

Women's Land Rights and Children's Human Capital in Vietnam

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Summary. — Vietnam's 1993 Land Law created a land market by granting households land-use rights which could be exchanged, leased, and mortgaged. Using a matched household sample from Vietnam's 2004 and 2008 Household Living Standards Survey, this study analyzes whether land titling for women led to improvements in child health and education. Results indicate that female-only held land-use rights decreased the incidence of illness among children, increased their health insurance coverage, raised school enrollment, and reallocated household expenditures toward food and away from alcohol and tobacco. These effects were almost all stronger than in households with male-only or jointly-held land-use rights.

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1. INTRODUCTION

Improving women's control over assets such as land can augment women's economic security and bargaining power, which in turn may have powerful consequences for the health and well-being of their children. Improving women's titling to land can increase the availability of collateral to obtain loans, which in turn can provide women the financial means to invest in entrepreneurial activities and to increase household expenditures. Formal, registered land rights can also affect women's agricultural productivity and earnings power through increased security of land tenure. In addition to improving women's income-generating capacities, land ownership may also strengthen their control over resources within the household. There is an established literature on bargaining in the context of households where even if the budget of the household remains constant, social changes may alter intra-household spending patterns (Manser & Brown, 1980; McElroy & Horney, 1981). Although improvements in household assets may benefit all members, resources concentrated in the hands of women may do more for children than those concentrated in the hands of men (Lundberg & Pollack, 1991; Thomas, 1990). Women's control over financial resources has well-documented effects on human-capital outcomes for themselves and their children through cooperatively-bargained processes.

In practice, stronger property rights in developing countries have come primarily through land titling programs.¹ In the case of Vietnam, the 1993 Land Law prompted one of the largest land-titling programs seen to date in the developing world both in terms of scope and pace of implementation; within 7 years, rural households were issued about 11 million land-use certificates (Do & Iyer, 2008). The large-scale reform has made Vietnam the subject of several studies examining the effect of land reform on agricultural productivity and household decision-making. Notable findings include an increase in the

proportion of cultivated areas planted with more profitable crops, increased labor supply in nonfarm activities, and greater food security (Do & Iyer, 2008; Markussen, Tarp, & Van Den Broeck, 2011). A topic which has not been examined as yet is whether Vietnam's land reforms led to overall improvements in children's human capital, and whether such effects were especially pronounced in households in which women held land rights individually or with their spouses. Our study explores this topic by examining whether three categories of land use rights—those held by woman alone, held jointly with husbands, or held by husbands alone—had differential effects on child well-being.

Although previous evidence has shown that resources concentrated in the hands of women result in positive benefits to children (Doss, 2006; Quisumbing & Maluccio, 2003), there is little existing work that can trace the effects of women's land rights on children's human capital. To the best of our knowledge, Allendorf (2007) is the main exception. This study uses a cross-section of data from Nepal and finds that women who own land are more likely to have the final word in household decisions and less likely to have children who are underweight. However, if household unobserved characteristics such as preferences determine patterns of land ownership and outcomes at the same time (for example, progressive households

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may have more land registered in women's names and may also have better health outcomes for children), a single cross-section of data does not facilitate estimation of causal impacts.

This study uses data on matched households from the 2004 and 2008 Vietnam Household Living Standards Surveys (VHLSS) in which land-use rights are identified with specific stakeholders within the home. The data allow us to control for household-level differences and to directly ascertain the gender-differentiated impact of the titling program on child health and education. Although it is possible that the person in whose name the land is registered differs from the person making actual decisions on how to manage the land, our methods and data improve on other studies in that we can determine the relative impact of different categories of land-use registration by gender on measures of children's human capital. Results indicate that after controlling for observed and unobserved household-level characteristics, an increased proportion of land registered in women's names only generates substantial health and educational benefits for their children.

2. BACKGROUND: LAND LAW REFORMS IN VIETNAM

As part of its sweeping "Doi Moi" policy reforms in the 1980s, Vietnam's government began the move away from a collective agricultural system toward a new structure that allowed farm households to lease plots of land for 10–15 years (Do & Iyer 2008). Based on a wide-scale reallocation process, the new system was intended to reduce inequality and improve incentives for farmers to invest in their land. However, in practice, the land-use rights were not viewed as being secure as they were not tradable and consequently, many farmers were reluctant to make long-term investments in their fields. To improve the incentive structure facing farm households, the government passed a new Land Law in 1993 that extended the lease period and allowed farmers to trade, transfer, rent, bequeath, and mortgage their land-use rights. The law change was implemented through the issuance to farm households of land-use rights—known in Vietnam as Land-Use Certificates (LUCs). Although the issuance of LUCs proceeded quickly, implementation across the provinces remained uneven because the application and authorization processes entailed numerous application steps and approvals by different layers of government. Problems included delays on the part of the management agencies in setting guidelines for issuing LUCs, land-use tax rates that were initially too high, inaccurate records on prior landholdings, large numbers of disputes that required resolution and debts that needed to be cleared before LUCs could be issued, and a lack of awareness among farm households and local authorities about the importance of formal land-use rights (Do & Iyer, 2008).

Issuance of land-use rights also demonstrated uneven patterns in terms of gender. In principle, the reforms did not discriminate in granting rights because legal decrees on implementation of the Land Law relied on gender-neutral language such as "individuals" and "users" in referring to the targeted beneficiaries of the reforms. Rather, gender disparities that favored men in the issuance of land-use rights resulted from implementation. In particular, in the initial years, the LUCs had space for only one name that was to be filled by the household head. That is, the original Land Law issued LUCs at the household level. Since more households were headed by men, the unintended consequence was that few women had their names on the LUCs (Ravallion & van de Walle 2008). This pattern began to change with a further set of legal

reforms in 2000 and 2001.² The Marriage and Family Law of 2000 stipulated that any LUC obtained by husband and wife over the course of the marriage would be considered their common property, while any LUC obtained prior to the marriage or through inheritance by the husband or wife would be considered common property only by mutual agreement. Hence, for LUCs obtained during the marriage, the names of both husband and wife should be inscribed. Further, the 2001 Land Law reform led to the issuance of LUCs at the plot level. Thus household members could own multiple plots, and any plot under the common ownership of husband and wife was required by law to be registered under the names of both husband and wife. In practice, however, these new regulations governing joint ownership were not well enforced since the government agency in charge of rural land titling lacked the administrative capacity to ensure full compliance across provinces (Ravallion & van de Walle, 2008).

Another source of gender discrepancies in the issuance of land-use rights was that many localities stipulated that the amount of acreage allocated to a household would depend on the ages of household members, with individuals of working age receiving the largest allocations. Since female-headed households tended to have fewer working age adults, such households, on average, received less land than male-headed households.³ Further, the legal retirement age for women remained 5 years earlier than for men (age 55 for women compared to 60 for men). Consequently, the amount of land allocated to women ages 55–59 was half that allocated to men of the same age. Gender inequities in the issuance of land-use rights were also exacerbated by social norms and cultural traditions in Vietnam that favored men in decisions regarding the reallocation of land and the approval of LUC applications.

3. LAND RIGHTS AND BARGAINING POWER: CONCEPTUAL FRAMEWORK AND EVIDENCE

In principle, formal, registered land rights are positively linked to household behavior through four channels.⁴ First, land owners are more likely to make long-term investments in their land if they are confident that the state cannot expropriate their holdings. Second, stronger land rights can make it easier to obtain loans in credit markets as land is the most common form of collateral. Third, secure land rights may reduce vulnerability in the case of aggregate economic shocks such as those from weather-related phenomena, or individual-specific events such as dissolution of the household after divorce or widowhood. Finally, when land rights are transferable, households have the opportunity to generate gains from trade in land sales and rental markets.⁵

Each of these channels helps to boost women's income-generating capacities. Higher yields due to agricultural investments, greater access to credit, and gains from trade in land markets can give women the financial capital they require to finance a host of economic activities. Moreover, long-term investments in agricultural inputs that are incentivized by greater security of tenure—for example, investments in land improvements and irrigation systems—may be labor-saving, with a resulting shift of labor hours into other nonagricultural activities (Do & Iyer, 2008). Such shifts could also provide women with earnings that improve their socioeconomic status and that of their households.

Not only can land ownership help to improve women's income-generating capacities, it can also strengthen their bargaining power and their control over resources within the household. Greater control of income by women results in

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