

Gender Roles and Practices in Land Access, Ownership and Utilization in West Usambara, Tanzania

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Abstract:

Tanzania's land laws protect and guarantees gender equality in access, ownership, and utilization of land. However, the extent to which these legal frameworks have enabled gender equality in the country regarding access, ownership, and utilization of land is not well known. This paper assessed gender relations in access, ownership, and utilization of land in West Usambara Mountains Lushoto District, Tanga Region, North Eastern Tanzania. A purposive sampling of 100 respondents (49 men and 51 women) was obtained to participate in the study. A structured questionnaire was used to interview respondents and focus group discussions with key informants were conducted. Qualitative data were analyzed through content analysis techniques including thematic analysis of texts and indexing.

Results show that despite a progressive legal framework, women are still marginalized in land access, ownership, and utilization. This is because of the co-existence of dissimilar structures (traditional, formal and religious land laws), as well as long-established traditional that continue to perpetuate gender disparity. It is proposed that efforts should be made to empower women to use the existing legal structures to demand and promote own land rights.

1.0 Introduction:

Tanzania has made great strides in enacting laws that promote and guarantee gender equality in land access, ownership, and utilization (Myenzi 2009, Chan, *et al* (2016) and Moyo (2017). Article 9 of the Constitution of the United Republic of Tanzania (1977) accords same opportunities for men and women in ownership of properties including land. Specifically, Articles 24 and 24(1) of the Constitution provide that men and women can possess land and property without discrimination based on gender, status, lineage, tradition, or descent.

Further, Section 4.2.6 of Land Policy (1995) explicitly states that “*to enhance and guarantee women's access to land and security of tenure, women will be entitled to acquire land in their own right not only through purchase but also through allocations. However, inheritance of clan land will continue to be governed by custom and tradition provided such custom and tradition is not contrary to the Constitution and is not repugnant to principles of natural justice*”. Also, subsequent laws such as the Land Acts of 1999 and Village Land Act of 1999 strongly protect women's rights

on matters related to land access, ownership, and utilization without discrimination based on gender.

Apart from legislation, non-state actors such as HakiArdhi, Tanzania Land Alliance (TALA), Land Tenure Assistance (LTA-NGO), to mention just a few, have been advocating for land rights in the country for over 30 years, building awareness, influencing land policies, providing legal assistance and completing government efforts on land matters. It is therefore fair to say that the legal framework as well as practices regarding land has significantly progressed in the country.

Internationally, there has been a move to encourage more holistic, systemic, and interdisciplinary approaches to the many natural resource management challenges facing different regions and development agencies. Several organizations have looked for ways to link resource management and social dimensions of development to highlight the relationship between the two (Agarwal 2003). From the mid-1980s onward, there has been a stronger international focus on women's empowerment and participation where many policy strategies and development initiatives have adopted gender mainstreaming thinking in development including in resource management (World Bank, 2004). However, the extent to which the highlighted legal and practice framework has succeeded in empowering women's land access, ownership, and utilization is not well known, especially in rural and remote areas.

This paper, therefore, assessed gender relations in land access, ownership, and utilization in West Usambara Mountains in Lushoto District, Tanga Region, North Eastern Tanzania. The area was chosen because it is one of the oldest administrative districts in Tanzania, meaning that it has benefited from many government efforts on land reforms. Also, the district has a high population, and intensive horticulture activities. The main objective of the study was to assess *gender roles and practices in land access, ownership, and utilization*. Specific objectives were to identify who has access, control, and benefits to land, and examine different responsibilities among women and men managing land resources in West

Usambara Mountains, Lushoto District Tanga Region, Northwest Tanzania.

2.0 Materials and Methods:

The study used purposive sampling to obtain a sample of 100 respondents (49 men and 51 women) for the study. A structured questionnaire was used to interview respondents and Focus Group Discussions (FGD) with key informants was conducted. Qualitative data were analyzed through content analysis techniques including thematic analysis of texts and indexing.

3.0 Results:

3.1 gender roles and practices in land access and ownership:

The results of an analysis conducted on land ownership according to gender in the study area show that land was mainly owned by men at 78% compared to 22% of women. These results differed slightly with the National Census data which shows that 18.1 % of men aged 15 and above owns land compared to 10.6% female (URT, 2024). The size of land owned by respondents in the study areas ranged from 0.25 to 1.0 acres (41%), 2 to 5 acres (30%) and 5-10 acres (7%). Of the women who said that they owned land, reported given by their husbands to cultivate crops for domestic use. Only a few declared to own their land by buying with their own money. Further, results reveal that women without access to land tend to borrow/lease from other people at the end of the season they pay back either with farm produce or a certain amount of money according to an agreement.

Women marginalization in land ownership in the study area could be because the country's legal structure is characterized by a pluralistic legal system whereby statutory, Islamic, and customary laws operate side-by-side (Rwebangira and Tungaraza 2003). The existence of sociocultural dynamics, and unresponsive gender equality environment, and structural barriers hold up the opportunity for more women to own, access, and control land. In the customary law, a wife is not regarded as a member of her husband's family for purposes of her rights to land. As such, she has no share of the inheritance if the deceased left relatives

of his clan; her share is to be cared for by her children just as she cared for them. In Islamic laws, while women are allowed to own and inherit land, housing, and property, they are not given the same rights as men (UNCHS 1999; Kameri-Mbote 2005).

Also, FAO (2003) indicated that in male-headed households like that of Usambara, women do not generally own land; they access it through their husbands or their family. Women typically grow food crops on plots allocated to them by their husbands for their family's use and sell the surplus for cash. Massoi (2019) observed the same in Kilosa District where men enjoyed primary rights of ownership, access to, and benefit to use and control land, while on the other hand, women access to, and use of, land was mediated by their relationship with men as their husbands, brothers, sons or fathers since they are only granted usufructuary rights as land title pass through the male line. Furthermore, Howard (2003) indicated that women generally have the primary responsibility of providing their families with food, water, fuel, medicines, and other products. Yet, these same women are often denied ownership and access to land, and other resources. He further reveals that in many countries, such as Kenya, women have access only to the most marginal land, medicinal plants are collected along road banks and fence rows, and fuel is collected in the common land too far from villages.

When the women in the study were asked whether their inability to own land could be a result of some social and cultural practices, 86% said there was no socio-cultural norm or practice of that kind. Only 16% agreed that marriages, religion, and inheritance of women and their properties by the husband's relatives after the passing of their husbands. This is contrary to previous studies such as Moyo (2016) and FAO (2003) which indicated that the major reasons for poor land ownership among women were due to social and cultural practices that deny women ownership, access, and

control of land. The responses in West Usambara could indicate the continuation of male dominance, undefined power relations, and gender roles that label respect over the ability to voice their opinion.

Further inquiry on whether respondents' women were aware of many laws in Tanzania that provide for equal access to land between men and women, they responded in the affirmative. This is because despite recent gender education and awareness still cultural aspects hold back the community because the majority of land was already in the hands of men. These cultural practices include inheritance of widows after the passing of their husbands and the belief that when a woman marries she belongs to her husband's clan so she has no right to be given land. Respondents in focus group discussions suggested that in order to have true social change on land matters, women should be empowered to recognize the existing rights, how to claim them using the existing legal avenues. In this way, land rights will cease from being just on papers but translate into women daily actions.

3.3 Gender roles and responsibilities in land management:

A survey was conducted to determine different roles and responsibilities played by both females and males in land management. The study assesses the division of labor between men and women especially in resource use and management. Seven (7) aspects related to land management (making terraces, tree planting, irrigation, livestock management, pesticides and fertilizer application, manure processing, and pitting systems in agriculture) were examined.

Results show that men scored very high on participation in terrace making (93%), pitting the soil (76%), tree planting (65%), and fertilizer and pesticide application (65%). Land management activities with some equalities among men and

women include crop rotation activities (50%), livestock management (47%), participation in

sustainable irrigation activities, and making manure (44%) as summarized in Table 1.

Table 1: Gender Roles and Responsibilities in Land Management

Roles/Responsibility	Men	Women	Both	Total
Making terraces	93	2	5	100
Tree planting	65	2	33	100
Sustainable irrigation	52	3	45	100
Livestock management	50	3	47	100
Fertilizer and pesticide application	65	5	30	100
Crop rotation	43	7	50	100
Making manure from organic materials	17	39	44	100
Pitting system	76	2	22	100

Differentiated participation of men and women in activities related to land management is a proxy indicator of gender inequality in the study area. Men seem to participate in activities that require masculinity such as terrace making, fertilizer and pesticide application, and tree planting.

A higher percentage of men in irrigation activities could be because they engage in commercial horticulture crop farming that requires irrigation while women focus on food crops that normally depends on rain. Women also participate in irrigation activities when helping their husbands in family farms or when they sell labor to other people for money. These results are similar to that of (FAO, 1997) in the Mediterranean region where they found out that in general women perform irrigation tasks in small-scale units and participation of women in irrigation is also dependent on their status and those who head households perform all the agricultural tasks along with irrigation.

On why men and women participate almost equally in livestock management activities, focus group discussions indicated that in reality men and women play different roles in the management of livestock depending on the type of society. In cases

where the head of household is a man, consequently, everything that has to do with income generation is controlled and decided by him. Even when women are the ones who manage livestock, still men are recognized as owners and responsible persons for livestock. These results are similar to that of a special study by FAO in 2003 about Livestock and Gender in Tanzania which showed that in Tanga and Morogoro Regions, 98% of cattle belonged to men. Women can control cattle allocated to them by their husbands, as well as decide upon different milk usage and produce.

Moreover, in pastoralist systems, almost all cattle belong to men. Women only control cattle allocated by men. In agro-pastoralist systems, women own some animals through inheritance. In the management of livestock amongst pastoralists, women milk cows and look after young animals, but most herding is done by young men. Management decisions are made by elder men. For the agro-pastoralist communities, the management of livestock is done by men, but the processing and marketing produced is done by women.

About higher number of men participating in pesticides and fertilizer application in the study area, could be because men are participating in high

commercial horticulture crops that requires constant care and precautions in chemical (fertilizers and pesticide) application. This is because applying pesticides requires users' understanding of instructions and precautions during the preparation and application of chemicals. Study findings show that women in the study area did not attend training on new technology. These findings are similar to that of FAO (2007) which indicated that women do not benefit from training and extension for the improvement of their skills, working conditions, and productivity. That's why they lack important skills and technology to participate in many activities. A study by Mollel and Mtenga (2000) in Tchenzema Village in Morogoro Region also found that fertilizer and pesticide application were unequally shared, with men contributing slightly more labor than women.

3.4 Land use for men and women

This paper examined different land uses between men and women in the management of land resources. In many African societies, women and men have different roles in land use and management. Results show that women in West Usambara use land to produce crops for domestic use than men. The majority of the participants 85% revealed that in West Usambara women are the ones who work on farms producing crops like beans, maize, and cassava which are normally used to sustain the family compared to 9% of

respondents who reported that men use land for domestic production of crops. Also, results from focus group discussions confirmed that women in the study area produces for the family consumption while men concentrated in commercial crops. Even when women produce cash crops for business still the amount of money obtained is channeled to take care of the family. Further, results indicate that 91% of men use land for cash crop production and only 3% of women use land for business purposes.

Further, focus group discussion revealed that men use the most fertile parts of the land, usually in the valleys which are more productive, rich in soil texture, and with high water retention capacity for commercial crops leaving the uplands which are prone to erosion with low fertility to women. Vegetables like carrots, green peppers, tomatoes, cabbage, and chili are highly produced in the study area. These crops are considered to be the main source of income for they are commercial crops with high demand in the nearby regions.

Also, it was revealed that men (91%) dominate the collection of medicinal plants from the land simply because the majority of traditional healers are men. As for women, it was revealed that 86% use nearby forests to collect fuel wood mainly for domestic cooking. This is because women are more concerned about their family's welfare and since the only source of energy available for cooking in the study area is fuel wood then it is the priority for women to do that. Table 2 summarizes the findings.

Table 1: Gender and Land Use in West Usambara

Land use	Men	Women	Both	Total%
Domestic use	9	85	9	100
Cash crops production	91	3	6	100
Vegetable garden	67	7	26	100
Medicinal plants	90	4	6	100
Fuel wood collection	10	86	4	100
Lodging	100	0	0	100
Bricks production	56	2	42	100

3.5 Influence of gender on the type of crops grown

This study investigated whether there is gender influence on crops grown in the study area. Results show that 89% of men grew commercial crops in larger numbers compared to women who accounted for only 13%. The study further reveals that women produce more crops for domestic consumption than men. This means that men focus on commercial crops and women on food crops. These differences imply that men are more economically empowered than women through the selling of commercial crops while they are being fed by their wives. FAO (2002) reported similar results that cash crops such as coffee are controlled by men and food crops such as maize and beans are controlled by women.

Further, we investigated who among men and women-controlled income obtained from selling of commercial crops in the family. Results show that the majority of men (94%) controlled family income and that they have full control over all benefits obtained from selling crops in the family even when women contribute labor in the production of such crops. Women accounted for only 1% in commercial crops farming. Women admitted that they needed to hand over whatever they accrued from selling farm produce since it was men who controlled the entire family budget. These findings are similar to FAO (1998) which indicated that cash crops are controlled by men and food crops are controlled by women, but once they gain value in commercial terms, men take control since they represent the source of household income. Women have access to the income but do not have full control over it. One respondent from Mgwashi village said that:

We work together on the farm but when we get income my husband goes to town until the cash is finished is when he returns home. Even when I make money on my own I have to give him because he is the one who takes care of us and if I don't do that he beats me.

5.0 Conclusion

Results show that despite a progressive legal

framework, women are still marginalized in land access, ownership, and utilization. This is because of the co-existence of dissimilar structures (traditional, formal, and religious land laws), as well as long-established traditions that continue to perpetuate gender disparity. It is proposed that efforts should be made to empower women to use the existing legal structure to promote their land rights. Also, division of labor among men and women perpetuate gender inequality as men concentrates in commercial horticultural crops that generate incomes while women are left to produce for the family consumption. This trend denies women income that could use to buy or rent land. From this study, we propose that efforts should be made to empower women to use the existing legal structures to demand and promote own land rights.

References

1. Agarwal B, (2003). "Gender and Land Rights: Exploring New Prospects via the State, Family, and Market." *Journal of Agrarian Change* 3 (1/2): 184–224.
2. Chan, M, Kamugisha, G, Kesi M and Mavejini, A (2016). Strengthening women's Voice in the context of agricultural Investment : Lesson from Tanzania Report : Lesson from Tanzania. Tanzania Women Lawyers Association, Dar es salaam
3. FAO. (1997). Gender: the key to sustainability and food security. SD Dimensions, May 1997- www.fao.org/sd.
4. FAO. 2002. Water: Precious and Finite Resource. Rome.
5. FAO. (1997). "Gender and Participation in Agricultural Development Planning: Lessons from Tanzania." FAO, Dar es Salaam and Rome.
6. FAO. 1998. The household livelihood security concept, by T.R. Frankenberger and M.K. McCaston. Food Nutrition and Agriculture, No. 22. Rome.
7. Howard, P. (2003). Women and Plants, Gender Relations in Biodiversity

- Management and Conservation. London, ZED Books
8. Kameri-Mbote, P. (2005). *The Land has its Owners! Gender Issues in Land Tenure under Customary Law*. UNDP-International Land Coalition Workshop: Land Rights for African Development: From Knowledge to Action Nairobi, October 31 – November 3, 2005 (Proceedings: <http://www.undp.org/drylands/lt-workshop-11-05.htm>)
 9. Massoi, L W (2019). *Gender Roles and Practices in Natural Resource Management Among the Kilosa Maasai in Tanzania*. *Tanzania Journal of Development Studies*, Vol. 17, No. 1, 2019: 102-116
 10. Moyo, K. (2017). *Women's Access to Land in Tanzania: The Case of the Makete District*. Doctoral Thesis in Real Estate Planning and Land Law, Royal Institute of Technology (KTH) Stockholm.
 11. Myenzi, Y. (2009). *Women and land Rights in Tanzania*. A Paper Prepared for Presentation at the Workshop Organized by Mzumbe University DSM Campus. Available from: <http://www.hakiardhi.org/HA-Docs/women.pdf>.
 12. Mollel, N.M. and N.A. Mtenga (2000), *Gender Roles in the Household and Farming Systems of Tchenzema, Morogoro - Tanzania, Vol 29*
 13. World Bank. (2004). *Monitoring and Evaluation: Some Tools, Methods, and Approaches*. Washington, DC: World Bank.
 14. Rwebangira, M. K. and M. B. Tungaraza (2003). *Review and Assessment of Laws Affecting HIV/AIDS in Tanzania: Summary Booklet*. Policy, TAWLA, URT, USAID.
 15. United Republic of Tanzania (URT) (1995). *National Land Policy*. Ministry of Lands and Human Settlements Development, Dar Es Salaam
 16. United Republic of Tanzania (URT) (1977). *The Constitution of the United Republic of Tanzania*, Government Printer, Dar es salaam
 17. UNCHS (1999). *Women's Rights to Land, Housing and Property in Post-Conflict Situations and During Reconstruction*. Global Overview. United Nations Centre for Human Settlements (HABITAT). Nairobi.
 18. United Republic of Tanzania, (2024). *The 2022 Population and Housing Census: Tanzania Basic Demographic and Socio-Economic Profile Report*. Ministry of Finance, Tanzania National Bureau of Statistics and President's Office - Finance and Planning, Office of the Chief Government Statistician, Zanzibar.