

A study on Women's Access to Landholdings for Agriculture Activities: The case study of Gujarat State in India and Mbeya Region in Tanzania

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Abstract

Land is the key asset and valuable productive factor of economy and life contingency for rural and urban poor through agriculture. Agriculture in most developing countries is dominated by women farmers whose access to landholdings for agriculture is affected or influenced by political policies, customary laws, and beliefs despite the international community efforts against gender disparities in land access. The current patriarchal society has restrained women's access to property regardless of increasing rate of women-headed households, which drives them into deep financial crisis. Women's access to land is a key factor to improve the livelihoods of rural poor, by enhanced food security, and poverty reduction globally.

Land is the only low-risked asset that can delineate an individual's wealth through the generation of a steady flow of income. It is the key asset that provides raw materials and the foundation for living for all living organisms. It provides an important base for the economic and social development for the rural and urban poor population through agriculture with a dual role as a value productive factor, and providing collateral in credit markets, in the event of natural hazards or any contingencies, and provides social status in the society (FAO, 2003; Mearns, 1999). According to Rawal (2008), agricultural production can only take place in an agrarian society with land. This implies a high correlation of poverty and lack of

access to land. Therefore, right to access and control of land and property is one of the most important factors for human development of rural population in most of the developing countries for agricultural production and poverty alleviation.

However, despite the efforts from the international community to address gender disparities in land access to women, the imbalance arising from land access and property control has remained grave in most countries, regardless of their level of development. Various reasons quoted are: customary laws and beliefs (WB & Thomsons Reuters Foundation, 2013), political policies, passivity of government leadership, etc. According to FAO (2010b) not only do women have lesser access to

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land than men, but also they are often restricted from secondary land rights. Thus, they only hold the rights through male family members. This paper assesses the position of a woman's access to landholdings for agriculture activities within the case study areas under two hypotheses, H0: there is equality in gender access to landholdings for agriculture activities within the case study areas, and H1: there is NO equality in gender access to landholdings for agriculture activities within the case study areas.

Land history prior 18th century to date

Land ownership history within India and Tanzania dates back to 1700's and 1800's, respectively. According to the Poorest Areas Civil Society (PACS), land rights in India date back to pre-British colonial rule (1700's). Everybody was eligible to own land and there was no formal individual land ownership. The country was a rural and agricultural society throughout the 19th and 20th centuries (Walsh, 2016). In 1901 there were only 2,100 towns and cities in the British India with a total population of 284 million among which 90% were living in villages. The hereditary service relationships (*Jajmani* relations) bound

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village service and subordinate caste to the dominant caste of the village (the community that owned large area of land surrounding the village). The *Jajman* system has been treated as an inter-caste exchange of services based on the principle of priority, for instance the bonded labor (*hali*) system of south Gujarat (Chaudhuri, 2008). Gurcharan Das from Skwirk - the Online Education, reports that before the arrival of the British, much of the Indian population lived in villages and they maintained a predominantly agricultural economy. Farmers did not usually live on their land but went to the fields daily to work to produce food for their villages. Villagers were able to pay their taxes with their produce. Textiles, crafts and spices were exchanged with Muslim traders.

During the British rule (1757–1947), the traditional land ownership and land use patterns were changed to “private property”. However, according to Marshall (2011), Indians were a deeply conservative society whose traditions and ways of life had been disregarded by their British rulers especially in the older bases of British trade, such as Calcutta, Madras or Bombay, where a new Indian intelligentsia had begun to take root. Marshall (2011) adds that the British intentions were to control the land, the amount of tax the peasant farmers had to pay, and the opportunities they had to find outlets for their surplus crops and thus, during the 19th century, the rural life was redefined by the British land settlements for the purpose of revenue collection. In permanent settlement regions like Bengal, land ownership was awarded on the basis of prior *Zamindar* (tax collector) status. According to Lee Pappas and Nicholas Pappas (2016)

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several policies were enacted and encouraged economic growth during the Mughal Empire. New crops were brought under cultivation. Taxes were reduced. Industry was encouraged and trade flourished. Mogul India exported cotton, silk, sugar, spices, gold, silver, and jewelry throughout most of the known world. This was during the period between 1500's and 1600's. Life changed in 1795 when Richard Wellesley (Pappas & Pappas, 2016) replaced Cornwallis as the Governor General with a trust that the native inhabitants of India could be conferred by the extension of British rule. Wellesley doubled Britain's landholdings in India in less than a decade through illegal acquisition and/or confiscation of land from weak rulers. He left India to London in 1805 after being called by the British Parliament. However, the grabbed land was not returned to Indian rulers. In 1858 a new Act was enacted by Britain that ended the company policy of acquiring land through legal trickery (Pappas & Pappas, 2016). It is said that a decade earlier, East India company officials had passed a law stating that only the heirs of local princes were entitled to inherit land. Those without an heir saw their land taken over by company officials. As a show of good faith, the Britain Parliament returned most of the confiscated land to its rightful owners. By the early of the 20th century most of the

peasants' households owned the land while working as tenants on other families' lands (Walsh, 2016). Agriculture commercialization happened during 1860 and 1920. Local food crops grown for exchange within the village economy were less attractive than the commercial export crops such as jute, cotton, wheat, oilseeds, tea, indigo, and opium that could be grown for cash. Such commercialization reshaped rural India, but was associated with both indebtedness and loss of land caused by fluctuation of world markets. The British collected taxes in cash rather than in crops. Therefore many peasants couldn't afford to pay their taxes and lost their land. Indian Congress leaders called for a fairer land tax and a reduction in British debts. Nonetheless, their demands fell on deaf ears.

In 1885, nationalist leaders formed the Indian National Congress to call public attention to their views. The congress was organized by Allan O Hume, a British retired civil servant. Seventy delegates attended the first meeting in Bombay. Representing every province in British India, they were mostly English-speaking Hindu professionals. It is said India was a financier of most of Britain's wars in South Asia. Therefore, first resolution of the Congress was for a reduction in military spending. This was a step toward self-government. To date, land issues are guided by The Land Acquisition, Rehabilitation and Resettlement (LARR) Act, 2013 that replaced the Land Acquisition Act of 1894.

In Tanzania, land rights (Ngorris, 2015) date back to pre-colonial period before 1880's when different tribes had their own

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ways of accessing, owning, controlling, and disposing of land without any restriction (to both citizens and foreigners) and for any type of land-use. Tanganyika and Zanzibar (which later merged to form Tanzania) were colonized by Arabs, Portuguese, British and Germans at different periods. Nevertheless, most of the known land history of Tanganyika before the 19th century concerns the coastal area, although the interior areas had a number of important prehistoric sites. According to the Encyclopedia Britannica (1884) Germany took over the Tanganyika and Zanzibar in 1884. Their imperialism agent Carl Peters made a number of contracts in the Samara area by which several chiefs were said to have surrendered their territory to him two years later, in the late 1886, East Africa was sliced into 'spheres of influence' by agreement between the British and the Germans, formalized in 1890. However, neither the Africans nor the Sultan of Zanzibar were consulted on the agreement.

Land tenure in Tanzania (Kironde, 1995) was originally governed by the Land

Ordinance of 1923. The Ordinance ensured that Africans' land rights were secure. (With reference to the Encyclopedia Britannica, Sir Donald Cameron, Governor from 1925 to 1931, infused a new strength into the country by reorganizing the system of native administration by the Native Authority Ordinance (1926) and the Native Courts Ordinance (1929) aiming to build up local government on the basis of traditional authorities. In 1967, the TANU (Tanzania National Union) leadership met and approved a radical new plan for Tanzania, drafted by Julius Nyerere which became known as the Arusha Declaration outlining the government's commitment to a socialist approach to development. Under the Arusha Declaration all land was henceforth to be common property, managed by the state. Today, management and promotion of land ownership are guided by the National Land Policy of 1997 that has then been translated into two laws; the Land Act and the Village Land Act, both of 1999.

Importance of land

Regardless of its size, land is the only natural resource with direct impact to almost all living organisms. Several studies (Nyerere, 1967; Means, 1999; FAO, 2010b; Seth, 2016) agree on its importance

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in different aspects. It is the basis of human life and the most important valuable productive and investment factor for future development for almost all sectors on the earth (Nyerere, 1967). According to the Arusha Declaration, land was one of the four pillars (people, land, good politics, and good leadership) of Tanzania's development standpoint. Seth (2016) termed land as the origin of all material wealth. Thus, the economic prosperity of a country cannot be separated from the richness of her natural resources particularly land. Means (1999) insisted that no matter how small is the piece of land, when properly treated it can offer not only food security and collateral but also opportunities to increase incomes through land-based production activities like farming and livestock rearing.

Governing rules and legal framework provisions on land rights

In most countries land allocation and conveyance is governed by legislations and procedures set by their respective governments. Both India and Tanzania have respective legislations relevant to land ownership and tenure. In India, land issues are guided by The LARR Act, 2013. In Tanzania land tenure (Kironde, 1995)

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was originally governed by the Land Ordinance of 1923. Today, management and promotion of land ownership are guided by the National Land Policy of 1997 (URT, 1997) that has then been translated into two laws; the Land Act and the Village Land Act both of 1999. Access to land is by way of a "right of occupancy" granted by the government, since all land is vested with the President. Women's rights to access, own, use, and control land are clearly supported by Tanzania's formal legal framework: the Constitution and respective laws and complemented by other movements like The National Women's Forum (Baraza la Wanawake la Taifa, BAWATA), Women's Legal Aid Centre, and the Tanzanian Women Lawyers' Association (TAWLA) all insisting equal rights to property and condemning customary discrimination. It is clearly stated by the land act about gender equality on land matters. Sec. 3(2) of the Land Act 1999 (URT, 1999a) provides a woman's land rights to the same extent and subject to the same restrictions as those for any man and thus customary laws should not be used to discriminate against them. This is further insisted by Sec. 4.2.4 of the national land policy of 1995 (URT, 1995). However, most of rural

population lacks awareness of the formal laws and their respective rights.

Land administration

In Tanzania, land is classified into three categories viz., reserved land; village land; and general land. For the purpose of this study, we will focus on the village land which is administered by the village council. Women's representation in the land governing bodies is specifically provided by the legal framework. The Village Land Act (URT 1999b) calls for three of the seven positions on village councils to be filled by women and for a valid decision, a quorum, which is four members; at least two members must be women. The village council is accountable to the Village Assembly, a meeting of all villagers above 18 years which is only vested with powers to endorse village land allocations.

It is not clearly known if there existed any formal legal framework in India entailing women's land rights. This was confirmed by Mazumdar and Gupta (2011) that there is no designated body of property rights of Indian women. Women's property rights are usually determined by their religious belief, marital status, originality of dwelling in the country and ethnic regulations.

Ways of land acquisition

Both formal and informal ways of land access are acceptable within both of the case study areas. In Tanzania, although land acquisition is governed by the Land Acquisition Act of 1967 (URT 1967), land can be acquired through different

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approaches (Mvula, 2014; Myenzi, 2010) viz., (i) clearing un owned/un occupied bush; (ii) inheritance; (iii) allocation by village authority or commissioner for land to either villagers and non villagers or to non citizens; (iv) as a gift; and (v) through purchase (transfer of right of occupancy). In India, land acquisition is governed by the Right to Fair Compensation and Transparency of the LARR Act, 2013, which replaced the Land Acquisition Act of 1894.

Current situation of women rights on land ownership within the case study countries

Several studies (NSSO, 2011; USAID, 2011; Landesa, 2012; Achanta 2013; Swaminathan, 2013; Damodaran, 2015) have pointed out the dearth of rights to women for access to land and property. Statistics by FAO (2010a) and Landesa (2010) indicate that women landholders are less than 5% to 20% of agricultural landholders, in the developing countries. According to FAO, while the average of agricultural holdings headed by women for the period between 1996 and 2007 stood at 19.7% in Tanzania, it was only 10.9% in India.

The USAID (2011) observed that women hold only an estimated 20% of the land registered in Tanzania but the percentage of women holding primary rights to use and control land under customary law was likely far lower. Thus, a woman's rights to the land depend upon her marital status, and the rights are usually lost if she divorces or becomes widowed. Swaminathan (2013) observed that despite

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the fact that agriculture sector employs 80% of all economically active women who form about 33% of the farm labour force and 48% of self-employed farmers within the country; land ownership has remained the biggest problem faced by the women farmers in India. Studies by the NSSO observed that about 18% farm families in India are headed by women. However, lack of possession of immovable assets like land is one of the critical factors that drive rural women in India to poverty and financial dependence (Achanta, 2013). This has exposed them to huge responsibilities without relevant resources. Despite the vast of unoccupied land in Tanzania (NBS, 2015), the average

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allocated land per agricultural household stood at less than 3 ha. In India, according to Damodaran (2015), 56% or 101 million of rural households (out of about 179 million) do not own any agricultural land, although more than 30% of all rural households within the country depend on farming as their main source of income. Bakshi (2010) observed that the percentage of households that did not own any land other than homesteads as a proportion of all households in rural India, stood at 41.6% in the year 2003. Eleven years later, the proportion of landless households has increased. While it was 31.12% (Rawal, 2008) during 2003-04, about 56% of rural households in India do not own any agricultural land in 2014 (Damodaran, 2015), and more than 70% of the agricultural households who possessed less than 0.01 ha of land possessed only homestead land (NSSO, 2014). Research shows that women in India not only rarely own fertile land but also face numerous problems in securing relevant titles.

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Gender bias goes beyond land access and ownership, and includes agricultural wages where men earn twice as much as women's daily wage for the same work (Achanta, 2013).

Average size of farm land in the case study countries

Farm size in both countries is considerably small, below 1 ha mainly for subsistence farming. Several studies (Charles, 2010; Lyimo, 2011; WB, 2011; AgFiMS, 2012; IFDC, 2012; Kayandabila, 2013; GoI, 2014) have confirmed this fact. IFDC (2012) study in Tanzania observed that approximately 85% of the arable land is used by smallholders cultivating between 0.2 ha and 2.0 ha, and by traditional agropastoralists who keep an average of 50 heads of cattle while the average per capita land holding was estimated to be only 0.12 ha. This is in line with Lyimo (2011) and Kayandabila (2013) who report that smallholder farmers cultivate between 0.2 and 2.0 ha, although only less than 20% of arable land within Tanzania was cultivated (Charles, 2010).

According to Kayandabila (2013), Tanzania had 1,006 large scale farms with the average size of 1,107 ha. According to World Bank (2011) subsistence and smallholder farmers dominate the sector cultivating an average farm size of between 0.9 and 3.0 ha compared to a small number of commercial farmers in the country, implying that rural poverty remains pervasive. Lack of access, use, ownership, and control over land are among the major constraints of the agriculture sector growth. With reference to AgFiMS (2012), 12.4% of respondents in the AgFiMS

market segment pointed out land access as a barrier to the growth potential of their businesses while food crop producers used on average 10 ha of land for their business activities, cash crop producers 10.6, and livestock producers 10.2 ha. However, AgFiMS further noted dearth of land ownership, caused by lack of title deeds, hence limiting them from access to, or eligibility for secured lending facilities.

In India, according to GoI (2014), an average gross cropped area per agricultural household during the period of July to December 2012 stood at 0.937 ha, computed based on 86.5% of the estimated 90.2 million agricultural households. Mearns (1999) observed that many land holdings in India are simply too small to be economically viable in the existing policy environment, and given indivisible inputs (family labor, draft animals). Statistics for the agricultural census of 2010-11 by Ministry of Agriculture indicated that the India's farmland is currently dominated by marginal farmers with land holdings below one ha with more than 67%, followed by smallholder farmers with holdings between one to two ha with nearly 18%, compared to large holdings of 10 ha and above with less than one percent. On average, women comprise between less than 5 to 20% of agricultural landholders in many developing countries (Landesa, 2012).

From this literature survey it is observed that rural population, especially women, are confronted by numerous challenges from land ownership as reported by different studies (Sundet, 2004; Chachage, 2010; FAO, 2010b; Myenzi, 2010; Simbarashe, 2012; Achanta, 2013; Mugambi, 2013; Swaminathan, 2013).

This demands radical action by governments to maintain gender balance on land ownership.

Methodology

Research design and techniques

It was a structured study, designed as a comparative single case study within the selected jurisdictions of the case study countries using both qualitative and quantitative techniques.

Population, sample size and sampling techniques

The total population was all rural population dealing with agriculture. The sample size for this study was 640, with an average of 320 respondents from each country in the composition of 300 farmers and 20 non-farmers, respectively. Purposive random sampling techniques were applied for selecting relevant respondents from the targeted population from different agro ecological zones within the surveyed areas. Non-farmer respondents were the responsible officials within the local authorities from the respective jurisdiction.

Sources of data and collection methods

Both primary and secondary data sources were used for the study. However, primary data sources were considered the key source of required information for the study. With primary data we aimed to ascertain the actual situation from the study area at the grass root level. With secondary data we aimed to weigh the status of the matter under study at the institutional level.

Different techniques were applied for both primary and secondary data collection:

Official introduction. To ease access to targeted data and respondents, official introduction letters from both the employer and the research centre were issued.

Questionnaires. Based on the nature and education level or communication ability of the targeted respondents, printed survey questions in respective local languages (Gujarati and Kiswahili) were distributed to the respondents from the population sample.

Personal interviews. Face to face interviews were conducted from time to time with some respondents considered to have significant input for clarifications.

Hiring translators. For easy communication between the researcher and respondents, especially in India, translators were hired for both converting written questionnaires from English to local

languages and interpretation during direct conversation with targeted respondents.

Results and discussion

Land ownership

Viewed from land ownership by gender, women formed a minor portion of agriculturalists owning land in both study counties. Among the surveyed six districts, only two Mbarali and Mbozi in Tanzania had involvement of women in land ownership. Mbarali district recorded the highest number (67%) of women owning land followed by Mbozi (13%). The situation was worst in Kyela DC in Tanzania, and all three districts in India, in which all respondents owning land were men leading to the general average of land owned by women to remain as low as less than 15% (Fig. 1).

Land size by gender

Women formed a large portion of interviewed agriculturalists owning land less than one ha at individual district level. In Tanzania, the highest rate was 20% in Mbozi district. Gandhinagar in India recorded the highest rate of males owning land less than one ha (47%) (Fig. 2).

Those owning land up to 2ha ranged from 27 to 44% for Kheda and Ahmedabad districts, respectively, in India; and from 7 to 32% for Mbozi and Kyela districts, respectively, in Tanzania. Women owning land up to 2ha were less than 15%, with only 13% in Mbarali district in Tanzania (Fig.3). Agriculturalists owning land above 2ha and leasing land for agricultural activities was dominated by men. The percentages of those owning land above 2

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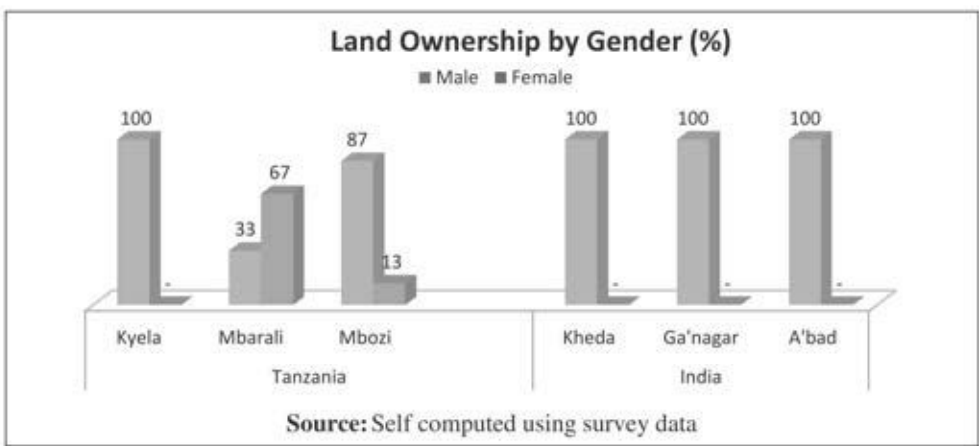


Figure 1. Land ownership by gender in India and Tanzania based on survey data.

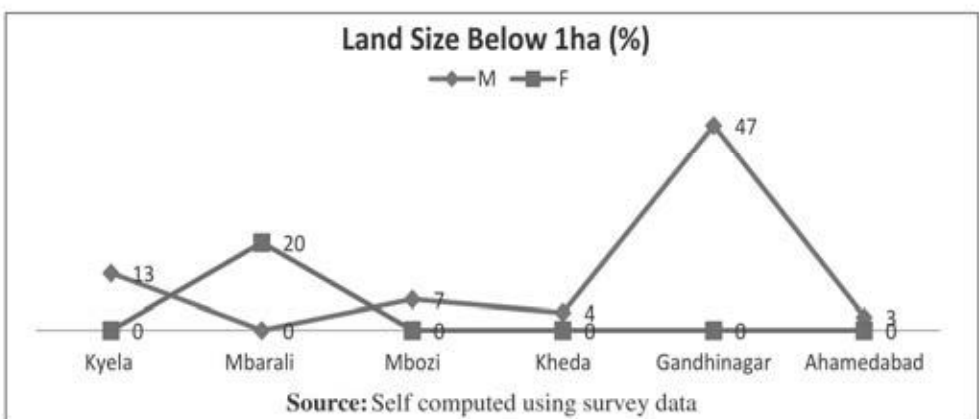


Figure 2. Individual district land size below 1 ha owned by gender in India and Tanzania based on survey data.

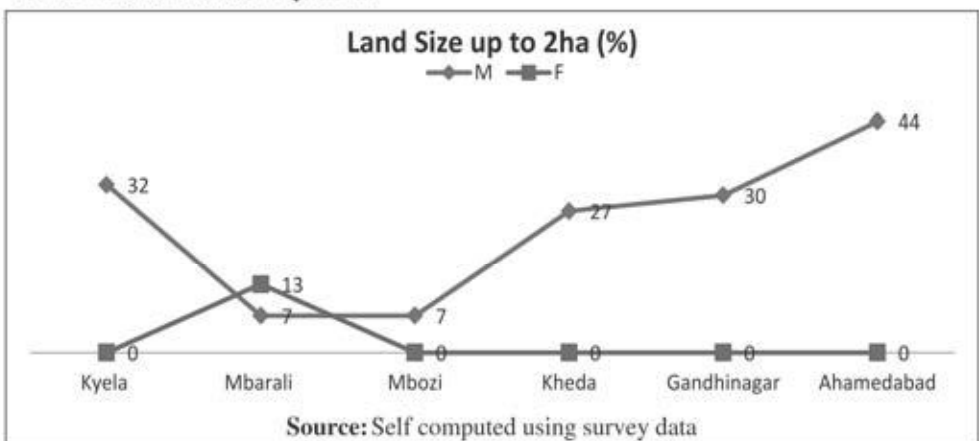


Figure 3. Individual district land size upto 2 ha owned by gender in India and Tanzania based on survey data.

ha ranged from 8 to 62 for Kyela and Mbozi districts in Tanzania, respectively; while it was even higher in India (23 to 69% for Gandhinagar and Kheda districts, respectively).

The number of women possessing more than 2ha of land was almost negligible ranging from 7 to 14% for Mbarali and Mbozi districts in Tanzania, respectively (Fig. 4).

In the study area in India, none of the respondents performed their agriculture activities on a leased land. In Tanzania, men farming on leased land ranged from 7 to 47% for Mbarali and Kyela districts, respectively and about 33% females in Mbarali district were farming on a leased land (Fig. 5).

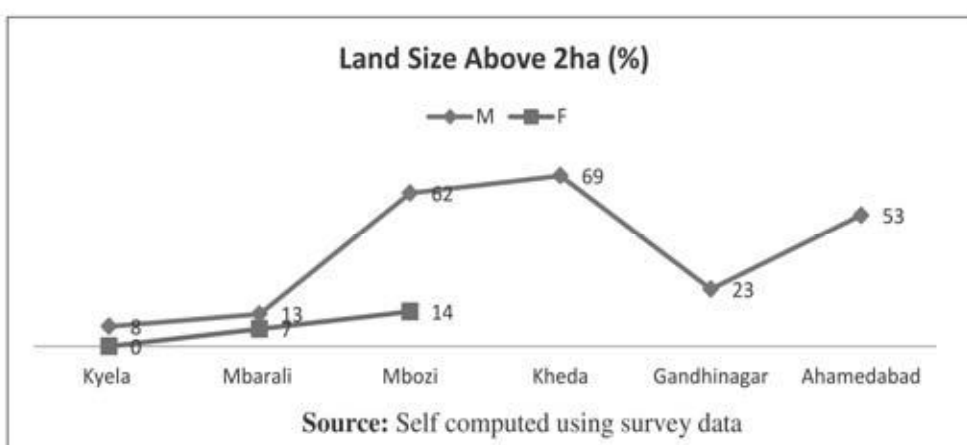


Figure 4. Individual district land size above 2 ha owned by gender in India and Tanzania based on survey data.

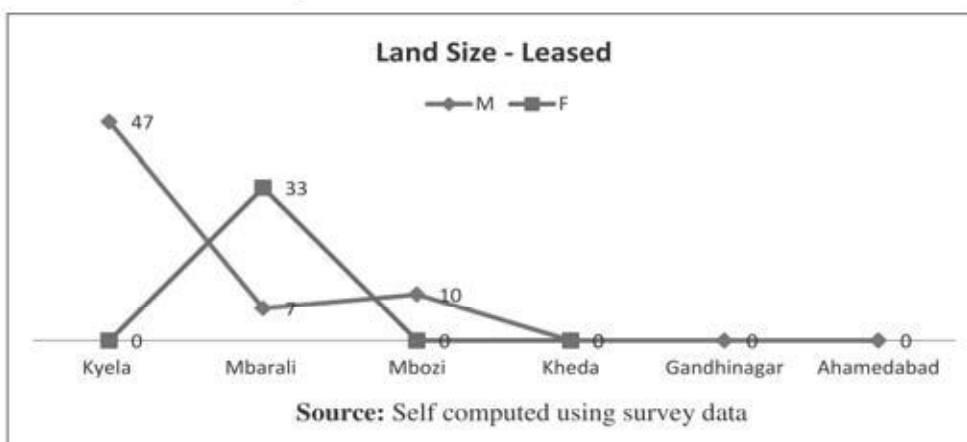


Figure 5. Individual district land size leased by gender in India and Tanzania based on survey data

Average land size

Farm size within both of the case study countries is considerably small mainly for subsistence farming. Survey statistics indicated that the average land size owned by an individual small holder farmer in a particular district level ranged from 2 to 4 ha. Both Gandhinagar and Kyela districts in India recorded the minimum land size of 2ha; whereas Mbozi, Kheda in Tanzania and Ahmedabad in India reflected the maximum land size of 4ha leading to the general average land size of 3ha (Table 1).

Among all respondents, only 21 women (less than 4%) claimed to possess land above 2ha while 227 men (38%) asserted the same. On the other hand 11% and 6% of men and women respectively declared to have been leasing land for the same purpose (Table 1). About 32% of respondents from all districts in Tanzania affirmed to have been farming on leased land. Among these only 11% (33 respondents) were women. However, the

proportion of those farming on both self-owned and leased land was almost negligible (about 2%) and they were all men hence implying that women's access to both land and financial resources is still low. The situation was different in India where all respondents affirmed to have been farming only on self-owned pieces of land and, they were all men.

Challenges facing women on land ownership

Results from the survey confirmed a number of constraints faced by farmers, especially women concerning access, use, ownership, and control over land. Despite the fact of agriculture production is mostly from smallholder farmers, mainly women, land ownership has remained a tough nut to crack.

Several challenges were mentioned by most of the respondents, viz., (i) persistence of customary laws and beliefs on patriarchal system among the rural society;(ii) inequity in land sharing

Table 1. Average land size by gender based on data collected from physical survey.

Country	District	Below 1ha		1 to 2 ha		Above 2 ha		Leasing		Total
		M	F	M	F	M	F	M	F	
Tanzania	Kyela	13	-	33	-	7	-	47	-	100
	Mbarali	-	20	7	13	13	7	7	33	100
	Mbozi	7	-	7	-	62	14	10	-	100
India	Kheda	4	-	27	-	69	-	0	-	100
	Gandhinagar	47	-	30	-	23	-	0	-	100
	Ahamedabad	3	-	44	-	53	-	0	-	100
Total		74	20	148	13	227	21	64	33	600
Percentage		12	3	25	2	38	4	11	6	

arrangements between pastoralists and agriculturalists leading into persisting conflicts on land use; (iii) ignorance on legal frameworks and laws for land administration and management by rural population. About 63% of Tanzanians and 69% of Indian respondents, respectively, were not aware about laws governing land acquisition, transferring, dispute resolving; (iv) lack of accountability and transparency by most of the Village Councils to their trustees – the Village Assembly. In some areas in Tanzania, it was noted that the village assemblies were not conducted for more than 39 months despite the enduring of allocation of village land to both residents and non residents; and (v) complexity of processes and high costs related to land survey and legal land acquisition or transferring and management.

Other challenges facing rural population, especially women, regarding land ownership in rural areas in the case study countries have been reported. In Tanzania these include: (i) land disputes resulting from rapid urbanization encroaching on surrounding farming areas (Mugambi 2013); (ii) tenure conflicts between customary and granted land rights

(Simbarashe, 2012); (iii) alienation of the people through accumulation of land in the hands of big national and multinational companies, leaving small-scale producers landless (Chachage, 2010); (iv) inadequacy of relevant information; (v) land insecurity amongst small holder farmers, mainly women (Mugambi, 2013); (vi) concentration of powers in the higher levels (Sundet, 2004); (vii) ignorance of the law by both village councils and village assembly (Luhula, 2015); (viii) lack of resources to support women seeking to enforce their property rights (USAID, 2011); (ix) political interference e.g. Regional Commissioners and District Commissioners (Myenzi, 2010); (x) abuse of powers and functions of Village Assemblies (VA) by village councils and higher authorities whereby VA are undermined, confused with mass assemblies, attended by non members (Mvula, 2014); (xi) allocation of village land by the village councils in different villages without approval of the village assembly contrary to the law (Luhula, 2015).

In India, research indicates that women have remained the victims of the problem. According to Swaminathan (2013), one of the great problems faced by women farmers in India is that of access to *patta* or title to land. According to World Bank (2007) barriers of access to and ownership of land to smallholder farmers mainly women include: (i) lack of land rights; (ii) informality; (iii) high non-agricultural land prices; (iv) high costs for transferring land; (v) pervasive corruption in land administration (Lugoe, 2008); (vi) land-

The percentages of those owning land above 2 ha ranged from 8 to 62 for Kyela and Mbozi districts in Tanzania, respectively; while it was even higher in India (23 to 69% for Gandhinagar and Kheda districts, respectively).

related conflicts; and (vii) duplicate and redundant processes, a combination that has led numerous households in marginal areas remain landless or without any rights to the land which they have owned for long periods of time hence driving them into informal arrangements. Mearns (1999) warned about the supremacy of social customs over legal rights to women. In some Hindu tribes where women had legal rights to inherit land, they were normally assigned to male relatives. According to GoI (2014) there is a pervasive dearth of knowledge of land law particularly in rural areas, and even where the formal laws are known, customary law and religious practices persist to govern how land is accessed and transferred.

Cotula (2005) observed six factors viz., (i) courts; (ii) human rights commissions and other independent authorities; (iii) customary dispute settlement authorities; (iv) legal information and legal aid; (v) lack of resources for gender related laws, programs and institutions; and (vi) lack of "voice" of rural women as the major obstacles affecting the implementation of women's rights in most of the developing countries.

Effects of women's low access to land

Research indicates that while women tend to spend all of their income for family related expenses, men spend most of their income for personal expenses. Therefore lack of access over land and property by women not only affect them but also their families and the whole community. Survey data attested that there is high correlation between limited accesses, use, ownership

and control over land and pervasive poverty within rural population, particularly women, with regard to their bargaining power, sexual protection, involvement in family and/or community decision making, level of under nourishment and diseases.

Other consequences related to women's low access to land include: (i) hampered access to financial assets, including credit and savings, hence deriving them into poor economic status (FAO, 2010a ;Achanta 2013); (ii)low bargaining power on both financial and gender related matters within both home and outside (WB & Thomsons Reuters Foundation 2013); (iii) limited financial independence(Achanta, 2013); (iv) limited incomes through livestock production or other land-based activities(Mearns, 1999); and (v) uncertainty of food security at both family and national levels since female-headed households tend to spend a greater share of their income on food (FAO,2010b).

Recommendations and conclusion

Results from the survey and relevant previous studies indicate that despite their involvement in agriculture, women fall among the most marginalized groups from land access in both of the case study countries. This means that campaigns on

In India, research indicates that women have remained the victims of the problem. One of the great problems faced by women farmers in India is that of access to patta or title to land.

rural poverty reduction will have to wait for a long before they may succeed unless there exist balanced gender rights on access to land and property as it was warned by Mearns (1999) that any debate of constraints on access to land for socially marginalized groups without considering the lack of effective, independent land rights exercised by women is probably subjected to ending in futile. Strengthening women's access to land will enhance their bargaining power and ability to challenge male dominance both locally and at the global level (Mearns 1999; ESRF 2013). Policies and laws that not only consider equality but avoid any customary laws excluding a woman from land access, whether through inheritance, state land redistribution, or through the market need to be in place. However, Myenzi (2010) warned that ratifying good laws is just one step, and having them implemented is another. Governments are, therefore, urged not only to enact land laws and related policies but also enable and empower women to be part and parcel of all issues related to land matters e.g. preparation of land use plans, surveying and issuing of titles, decision making, and awareness rising through publications and mass media.

Both history and current economical situations prove that land has remained the only asset that keeps on appreciating with time, its surface value varying from one place to another. This has made it a reliable security and guarantee in all land-based activities mainly agriculture and allied activities which provide potential

opportunities to more than 85% of rural population. However, research shows that despite the constitutional protection of women's rights on land matters, their capability to access land and property is still restrained by the patriarchal society of the developing world regardless of the increasing rate of women-headed households. Therefore, any effort to improve the lives of rural poor, food production, food security and poverty reduction must be complemented with women empowerment. This demands a radical change on land ownership at all levels. The political will from both governments and the international community can make it happen.

References

- Achanta P.** 2013. Absence of land ownership driving women into poverty, from: <http>
- AgFiMS.** 2012. Tanzania 2011 Technical Demand Side Report, Yakini Development Consulting, Tanzania.
- Bakshi A.** 2010. Social Inequality in Land Ownership in India: a study with particular reference to West Bengal.
- Encyclopedia Britannica.** Tanzania History, from: www.britannica.com
- Chachage C.** 2010. Land acquisition and accumulation in Tanzania: The case of Morogoro, Iringa and Pwani regions, from: <https://www.academia.edu/>
- Charles K.** 2010. Agricultural Mechanization Initiative in Tanzania (KILIMO KWANZA) FBME Strategic Planning Innovative, Tanzania.
- Chaudhuri BB.** 2008. Peasant history of late pre-colonial and colonial India, vol. 8, part 2, Pearson Longman, Delhi.
- Cotula L.** 2005. Gender and law; Women's

Rights in Agriculture, Legislative Study 76, Rev. 1, FAO.

Damodaran H. 2015. Socio Economic and Caste census: Landlessness high in Kerala, West Bengal despite land reforms, The Indian Express, New Delhi.

Das G. India before British colonization, from: <http://www.skwirk.com>

Economic and Social Research Foundation. (ESRF) Survey 2: Agricultural Trade Policies, Dar es Salaam, Tanzania. From <http://www.fao.org/docrep/013/a1668e/a1668e03.pdf>

FAO 2010b. Gender and Land Rights: Understanding Complexities; Adjusting Policies Economic and Social Perspectives, Policy Brief 8.

FAO. 2003. Land Reform, Land Settlement and Cooperatives; 2003/03 Special edition, pp 1-18.

FAO. 2010a. Female landholders, from: <http://www.fao.org/economic/es-policybriefs>

GoI. 2014. Key Indicators of Situation of Agricultural Households in India; Press Information Bureau, Ministry of Statistics and Program Implementation.

IFDC. 2012. Tanzania Fertilizer Assessment IFDC, Muscle Shoals Alabama 35662, USA.

Kayandabila Y. 2013. Beyond Agriculture – Building Linkages for the Poor, Ministry of Agriculture Food Security and Cooperatives, Tanzania.

Kironde JML. 1995. Access to land by the urban poor in Tanzania: some findings from Dar es Salaam, Environment and Urbanization, Vol. 7, No. 1, April 1995, pp. 77–96.

Landesa. 2010. from www.landesa.org/wp-content/uploads/Landesa-Women-and-Land-Issue-Brief.pdf

Landesa. 2012. Women's Secure Rights to Land Benefits, Barriers, and Best Practices, Issue Brief.

Lugoe FN. 2008. Assessment of Main Urban Land use Issues in Tanzania – Final Report, The World Bank.

Luhula ME. 2015. Land allocation as a challenge in villages in Tanzania: observations from a trainer, Tanzania Natural Resources Forum, from <http://www.tnrf.org>

Lyimo M. 2011. Agricultural Mechanization in Tanzania (ppt), Workshop on “Boosting agricultural mechanization in rice-based systems in S.S. Africa” 6-8 June 2011, Saint Louis, Senegal.

Marshall P. 2011. British India and the 'Great Rebellion' from: www.bbc.co.uk

Mazumdar S and Gupta A. 2011. Gender Issues and Land Rights under Hindu Personal Law in India, Centre for Social Justice, Ahmedabad, India.

Mearns R. 1999. Access to Land in Rural India; Policy Issues and Options- World Bank Policy Research Working Paper 2123, World Bank.

Mugabi C. 2013. Challenges Facing Land Ownership in Rural Tanzania: What needs to be done? ESRF Policy Brief No. 4/2013, Dar es Salaam, Tanzania.

Mvula E. 2014. Land Act No.4 and Village Land Act No.5 of 1999: Content, Experiences and Challenges, HAKIARDHI- Dar es Salaam, Tanzania.

Myenzi Y. 2005. Implications of the Recent Land Reforms in Tanzania on the Land Rights of Small Producers, HAKIARDHI, Dar es Salaam Tanzania.

Myenzi Y. 2010. Trends and Issues in the Tanzania Land Tenure System and the Kilimo Kwanza Strategy; (ppt), Tanzania Thematic Team Meeting on 23rd February 2010.

NBS. 2015. Tanzania in figures: National Statistical Bureau, Dar es Salaam Tanzania.

Ngorrisa V. 2015. The State of Land Rights In Tanzania (ppt), Human Rights and Governance

- of Natural Resources in Tanzania workshop, UDSM, 23-27 February 2015.
- NSSO.** 2014. Key Indicators of Situation of Agricultural Households in India, Ministry of Statistics and Program Implementation, Government of India.
- Nyerere JK.** 1967. The Arusha Declaration, United Republic of Tanzania.
- Pappas LM & Pappas NCJ.** 2016. World History from Renaissance to Imperialism, from: www.shsu.edu
- Poorest Areas Civil Society (PACS).** Indian Land Rights: A History, from <http://www.pacsindia.org/projects/land-rights/indian-land-rights-a-history>
- Rawal V.** 2008. Ownership Holdings of land in rural India: Putting the record Straight, Economic & Political Weekly EPW, pp. 43-47, March 8, 2008, Nagpur, Maharashtra.
- Seth T.** 2016. The Ricardian Theory of Rent (12 Defects), Economic Discussion, from: <http://www.economicdiscussion.net>
- Simbarashe M.** Efforts needed to end conflicts between farmers and Cattle elders, Tanzania Daily News, Dar es Salaam, Sunday 3rd June 2012
- Sundet G.** 2004, Public Expenditure and Service Delivery Monitoring in Tanzania: Some international best practices and a discussion of present and planned Tanzanian initiatives, working paper series 04.7, HAKIELIMU, Dar es Salaam.
- Swaminathan.** 2013. Women farmers face problem of land ownership: from: <http://zeenews.india.com>
- URT.** 1967. The Land Acquisition Act, 1967, Dar es Salaam Tanzania.
- URT.** 1995. National Land Policy, Second Ed. 1997, Ministry of Lands and Human Settlement Development, Dar es Salaam Tanzania.
- URT.** 1997. The National Land Policy of 1997, Dar es Salaam Tanzania.
- URT.** 1999a. The Land Act No. 4 of 1999, Dar es Salaam Tanzania.
- URT.** 1999b. The Village Land Act No. 5 of 1999, Dar es Salaam Tanzania.
- USAID.** 2011. Country Profile: Property Rights and Resource Governance Tanzania.
- Walsh JE.** 2016. A Brief History of India, Facts on File, ISBN: 0816056587 (ISBN13: 9780816056583).
- WB & Thomson Reuters Foundation.** 2013. Women and Land Rights: Legal Barriers Impede Women's Access to Resources.
- WB.** 2007. Land Policies for Growth and Poverty Reduction, Report No. 38298-IN India.
- WB.** 2011. Tanzania: Country Brief.