

LandWise: A Women & Land Library

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Abstract:

This paper is about Landesa's LandWise digital library project. Landesa is an international non-profit organization that works on poverty alleviation through the issue of land rights. The Landesa Center for Women's Land Rights (LCWLR) is a group of lawyers who focuses their work specifically on women's land rights. Through the years of work championing women's land rights, they have discovered time and again that one of their largest challenges is finding access to the laws and materials that they need before they can understand the legal framework of a country that they are working in.

LandWise was created to provide development practitioners, policymakers, attorneys, social scientists, and scholars with legal information and materials pertaining to women's land rights. This paper discusses the information gap that LandWise is intended to fill, the content and services we are able to make available through LandWise, and the role of librarians in creating a digital library specifically geared toward social change.

Keywords: database, legal research, gender, land rights, poverty alleviation

I. The Case for Women's Land Rights

While women produce nearly half of the food in the developing world, they often do not have secure rights to the land they farm and are denied equal rights to access, inherit, or own it. As a result, these women are at an increased risk of losing their source of food, income, and shelter should they lose their only link to the land they till: husbands, fathers, or brothers taken by illness, violence, or migration. In effect these women are merely laborers over land owned by the men in their lives (e.g. fathers, husbands, brothers, sons, etc.).

With secure rights to land, women and girls can improve food security, education, health, and economic development for themselves and their families. Studies show that when women have secure land rights:

- family nutrition and health improves;
- women become less vulnerable to contracting HIV/AIDS;
- HIV-positive women may be better able to cope with the consequences of AIDS;
- women may be less likely to be victims of domestic violence;
- children are more likely to receive an education and stay in school longer;
- women may have better access to micro-credit; and
- women's participation in household decision-making increases.

In fact, investing in a woman's land rights creates an extraordinary ripple effect that spreads to her family, community, and beyond.

Some of the barriers to women's secure access to land are the formal and informal laws that govern their lives. While progress is being made in parts of the world, some laws discriminate against women owning, selling, or inheriting land. At the same time, customary rules, which are much more influential in most rural settings, often do not permit women to own or inherit land. In practice, women can often only gain access to land through their fathers or husbands and they are vulnerable to losing the land they use if those relationships break down due to death, divorce, illness, conflict, or migration. Even if the laws on the books provide for equal ownership rights to women, many rural women in the developing world are not aware of their property rights. Women must know what their rights are to exercise them.

II. About Landesa

Founded as the Rural Development Institute (RDI), Landesa has worked in more than 40 developing countries over the past four decades. Landesa's main program staff is composed of lawyers, economists, and social scientists that work with local and national level governments to develop new land rights-based poverty alleviation programs. A well-designed and implemented law, policy, or government program has the power to affect tens of thousands of families at a time. Landesa's projects are carefully researched and designed to fit the particulars of geography, political institutions, history and culture; harness the power of economic incentives; and strengthen the rights of existing landholders with tenuous legal claims, while broadening secure land access for the poorest.

The Landesa Center for Women's Land Rights (LCWLR) has the primary mission of championing the untapped potential of women and girls to transform their communities by working on projects around the world to ensure women, and the households they support, have secure land rights. The LCWLR pilots innovative solutions to secure women's land rights and educate development experts about the gap between customary and institutional law.

III. The Information Need

Land tenure reform is a common poverty alleviation intervention in many developing countries, and these interventions require a thorough understanding of a country's legal and cultural framework if reformers hope to avoid negative unintended consequences. Legal

reform can transform a society, but in order to properly understand, enforce, or change laws, one must have access to legal information.

Throughout the years, the legal experts at the LCWLR have discovered time and again that one of the main barriers to understanding the women's land rights situation in a particular jurisdiction is locating and accessing the relevant legal materials in the first place. It is especially difficult to locate the types of laws and information that have the biggest impact on the lives of women: family laws, personal laws, inheritance laws, matrimonial property laws, and information related to customary laws and practices. While it would be ideal for national and local governments to make legal information freely accessible to their own citizens, there are many reasons why this is not a reality: laws are not always published in a systematic way; governments do not have the resources to distribute legal materials to the public; and some governments purposefully limit their citizen's access to legal materials.

IV. What is LandWise?

Identifying this information gap, Landesa decided to create LandWise: A Women & Land Library (<http://landwise.landesa.org>). So what is LandWise? LandWise is a free online database of legal materials (e.g. statutes, constitutions, regulations, policies, etc.); articles related to women's land rights; and Landesa generated practice guides. The legal materials primarily cover family laws, personal laws, inheritance laws and agricultural land laws. Because the target audience is development practitioners, policy makers, women and land right advocates, and scholars, the articles are either practice-oriented materials (e.g. reports from on the ground experience, tool kits, guidelines, etc.) or materials that may describe the customary practices of a particular area or jurisdiction. Landesa has even taken an important step beyond just collecting, curating and making information available. Specifically for LandWise, we are creating explanatory materials that will help users make the most of the legal materials and articles contained in the database portion of the library.

Legal Materials

Before LandWise, no single freely accessible website or database provided this collection of information. Some websites contain information on a specific region or limited collection of countries or they only provide excerpts of laws or citations to laws (but not access to the full-text laws). In contrast, LandWise provides access to full-text laws for countries around the world. Having full-text laws is critical for anyone trying to understand the existing legal situation and/or make recommendations for reform. Moreover, having a single database that contains laws from around the world enables users to gain a comparative perspective of how different countries and legal systems address certain fundamental rights and obligations. As these laws dictate personal and social relationships such as marriage, divorce, inheritance and property ownership, the full-text laws are important for many different user groups, not just individuals working on women's land rights.

Articles & Information on Customary Practices

After years of advocating for secure land rights for the world's poorest, Landesa understands that working on legal issues can be incredibly complicated and access to formal legal information is not enough. In many societies, there is a gap between the rights and responsibilities available under the formal legal system and commonly accepted customary practices. Although it is integral for development practitioners, researchers, and scholars to

have a grasp of both aspects in order to make responsible program and policy decisions, information describing customary practices is often particularly difficult to locate. We are dedicated to collecting this information and including it in LandWise.

Practice Guides

The LCWLR uses LandWise to increase capacity within the development community by providing frameworks for analysis to guide practitioners' understanding and assessment of the materials contained in LandWise. Legal materials are different from other types of resources and users may need additional explanation on how to make the most of these materials. The lawyers, social scientists, and economists who work at Landesa draw from their years of experience championing women's secure access to land to create practice guides to help practitioners, advocates and policy makers work on these important issues.

At the time of this presentation we have seven guides on the website. The first is a research guide I created to help users conduct research on women's land rights. The truth is that with our small staff it is impossible to provide access to all of the materials users will need in LandWise, so we decided to provide them with the tools and starting points for conducting research on their own. There are three subject guides: one on women's land rights in general; a guide related to issues surrounding inheritance issues; and a guide helping users learn how to use international covenants and instruments to further work on women's land rights at the country level. Finally, we have three country guides (Uganda, Kenya and Tanzania) which were written to both demonstrate what users can create when they go through the type of analysis that is put forth in the subject guides, and provide a substantive evaluation of the women's land rights situations in those three countries.

V. A Librarian's Role in Social Change

With LandWise, Landesa wanted to fill an information gap and make best practices and lessons learned available to a larger audience by way of the Internet. They hired me on as a full time employee in June 2011 and we brought on a part-time library assistant in February 2012. Together our small library team worked with the LCWLR staff to design and implement the entire project. Before bringing me into the project the LCWLR had a general vision for the digital library (which they called the eLibrary) and an idea of some of the challenges for this type of project. Together we were able to create detailed work plans and establish priorities for moving the project forward; determine the technological requirements for the website and database; establish collection and information processing processes; and cultivate strategic partnerships.

My role with LandWise is much different from what the general public expects from librarians. However, this project is perfect for a librarian. I can use my legal research abilities and interest in technology and databases to bring together important information resources for people to use in order to improve the lives of women, children, and families around the world. For a project like this there needs to be a deep sense of ownership by the project manager/project lead. But there must also be a willingness to collaborate and work with the rest of the organization's program staff. I had to quickly get up to speed on some basic women's land rights matters in order to be able to help determine the type of database we needed to build and to understand what content and technological features would be important for potential users.

For example, while quality content is the most important component of LandWise, we recognized the importance of creating a visually appealing and technologically robust structure. LandWise is not an off-the-shelf system; it was custom designed and implemented with the end user in mind. This system is also easily scalable and customizable in order to meet different demands over time. We built a custom database specifically designed to house legal materials and it is important that the website loads quickly, even in low bandwidth areas, and is easy-to-use by individuals with different levels of digital literacy. We've incorporated a sophisticated search engine, a customized controlled vocabulary, and a filtering system help users find what they need easily and quickly. We have also integrated a custom-built content management system for our practice guides so that we can disseminate our knowledge in a variety of formats and link information in the practice guides to the full-text documents within the database.

Laws, regulations, court opinions, and other legal authority are constantly changing, so providing accurate up-to-date materials is in itself a challenging task. We focus our collection efforts to countries and regions in which Landesa has historically worked or has ongoing projects. We also collaborate with other non-profits, international organization, libraries, and academic institutions to expand our coverage and up-date our collection. In exchange for helping us locate relevant legal information, these organizations (such as the World Bank, FAO and Land Portal (<http://landportal.info>)) value LandWise as a reliable and stable source for laws and information and link to LandWise documents or channel LandWise content onto their online platforms.

VI. The Future of LandWise

LandWise launched in July 2013 and is one of the LCWLR's permanent initiatives. Between the period beginning July 1, 2013 and April 25, 2014, LandWise has had 31,824 pageviews by 12,335 unique users. While this number is quite small compared to other research databases out there, given its narrow scope and the fact that we have not had the capacity for a strong marketing initiative, we feel that the usage levels are encouraging. We have also had feedback from our contacts and colleagues around the world and it has been very positive.

Fundraising

Going forward we need to focus on fundraising to sustain this useful and much needed resource. The initial funding for this project came from a variety of grants, but locating funding to maintain a digital project can be a challenge because funders typically do not want to commit to long-term funding. This is unfortunate because it can result in orphan projects (projects that fade away after they are initially created) or encourage organizations to initiate a pay wall. Landesa is dedicated to keeping LandWise free and accessible to the general public and is looking for additional funding sources, including seeking additional grants, sponsorship opportunities and any other ideas that would help sustain this project. If you have any suggestions please contact me.

Marketing

Now that LandWise has launched and we have rolled out a few new technological features that have been in the works for several months, we will begin exploring different methods to market the site to a wider audience. Because the resources have relevance beyond the land rights community we would like to make other patron groups aware of this resource. We will

likely use a mixed strategy of traditional and digital marketing. Currently we are marketing our site through carefully cultivated partnerships and have the technical ability for other websites to pull in our database information and display it on their site. See Land Portal as an example of one such partnership.

Personnel

Although I have left Landesa to join Anneal, Inc., a company that provides planning, management, and consulting services for organizations with similar digital projects, I will continue to manage and maintain LandWise for Landesa. Please do not hesitate to contact me if you have any questions, suggestions, or would like to learn more about this project.

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