibits other controlling behavior or jealousy. For example, a partner might insist that they know where a woman is at all times, or they might regularly accuse a woman of being unfaithful. Partner control might also include prohibiting a woman from working outside the home, attending school, or using contraceptives (Grabe, 2010, p. 157).

In Tanzania they focused on Maasai women, who are members of a pastoralist group and who would normally not hold formalized, individualized rights to land, so the women surveyed may be less representative of rural Tanzanian women.

with resources that she controls. The authors suggest that their findings, which are similar across two cultures, demonstrate that power dynamics are impacted by shifting land ownership in ways that benefit women and that this adjustment in the ownership and control reduces levels of IPV that women experience.

In rural Uganda, authors Kes, Jacobs and Namy also find that ownership and control of land and housing translates into positive benefits for women. Secure asset ownership: "may have the far-reaching effect of reducing women's likelihood of experiencing violence in their homes, possibly by providing them a viable exit option" (2011, p. 15). Having control over housing decisions is associated with an 18 to 21 percentage point reduction in the likelihood of IPV. Cash holdings also empowered women and reduced the likelihood of IPV by 17 percentage points. While the women in the study area face a gender asset gap in ownership, documented ownership, and decision making, women heads of household are much more likely to own land and other assets than are women living in households with men, whether married or not; however, women household-heads are also more likely to need to involve others in decision making about this land (perhaps because if they are widows or divorced they need to consult with male relatives or husband's families). The study also finds that: women, including married women, are much less likely than men to have their names listed on purchased property; women who acquire land or homes through family (as via inheritance) have significant decision-making control over these assets; older women are more likely than younger women to own land; and women with more education are more likely to have their names on land documents than are less educated women. Overall, this study lends support to the idea that houses and financial assets, though not necessarily agricultural or other land, may enhance women's empowerment by providing them with a refuge from IPV and an exit option from an abusive relationship.

Taken together, these "protective" studies identify associations that may exist between securing women's land and property rights and shifts in power dynamics within marriage and consensual unions that contribute to lower levels of IPV. It is possible that more secure land and property rights raise the social and economic status of women, making them less vulnerable to abuse or violence from husbands or partners. In addition, it is possible that ownership status may provide women with greater standing to participate in household decision making and this may contribute to improved health, nutrition and educational outcomes for women and their children. Owning a home may also be protective in that it provides women with a refuge or place to relocate when IPV occurs. However, none of the studies present a rigorously controlled evaluation of impacts of land or property ownership on levels of IPV. As a result, these studies may suffer from endogeneity problems. For example, it may be that women who find land and property rights protective have greater agency or have other personal or unobservable characteristics that reduce their likelihood of IPV. If women are not randomly selected to participate in surveys or discussion groups, if control groups are missing, and if difference-in-difference calculations are not used to calculate an average treatment effect, then studies may be able to point to correlations or associations between women's ownership and control of land and property but not causal connections. Given these limitations, it is important to support more rigorous evaluations of the impacts of land and property rights interventions on the incidence of IPV.

#### 2.4 LAND TENURE AND PROPERTY RIGHTS AS AN AMBIGUOUS OR AGGRAVATING FORCE FOR IPV

Not all studies find positive benefits from land and asset ownership. For example, one recent study finds ambiguous results. Reviewing survey data from 28 low- and middle-income countries, the authors find nearly half of women reported owning some asset either jointly or solely (or both). More women reported owning a home than owning land (44.8 percent v. 34.9 percent). At the same time, 20 percent of respondents reported some current experience of physical and/or sexual violence (Peterman et. al, 2017). In only in a small number of countries was property ownership associated with some protective power. The authors conclude: "[a]fter we accounted for demographic characteristics and particularly

the role of household wealth, there was no significant relationship between asset ownership (land, house or both and sole, joint or both) and IPV in most settings (20 countries)" (Peterman et. al., p. 752).

Reviewing findings on assets and relative wealth within households in Ecuador and Ghana, Oduroa, Deere, and Catanzarite find "only mixed evidence of a relationship between land ownership and the risk of intimate partner violence" (2015, p. 1). Instead, they find that the ownership of major assets and the relative share of couple wealth that women hold may have differential impacts on the risk of experiencing IPV. Although having a higher share of couple wealth may increase women's bargaining power, it is not always associated with lower levels of IPV. In Ghana, for example, drawing on survey data, they find that when a woman holds a larger share of the couple's wealth her risk of emotional, but not physical violence, is lower. Women who own major assets also have lower odds of experiencing emotional violence. In Ecuador, they find that when women hold a significant share of the couple's wealth this does deter physical, though not emotional, violence and abuse. Controlling for other factors, they find that owning a home, land, and/or other real estate does not deter physical violence in Ghana or Ecuador. And, in neither country do they find that a couple's socio-economic status is significantly associated with likelihood of physical violence. To underscore the importance of context, they find that increasing a poor woman's share of the couple's wealth will reduce the likelihood of physical violence. but it may increase, slightly, wealthier women's likelihood of violence. The authors note that a key predictor of violence is whether women report arguing over finances with their partners.

Other studies maintain that women who have property rights may experience higher levels of IPV. In an analysis of the 2010-2011 Zimbabwe Demographic and Health Survey, which for the first time included a module on women's empowerment, including access to land and property, Wekwete et al. (2014) explore the relationships between IPV and women's empowerment among partnered women between the ages of 15 and 49. They find that nearly half (47 percent) of the 4,094 women in their sample report some form of IPV—either physical, emotional, or sexual violence. However, they do not find any significant association between land or homeownership and reduction in emotional violence. Rather: "[n]o significant associations were found between any IPV and women's control of their own cash earning, ownership of land or a house and women's participation in household decision making" (2014, p. 14). Instead, women who own land jointly with their husbands are more likely to experience sexual violence than are women who own no land.

Wekwete et al. also observe interactions between women's decision making in the household and IPV. Women who jointly control their husband's income and who participate in all household decision making are less likely to experience emotional or psychological violence. Women who participate in some household decision making are actually more likely to experience physical and sexual violence, particularly compared to women who do not participate at all in household decision making. These findings suggest an association between women's control over assets, such as income or housing or land, and IPV. Property or asset ownership may be an important element in raising women's economic and social status within a household or community however, ownership that comes with limited ability to exercise control over how an asset is used may be less protective against IPV. Thus, the combination of ownership plus control seems to be associated with positive benefits for women. Understanding how women develop or come to exercise capabilities related to the control of land and other property would be a helpful component of a research agenda on land tenure and IPV.

#### 2.5 WHAT OTHER FACTORS INFLUENCE THE LIKELIHOOD OF IPV?

It is not only a woman's status as a property owner or non-property owner that influences her likelihood of experiencing IPV. The studies discussed above often highlight several other factors that, along with land and property ownership, contribute to the occurrence of IPV. Broadly speaking, these factors may be broken into three categories:

- Personal characteristics of the partners;
- Community-level characteristics; and
- National-level characteristics.

Table I identifies key elements or characteristics identified in these studies that contribute to the experience (or avoidance) of IPV.<sup>12</sup>

TABLE I. FACTORS CONTRIBUTING TO IPV					
	Stronger Evidence of Impact	SOME EVIDENCE OF IMPACT	LIMITED / WEAK EVIDENCE OF IMPACT		
Personal Characteristics	<ul> <li>Woman's age</li> <li>Length of marriage</li> <li>HH socio-economic factors including relative partner wealth</li> <li>Partner's alcohol/drug use</li> <li>Witnessed GBV as a child</li> </ul>	<ul> <li>Relative educational level</li> <li>Employment status of woman</li> <li>Male children</li> </ul>	Number of children     Ethnic background or minority status		
Community-level Characteristics	<ul> <li>Matrilineal descent</li> <li>Acceptance of women's inheritance rights</li> <li>Existence of informal support networks</li> <li>Acceptance of wife beating</li> </ul>	<ul> <li>Rural v. urban</li> <li>Rising land/resource values</li> <li>Existence of supportive NGOs</li> </ul>	Ethnically diverse v. homogenous		
Structural / Institutional Characteristics	<ul> <li>Gender-equal inheritance laws</li> <li>Dominant gender attitudes, norms, and beliefs</li> </ul>	<ul> <li>Gender-equal land laws</li> <li>Gender-equal marital property laws</li> <li>Effective dispute resolution &amp; enforcement mechanisms</li> </ul>	<ul> <li>Marital regime</li> <li>Laws prohibiting GBV (including IPV) or marital rape/sexual assault</li> </ul>		

The studies reviewed often point to the role that personal characteristics play in preventing or increasing the likelihood of IPV. Among women, these characteristics include: her age, her level of education (or awareness of rights), the length of her marriage, her socio-economic status (including employment), whether she witnessed GBV as a child, her health status (e.g., HIV positive), and the presence (or absence) of sons. Young, uneducated, poor women who bring little or no property into a marriage may be at higher risk of IPV than older, wealthier, <sup>13</sup> or better educated women, women with more "progressive" ideologies, or women who have been partnered for some time (Panda & Agarwal, 2005; Bhatla, Chakraborty, & Duvvury, 2006; Grabe, 2010). Sick women may be at risk—perhaps because they find it harder to care for children and family, do other household chores, or work to contribute to the family's well-being and so cannot easily fulfil expectations related to their role within the household. And in some places and contexts, women may believe that IPV is acceptable (Aizenman, 2015).

Among men, personal characteristics that are often tied to violence against a partner include: use or abuse of alcohol or drugs, employment status, level of education vis-à-vis the partner, concerns related to household chores, concerns related to infidelity, and conservative ideology. Drug and alcohol use are

<sup>&</sup>lt;sup>12</sup> We note that these characteristics may not be evident in all situations or programmatic environments but, if present, they may increase the probability that IPV is present or at risk of occurring.

<sup>&</sup>lt;sup>13</sup> However, wealthier women may be less likely to report episodes of IPV because it is considered less socially acceptable and so is more stigmatizing to them and their families (Panda & Agarwal, 2005).

strongly linked to the incidence of IPV, as is witnessing GBV as a child. In some contexts, men resent women who bring, <sup>14</sup> acquire, or accumulate assets during marriage (or union), as this may reflect poorly on them as breadwinners and heads of household or may overturn expectations related to gender roles. In other contexts, men may be more accepting or supportive of women bringing, acquiring, or accumulating her own assets during marriage (Bhatla, Chakraborty, & Duvvury, 2006). This may be viewed as beneficial for the couple and any children; it may enhance the household's status; and it may create desirable entrepreneurial opportunities.

Differing perceptions about gender roles are likely associated with community-level factors such as the existence or absence of traditional social norms (Klugman, et al., 2014, p. 64). In more conservative environments, social norms related to the need for women to care for husbands, children, and in-laws may be strong—wives or partners who violate these norms (for whatever reason) may be at higher risk of IPV. More conservative environments may be less supportive of gender equality and non-traditional roles for women, including women acting as owners and controllers of property. For example, a policy brief on the Community Land Protection Program (CLPP) in Liberia notes despite addressing gender equality through the project, men believe that women's land and inheritance rights should be limited. Women who participated in focus group discussions across several communities noted that they were hesitant or unable to comment on land issues in general because land is considered to be part of the male domain (USAID, 2018). Deeply held norms, which evolve over time and reflect existing power structures, may be difficult to shift through short-term programming interventions.

Conversely, in contexts where gender equality is more acceptable, social norms may be more supportive of women as asset or property owners. Another important community-level factor that several of the studies point to is the existence of support networks that shield or guard women against violent partners and that raise awareness of rights and build capacity and skills. Having a social support network that creates some disincentives for abusive men and provides some positive, affirming space for women, also seems to protect against IPV.

At the national level, most countries now provide women *de jure* rights to equal treatment under the law. The presence of laws that promote gender equality may, over time, help shift social norms. At the same time, if and how laws related to gender equality are enforced is critically important. Laws that provide women with equal rights to own, inherit, and transfer land and other property may go some way to empowering them; however, if laws are not enforced, if court decisions are biased, or if social norms prevent women from claiming formal rights, then their ability to participate fully in economic, political, and social activities will be frustrated. In addition, if a country's legal framework does not outlaw GBV or IPV then incentives to change behavior may be reduced (also recognizing that the mere presence of a legal prohibition often is not sufficient to stop offending actions). In this area, some progress is being made: the World Bank's 2014 World Development Report notes, "[t]he number of countries recognizing domestic violence as a crime has risen from close to zero [in 1976] to 76 in just 37 years" (Klugman, et al., 2014, p. 65).<sup>15</sup>

Securing land and property rights in the names of women jointly with partners or solely (through purchase, inheritance, or other transfer) may be a promising strategy to empower women economically and to help increase the resilience of families and communities. However, some studies raise cautionary notes about the impact of joint titling on women's empowerment. Using individual-level data from three locations (two rural; one peri-urban) in South Africa and Uganda, Jacobs and Kes (2015) explore how, in

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<sup>&</sup>lt;sup>14</sup> Though in countries where dowry is expected, the failure of a woman or girl to bring sufficient dowry may be cause for resentment that leads to IPV.

<sup>&</sup>lt;sup>15</sup> The same report notes that few out of the 100 countries included in the 2014 Women, Business and the Law report, only 38 make marital rape and sexual assault within marriage a crime (Klugman, et al., 2014, p. 84)

a small set of cases, perceived joint ownership (versus formal and sole ownership) of land and assets impacts women's control and household decision making.

Jacobs and Kes find that among their small sample, joint ownership of land and housing does not lead to consistent benefits for partnered women compared with those who own no land or who own land solely in terms of being able to make decisions over transactions or inheritance, influence over agricultural income or agricultural production decisions, or perceived security after the current owner's death. Nor does joint ownership necessarily lead to joint decision making about how to use or transact in property—a finding that echoes earlier work from South Africa and Uganda (Swaminathan, Ashburn, Kes, & Duvvury, 2007, pp. 105-106). While women who report themselves as joint owners may have some limited abilities to transact in land and housing, sole ownership seems to provide women with stronger transaction benefits.

The study also finds that among couples who report joint ownership, parties have differing perceptions of who owns the property. Couples who agree on their joint ownership status tend to be married, have longer partnerships, and have some documentation of their rights. This study points out the need to incorporate awareness raising about the extent of partners' rights in land formalization efforts. Without education around the parameters of legal rights, joint owners may have very different ideas about control and decision making tied to assets, which may constrain women's empowerment. This study does not report on levels of IPV but does highlight the fact that de jure rights may not empower women if social norms and practices are discriminatory and if it is difficult or impossible to enforce formal rights.

Given the complex social, legal, and cultural dynamics that impact the likelihood of women experiencing IPV, it is unlikely that securing land and property rights is sufficient, by itself, to prevent IPV. Rather, as the studies reviewed suggest, other mediating and/or aggravating factors may need to be identified and addressed to achieve this goal.

#### 3.0 LESSONS LEARNED FROM A MIXED LITERATURE

The literature addressing the linkages between women's land tenure and property rights and IPV is mixed. Much of it relies on small sample sizes, is not randomized, and lacks a control group or analytical methods used to determine causation, rather than association. However, while not generalizable, many of the studies do provide rich and helpful descriptions of cases and contexts that are important to understand when working in similar environments. While this body of work highlights some potential pathways for preventing and responding to IPV, more rigorous analysis of how and under what conditions providing women with secure rights to land and other property works to reduce or eliminate this violence would be extremely helpful.

Based on the existing literature we can identify several issues that are associated with women's experience of IPV. This experience will vary depending upon women's personal characteristics and local social/political characteristics. A woman's age, marital status, employment status, length of partnership, level of education, and childhood experiences combine with her property status and external factors, including supportive or unsupportive institutions and social norms, to influence her likelihood of experiencing, or avoiding, IPV. The literature suggests that in some contexts older women may need less support to exercise land and property rights than do younger women. Their rights may be more secure or their ability to control assets higher, providing them with higher status in the family and community (though this may not be the case for widows in some places 16). Older women may contribute in important ways to social support networks that help other women facing IPV. They may be able to serve as mediators, mentors, or champions to build support for women's land rights among community members and enforce informal sanctions against partners who perpetrate IPV. For younger women, building awareness of legal rights and interpersonal negotiating skills may be especially important to help them exercise decision-making authority and shift power dynamics in their favor. Increasing women's social capital may, in some situations, be as important or more important than providing them with physical assets. As Mejia, et al. point out: "[p]roviding social (support, mentoring) and human capital (communication, critical thinking skills) to women in WEE [women's economic empowerment] program (sic) is key to ensuring they can navigate through backlash that may result from participation in the program" (2014, p. ix).

There is a strong need for additional research that identifies which assets, in which combinations, and under which conditions provide the greatest protection from IPV for specific groups. It is not clear, given mixed findings, how important women's employment status and control of financial assets is for reducing or eliminating IPV—especially as compared to securing housing or land rights. However, coupling opportunities for savings with negotiating skills and with more secure land and property rights may be a helpful strategy to enhance protection.

This research also highlights the need to be attentive to issues of relative wealth or property holding and IPV. In some cases, women with more property or more assets than a husband or partner may face higher levels of IPV than do women with little or no property. Women who gain some property may initially experience an increase in voice and decision making. However, community members, male relatives, or partners may perceive these changes as threats and reach a tipping point for violence. This may be more likely to happen in environments with unsupportive institutions, such as pervasive, discriminatory social norms and practices. Understanding how relative wealth is likely to affect household and community power dynamics and addressing the potential for harm associated with rising property values is essential before initiating programs to expand women's land and property rights.

INTIMATE PARTNER VIOLENCE AND LAND TENURE: WHAT DO WE KNOW AND WHAT CAN WE DO?

<sup>&</sup>lt;sup>16</sup> See the 2016 MEASURE Evaluation Report: Protecting the Land and Inheritance Rights of HIV-Affected Women in Kenya and Uganda for a discussion of how women's land and property rights affect their ability to mitigate the consequences of HIV, including property grabbing by relatives: <a href="https://www.icrw.org/wp-content/uploads/2016/10/sr-13-80-(1).pdf">https://www.icrw.org/wp-content/uploads/2016/10/sr-13-80-(1).pdf</a>.

This research also points to the importance of providing women with more secure housing, in their own names, as a strategy to address IPV. Overall, the studies suggest that homeownership increases women's empowerment and sense of safety and, for some, expands their livelihood opportunities. Ensuring that more women have secure rights to housing, equal opportunities to rent housing, equal opportunities to access credit, and skills needed to leverage housing as a productive asset may be an underexplored component of land and property rights interventions. Solely owned homes are shown to provide a refuge from abuse, shelter for a woman and her children, and a location for a home-based business. Engaging at the community level to encourage titling in the names of women heads of households may, therefore, be an important element of some land and property rights interventions. This approach may also be beneficial for polygamous wives, though there is limited discussion of this issue in the literature.

Interestingly, several studies suggest that joint titling efforts, which have been widely promoted to empower women, may not always lead to positive outcomes. In some cases, women who are listed as joint owners with husbands face higher levels of IPV than do sole owners or non-owners. Merely having one's name on a title document may not translate into opportunities to control the asset and participate in household decision making related to it. Joint title holders may have *de jure* rights, but *de facto* they may not gain much in terms of empowerment and agency. This suggests a continuing, strong need for purposeful engagement with traditional leaders, men, and boys on the topic of women's legal rights to own and use land. In many contexts, dialogue and engagement to identify how women's property ownership benefits communities as a whole, and not just women, is essential.

#### 4.0 RECOMMENDATIONS

The US Government and USAID have committed to preventing or responding to GBV, including IPV, around the world. Addressing IPV through development programming can help reduce and mitigate harms to individuals, families, and communities. It can help to improve women's economic empowerment, enhance food security and educational outcomes for women and their children, strengthen the voice and participation of women within and outside households, and improve resilience to a variety of shocks. However, to better ensure that USAID programming leads to positive outcomes for targeted groups and communities, it is essential to understand the likely impacts of programming and other interventions. As a number of studies in this review suggest, providing women with secure land and property rights holds promise as a strategy to prevent and respond to IPV. Identifying practical and scalable strategies is essential to address these human rights violations and reduce the physical, emotional, social, and economic costs associated with IPV. While secure land and property rights for women cannot, by itself, solve the pervasive problem of IPV, careful programming that engages and collaborates with men and boys, that builds and supports local champions, and that provides women with a bundle of assets, including physical, financial, and social capital, may be one important pathway to improve conditions for millions. Having a stronger understanding of the role that land and property rights, personal characteristics, and institutional factors such as support networks and social norms play in limiting or aggravating IPV can help strengthen land tenure and property rights programming. As part of this effort, it may also be helpful to distinguish programmatic settings by identifying their supportiveness for gender equality. By attending to the potential land tenure programming holds to address GBV and IPV, USAID can help improve the lives of women and their families and build stronger, more resilient communities.

Table 2 presents a typology of social/political environments that identifies common characteristics of these environments. This list is not meant to be exhaustive but illustrative. It is designed to help frame thinking around possible land tenure and property rights interventions in these broadly defined contexts. Gender-supportive environments are conceived as those that support women's exercise of voice, asset ownership and control, and decision making or agency while unsupportive institutional environments are conceived of as those that frustrate women's abilities to exercise voice, asset ownership and control, and decision making. Environments exist along a continuum between the extremes of most gender-supportive and least gender-supportive.

TABLE 2. CHARACTERISTICS OF GENDER-SUPPORTIVE AND GENDER-UNSUPPORTIVE ENVIRONMENTS HIGHLY GENDER-SUPPORTIVE MODERATELY GENDER-SUPPORTIVE GENDER-UNSUPPORTIVE ENVIRONMENTS **ENVIRONMENTS ENVIRONMENTS** • Legal/regulatory framework provides • Legal/regulatory framework provides Legal/regulatory framework has for gender equality in land, marital, for gender equality in land, marital, significant gaps or fails to provide for and personal property, inheritance, and personal property, inheritance, gender equality in land, marital, and and employment and employment personal property, inheritance, and • Laws prohibit GBV, marital · Sometimes laws are enforced employment rape/sexual assault, and other forms equitably · Laws are not enforced equitably • Social norms are somewhat • Social norms do not support Laws are enforced equitably supportive of women's women's empowerment and agency • Social norms support women's empowerment and agency • Women and men have little or no empowerment and agency Women and men have some education Women and men are educated Weak social networks exist for Strong social networks exist for Some social networks exist for • Land tenure and property rights Land tenure and property rights Some land tenure and property conditions are often unstable and conditions are generally stable and rights conditions are generally stable insecure and secure

As the literature demonstrates, in some situations, movement along the continuum can result in backlash or increased levels of IPV, while in other cases, movement along the continuum can lead to reduced levels of IPV. By locating women in a particular environment, and then identifying the prevalence of alcohol abuse and unemployment, literacy rates, average length of marriage in the area, the existence or absence of supportive social network and the acceptance of wife beating, we may be better able to predict risk. Women in gender-unsupportive environments whose partners are unemployed and use alcohol and who lack social networks and themselves grew up witnessing IPV may be at risk if a new land tenure or property intervention is introduced without strong community engagement efforts, awareness raising, and skills training. On the other hand, providing women in gender-unsupportive environments with more secure land tenure or property rights opportunities may be protective if social support networks exist, if women have some education, or if their husbands are employed or do not use alcohol. More work is needed to continue to explore these complex relationships.

#### 4.1 RECOMMENDATIONS FOR RESEARCH ACTIVITIES

Because the evidence base for the impacts of land tenure and property rights interventions and IPV is mixed, more rigorous work needs to be done to identify which assets, in what combinations, and under what conditions are protective, rather than aggravating, for IPV. Research can be both quantitative and qualitative but should adopt carefully designed methodologies to expand the evidence base and provide guidance on what works to prevent IPV in land tenure and property rights programming. This work needs to carefully observe ethical guidelines on data collection for at risk populations and ensure the confidentiality in data collection activities. This may require training data collectors in discussing IPV. Questions that would be helpful to address in research activities include:

- Which assets (physical, financial, and social), in what combination, and under what conditions work best to prevent or reduce IPV?
- Under what conditions does joint titling of property help to prevent or reduce IPV? Under what conditions, if any, might joint titling of property increase women's risk for IPV?
- What is the association between relative property wealth within a couple and the likelihood of IPV?
- What interventions work best to enhance women's control and decision-making authority over land and property and under what conditions do these interventions work to prevent or reduce IPV?
- What interventions work best to shift men's attitudes towards and use of IPV in response to women's exercise of land and property rights?
- Is secure homeownership for women a positive strategy for preventing or reducing IPV and under what conditions does it work best?
- What property rights and land interventions work best to prevent or reduce IPV for younger women? For wives in polygamous marriages? For older women?

#### 4.2 RECOMMENDATIONS FOR DEVELOPMENT PROGRAMMING:

The evidence base for what works, programmatically, to prevent or reduce the incidence of IPV is limited (Tappis, Freeman, Glass & Doocy, 2016). In the face of evidence gaps, it is prudent to collect information about the local conditions to place the program's context along the continuum of gender-supportive to unsupportive environments. When considering developing a land tenure or property rights component to a USAID intervention, the following questions may be helpful in building this knowledge base:

- How are decisions about the use of land and other property typically made?
- Who typically controls benefits or income associated with the use of land and other property?
- Will the proposed activities be perceived as harming men or their natal families?
- Will the proposed activities be perceived as providing women with an undeserved or "windfall" benefit?
- Are people in this environment generally supportive of, or opposed to, gender equality?
- How pervasive is IPV in this environment?
- Do women tend to have social support networks or access to confidential support services in this environment?

In early stages of project development, it is important to review academic and grey literature to place the program's population along the continuum of gender-supportive environments and to understand the scope and scale of IPV in the area and any demonstrated linkages of IPV to land tenure and property rights. To the extent possible, and respecting ethics concerns for data collection on a sensitive topic, project proponents should engage with local experts, government officials, and women, and men in focus group discussions and personal interviews to understand local power dynamics related to the use and control of land and property.

When initially conceptualizing a land tenure or property rights intervention:

- Use a participatory approach to identify the specific factors that contribute to IPV in the proposed location and determine how pervasive they are.
- Is this a highly gender-supportive environment or a less supportive environment? What factors contribute to make the environment supportive or unsupportive? Programs that work well in a gender-supportive environment may not work well in a gender-supportive environment so adjust programming to place.
- If increasing women's ownership of or control over land and property may increase the risk of IPV, then work with a GBV specialist and the intended beneficiaries to identify risk mitigation strategies to increase the capabilities of women and men to negotiate asset control and decision making, mediate conflict over asset ownership or control that may lead to IPV and hold those who perpetrate GBV and IPV accountable for harms. Ensure strategies provide feedback to enable learning and to allow for adjustments.

Finding answers for these questions should help clarify local gender dynamics and the "micro" level constraints and barriers to women's ability to exercise legitimate land and property rights. These answers may also help determine if a particular land tenure and property rights intervention is more or less likely to lead to unintended harms for women.

When designing a land tenure or property rights intervention consider the following:

If the project will operate in a moderately gender-unsupportive or highly gender-unsupportive environment—

- Include a GBV risk assessment or GBV safety audit to identify risk factors, community characteristics, kinds of support and safety services available to address GBV, local governance structures, and how rules and norms are enforced and against whom.
- Identify and work with traditional authorities and religious leaders who can serve as advocates for women's peaceful and safe exercise of their land and property rights and who can serve as role

- models and mentors to other men and boys. Recognize that it takes time to shift social norms and consider a longer-term intervention to support male champions.
- Identify and work with women who can serve as advocates for women's peaceful and safe exercise of their land and property rights and build skills to participate in traditional and formal land governance institutions.
- Recognizing that shifting social norms can be very difficult, include a behavior change component to
  influence the attitudes and practices of women and men around women's land and property rights
  and GBV or IPV and build awareness of strategies to reduce acceptance of, and toleration for, GBV
  or IPV related to the use and control of land. Create spaces for discussion and dialogue that are
  accessible, safe, and comfortable for both women and men.
- Consider supporting access to confidential and accessible support services for women who face IPV
  as a result of obtaining or exercising land and property rights through the project. This may include
  health care (including mental health care), mediation or para-legal services.

#### In all environments—

- Work with government officials at the national, provincial, and local levels to expand understanding
  of how land tilting efforts might contribute to IPV. Government officials may benefit from focused
  trainings and support to develop IPV risk assessment tools to use during titling campaigns.
- Support governments to create strategies to address IPV associated with the exercise of women's
  legitimate land and property rights in gender policy documents and national actions plans on IPV and
  support efforts to implement these strategies.
- Provide training in support of women's exercise of their legitimate land and property rights.
   Trainings should build women's capacity to negotiate with men, resolve conflicts, and manage assets to improve self-confidence and resilience and support autonomous decision making.
- Be attentive to women's safety during mapping and land rights registration activities. When mapping
  activities are taking place, ensure that program implementers are trained to recognize conditions
  that may put women at risk of IPV. This may include a component in awareness raising exercises on
  IPV and taking care when speaking with women either in the presence of or separately from men.
- Work with local civil society organizations to build their capacity to engage with men and boys in culturally appropriate discussions of IPV that results from women's exercise of land and property rights and identify strategies to hold them accountable for their behavior.
- Ensure project monitoring and evaluation track activities and outcomes associated with preventing and reducing the risk of IPV.

#### 4.3 RECOMMENDATIONS FOR MONITORING AND EVALUATION ACTIVITIES

To better understand the outcomes associated with land tenure and property rights interventions, monitoring and evaluation activities should include indicators that monitor changes in the incidence of IPV in the project area, training activities, and changes in attitudes and behavior. Monitoring and evaluation work can also identify unanticipated concerns related to IPV that might arise during the course of a project. When data is collected it should be both sex and age disaggregated.

Standard indicators on gender exist and can be used to track progress towards women's economic empowerment, changes to the legal and regulatory framework and increased government, civil society and beneficiary capacity. In addition, these illustrative indicators can be used to better understand how project activities are affecting local community members and local outcomes related to GBV and IPV are as follows:

- Percentage of women who report an incidence of IPV;
- Percentage of women who report an incidence of IPV associated with obtaining or exercising land and property rights, including decision making over household assets;
- Percentage of women and men with increased skills to negotiate safe and mutually respectful decision making related to land and property;
- Percentage of target audience that has been exposed to communications/behavior change messages related to discontinuing IPV when women obtain and exercise land and property rights;
- Percentage of men more likely to intervene to stop IPV associated with women obtaining and exercising land and property rights;
- Percentage of women and men surveyed whose attitude of acceptance of GBV or IPV is negatively
  associated with obtaining and exercising of land and property rights changes;
- Percentage of women who believe their status has increased within the household (and community)
  as a result of obtaining or exercising land and property rights;
- Percentage of women and men who are aware of women's legitimate land and property rights;
- Number of women and men trained in bargaining and negotiation skills; and/or
- Number of civil society organizations and government officials trained in addressing IPV that results from women obtaining or exercising land and property rights.

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