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An Omidyar Publication

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# Property Rights, Identity and Dignity

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## Letter from the Editor



### Dear Reader,

When Ashoka's Changemakers approached Beyond Profit about working together on this special issue, we were honored to take on the challenge. Property rights are a fundamental human right that is often overlooked or misunderstood. Working with Ashoka, as well as with the funders and practitioners who are leading the way in this sector, gives us the opportunity to raise awareness of the issue to our readers.

While development dialogue often focuses on poverty alleviation through the issues of access to health care, education, and economic opportunity, rarely does the conversation include strengthening property rights. Why? Tackling the problem of how to improve access to and implementation of property rights poses challenges to policy makers and development practitioners around the world because of the complexity of the issue and its controversial nature.

Yet, strengthening property rights for the poor is key to helping them move out of poverty. More than two-thirds of the world's population lives on physical property for which they do not hold formal rights or documentation, or they live without permanent homes or access to land altogether. If their rights to the land were secured, their economic well-being would improve, and we would likely see positive impacts on health, education, and the environment.

This fall, Ashoka's Changemakers and Omidyar Network teamed up to shed light on these issues and bring innovation to this field by hosting an online competition that encourages people to submit their new ideas from around the world. Over the course of several months, more than 200 entries from nearly 50 countries came in.

This issue showcases some of the most interesting ideas from the

competition and also sheds light on the challenge of providing secure property rights to the poor and disadvantaged around the world. Inside, you'll find articles about women's empowerment and property rights, innovations in technology use to strengthen rights, a funder's perspective, and much more.

The lives of many will be significantly and positively altered if we change property rights policies, work to implement them effectively, and educate stakeholder groups about their rights. We hope that through this special issue of Beyond Profit, you will learn more about what is at stake and about some of the innovative ideas from changemakers around the world.

Enjoy the issue!

**Lindsay Clinton**  
Editor

## Contributors:



**Matt Bannick, Omidyar Network**

Matt Bannick brings a wide range of executive, international, and multi-sector experience to his leadership of Omidyar Network. From 1999 to 2007, Matt served in a number of senior executive roles at eBay. As general manager and later as president of eBay International, Matt was largely responsible for building eBay's global footprint and driving phenomenal revenue growth. Matt currently serves on the Boards of Bridge International Academies, Endeavor, and Landesa.

**Usha Ganesh, Intellectap**

Usha Ganesh has over 15 years of business research and content development experience in full-time and freelance engagements. She contributes to analytical projects, including articles for Beyond Profit, survey reports for Microfinance Insights, and a trends-monitoring newsletter for the Rockefeller Foundation. She serves as editor for the abstracts posted on Microfinance Gateway as well as for the content on enterprisingschools.com, a portal focused on the Affordable Private Schools sector. She enjoys reading and writing about innovations in the development sector.



**Nisha Kumar Kulkarni, Intellectap**

Nisha produces content for Intellectap's publications and blogs, as well as works on various research projects. She brings 5 years experience in research, operations and fundraising. She is passionate about writing and economic development strategies. As a native New Yorker, Nisha is a new transplant to Mumbai. Her free time is absorbed by exploring her new city and reading great books.

**Diana Wells, President, Ashoka**

Dr. Diana Wells, President of Ashoka, joined the organization in the 1980s when she created one of Ashoka's core programs, Fellowship Support Services. Diana was named President of Ashoka in 2005. She has led the worldwide process of sourcing and selecting leading social entrepreneurs as Ashoka Fellows. She has contributed to the field of social entrepreneurship by implementing a widely respected tool for "Measuring Effectiveness"—one of the first standard tools to measure the impact of social entrepreneurship.

Diana is a Fulbright and Woodrow Wilson scholar. She is on the Advisory Board for Center for the Advancement of Social Entrepreneurship (CASE) at Duke's Fuqua School of Business. Her Ph.D. is from New York University, and her undergraduate degree is from Brown University. In 2008, Diana won the first annual Women to Watch award by Running Start, a Washington, DC-based organization that empowers young women to be political leaders.



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# A Primer on Property Rights

In 2010, Vedanta Resources, a global mining company, planned to build a new bauxite mine in Orissa, India, one of India's most underdeveloped states. However, in August, the Indian government halted the project. They determined that if the US\$ 1.7bn mine was sanctioned, it would disturb wildlife habitats in the area, and would threaten the economic, social, and cultural well-being of the local people, the Dongria Kondh. The decision made international news not only because it shared a striking similarity to the plotline of Oscar-nominated film *Avatar*, but more importantly, it demonstrated a land-rights victory for the poor.

While commentators often speak of our rapidly advancing world by referencing "world is flat" theories of globalization, the global reality for the poor living in developing countries presents a stark contrast. Over a third of the world's population lives on less than US\$2 a day, and half of the world's population still lives in rural areas, lacking access and opportunity, much like the Dongria Kondh. For the poor and disadvantaged, land is a fundamental source of financial and social security. Land is life. It is, to paraphrase scholar and author Bina Agarwal, a "productive, wealth creating, and livelihood sustaining asset...the basis of political power and status. It has a durability and permanence which no other asset possesses."



Credit: By Meena Kadri

Many tribal and indigenous peoples suffer due to lack of access to land and rights to land resources.

The Dongria Kondh were fortunate that the government stepped in to protect their rights to the land. However, many "landed" poor lose land or access to land because they do not have adequate land rights. Giving the poor secure property rights would not only change their economic opportunity, it would contribute to a host of positive social, environmental, and geopolitical effects.

## What Does it Mean to be "Land Poor"?

Imagine for a moment that Vedanta had won the right to mine on the land where the Dongria Kondh live. Although generations of these native peoples have

lived on the land, they may not have any legal claim to it, i.e., a document, map, or legal title that proves their right to it. Without formal acknowledgement of ownership or rights, tribal groups, farmers, women, children and families can be removed from the land without repercussions to those forcing them out. The result might be forced migration, loss of livelihood, separation from community, and more.

Those who are "land poor" are characterized by financial, and often social, insecurity. They may hold land under customary/tribal land systems that are not recognized by the State. They may use forest resources that

are historically considered part of their community, but are in fact government-owned. They may cultivate a plot, but have no way to rent it out. They may be widows at the mercy of relatives' decisions or wives whose husbands prohibit them from having economic means.<sup>1</sup>

Without defined, secure rights to the land, the poor are restricted financially, socially, and psychologically. They cannot invest or use the land as collateral, nor can they transfer or sell ownership. Like a bird without wings or a fish without fins, access to land without rights is debilitating.

### What is Meant by Rights?

Many of the land-poor are victims of systems that have not given them adequate rights. Providing these stakeholder groups with secure "rights" does not necessarily mean ownership because ownership, even when it is secure, does not always mean control of land or its outputs. To have rights is to live and/or work on the land, reap the benefits of doing so, and to have that right formally acknowledged. Bina Agarwal explains further: "Rights are claims that are legally and socially recognized and enforceable by an external legitimized authority, either a village institution or the government. Rights can take the form of ownership or usage."

Consider the situation a woman might face if she lives in a community or country with unclear rights to property. It is possible that legally she might jointly own land with her husband, but in reality, her husband may not allow her to make decisions about its use. This leaves her powerless and at risk. Her situation might be improved if her relationship to the land is recognized and enforceable.

If she has rights to it, she can determine how it is used (livelihood, rent, mortgage), how much it will produce, and what will be done with that output.

### Strengthening Rights

Strengthening property rights for the poor<sup>2</sup> can be complex because it requires navigating legal systems, historical patterns of use, and social strata in different geopolitical contexts. However, taking on the challenge is important; when land rights are more equitably distributed, there is commensurate economic growth and poverty alleviation.<sup>3</sup>

"Without defined, secure rights to the land, the poor are restricted financially, socially, and psychologically. Like a bird without wings or a fish without fins, access to land without rights is debilitating."

A natural first step is to create legal systems that acknowledge the rights of all stakeholders. However, even adequate legal frameworks don't always translate into progress due to poor implementation and lack of awareness. In some cases, the best way to strengthen rights is to inform stakeholders because they often don't know their rights. A great example of this has been demonstrated by BRAC, the pioneering poverty alleviation program based in Bangladesh, that runs a legal services program which helps to inform women and girls about their rights.

In other cases, it is important to understand how community-based rights differ from, support, or integrate with formal laws. In the case of a forest people like the Dongria

Kondh, rights to a common-property resource may be more important to the community than having individual rights. The Foundation for Ecological Security, an India-based advocacy organization, works with 1,526 village institutions across the country to strengthen their governance and give them a sound legal foothold on the natural resources around them. The priority is not individual rights but rather mobilizing local governance bodies and amplifying their relationship to common land and water resources.

Furthermore, establishing systems that work for women and girls, not against them, is paramount. In fact, recognizing their rights to land within their families and/or alongside their husbands is key to strengthening the overall system. Landesa has recently partnered with the Nike Foundation and Omidyar Network to dedicate US\$6.5m to economically and socially empower girls with land rights to help reduce their vulnerability to poverty, food-insecurity, gender-based violence, HIV/AIDs, and the problems associated with early marriage.

<sup>1</sup> <http://www.wri.org/publication/content/7735>

<sup>2</sup> John W. Bruce's concise paper, *Collective Action and Property Rights for Sustainable Development* (2004) is an invaluable resource on the topic.

<sup>3</sup> As noted in **One Billion Rising**, a 2009 book by Tim Hanstad, Roy Prosterman, and Robert Mitchell exploring law, land and poverty alleviation.

Lastly, information is a key component to change the rights equation for the poor. Data collection and mapping can provide sound records and proof of rights (read more on page 10). Peter Rabley, President of International Land Systems explains, “When we are able to identify who people are, and where they are, it can be used for so many more things...like healthcare, education. You have to know who and where people are in order to attack poverty.”

For the poor, arable land is, according to Agarwal, the “single most important source of security against poverty in rural South Asia, even if it ceases to be the sole source of livelihood for many.”<sup>4</sup> In particular, strengthening rights for poor women can have a catalytic effect. When women have secure rights to land, they invest more in nutrition and education for their children; they are more empowered in their household, and they are much less likely to be victims of domestic abuse. In fact, if women in sub-Saharan Africa were given equal access to land, seeds and fertilizer, agricultural productivity could increase by up to 20%.<sup>5</sup>

### Positive Benefits to Strengthening Rights

Beyond social and gender equality, granting land tenure can contribute to sustainable agricultural growth, climate change resilience, and economic growth. Legally recognized land rights help farmers increase their financial stability and reduce the likelihood of urban migration because they are more likely to invest in the land. Importantly, land rights can enable entrepreneurs to transform land

into collateral to access bank loans and start new businesses.

Lastly, many conflicts are created by overlapping claims to land, which can lead to human strife, violence, land grabs, and population displacement. Respect for property rights can contribute to greater peace and stability.

“When we are able to identify who people are, and where they are, it can be used for so many more things .... like healthcare, education. You have to know who and where people are in order to attack poverty.”

### What are the Barriers?

As clear as the benefits are, creating an enabling property rights ecosystem requires patience. Affecting policy at the national level requires years of lobbying and relationship building. Changes that are policy-focused involve years and sometimes decades of legal and social reform. Tim Hanstad, President and CEO of Landesa, explains, “Success is measured in decades. We can’t expect change to happen quickly. It’s like banking reform...you’re never exactly done.” Meanwhile, changing the way policy is implemented can mean working at the grassroots level in individual communities, which requires in-depth local knowledge and trust. Addressing the specific challenge of secure land rights for women often means also going against cultural and social norms.

The commoditization of land also poses a

significant barrier, as the economic potential of land can outweigh the claims made by native peoples. The Dongria Kondh won the battle with Vedanta, but as land and resources become scarcer, we could see outcomes favor business instead of people.

### Looking Ahead

While the property-rights arena has long been the domain of international development organizations and governments, a new generation of organizations has started to engage in the work by raising awareness, launching innovative technologies, and strategically directing capital (see interview with Matt Bannick, Omidyar Network on next page). It is only by bringing the issue of property rights to the top of the agenda that we will see inclusive economic and social development in emerging economies around the world.

<sup>4</sup> Agarwal. A Field of One’s Own. 1994.

<sup>5</sup> Africa Commission Facts and Figures





## Interview:

### Through a Funder's Lens Matt Bannick, Omidyar Network

**Advocacy organizations and governments have worked to reform property rights for decades, but it is still a nascent sector for impact investors. Omidyar Network is a pioneer in this arena, already committing more than US\$20m to support organizations that help strengthen property rights around the world. In an interview with Beyond Profit, Matt Bannick, Managing Partner of Omidyar Network, explains why property rights are vital to creating opportunity, stimulating economic growth, and alleviating poverty around the world.**

#### Beyond Profit (BP): Why was it important for Omidyar Network (ON) to focus on this issue?

**Bannick:** Omidyar Network focuses on creating opportunity for the individual, and within that, creating access to capital. For most people in the world, property is the best way to access capital.

Property rights are foundational. If you have property there are a whole host of benefits you can access. You can feed yourself, sell

the surplus from the land and improve your economic condition. You have a stake in political stability. You become a more engaged citizen. For many, you have better marital prospects. It's social, political, and economic.

If you look at conflict around the world, there is frequently an underlying element about land. In Kenya, the election tension was based on fundamental land issues. In the Middle East, there are obviously land issues. In India, whether you own property or not is a bigger determinant of poverty than caste is. Around the world, whether you own property or not is a major determinant of whether you live in an economically secure way.

It's frustrating and baffling that people don't understand how central the issue is. It gives people opportunity and frees the human spirit.

#### BP: Why have many funders traditionally stayed away from this area?

**Bannick:** This issue is frequently embedded in a policy process and there are a lot of funders that shy away from inherently political issues. There is also an assumption that macro issues should be left to the public sector. If you look at which entities have engaged in this area, it is predominantly the World Bank and USAID—so it can seem like more of a public sector undertaking.

There is also hesitancy because success on an issue such as property rights often takes a while to be demonstrated. In

contrast, with an investment area like microfinance, you can see the impact more immediately.

#### BP: You mentioned that creating inclusive property rights is a policy issue. Is it a challenge to take on an issue that is so dependent upon government legal systems, which vary from country to country?

**Bannick:** With property rights, you have to focus on those countries or regions where political will exists to improve policy and then identify ways in which you can support the policy change. It can take time, but if you get the policy right, it can have a tremendous impact. For ON, this is about policy, but it is also an issue of policy implementation. There are instances where the policy is in place, but it hasn't been implemented properly.

#### BP: In this portfolio, what does success for ON look like?

**Bannick:** Success is providing more secure land rights to poor people and communities and doing it at scale. Land rights must be understood as a continuum, starting from highly insecure, short-term rights and moving all the way up to legally protected, secure and long-term rights. Success for us means that more people have greater land rights along that continuum. And we think that given our investees' work (Landesa and Foundation for Ecological Security), we have the ability to impact tens of millions of lives with more secure land rights over the next ten years.

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## Feature

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# Leveraging Technology to Ensure Property Rights of the Poor

eldom do land ownership records exist for community and family-owned land in developing countries. These records often work against the poor even when there is documentation of land ownership. Illiteracy and a lack of awareness of their rights are just two of the challenges faced by the poor. Even those who do know their rights lack a voice and legal expertise to fight for their rights. They continue to remain poor because they lack assets to raise credit for productive activities.

### Technology provides some of the solutions

Technology can be leveraged to expedite and strengthen land reforms that focus on formal record creation and fair titling of land. Technology can provide geographic, demographic, and environmental information

them easily add in additional data such as soil conditions, biodiversity, type of agricultural production, type of infrastructure, health care, and available community services. The project also included low-level training to facilitate technology transfer.

Participatory mapping using GIS by specialists and local communities make land registration and reforms context-sensitive. Such mapping builds local buy-in and ensures fair, equitable and sustainable resource-management decisions. Given that most rural land in developing countries is commonly owned, GIS is increasingly being used in parcel mapping.

### Policy, mapping, and technology

Swati Ramanathan, co-founder of Janaagraha, a not-for-profit organization that is trying to change the way policy is developed and implemented through advocacy and citizen's empowerment, says that there is a need to raise awareness of land rights, and this can be done using social networks and communication tools like mash-ups, crowd-sourcing, and other engagement devices.

Local community organizations can also play a role in organizing community members and engaging them in the mapping process. Ramanathan says, "Maps must be made into a public good, with public ownership."

Stressing the need for transparency, Ramanathan says that spatial technology is critical in urban areas, which experience migration and a higher number and value

of transactions, and where there is no community stitching it together. She adds, "In rural areas, transparency can be created by putting up boards with a map of the areas, demarcating boundaries. This must be backed by updated records. The onus of aggregating local land ownership information must rest with the panchayat (village leaders) and must travel bottom-up to the taluk (district) and zilla levels. Advocacy then has to be about how to make representations at the central government levels to make it a clear deliverable of the panchayats.

"There is a need to incentivize formal registered land transactions. Informal transactions abound because of high registration, fees and tedious, time consuming processes."

### Way forward

Corruption in land ownership and registration is often at the core of poverty issues in densely populated developing countries. Governments must become aware of the

urgency of ensuring fair land registration. For this, they need to collect real-time land information using local resources.

The poor have greater access to web and mobile technology than ever before and can leverage it to provide real-time images of land to local governments. Geospatial information is vital for economic development, according to Dr. Hiroshi Murakami, vice president of the Permanent Committee on Geospatial Infrastructure Asia Pacific (PCGIAP). Affordability and adaptability, or sensitivity to local context, are key requirements for developing country governments when investing in spatial technology.

Urban and rural communities can play an active role in the mapping process, provided they have the right technology and guidance.

By Usha Ganesh, Senior Associate, Intellectap



Credit: By Sudhamshu via Flickr

Maps created through the use of GIS technology can be leveraged to strengthen land reforms.

## Hand in Hand: The Linkages between Poverty, Women, and Property Rights

Holistic poverty alleviation cannot be approached without tackling the issue of property rights. Property rights cannot be approached without talking about women.

Delinking gender equality goals from those of poverty eradication makes development initiatives uni-dimensional. Women are becoming poorer the world over as men advance due to their lack of access to economic opportunities, land ownership, and credit.

They do not participate in decision making, and are at a higher risk of social discrimination and exclusion. Among the poor, increasingly, men are moving on to non-farm activities, while women cultivate crops and tend to farms. They become members of self-help groups and engage in productive non-farm activities, but their income and assets are owned and controlled by men. Indeed, women are considered assets by men, a belief further underscored by customary laws in most communities in developing countries.

### Patriarchal system and customary laws increase women's vulnerability

Land ownership becomes important for the poor and particularly poor women because land is often their only economic



Credit: By Meena Kadri

The potential of women to contribute fully to society is constrained by illiteracy, lack of awareness of rights, and lack of resources.

and social asset. It provides them with a place to live, allows them to engage in economic, social, and cultural activities, make decisions and raise collateral for credit. Prevailing patriarchal systems ensure that a woman's right to land is tied to that of her father, brother, spouse, or son at various stages of her life. They permit only limited ownership of land, and limited or no role in economic decision making. Women are constrained by illiteracy and a lack of awareness about their rights and lack of resources to fight

for their rights. Social biases within communities and families and a fear of losing their only support system when they fight them also constrains women.

Women's landlessness due to land grabbing by male family members is common across Asia and Africa. A widow does not have rights to the land owned by her husband -- the family holds it in trust for her children.

Often, this is just one more way of grabbing



land. Subsistence farming barely feeds the family, and men often migrate to cities in search of work. Societal rules and religious and social sanctions permit and even encourage the eviction of wives and children left behind by migrant workers and the forced removal of abandoned women and widows.

### Land reforms perpetrate gender bias in land ownership

African and Asian countries are increasingly insisting on formal registration and titling. But titling is often in favor of the male, with the woman's security tied to and assured through her family. Entitled individuals then sell the land while the family, which hitherto had collectively owned and worked on the land, is left landless and poor.

Even as countries are addressing gender equality by amending legal laws on ownership and inheritance, social and customary laws impede their implementation, monitoring and enforcement. While many laws strive not to discriminate, they fall short of actively encouraging women's rights. Often at odds with customary law, they need to be harmonized if they are to have any teeth. Advocacy and education about women's rights can supplement the effort to make customary and state laws work together.

### Potential solutions

True development-oriented land reforms must ensure that women's names are placed on land records and inheritance rights of women and widows are established and accepted.

Bina Agarwal, Director and Professor of Economics, Institute of Economic Growth, in her widely cited paper, "Are We Not Peasants Too?" differentiates between legal and social recognition of women's rights to land, and between recognition and enforcement. She writes that effective and independent land rights for women deliver welfare, efficiency, equality, and empowerment benefits. For many years, Agarwal has been writing about and advocating for women-only collectives that can pool small plots of land, or collectively lease or own land to leverage benefits of credit, irrigation, and high-level farming techniques.

"True development-oriented land reforms must ensure that women's names are placed on land records and inheritance rights of women and widows are established and accepted."

Elaborating about farmers' collectives and why they would work even better with women, she says, "Women tend to work well in groups. Interdependence could emerge as a result of poverty and marginalization; it could also emerge as a way to achieve higher value farming. Pooling is good when there is high poverty and small sizes of farms. The smallness of landholdings does not enable these women to take advantage of high value farming techniques or even irrigation or soil conservation." Her paper, "Rethinking Agricultural Production Collectivities," describes several successful and scalable cases in South Asia.

Advocacy has significant potential to engender harmonization of legal and customary laws. Swati Ramanathan, co-founder of Janaagraha, a not-for-profit organization that is trying to change the way policy is developed and implemented through advocacy and citizen's empowerment, emphasizes the need for building awareness among women. She says, "There is a need for champions for this movement. Awareness and education on property rights can be built using different communication tools, and linking to broader government literacy platforms."

Like Ramanathan, Agarwal also emphasizes the need to raise the bar for efforts to improve awareness about women's rights to property. She says, "There is a need for mechanisms to raise awareness among women of their legal rights and allow them access to legal aid. There is also a need to raise awareness levels among legal professionals and the bureaucracy of women's rights to property." Advocacy to raise awareness, legal reforms where needed, and social reforms to change the way women and their rights to property are viewed will go a long way to help poor women lead more secure lives.

By Usha Ganesh,  
Senior Associate, Intellectap

## Data: Land and Poverty

### By the numbers

>> **25%:** Percentage of the world's 1.1 billion poor people who are landless (Rural Poverty Portal)

>> **US \$9.3 trillion:** The total value of real estate held but not legally owned by the poor of the Third World and former communist nations (Hobday & Perini, 2006)

>> **69%:** The amount of variation in poverty levels among 21 developing countries in a study that compared the relationship between land concentration and lack of land access in these countries (Mitchell & Hanstad, 2007)

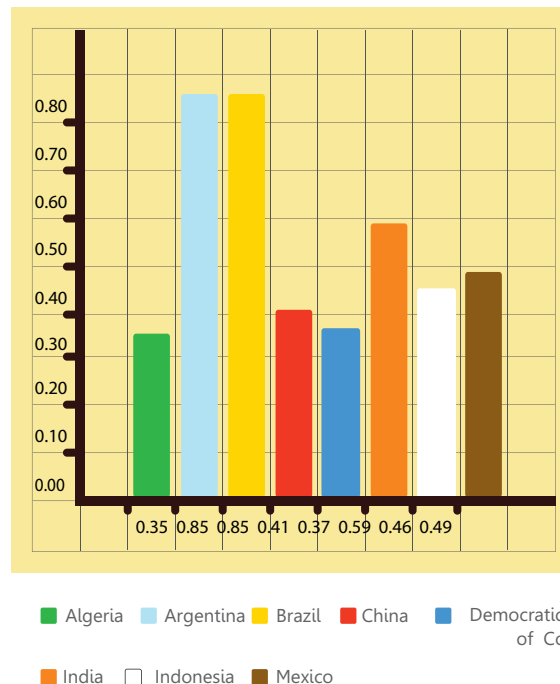
>> **40 million:** Number of people who depend on India's forest areas for their livelihoods (Reuters)

>> **90 million:** Number of people in western and middle Africa who live in rural areas and depend on land for their livelihoods (Rural Poverty Portal)

>> **1,801:** The number of conflicts over land between small farmers and large landholders in the Amazon in 2004, an increase from **1,690** in 2003 and **925** in 2002 (Mongabay.com)

>> **28.15 million km<sup>2</sup>:** The amount of land used by rural populations in low-income countries – that is 21.71% of total world land usage (World Bank, 2006)

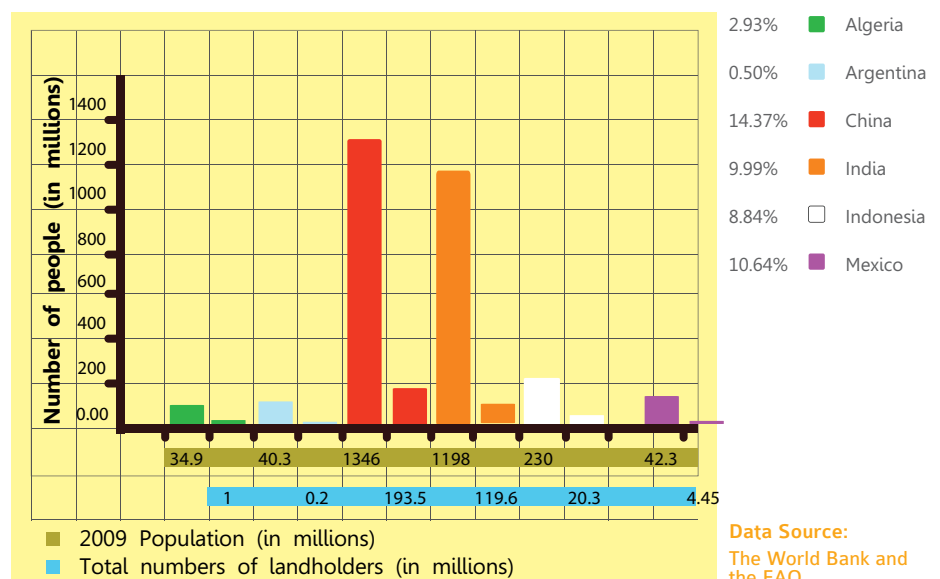
### Country Gini coefficients



The Gini coefficient is an economic indicator measuring the degree of inequality of income distribution in a country. Zero represents total equality while one represents total inequality. For example, a look at the graph below shows that Argentina has a Gini coefficient of 0.85, indicating a high level of unequal income distribution among its population.

**Data Source:**  
The World Bank and the FAO

### Total landholders versus total population



**Data Source:**  
The World Bank and the FAO

# Case study: women's inheritance rights

Acknowledging women's rights is an important facet of poverty alleviation. Since women are often responsible for food production, ensuring land rights security for women contributes to gender equality and poverty reduction. Studies have concluded that when women have secure rights to land, family nutrition improves, children are more likely to receive a decent education, and women have better access to credit.

Land has an inherent monetary value, as well as socio-economic value. Land allocation, inheritance and ownership are typically closed to women in traditional societies. Women are therefore isolated from community planning and decision-making. Generally in patriarchal societies within developing countries, women have limited rights unless by way of a male relative—and even then, rights can be temporary and arbitrary.

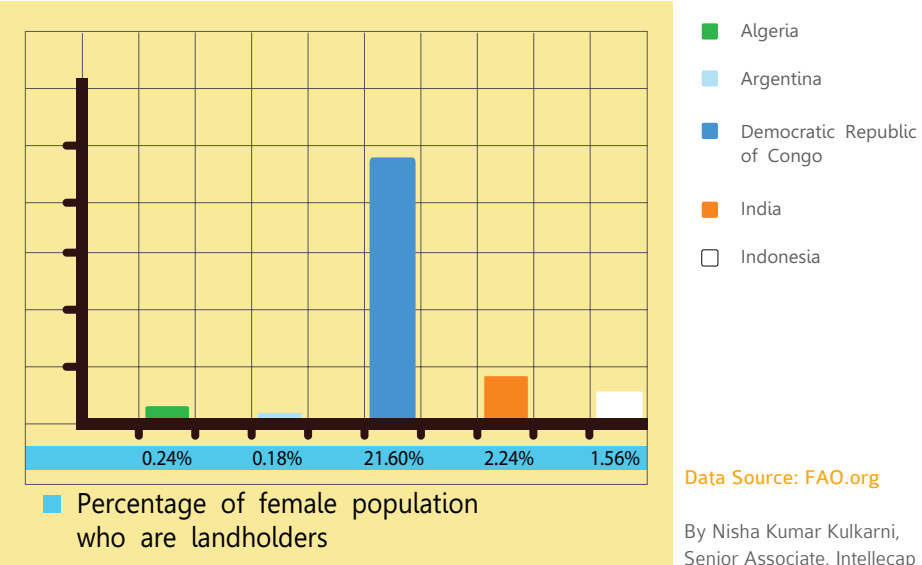
In South Asia, it is highly probable that inheritance is the means by which a woman gains property rights. It is not straightforward though: inheritance laws for women are often drafted with other social factors in mind, such as having a dowry at marriage or marital property practices. All South Asian countries have a battery of laws covering how property should be divided among surviving heirs, male and female, in the event that a male property-holder dies.

India's inheritance laws are more equitable relative to the laws of Bangla-

desh or Nepal: the latter two countries allow for unmarried daughters to inherit a share of land equal to unmarried sons, but the daughter's share is forfeited when she marries into another family. India has four inheritance laws that are community-specific, and three of them give widows and daughters an equal, if not greater, share of property relative to sons.

How can inheritance laws promote female land ownership? A government must first examine its pro-women laws and their rates of success. It is only after understanding how laws are implemented that a government can look at land tenure security with a gender lens. In supporting women landowners and producers, the government should create inclusive policy, and ensure that it is implemented across regions and social strata with the help of local organizations.

## Female landholders



## Innovative Entries and Ideas

Over 200 people from 47 different countries submitted entries to the **Property Rights: Identity, Dignity & Opportunity for All** competition. The range of entries was impressive, from idea stage to full-fledged organizations already impacting thousands of people. Voting and judging won't be completed until February 2011, at which time three winners will be announced. In the meantime, Beyond Profit has selected a handful of innovative and thoughtful approaches to illustrate the breadth and depth of solutions submitted by changemakers from around the world.

### Most Climate Conscious: Chocó-Darién Conservation Corridor (Colombia)



(Credit: luís perez)

#### What's the big idea?

Over 10% of the world's plant and animal species can be found in Colombia. The Chocó-Darién Conservation Corridor works with Afro-Colombian and indigenous landholders in the lowland rainforests of Colombia's Pacific coast to

address biodiversity loss and global climate change. The project will generate revenue linked to the carbon value of conservation and reforestation activities by solidifying government structures, developing existing land titles, resolving and preventing land disputes, and implementing livelihood alternatives.

#### Why is it important?

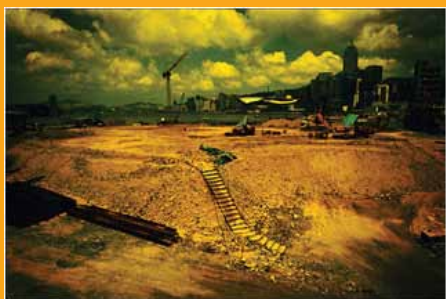
Tropical deforestation accounts for 18% of global greenhouse gas emissions, which is more than all the world's cars, trucks, trains and planes. In Latin America, Colombia has instituted some of the most clearly defined land-tenure rights for indigenous peoples. Despite this fact, many indigenous communities are not aware of their territorial boundaries and rights. By reinforcing the territorial identity and common resource management

rights of these peoples, this Colombian region known as the Chocó can be nurtured and preserved.

#### Will it work?

The project has already invested US \$220,000 in seven collective landholders: these collectives are undergoing certification to a leading carbon standard to annually reduce carbon emissions starting January 1, 2011. The project will teach communities how to monitor and manage common pool resources. It will also undertake activities eligible for carbon credits, as well as tap into additional carbon revenue to provide long-term income and employment.

### Most Inventive Approach: Dual Land Reclamation Initiative (Nigeria)



(Credit: Jitterousperth)

#### What's the big idea?

Nigeria is a country with a significant endowment of mineral resources. Indiscriminate mining has, however, created

large plots of useless land. To meet the surging demand for land, the Dual Land Reclamation Initiative proposes a project to fill useless mining pits with sanitized waste from urban areas to answer the call for more livable land.

#### Why is it important?

Because urbanization is making Nigeria's metropolitan areas too crowded and unable to support growing population density, there is need for more land. Large urban areas have become polluted and are not able to provide a good quality of life for all citizens. Using their patented approach, the Dual Land Reclamation Initiative's three-year project tackles urban waste disposal and maximizes the utility of available land.

#### Will it work?

The organization is working with the public health department of Ahmadu Bello University Teaching Hospital and the estate management company of Ahmadu Bello University to determine the affordability of land reclamation services. The two big challenges are inadequate capital and Nigerian regulation. However, the project did work in Okene, where a dumpsite occupying the largest acreage of land was reclaimed to construct a large shopping complex. The goal is to use a similar formula in a city like Lagos.



### Most Open Source: Mapping 4 Peace (U.S.)



(Credit: Jax)

#### What's the big idea?

FrontlineSMS:Legal employs mobile technologies to improve, expand and coordinate dispute resolution systems in Colombia. By designing tools tailored to each locality, the project enables legal

service providers to remotely create digital legal records, automate client intake and management workflows, and disseminate information. The goal is to increase access to justice in areas that need it the most.

#### Why is it important?

According to a UN report, 4 billion people lack access to the legal resources they need. Colombia has some of the highest internal displacement rates in the world, resulting from conflict and natural disasters. Inefficiencies in the country's land-titling system are thus exacerbated and force people to lose their property. Since the legal system does not protect the rights of the citizens it is meant to serve, many people do not seek the help of the justice system. FrontlineSMS:Legal seeks to change perceptions and uplift people by

building tools to lower the barriers between legal systems and the people they serve.

#### Will it work?

The pilot project will be unveiled at a Justice House processing 65,000 cases per year. FrontlineSMS:Legal will develop user-friendly software and pilot a tool set that meets the needs of local stakeholders. There is a projected three-year plan whereby the pilot will be unveiled at the municipality level, then in year 2 scale to region and in year 3 scale to country. The goal is to serve more than 10,000 people annually.

### Most Media Savvy: Rio Olympics Neighborhood Watch aka Film4Rio (Brazil)



(Credit: alobos)

#### What's the big idea?

The Film4Rio project will capitalize on local and international media partnerships to assist Brazilian communities in defending their property rights. Through video and documentation evidence, the project will push forward property rights formalization and protection.

#### Why is it important?

Low-income housing rights are being threatened by development related to the 2014 World Cup and the 2016 Olympics. Catalytic Communities wants to address the challenges at hand by using media training to help the affected Brazilian favelas, or squatter communities, defend and protect their property rights. Film4Rio employs various media to increase awareness of how global events have a bearing on property rights issues.

#### Will it work?

Catalytic Communities wants to use the backdrop of these global sports events to protect communities and push for formal property registration. The project targets 20 communities who may be at risk for eviction. The organization already has contact with these communities through its networking services. The leaders in

each community will be given media and narrative training, as well as a video camera, so that they may chronicle their experience. It is estimated that 60,000 residents will benefit directly from this project.

By Nisha Kumar Kulkarni,  
Senior Associate, Intellectap

## The Competition

### Analyzing the Competition: What do the Results Mean for Property Rights?

Historically, strengthening property rights has been addressed by governments, multilateral institutions, and advocacy organizations. Increasingly, independent organizations and individuals are injecting innovation and energy into the field of property rights. Last year, Ashoka's Changemakers (CM) and Omidyar Network partnered to launch the **Property Rights: Opportunity, Identity & Dignity for All** competition in order to seek out innovative models, enhance knowledge exchange, and bring attention to property rights around the world. The following analysis reviews the first stage of the competition, the submission of ideas, which commenced on August 18, 2010 and concluded on November 3, 2010.

#### Overall Observations

The **Property Rights Competition** sought to shed light on individuals and organizations using a range of approaches to increase access to property rights. While the issue of property rights is complex, this did not hinder participation from an impressive range of innovators who submitted solutions aimed to strengthen property rights.

Sifting through the entries, it is apparent that there is a diversity of interest groups that are affected by insecure land rights. Impacted communities range from women living with HIV/AIDS, widows, farmers and fishermen, indigenous peoples, parentless children, slum-dwellers, survivors of war, and more.

The entrants offer diverse approaches to solving issues of landlessness and lack of land rights, but there are a few notable themes, including: community mobilization, legal empowerment, technology utilization, and enterprise development. A number of initiatives seek to mobilize communities, empower individuals and local governance bodies, or to educate communities about their rights. Legal initiatives aim to provide secure land title to beneficiaries, or access to affordable legal support. Additionally, a number of organizations demonstrate an innovative use of technology, from mapping property

rights and land use, to educational and advocacy campaigns that leveraged SMS and social media, to online user-generated data repositories. Enterprise development is also an important aspect of several models, enabling local communities to extract more value from the land by teaching them better farming techniques or capturing revenue through carbon sequestration.

The competition entrants provide a remarkable level of detail in their submissions, including metrics for success, project impact, and personal motivations. The breadth and depth of participation indicates there is strong desire across the world to strengthen property rights and foster change. By hosting this competition online, Changemakers and Omidyar Network have given a global audience the opportunity to learn about strengthening property rights, and inspire them to change the status quo.

#### Participant Trends

The competition cultivated an amazing array of responses, demonstrating inclusivity and diversity. Two hundred-eleven entrants from 47 different

countries submitted ideas over the course of Phase 1, with the majority of submissions coming from the Global South (80%). The largest group of entrants is from Asia (39%), and Africa is not far behind (26%). South America, North America, and Asia Pacific (15%, 10%, and 9%, respectively) and a very small number of entries from Europe (1%) comprise the balance.

While entrants show global diversity, the challenges they address are surprisingly similar. These themes included issues of women's land inheritance, poor forestry governance, lack of legal education, and the need for conflict mediation. Impressively, many solutions in the competition emphasized community voices. Whether through community organizing, participatory mapping techniques, local skills training or community-based resource management, the importance and effectiveness of bottoms-up action in this field is apparent.

Overall, while the number of entrants is impressive, it is worth noting that 85% of entries were submitted in the last week of the competition (October 28 – November 3). Many of the entrants (52) who submitted their idea early in the competition checked the site again during the last week to update or refine their submission, indicating active engagement by these early participants.

While Changemakers already offers incentives to early entrants, additional incentives could help encourage steady site traffic and idea generation throughout the competition.

The Ideas and Organizations

The competition culled submissions with diverse models, varying geographic focus, different growth stages, and impact levels—an illustration of the many target groups and tools that can be applied to strengthen property rights.

The majority of entries came from organizations already in operation, but nearly one out of every five was in the idea phase—a potential gauge of continuing innovation in the space. The overwhelming majority of organizations and ideas are non-profit models (88%), with only a handful of for-profits (5%) and government initiatives (1%). It is worth noting that many of the non-profit organizations impact more than 10,000 people, an indication that in this sector, scale does not necessarily require a for-profit structure.

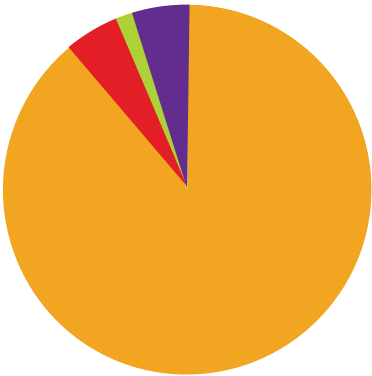
Nearly half of all entrants are targeting interest groups in Asia, and nearly a fifth

are working in Africa and South America. Within Asia, there are many submissions from India, the Philippines, and Bangladesh, and a smaller number in Cambodia, Pakistan, Nepal, Sri Lanka, Afghanistan, and Thailand. Within Africa, there were numerous entries from Uganda and Nigeria. Rates of participation could be a result of stable political environments, size and/or population of country, or degree of change needed.

Judging by numbers of employees, most of the organizations are micro (53% or 111/211) or small (39% or 83/211) in size.

However, many organizations use a significant number of volunteers to bolster their manpower, a positive sign of resourcefulness and community engagement.

Entries by Organizational Status



88%	Non Profit	185
5%	For Profit	11
1%	Government	3
6%	Non Registered	12

Entries by Region



39%	Asia	83
26%	Africa	54
15%	South America	31
10%	North America	22
9%	Asia Pasific	18
1%	Europe	3

Considering the micro size of many organizations in the competition, it is heartening to see how many are impacting large numbers of people. Nearly 36% of organizations (76/211) impact or plan to impact more than 10,000 people; 28% (59/211) impact between 1,001 and 10,000; and 8.5% (18/211) impact less than 100 people. Of the organizations that impact more than 10,000 people (76), 39 (51%) have less than 10 employees. These numbers reveal that a small group of people can indeed have a remarkable effect.

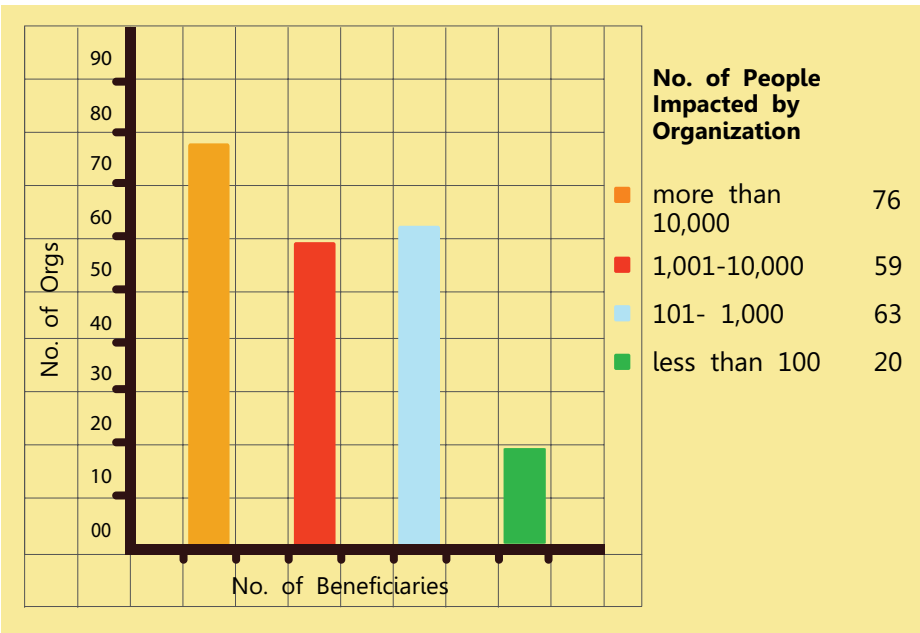
Partnerships

Many entrants realize that strengthening property rights requires programs that can bridge the private and public sectors and effectively bubble up from grassroots efforts to the policy level. Of the 185 NGOS that responded, 155 have partnerships with other NGOs. More than 70% have partnerships with government. And, more than half have partnerships with business, notably microfinance institutions that can effectively reach people in rural or hard-to-reach communities.

The for-profit entrants are also willing to partner, with 82% citing partnerships with NGOs and other businesses and 64% citing partnerships with government. A willingness to collaborate could have far-reaching effects on innovation within the space and lead to greater impact.

Funding Sources

The property rights entries are predominantly funded by foundations, but most organizations have diversified their funding sources and do not limit them-



selves to only one funding source. Sixty percent receive funding from foundations; nearly 46% receive funding from individual donors. Impressively, 22% generated earned revenue, a sign of potential long-term stability. Twenty-two percent receive funding from businesses. While some organizations had earned revenue and received funds from foundations and other entities, a good proportion were also supported by governments, with 20% of organizations receiving federal and state funding and more than 10% receiving local government funds.

It would be useful to further explore the funding needs of entrants so that interested funders can use the platform to find potential investees or grantees.

Takeaways

Changemakers around the world have dedicated themselves to improving the lives of the poor, women, indigenous

peoples, and victims of geopolitical upheavals. Judging from the number of entrants, and their geographical diversity, the challenge of securing property rights for the disadvantaged is widespread.

Many of the solutions proffered focus on policy reform and implementation. For that reason, it is not surprising to see many non-profit entrants. But, this may indicate that there is scope to innovate in the creation of new models for change—is this an area that for-profit social entrepreneurs can take on? While not every problem can be solved through market-based solutions, we may see sustainable, profitable social enterprises emerge in the near future with the increasing use of technology in this sector.



Because strengthening property rights often requires policy change or policy implementation, an effective, well-run organization has the ability to impact tens of thousands of people. However, the small size of many organizations could be an indicator of fragmentation. Fortunately, many organizations have forged partnerships with like-minded entities and are working with government. If theories of change and target groups converge, we could see more formal partnerships or mergers.

Finally, many organizations are cobbling together funding from multiple sources. While diversification is a good strategy, there is also a high likelihood that there is pent-up demand for new funding options. With more than half of all organizations in the “micro” bracket, and with many dependent on volunteers, these organizations could use the support of dedicated, innovative funders that are not afraid to take on policy change.

### What Happens Next

Each of the entrants had eagerly awaited the announcement of the semi-finalists for their opportunity to participate in the open public voting process. This was the chance to become a finalist and vie for a portion of the US\$ 150,000 investment pool provided by Omidyar Network. A prestigious panel of judges have been assembled that will convene to select the final three winners who will each receive a prize of US\$ 50,000. As we go to press, the judges are reviewing the finalists’ entries and will convene in early February to make that determination.

**Property Rights: Identity, Dignity and Opportunity for All** was the first foray for the property-rights sector into a transparent competition process; pioneered by Omidyar Network to leverage the [www.changemakers.com](http://www.changemakers.com) platform, we now have a collection of innovations and best practices that can be shared with anyone anywhere. Through creative methods and recognition of change-makers, the property rights sector will come to be recognized as the core issue it truly is within international development despite its complex, and often conflict-

ridden, history. This is just the beginning of this journey, but a great place to start.

By Lindsay Clinton,  
Associate Vice President, Intellectap

### Several ways to improve the competition and the web platform:

- Enhance online platform to enable greater interactivity and encourage comments.
- Display entries in a single page so that viewers do not have to read on multiple pages.
- Invest in a comprehensive search tool so that visitors can browse entries and search by country, target population, model, etc.
- Design targeted questions on the entry form to encourage concise, clear responses. For example, instead of “Tell us about the social impact of your innovation,” entrants could be asked, “What is the potential size of the target market? What portion of this target market can your organization reach? What portion of the target market have you reached?”
- Invite entrants to explain what they need in order to improve, grow, or scale. For competition observers—from nonprofit organizations to government officials and from businesses to foundations—knowing what entrants need could encourage assistance from mentors, partners, and funders.

## Last Word

# Property Rights: It's about more than land

Land is one of the most important assets for people and communities in every corner of the world, and for many of the world's poor it is the primary means of generating their livelihood. For this reason, we believe that property rights are just as critical to stability and economic growth as good governance, rule of law, and access to financial markets.

Governments and international organizations have committed, and continue to commit, substantial resources to solving this issue, often with uneven results – and not for lack of trying. The obstacles are often systemic and deeply rooted in politics, culture, and traditions that have been around far longer than existing legal frameworks.

Despite the challenges surrounding this complex issue, there is a new generation of changemakers working to improve property rights and access to capital through innovative and market-based approaches.

There is still much debate surrounding specific approaches and implications, and this is understandable. Property rights are a highly emotive, politically charged, and multi-faceted issue – there is no “silver bullet”, and the challenges are not uniform globally. Yet there are a few lessons that cross ideological and geographical boundaries:

**It's about more than property rights.** Securing property rights for citizens around the world is about more than land

– it is about the economic empowerment of individuals and communities. From the perspective of Ashoka's Changemakers, the most interesting innovations occurring in property rights are leveraging holistic solutions, and tackling multiple objectives and points of need.

**There is no universally applicable model.** The “model” is more about how to decide what to do, rather than what to do. The vast differences between social, economic, and cultural norms around the world make it difficult, if not impossible, to apply just one model for “solving” property rights issues globally. There is an iterative process of understanding what you need to do, taking into consideration local context, culture and customs.

**Policy makers and the financial sector must be engaged.** With a problem so deeply tied to policy and access to capital, the financial system must be part of the solution. Owning land requires access to capital and/or credit, making coordination with the financial sector and support from policymakers a critical part of successful initiatives.

**Functional institutions are critical.** No amount of reform will make a lasting impact without institutional capacity to implement changes, process and store information, and keep the pulse of local and market needs. The market must be supported by institutional structures that can capture “land-person” relations, in addition to tracking formal titling. Land use information also ensures there is a record

base about how land is being used, which is valuable to land-use planners and resource managers. Furthermore, as land becomes scarcer and the degradation of natural resources continues, the need for transparent records of land use will intensify.

**Community engagement is critical.** One of the consistent failures in property rights efforts is the lack of community involvement in the land administration process. Local beneficiaries must feel ownership of shifts in the system, and must feel compelled to own and adapt their records and information to their evolving realities.

**Collaboration and trust-building between stakeholders is essential.** Some of the most effective innovations in property rights may be around methods of facilitating consensus between land-users and land-owners, or between governments and local communities.

Despite the obstacles, there are change-makers around the world who are pursuing innovative, sustainable, and locally relevant solutions to this deeply systemic issue. Whether the approach is pursued through innovations or changes in legal frameworks, technology, policy, microfinance, women's rights, or formalization of land tenure, one thing is certain – secure property rights are critical to poverty alleviation and economic development.

**By Diana Wells,  
President, Ashoka**



changemakers®

[www.changemakers.com](http://www.changemakers.com)

Ashoka's Changemakers is a global online community of action that connects people to share ideas, inspire and mentor each other, and find and support the best ideas in social innovation.

Changemakers is among the world's most robust laboratories for launching, refining, and scaling ideas for solving the world's most pressing social problems. At every level of engagement – from enthusiastic newcomers to experienced social entrepreneurs to corporate executives looking for promising ventures, the site engages individuals who want to make change happen and helps connect them to solutions that address the issues they care about. Changemakers builds on Ashoka's™ three decades of identifying and selecting leading social entrepreneurs and its goal of an "Everyone a Changemaker" global society.

Through inspiring stories and discussions, the community advances ideas for change in areas as diverse as sanitation and government transparency, young men at risk and food security, rural development and health care innovation.



OMIDYAR NETWORK

[www.omidyar.com](http://www.omidyar.com)

Omidyar Network is a philanthropic investment firm dedicated to harnessing the power of markets to create opportunity for people to improve their lives. Established in 2004 by eBay founder Pierre Omidyar and his wife Pam, the organization invests in and helps scale innovative organizations to catalyze economic and social change. To date, Omidyar Network has committed more than \$383 million to for-profit companies and nonprofit organizations that foster economic advancement and encourage individual participation across multiple investment areas, including microfinance, entrepreneurship, property rights, consumer Internet, mobile technology and government transparency.

Omidyar Network was founded on the fundamental belief that every person has the power to make a difference. The organization works to create opportunity for people to realize that power and improve the quality of their lives. When people take the initiative to make life better for themselves, they can share the benefits with their families, become more active in their communities, and be a more positive force in society.





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