WOMEN’S TENURE SECURITY: A PILLAR OF DEVELOPMENT

SUMMARY
This policy brief addresses the expansion of women’s land and housing rights, as a key to reducing poverty and creating resilient communities. It seeks to disentangle the legal, social, economic, political and organizational structures of land tenure acquisition in the developing world. Through an investigation of the existing literature and a series of place-based examples, this brief aims to inform the ways in which land tenure can serve as the vehicle towards the empowerment of women. After evaluating the core tenure types, it presents a series of cross-cutting strategies that can serve as a basis for improving women’s tenure security. Finally, the brief translates its findings into policy recommendations in an effort to advocate for women’s secure tenure and more equitable, inclusive and empowered communities throughout the developing world.

INTRODUCTION

Goals
The goals of this policy brief are to:
● Examine the many approaches to tenure security and their outcomes;
● Evaluate the benefits of increasing tenure security for women;
● Suggest strategies for improving women’s tenure security.

What is Secure Tenure and Why is it Important?
Land tenure is the mode by which land is owned or held and the set of relationships among people concerning land (and its products). Related to land tenure are property rights: a recognized interest in land or property vested in an individual or group. These rights can apply separately to the land itself or development on it. Rights may cover access, use, development or transfer, and as such, exist in parallel to ownership.¹

Tenure is considered to be secure when the occupant of a house or plot is unable to be displaced from the land without his or her consent. Crucially, secure tenure is not necessarily the same thing as a formal, legally recognized land title. There are a wide variety of land tenure

systems throughout the world — from formal to customary, from informal to collective — often functioning simultaneously within the same country and even within the same city.\(^2\) As a result of this heterogeneity, there is no universal solution to the problem of tenure insecurity. Counter-intuitively, in some contexts formalized tenure systems can actually displace those most in need of secure shelter and, in certain cases, a certain degree of regulatory informality or flexibility can be considered a desirable outcome.\(^3\)

While forms of secure tenure may be extremely varied across the globe, the importance of women’s tenure security is clear. Secure tenure is a critical stepping-stone towards achieving broader human development goals in the social, political and economic spheres. Secure tenure leads to greater equity between genders as well as across urban populations, empowering inhabitants by guaranteeing their rights of residence. This is in stark contrast with groups such illegal squatters and exploited renters, who often live in fear of displacement. Tenure security unlocks a host of developmental possibilities, including access to credit, connection to infrastructure, increased public health and greater political participation.

**WHY IS WOMEN’S TENURE SECURITY DESIRABLE?**

**Economic and Social Development of Communities**

Improved land tenure, particularly for women, plays a major role in the economic and social development of cities and other communities in the developing world. Tenure security fosters the inclusion of marginalized populations and integrates them in the overall economic development of their community. By improving the quality of life and ensuring shelter for the poor, actions to enhance tenure security can tackle broader development issues, such as environmental degradation, lack of sanitation, violence, and investor confidence.\(^4\)

Women’s access to secure land tenure is critical to community development outcomes. Many slum households are headed by women and this trend is increasing. According to the International Housing Coalition, women and girls make up 70 percent of the estimated 1.2 billion people living in absolute poverty and yet they only account for an estimated 1 to 2 percent of all holders of land titles in the developing world. Increasing the currently low level of tenure security experienced by women can have important impacts at the community level because women typically invest more money directly into households, as compared with men who have been shown to spend more income on personal expenditures.\(^5\)

In addition to the important role women play in household finances and in the local labor market, women also typically run household activities such as looking after children and caring for the

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\(^2\) Ibid. 416.

\(^3\) Ibid. 425.


sick and elderly. These household activities not only contribute to the development of the household, but are also skills that can be transferred to other kinds of community level activities, such as running savings schemes or overseeing construction projects. Improving land tenure for women both empowers them to be stakeholders in the development of their homes and the broader community.

Fear of eviction has negative impacts both for households and communities. The need for adults, and particularly women, to stay at home to protect their assets reduces opportunities for outside employment. This can lead to child labor outside the home as households seek to balance a need for income generation with protection of their insecure assets. Increased tenure security can thus lead to increased mobility and empowerment for women and simultaneously enhance economic development at the household and community level.

Livelihoods
Women in different countries and societies occupy varying positions in terms of status and levels of empowerment. However, in many countries women often hold subordinate positions relative to men, particularly in terms of work. Women are typically key contributors to household work and their livelihoods commonly fall into two broad categories: domestic and income-generating work. Domestic work, which is usually non-revenue generating, covers child care and household duties. Income-generating labour includes such activities as domestic service work, small scale domestic manufacturing and petty street vending. Notably, the last two of these forms of employment take the form of private, entrepreneurial activities. Women in urban poor areas are also the largest group of workers in the informal economy. Given these general patterns in women’s work, improved tenure security plays an important livelihood role in giving women the freedom to invest in their home as an asset and thereby build capital that they can then invest in entrepreneurial, livelihood activities.

Women’s Empowerment
Empowerment is a process that comprises three main steps: firstly, awareness and consciousness of current problems, secondly, formulation of alternatives, and finally, interaction between resources, agency and achievements. Women may be aware of their oppressed situation but if they do not have alternatives and the appropriate resources to act on their aspirations, they cannot live their lives the way they want.

In this context, control over land represents a key element in self-determination. Moreover, gender equality embodies a shift in the control of material resources and, therefore, in women’s bargaining power. Women who have control over assets have greater access to credit, are less economically dependent and are less at the mercy of others. The performance of Kerala, a southern Indian state, provides evidence in support of this idea. Kerala is the only community in India with a history of matriarchy among a significant proportion of its population, and its levels of literacy, sex ratio and infant mortality achieve significantly better results than the country’s

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average. In contrast, land rights in Zimbabwe are an example of the negative impact that a patrilineal land tenure system can have on women’s autonomy. The lack of secure tenure rights in Zimbabwe often deprives women of their land and homes in the event of separation, desertion or widowhood, and restricts their decision-making opportunities.

Ingrained patriarchal systems can also influence familial relationships, such as the division of household responsibilities and the allocation of resources within families. According to researchers “land tenure rights reflect the deeper structures of society” and are the spatial representation of social relations.” As a consequence, strategies to improve tenure security also serve to transform social relations and work to empower women, encouraging their active participation in decision making processes and urban governance issues.

**Family: Childcare and Inter-Household Relationships**

Tenure security is particularly important to women when considered in the context of the roles they commonly play in households. Women often serve a vital role in families and communities as carers of children and the elderly. This caring role is made all the more challenging by the fact that an increasing number of households are female-led. Where land tenure is not secure, the ability of women to provide care for their families, which is generally dependent on a stable living situation, can be undermined. Friction within households may also arise from disputes over land ownership between spouses and between women and their extended families.

In developing countries, as will be explained later in greater detail, land tenure is often defined customarily. In these cases, rights over land are generally vested in men. When the family structure changes, such as after the death of a husband, women often fall into vulnerable positions in maintaining their control over, and access to, land. They may be denied access to land or their land may be grabbed by other more powerful members of their family or community.

In Mozambique, for example, polygamous marriages can often reduce women’s access to land. In case of a woman’s death, it is possible that her children will be denied access to the land she lived on; while in case of her husband’s death, she may be evicted from the household by other wives or other members of the husband’s family. This not only undermines the stability of the family, but also results in a considerable loss in status and security for the woman. It may also prevent her from carrying out child-caring duties. Enhancement of women’s tenure security thus

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serves to avoid conflicts within households over land, which in turn empowers women and
strengthens the family as the basic unit of local community.

FORMS OF TENURE: PROSPECTS AND CHALLENGES

Formal Tenure
Formal tenure consists of rights over land that are explicitly acknowledged by the state and
which may be protected using legal means.11 The key arguments for formal tenure are its
purportedly positive effects on household income, housing investment, women’s empowerment,
local provision of services/infrastructure and health. For example, a study of urban land titling in
Peru showed a 22% decrease in birth rate among titled households. It is argued that this effect
is attributable to the increased bargaining power of women when granted a formal title.
Additionally, in the case of Peru, more women tended to engage in local governance structures
and were able to invest in their homes.12 From the governmental perspective, formal tenure is
often appealing because it can lead to a greater tax base and increase revenues flows to the
state.

Although much development literature touts the formalization of tenure as a prime mechanism
for securing people’s occupation of land and housing, as well as improving people’s material
and social conditions, recent research suggests that these relationships are ambiguous and
may be case-specific. In particular, where patriarchal relations dominate, women have generally
benefited far less from tenure formalization policies than men.13 For example, post-colonial
formalization of individual land rights in African countries “frequently vested titles to land in the
heads of the household only, who were traditionally men.”14 Upon spousal death, divorce or
desertion, women and children have often become victims of land grabbing and forced eviction.
It is argued that the lack of gender-equitable formal titling has led to the feminization of poverty
across much of the developing world.

An additional challenge of tenure formalization is that the cost of implementing this strategy is
often too high for governments to undertake. The kinds of cadastral, computer and
administrative infrastructure required to manage a formal land tenure system can be extremely
expensive. Furthermore, land tenure formalization can often lead to the social exclusion of
vulnerable populations. The poorest households are often not eligible to participate in
formalization programs and, even when they are eligible, they may not have the means to pay

http://www.fao.org/docrep/005/y4307e/y4307e05.htm
Poor, CIVIS. Learning from Cities, Cities Alliance.” Cities without Slums (3): 8.
Paper Commissioned by DFID.
their share of the administrative costs.\textsuperscript{15} Problematically for women, who make up a large share of renters in poor neighbourhoods, increases in property values associated with the transition to formal tenure and integration into real estate markets may also threaten the tenure security of tenants who may be unable to afford increased rents.\textsuperscript{16}

\textbf{Shared/Joint Tenure}

According to the United Nations, shared tenure denotes that the rights to land, either formal or informal, are shared by two or more individuals. This can take a variety of forms, such as family tenure, community titling, women’s cooperatives, or ownership by couples who each hold a portion of property together.\textsuperscript{17}

Community titling has been shown to be a powerful tool for enhancing tenure secure, but is not without considerable challenges. In this model, ownership is vested in a group or community, but individuals retain ownership of improvements to the land. This and similar models are appealing in part because they appear respectful of indigenous property traditions, while also providing tenure security for individuals and being amenable to the private market.\textsuperscript{18} In Kenya, experiments with community titling have been well received by some and advocates have argued that this approach meets individual, community and national interests in having clear and equitable systems of tenure. At the same, others have argued that such reforms have restricted women’s access to land as a result of embedding private property rights in what can be conservative community administrative structures.\textsuperscript{19}

There are two types of joint tenure relevant to spouses: compulsory and optional. Compulsory joint tenure provides married women with more secure rights to land and property by ensuring they are joint title holders with their husbands. On the other hand, optional joint tenure does not legally ensure that both members of a couple have shared rights to property. The latter in particular has the potential to leave women at a serious disadvantage.

There are many reasons for seeking compulsory joint tenure rights for women. The first is to provide equality by improving women’s access to, and control over, land. The second is to empower women’s capacity for decision-making regarding the use of their property and allowing them to use it to secure credit, to invest in their property, and to increase their ability to provide for the well being of themselves and their family. Unfortunately, while it is true that women with land rights are more likely to receive credit, they tend to obtain smaller amounts than men. The third reason for seeking compulsory joint tenure is to decrease domestic violence. Many studies


\textsuperscript{17} UN- Habitat, 2005. “Share Tenure Options for Women: A Global Overview.”


have shown that there is a negative correlation between joint titling for women and domestic violence, such as a study made in Kerala, India which revealed that women with compulsory joint tenure rights reported a lower incidence of abuse (20%) than those who did not own any property (80%).

Cases of optional joint tenure rights are found in many developing countries, including Ghana, Nepal, and Samoa. In Samoa, legislation provides husbands the option of naming their wife as a joint owner. However, tradition largely prevents naming women as joint holders when titles are formalized. Moreover, there are cases where husbands do not jointly title the family land if the wife is not working because they believe their wives do not “deserve” to be the joint owners of land. In the case of Nicaragua, joint ownership and joint titling is a legal option. However, if land is registered in the name of the husband only, the woman has little chance of receiving a share in the case of divorce or separation or in the event that her husband sells or mortgages land or other property that they are using as a couple or family. Based on these cases, increasing avenues for women to co-own land emerges as an important means for achieving both women’s tenure security and gender equality in developing countries.

**Traditional/Customary Tenure**

In traditional or customary tenure systems, land is considered to be a sacred good. It is not a commodity to be owned, but rather, a part of the landscape that is cared for by society. Such practices emerged in agrarian societies where there was little market competition for land and in which careful stewardship was necessary in order to ensure an ecological balance. Rather than using a market-exchange system to determine land use, community leaders deliberate over the allocation and transfer of land. Many parts of Africa and the Middle East use such tenure systems, where decisions regarding tenure are often dictated by or related to religious customs.

It is often argued that customary tenure practices protect residents from the “whims” of the market, preventing them from being “priced out” by rising property values. At the same time, however, formal land tenure that is integrated into the market can provide considerable advantages, as it is legally enforced by public institutions and can increase residents’ access to credit.

A study conducted in rural Peru complicates the binary opposition of formal versus customary tenure systems, demonstrating the unpredictability and complexity of how land tenure systems play out in the real world. In this case, subsistence farmers preferred to use customary, trust-based practices to manage their land, as opposed to relying on state intervention and enforcement of property rights. This reliance on traditional habits was maintained for two

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reasons. First of all, even though the state claimed to protect formal land titles, there was very little actual enforcement due to bureaucratic corruption and ineptitude. Secondly, despite claims that the distribution of land titles would increase citizens’ access to formal credit, it turned out that, while such titles were considered sufficient collateral to apply for a loan, they in no way guaranteed applicants would actually receive a loan. Thus, inhabitants in this community decided that customary, local mechanisms for land regulation were both more effective in providing incentives for investment (from private banks), and less costly to maintain than land title formalization.

A case study from Uganda further demonstrates the shortcomings of customary tenure with regard to women’s empowerment. In recent years, as the Ugandan government has devolved more and more governance responsibilities to the local level, there has been a shift away from the formalization of land tenure and back towards more traditional/customary forms of tenure. Even though these policy changes are usually presented as benefiting the urban poor, women’s groups have been lobbying against this shift, arguing that such policies in fact perpetuate gender inequalities and are used to selectively preserve practices that subordinate women. Customary tenure practices that in the past may have supported women’s access to land are now being redefined to benefit men, with ownership structures organized hierarchically through lineage. As a result, women have responded through individual as well as collective strategies, taking such tenure disputes in court and often formally purchasing land titles as a way of circumventing the traditional authorities.

**Informal Tenure**

While informality is difficult to define, this section relies on the 1996 definition by the UN Commission on Sustainable Development which states that informal settlements are residential areas where a group of housing units has been constructed on land to which the occupants have no legal claims.

Importantly for any discussion of informal tenure, there has been a gradual resurfacing of the phenomenon of legal pluralism around land, especially in developing countries. In these countries, land in some parts of the country is often officially registered while in other parts it remains unregistered and subject to informal tenure rules. In this context, informal land tenure is a topic of considerable significance. Informal tenure has increasingly emerged in response to a need for an alternative means for controlling and accessing land and shelter in those often highly populated urban and rural communities that fall outside the scope of national titling programs.

Formal land administration in developing countries has generally been unable to cope with the wide range of land rights that have evolved under non-formal land tenure arrangements. In most cases, informal settlements have been left out of planning processes as no, or only limited, land

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23 Ibid., 1021.
24 Ibid., 1020.
information is officially collected about them. Levels of cadastral coverage in informal settlements, for example, are extremely low, representing 10% in most developing countries and 1% in Africa. Moreover formal land tenure processes have proven to be inaccessible to many people living in informality, especially those living in rural areas. A reason for this is the fact that these policies are often centralized, expensive and inflexible, as they involve complex legal requirements and technical procedures that the poorest are seldom able to afford.

Complementary land rights are those that have evolved under non-formal tenure arrangements in unregistered areas. These include customary rights in rural areas (and some urban areas) and informal tenure rights in informal settlements. The aforementioned tenure rights provide alternative land delivery and tenure mechanisms through simplified procedures that are accessible, user friendly and affordable. That said, land that is subject to informal title is also generally less secure than formally titled land. According to the United Nations, today up to 80% of all urban land in developing countries is controlled through informal processes.26

Many authors have addressed informality of tenure through diverse case studies. Some advocate a bottom-up approach that is accommodating of informal tenure, such as observed in Kenya where informal tenure takes the form of informal de facto tenure.27 The forms of Kenyan informal tenure have been categorized as: share ownership, squatting and temporary occupation licenses. The first refers to land that is acquired by join purchase through companies, cooperatives and NGOs. In this case, individuals receive share certificates that show ownership of land. The second refers to land that is obtained through invasion of public and private vacant land of the city. The third denotes land that is acquired by authorization from local authorities for use on a temporary basis.

On the other hand, there are authors who believe in a more top-down approach to informal tenure that strongly advocates a move towards formalization. In this view, formalization of informal land is seen as the way to resolve the issue of informal tenure and all of its associated complexities. Like de Soto, members of this school of thought think that the solution to informal settlements comes from making reforms that give formal title rights to the informal population. They argue that this reform would inevitably lead to increased access to credit, and therefore to better economic opportunities for informal households, a high percentage of which are led by women.

Building on this examination of both bottom-up and top-down approaches to informal tenure, it’s clear that there’s a need for an alternative that builds on land tenure arrangements that are already existing on the ground and for land administration tools that fit the reality of millions of people living in informal settlements in developing countries.

HOW TO ACHIEVE WOMEN’S TENURE SECURITY: CROSSCUTTING STRATEGIES

Community Organizing
Community organizing can be a valuable resource and tool for enhancing women’s tenure security. Aside from serving as a form of mutual support, means of idea sharing, and technique for asset bundling, community organizing can also help facilitate collaboration on housing, urban upgrading, and land tenure between communities and local and national governments. By enhancing the voice of communities, community organizing strategies can increase the ability of otherwise vulnerable groups, such as women, to negotiate with the government or wealthier neighbours and organizations, thus increasing their ability to shape their own future.

Participatory enumerations are one of several effective organizing strategies adopted by women’s groups in the developing world. For example, in Abuja, Nigeria, local community organizations organized an enumeration to combat the threat of evictions, organize residents to overcome shared concerns and gain a voice in the decision making processes around land and housing. The enumeration was organized by the Women Environmental Programme (WEP) and the Federation of the Urban Poor (FEDUP), building on techniques established by the global slum dwellers network, Slum Dwellers International (SDI). The enumeration responded to the release, in 2005, of the Abuja master plan which initiated the eviction of thousands of residents from informal settlements conflicting with the plan. With only 24-hour notice of eviction, WEP estimated 800,000 people were evicted.

In May 2009, the two organizers and their members decided to sample every third house in each of the communities still at risk of eviction. With assistance from UN-HABITAT, they designed a thorough, three-page questionnaire that included roughly 40 questions on personal details as well as qualitative questions about a variety of land and housing issues. Residents were involved in every step of the process. WEP trained residents to administer the survey and the enumeration was announced at churches, mosques, local meetings, and through chiefs and their councilors. One thousand households in each community were surveyed. The data was coded and entered it into a computer and six enumerators, who received special training, analyzed the data.

The enumeration allowed communities to use the resulting demographic and spatial information to lobby government to improve infrastructure such as water supply, sanitation, electricity and roads. The enumeration process also enabled people who would otherwise never have been mobilized to become involved in land tenure issues. While the enumeration didn’t halt the eviction, it nonetheless gave communities increased voice and leverage which residents hope can begin to pressure government into ending future evictions.  

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Financing Institutions that Serve Women

Women’s rights to land, housing and tenure security are intertwined with access to financial services. However, the relationship is not as straightforward as may often be assumed, and efforts to expand access to credit in developing countries are often at odds with expanding tenure security for women.

In areas that already have access to banking services, a key approach focuses on equipping women with information and knowledge on land, housing and finance laws, regulations and policies. These educational efforts can be combined with advocacy for improved laws, regulations and policies relating to women’s land and housing rights. This is no easy task, as experiences in Uganda and Tanzania indicate. In these two countries, attempts to include gender progressive provisions in mortgage and land reform laws elicited backlashes not just from male parliamentarians and middle class women but also from commercial bankers. In Tanzania, commercial bankers lobbied strongly against provisions that would have allowed courts to reopen mortgages if inequitable mortgage terms had been based on gender. They argued that such provisions would slow the expansion of mortgage lending, and hence investment. As a consequence of these protests, the World Bank directed the Tanzanian government to rewrite the provisions.

Similarly, in Uganda, commercial banks opposed spousal consent provisions in mortgages that would have improved women’s land rights. Ambreena Manji writes: “It is significant that, having stated that he favoured improving women’s land rights at the beginning of the reform debate in the early 1990s, President Yoweri Museveni subsequently adopted precisely the same stance as the banks, claiming that Uganda’s prosperity would be threatened by legal changes which gave women access to land.” These cases in Tanzania and Uganda indicate that expansion of credit and anti-poverty efforts for women is no simple task.

A variety of barriers prevent up to two billion people, including many women, from accessing banking, saving and credit services. Some of the barriers are simply geographic. However, even when financial services are available locally, lack of proper documentation and minimum deposit requirements can still prove prohibitive.

Microfinance has been a popular means of expanding access to credit and financial services, particularly for women. However, the subsidies that are sometimes needed to support such programs and the fact that most funds are not used for investment, but instead for consumptive uses, have proven problematic. As a result, it is argued that savings groups among women are more sustainable, given that they do not require ongoing subsidies and the group’s mutual determination of what constitutes a legitimate use for a loan can help ensure less consumptive

32 Ibid.
33 Ibid.
uses. However, the small scale of many savings groups raises important questions of scale, particularly given the large number of women in the developing world who remain underserved.

Connecting women to commercial banking can be a problematic approach for achieving tenure security since the use of property as collateral, a common feature of these systems, exposes poor women to foreclosure risks. The recent subprime crisis in the U.S. is evidence of this danger as women and minorities suffered disproportionately from foreclosure and consequent eviction. In sum, efforts to expand women’s access to credit should focus on sustainable financial products that minimize unintended, negative consequences. These are likely to vary according to the local context, but positive experiences with savings groups and other community modes of financing provide some indication of the way forward.

**Increased Sensitization of Policymakers**

Improving women’s tenure security is a process that requires a change within the governmental culture. Government officials need to understand why increased tenure security for women is important and why persistent attitudes can work against the implementation of effective laws and policies. Decision-makers also need to be aware of gender biases in tenure security, so that measures can be provided to increase opportunities for strengthening women’s rights with respect to land and housing. Possible strategies for sensitizing policymakers include gender awareness and sensitization workshops for planners, policymakers and administrators, from the highest to most local levels of bureaucracy. Increasing representation of women at all levels of the administration and including them in the decision-making processes is likewise essential.

**Case: The National Policy for the Advancement of Gambian Women**

The Republic of the Gambia enacted the National Policy for the Advancement of Gambian Women (NPAGW) in 1999 to address gender inequalities at all levels of government and by all stakeholders. Recently, a mid-term review was conducted and the Gender Policy 2010-2020 document was designed to act as a resource for different actors and direct all levels of planning, resource allocation and implementation of development projects with a gender perspective. The Gambian experience reveals that due to persistent cultural barriers and gender gaps that exist between women and men, special temporal affirmative actions are still required in some areas to bridge the gender gap. One of the mechanisms adopted was to set up a National Gender Machinery, which includes a National Women’s Council. Among other responsibilities, this institution has the responsibility of sensitizing and advocating on gender issues at the grassroots level. Sensitization is at the center of the Gender Policy, which is not aimed at replacing institutional policies but to enhance their implementation and ensure that they are gender sensitive.

**References**

34 For Guidelines for Gender Sensitization Workshops, see UN-HABITAT. 2008. *Gender in Local Government: A Sourcebook for Trainers*. Nairobi: UN-HABITAT.

Increasing Involvement of Women in Land and Housing Decision Making

In order to enhance women's tenure security, their participation is essential in processes concerning new legislation and policy improvements. However, to be able to establish such conditions, several issues must be addressed.

First, existing constitutions, laws and regulations must be revised, amended and/or changed where they interfere with implementation of women's rights. Even where statutory national laws recognize women’s rights to land, housing and property, “traditional” values often prevail amongst judges, police officers, local councilors and land officials. They often interpret statutory laws in what at present are understood to be “customary ways”, as a result of which women are deprived of the rights they should enjoy under statutory law.\(^{36}\) Also, in order to recognize the role of women within the land tenure and property rights agenda, there is a need to revise constitutional mandates that historically have excluded women from getting involved. Although there are an increasing number of countries that have recognized women's rights, such as South Africa and Mozambique, there are also countries, such as Zimbabwe and Kenya, in which discrimination in customary and personal laws are still allowed within their constitutions.

Implementation is another important subject. Even if new laws exist that recognize the participation of women in land and housing decision making, there is a need to establish guidelines for their implementation in order to help politicians and government officials apply them. Also, there is a need to change historical preconceptions about the role of women both on a social and political level. In many countries, male dominated governments have a tradition that is hard to erase, leaving space for discrimination and disinterest in implementing or recognizing women’s need for tenure security.

On a positive note, the role of women in policy decision making in developing countries has been increasing over the last three decades. Although there is still much work to be done, since the late 1980s onwards there has been a rise in the contribution of civil society within developing countries and this has facilitated women's participation in decision making processes. Some of the civil society groups that have emerged over the last several decades have focused on land tenure and property rights policies. Although there are many examples in many countries where civil society and grassroots movements have played a major role on women's involvement in land tenure and property decision making, the case of Guarani in Costa Rica serves to illustrate the success of both state and civil society movement involvement.

Guarani is a housing a complex of approximately 7,000 houses on the outskirts of San Jose, Costa Rica’s capital city. It came into being as a result of the demands of a group of women living in the slums of San Jose. The women, who represented more than 30,000 mostly rural families, rejected official housing programmes that applied traditional building and town-planning regulations. They approached CEFEMINA, the Feminist Centre for Information and Action, to

assist them in their struggle and commenced massive land invasions, which resulted in thousands of persons (mostly women) moving from the urban slums onto vacant peri-urban state owned lands. The government eventually decided to work with the invaders. A volunteer group of women technicians designed a new type of housing to meet the needs expressed by the women of Guarari. Government experts yielded to pressure from women, especially since the projects the women put forward were less costly than the alternatives. To get a house in the new development, each family had to put in 700 hours of work. Not all this time necessarily had to be spent on the building site. Other options included looking after children, preparing collective meals and serving on committees. The project was also assisted by the creation of a Special Commission on housing and a law called ‘Real Equality for Women’ which gives women the right to either be the sole holders of land rights or at least share title with their partner.37

This example demonstrates the need for organizations such as CEFEMINA that have given authority and representation to women in order to address their rights towards housing. In countries where the state is not capable of addressing women’s rights, civil society, grassroots and non-governmental organizations acquire a leading role in advancing gender equality. However it is necessary for leading organizations such as the World Bank and the United Nations to provide guidelines and ensure their implementation and to likewise encourage decision makers, and decision making processes, to take better account of women and their land tenure needs.

Multi-Stakeholder Collaborations and Platforms
The numerous stakeholders who must be involved in efforts to increase tenure security for women requires multi-stakeholder collaboration in order to make meaningful and sustainable improvements. Women’s groups, governments, local authorities, civil society, community residents and international agencies all have an important role to play in achieving women’s tenure security. In collaborations among these diverse groups, a multi-stakeholder approach improves awareness of issues, trends, and policy implications. It also creates effective alliances and broader stakeholder ownership of the tasks required for effective policy implementation.38

The need for multi-stakeholder collaborations and platforms has been demonstrated in national efforts to map the diverse players engaged in improving tenure security. For example, Theresa Tufuor, Ghana’s Deputy Director of Housing, analyzed her government’s programs for limiting discrimination on the basis of gender in the areas of housing, land, and property. Her analysis revealed the complexity of coordinating the various actors who all have a stake in achieving tenure rights for vulnerable populations. These actors include: government agencies (including ministries, local governments, and legislative bodies), the private sector, financial institutions, co-operatives, professional bodies (including architectural and planning organizations), NGOs,

community based organizations, international agencies, and research institutions. The results of Tufuor’s analysis suggest that action on women’s tenure security is unlikely to be successful if multi-stakeholder platforms are not in place to coordinate these diverse groups.

UN-HABITAT has also recognized the need for multi-stakeholder strategies to address human settlement issues, including land tenure. The agency argues that formalizing multi-stakeholder platforms at the international, national, and local level creates synergy by bringing together intellectual capital, aligning intervention skills, empowering partnerships, and bridging socioeconomic divides. This synergy is an essential element to addressing gender issues related to land tenure.

Two interesting examples of how multi-stakeholder collaboration can advance efforts to increase women’s tenure security are provided by “Cities Without Slums” programs in Lesotho and Uganda. In Lesotho, outcomes to date include adoption by government of a stakeholder forum that involves all relevant actors, including slum dwellers, in a participatory situation analysis. Likewise, in Uganda, the government has established a multi-party forum that has undertaken a situation analysis highlighting the condition of housing. Additionally, and in collaboration with UN-Habitat, action plans have been adopted for two informal settlements, and capacity building support is being provided in partnership with the World Bank to assist the Ministry of Water, Lands and Environment in developing innovative approaches to land administration. The pilot programs initiated by the stakeholder fora in Lesotho and Uganda have already shown that multi-party, pro-poor and gender-sensitive approaches to land tenure and land administration are key to confidence-building and conflict resolution and are major determinants to promoting women’s rights in general and their land rights in particular.

CONCLUSIONS AND RECOMMENDATIONS

This policy brief has undertaken an evaluation of major tenure forms and has explored cross-cutting approaches that can help enhance women’s security of tenure. After recounting why women’s secure tenure is important for women, families and communities, the brief documented the prospects and challenges associated with formal, shared, traditional and informal tenure. Finally, the brief outlined a series of discrete, cross-cutting steps that can be employed to enhance women’s tenure security. While none of these strategies is a panacea, each opens important avenues for advancing women’s rights to land and housing and, by extension, women’s empowerment and livelihoods. These strategies, which also serve as the basis for the brief’s recommendations, include:

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1. Supporting and enabling grassroots organizations, and organizing strategies, that allow women to mobilize in pursuit of increased tenure security.

2. Establishing and supporting financial institutions that serve women’s needs and allow women to access the credit needed to invest in their homes and property. These financial institutions include both formal banks and micro-financing institutions, but also - perhaps more importantly - grassroots savings groups that are specifically targeted to meet women’s needs.

3. Enhancing the degree to which policymakers take into account, and respond to, women’s tenure security needs.

4. Increasing the involvement of women themselves in land and housing decision making at all levels. It is only by actively engaging women’s voices in the decisions and policies that shape land and housing that their perspectives can begin to be heard and acted upon.

5. Involving the diverse actors who have a stake in women’s tenure security - including individual women, women’s groups, civil society organizations, NGOs, governments and international organizations - in multi-stakeholder fora that can begin to forge a cohesive and unified strategy for moving towards a world where women no longer live in fear of displacement and dispossession.

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