

# Strengthening women's land rights in contexts of legal pluralism

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# Women's land rights and legal pluralism



- Political history often involves land reforms
- Women's rights at the intersection of statutory, religious, customary law

# Women's land rights and legal pluralism

- Each may pose problems but also present solutions
- Not isolated, adaptable

*How to identify gaps and opportunities to make a difference for women?*

- Inclusive, holistic picture
- Start with women

# Side note: Land tenure

- Relationships among people with respect to land, defining how rights are governed.
- ‘Bundle of rights,’ not just “ownership”
- Secure/ insecure? A continuum



# Proposed definition: Land tenure security for women

A woman's land rights are secure if they are:

- Legitimate
- Resilient
- Durable
- Enforceable
- Exercisable



# E.g. Northern Uganda

## Baseline

- Legitimacy: 65-75% among different actors
- Vulnerability: high for certain events, divorce 81%, death of husband 60%
- Enforceability: 85% where to take a claim, 41% accessible forum
- Durable: 60% rent, 50% borrow
- Exercisable: Influence over different decisions 60%

# Approach

- Tailored to results of baseline on each dimension
- Work with women on three levels
- Work with community
- Address specific gaps using customary and statutory law



# End of project

- Legitimacy: results up 20-30%
- Resilience: Up around 45% for divorce and death of husband
- Duration: Jury's out
- Enforceability: 40% up on accessibility
- Exercisability: Up around 20-25% across the board



# To conclude...

- Women at the center
- Holistic view
- Grounded in possibilities
- Particular to context
- Capitalize on gaps and opportunities of different systems

