Implications for Measurement and Policy

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Key features of common pool resources (e.g. forests, pastures, fisheries)

- Low excludability, high subtractability
- Heterogeneous resources over space and time
- Multiple, overlapping uses
- Gender differences in resource uses, dependence, priorities
Mosaics of land use and tenure types

Photo credit: CIFOR
Key features of collective tenure

- **Mosaics** of tenure types
  - **Communal tenure** (land held collectively, e.g. by lineage, but allocated for individual use and management)
  - **Common property** (collectively used and managed; may be “owned” by the state)
- **Multiple, overlapping users, claims**
- **“Secondary” rights are important**
- **Need for collective**
  - To manage resources
  - Mutual assistance
  - Collective identity
- **Land rights socially embedded**
- **Territorial approach:**
  - Land rights and Governance
Tenure security

• Tenure security:
  • **Completeness** of the bundles of rights
    • Access, withdrawal, management, *exclusion, alienation*
    • Focus on “ownership”
  • **Robustness/resilience** (can withstand challenges, e.g. land grabs)
  • **Duration** (long horizon)

• Institutional focus: state
Women’s Tenure Security

• Individual level—**not just FHH**

• Tenure security:
  • **Completeness** of the bundle of rights (but often only women’s “access”, not “rights”)
  • **Robustness/resilience**
  • **Duration** (long horizon, **not changed by change in marital status**)

• Bundles of rights (use, **fructus**, control, **inheritance**)

• Institutional focus: state and (extended) **family, clan**

• Degree of individual vs joint rights
Women’s Tenure Security in Collective Tenure

• **Group and Individual level**

• Tenure security:
  • Importance of individual “sticks in the bundle” of rights, not completeness of the bundle of rights (but often group “rights” not recognized)
  • Robustness/resilience (can withstand challenges, e.g. land grabs affecting whole community)
  • Duration (long horizon, not changed by change in marital status, may vary over seasons or years; locally considered in generations)

• Institutional focus: state agencies (e.g. forest agency) and (extended) family, clan and community

• Nested security/insecurity:
  • Strength of collective’s rights
  • Strength of individual’s rights and voice in the collective
Rethinking “bundle of rights” as “web of interests”

Photo credit: CIFOR
“Bundles of Rights”

Private property
- Access
- Withdrawal
- Management
- Exclusion
- Alienation

Collective tenure
- Access
- Withdrawal
- Management
- Exclusion
- Alienation

Exclusion rights for some = Loss of access rights for all others

Web of interests to accommodate multiple users

Importance of fructis rights—who benefits?

Photo credit: CIFOR
Land rights embedded in social relations

• Applies to all land rights, but especially apparent for collective tenure
• Who “holds” the land rights?
• Where are women in those social relations over land?
• Importance of governance arrangements

Photo credit: Fiona Flintan
Risks of privatization, individualization

Dispossession of whole groups
Fragmentation of resources
Women “fall between two stools”
Securing women’s collective tenure

- Securing rights of the collective to the resource
- Ensuring effective governance of the collective resource
- Redressing discriminatory ‘custom’
- Ensuring women’s voice in collective governance
- Ensuring complementary resources to use collective rights effectively
- Opportunities for women to help secure collective rights, thereby also raising their status in the community

Photo credit: Rachael Knight
Women’s land rights

Collective tenure

Photo credit: Landesa

Photo credit: CIFOR
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