

# Women's Land Tenure Security and Household Human Capital: Evidence from Ethiopia's Land Certification

FELIX M. MUCHOMBA\*

*Rutgers, The State University of New Jersey, New Brunswick, United States*

**Summary.** — This article examines the impact of Ethiopia's gendered land certification programs on household consumption of health-care, food, education, and clothing. Ethiopia embarked on a land tenure reform program in 1998, after years of communism during which all land was nationalized. The reform began in Tigray region where land certificates were issued to household heads, who were primarily male. In a second phase carried out in 2003–2005, three other regions issued land certificates jointly to household heads and spouses, presenting variation in land tenure security by gender. Results using household panel data show that joint land certification to spouses was accompanied by increased household consumption of healthcare and homegrown food and decreased education expenditure, compared to household-head land certification. Joint land certification was also accompanied by increased consumption of women's and girls' clothing, and decreased men's clothing expenditures indicating results may be explained by a shift in the gender balance of power within households. Analysis on the incidence and duration of illness indicates that increased healthcare expenditures after joint land certification may be due to joint certification households seeking more effective treatment than head-only certification households for household members who fell ill or suffered injuries.

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**Key words** — land reform, gender, bargaining power, intrahousehold resource allocation, Africa, Ethiopia

## 1. INTRODUCTION

Land is an important asset in agrarian societies where landholdings determine productivity, economic welfare, social status, and political power (Agarwal, 1994a). The right to land may therefore be an important tool for promoting the health and the welfare of the poor (Acemoglu, Johnson, & Robinson, 2001; Binswanger, Deininger, & Feder, 1995; Sen, 2001). The case for improving land rights is particularly strong for women in developing societies since women are less likely to own land and have smaller plots than men (World Bank., 2011).<sup>1</sup> Previous research finds that women's land ownership or land tenure security is positively associated with household consumption of health and nutrition inputs (Allendorf, 2007; Doss, 2006; Menon, van der Meulen Rodgers, & Nguyen, 2014; Quisumbing & Maluccio, 2003), which suggests that the health and well-being of a woman and her family members might depend on her individual land tenure security, and not just on the land tenure security of her husband or other male family members (Agarwal, 1994b). These studies seemingly suggest that interventions to strengthen women's land tenure security may lift the well-being of families in developing societies.

However, a shortcoming of previous studies is that the association between women's land tenure security and household consumption patterns may be confounded by other factors such that prescribing land tenure security interventions may be premature. For instance, land tenure security is often contested along class, gender, and other social differentiators such that differences in women's land tenure security may originate from differences in upbringing, level of wealth, or their agency over their rights (Kabeer, 1999; Peters, 2004). This makes it methodologically challenging to determine how much of the observed differences in consumption patterns between women with strong land tenure security and those without are due to land tenure security itself rather than social differentiators correlated with land tenure security.

I address this shortcoming by examining Ethiopia's land certification programs, which provided households with the right to use, lease, and bequeath land to family members. Land certification was conducted in four regions in the country at different times during 1998–2005. In one of the regions, land certificates were issued only to the household head (typically a man)<sup>2</sup> whereas certificates were issued jointly to household heads and spouses in the remaining regions. The variation over time and space of land certification programs thus provides a quasi-experiment to study the impact of increasing land tenure security either to a household head only or to both the household head and his wife. This article examines how Ethiopia's gendered land certification programs affected household investment in human capital by studying the consumption of healthcare, food, education, and clothing. The article therefore contributes to the literature on outcomes of land tenure security and specifically, whether it matters that women's land tenure security is enhanced in addition to enhancements to a households' land tenure security.

Ethiopia serves as an interesting case study for research on the gendered effects of land tenure reforms because it is one of the most gender unequal countries and has some of the world's poorest health outcomes: it was ranked 127 out of 142 countries in the gender equality rankings compiled by the World Economic Forum (2014); in 2004, 47% of children under five were stunted (low height-for-age) and 37% were underweight (low weight-for-age) (Rajkumar, Gaukler, & Tilahun, 2011) and 73.6 per 1000 live births did not survive to age five years (United Nations, Department of Economic & Social Affairs, & Population Division, 2013).

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## 2. LITERATURE REVIEW

### (a) *Land tenure security*

There is no consensus on the definition and meaning of the concept of land tenure security and the definition of land tenure security that I use in this article—the certainty that a person's rights to land will be recognized by others and protected when challenged—incorporates Macpherson's (1978) and Ribot and Peluso's (2003) notion of enforceability of a person's claims.<sup>3</sup> This recognition and protection of rights to land could be obtained through law, custom, or convention (Ribot & Peluso, 2003). Van Gelder (2010) argues that there are three dimensions of land tenure security: (1) legal tenure security, which is backed by state authority, (2) *de facto* tenure security, and (3) perceived tenure security, which is a person's (subjective) evaluation of her tenure situation. In the "ideal" scenario, there is convergence of the three dimensions of land tenure security; the reality is that these dimensions may influence each other but they do not always correspond. However, human behavior, e.g., investment in land, hinges upon perceived land tenure security and both legal and *de facto* tenure security influence behavior by influencing perceptions (Van Gelder, 2010). Land tenure security as conceptualized cannot be measured directly and research relies on proxies of the three dimensions, such as information on challenges to land rights and their resolutions or lack thereof (Stuedler, Rajabifard, & Williamson, 2004). Further, land rights could be held by different persons and the concept of land tenure security allows for collective, and not just individual, claims to land. In this article, however, I am concerned with land tenure security of individual women even when their rights to land are obtained through membership in social groups, e.g., marriage-based land rights. Additionally, while there is a wide gamut of rights to land and, therefore, improvements in land tenure security could be realized through improvements in certainty of enforceability of any one or more land rights, the land tenure reform I study is focused on the right to use the land, the right to control income derived from the land, the right to protection from illegal expropriation of the land, and the right to transfer rights to the land to other persons.

What policies could be enacted to support or improve women's land tenure security in sub-Saharan Africa is debated. Formal land titling may fail to increase land tenure security for a variety of reasons. Notably, formalization of land rights may have little impact where informal and customary tenure systems already provide tenure security (Atwood, 1990; Pinckney & Kimuyu, 1994). Further, when formal land titling converts communal land into private land, segments of the community, including women, could be excluded or marginalized (Meinzen-Dick & Mwangi, 2009). Whitehead and Tsikata (2003) show that there is an emerging consensus among researchers, intergovernmental organizations, and policy makers that is coalescing around customary land tenure systems as the way forward. Whitehead and Tsikata argue that the "re-turn" to customary land tenure stems from a dissatisfaction of formal land titling interventions conducted in Africa. African feminist lawyers, however, question the reliability of customary tenure to protect women's land tenure security and remain drawn to a rights-based framework, while simultaneously critiquing and looking up to statutory law to provide land tenure security for women.

Theoretically, improvements in land tenure security of households are claimed to make households wealthier through four mechanisms.<sup>4</sup> First, greater land tenure security can increase incentives for investing in agricultural and land-

related inputs, which improve the profitability of landholdings, for example, as in Besley (1995). Second, greater land tenure security is posited to reduce the time and resources spent by households to defend their claims to land, which frees up resources that can be invested in human capital of households or in income-generating activities, as in Field (2007), for example. Third, improved formal land tenure security is postulated to enhance access to credit since the landholdings can serve as collateral (De Soto, 2000; Feder & Feeny, 1991). Fourth, the registration system that accompanies formal land tenure programs provides a publicly available registry of land information, which can reduce the costs of trading land rights to renters or buyers and, in turn, raise property values (Deininger, Ali, & Alemu, 2011). When households get wealthier they are better able to meet their needs, including investing in their human capital, i.e., the set of skills and traits that enable household members to provide labor (Schultz, 1961).

Empirical studies examining the impact of formal land tenure interventions, which have been reviewed by Lawry et al. (2017), present mixed evidence: land titling programs are associated with significant increases in investment in Latin America and Asia, which is in contrast to sub-Saharan Africa where land titling is generally associated with small or no increase in investment and farm income. Lawry et al. (2017) propose that the regional differences could be because the customary tenure systems unique to parts of sub-Saharan Africa already provide tenure security such that formalization of tenure adds little. Furthermore, Lawry et al. (2017) do not find evidence to support that land titling interventions enhance credit access. This literature along with other studies, for instance work by Fogelman and Bassett (in press) who document a case where a land titling program in Lesotho contributed to the dispossession of the title holders, suggest the view that enhancing formal land tenure security is always wealth-enhancing is too simplistic. The impact of a formal land tenure security intervention may depend on, among other factors, the nature and context of the intervention. Whether a particular improvement in legal, *de facto*, or perceived land tenure security will improve household outcomes is ultimately an empirical question.

In addition to the wealth effect of increased household land tenure security, changes in the land tenure security of individual household members might influence how households allocate their limited resources toward investment in human capital and other competing needs. While I focus here on the household allocation process as conceptualized in the economics literature, that conceptualization is derived from ethnographic evidence, for example, Hart (1991), who documents tensions between husbands and wives in rural Malaysia over the allocation of household resources and women's insistence on obtaining economic self-reliance. The women in Hart's study, when faced with resistance from their husbands, turn to community women groups for support. These within-household dynamics are formalized in the collective model of Chiappori (1992), which is outlined in the Appendix, and which postulates that factors originating from outside the household can have an impact on the household resource allocation process without necessarily changing the household members' preferences or the size of the household's budget. This effect could be realized if an extrahousehold factor alters the bargaining power balance in the household. An example is membership in women's groups emboldening women's agency back in their households as in Hart's (1991) study. Changes in bargaining power in turn influence which household member's preferences weigh more

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