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**WOMEN'S LAND RIGHTS AND EMPOWERMENT  
UNDER DIVERSE PROPERTY REGIMES**

**CASE STUDIES OF COCHABAMBA, BOLIVIA**

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## **Abstract**

The purpose of this study has been to add to the understanding of women's land rights by exploring how land rights under different property rights regimes can be conducive to women's empowerment at household and community level. To do so, I have applied two case studies of a rural and a peri-urban area respectively in the department of Cochabamba in Bolivia and collected qualitative empirical data from multiple sources.

On the basis of a review of relevant literature and theories on empowerment and property rights, I argue that property rights to land, both in private and common property regimes, have the potential to improve women's decision-making power in the household, income generation and political participation, as well as reduce incidence and prevalence of domestic violence. Moreover, the study indicates that the type of property regime is less critical to women's empowerment than property rights theory suggests.

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## List of Abbreviations

AMLECO	Asociación de Módulos Lecheros Cochabamba	Cochabamba Dairy Module Association
APAM	Asociación de Productos Apícolas Mizque	Mizque Beekeeping Products Association
ARCO	Acuerdo de Responsabilidad Compartida	Shared Responsibility Agreement
CATCOPA COMUVA	Coordinadora de Mujeres del Valle Alto	Upper Valley Women's Coordinator
CIOEC	Coordinadora de Integración de Organizaciones Económicas	Integrating Coordinator of Economic Organizations
CIPCA	Centro de Investigación y Promoción del Campesinado	Center of Research and Promotion of the Peasantry
CORACA- AIQUILE	Corporación Agropecuaria Campesina Regional Aiquile	Regional Peasant Agricultural Corporation Aiquile
FG		Focus Group Discussion
INRA	Instituto Nacional de Reforma Agraria	National Agrarian Reform Institute

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## 1. Introduction

Globally, women's property rights to land have for development practitioners, activists and academia, especially feminist scholars, become an area of increasing interest (e.g. ActionAid 2010; FAO 2010; UN-HABITAT 2008; UN-WOMEN 2011; Agarwal 1994; Deere & Leon 2001b). Even though women provide 60-80 percent of most developing countries' agricultural labor and their right to land long has been recognized by several international agreements<sup>1</sup>, as little as 1-2 percent of the world's land is owned by women (Actionaid 2010; FAO 2010; INRA 2009:8; Allendorf 2007:1975). This means that women have access to land and housing but do not hold the title to it and therefore their secure land tenure is dependent on the relation with their spouse or other relatives (Lastarria-Cornhiel & Giovarelli 2005:10). The reason for this gender imbalance in land ownership is likely to be found in patriarchic cultural norms and customs affecting both legislation and everyday practice (UNIFEM 2010; Deere & Leon 2001b:1; Lastarria-Cornhiel 2009:195; Quisbert 2010:26;).

Land is arguably one of the most important assets for people throughout the world especially for the rural and urban poor in developing countries, where it may provide an important opportunity to escape poverty. In rural areas, secure land tenure and control over the use of land are the basis for food and income production, whereas for urban dwellers land is an important asset for adequate housing and it often serve as a place to develop informal productive activities (USAID 2007:1, 12; Lastarria-Cornhiel & Giovarelli 2005:10; Lastarria-Cornhiel 2009:198).

Along these lines, granting land titles to women it is argued, brings about a broad range of positive economic and social benefits both in terms of improving livelihoods, rural income, family welfare, food security, gender equity and women's economic, social and political empowerment (Fundación Tierra 2009:4; INRA 2009:8; Agarwal 1994:39; Deere & Leon 2001a:23; Meizen-Dick 1997:5; Pena et al. 2008:55-57). In particular, it is argued that women will be empowered by having land since they will be provided with a marketable asset, which can be sold, leased or mortgaged as well as an asset that helps them break with the exclusion and secondary status they experience in their community. Moreover, it is claimed that land can lower women's risk of physical and psychological

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<sup>1</sup> E.g. The Universal Declaration of Human Rights, Beijing Declaration and Platform for Action and the Convention on the Elimination of All Forms of Discrimination against Women



violence by increasing their bargaining position in the household (Delgadillo 2010:56; Nuñez 2009:16; Jacobs 2002:893; Lastarria-Cornhiel & Giovarelli 2005:10, 43-46; Lastarria-Cornhiel 2009:193, 197-198; Meizen-Dick 1997:5; Pena et al. 2008:55).

Different forms of tenure systems or property regimes under which women own or control land exist. These largely include two types; (i) private property with individual tenure or joint tenure i.e. land held by both spouses and (ii) common property with shared tenure, i.e. land that is owned, leased or occupied by larger groups, such as families, communities, women's groups or co-operatives (Delgadillo 2010:56; Lastarria-Cornhiel & Giovarelli 2005:10-11). According to theory and empirical evidence (e.g. Bromley 1992; De Soto 2000; Ostrom 1990) these different property rights regimes each entail distinct advantages and disadvantages.

Despite the growing interest in the topic of women's land rights and the availability of a considerable amount of literature dealing with the theoretical rationale for why women should have land, the body of empirical studies on the actual impacts on women's empowerment, which have the potential of validating these claims, is limited (Deere & Leon 2001b:28; Lastarria-Cornhiel & Giovarelli 2005:43). The majorities of the studies which after all have been conducted are predominantly based on quantitative data and concern only land in rural areas (Allendorf 2007:1975; Anderson 2002:847-48; Mason 1998). In regard to the influence of the property rights regime on the relationship between women's landholding and empowerment outcomes, I have only come across one study that addresses precisely this issue (Argawal 2003:201, 210-213) and a few others, which discuss the desirability of individual as opposed to joint titles with husbands (Argawal 1994:486-492; Jacobs 2002:892; Lastarria-Cornhiel & Giovarelli 2005:10, 43, 468, 472-474).

On the basis of this, I have identified a need for qualitative research in this field, and this study will therefore inform the current debate on women's land rights by allowing a deeper understanding of the actual effects on women's empowerment under different property rights regimes through empirical case studies carried out in Cochabamba, Bolivia.

Bolivia has provided a relevant place for this study because many land titles have been issued to women through a recent land reform and this area of study is poorly researched it only recently

have caught the interest of local governmental and non-governmental research institutions (Fundación Tierra 2009:5; INRA 2008:13; Delgadillo 2010:62).

The main purpose of this study has been to explore how land rights in the department of Cochabamba in Bolivia may be conducive to women's empowerment under different property rights regimes. To do so, I have applied two case studies; one in a rural area, where the women have common property rights to their land, but are in the process of switching to private property rights; and one in a peri-urban area, where the women have common property rights to their land. At a glance these case studies seem very different but since land is so much more than agricultural production, or put differently, is an important asset that provides opportunities in relation to housing and livelihoods, having cases from both rural and urban areas is relevant when studying the effects of women's landholding.

In order to focus the study, I have posed the following research questions:

- In what ways do women's secure property rights to land in Cochabamba contribute to their empowerment at household level?
- What are the relative merits of private and common property regimes respectively in terms of improving women's empowerment at household level and in the community in Cochabamba?

The thesis starts out with a brief background, regarding land tenure in Bolivia and a summary of the case studies, which is followed by an outline of the applied methodological approach. Subsequently, I will present a literature review concerning conceptualizations of women's empowerment and property rights theory as well as the theoretical framework applied in this study. Thereafter the analysis of my empirical data is presented and finally the thesis is concluded with a summary of the key findings and some general lessons about women's property rights to land and empowerment in diverse property rights regimes.

## 2. Background

### 2.1 Land Tenure in Bolivia

In Bolivia historically the land tenure system has been characterized by a combination of *latifundio* (large landed estate) and indigenous customary practices. After a peasant uprising against the *latifundio* working conditions, a relatively radical land reform program was initiated in 1953, which led to the redistribution of 4/5 of the land to landless and land-poor *latifundio* tenants and workers (Lastarria-Cornhiel 2009:207-208, 221). In practice the only women receiving land as a result of this reform, were widows with small children (INRA 2009:35; Rivera 2006:144-145).

The current legal framework regulating land ownership however is now much more favorable to women and amongst the most progressive in Latin America. Hence, The National Agrarian Reform Act 1715<sup>2</sup> approved in 1996, stipulates that "*The National Agrarian Reform Service<sup>3</sup>/.../ shall apply considerations of equity in the distribution, administration, occupancy and utilization of land in the interest of women regardless of marital status*", and its amendment Law N° 3545, passed in 2006 in the framework of the 2006-2010 National Development Plan, emphasizes that both spouses shall have their names registered on the deed, with the woman's name first (INRA 2009:24-25; Carpio 2010:7; Delgadillo 2010:53-54; Lastarria-Cornhiel & Giovarelli 2005:35-36).

During the years 1996-2010 approximately 300.000 individuals have received individual, joint or shared land titles through the current agrarian reform program (INRA 2011). Recent numbers show that approximately 14.000 women and 33.000 men have received individual titles and 11.000 couples have received joint titles. The exact number of women and men however, who have received shared titles through communal land schemes is unknown. This last type of land titles have mostly been granted to indigenous and/or peasant communities (approx. 10.000 communities in total with 100-500 families each) that determine the allocation and use of land plots internally in accordance with customs and traditions after receiving the titles (Fundación Tierra 2009:3, 7; INRA

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<sup>2</sup> The reform embodies a combination of neo-liberal and social justice principles and the objective has been to title and register land parcels that were distributed through the 1953 land reform and to update the registration of untitled land. The beneficiaries therefore include; those that received land as a result of the 1953 land reform, those that have received land through inheritance or through the market and those that legally occupy a piece of land without any legal property documents, which usually is the case for indigenous communities (Delgadillo 2010:56; Lastarria-Cornhiel 2009:222; Lastarria-Cornhiel 2009:2011, 222; Deere & Leon 2001b:175).

<sup>3</sup> Instituto Nacional de Reforma Agraria (National Agrarian Reform Institute)

2009: 14, 27-28, 37; Carpio 2010:34, 36; Deere & Leon 2001b:175; Delgadillo 2010:56, 66, 68; Lastarria-Cornhiel & Giovarelli 2005:48; Lastarria-Cornhiel 2009:224-232; Nuñez 2009:13).

The legal framework regulating urban land in Bolivia includes primarily Law N° 2372 named Regularization of Urban Property Rights passed in 2002 (Farfan 2004:222) and its amendment Law N° 2717 passed in 2004 (Habitat for Humanity 2011a:5). The purpose of the laws has been to provide secure land tenure for the urban poor by instating massive regularizations of urban areas, in particular land in the peri-urban areas that originally have been used for agriculture, but now serves as informal residential areas of low-income populations. That said neither of the laws pay particular attention to gender issues or women's rights. In the framework of a program named ARCO<sup>4</sup>, which is implemented by the government in collaboration with a number of municipalities in the biggest cities, large parts of the peri-urban areas of Cochabamba have been regularized (Habitat for Humanity 2011b:11-12; Habitat para la Mujer 2010:11).

## **2.2 Case Study 1 – Coraca-Aiquile**

The first case study applied in this thesis concerns a rural producers' organization named Coraca-Aiquile<sup>5</sup>, which is located in the village Aiquile in the southern part of the department of Cochabamba about 250 km. from Cochabamba city. The members consist of smallholders from 13 rural communities in the high valley hinterland within a radius of 20-80 km. The organization's mission is to increase the member's income by connecting them with markets through collective processing and marketing measures. In 2008 the organization officially had 295 members of which 11 were women. However, more women actually engage in the organization's meetings and activities, as they are allowed to participate as substitutes for their husbands, when they are absent (Torrico & Arias 2008:57).

The respondents from this case study are all of Quechua origin and even though their primary livelihood is agriculture some also receive remittances from family members abroad. Mostly they breed livestock (e.g. sheep, pigs and cattle) and grow different types of cereals and grains such as corn and wheat, which is partly processed, packed and marketed through Coraca-Aiquile. The main inputs used in the production constitute rainfall, manual labor; organic fertilizers and bullocks. In

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<sup>4</sup> Short for Acuerdo de Responsabilidad Compartida (Shared Responsibility Agreement)

<sup>5</sup> Short for Corporación Agropecuaria Campesina Regional (Regional Peasant Agricultural Corporation)

the communities of the members the principal governing and decision making bodies are the farmers' unions, which have emerged in the post 1953 agrarian reform period and until recently only allowed male heads of household as members (Deere & Leon 2001b:74).

### **2.3 Case Study 2 – Maria Auxiliadora**

The second case study is a community named Maria Auxiliadora, which is the home to 290 low-income families. The community is located on a hillside in a peri-urban area south of the city of Cochabamba and it was founded in 1999 by a local grassroots organization called 'Habitat para la Mujer' (Habitat for Women) as part of a project. The purpose of this project has been to provide adequate housing for poor families in urban Cochabamba, especially female heads of household, that would not otherwise be able to access a piece of land (Habitat para la Mujer 2010:1, 3, 5).

The territory of the community was originally rural land, which was purchased by one of the leaders of Habitat para la Mujer that today is the coordinator of the community. In the initial stage of the project the land has been regularized in the framework of the current agrarian reform program and about 3 years ago it has been regularized as an urban residential area through the ARCO program. The families of the community have built their houses with own funds over the years or with credits from one of two NGO's<sup>6</sup> specialized in providing credits for housing to low-income families. Additionally, several of the families have made use of, and participated in one or more of the community's collective action and mutual help schemes. These include internal interest free loans based on common savings and income from community bazaars, as well as arrangements, originally practiced in rural communities in Bolivia; *pasanaku* and *ayni*. The former is a system to pool resources, which in this case has allowed the families to purchase building materials, whereas the later is a system in which families help each other with work on each of the families' property (Habitat para la Mujer 2010:5-6, 9, 11-12).

Furthermore, the families have achieved the establishment of a kindergarten and a place for after school activities, as well as the installation of tap water and a sewage system in the community. Common for these services is that they are partly financed by the community members and partly by external donors. Finally, the community has established rules, which entail that excessive alcohol consumption and setting up bars are prohibited, and that only women can attain the

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<sup>6</sup> Fundación Pro-Habitat (Pro-habitat Foundation) and Habitat for Humanity

positions as president and vice-president in the community board. Every month the community holds assembly meetings for all members, where the most important decisions are made. Apart from the board different committees are in charge of areas such as basic services, health and education (Habitat para la Mujer 2010:4-7, 9).

Figure 1: Map of Bolivia



Source: <http://www.map.freegk.com/bolivia/bolivia.php>

### **3. Methodology**

I have chosen a qualitative research strategy for this study for two reasons. First of all it suits the type of research questions I have posed, which are explorative questions seeking to explore the meaning of people's social world and their perceptions in a natural setting (Bryman 2008:386). Secondly, little qualitative research exists exploring how women's property rights to land may influence their empowerment in Bolivia and hence my study seeks to fill this gap (Deere & Leon 2001b:28; Creswell 2009:12, 146).

Moreover, I have used a case study approach of inquiry to address my research questions, which seemed appropriate since I have been looking into a contemporary phenomenon within its real life context, where the conditions are highly relevant and where I have had little control over the human behavior being studied (Yin 2003:1, 3, 7-8, 13). In particular, a multiple case study design has been applied with two variant cases of female property rights holders (Yin 2003:6, 14, 46-53).

The first case is a so-called exemplifying case, which is representative of the commonplace situation of poor rural households in the highland area of the department of Cochabamba that will focus on the women's expectations in relation to the forthcoming change from a common to a private property regime.

The second case study is a unique case, in the sense that it is uncommon to the context in which the study takes place, and most likely the only case of its kind in an urban area in Bolivia. This case will focus on the women's experiences in a common property regime during the last ten years (Bryman 2008:56-57).

In the analysis I will look into the two cases on an individual basis and hence I will not do a continuous comparison of the same variables in both cases. Instead, in order to enhance the understanding about women's empowerment under diverse property regimes, I will make a comparison of the findings of the two cases in the concluding chapter.

### **3.1 Data Collection**

The respondents from case study 1 were selected using a purposive sampling technique whereas the respondents from case study 2 were selected using a combination of snow-ball and purposive sampling techniques (Creswell 2009:178; Mikkelsen 2005:193). Especially, the experience and perceptions of adult women have been of interest to me as it seems obvious to try to understand the research topic through their eyes. In order to triangulate the information obtained from the women adult men from the case studies and women from other rural producers' organizations have participated, as well as other key informants.

The key informants were purposively sampled, based on their knowledge and thus included extension workers with specific knowledge of one of the case studies and representatives of public sector and civil society institutions with expertise in the field of women's land rights in Bolivia (Creswell 2009:178; Mikkelsen 2005:193). (See appendix 1 for more information on the respondents).

The main source of information has been individual semi structured in-depth interviews (Mikkelsen 2005:169-174) with the purpose of creating a space for the respondent to talk freely and gaining more in-depth and rich information and details, which is suited for a qualitative case study research. Having some structure after all, as opposed to the unstructured interview, has helped me to obtain comparable answers (Bryman 2008:437-438).

Other sources of information include two focus group discussions (Bryman 2008: 439, 475-476) with 4 and 10 respondents respectively of both sexes from case study 2. The purpose of the focus group discussions has been to obtain information on the participants' perceptions and opinions on women's property rights to land in general in a forum, where they were asked to talk about the topic without necessarily referring directly to their own experiences (Bryman 2008:473-74, 488-89). Unfortunately, because of limited access to rural communities due to bad weather, I have not been able to conduct focus group discussions with respondents from case study 1.

The last source of information includes direct observations (Yin: 2003:92-93) conducted during the visits to the study sites and while conducting interviews and focus group discussions, in order to obtain additional information to better understand specific behaviors and contextual conditions.



All interviews and focus groups of case study 2 took place in the participants' homes or in the streets during January and February 2011 and the interviews of case study 1 were carried out during a two-day workshop arranged independently from my study with 35 members of Coraca-Aiquile in February 2011. (See appendix 2 for more details regarding interview guides).

Table 1: Overview of Interviews and Focus group discussions

Segment	Technique	
	Semi structured in-depth interview	Focus Group
<b>Respondents</b>		
Women from case study 1	6	
Women from case study 2	10	
Women and men from case study 2		10+4
Men from case study 1	3	
Men from case study 2	6	
Women from other rural producers' organizations	4	
<b>Key informants</b>		
Extension workers	6	
Experts civil society	2	
Experts public sector	2	
<b>Total</b>	<b>39</b>	<b>14</b>

Source: Author 2011

### 3.2 Analytical Approach

In order to structure the analytical process of this study and move deeper into understanding the data I have collected, I have employed an analytical strategy including four steps of analyses. This however does not mean that I have approached them in the chronological order presented below. The steps are as follows:

- 1) Preparation of the data; transcription of interviews and systematization of group discussions
- 2) Review of the data in order to get a sense of it and some general ideas about the statements of the participants

- 3) Coding of the interviews and group discussions into categories by using open coding based on predetermined concepts from previous literature on the effects of female landholding on women's empowerment as well as property rights theory. During this process also unexpected codes have emerged
- 4) Analysis of selected themes, which emerged from the coding process and in the literature and theory. The findings are supported by specific evidence and quotes from the interviews and focus group discussions as well as findings from similar research in Bolivia and theories on women's empowerment and property rights. On the basis of this I have been able to present some ideas about women's landholding and their empowerment under different property rights regimes.

(Bryman 2008:538-539, 542-544, 550-553; Creswell 2009:183-190; Mikkelsen 2005:168, 180-185).

### **3.3 Quality of Research**

With the aim of increasing the construct validity or the accuracy of the conclusions of my study, I have triangulated different sources of data information, both in terms of data collection techniques, which have included interviews, focus groups discussions and direct observations, but also in relation to the sampling of respondents. Triangulating different sources of information have contributed to a higher credibility of the findings, since I have been able to cross-check the findings and hence to present converging evidence from different sources (Yin 2003:33-36, 83-106).

Internal validity or the match between the empirical findings and the theoretical ideas was ensured since I have spent considerable time in the field and carried out repeated visits at the research sites, which have helped to gain an in-depth understanding of the phenomenon under study and to gain detailed knowledge about the cases that have made it possible to discern the different factors that influence women's empowerment besides from having land i.e. rival explanations of the causal claims about female landholding and empowerment (Bryman 2008:377-78, 391-92; Creswell 2009:191-192, 199; Yin 2003:35-37 44-47, 53, 93, 98-99).

According to LeCompte and Goetz (1982 cited in Bryman 2008:376) it is not possible to guarantee that a qualitative study can be replicated since it is not possible to 'freeze' a social setting or situation. Instead they suggest that to ensure reliability in a qualitative study, the role of the

researcher should be replicable. In my study therefore I have documented my data collection, sampling and analytical strategies and procedures in detail, so that other researchers may be able to repeat the study and most likely end up with the same results (Bryman 2008:377-79; Creswell 2009:200; Yin 2003:34, 37-38).

### **3.4 Ethical Considerations**

In this study I have applied certain ethical principles in order to ensure respect and transparency in relation to the participating respondents. First and foremost, all respondents have participated on a voluntary basis prior to an informed oral consent, which means that I have carefully informed all respondents about the purpose of the study, their role in the study and how their statements will be used before each interview and focus group discussion. Secondly, in order to ensure anonymity and security of the respondents from the two case studies, I have used fictitious names throughout the thesis and hence the real names are only known by the researcher and the person in charge of the transcription of interviews, who has pledged his confidentiality. The names of the key informants are all real names as they have been interviewed because of their capacity and have all given their consent to their names being revealed in the study (Creswell 2009:198; Scheyvens & Leslie 2000:119, 121, 124-125, 128; Scheyvens 2003:139, 140-143, 146).

## 4. Literature Review

A wide selection of literature addresses research and theories that are relevant, when studying property rights and the existence of women's empowerment. In the following I will review previous and current perspectives on these issues. The first section gives an introduction to property rights theory and a status on property rights to land in Latin America generally and Bolivia specifically. The subsequent section gives an introduction to different conceptualizations and methodological approaches to women's empowerment as well as an account of the theoretical rationale behind the positive link between land rights and women's social, political and economic empowerment as well as a sum up of relevant empirical findings from Latin America and Bolivia.

### 4.1 Property Rights Theory

When dealing with land rights it is essential to look into the literature on property rights since the debate concerning diverse property rights regimes has influenced the formulation of public land policy in developing countries.

Property rights are a bundle of rights regarding the resource use and transfer held by a property holder (USAID 2007:53; Mahoney 2004:111). Largely, these rights can be split into five levels of rights that can be assigned to the property holder. All rights can be granted to the rights holder at once or they can be seen as a scale moving from the minimal rights of access to full ownership rights (Schlager & Ostrom 1992 cited in Ostrom 2000:339):

1. **Access** i.e. the right to enter a defined physical area and enjoy non-subtractive benefits
2. **Usufruct** i.e. the right to obtain resource units or products of a resource system
3. **Management** i.e. the right to regulate internal use patterns and transform the resource by making improvements
4. **Exclusion** i.e. the right to determine who will have access rights and withdrawal rights, and how those rights may be transferred
5. **Alienation** i.e. the right to sell or lease the resource

The rights holders can be natural or legal persons, or groups or units of government and they can be exercised formally as *de jure* rights embedded in a judicial system or informally as *de facto* rights based on customary traditions, or as a mixture of both (Mahoney 2004: 111; Ostrom 2000:342).

Land has throughout time and across nation states been managed in accordance to a variation in property rights and tenure systems for different social and economic purposes. Therefore, in the legal and economics literature about property rights, the merits or the efficiency, equity and sustainability of natural resources in private property regimes in contrast to common property has long been a contested issue (e.g. Barzel 1989; Bromley 1992; Cheung 1970; de Soto 2000; Demsetz 1967, 2002; Feder & Feeny 1993; Hardin 1968; Ostrom 1990). The dominant view point in this debate and in public policy formulation has been that private property is by far superior to common property, since it is considered more efficient and hence a prerequisite for economic development (Bromley 1992 3-5; Ostrom 2000:333-334).

### ***Arguments for Private Property***

At the heart of the pro-private property argument lies the ‘free-rider problem’, which was first put forward in the economist Garrett Hardin’s (1968) article “The Tragedy of the Commons”. This problem it is argued arise in common property regimes, whenever a person cannot be excluded from the benefits that others provide. In this manner, each person is motivated not to contribute to the joint effort but to free ride on the efforts of others. If all appropriators choose to free ride the collective benefit will not be produced and the resource is in danger of being overused and eventually deteriorated (Ostrom 1990:6; Runge 1992:18-19). Based on this assumption it is argued that common property rights regimes end up being very costly because rules need to be set up and enforced in order to reduce the externalities of overuse by the involved appropriators (Ostrom 1990:9).

This point of view is furthermore supported by the argument that private property is more productive and efficient and hence more beneficial for overall economic development. This argument is based on the assumption that a farmer who owns his own labor, land and other inputs will see a direct relationship between the investment of these assets in the production and the benefits achieved over the long term, whereas a farmer with common property rights to his land may see a loose connection between personal contributions and private benefits in the long term,

and is therefore less motivated to invest in the land and work harder to optimize the production, but is instead more prone to free-ride on the efforts of other appropriators (Mahoney 2004:114; Ostrom 2000:334-335).

Finally, private property rights, which equal full alienation rights, are considered preferable, since the rights holder can use his possessions in the most optimal way by transforming the dead capital of assets, such as land, into live financial capital that can be invested in the property or in other income generating activities (de Soto 2000:15, 32, 48-49; Ostrom 2000:339).

### ***Recognizing Common Property***

The pessimistic models on common property mentioned above have been contested by several economists who have brought a more optimistic opinion of the potential of common property regimes into the debate about property rights (Ostrom 1990:7). Some of the most predominant in this group of researchers are Elinor Ostrom (1990) and Daniel Bromley (1992).

They posit that private property advocates have failed to distinguish between the critically divergent regimes of common property and open-access property (Bromley 1992:3-4; Ostrom 2000:335). An open-access arrangement, they acknowledge, can be problematic because the property is poorly defined and problems of free riders may occur. However, a common property arrangement can be well managed in a way that this problem is avoided, especially when a well defined group of appropriators with restricted membership undertakes the governance (Bromley 1992:3-4, 11-12). What is then important is how the regime is managed by its social institutions and not the anticipated problems of free-riding *per se* (Runge 1992:18).

Based on this assumption and in an attempt to go beyond the simple and static models put forward by the early property rights school successful and less successful cases of common property regimes have been identified and analyzed giving more attention to the settings under which they operate, which has led to the theorizing about the benefits of common property regimes as contrasted to private property regimes (Bromley 1994:4; Ostrom 1990:183; Runge 1992:21-31).

### ***Property Rights in Latin America***

Since the early 1980's many countries in Latin America have, in an attempt to modernize out-dated state land administration and customary tenure systems, adopted a wave of titling and property registration programs supported by international donors. These programs usually have fallen into the private property rights paradigm and therefore their goal has been to privatize and legalize land held informally under customary tenure by granting the property holder formal alienation rights in order to achieve economic efficiency (Lastarria-Cornhiel 2009:199, 201).

In Bolivia this has also been the focus of the recent land reform but to a lesser extent. Here social-justice concerns have also been emphasized as a significant goal of the reform. This is reflected in the recognition of the rights of indigenous and peasant citizens by assigning common property rights to entire communities. In fact the large majority of the land that has been regularized during the last decade in Bolivia has gained status as communal land (Lastarria-Cornhiel 2009:199, 210-211, 222).

### **4.2 Women's Property Rights and Empowerment**

In the literature it is theorized that land can make notable differences in women's social, economic and political empowerment (e.g. Agarwal 1994, 2003; Deere & Leon 2001a,b) but as highlighted in the introduction of this thesis only a few studies are available to confirm this rationale empirically (e.g. Lastarria-Cornhiel 2009:203; Pena et al. 2008:64-65).

### ***Conceptualizing Women's Empowerment***

A review of the literature at the core of the discourse on women's empowerment shows that the concept of empowerment is complex and multidimensional and that understandings of the concept are manifold. Despite of diverse understandings of the concept, overlapping terms have been encountered in the attempts to define empowerment such as; *options, choice, control* and *power*. By some, empowerment has been referred to as a shift in perceptions, which make women able to define self-interest and make decisions or choices that affect outcomes of importance to them and their families. Yet others emphasize changes in power relations and the capability of individuals and groups of women to engage in and influence the power structures of the institutions that have kept them in a subordinate position socially and economically (Malhotra et al. 2002:4-6; Meizen-

Dick 1997:11). Finally some (e.g. Kabeer 2002; Chen 1992, Oxaal & Baden 1997, Rowlands 1995 cited in Malhotra et al. 2003:7) take a more processual understanding of empowerment and thus do not accept that empowerment can be clearly determined, let alone measured.

Nevertheless, although no rigorous measurement exists, many indicators of empowerment have been suggested in the research such as: women's *autonomy*<sup>7</sup>, *agency*, *status*, *domestic economic power and bargaining power* and empowerment has been measured using different approaches e.g. measurements across different points in time and between different locations. Furthermore, since the central locus of women's disempowerment is intra-family relations, usually the measurement is done at household level (mostly looking into conjugal relationships) but also community and national levels have served as analytical units (Malhotra et al. 2002:3, 6-7, 19).

Apart from the level of analysis different dimensions, although they have been used interchangeably, recur in the studies on women's empowerment. These include economic, socio-cultural, familial/interpersonal, legal, political and psychological dimensions that are very broad in scope and therefore often have been divided into sub-domains. As an example economic dimensions have covered a range of sub-domains such as; women's control over household income, relative contribution to family earnings and access to markets (Malhotra et al. 2002:12-13).

### ***Land as a Driver of Empowerment***

Women with access to land but without ownership may have little assurance that their land will not be sold, leased, or mortgaged without their consent or that they will benefit from these transactions. Also, they may find themselves in a situation of very low tenure security, where they are at risk of losing the land to in-laws in case their relationship with the titleholder is broken (Allendorf 2007:1978; Lastarria-Cornhiel 2009:193-194, 202).

By contrast, intra-household economic theory suggests that women with secure property rights to land experience a higher degree of tenure security as they can easier claim their rights in case of separation, widowhood or abandonment and will therefore be in a more favorable 'fallback position', i.e. they are able to be self-reliant and preserve access to housing and livelihoods in the

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<sup>7</sup> An indicator that has been questioned since some put it that empowerment not necessarily is reached independently but can be obtained through an interdependent process (Malhotra et al. 2002:6-10,15,20).



absence of economic corporation with their partners. Logically, this has a positive effect on the women's bargaining power in the household and their ability to avoid domestic violence, as it is possible for them to leave an unhappy or abusive relationship without compromising their subsistence (Agarwal 2003:184; Argarwal 1994 cited in Deere & Leon 2001b:27; Jacobs 2002:893; Lastarria-Cornhiel & Giovarelli 2005:45-46; Lastarria-Cornhiel 2009:202-204).

Women without land are also systematically excluded from local decision making bodies. Therefore it is argued that land ownership can contribute to an enhancement of women's bargaining power in local decision-making bodies because they will gain a higher position and respect in the community when they hold assets. This enables women to participate actively in community organizations, which again will improve their organization and networking skills, as well as their social capital that are factors that improves the likelihood of them being heard in the organizations. Thereby, in the long run, this will break male dominance in the decision making and make the organizations more responsive to the needs and interests of women (Jacobs 2002:893; Lastarria-Cornhiel & Giovarelli 2005:45-46; Lastarria-Cornhiel 2009:202, 204; Pena et al. 2008:59, 61).

As for the economic benefits, literature suggests that women with land titles are more economically empowered, as their land is not only a factor of production of crops or fodder, but also an asset that provides indirect benefits since the land can be sold, leased or used as collateral for credits and thereby generate income for non-farm activities or consumption in times of crisis. Women who do not have titles to their land may not enjoy these benefits of land based earnings, particularly if the norms governing intra-household decision making and income pooling are patriarchal, since men may both make the decisions on how the land is used and also subsequently reap the benefits hereof alone (Agarwal 1994:21; Agarwal 2003:193-194; Lastarria-Cornhiel 2009:203).

### ***Empirical Evidence***

The theoretical reasoning about the connection between landholding and empowerment is supported by studies carried out in Asia, Africa and Latin America that showed an increase in women's participation in decision making at household and community level as a result of them getting titles to their land (e.g. INRA 2009; UN-HABITAT 2008; Argawal 2003; Allendorf 2007; Bradshaw 1995 cited in Deere & Leon 2001b; Kathewera-Banda et al. 2011; Lastarria-Cornhiel 2009; Pena et al. 2008).

For instance, studies from Nicaragua found that when women were able to exercise their entitlements to land, their self-esteem increased and they started to see themselves as equals to men and consequently of more importance in the community (Pena et al. 2008:64-65). Also, women with both individual and joint titles administered over half of the crop income while women who had no land only controlled 14% of the crop production (Bradshaw 1995 cited in Deere & Leon 2001b:30).

Likewise, studies from Honduras found that landholding play a critical role in women's ability to separate from an unhappy marriage (Bradshaw 1995 cited in Deere & Leon 2001b:30) and a positive relation between women's landholding and their overall role in the household economy, in particular their control over agricultural income, shares of business and labor market earnings, as well as their access to credits (Lastarria-Cornhiel 2009:203).

In Bolivia a national level study showed that women after receiving titles to their land felt more recognized as citizens and as equal right holders with the same status as their husbands. This implied that their position in the community and the family improved and as a result their participation in local decision-making bodies increased. Also, the women felt more secure from evictions from their land and were less likely to become victims of domestic violence (INRA 2009:63-64, 67, 69, 73, 77, 81).

## 5. Theoretical Framework

This chapter begins with a presentation of the key theories employed in this study and it finishes with an explanation of the operationalization of these in the analysis of my empirical data.

As a basis for the analysis and in order to address the two research questions; (i) *in what ways do women's secure property rights to land in Cochabamba contribute to their empowerment at household level?* And (ii) *what are the relative merits of private and common property regimes respectively in terms of improving women's empowerment at household level and in the community in Cochabamba?* I will draw from Naila Kabeer's (2002) processual model of empowerment in an attempt to understand how empowerment of women may take place. Moreover I will draw from relevant parts of Hernando de Soto (2000), Elinor Ostrom (1992, 2000) and Carlisle Runge's (1992) theories on property right to understand how property rights in different forms may be conducive to women's empowerment.

### 5.1 Empowerment as a Process

In the literature many academics (e.g. Kabeer 2001, Chen 1992; Rowlands 1995; Oxaal & Baden 1997 cited in Malhotra et al. 2003:7) takes on a processual understanding of empowerment as opposed to the more instrumentalist interpretations, which view empowerment in terms of measurable indicators.

Hence, Kabeer (2002:436-437) that defines empowerment as *"the expansion in women's ability to make strategic life choices<sup>8</sup> in a context where this ability was previously denied to them"* has in order to develop a comprehensive understanding of this concept broken the process down into three interrelated key components.

These components include:

- 1) **Preconditions** or resources that are considered catalytic or enabling factors of empowerment. These are not only material in a conventional economic sense but also human and social resources, which serve to enhance the ability to exercise choice. Hence,

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<sup>8</sup> Refers to decisions that take place infrequently and that influence a person's life trajectory and subsequent ability to exercise autonomy and make choices. Example: decisions in relation to marriage, education, employment, and childbearing (Kabeer 2001 cited in Malhotra et al. 2002:27).

many of these are proxies that have been used as indicators of empowerment, such as education, employment and land.

- 2) **Agency** which is at the heart of the process refers to the ability to define own goals and to use the resources to bring about new opportunities and hence pursue these goals.
- 3) **Outcomes** are well-being or social and economic achievement that women and their families experience as a consequence of women's access to resources and subsequent agency (Kabeer 2002:436-437)

According to Kabeer (2002) it is not possible to establish the meaning of an indicator, whatever dimension of empowerment it is intended to measure, without reference to the other components of empowerment. As such resources are important to ensure empowerment but tell us about the potential to reach certain outcomes rather than about the actual changes. Hence, how the catalytic preconditions spill over into potential agency in practice cannot be predicted as it is dependent on the diversity of circumstances under which the agency is exercised. As an example women may have gained *de jure* land rights but not *de facto* control of the land due to unchanged social and cultural practices and it can therefore not be assumed that land ownership automatically leads to an improvement in empowerment (Kabeer 2002:442-444; Malhotra et al. 2002:9).

This processual model of empowerment constitutes a suitable framework for the analysis of how land rights have improved women's empowerment. As demonstrated in chapter 4 the theoretical rationale for the link between property rights to land and women's empowerment is well founded. Nevertheless, differences in contextual settings are not encountered for, this may for instance be the differences in property rights regimes, and therefore a processual understanding of empowerment provides a framework to analyze how property rights in various forms may lead to the same outcomes of empowerment through different processes of agency.

## **5.2 Land as an Asset for Capital**

As was mentioned in the previous chapter, one of the arguments for why women's landownership leads to increased economic empowerment is that it improves their ability to access credits. This reasoning is closely linked to the pro-private property theory of the well-known economist Hernando de Soto (2000). His theory, inspired by among others Adam Smith's point of view that assets are accumulated for productive purposes (de Soto 2000:39), posit that because the poor in

developing countries protect their property with informally binding arrangements, in what is called an extralegal system, they are unable to create capital with the assets they possess and hence do not use them to their full potential (de Soto 2000:19-20, 23, 28-30). This he says prohibits the poor from being 'economic agents' that are able to enhance their status via the assets they hold. The purpose of assets, such as houses and land plots, is not only to serve as a shelter and to satisfy other immediate physical needs, but to produce value beyond their natural state by converting them into other capitals. The most obvious way to do this is by using land or a house as collateral for mortgages or other forms of credits, which only is possible if the land owner holds a legal title to the land (de Soto 2000:36-37, 43, 48-49).

De Soto's (2000) grand theory will provide an understanding on which outcomes may be expected from private property regimes in relation to capital formation that has the potential of improving the landholder's economic opportunities.

### **5.3 Benefits of Common Property Regimes**

As highlighted in the literature review common property rights regimes can be beneficial, especially for the poorest, which in most cases refers to female heads of household. Firstly, lack of inputs such as modern production technologies and dependence on low-value added outputs as well as environmental uncertainty, generate uncertainty about income of poor households. In this relation a common property regime can be advantageous as it may involve institutionalized mechanisms of risk sharing and insurance, in the form of reciprocal obligations in times of plenty (Runge 1992:19-21). Secondly, low-income property holders acting independently may obtain a lower total net benefit of their resources than what can be achieved if a group of property holders coordinate their strategies and develop means to share input costs. In this way communal property regimes can enable individuals to adopt productive activities that are not feasible if they act alone (Ostrom 2000:344-345).

Empirical examples of this scenario, where a group has seized opportunities they could not have done independently through common-pooled human and financial resources, have been found in among others a study from South Asia (Agarwal 2003). In this study a self-help group of women with agricultural land in a common property regime used input resources collectively and in this way reduced the individual costs of tractor and bullock hire. Moreover, they were able to mobilize

resources collectively from governmental and nongovernmental schemes to set up an irrigation system that benefited all appropriators and they pooled their differing skills hence that they had a larger flexibility of labor input, which increased the productivity of the common land (Agarwal 2003:184, 488; Lastarria-Cornhiel & Giovarelli 2005:55).

#### **5.4 Criteria of Successful Common Property**

Different characteristics or key features have been identified as being conducive to successful common property regimes. These include a range of features but for simplicity I will outline those of relevance for this study; homogeneity of appropriators, norm sharing and inclusion in governance.

According to theory it is suggested that the more homogenous the group of appropriators is, the better are the outcomes of the common property arrangement, since the appropriators are motivated to act collectively to achieve common interests. The opposite is the case for heterogeneous groups as individual interests are more likely to be divergent and therefore coordination gets more difficult and hence the likelihood of mutual benefits is reduced. Heterogeneous groups can differ in many aspects such as their possession of assets, exposure to risk, time horizon and cultural values (Agarwal 1994:491; Ostrom 1990:5-6; Ostrom 2000:347-348; Runge 1992:21-31). Furthermore, a group with shared norms of reciprocity and trust make up a good ground for the formation of stable and successful common property arrangements (Ostrom 2000:347). Finally, the importance of involving the appropriators in the design and implementation of common property regimes, in order to ensure the legitimacy of rules and regulations, and that they are effective and fair, is stressed as an important prerequisite to ensure the appropriators adherence to the common rules (Ostrom 2000:351).

These theoretical approaches and empirical examples provide some suggestions to how common property regimes may generate benefits such as reduced input costs and insurance that has the potential of improving individual economic opportunities. Also they give some indications to which criteria are needed to ensure a successful common property regime that provides these potential benefits.

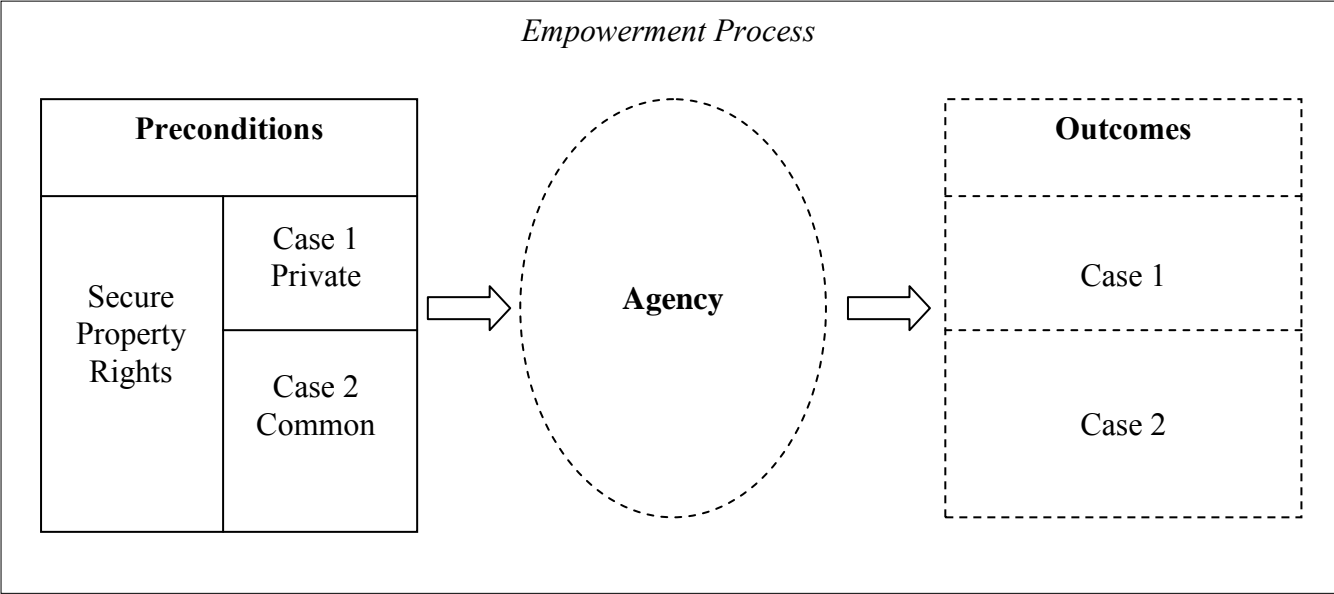
## 5.5 Operationalization

Below I have illustrated how I will apply the above mentioned theories in the analysis of my empirical data. The illustration (figure 2) shows that Kabeer's (2002) processual model of empowerment with the three components; **preconditions**, **agency** and **outcomes** constitute the principal logic of analysis supported by theories on private and common property rights.

To begin with I will look into the ways secure property rights contribute to women's empowerment at household level in both case studies, without taking in account the difference in property regime. In particular I will identify the process of how secure property rights can be favorable to women's agency that ultimately will translate into empowerment outcomes. As has been stressed earlier the agency element cannot be predicted because it varies across empirical cases and is therefore marked with a dotted line and shaped as an ellipse. Concerning the actual empowerment outcomes these will most likely be similar to those presented in the literature but only the empirical evidence will show the actual outcomes. Therefore this element is marked with a dotted line because of uncertainty of the actual outcomes but shaped as a square as the literature has provided some indications to what may be expected from having secure property rights, namely increased decision making and bargaining power in the household as well as reduced incidence and prevalence of domestic violence.

Subsequently, I will examine the merits of private and common property regimes in terms of their potential to improve women's empowerment in the household and in the community using the same processual empowerment model. With reference to earlier research the outcomes that may be expected from the empowerment process are increased income generation political participation of women. However, what role the type of property regime play in this relation is not clear cut and therefore I have added understandings about private and common property regimes respectively to the framework. These understandings include the propositions that private property gives the property holder alienation rights, which has the potential to transforming the appropriator into an 'economic agent' (de Soto 2000) and that a common property regime is a breeding ground for collective actions and mutual help mechanisms, which may support the property holder in pursuing new opportunities (Ostrom 1990, 2000; Runge 1992). Because the preconditions of the empowerment process in the two case studies are divergent also it may be expected that the agency processes and the subsequent outcomes hereof differ across the case studies.

Figure 2: Operationalization



Source: Author 2011



## **6. Women's Empowerment in Diverse Property Rights Regimes**

This chapter is divided into three sections. The first section includes a mapping of the property rights regimes represented in the two case studies and the two subsequent sections include presentations of the analyses of the empirical data that will answer the posed research questions.

### **6.1 Mapping of Property Regimes**

All except one of the respondents from case study 1 were in the process of obtaining individual or joint legal titles through the current governmental titling program, which will give them private property rights to their plots. In addition, all families will get shared legal titles to the hillside grassing land of their communities with usufruct and management rights. Previously the land was either communal land under customary tenure systems or individual land plots issued in relation to the 1953 land reform with outdated titles registered in the names of their fathers or grandfathers. Legal titles with the names of both spouses entail that the property will be split equally in case of separation or divorce in accordance with Bolivia's Civil Code. The respondents reported that before women and girls did not inherit land but that this practice has changed recently and that their children will inherit land on equal terms (Angel; Benito; Evagelina; Feliberto; Jaqueline; Lisbet; Mariana; Ruperta; Wendi case 1).

In case study 2 each family in the community has usufruct and management rights to a plot of land of 200-300 m<sup>2</sup>, but no exclusion or alienation rights. This is also applicable to the house they may have built on the plot. Moreover, only the family is allowed to live in the house and only their children are able to inherit the plots and houses. In case a family wishes to leave the community they will receive the amount they have spent on buying the plot and constructing the house. The prices of the plots are well below market value and the payment is done in small monthly quotas to the coordinator who then pays the monthly total payment to the original owner (Rose Mary Ilusta Coordinator, Maria Auxiliadora).

Meanwhile the families are still paying for their plots the coordinator has assumed the economic and legal responsibility of the land. The land that has been fully paid for to the original owner, is

now in the process of being registered in the National Agrarian Reform Institute (INRA)<sup>9</sup> as communal land and in the Real Estate Office<sup>10</sup>, which means that the families will receive legal shared land titles to their land plots (Habitat para la Mujer 2010:6, 9, 11-12). Hence, currently the only documentation of the families' landholding consists of either a bill from the notary stating that the registration is in process or receipts of the monthly payments to the coordinator (Rose Mary Ilusta Coordinator, Maria Auxiliadora). In case of separation or divorce, in accordance with the community regulations, there will be no partition of the property. The purpose of this is to protect the children so they can stay in their home, which usually also results in that the woman will stay as she is left with the responsibility of the children (Habitat para la Mujer 2010:6).

Table 2: Overview of Property Rights

	Case Study 1	Case Study 2
<b>Tenure status</b>	Customary land tenure Outdated land titles	Documents from notary Payment receipts
<b>Property regime</b>	Private	Common
<b>Future land titles</b>	Individual Joint with spouse	Shared with community
<b>Property rights</b>	Usufruct, management, exclusion, alienation	Usufruct, management
<b>Tenure in case of separation</b>	Partition of property	No division of property
<b>Inheritance</b>	Children on equal terms	Children on equal terms

Source: Author 2011

## 6.2 Secure Property Rights to Land and Empowerment

In this section I will answer the first research question: *In what ways do women's secure property rights to land in Cochabamba contribute to their empowerment at household level?*

In particular, I will show how women's secure property rights can have the potential to improve women's decision making and bargaining power in the household as well as to reduce incidence and prevalence of domestic violence. This I will do by analyzing the findings of both case studies

<sup>9</sup> Governmental body in charge of the implementation of the national agrarian reform program

<sup>10</sup> Registro de Derechos Reales

and from the interviews with key informants in the theoretical framework explained in the previous chapter.

### ***Household Decision Making and Domestic Violence***

The majority of the respondents from both the individual interviews of case study 2 and the participants of focus group discussion 1 have lived in rental housing before moving to the community (Carla; Fortunata; Juvitsa; Liliana; Marisa; Milena; Rosalina case 2; FG 1). In this type of housing entire families live in one or two small rooms and share bathroom and kitchen, if available, with other tenants or the landlord (Lourdes Borja Volunteer, Maria Auziliadora).

Since the lease agreements often were temporary and illegal and some landlords would expel tenants in the event they were unable to pay rent or other bills, or if disagreements arose between the two parties, from one day to the other, the leases gave the women very low tenure security that resulted in distress and anxiety. The unequal power relation between landlords and tenants that arise when one party is very dependent on the other's goodwill to maintain secure tenure, have from time to time resulted in abusive treatments from the landlords and placed the women in a position, where they have not been able to make own decisions about their lives and where they are constantly concerned if they are able to provide a home for their children (Carla; Fortunata; Juvitsa; Liliana; Marisa; Milena; Rosalina case 2; FG 1).

In the light of these antecedents the women felt that their secure property rights to land in the community gave them more security and calmness as they did not worry about being evicted from their home anymore. Furthermore, they felt more independent and in control, which made them able to make own decisions with concern to their own lives and that of their children (Carla; Fortunata; Juvitsa; Liliana; Marisa; Milena; Rosalina case 2).

Others lived in joint residence with their parents in law before moving to the community put them in similar positions of dependence and made them unable to make decisions about for instance parenting and their own education. Also for this group getting a piece of land in the community has allowed them to make own decisions and feel more independent (Silvia; Tania case 2; FG 1).

Moreover, besides from being able to break free from in-laws one woman was able leave an unhappy marriage that has had significant impact on her life, as she expressed it: “(before) I was not independent and I did not take one step without asking my husband, all I did was with him. I was very insecure and scared/.../owning my own house gives me a lot of strength, no one dominates me/.../I am (now) independent” (Silvia, 45 case 2).

Hence, this case study showed that women’s landholding can be critical in relation to their independence from tenants, in-laws and their spouse and consequently also their decision making power in the household. Increased decision making as a consequence of female landholding is often stressed in the literature on women’s land rights but not specifically in connection with landlords and in-laws. It is very likely that this effect of women’s landholding will also assert itself in similar settings where these types of housing are widespread.

Another aspect of secure property rights that seemed to be beneficial for women’s empowerment in case study 2, in particular for the probability of increasing their bargaining power in the household, was the protection they and their children enjoyed in case of separation or divorce as a result of the community regulations.

In similar neighborhoods although women have legal rights to an equal division of shared property in cases of separation or divorce, usually this is not practiced because the property only is registered in the name of the male spouse. In these places women are left in a difficult situation in case they divorce, where they cannot provide for themselves and their children because they are left without any resources and without any income possibilities due to lack of education and work experience. As a consequence, with the fear of not being able to subsist they are reluctant to separate and divorce from abusive or unhappy marriages. In contrast, women from Maria Auxiliadora are in a position where they are protected in case of separation or divorce and are therefore able to separate if they are not happy in their marriage or if they suffer domestic violence (Liliana; Rosalina case 2; Rose Mary Ilusta Coordinator, Maria Auxiliadora).

Similar findings were made in case study 1, where the respondents are convinced that relations between men and women will get more equal as a consequence of them having land titles in their name (Evangelina; Mariana; Ruperta case 1). This will apply directly to the women’s secure tenure

that gives them security in case of separation, divorce, widowhood or abandonment (Angel; Evangelina; Ruperta case 1), as one respondent stated; *“with the title I also have rights, when my husband dies or if he goes somewhere else, I will stay in charge”* (Ruperta, 43 case 1). This stands in stark contrast to earlier practices, where the husband’s relatives would grab the land in his absence and leave the wife without any other possibility than to leave the community and return to her birth place (Delgadillo 2010:61; Quisbert 2010:26, 60-62; Viviana Paz Manager, INRA).

It seems that these expectations of more equal gender relations and secure tenure as a result of the women having their name on the land title are very likely to be fulfilled considering that these changes have been observed in similar cases elsewhere in Bolivia (Norma Rodriguez Manager, INRA). Moreover, it is reasonable to believe that the women’s bargaining power in the household will increase as a result of their improved tenure security as their ‘fall-back position’, as suggested by Argarwal (1994), will be strengthened. Improving the women’s bargaining power in the household will place them in position where they are more likely to avoid domestic violence as illustrated in this statement which shows the outcome of the opposite situation: *“I have known cases of women (in rural areas of Cochabamba) that did not mind their husbands beating them up as they did not have any place to go or anything to do (and) thus had to put up with it”* (Wilma Gamboa Coordinator, CIOEC).

In case study 2 it turned out that other factors besides from secure property rights helped women to avoid domestic violence. Here the prohibition of bars and excess alcohol consumption has decreased drinking among male members of community and thus also the incidents of domestic violence in comparison with the conditions before the families came to the community. Furthermore, the Family Committee provides the women with important support in cases of domestic violence, a support they would not get from anywhere else because of inefficient governmental institutions (Juvitsa; Liliana: Pablo ; Rosalina case 2).

The committee is unique in the sense that it is the only community based institution of its kind in the district. In particular the committee responds in emergencies, where it acts as a mediator in violent conflicts and it provides continuing guidance and support to families with problems of domestic violence (Rosalina case 2; Rose Mary Ilusta Coordinator, Maria Auxiliadora; Uvaldo Romero former Coordinator, Pro-habitat). I

In case the violence continues after the committee has intervened for a period, the aggressor (usually the male spouse) will be obliged to leave the community. This has significant impacts on the women's lives, as one woman expressed it, when asked about the changes she had experienced after her alcoholic and violent husband was banished from the community: *"My life has changed a lot /.../ before I did not value myself as a woman, as a mother. All the time I was treated badly by my spouse and I was often humiliated. I felt that I was not worth anything /---/ now I live happy and calm, I work and I am able to send my son to school"* (Anita, 38 case 2).

As a consequence of these initiatives to prevent and mitigate domestic violence, the women's self-esteem and bargaining power in the household has improved as they have been able to stand up to abusive husbands knowing that they will receive support from the community in case they need it (Rosalina case 2; Rose Mary Ilusta Coordinator, Maria Auxiliadora).

### **Summary**

So, what can be discerned from the above findings is that secure property rights, in both case studies, have contributed to women's empowerment in a number of ways as was predicted in previous research. In the empowerment process secure property rights have served as a precondition that enables women to exercise agency in terms of breaking free from the control of landlords and in-laws as well as to separate from husbands in unhappy or violent marriages.

Also, the 'new' possibilities of being able claim their rights in case of separation or divorce has worked as a type of agency. The women's agency has resulted in increased decision making and bargaining power in the household and reduced incidence and prevalence of domestic violence, (Agarwal 2003:184; Argarwal 1994 cited in Deere & Leon 2001b:27; Lastarria-Cornhiel & Giovarelli 2005:45-46; Lastarria-Cornhiel 2009:202-204).

However, what has not been accounted for in the literature on women's landholding is the importance of being independent from landlords or in-laws with regards to decision making about one's own life and how mutual help mechanisms and community regulations in a common property regime besides from secure property rights can be decisive factors in women's ability to avoid domestic violence.

## **6.2 Merits of Common and Private Property Regimes**

In this section I will turn to the second research question: *What are the relative merits of private and common property regimes respectively in Cochabamba in terms of improving women's empowerment at household and community levels?*

In the first part I will argue for why private property may be more conducive to women's empowerment in a rural context in Cochabamba than common property. This argument is supported by findings from case study 1 and from interviews with key informants as well as previous research carried out in Bolivia. Subsequently, I will examine the relative advantages and disadvantages of private property and common property in relation to women's economic opportunities and political participation based on the findings of both case studies and the theoretical argumentations for the different types of property regimes as well as the identified prerequisites for a well performing common property regime.

### ***Arguments for Private Property in a Rural Context***

In terms of ensuring women's control of land in rural areas, private property rights with a legal land title in the name of both spouses may be more preferable than a common property rights regime. This is particularly the case when taking into consideration the women's relative participation in household decision making and community decision making, previous practices and alternative titling possibilities.

In case study 1 all respondents stated that both spouses are involved in the decision making in the household concerning aspects such as land use, household expenditure and children's health care and education. Moreover, in all cases the female spouse is in charge of the family income. At community level the women's decision-making power was relatively lower since women rarely participate in the farmers' union (Angel; Benito; Evangelina; Feliberto; Jaqueline; Lisbet; Mariana; Ruperta; Wendi case 1). This difference between women's involvement in decision making in the household and in the community has also been encountered in studies carried out in similar rural areas in Bolivia and hence it may be suggested that this is also applicable to the members of the Coraca-Aiquile that did not participate in the study (INRA 2009:83; Quisbert 2010:53; Rivera 2006:41-49, 93-97, 166; Valda & Costas 2010:9).

The responding women reported that they had never before owned or fully controlled a piece of land even though they have worked in agriculture their whole life (Evangelina; Jaqueline; Lisbet; Mariana; Ruperta; Wendi case 1) and before as customs dictates only men were considered land owners and would be allocated land from the farmers' union (Angel; Evangelina; Feliberto; Jaqueline; Mariana; Martin; Ruperta case 1). The reasons for this practice can be found in a self-enforcing discrimination mechanism. On the one hand women are excluded from the unions in the because they are not landholders and on the other they are impeded from impacting the decision making in the unions due to their exclusion (Carpio 2010:30; INRA 2009:70). This means that if the communities opt for common property rather than private property, when the land is regularized in the framework of the government's titling program, this practice is very likely to continue as the management and distribution of the land is done internally by the union or other governing units without the involvement of the governmental entity in charge of the titling. Consequently women may be excluded from holding land and being members of the unions This rationale is supported by experiences elsewhere in Bolivia, which have shown that women are still discriminated against in the distribution of land in some cases where legal land titles have been issued collectively to indigenous and peasant communities in rural areas (Norma Rodriguez Manager, INRA; Viviana Paz Manager, INRA).

Hence, with these three conditions in mind; the historical discrimination against women in community land allocations, women's limited participation in the farmers' unions and the recent experiences in other communities that have chosen to maintain a common property regime with internal allocation of land, private property rights with individual land titles seem to be more advantageous than communal rights, since the effective control of the land will be determined by the decision making power in relation to the joint owner, and not by women's ability to participate in communal decision making bodies.

### ***Economic Agency vs. Collective Action and Mutual Help***

Some of the interviewed women from case study 2 informed that they grow fruits and vegetables (Carla; Milena, case 2) and breed small animals that had not been possible when they were living in rental (Liliana, Marisa case 2). This additional food supply allowed for savings in the household expenditures and served as a backup in times of need.



Several of the interviewed women, in fact 6 out of 10, have started up small businesses at their land plots or are planning to do so, which they would not have been able to living in a rented room. Some have small shops with groceries and other merchandize (Fortunata; Marisa; Rosalina; Tania case 2) and others bake bread or cook hot meals that are sold in the community or in nearby communities (Liliana; Milena case 2).

Being able to set up their own business at home have turned out to be very beneficial as they are then able to both generate incomes at the same time as they are taking care of their children (Fotunata; Milena case 2; Rose Mary Ilusta Coordinator, Maria Auxiliadora). For those working outside the Maria Auxiliadora, the kindergarten and the informal mutual child care (one takes care of the other's children while absents as vice versa) have been of great help as they are able to leave their children in the community without worrying about their well-being as would usually be the case in rental housing (Anita, Silvia case 2; Rose Mary Ilusta Coordinator, Maria Auxiliadora).

Women from case study 1 stressed that with legal private property rights they will be able to lease and sell their land at the market value, as opposed to the prices they get without legal papers (Evangelina; Feliberto; Lisbet; Mariana; Wendi case 1). Moreover, having a legal title in their name just as de Soto (2000) predicts, will give them access to credits as they can use the land as collateral in private loan institutions. The credits they stated will either be used to acquire more land for higher yields or to diversify livelihoods by setting up small businesses in the nearby village (Evangelina; Feliberto; Jaqueline; Lisbet; Ruperta case 1). This, will contribute to their progress and hence turn them into what de Soto (2000) calls 'economic agents' that are able to enhance their status via the assets they hold and translate it into capital, as one of the women expressed it "*in the countryside we suffer a lot, if we set up a business we might be able to move forward, now we will not live from the land as before*" (Evangelina, 43 case 1).

This opportunity of increased income through self-employment is of great special importance to women considering their lack of work experience outside their home and hence probability of succeeding as wage earners (Feliza case 1; Norma Rodriguez Manager, INRA; Wilma Gamboa Coordinator, CIOEC). Also these livelihood strategies will be a way to mitigate current problems of declining income from agriculture due to climate change and its accompanying reduced rainfall and increased land deterioration, as well as a way to deal with their children's falling interest in farming

the families' land due to increased levels of education among the children (Evangelina; Feliberto; Jaqueline; Lisbet, Ruperta case 1; Pena et al. 2008:56).

It is very plausible to believe that the women will be able to take out credits with a private legalized land title. First of all women from similar rural communities consulted in this study, reported that they themselves or other relatives had taken out loans with land as collateral. One even told that she was advised by the loan institute to get her name on the title so she could get a loan (Bernadine AMLECO; Flora, APAM; Lidzey CATCOPA COMUVA). Secondly, a quantitative study from Bolivia found that women with newly acquired land titles experienced improved accessibility to credits (INRA 2008:79).

Whether this is the only credit modality available is not clear as none of the respondents have taken out credits before. However, it should be mentioned that other forms of credits have been applied in similar rural areas and thus private property rights to land may not be the determining factor of women's ability to access credits. These included small loans with livestock as collateral (Bernadine AMLECO; Lidzey CATCOPA COMUVA) and solidarity loans where a group of loan takers serve as guarantors for each other (Bernadine AMLECO; Lidzey CATCOPA COMUVA; Amilkar Zambrana Coordinator, CIPCA; Norma Rodriguez Manager, INRA).

An example of a different credit modality is found in case study 2, where the women have been able to access credits by having a piece of land in the community but without using the land as collateral (Anita; Carla; Fortunata; Liliana; Silvia; Tania case 2). Instead they have taken out collective solidarity credits in non-profit loan institutions, where they have showed their solvency through the social cohesion that has emerged as a result of the community's collective actions and mutual help arrangements (Uvaldo Romero former Coordinator, Pro-habitat).

The loans have been used to build houses and many have been able to return the loans on time. In the few cases where a family has been unable to pay the installments, the community has stepped in and assumed the debt. Others again have built their houses with own funds from remittances or work, or with the help from interest free community loans or mutual help ('ayni') and collective action measures ('pasanaku'). In particular single female heads of household have benefited from these opportunities as they have not been able to access formal credits or build with own funds (Rose

Mary Ilusta Coordinator, Maria Auxiliadora). Thus, the access to credits has not been directly linked to their land ownership, but rather to the governance of the community. This finding is consistent with the possible benefits of common property regimes, especially mechanisms of risk sharing and collective actions identified by Runge (1992) and Ostrom (2000) and partly evidenced in a study by Argawal (2003).

To sum-up, private property rights provides women with the possibility to act as ‘economic agents’ and optimize the use of their land according to their individual situation by diversifying their livelihoods or intensifying their agricultural production, which in the end will translate into empowerment outcomes in the form of increased income generation. Likewise, common property rights have also contributed to empowerment, as pooled resources, risk sharing, mutual help mechanisms and social cohesion have supported the women’s possibilities to exercise agency i.e. to build a house where productive and reproductive activities can take place that in the end causes an increase in their income.

### ***Political Participation***

All women and men consulted in case study 2 participate in the community assembly meetings and some also in the committees and the board (Carla; Fortunata; Frederico; Milena; Pablo; Rodrigo; Rosalina; Silvi; Tania case 2; FG 1). The women had not participated in this type of decision making bodies before coming to the community but felt that in Maria Auxiliadora they were allowed to express their opinions and participate alongside their male peers (Carla; Fortunata; Milena; Tania; Rosalina case 2).

The high rate of participation is linked to the community’s structure and regulations that stress that all appropriators are allowed in the meetings and put an emphasis on the women’s participation and protagonist role in decision making by letting the top two decision making posts only to be held by females (Habitat para la Mujer 2010:5-6). This stands in contrast to the common practice in the surrounding communities where the organizations are male dominated and where very few women get to hold leading positions (Alejandra Dominguez Coordinator, Habitat for Humanity; Uvaldo Romero former Coordinator, Pro-habitat).

In the beginning some of the women were reluctant to participate in the community meetings as they felt they did not possess the necessary skills to make decisions but eventually with the experience they gained from attending the meetings and being involved in the committees and the board they have improved their skills and hence gained confidence about participating actively (Fortunata; Liliana case 2; Rose Mary Ilusta Coordinator, Maria Auxiliadora). In the beginning some men were skeptical about the women's participation but have changed attitudes with time as they have realized that the women are legitimate leaders beyond the preferential treatment they enjoy (Anita; Fortunata; Liliana; Marisa; Rosalina; Silvia case 2; Habitat para la Mujer 2010:5).

In case study 1 the story was very different. Since the membership of the farmers' unions historically have been determined by the members' ownership of land, only men have been allowed and at times widows with children (Jaqueline case 1; Amilkar Zambrana Coordinator, CIPCA; Carpio 2010:3). All male respondents stated that they were active members of the union (Angel; Benito; Feliberto case 1) whereas the females reported that they usually did not participate and if they did, it would be as substitutes for their husbands in case of illness or migration (Evangalina; Jaqueline; Lisbet; Ruperta; Wendi case 1). Although this has been the norm in the unions for more than 50 years indications of change has been observed as there is a tendency of growing participation of women as members and in the top management (Amilkar Zambrana Coordinator, CIPCA). One example is a very recent organizational regulatory change in one of the respondent's community that gives women permission to participate regardless of marital status (Evangalina case 1).

Whether this opening of the unions is related to women's 'new' ownership of land is not clear. Some argue that it may be directly linked to women's land ownership (Amilkar Zambrana Coordinator, CIPCA; Norma Rodriguez Manager, INRA; INRA 2009:63-64, 67, 69, 73, 77, 81; Oasis 2008:106;) while others suggest that it might also be linked to the changing relationship between men and women taking place in Bolivia at the moment that among others is closely related to improvements in female education (Wilma Gamboa Coordinator, CIOEC; Quisbert 2010:76).

Hence, the structure of the common property regime found in case study 2 turned out to be very beneficial for women's increased political participation and involvement in the community decision

making, whereas it is too early to determine whether the forthcoming land titling in the names of the women in case study 1 will impact their participation in the unions.

### ***Problems of Malfunctioning Common Property***

Since the empowerment process in the common property regime of case study 2 is closely related to the ways the regime is managed, performance becomes a relevant aspect to address when considering its potential. In other words, if the common property rights regime is not functioning well women may not be able to take advantage of the inherent resources and hence exercise agency and finally achieve the relevant outcomes.

In the case of Maria Auxiliadora some of the preconditions that have been identified as key to women's agency, in the previous sections, have not been available during the last 6-12 months. These include the internal credit scheme as well as mutual help ('ayni') and common-pool resource ('pasanaku') mechanisms (FG 2; Rose Mary Ilusta Coordinator, Maria Auxiliadora). The reasons for this situation is to be found in a dispute amongst the appropriators about whether they should have private or common property rights to their land (FG 1+2; Alejandra Dominguez Coordinator, Habitat for Humanity; Rose Mary Ilusta Coordinator, Maria Auxiliadora).

The arguments from both sides were both similar and yet divergent, or, that is: both sides share the same goal of being able to provide for themselves and their families by having a home and a place to develop their livelihoods, but see different means to reach this goal.

The proponents for common property rights highlight the collective actions, mutual help mechanisms and social cohesion in the community as ways to be able to pursue their goal (Freddy; Frederico; Pablo; Silvia case 2; FG 1) whereas the advocates for private property rights consider alienation right as the only way to pursue their goal. This group argues that without these rights they cannot lease or sell in case of an emergency or in order to generate income and they are prohibited from accessing credits to start up businesses with larger down payments because the loan institutions are unwilling to issue credits to loan takers that cannot provide land as collateral (FG 1+2; Jose; Marcelo; Rosalina case 2).

Based on the statements from the interviews and focus group discussions as well as the direct observations conducted during the data collection some common features amongst the adherents of each group have been discerned, which suggest that the criteria of successful common property regimes put forward by Runge (1992), Ostrom (1990, 2000) and Agarwal (1994) have not been fulfilled and hence that other causes are at the root of this conflict. These criteria included homogeneity of the appropriator's interests, time horizon and income level, culture etc., shared norms of reciprocity and trust, and participation of appropriators in decision making and governance of the common property regime.

Hence, along the lines of what was mentioned earlier divergent interests prevail as one group consider their land as a marketable asset that can be transformed into capital when needed (Marcelo; Jose case 2; FG 2), whereas the other sees a more social aim of their property as its main purpose is to provide a home for themselves and their family. The last group also highlighted the benefits of collective action and mutual help arrangements as reasons for why they prefer a common property regime and that they believe that private property will make the community members focus on personal gain and interests instead of the common good (Frederico; Milena; Liliana; Rosalina; Silvia; Tania case 2; FG 1).

This difference in perceptions about the purpose of having a piece of land and perceived benefits of private and common property regimes respectably is likely to be related to differences in economic income. Differences in income among the appropriators are among other factors reflected in the size, equipment and stage of construction of the houses. The group of appropriators with large finished and well equipped houses was more willing to risk losing their land and house by mortgaging or selling it and hence perceived private property right as more beneficial. By contrast, those with unfinished smaller and less equipped houses, usually the poorest female heads of household, perceived common property rights to be more beneficial as opposed to private property rights that are not of obvious benefit to them, as they are more risk adverse. For these households, common property rights provide them with an opportunity to finish their houses through the communities collective actions and mutual help mechanisms (Rosalina case 2; FG 1; Rose Mary Ilusta Coordinator, Maria Auxiliadora; own observations).

With regard to the second criteria of shared norms and trust, case study 2 showed that the group of advocates for private property rights distrusted the intentions of the Coordinator and other community members. This was caused by a sense of insecurity about their land tenure due to incoherent and suspicious paper work in relation to the land registration in process. Moreover the mere fact that the land legally belongs to the Coordinator while the registrations process is taking place have nourished their mistrust (Marcelo case 2; FG 2).

In contrast, those in favor of common property rights have faith in the Coordinator's intentions and the project as such, because they have a feeling of secure land tenure and that they have progressed after moving to the community (Fortunata; Milena; Liliana; Rodrigo case 2), as one respondent said about the documents she had received from the notary: *I feel calm, the documents serve me and they give me support in these times of crisis (in the community)*"(Fortunata, 28 case 2). Furthermore, in regard to her tenure security in the community she stated:

*"I have dreamt about having a plot for a long time/.../ I went to a place where they cheated me, I gave her money but the owner disappeared /.../that is why I was a bit afraid in the beginning (when coming to the community), because I had saved money with much sacrifice /.../ now I am faithful and I have a piece of land, thanks to God, because I would never have managed to get one at this price anywhere else, now I have a place to leave for my children"* (ibid).

Another problem is the concentration of power in the hands of the coordinator since the beginning of the project, which among others have led to a rising discontent about the decision making system of the community as the legitimacy of the recent elected board members have been questioned and because several members of community (those in favor of private property rights) feel excluded from participating in the decision making and governance of the community (Tania case 2; FG 2).

### **Summary**

In conclusion, looking into the merits of the different property rights regimes, represented in different forms in the two case studies, revealed that some of the assumed empowerment outcomes found in the literature were repeated in this study. In particular these outcomes included, for the private property regime; increased income generation and for the common property regime in

addition to increased income generation also political participation and decision making in the community.

However, it is impossible to determine if one is preferable over the other. In fact it turned out that it all depends on the circumstances under which women hold land and especially the alternatives. Hence, in case study 1 the findings showed that with private property rights women are able to exercise economic agency and more importantly gain control of land, which is less likely to happen in a common property schemes considering historical practices and experiences from similar places in Bolivia. In contrast, case study 2 showed that a common property regime governed in a way that leverage collective actions, mutual help mechanisms and social cohesion provides, namely to the poorest female heads of household, opportunities that would not otherwise be available in a private property regime in similar settings in urban Cochabamba.

Another important finding was that the design of a common property regime needs to comply with the criteria of homogeneity in terms of interests and income level, mutual trust and inclusion of all appropriators in the decision making to ensure that the preconditions for empowerment are in place.



## 7. Concluding Remarks

The main purpose of this study has been to explore how land rights can be conducive to women's empowerment under different property rights regimes in rural and peri-urban areas. This was done through analyses of empirical data from two case studies collected in Cochabamba. In one case study women had private property rights to their land and in the other women had common property rights. In the analyses I have applied a theoretical framework based on a processual model for the study of women's empowerment and theory on the benefits of diverse types of property rights regimes, as well as literature on the link between women's land rights and their empowerment.

In terms of the first research question; *in what ways do women's secure property rights to land in Cochabamba contribute to their empowerment at household level?* The study found that secure property rights in both cases will contribute to women's empowerment, more specifically to an increase in women's decision making and bargaining-power and a reduction in incidence and prevalence of domestic violence.

In regard to the second research question; *what are the relative merits of private and common property regimes respectively in terms of improving women's empowerment at household level and in the community in Cochabamba?* The study revealed that both the private and common property regimes represented in the cases studies were conducive to women's empowerment, in particular private property rights induced an increase in women's income generation and common property rights both caused an increase in income and improved women's political participation in the community. Based on these findings however it can be concluded that one type of property regime is not inherently better than the other but that the merits are determined by contextual factors and available alternatives. That is if a private property regime is more favorable when a common property regime most likely will entail the exclusion of women from controlling land at all. Or if a common property regime is malfunctioning because of differences in interests and norms amongst the appropriators this may not be the right solution to ensure women's empowerment.

The key findings of this study are summarized visually in two tables that each represents findings of one of the case studies and is structured in the same ways as the theoretical framework presented earlier. In the tables it is possible to discern how preconditions in the two property rights regimes in

rural and peri-urban contexts respectively, have worked as catalysts for women’s agency to achieve a range of positive social and economic outcomes.

For instance in table 3 credits with land as collateral in case study 1 have worked as a precondition for women to exercise economic agency through the diversification of livelihoods, which in the end has led to an increase in their income.

Table 3: Empowerment in a Private Property Regime – Case Study 1

<b>Preconditions</b>	<b>Agency</b>	<b>Outcomes</b>
Credits with land as collateral	Intensifying agricultural production Diversifying livelihoods	Increased income generation
Leasing possibility		
Selling possibility		
Secure property rights	Possibility to claim rights in case of separation, divorce, abandonment or widowhood	Increased household decision making and bargaining power Reduced incidence and prevalence of domestic violence

Source: Author 2011

Likewise, table 4 shows how community regulations have been a precondition for secure property rights that has supported women’s agency to separate from violent marriages and consequently achieved a reduction in domestic violence.

Table 4: Empowerment in a Common Property Regime – Case Study 2

<b>Preconditions</b>	<b>Agency</b>	<b>Outcomes</b>
Collective actions, mutual help mechanisms and social cohesion	Building a home Setting up a business Taking care of children during work hours	Increased income generation
Collective solidarity credits		
Community regulations	Attending meetings Joining community committees Running for president and vice-president Improving organizational and managerial skills	Increased political participation Increased decision making in community
Secure property rights	Independence from landlords and in-laws Separation from husbands in unhappy or violent marriages Possibility to claim rights in case of separation and divorce	Increased decision making and bargaining power at household level Reduced incidence and prevalence of domestic violence

Source: Author 2011

In general the findings show that the preconditions expected from theory on property rights regimes, have acted as drivers of diverse agency processes in the two case studies. This is consistent with what was suggested by Kabeer (2002), who claims that the agency element in an empowerment process never can be predicted by the preconditions because it is always determined by contextual factors. The different agency processes have resulted in a set of outcomes in both cases that were similar to what was argued for and proved empirically in other research. What is remarkable in this relation though, is that the outcomes are almost identical in both cases. In other words, the outcomes are similar but the preconditions and the subsequent agency processes vary across the two case studies.

In an attempt to add to the understanding about property rights to land and women's empowerment this study suggests that the type of property regime after all, might not be as important as first anticipated when looking into theories on property rights. Actually what seems to be critical to release the potential of property rights to contribute to empowerment is less determined by inherent preconditions in diverse property regimes. Rather this potential is determined by contextual factors such as the rule of law, presence of loan institutions or the combination of appropriators in a common property regime. For instance under both property regimes women's economic agency seemed to be just as dependent on the loan institutions credit supply as the actual property rights.

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## Appendices

### Appendix 1 - Data Sources

#### Semi-structured Interviews with Principal Sources

	Name	Age	Sex	Civil status	Children	Education (years)	Work	Case study
1	Ruperta	43	F	Married	4	4	Farmer	1
2	Lisbet	43	F	Married	6	3	Farmer	1
3	Jaqueline	45	F	Married	6	4	Farmer	1
4	Evangelina	43	F	Married	5	7	Farmer	1
5	Mariana	24	F	Cohabitant	1	6	Farmer	1
6	Wendi	43	F	Married	7	5	Farmer	1
7	Fortunata	28	F	Married	4	4	Housewife	2
8	Juvitsa	34	F	Married	4	2	Housewife	2
9	Marisa	45	F	Married	4	5	Shop owner	2
10	Anita	38	F	Separated	1	6	Street vendor	2
11	Silvia	45	F	Separated	3	≥ 12	Professional	2
12	Rosalina	48	F	Married	1	≥ 12	Shop owner	2
13	Liliana	50	F	Married	3	2	Housewife	2
14	Tania	42	F	Married	2	5	Shop owner	2
15	Milena	65	F	Separated	2	0	Street vendor	2
16	Carla	21	F	Cohabitant	1	≥ 12	Shop assistant	2
17	Feliberto	38	M	Married	3	7	Farmer	1
18	Angel	48	M	Married	4	6	Farmer	1
19	Benito	55	M	Married	8	3	Farmer	1
20	Frederico	28	M	Married	2	≥ 12	Professional	2
21	Pablo	30	M	Married	2	7	Construction worker	2
22	Marcelo	33	M	Married	6	9	Construction worker	2
23	Jose	25	M	Married	2	7	Construction worker	2
24	Freddy	43	M	Married	4	≥ 12	Construction worker	2
25	Rodrigo	42	M	Cohabitant	2	6	Driver	2
26	Lidzey <sup>11</sup>	40	F	Separated	2	11	Farmer	None
27	Selma <sup>12</sup>	20	F	Unmarried	0	≥ 12	Farmer	None
28	Bernadina <sup>13</sup>	54	F	Married	1	5	Farmer/ Shop owner	None
29	Flora <sup>14</sup>	46	F	Separated	1	5	Farmer	None

<sup>11</sup> Member of CATCOPA COMUVA (Coordinadora de Mujeres del Valle Alto)

<sup>12</sup> Ibid

<sup>13</sup> Member of AMLECO (Asociación de Módulos Lecheros Cochabamba)

<sup>14</sup> Member of APAM (Asociación de Productos Apícolas Mizque)

### Semi-structured Interviews with Key Informants

	<b>Name</b>	<b>Position</b>	<b>Organization</b>	<b>Organizational purpose</b>	<b>Motivation for interview</b>
1	Norma Rodriguez	Manager	INRA (Instituto Nacional de Reforma Agraria)	To implement the government's agrarian reform	Manager in the public entity in charge of the government's titling program
2	Viviana Paz	Manager	INRA	Ibid	ibid
3	Patricia Costas	Researcher	Fundación Tierra	To promote rural development through equal access of indigenous and peasants to natural resources, especially land	Expert in the field of land rights and is currently working on a research project on women and land rights
4	Amilkar Zambrana	Project Coordinator	CIPCA (Centro de Investigación y Promoción del Campesinado)	To promote rural development by strengthening indigenous and peasant communities politically, economically and culturally	Expert in the field of rural development and is currently leading a research project on women and land rights
5	Wilma Gamboa	Project Coordinator	CIOEC (Coordinadora de Integración de Organizaciones Económicas)	To represent and coordinate the countries' indigenous and peasant rural producers' organizations	Expert in the field of gender and rural development and is currently coordinating a gender and capacity building project with Coraca-Aiquile
6	Rose Mary Ilusta	Coordinator	Habitat para la Mujer	To promote low-income families' access to adequate housing, especially single female heads of household	Founder and coordinator of Maria Auxiliadora
7	Loudes Borja	Volunteer	N/A	N/A	Former voluntary architect in Maria Auxiliadora
8	Alejandra Dominguez	Project Coordinator	Habitat for Humanity Bolivia	To develop communities with people in need through the construction and renovation of houses	Expert in the field of gender and housing and is currently coordinating a secure tenancy project with women from Maria Auxiliadora
9	Uvaldo Romero	Former Project Coordinator	Fundación Pro-Habitat	To promote the active participation of low-income families in the development of human settlements	Former coordinator of a project granting credits to residents of Maria Auxiliadora

### Focus Groups with Respondents from Case study 2

Age		Sex	Civil Status
<b>Focus Group 1 (FG 1)</b>			
1	28	F	Unmarried
2	25	F	Unmarried
3	50	F	Married
4	32	F	Married
5	26	F	Cohabitant
6	50	F	Married
7	53	F	Married
8	63	M	Married
9	49	F	Married
10	65	F	Separated

Age		Sex	Civil Status
<b>Focus Groups 2 (FG 2)</b>			
1	40	F	Married
2	28	F	Married
3	61	M	Married
4	58	M	Married

## **Appendix 2 - Interview Guides**

### **Individual Interviews with Principal Sources**

Name:

Age:

Languages:

Residence:

Birthplace:

Civil Status:

Children:

Members of household:

Education:

Land Status:

Land size:

ID (y/n):

#### **Property Rights**

Do you have a legal title to your land? Is your name on the title? If yes, how does it make you feel?

Has your land been registered in INRA or in any other governmental entity?

Who is going to inherit the land?

What happens to the land if you are divorced or separated?

#### **Perceptions of land**

Does it matter who has the land? Why?

Do women desire and claim land in your community? If yes, how do they express this?

What do you think about this? What do the men think?

What does it mean to you to have land? Do you think your life has changed when you gained control/ownership of the land? What has been the most important change?

#### **Use of land**

How do you use the land? Have you always used it like that? How do you plan to use it?

Have you accessed any credits? If yes, how did you spend the loan? Did you use your land as collateral?

#### **Work**

What kind of work do you do?

What kind of work does your husband do?

How is domestic and care work distributed in your household?

#### **Decision making**

Who makes the decisions in your household (in regard to expenditure, work distribution, use of land, children's education and health)?  
Do you participate in the local decision making body (Assembly/Farmers' Union)? Why/why not?  
Who makes the decisions in the organization?  
What do men in the community think about women's active participation in the organization?

### **Interviews with Key Informants**

How have you been working with land and gender issues?  
Would you kindly tell me about the work of your organization in relation to land and gender?

How would you characterize the situation of women's control and ownership of land in Bolivia?  
How is the situation in Cochabamba?  
Bolivia's agrarian reform law emphasizes women's rights to land. How do you think it works in reality?  
Do women claim their rights to land? If yes, how?  
What role does land play in women's lives?  
Do women access credits by using the land as collateral? If yes, how do they spend the loans?  
In your opinion what is the best way for women to have land, through communal or private land schemes? Why?

### **Focus Group Discussions**

Is it important to have one's own name on the land title? Why?  
Do you prefer to have shared titles or individual titles to your land? Why?  
Is it equally possible to access credits with shared titles as individual titles?  
In what ways have the lives of men and women changed after moving to the community?  
How do you make decisions in the community? Does everyone participate in the decision making?