

Seeds of Unity: Examining the Link Between Joint Land Titles and Women's Status in Western Uganda

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Women's land rights

Policy goal with intrinsic and instrumental motivation

- Achieving gender equality necessitates increasing women's ability to own and control property.
- SDG Target 5a: “Undertake reforms to give women equal rights to economic resources, as well as access to ownership and control over land and other forms of property, financial services, inheritance and natural resources, in accordance with national laws.”
- Women's land ownership is associated with:
 - increased authority to make decisions (Allendorf 2007)
 - lowered risk of gender-based violence (Panda and Agarwal 2005; Grabe et al 2015)
 - greater participation in economic activities outside the home (Peterman 2011; Doss et al. 2014; Selhausen 2015)



Joint Titling of Marital Property – Possible?

GIL RCT to test joint titling nudges

- Basic offer – fully subsidized formal land title for one parcel
- +Wife presence required
- +Information – video featuring testimonials about benefits of joint titling
- +Conditionality – title subsidized only if wife's name included

Relevant take-up results:

1. High demand for titling (92%).
2. Unexpectedly high rates of joint titling. 67% of those offered a title without any informational nudge or condition.
3. Information and condition increased take-up of joint titling to 73% and 89%.

Joint Titling of Marital Property – Meaningful?

GIL qualitative study to examine social meaning

- Legal rights do not guarantee control if ... (Place et al. 1994)
 - Rights are not social recognized
 - Enforcement is weak
 - Resources to secure enforcement are unavailable
- De jure and de facto rights might not be the same
- Does joint titling confer joint ownership in practice?
- How does joint titling lead to improved status & welfare for women?

Land rights and women's welfare – theoretical link

Bargaining power

- Baseline assumption: Women have user rights to marital property, but not ownership rights. Joint titling will increase breadth of their rights.
- Increasing women's land ownership
 - greater control over resources,
 - greater ability to bargain for preferences
 - improved welfare

Southwest Uganda



National statistics:

- **Land ownership:** 31% of women, 48% of men own land alone or jointly (DHS 2016)
- **Marriage:** Mean age of 1st marriage for women is 18.7 years, for men it's 23.3 years
- **Divorce:** In 2011, 37.5% of all unions dissolved (Clark and Brauner-Otto 2015).





Qualitative Research Methods

- Formative research in 2014, 2016
- In-depth qualitative interviews conducted with both husband and wife from 34 households = 68 interviews, 2019-2020
 - Stratified random sample of households selected from the impact evaluation survey data
- 10 interviews with local council members
- Topics include:
 - meaning of land and titles
 - community and gender norms
 - marriage dynamics

Qualitative sample

Sample stratified by treatment arm + response

Group	Number of Households
1) unconditional, accepted, joint title	10
2) unconditional, accepted, solo title	10
3) conditional, accepted, joint title	5
4) refused title or dropped out	9
TOTAL	34

Findings summary

4 key themes

- 1) Socially acceptable for women to own land
- 2) Marital property expected to be jointly managed
- 3) Upon marital dissolution, women's claim to land are precarious
- 4) Joint titling symbolizes marital commitment



(1) Women can and do own land

I: Do some women in this village own land? How did they acquire it?

R: Yes, they buy their own land or can be given by her parents.

I: What do you mean by given?

R: I mean inheritance from their parents.

I: I thought only boys inherit land from their parents?

R: No, that was the old way of thinking, but girls too inherit land these days.

--Charles, age 46

“Women should own land because they also work as men. If they can afford to have their own land, it’s fine.”

--Samuel, aged 53



(2) Marital property expected to be jointly owned

Wives must sign for all land transactions

*“These days the laws don’t allow you to sell your land without your wife’s or children’s approval, because they must sign on the sale agreements. **If your wife disagrees, you can’t sell even if you have a title in your [own] name.**”*

-Male farmer, age 61

*“And if the man wants to sell but the wife doesn’t want, the buyer can never take such land and pay for it. The wife has to agree. **It does not matter if she has her name on a registered title.**”*

-Female farmer, age 51

(2) Marital property expected to be jointly owned

Confirmed by Local Council Members

“And also me as the chairman, even if I come, I will not allow to give you my stamp on your land without your wife present to agree to the selling. This has brought some peace here... This is how it has been changing because in the past times, you would find the women not knowing about their husband selling land, but now they have to know it.”

-Jadress, Local Council Chairman

Act 16

Land Act
THE LAND ACT, 1998.

1998

(3) Mixed opinions re land rights upon divorce. Women's claim to land are precarious.

I: What about those who divorce or separate?

R: If a woman divorces or separates with the husband, she has no right on the land and must go elsewhere.

--Martin

I: What happens to women who divorce or separate in terms of their land?

R: It depends on a few things; one, does this woman have children? If she has children, she is entitled to share on the land. Because children act like a land title. It is proof that you belong to that family when you have children. Two, if the woman was included on the title or agreement she must share on the land after separation or divorce. Three, how long they stayed in the marriage...

--Samuel

(4) Joint titling symbolizes marital commitment

I: Ok, in your view, what would make men want to include women on their titles?

R: It's love in the family. Sometimes you love your wife so much that you can do anything for her including putting her on the title...

--Robert, age 42



(4) Joint titling symbolizes marital commitment

Story of Leonada (age 43): Husband had a series of infidelities. Child with one extra-marital partner. He put her name on the land title.

- Leonada says, “*now my marriage is more secure.*” I can “*relax now.*”
- **A joint title increased women’s sense of tenure security primarily by increasing their feelings of marital security.**

By signaling marital commitment, joint titling may encourage greater cooperation

I: So, do you think that for example the joint title you have with your wife can increase conflicts in a home?

*R: No, it doesn't increase conflicts in a home because when she knows you can't sell the land without her approval, she can plant crops she wants. **Now that she is also the owner and everything that you do on that land, you have to consult her first**, then there [aren't any] conflicts in the family.*

-Male farmer

R: Ok, after her name had been included on the title, my wife feels more loved, trusted which brings cooperation in the family.

-Male farmer

Findings summary

- **Women already had influence over management of marital property.** Joint titling does not expand the breadth of married women's land rights for the duration of their marriage. (Already had more than user rights.)
- On the other hand, joint titling influences women's lives by serving as a **symbol of their husband's commitment** to the marriage.
- The joint land title increases women's land tenure security **primarily by strengthening their marital security.** (see Doss and Meinzen-Dick 2020).

Conclusion: Second mechanism of impact?

Not only resource redistribution, also affects interpersonal relationship dynamics

- 1) **Intrahousehold bargaining models** predict that women who control a greater portion of the household's assets will have greater influence over household decisions.
- 2) **Interpersonal dynamics related to feelings of commitment and togetherness in the marriage:** joint titling may instill a sense of security, encourage greater cooperation, and inspire greater investment in the marriage.