

# State Reach and Gender Norms

Examining the Uptake of Equitable Land Rights in Malawi

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*With thanks for research support from the teams at the Governance and Local Development Institute in Sweden (GLD) and the Institute of Public Opinion and Research in Malawi (IPOR).*

# Project Background

Working Paper, building upon:

1) [Land Politics](#) (Cambridge UP, 2022)

- Differences among customary institutions impact where titles develop
- Power and political impacts of changing land tenure
- Customary institutions generate heterogenous demand for titles

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Working Paper, building upon:

- 1) [Land Politics](#) (Cambridge UP, 2022)
  - 2) [Mutual Dependence and Expectations of Cooperation](#) (JOP, 2023) *with Adam Harris*
- Impacts of piecemeal titling on conditional cooperation in communities

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- 1) [Land Politics](#) (Cambridge UP, 2022)
  - 2) [Mutual Dependence and Expectations of Cooperation](#) (JOP, 2023) *with Adam Harris*
  - 3) [The Power of the Pen](#) (African Affairs, 2022) & [Land and Legibility](#) (APSR 2023) *with Karen E. Ferree, Ellen Lust and Melanie Phillips*
- Examines development of chiefs' titles, tenure security, and innovation within customary institutions

# Preview of Findings

Customary property rights institutions adapt

- In this case: in response to state policy,
- Establishing greater gender equity in control over land

In short,

- State reach predicts the likelihood of joint land management,
- Even without changing tenure status of land,
- And within similarly patrilineal or matrilineal institutions

# Talk Overview

- 1) Motivation
- 2) Theoretical Framework
- 3) Malawi Background
- 4) Mixed Methods Research Approaches
- 5) Results
- 6) Implications

# The Women's Empowerment Agenda

- Women's empowerment on the global agenda
- Changes in state laws and institutions, but barriers to implementation remain



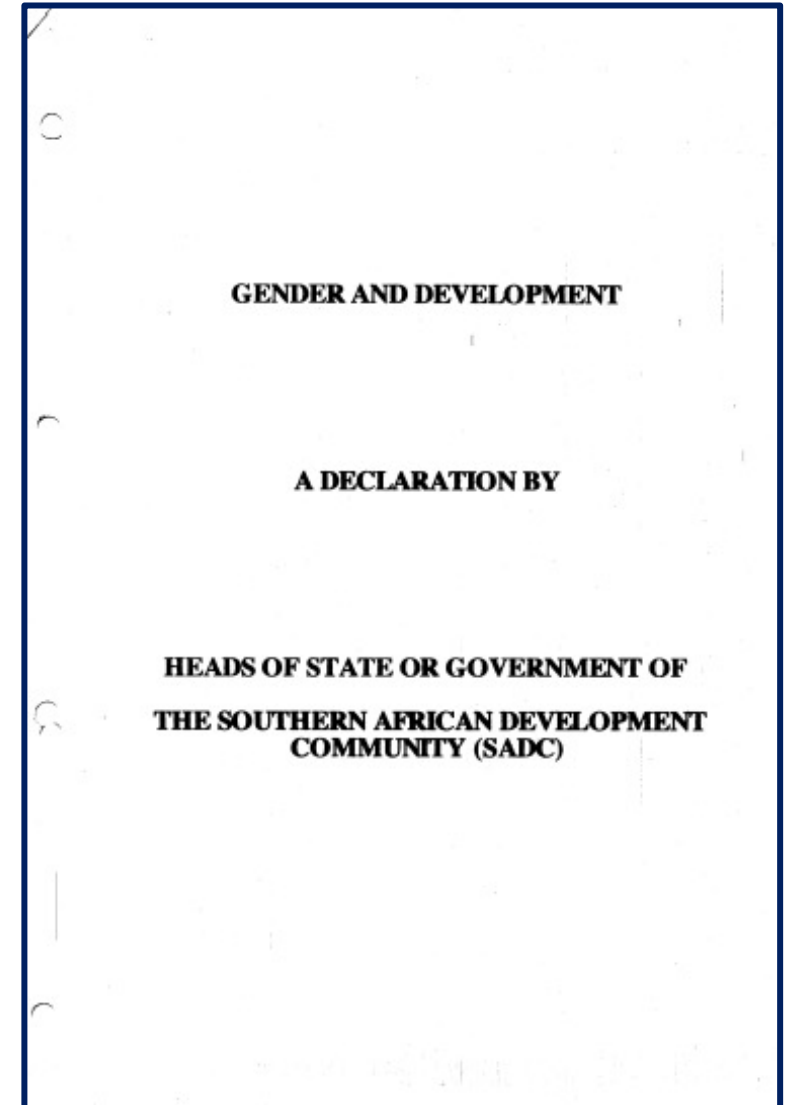
# The Women's Empowerment Agenda

- “Deep concerns” about “disparities between women and men” in “access to and control over productive resources”

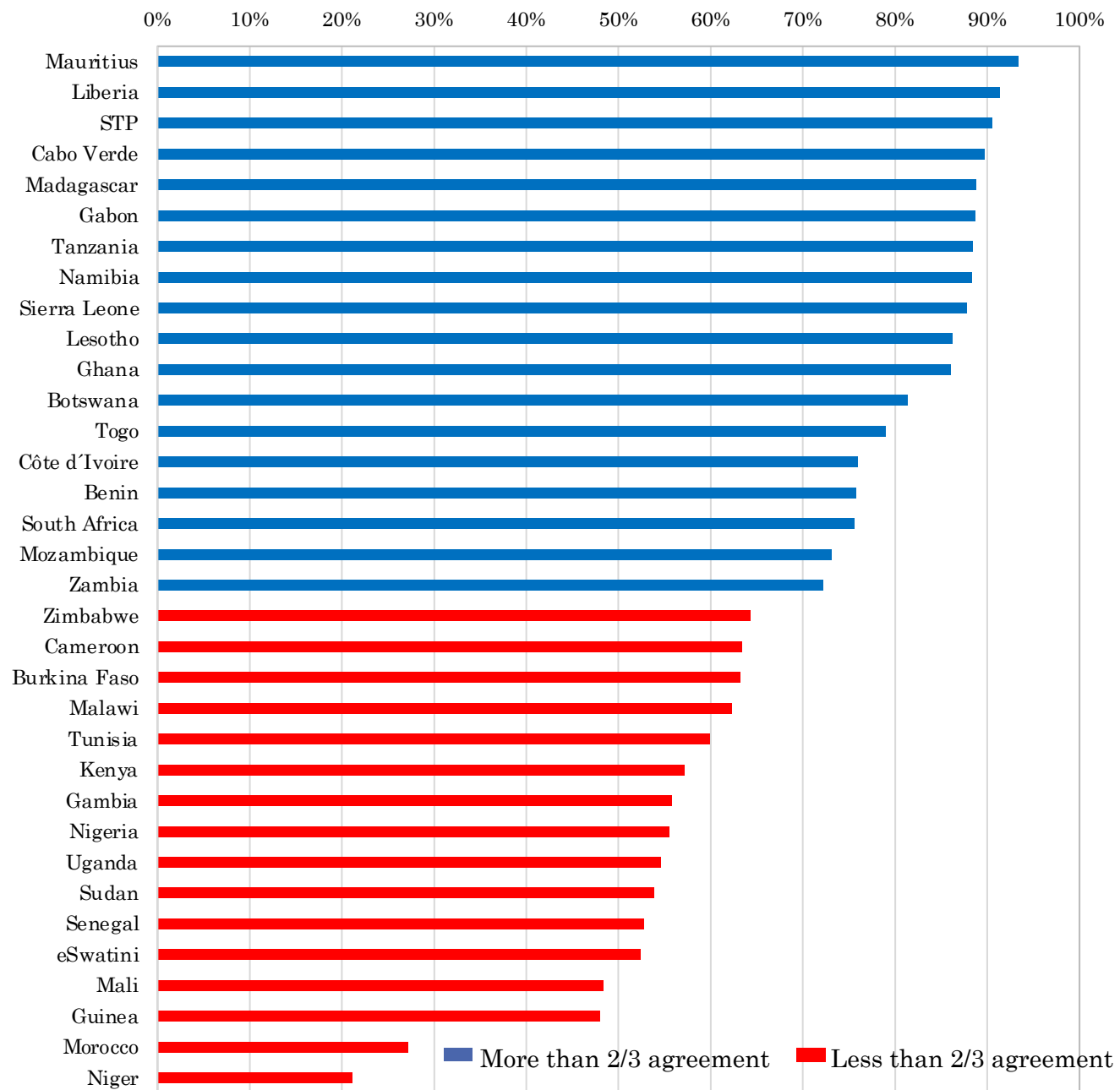
Commitments to:

- “promoting women’s full access to, and control over productive resources such as land, livestock, markets, credit, modern technology, formal employment, and a good quality of life in order to reduce the level of poverty among women”
- “repealing and reforming all laws, amending constitutions and changing social practices which still subject women to discrimination, and enacting empowering gender sensitive laws”

-1997 SADC Declaration







Within agricultural economies in Africa, emphasis on gendered land rights:

- State laws establishing equal rights for men and women
- Yet continued wide variation in actual practices
  - e.g. , Afrobarometer R7 2016/2018
  - Percent Agree that “In our country today, women and men have equal opportunities to own and inherit land.”

# Puzzle

Given concerns about women's land rights,  
particularly on customary land:

- When and where joint land management practices take hold?
- Why does practice match de jure law in some places but not others?

# Theoretical Framework

**State reach:** The state's ability to penetrate society throughout its territorial boundaries

- Previously: impacts state-society relations, economic development, relative powers of local authorities, growth of violent insurgencies, taxation (Mann 2008; Pierskalla et al. 2017; Soifer and Vom Hau 2008)



Road to a village in Central Malawi, 2022

# Theoretical Framework

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- Uneven nature of the state's apparatus in Africa, borders imposed through colonization (Giraudy and Luna 2017; Boone 2003; Hyden 1980)
- Our focus: spatial component of projections of power



Road to a village in Central Malawi, 2022

# Theoretical Framework

Two Proposed Mechanisms:

1) Accessibility of state forums (courts, land officials):

- Opportunities to use state's forums and sanctions to advocate for change

2) Diffusion of information about “appropriate behavior”

- Independent of threat of state sanction
- Proximity to the state increases contact, e.g. “sensitization visits” from district council members, agricultural extension officers, other government
- Should apply to both households and community leadership

# Theoretical Framework

Key alternative and additional explanations:

## 1) Land Values/Cash Cropping

- Increased male dominance (Tripp 2004, Carney and Watts 1991, Lancaster 1984, Holy 1986 )
- Weakened familial ownership, more individualism (see Platteau 1996)

## 2) Urbanization/Modernization Theory

- Urbanization weakens traditional social institutions (Lerner 1958)



# Theoretical Framework

*Hypothesis:* Spatial proximity to seats of the state's administrative power should be associated with gender-equitable land practices

- Attention to community outcomes (and household)
- Communities are more than aggregate of individual norms, also impact the costs of deviating (e.g., tipping points)



# Malawi Background

## Malawi

- 76% agricultural labor force (2019)
- Majority of governed by customary property rights
- Inheritance: 87% land users (2016)





# Social Institutions in Malawi



Paramount Chief M'mbelwa V (2022)  
Umthetho Ngoni Cultural Festival, Mzimba (*The National Online*)

## Led by Chiefs

- Draw legitimacy from precolonial nations/kingdoms
- (Some) state recognition
- Embedded in local communities

## Hierarchy:

- Traditional Authority,
- Group Village Head,
- Village Head



# Gender in Malawi's State Institutions



## Gender-equitable legislation:

- Ex. Criminal offense to dispossess widow(er)s from land
- Ex. Malawi's Growth and Development strategy (2006): "Breaking the cultural/traditional factors which create and perpetuate gender inequalities"
- "Women and men have the same legal rights and secure access to land assets, without legal exceptions regarding some groups of women..."
  - However, **some customary, religious or traditional practices or laws** discriminate against women's legal rights." (OECD Gender Database, 2022)

# Research Approaches

- Original Household Survey (subsample n=5,854)
- 32 Focus Group Discussions
  - Mechanisms and illustrations of dynamics at play
  - Coding for systematic qual analysis
- Mini-survey with FGD participants





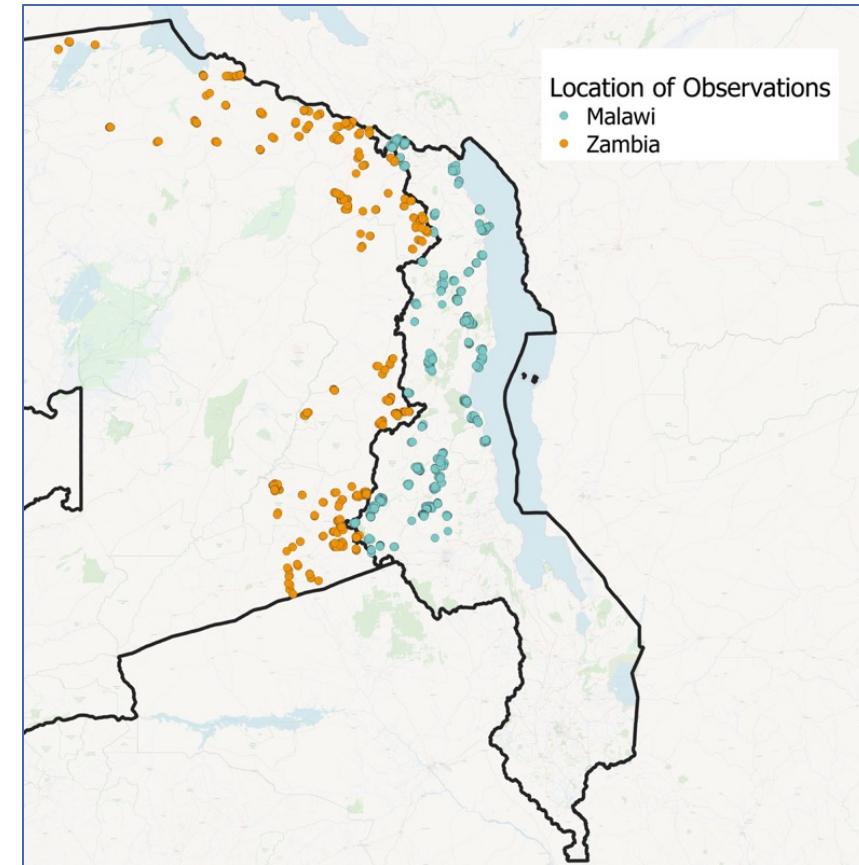
# Survey

LGPI 2019 household surveys:

- Malawi (n=10,302 )
  - Landowning, married households (n=5854)
  - Community-level question (n=1327)

Samples:

- 100 km buffer from shared border
- Not nationally-representative
- Customary land governed by chiefs



# Joint Land Management Outcomes

**Community:** “In general, who has more power to make decisions about land in this community, women or men?”

- Overall (n=1327): 16% Joint Land Management
- Relative agreement among members of same communities

**Individual:** “Who makes the primary decisions regarding the use and management of the land?”

- Overall (n=5854): 27% Joint

# Key Measures

**Spatial proximity to the state** → facilitates access to statutory forums to advocate for equitable rights and the diffusion of state-endorsed norms

- Distance to their district administrative capital
  - Primary: Travel time (median: 59 mins)
  - Alts: As the crow flies, national capital, roads, school



Rumphi District Council



Rumphi District Community



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- Urbanization: Distance to trading centre/markets
- Urbanization: Distance to high population are (GeoNames data), with admin “type” interaction
- Land Values: Proportion land with cash crops, pop density
- Controls: ELF, migration, kinship (historical and contemporary), education, gender, wealth



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  - Alts: As the crow flies, national capital, roads, school
- Reported chiefs have “a lot of influence”: 64% in near villages; 56% in far
- Village heads reporting district commissioner (DC) visited last year: 8% in near, 3% in far
- Village heads visiting DC: 27% in near, 15% in far



Rumphi District Council



Rumphi District Community



Does State Reach Predict Equal Powers  
over Land Management ?

# Marginal Effects of State Reach

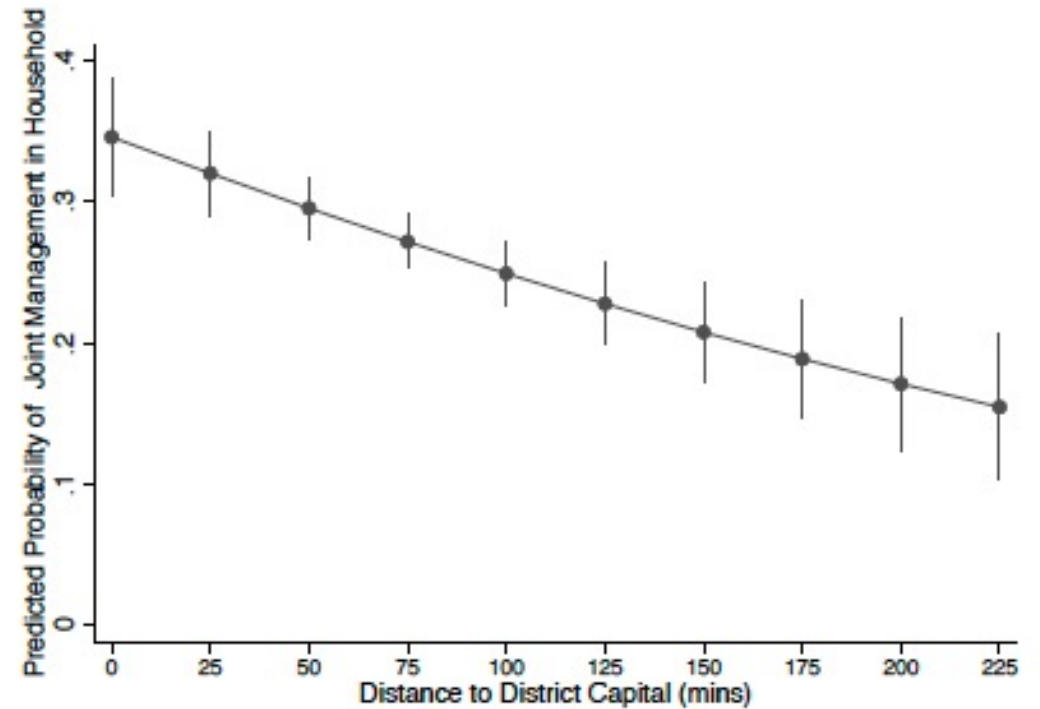
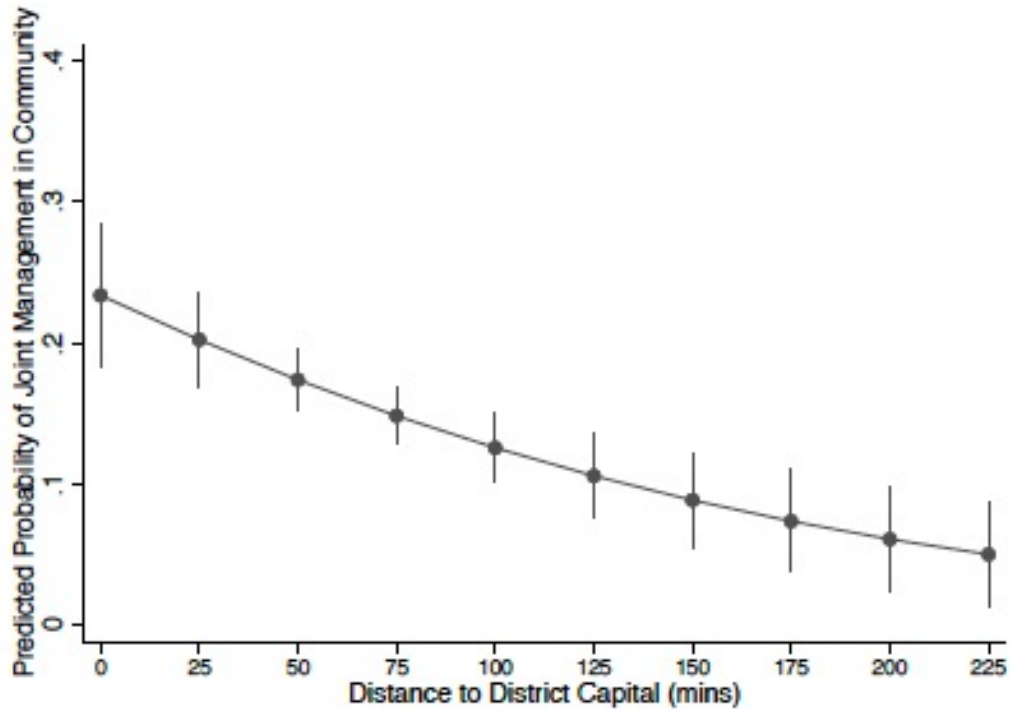


Figure 1: Predicted Effects of State Reach for Powers over Land Management  
Figures report the predicted likelihoods of joint land management at the community level (left) and household level (right) based on Models 1 and 2 in Table 2.

Table 2: Multi-Level Logit Regressions Predicting Joint Land Management

	Comm.	HH	Comm.	HH
Travel Time to Admin Capital	-0.009*** (0.003)	-0.006*** (0.001)	-0.009*** (0.003)	-0.007*** (0.001)
Travel Time to Trading Centre	0.009*** (0.003)	0.005*** (0.002)	0.009*** (0.003)	0.004** (0.002)
Cash Crops	-4.226* (2.162)	0.063 (1.324)	-3.769* (2.183)	0.245 (1.320)
PopulationDensity	-0.000 (0.000)	-0.000 (0.000)	-0.000 (0.000)	-0.000 (0.000)
Patrilineal (contemp.)	-1.943*** (0.186)	-0.304*** (0.094)	-1.938*** (0.195)	-0.330*** (0.097)
Matrilineal (contemp.)	-0.986** (0.426)	-0.817*** (0.257)	-0.787* (0.439)	-0.643** (0.262)
Age	0.016*** (0.005)	0.003 (0.003)	0.017*** (0.005)	0.003 (0.003)
Male	0.044 (0.180)	-0.430*** (0.078)	0.038 (0.180)	-0.424*** (0.078)
ELF	-0.261 (0.438)	0.456 (0.284)	-0.322 (0.447)	0.306 (0.285)
Prop. Migrants (5yrs)	0.530 (0.713)	0.216 (0.394)	0.591 (0.714)	0.276 (0.399)
Prop Pat. (contemp.)			-0.412 (0.616)	0.003 (0.394)
Prop Mat. (contemp.)			-3.234* (1.784)	-4.125*** (1.279)
Education Controls	Y	Y	Y	Y
Income Controls	Y	Y	Y	Y
Constant	-1.375** (0.673)	-0.173 (0.320)	-0.938 (0.765)	0.044 (0.427)
Variance (Square Kilometer)	0.114 (0.175)	0.561*** (0.091)	0.093 (0.172)	0.531*** (0.087)
N	1327	3886	1327	3886

Significance levels: \*: 10% \*\*: 5% \*\*\*: 1%

State reach predicts joint management reported at household and as perceived for community

Robust to:

- Village level indicators of mat. and pat. institutions
- Alternative state reach measures
- Alternative urbanization measures

# Mechanisms Results

- 1) **Increased access to state's conflict resolution forums**
  - Strong association between the state's forums and advancing women's rights
  - District council, police, courts, and "government" as venues for women to seek stronger rights



*Piloting, Courtesy of IPOR Twitter*



# Mechanisms Results

## 1) Increased access to state's conflict resolution forums

- Strong association between the state's forums and advancing women's rights
- District council, police, courts, and "government" as venues for women to seek stronger rights
- Ex: "Sometimes it looks like the woman has no rights and your husband's relatives abuse you and grab land from you. Yet there are others that are courageous enough to take the issue to the government and things progress well" (Village 6 Women)
- Qualitative coding: near villages more likely to believe that women would seek help in hypothetical land management dispute



*Piloting, Courtesy of IPOR Twitter*

# Mechanisms Results

## 2) Information

- Near villages had greater exposure to gender messaging



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- Near villages had greater exposure to gender messaging
- Ex: DC member visit “They said that when sharing land it should involve both men and women. And they said that we are telling you this as people from the government.” (Village 15 Men, Near)



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# Mechanisms Results

## 2) Information

- Near villages had greater exposure to gender messaging
- Ex: DC member visit “They said that when sharing land it should involve both men and women. And they said that we are telling you this as people from the government.” (Village 15 Men, Near)
- “The police, they came and they said men and women are supposed to be having equal powers in decision making about the plants they want to be cultivating” (Village 3 Women, Near).



*Piloting, Courtesy of IPOR Twitter*



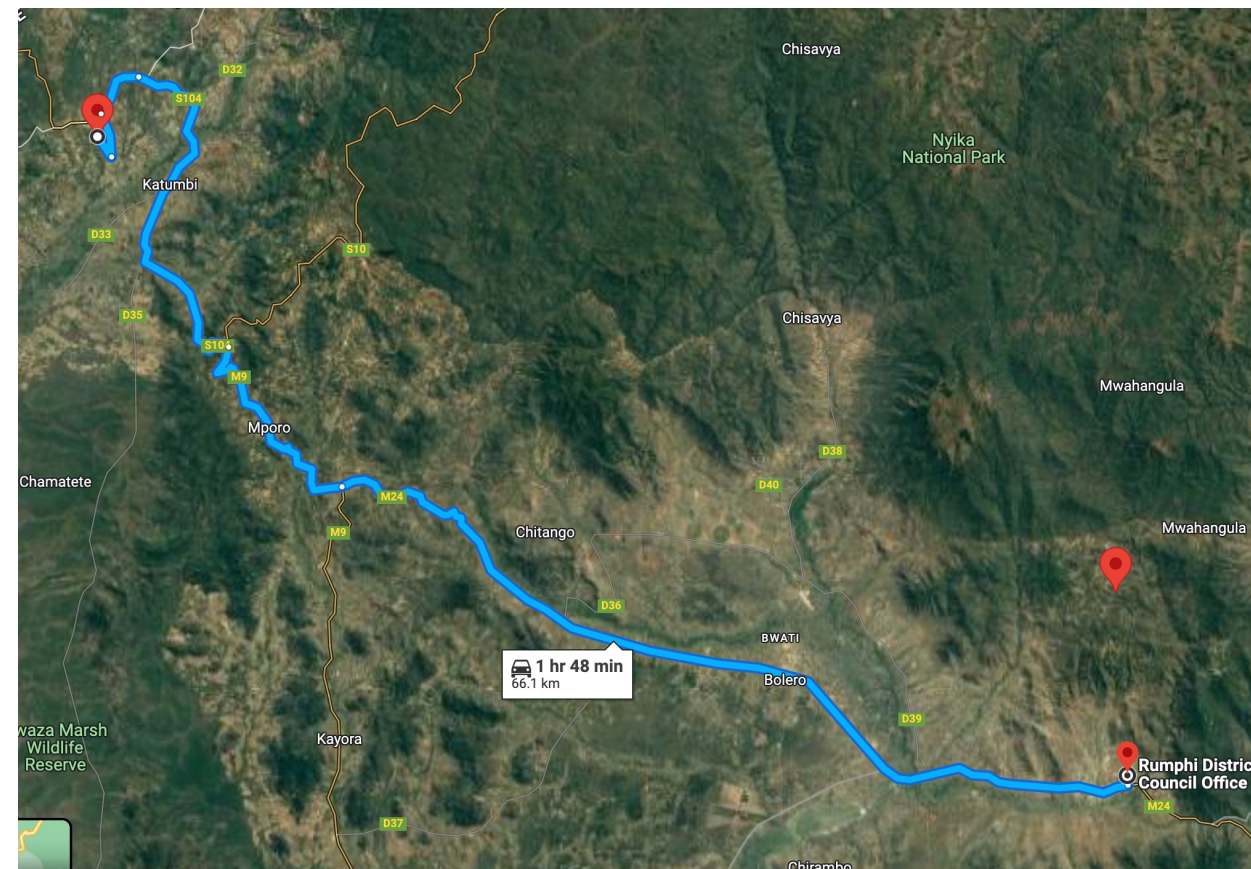
# Results Summary

- State reach is highly predictive
- Proximity to local administrative center increases likelihood of joint community and joint household



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- State reach is highly predictive
- Proximity to local administrative center increases likelihood of joint community and joint household
- FGDs: combination of information and access to forums prompted shifts in practice, more closely matching gender-equal state laws



# Broader Implications

- Important differences in uptake of joint land management policies
  - State reach shapes success of state attempts at policy change
  - Historically-rooted customary and social institutions change to become more gender-equitable in the contemporary era, without being erased

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- Important differences in uptake of joint land management policies
  - State reach shapes success of state attempts at policy change
  - Historically-rooted customary and social institutions change to become more gender-equitable in the contemporary era, without being erased
- Policy: State outreach, training village heads in the formal rules, and making state forums more accessible to citizens can change the norms around land management
  - Even in the absence of land tenure reforms
  - Need for targeting more distant communities: radio, legal aid outreach
  - Impacts of civil servants at subnational district offices

Thank you !

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Research available at: [Laurenhonig.com](http://Laurenhonig.com)

# Appendix Slides



# Alternative Urbanization Model

Table A3: Multi-Level Logit Regressions Predicting Joint Land Management: Considering Urbanization

	Comm.	HH
Km to nearest GeoName city	-0.018*** (0.006)	-0.017*** (0.004)
Type: Town	-0.712 (0.618)	-1.783*** (0.389)
Town x Km to nearest GeoName city	0.046* (0.025)	0.075*** (0.016)
Cash Crops	-5.963*** (2.241)	0.237 (1.349)
PopulationDensity	-0.000 (0.000)	-0.000 (0.000)
Patrilineal (contemp.)	-1.966*** (0.183)	-0.331*** (0.093)
Matrilineal (contemp.)	-0.982** (0.421)	-0.818*** (0.257)
Age	0.016*** (0.005)	0.003 (0.003)
Male	0.040 (0.177)	-0.424*** (0.078)
ELF	-0.265 (0.430)	0.427 (0.278)
Prop. Migrants (5yrs)	0.766 (0.703)	0.262 (0.384)
Education Controls	Y	Y
Income Controls	Y	Y
Constant	-0.859 (0.682)	0.107 (0.321)
Variance (Square Kilometer)	0.022 (0.164)	0.510*** (0.086)
N	1327	3886

Significance levels: \*: 10% \*\*: 5% \*\*\*: 1%

# Alternative State Reach Measures

Table A4: Multi-Level Logit Regressions Predicting Joint Land Management: Alternative Distance Measures

	Comm.	HH	Comm.	HH
Distance to Admin Capital	-0.008** (0.004)	-0.008*** (0.002)		
Distance to Trading Centre	-0.003 (0.010)	0.010* (0.006)		
Travel Time to Trading Centre			0.008* (0.004)	-0.000 (0.002)
Distance National Capital			0.001 (0.001)	0.001 (0.001)
Distance to Nearest School			-0.251 (0.206)	0.038 (0.107)
Mins to Paved Road			0.002 (0.004)	-0.005** (0.002)
Cash Crops	-4.280* (2.194)	0.352 (1.351)	-4.840 (3.109)	0.617 (1.674)
PopulationDensity	0.000 (0.000)	0.000 (0.000)	-0.000 (0.000)	0.000 (0.000)
Patrilineal (contemp.)	-1.927*** (0.188)	-0.322*** (0.094)	-1.843*** (0.275)	-0.309** (0.128)
Matrilineal (contemp.)	-1.107*** (0.426)	-0.823*** (0.258)	-0.930 (0.604)	-0.887*** (0.320)
Age	0.017*** (0.005)	0.003 (0.003)	0.015* (0.008)	0.001 (0.004)
Male	0.021 (0.179)	-0.433*** (0.078)	-0.130 (0.257)	-0.321*** (0.108)
ELF	-0.316 (0.465)	0.610** (0.289)	-1.190 (0.738)	0.255 (0.398)
Prop. Migrants (5yrs)	0.666 (0.731)	0.286 (0.397)	0.059 (1.129)	0.441 (0.566)
Education Controls	Y	Y	Y	Y
Education Controls	Y	Y	Y	Y
Constant	-1.330* (0.703)	-0.389 (0.336)	-0.848 (0.976)	-0.179 (0.453)
Variance (Square Kilometer)	0.162 (0.191)	0.588*** (0.094)	0.081 (0.270)	0.430*** (0.117)
N	1327	3886	691	1979

Significance levels: \*: 10% \*\*: 5% \*\*\*: 1%

← Distance as the crow flies

Distance to admin capital is more consistent predictor than:

- Distance to national capital
- Mins to paved road
- Distance to nearest school



# Outcome: Men Alone

Table A5: Multi-Level Logit Regressions Predicting Patriarchal Land Management

	Comm.	HH
Travel Time to Admin Capital	0.007*** (0.002)	0.004*** (0.001)
Travel Time to Trading Centre	-0.008*** (0.003)	-0.003** (0.002)
Cash Crops	4.349** (2.107)	1.487 (1.189)
PopulationDensity	-0.000 (0.000)	-0.000 (0.000)
Patrilineal (contemp.)	1.952*** (0.180)	0.355*** (0.093)
Matrilineal (contemp.)	-0.135 (0.343)	-0.104 (0.226)
Age	-0.015*** (0.005)	-0.003 (0.003)
Male	0.034 (0.174)	0.890*** (0.077)
ELF	0.337 (0.429)	-0.241 (0.255)
Prop. Migrants (5yrs)	-0.760 (0.695)	-0.724** (0.366)
Education Controls	Y	Y
Income Controls	Y	Y
Constant	1.450** (0.662)	-0.586* (0.302)
Variance (Square Kilometer)	0.135 (0.162)	0.376*** (0.070)
N	1327	3861

Significance levels: \*: 10% \*\*: 5% \*\*\*: 1%

# Focus Groups & Mini Survey Design

## Mini-survey:

- Recruitment into FGD (n=309)
- Different types of land management powers
- Unbundling property rights

## Discussions around:

- Interactions respondents have (or not) with the state or other potentially influential actors (NGOs, chiefs, ag. Extension agents)
- Hypothetical land management problems
- Accessibility of forums
- Sources of information



*Piloting, Courtesy of IPOR Twitter*