

## Justice for All? Assessing ‘What Works’ to Improve Women’s Access to Legal Services

**A Policy Brief Prepared for the World Bank’s  
2017 Law, Justice and Development Week  
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Economic inequalities divide men and women around the world. Women on average earn just 60-70% of what their male counterparts earn. They are less likely to participate in formal labor markets, own fewer assets, and have limited control over household economic decision-making. These disparities also correspond with legal vulnerability: women working in the informal sector lack basic legal protection and are less involved in political processes (UN Women, 2015). Legal standards are also a driver of gender inequity in much of the world, with nearly 130 countries having “...at least one legal restriction against women’s economic opportunities” (World Bank, 2014).

These troubling statistics motivate the World Bank’s annual [Law, Justice, and Development Week](#) (LJD), to be held in Washington, D.C. on November 6 - 10, 2017. For the first time, this event will focus on how the rule of law and justice can enable gender equality more broadly. While international calls for equal access to justice are nothing new, November’s gathering is particularly promising given the World Bank is one of the leading generators of rigorous policy research on both justice issues and strategies to close the gender gap. In recent years, the [Gender Innovation Lab](#) and the [Data and Evidence for Justice Reform](#) programs have significantly expanded the evidence base through impact evaluations, the development of data resources, and the definition of meaningful measurement frameworks.

## Economic Development and Institutions

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**Institutions matter for growth and inclusive development, but there is little evidence on how positive institutional change can be achieved.**

The Economic Development and Institutions (EDI) research programme will fill this knowledge gap, and take an innovative approach to ensuring world-class research is translated into positive policy change.

**One unique aspect of this programme is its focus on policy engagement.** The research team will seek to reflect policy ‘demand’ when defining research questions and engage key decision-makers throughout the course of the programme. This will involve listening to the challenges encountered by in-country policymakers and looking out for opportunities to engage with and support ongoing reform processes.

These efforts are critical, given how little the international community knows about “what works” to facilitate women’s access to legal services and economic empowerment. In a [recent survey](#) by the [Center for Effective Global Action](#) (CEGA), reviewing nearly 200 empirical publications on public institutions in developing countries, justice and legal issues were identified as among the most under-studied topics.<sup>1</sup>

The [Economic Development & Institutions](#) (EDI) programme<sup>2</sup> is doing its part to expand the evidence base on these issues. Together, CEGA and EDI are building a portfolio of [randomized controlled trials](#) – the most unbiased and rigorous evaluation method – to identify strategies for institutional reform, with the aim of improving economic outcomes in developing countries. Addressing gender gaps is a particularly important aspect of this goal.<sup>3</sup>

Here we present some of our key questions and ongoing research on gender, law, and economic development from the EDI portfolio. We hope that sharing our work will help the conference organizers and delegates address pressing research gaps at the convening. We describe a series of pilot and full-scale randomized studies that EDI and CEGA have recently supported, falling within the conference’s focus areas of 1) access to and control of key productive assets, 2) voice and influence in governance and political processes, and 3) policing and the prevention of violent crimes.

## 1) Access to and Control of Key Productive Assets

Perhaps the most basic of legal services is the registration and protection of land ownership. In terms of generating economic growth, numerous sources identify secure property rights as pivotal, by allowing the poor to leverage land as collateral for loans. In *The Mystery of Capital: Why Capitalism Triumphs in the West and Fails Everywhere Else*, economist Herando de Soto argues that lack of secure property rights above all else limits the poor from transitioning their ‘assets into capital’. Unfortunately, women throughout the world are stripped of this opportunity: the Food and Agricultural Organization [estimates](#) that fewer than 20 percent of the world’s landowners are women. Numerous reforms are underway to address this gap and support women’s economic empowerment. However, the relationship between property security and investment remains a puzzle, with unanswered questions about credit constraints:

- Nagarajan et al. (2010) use a natural experiment in India to study how new inheritance legislation impacted women’s investment decisions. They show that legal amendments increased women’s inheritance of property. Moreover, women married later and their educational attainment increased.
- Field (2005) seeks to identify how strengthened property rights impact investment decisions. She studies a nationwide program to reduce the cost and burdens of obtaining land titles in

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<sup>1</sup>Frederico Finan and Ernesto Dal Bó (2016) At the Intersection: A review of institutions in economic development. EDI Working Paper.

<sup>2</sup> EDI is funded by UK Aid and is led by Oxford Policy Management Limited, University of Namur, Paris School of Economics and Aide a la decision economique.

<sup>3</sup> To learn more about EDI’s research agenda on gender, please reference our September 2017 policy brief [Gender, Institutions, and Economic Development](#).

Peru and finds that more secure property rights increased home investment, though these improvements were financed without credit.

- Ali et al. (2014) review a pilot land regularization program in Rwanda, which sought to officially demarcate parcels and then formalize plot ownership. The evaluation found improved land access for legally-married women and reduced gender bias in the recording of inheritance rights. However, no effects on credit constraints were detected in the short-term.
- Galiani and Schargrotsky (2010) study a policy in Argentina that sought to entitle squatters occupying land. They find that secure property rights increased housing investment for these groups, improved educational attainment for children, and reduced household size. These effects, however, did not take place though through increased access to credit.

Overall, the impacts of property rights on women's economic empowerment, and more broadly on the lives of the poor, are promising but puzzling. There is evidence that securing property rights encourages investment; however, it is unknown whether these reforms help individuals obtain credit, which is seen as pivotal to economic development. We are now exploring the following questions as part of our research agenda:

- Are there instances where titling/formalization relaxes credit constraints?
- Does access to property rights improve women's economic empowerment and the welfare of their families?
- If complementary reforms are needed, what are the key complementary reforms? Is clarifying land rights enough, or do credit markets need to be reformed?

Part of the more general approach of EDI is to see that changes to formal rights and laws interact with informal interpretations and conventions (institutions) to produce actual outcomes. These women's economic empowerment questions relate directly to that.

#### *Research in Action:*

EDI and CEGA have begun work on these areas through a partnership with researchers [Erica Field](#) and [Kate Vyborny](#) at Duke University. The research team is collaborating with the Punjab Commission on the Status of Women and the Punjab Local Government Department in Pakistan to assess whether new procedural requirements are improving compliance with laws designed to make inheritance processes more accessible for women. The Government of Punjab has made significant efforts to increase women's access to land inheritance, but in practice officials often use their own judgement and respond to local concerns when processing property transfers. New procedures increase women's involvement in the registration process and apply penalties for officials not following rules and requirements. These seem to have encouraged more women to take legal action and secure property inheritance. This can be seen as addressing an informal layer of inheritance related institutions. Field and Vyborny are collecting administrative records throughout Punjab to identify areas of high-compliance with these new processes and corresponding increases in female inheritance. Should the analysis identify connections, researchers plan to rigorously evaluate how land rights influence the economic status of women and those in their households. More efforts like these are necessary to determine how land access and ownership directly influence women's economic empowerment.

## 2) Voice and Influence in Governance and Political Processes

While women's access to legal protections, like the right to inherit land, may support economic empowerment, a much less explored subject is how women's representation in public office and their participation in political processes shapes policies influencing growth and development. A series of studies on political reservations for women in elected office in India indicates increased female representation leads to:

- Greater spending on particular public goods such as clean water and roads (Chattopadhyay and Duflo 2004);
- Greater take up by women of local development programs (Beaman et al, 2009; Bose and Das, 2015)

Should these findings prove consistent across different contexts, the benefits of female elected leaders could pay major dividends for economic development: according to Women in National Parliaments, women currently account for just 22% of members of parliament worldwide. Yet policy decisions impacting growth are not exclusively influenced by political reservations for women. Research suggests that the composition of the electorate itself may also affect how policies are prioritized:

- Miller (2008) studied how women's suffrage in the United States changed the priorities of elected officials. The sudden increase in female voters led to significant shifts in the legislative behavior and large increases in local public health spending. In this case, politicians responded to the demands of female voters who prioritized children's health and public good provision.

### *Research in Action:*

What is the interplay of electoral representation with the composition of the electorate, and how do these features influence economic development? EDI and CEGA are exploring this relationship through a partnership with researchers [Soledad Artiz Prillaman](#) and [Rohini Pande](#) at Harvard University. Prillaman and Pande are collaborating with the NGO Pradan in the Indian state of Madhya Pradesh to assess how women's electoral representation, when coupled with women's active political participation, affects local politics. Does it reduce corruption and clientelism, and increase the provision of local public goods? The researchers will study public goods provision and economic development policies in villages that have different levels of gender reservations for elected office and varying degrees of female mobilization within the electorate. Data collected through the initiative will provide unique insights into how women's political engagement shapes local governance and economic development. Researchers will also generate evidence on how civics training and access to information may change women's participation and political engagement. More research is needed to fully understand these trends and provide sufficient evidence for policy decisions.

## 3) Policing & Prevention of Violent Crimes

Violence against women has perhaps one of the strongest influences on economic growth and development. The [World Health Organization](#) estimates that 1 in 3 women worldwide experience physical or sexual violence in their lifetimes. Reducing the number of women affected by violence could

increase participation in labor markets. Reciprocally, in low-resource settings the WHO finds that intimate partner violence can be reduced through strategies to improve women's economic empowerment.

A major factor in the prevalence of violence against women is under-reporting. When trust in police services is lacking, victims may fear the dismissal of incidents of violence, or they may worry that enforcement agencies will side with the perpetrators. Governments around the world have acknowledged trends of under-reporting and developed initiatives to make police and legal services more accessible to women<sup>4</sup>. These efforts often seek to build trust between communities and the police via community engagement and other "bottom up" initiatives.

The success of police reform interventions in the developing world is understudied and mechanisms to build trust between community and police are particularly unclear:

- Banerjee et al (2014) is one of the only randomized evaluations on police reforms in India: the study concludes that several top-down approaches worked to improve performance, but that the effects of bottom-up efforts to build trust dissipated quickly due to lack of commitment and cooperation between local police groups and the communities they serve.
- Garcia et al. (2013) find that community involvement and incentives were effective in reducing crime in Colombia, but measured crime rather than citizen's perceptions. Moreover, crimes rate measures are frequently subject to manipulation, so results should be viewed with caution.
- In a natural experiment, Sarah Reynolds and Elizaveta Perova (2015) study the effects on Women's Police Stations in Brazil. These interventions supported reductions in homicide rates of women (a key proxy for intimate partner violence), but the effects were concentrated among young women living in metro areas.

The evidence base on police reforms in the developing world is limited, and there are particular evidence gaps on the critical questions of how to build trust among police and communities. EDI and CEGA aim to provide insights on these important issues by supporting a series of unique research initiatives, designed to identify mechanisms to improve public trust in the police and reduce gender-based violence as a means to achieve economic development. Once again this can be seen as examining the impact of addressing informal barriers (the public-police relationship) which might otherwise impede the effectiveness of formal reforms (police reforms).

#### *Research in Action:*

- In Medellin, Colombia, researchers [Eric Arias](#), [Dorothy Kronick](#), and [Rebecca Hanson](#) are working with the Security Secretariat to explore how informal and more frequent town hall-style contact between police and citizens could increase trust and cooperation, including the reporting of violence against women. Commonly recommended community-oriented policing strategies have not been subjected to rigorous evaluation, so their impacts on citizen-police cooperation, crime reporting, and crime victimization rates are still unclear.

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<sup>4</sup> Examples of such initiatives include [Samath Sangini Yojana](#) in India, [Women's Police Stations](#) in Latin America, and [Linea 123 Mujer](#) in Colombia.

- Researchers [Guy Grossman](#) and [Rob Blair](#) and the Uganda Police Force are extending this work by assessing how anonymous reporting channels, community meetings, advanced training in child protection and the prevention of gender-based violence may improve trust and cooperation with law enforcement<sup>5</sup>.
- EDI and CEGA are also exploring these issues in Madhya Pradesh, where researchers [Sandip Sukhtankar](#), [Gabrielle Kruks-Wisner](#), and [Akshay Mangla](#) are working with the local police department to begin assessing how community-dialogue and increasing the representation of women in the police force may improve citizen satisfaction.

The combined results of these studies have significant potential to advance global understanding of how policing and the prevention of crimes can be improved, with a specific emphasis on gender-based violence.

### What's Next?

It is important to acknowledge that much of what we know about gender, law, and development is drawn from studies that lack the rigor needed for policy decision-making. These knowledge gaps limit our ability to develop effective programs and government responses. As a result, policymakers should be cautious when prioritizing specific strategies to address gender gaps and should test the assumptions underlying popular interventions in this space.

To guide future work, we must collectively invest in the synthesis of existing evidence, along with support for new research on critical questions. The LJD can support this process by leveraging the World Bank's unique resources on justice and gender equality research, as well as the work being supported by EDI and CEGA.

At next year's convening, LJD might incorporate rigorous policy evaluation as an agenda point, engaging researchers in advance to ensure that delegates are fully apprised of existing and emerging evidence. EDI and CEGA are eager to support this dialogue and will continue to update the LJD community as our research agenda advances.

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For more information about EDI and ongoing research, please visit [www.edi.opml.co.uk](http://www.edi.opml.co.uk)

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<sup>5</sup> EDI's support for these studies in Colombia and Uganda are part of an innovative partnership with Evidence in Politics and Government and their [coordinated research on community policing](#) in six different countries.



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