

ANNUAL GENDER STUDIES CONFERENCE (AGSC '96)



**ECONOMIC CRISIS & REFORM - SAPs:
LAND ISSUES FROM A GENDER PERSPECTIVE**

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**Paper Presented to AGSC '96, December 5th - 8th
IFM, Dar es Salaam.**

Theme: **ECONOMIC CRISIS & REFORM - SAPs**

Topic. **LAND ISSUES FROM A GENDER PERSPECTIVE**

For. **ANNUAL GENDER STUDIES 5th - 7th DECEMBER 1996**

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Abstract.

The paper analyses the contradictions of liberalisation and privatisation processes in land ownership and tenure, which are part of SAP policy. The major questions asked are "who benefits from different kinds of land reform" and what systems would benefit the majority of women who are poor and rural-based?

1. **Introduction**

Issues of landed property relations are pertinent in understanding gender relations in an agrarian country like Tanzania where majority of the people depend on land for their livelihoods. Land tenure systems which determine land use and control rights are not static. In Tanzania, changes in land tenure have been numerous and devastating to the poor, majority of whom are women, who are incidentally the major productive resource in the agricultural sector. Women's land rights have remained marginalized in all the land tenure systems since the pre-colonial era. The culture of majority of Tanzanians especially those from patrilineal communities has always ensured women's usufructuary rights but not the ownership and control rights over land. With colonialism, women's land rights were put in a more precarious status especially after the introduction of cash-crop production which led to cut-throat competition over fertile and easily accessible land.

The gendered division of labour in the productive sector which made women responsible for food crop production and entrusted men with export crop production was also detrimental to women's land use rights. The state's interest in promoting export crops necessarily facilitated for more support to men who were the recognized managers of the export sector. This led to men's support both legally and practically in land acquisition, ownership and control, thus perpetuating the customary land tenure. The colonial system of administration managed to introduce to Tanzania new types of land tenure including free hold and the system of issuing title deeds to individually owned land. Both these systems still continue and are even more systematized under the Structural Adjustment Programmes thus leading to more women's marginalized position and status on land matters.

2. Structural Adjustment Programmes (SAPs) and Land Tenure.

Tanzania was one of the poorest countries which adopted SAPs after being pressurized by the International Finance Capital which had played and continue to play a major role in the restructuring of the global and national economies, especially the economies of poor countries with heavy borrowing status. The poverty status of Tanzania can be explained in different ways but the most glaring feature is the size of debts emanating from heavy borrowing from the international community. The heavy borrowing is a result of too much dependence on imported goods, low prices of export crops and the general inherent nature of the dependent national economy promoted by colonialism. In 1993 the national debt stock was US \$ 6.4 billion while debt servicing alone amounted to 14.2% of total export earnings in 1995. Aid inflow as bilateral development assistance was 10.2% of total development budget (TANGO 1995). Debt servicing stands at 39% of the current annual national budget. Foreign borrowing in Tanzania has remained heavy, sometimes to the tune of over 50% of the national annual budget. The precarious position held by Tanzania and especially by the state leadership during the 1980s led her to accept the SAPs measures to the ailing national economy. However, the outcome was more catastrophic than expected, especially with respect to the poor peoples' property relations. The case study of women's land rights discussed below will validate this contention.

3. Women's land rights during the SAPs era.

There is mounting concern over women's land rights contrary to the stereo-typed contention that rural women have no land problems since most of them are married. Indeed married women continue to enjoy land use rights but this is not enough. Besides, this right is under constant threat. Surveys in rural areas have shown that usufructuary rights give women no guarantee on control over both the production process and the end products. It has also been noted elsewhere that control over land goes together with control over other productive resources such as credit for purchase of agricultural inputs, extension services and decision making powers, the resources which women lack. Moreover, the 1980s has witnessed an increased number of female headed households which depend on women's own means of production. In rural areas for instance, about 18% of households are headed by women and the number is on the increase as more widows join this camp after loosing their husbands through HIV/AIDS related deaths.

The Structural Adjustment Programmes of the 1980s and 1990s have strong bearing on both the land Tenure systems and women's marginalized position in the agrarian sector. The specific components of SAPs with relevance to land tenure include the liberalization policy which led to increased privitization of land and labour, the removal of subsidies which used to compliment farmers low purchasing power for farm input acquisition, trade liberalization which led to private business in crops' purchase, the emphasis on export crop production which led to specific crops' favouratism and the favoured large scale farming which led to further marginalization of small farmers.

(a) Impact of land privitization on women

Land privitization is a foreign culture imposed to Tanzania from outside. The notion of private ownership of land was first introduced by colonialists and is being reinforced by the state especially after the introduction of SAPs. With the dynamic move to promote the productive sector, large scale investors on land were encouraged and small farmers with unutilized land were discouraged from holding unused land, hence the policy was supporting

those who can put the land into productive use.

Much as land was and is still considered public property, the law allows for compensation of improvements made on land. Incidentally the 1990s wave of motivating large farming gave way for land purchase by the rich people in almost all regions in Tanzania, especially the productive regions. This move, came at a time when most small farmers were faced with deep economic crisis and hence, it was easy to hire some of them with money to force them to sell their farms. The decisions to sell such farms were usually made by men without consulting women because they were culturally not obliged to do so. There are known cases where the farms which used to produce family food were either sold, or are in the danger of being sold. It is therefore women who suffer most because the household food security (for which they are expected custodians) is being threatened. It should also be noted that by reducing women's access to productive land, their avenues for income earning through the sale of surplus food crops is being threatened and their economic empowerment jeopardized.

There is also an increasing incidence of land borrowing by women, especially female heads of households for food crop production. In places like Arusha where both land shortages and land degradation is a growing threat, borrowed land is usually marginalized land which does not guarantee increased yields. It is also difficult and indeed non-motivating to improve borrowed land since both the owners and borrowers have reservations. While most owners fear the use of chemical fertilizers on seemingly unfounded allegations that they spoil the soil, the female borrowers are usually unable to purchase the agricultural inputs due to both economic powerlessness and failure to access credit due to lack of the necessary collaterals. Land ownership rights which most women lack is the usual collateral demanded by most credit institutions.

It is also noteworthy that the few women who happen to own land face problems of encroachment if not total alienation by either the male relatives, the long standing farm borrowers, the state machinery for communal use (development activities) or by greedy rich and politically influential people who use their economic power to encroach on poor peoples properties. There are few cases sent to court by women who have faced such problems

while majority cases are left unattended since the victims are too helpless to follow up such cases. It is also true that majority of women fail to get the necessary support both socially and legally.

(b) The emphasis on export crops.

It is indeed by design that the Tanzanian government has emphasized export crop production at the expense of food crop production, the latter of which is the female domain. In an attempt to revamp the milling national economy, the Tanzanian government has put much trust on export crops which are incidentally the major foreign exchange earners, the foreign money which is in great demand for both debt serving repayment of loans and purchase of the most needed imports such as medicines, machinery, spare parts, oil and other imported products which normally assist in sustaining a dependent economy.

The need to promote export crop production, has forced for the unequal resource allocation for the balanced economic system favouring both export and food crops. The imbalances seen in the process of resource allocation is indeed reflected in the gendered farming systems where the female dominated farming system is starved with resources because it is considered unproductive sector. This is demonstrated by ignoring research on the so-called female crops which are but the main crops sustaining poor peoples livelihoods.

The policy on promoting the so-called "productive sector" is also influential in motivating formal financial markets to extend their credit support to only the market oriented crop production at the expense of food crop production. With the same policy, the rate of deforestation and environmental pollution has been accelerated due to increased exploitation of forest products, intensive cultivation and environmental unfriendly farming and cattle grazing systems. The consequential effects include soil degradation, poor yields and less sustainable livelihoods. This also affects women more than men because women have less avenues to air their frustrations caused by such socio-economic ills, while men tend to resort to excessive drinking drug abuse, domestic violence and/or just loitering.

4. Women's Initiatives for land ownership rights and security of land tenure.

The currently used land tenure systems has generated mounting criticisms both in terms of gender imbalances and class biases. It is essentially the rich and predominantly men who enjoy the few rights guaranteed in the said land tenure systems. The few initiatives taken recently (the 1992 Shivji's Land Commission, the 1995 Land Policy and the Land Law in the making) are all manifested with gaps which need to be addressed. While the Shivji Commission claimed to have had little chance to study gender issues related to land tenure, the few recommendations (but which were largely ignored by the government while preparing the Land Policy) provided, offer a very good starting point. Of particular interest is the recommended move to involve the major tillers of land in deciding on the best land tenure system devoid of gender and class biases. Infact a Land Tenure Institute (Haki Ardhi) has already been established to spearhead this process.

Women activists, researchers and gender sensitive population has also not ignored this gender aspect on land tenurial matters. Increased research activities are being carried out while research findings on the current situation are being widely disseminated through seminars, workshops and even publications. The particular concern over increased women's insecurity over land tenure is often being pointed out in all possible avenues.

The grassroot women themselves have refused to stay docile and let things pass un-noticed. There are cases where rural women have voiced their concern over the irresponsibility of their male relatives on land use and control matters and a few women have even managed to purchase land of their own from incomes accrued from the informal sector activities the sale of personal properties and the few presents offered by either husbands or relatives. In some instances women have also managed to exchange their share of their daughters dowry with land, in an effort to get hold of own controlled land. Products produced from such land have also at times been used to purchase more land for women.

It is also noted that some parents have given inheritance rights over land to their daughters. This tendency has been noted even in patrilineal communities in Kilimanjaro, Kagera and Arusha regions. However, land inheritance is still predominantly patriarchal. It was estimated in 1991 that about 46% of all households in Tanzania had acquired land through the patriarchal system of favouring sons and other male members of households. The high incidence of HIV/AIDS related deaths is also contributing to increased number of female land owners especially in regions with high rate of HIV/AIDS infection. In Bukoba area for instance in 1996, a study of 100 women indicated that about 34% of these respondents had land ownership rights thus a big challenge to the status quo.

These examples are few but indicative of the fact that more women are becoming bolder in demanding for their land rights, not just for its own sake but rather to put the land into a more sustainable and efficient use.

5. Conclusion.

The stereo-typed assumptions that women are docile, helpless and a weaker sex are increasingly being challenged. The women's initiatives noted in acquiring more sustainable land tenure rights is just one testimony. The challenges posed by the SAPs in denying and at times marginalizing women's land tenure rights have stimulated the untapped women's wisdom, self-confidence and motivation which are increasingly being used to challenge the stereo-typed gendered assumptions on the nature, form and strength of household units, the state and the legal machinery. Women are slowly but surely getting more involved in the struggle for gender equality, true democracy and sustainable livelihoods. It is more than necessary therefore for NGOs, the state and sensitized to take all measures possible to support the few initiatives taken by women in these struggles. Within this spirit therefore, it is important for all gender activists to offer their input to the new land law which is soon going to be made, to ensure that it addressess the issue of gender and class sensitivity by responding to land tenorial needs of both women and men, poor and rich and rural and urban based.