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WOMEN AND LAND IN ZAMBIA: A CASE STUDY OF SMALL-SCALE FARMERS IN CHENENA VILLAGE, CHIBOMBO DISTRICT, CENTRAL ZAMBIA

Gear M. Kajoba*

Abstract: The paper shows that most women in Zambia and especially in the study area suffer from insecurity in land since they do not have secure title to land under customary tenure. The results from the research which was carried out using semi structured interviews with 34 female farmers show that the majority of women farmers (62%) were not allocated land directly by headmen but got land through a male contact. However, some women were successful small-scale farmers and, together with the majority, expressed the need for more information on how to secure individual title to the land which they cultivate. Such empowerment of women would require cooperation from traditional leaders who have the power to allocate land to women, especially to single women, divorcees and widows, who tend to be marginalised.

1. INTRODUCTION

Since the 1970s, there has been a great concern by governments in developing countries on the condition of women in agricultural policies and Rural Development Programmes (Endely 1991). The concern by policy makers and governments is that these programmes have tended to discriminate against women in most Third World countries, especially those in Africa, but favoured the men folk and yet women are the major food producers. It is argued that women are denied equal access to means of production such as land, credit, appropriate technology and extension services.

Although historically land has been treated as a common property resource in many African societies, there is an increasing shift to individual ownership resulting from the process of modernization and commercialisation. While this change is taking place it is observed that women farmers are being limited in having access to or ownership of land and other productive resources although they continue to do most of the farm work (Gittinger 1990). Therefore, their contribution to national effort

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and household food security and national food self-sufficiency goes unnoticed.

The literature on women and land tenure seems to emphasise the point that in many ethnic groups, African customary law made a provision for women to have land rights, although this might not be the case in the post-colonial period. Keller, Phiri and Milimo (1990) argue, for instance, that under the traditional systems in many Zambian ethnic groups, such as the matrilineal Bemba of the Northern Province, the Tonga of Southern Province and the Lozi of Western Province, both men and women had access to and considerable control over productive resources such as land.

However, this equality seems to have been undermined beginning from the colonial period, when the legacy of directing productive resources such as land to men who were encouraged to produce for the market began, while women remained as subsistence cultivators (Keller, Phiri and Milimo 1990, 244). This legacy has persisted up to the period after the attainment of political independence in many African countries.

Spring and Hansen (1979) showed, for instance, that the resettlement of Tonga families, because of the construction of the Kariba Dam during the colonial period in Zambia, was detrimental to women who lost their landholdings because only men as heads of households were compensated for old land.

Efforts at reforming traditional land tenure systems do not seem to have addressed the concerns of women small-scale farmers adequately. The ILO is of the view that in those African countries where land reforms have been attempted, such as in Ethiopia, Ivory Coast and Senegal, women's rights in land have not been properly addressed and women continue to remain dependent on men (Ahmad and Loutfi 1982).

It is contended by Muntemba (1989) that in discussing women's relations to the natural resource base, especially land, there is a need to consider issues of access and control; relations to tools of production including aspects of technology and knowledge; and the areas of power and social structures. She is of the view that usually existing structures and decision-making machineries and processes tend to determine access and control. These power and decision-making structures include those which operate at the local community level such as chiefs, headmen and other male kin, i.e., husbands, uncles or brothers. At the next level are national power structures which put in place policies and legal provisions guiding access to and control over land and other factors of production. These legal structures are either customary or statutory.

From the point of view of customary law in Africa, Muntemba (1989) argues that African women in matrilineal societies held more secure rights in the land which they cultivated than those in patrilineal societies. In the

latter societies, women were usually able to access land through male relatives, whether husbands, brothers or uncles.

Manuh (1989) is also of the view that in most parts of pre-colonial Africa, women's use rights in land were usually inferior to those of men. However, in matrilineal systems, women, like men, had *usufructuary* rights in land. These rights could be exercised when they were single, during marriage, upon divorce or widowhood; and women could inherit land and pass it on to their children. Married women whose husbands stayed in the wife's village (uxorilocal residence as per the custom in matrilineal groups) were able to acquire and own land over which their husbands had no rights or control. This land was obtained from their matrikin, although husbands could also give them plots of land.

On the other hand, women did not inherit land in their own right in patrilineal societies, and could not pass it on to their own children in these cases where they inherited half the amount of land, which their brothers did as was the case among the Anlo of Southern Ghana (Manuh 1989, 32).

In both matrilineal and patrilineal systems, patriarchal ideology was very strong, and women's land rights were not always assured especially with increased commodity production. This trend has continued into the contemporary period where men are preferred as inheritors over females even in matrilineal systems, and women have rarely been granted title to land in their own right, in many resettlement schemes in Africa, including the villagisation scheme in Tanzania. In this scheme, women were not allocated land while land was allocated to men as heads of households, despite the legal provision that each village member be allocated a separate plot of land. In some cases, women were worse off in some settlement schemes than they were in their matrilineal villages (Manuh 1989).

In this regard Munachonga (1987) has observed that in both matrilineal and patrilineal societies in Zambia, the widow does not have rights to inherit property, including land, from her husband. This is largely true even among the Lozi who are bilateral and allow a man's property to be shared equally between his male and female children. In both matrilineal and patrilineal forms of social organization, preference is given to male heirs, although a widow may be allowed to continue cultivating her late husband's field if levirate is practiced, as long as she does not remarry outside the husband's village (Myunga 1982).

Writing about contemporary trends regarding tenure and gender in Sub-Saharan Africa, Birgegard (1993) has remarked that women are increasingly being marginalised. He adds that in traditional indigenous tenure systems, "women are with few exceptions ascribed inferior tenure rights to men" (Birgegard 1993, 24). While men have primary rights,

women have secondary rights; while men get access to land through their lineage or clan, women usually get access to land through their husbands, who are obligated to allocate land to their wives. Women do not inherit land rights because they hold only secondary rights.

With respect to the direction of change in women's tenure rights, Birgegard (1993) contends that women are losing ground. He adds that commercialisation of production, individualization of indigenous tenure systems and formal titling schemes are all working into the same direction in which women's land tenure rights are eroded. The introduction of cash crops and increasing land scarcity are all contributing to this erosion of women's land rights, since land, which is allocated to women for food production, is reduced in preference to land, which is retained by husbands for cash crops.

In Kenya, for instance, Birgegard (1993) observes that law defines men's rights in the titling programmes, whereas women's rights are deferred to customary law; and the customary user rights of women are eroded as the formal legal system expands its influences. Those who are particularly vulnerable are unmarried women, divorcees and widows. Thus, Fortmann (1998) reports that in Kenya, land reform has resulted in a situation in which women own only 2 to 5 percent of the land and many women have become landless.

Generally, women have less land than men, and in the communal areas of Zimbabwe, a divorced woman has no rights to her husband's land, including trees she herself has planted; and she does not even have the right to live in a home that she herself has built. The same is true for widows who have no right to inherit their husband's property, including trees, which they themselves have planted (Fortmann 1998).

Because legal rights for women do not necessarily ensure ownership and control of land, it is argued that African women's bundle of rights to land do not ensure sufficient security of tenure. Usually, such bundle of rights for women do not guarantee the right to rent, lease, sell or bequeath, and therefore, the breadth of security of tenure as well as the duration of tenure are a matter of concern for women (Fortmann 1998, 152).

As a result of these insecure rights in land, the fruits of a woman's labour on the land often belong to her husband and not to her. The husband may appropriate the proceeds from sale of the crop and women may not have the ability to influence the distribution of the produce and income from her husband's fields. This usually has negative consequences on women's ability to maintain household living standards (Fortmann 1998).

Despite this general erosion of women's rights in land, women are devising coping strategies. Manuh (1989) reports that in East Africa, women have responded to the erosion of their rights in land by migrating to those areas where they can obtain paid employment (proletarianisation).

The proceeds obtained from paid employment or prostitution have been used in some cases to purchase land in their natal villages in a situation where they had no use rights in land. Thus, in a study of land sales in Central Kenya it was found that 12 percent of registered sales between 1958 and 1984 had women as purchasers (Birgegard 1993, 25). Other women are resorting to sharecropping arrangements whereby they are granted oral licenses to farm for a season or other fixed period. Others still are able to obtain cultivation rights through joint efforts in village women's groups or cooperatives (Manuh 1989).

It is therefore against this background that field research was conducted in the central part of Zambia, where agricultural production has been increasingly commercialised since the colonial period, in order to assess the position of small-scale women farmers in Chinena village with respect to their current status in terms of the following issues: (a) access to agricultural land; (b) availability of productive assets, food security and strategies of coping with insecurity; (c) the need for security in land; (d) the need for more information relating to acquisition of title deeds and their future perspectives on the provisions of the 1995 Lands Act and its assumed empowerment of female farmers; and (e) how the process of individualization of land tenure can be harmonized with traditional authority to avoid disruption of relatively peaceful social relations in a rural community.

It was necessary to carry out this research in order to assess the status of small-scale women farmers in view of the changed government policy, which implies the empowerment of small-scale farmers with title to the traditional Trust, and Reserve land, which they occupy - where they enjoy usufruct rights. While Zambia covers a total landmass of 75 million ha, State land where individual title applies comprises 4.5 million ha (6%), while Reserve land 27.2 million ha (36.2%) and Trustland approximately 43.3 million ha (57.7%) (Zulu 1993, 41).

2. THE STUDY AREA

Chinena village, which is located about 90 km north of Lusaka in Chibombo District (Kabwe Rural) in the Central Province of Zambia, was established in 1974 after Senior Chief Mukuni (Liteta) of the Lenje speaking people granted land to Mr. Meleki Chinena, the father of the present senior headman, Edward Chinena. It is situated near several dambos, with moisture available throughout the year, thus making it ideal for both dambo vegetable production and for upland maize cultivation. Because of moist conditions, dry season production of vegetables and watermelons is possible.

Since the village is located only 90 km from Lusaka, 40 km from Kabwe and 260 km from the Copperbelt towns, the small-scale farmers are able to market their produce in nearby towns. Traders from Lusaka and the Copperbelt come to buy the produce, while it is also possible for the farmers to sell their produce at the roadside market or by travelling to Lusaka and Kabwe. Other traders come from Lusaka to exchange second-hand clothes (Salaula) with the produce from the village.

The village is unique because of its organisation into eight sections; its location on a dambo ecosystem and its ethnic mix. Migrants from other parts of the district and the province, as well as from the rest of the country have decided to settle in Chinena because of its agricultural suitability (Kodamaya 1995, 106, table 2). This in-migration has led to increasing population pressure on arable and grazing land, and consequently land scarcity in the village. Within rural Chibombo, population densities in the census supervisory areas reach 94.59 and 57.22 persons per sq km near Liteta Hospital and Chibombo township, respectively (CSO 1990).

The estimated number of households in the village increased from 90 to 108 between August 1992 and August 1993 – an increase of 20 per cent in one year, giving a total population of about 669 in 1992 and 774 in 1993 (Kodamaya 1995, 108). There were an estimated total of about 160 households in the village at the time of conducting the fieldwork between 23rd December 1996 and 2nd January 1997.

Muntemba (1977) shows that the introduction of 'improved' and 'peasant' farming schemes during the colonial period in 1946 and 1948 in Bulenje (the area occupied by Lenje speaking peoples who are matrilineal and inherit land through the matrikin), including Chibombo, led to agricultural change in terms of crops, land tenure and the means of production. Maize, rather than the traditional sorghum, was adopted as the major cash crop, and modern agricultural implements began to diffuse in the rural population.

Changes in land use led to land scarcity, which in turn was reflected in enhanced land value resulting in increased individual land disputes. Because of land scarcity, some people who previously had access to land found themselves landless or assigned less productive land. Women, especially widows who had been entitled to own and inherit land under the matrilineal Lenje society, found that their inheritance rights were being challenged, and "some widowed women no longer had as much access to the best lands as hitherto" (Muntemba 1977, 359).

3. METHODS

In order to assess the current land tenure status of small-scale women farmers with respect to the items indicated above, a review of the literature was undertaken. Furthermore, qualitative data was obtained through semistructured interviews. The rationale for the research was to assess the current land tenure situation in the village with respect to women, in view of increasing commercialisation of agricultural production.

Upon entry into the community, we contacted members of the village committee who drew up a list of all heads of female-headed households. A total of thirty-three such women were identified. One polygamously married woman and the senior headman were also interviewed. Since the estimated number of households in the village was 160, the sample of 34 female farmers represents about 21.25% of all households.

Questions were asked through an interpreter covering such areas as family background; settlement; marital status, accessibility to land and other productive assets; harvests; labour inputs; knowledge about procedures for acquiring title deeds; tradition and women's access to land, and issues of inheritance of land.

The rationale for this approach was to be as pragmatic and actionoriented as possible in terms of learning from and also sharing information with the heads of female-headed households. In this way, it was hoped that they would be able to act intelligently in future with respect to the issues of empowerment through title deeds, which the Lands Act of 1995 could confer on female farmers. Frazier (1981, 67), has argued that the pragmatic approach in geography is "action oriented, (and) user-oriented," and aims at solving an immediate problem "for some target population".

Therefore, while it was necessary to obtain the views of the female farmers on the issues outlined above, it was also imperative that useful information be passed on to the target population, which could help the women to know what the government was attempting to do in terms of land policy, so that they can also act in an informed manner and not be left out due to ignorance.

Of the 34 women farmers, 17 (50%) were widows (10 were widowed after settlement); 9 (26.5%) were divorced; 6 (17.6%) were polygamously married but live alone; 1 (2.9%) is separated from her husband, and the other one is polygamously married and lives with her husband.

In terms of ethnic compositions, 32.4% were Lenje; 17.7% were Shona; 14.7% were Lozi; 11.8% were Chewa; 5.9% were Nsenga and Tonga; the others included Chikunda, Swaka, Ngoni and Tumbuka, with 2.9% from each. The village is a real microcosm of Zambia since within it reside people from different parts of the country, many of whom have entrepreneurial skills and a progressive attitude (Kodamaya 1995).

The majority of the women (26 or 76.5%) were aged between 31-61 years, and 19 (55.9%) had Primary Education; while 14 (41.2%) were

without any education and only 1 had secondary education. It is therefore imperative that ways must be devised by the government and Non-Governmental Organizations (NGOs) to reach out to female-farmers and provide information concerning the issues of empowerment, given the low levels of education, and limited sensitisation through literacy programmes and agricultural extension.

In terms of family size, the 34 households had a total of 197 children and dependents, giving an average of 6 children per household. Although some of the older children were away in town, the families were generally large, consisting of the female head of the household and about six children. This is not unusual in rural households, including those headed by men, given the need for labour at family level. However, large families also have implications for food security as will be shown later.

4. DISCUSSION OF RESULTS

With respects to settlement, it was found that 16 (47.1%) of the female farmers settled in Chinena since 1989. eighteen (52.9%) settled much earlier – most of them in the 1970s and early 1980s. Thus, there are both relatively new and old settlers in the village. Continued in-migration is putting pressure on scarce land. The procedure for settlement is shown in table 1.

Table 1. Procedure o f settlement by women farmers

Procedure	No.	%
Settled alone	13	38.2
Settled with husband	8	23.5
Settled with parents	7	20.6
Followed male relative	6	17.7
Total	34	100.0

SOURCE: Field data.

The majority of the women farmers (13 or 38.2%) settled in Chinena village alone. They said that they came to search for land so that they could independently take care of themselves and their children. These sought opportunities which did not exit where they came from. While some came after the death of their husbands, others came after divorce or separation. Other women of course settled with their husbands or followed either parents or a male relative.

One 60 year old Ngoni farmer, with 9 children and widowed since 1991, stated that following the death of her Namwanga husband, neighbours in Muswishi in the Chamuka Lenje area began to make her stay

uncomfortable. They started grabbing her fields and allowed their animals to graze in her fields, thus destroying her crop. Because of this her son-in-law advised that they migrate to Chinena in 1994.

4.1 Women and Access to Agricultural Land

Allocation of land to women in Chinena Village is similar to what pertains in most matrilineal societies. Women farmers obtained land upon settling in Chinena, as shown in table 2.

Table 2. Mode of obtaining land

Mode	No.	%
Allocated by headman Given by father Given by husband Given by male relative Borrowed from neighbours Other (given by friend)	7 4 10 7 5 1 34	20.6 11.8 29.4 20.6 14.7 2.9

SOURCE: Field data.

The majority of the women (10 or 29.4% of the sample) stated that they were allocated a portion of land from the husband's field. These did not have land or fields of their own but tilled that which the husband apportioned to them. An equal number (7 or 20.6%) were either allocated land by the headman or were given land by a male relative, and 4 or 11.8% were given land by the father. It is important to note that some women heads of households (5 or 14.7%) have no land, but they survive by borrowing from neighbours within the village. On the whole, although it is commendable that some women (7 or 20.6%) were allocated land directly by the headman on their own right, as is the case for men in the village, the greater majority (21 or 61.8%) got access to land through a male contact and do not have a land of their own, although they are heads of households. This seems to be in agreement with the literature on the subject of women and land in other parts of Zambia. For instance, in a study of 648 households, Milimo found that 25.3% of female-headed household acquired land by inheritance, 24.7% and 23.0% were given by the headman and father, respectively. About the same number, 7.8% and 7.4% were given land by a husband and mother, respectively. Another 11.8% were given land by a male relative such as an uncle or brother (Milimo 1990, 20; table 3).

The general picture that emerged with minor variations from different tribes with respect to accessing land was that in a village a single woman is supposed to be given land by her father. It was argued that a married woman was supposed to obtain land from her husband. It was emphasized that it was rare for a married woman to ask for land from the headman because she was under the control of her husband. If the husband does not have enough land to give to his wife, then he can approach the headman to ask for extra land for his wife. With respect to divorced women, it was argued that they were supposed to be allocated land by the headman so that they can to sustain themselves their children. The same was true for a widow. While it was expected that a widow was supposed to continue to cultivate the land which was left by her deceased husband; it was also unanimously pointed out that if such land is grabbed by the relatives of the husband, then it is imperative that the headman allocate land to such a widow so that she can have the means of sustenance.

It should be noted, however, that both men and women can also inherit land, but the rules of inheritance vary from tribe to tribe, depending on whether one group follows a patrilineal or matrilineal system. The rules apply to divorced, widowed, single and married men (Mvunga 1982).

Although these arrangements might appear somewhat discriminatory for married women who are not directly allocated land by the headman, it could be argued that it is necessary to follow the procedure in order to avoid creating sociological problems which may lead to conflict between husbands and their wives and traditional leaders, and therefore destabilise rural communities.

With respect to inheritance in the event of death, it was unanimously stated that children were supposed to inherit the estate. What was surprising, however, is that the majority of the women were of the view that male children were supposed to exercise overall control over the estate and not the girls. While it was expected that boys would take control of major assets such as cattle and land, the girls were to get clothes and kitchen utensils. It was generally argued that girls could not inherit the estate because they got married and left to live with their husbands.

The views on inheritance, which reflect the weight of tradition in favour of male rather than female children, even by women themselves, were summed up by a 38 year old Chewa widow who stated that 'the boy who has the power would inherit, not the girls, because us women are below the men.' When pressed why she would not like her only daughter to inherit her estate, so that a woman can also be above the men, she replied in a rather resigned manner that 'everywhere you go, men are on top of the women.'

4.2 Availability of Assets, Food Insecurity and Coping Strategies

The female farmers owned the assets and implements indicated in table 3.

Table 3. Asset ownership among female farmers

Item	No.	%
With hand hoes only	20	58.8
With ox-drawn plough	13	38.2
With harrow	8	23.5
With ridge cultivator	6	17.6
With scotch cart	6	17.6
With a truck	1	2.9
With animals	13	38.2
With enough land	16	47.1
Without enough land	18	52.9

SOURCE: Field data.

The level of ownership of farming implements among farmers is rather low in comparison to that of male farmers who were sampled in 1994 (Kajoba 1994, 52). While only 7 or 23.3% of the 30 farmers who were sampled in 1994 had only hand hoes, the number of women farmers depending on such rudimentary technology was 20 (58.8%) - out of the 34 female farmers that were sampled in 1996/97. Also, while 20 (66.7%) of male farmers had at least an ox-drawn plough, only 13 (38.2%) of the female farmers had such implements.

Although this is the case, the significant point is that women farmers who manage their own farms and households also have access to modern farming implements and other assets such as cattle.

However, those without modern implements were not completely disadvantaged because they had access to the animals and equipment of their male neighbours. The women stated that they were able to hire the animals to cultivate their fields at a fee – usually about K500 (Zambian Kwacha) per meter. Others paid in kind by offering chickens valued at K3000 each.

Although it is correctly argued by Larson and Kanyangwa (1990, 474) that women who don't own oxen and implements have to wait before their fields are ploughed and therefore lose out because of late planting, it should be noted that hiring of implements is a creative way of accessing the technology. This helps women in Chinena to cope with the fact that they have not been able to accumulate their own equipment and animals. The indirect way of having access to improved technology should not be underestimated as enterprising women farmers are learning to adapt and

cope with prevailing circumstances. In this way they are able to sustain their households independently.

It is worth noting that about half of the farmers (18 or 52.9%) complained that they did not have sufficient land from which to sustain their households, as each farmer had only an average of 1.5 hectares of cultivable land. This is a reflection of the general scarcity of land in the village given the continuous in-migration of new settlers. However, the women were able to get around this problem by borrowing land. A total of 5 (14.7%) of those interviewed indicated that they were able to borrow land from neighbours within the village.

The issue of land scarcity, however, is crucial with respect to food security. It was found that due to various reasons including lack of fertilizer, insufficient land to cultivate, sickness and the grabbing of grain from widows by in-laws, 21 (61.8%) of the women farmers were food insecure. In the 1995/96 season, they harvested on average only between 0-10 x 90 kg bags of maize. These, they said, were not enough to sustain them through to the next harvest. It is indicated that between 15-20 x 90 kg bags were the adequate amount that could provide food security for the female-headed households.

When these women farmers were asked to explain how they were able to cope with their situation of food insecurity resulting from poor harvests and the ill treatment of widows by the relatives of the deceased husbands, the women replied that they participated in enterprising activities such as piecework; knitting; selling fish, grass brooms and diesel at the roadside market.

Although the majority of female farmers in Chinena get low yields of the staple maize due to lack of assets such as farming implements and insufficient land inputs, there are also success stories.

For instance, there is a 24-year old Chewa mother of three with a gradeseven education and is polygamously married, but manages her farming responsibilities alone. Although the husband who stays in another section of the village is a successful farmer, she stated that her father gave her the two small maize fields, which she cultivates, after she got married. She owns a plough, one harrow and a scotch-cart plus ten animals.

In the 1995/96 season, she harvested 100 x 90-kg bags of maize. She sold 50 bags at K10000 per bag raising K500000. She was speculating that if prices go up, she will sell another 40 bags and leave only 10 bags for consumption. Since she has no vegetable garden, she buys these from other farmers for relish and her family was enjoying food security.

She stated further that she does not get any help from her husband in cultivating the land, as she uses her own implements and animals. To raise more money, she sells charcoal from the nearby forest reserve and tomatoes

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from her upland field, and was thus able to buy her own animals and implements.

She further stated that she was a farmer on her own and did not depend on her husband. When we asked her to express how she felt as a successful young female farmer, she replied, 'I feel very good about my economic independence and success as a woman, but I would like to achieve even more.'

Then there is also a 53-year old Lozi mother of nine children, who is also polygamously married but the husband stays away and only visits her occasionally. She settled in the village in 1986 from Lusaka. She cultivates about 6 hectares of maize, but stated that the land was small and she has to borrow more land from other farmers in the village.

She owns three ox-drawn ploughs, two harrows; one cultivator and two scotch carts, plus 18 animals. The animals were bought while she was in Lusaka where she runs businesses of selling fish and groceries. In addition, she has five houses or stands with several rooms, which are on rent in old Kanyama. She indicated that the money raised from these enterprises was used to buy implements and the livestock; and she categorically claimed that the property was hers and not for the husband.

In the 1995/96 season, she harvested 150 x 90 kg bags of maize. She sold 20 bags at K10000 each and raised K200000 which she used for hiring people to make burnt bricks for her new house; then she sold 30 bags at K11000 each raising K330000 which was used for construction; and then sold 40 bags at K12000 each raising K480000 for roofing, transport and labour. Thus, she was left with 58 bags of maize, which was more than enough to ensure food security for her household. She indicated that her seven children who lived with her together with her daughter's husbands provided the labour in the field. In addition, she hires casual workers and pays them money at the rate of k100 - K300 per line.

These two examples show that there are women farmers in Chinena (and probably elsewhere in Chibombo) who are as successful as their male counterparts and are using their initiative to run their farming and other enterprises with business acumen. To a great extent these experiences speak volumes about how women farmers (irrespective of their marital status) are able to take advantage of opportunities available to them and thus break the stereotype view that they are always disadvantaged, dependent and perhaps hopeless.

It should be emphasized that these two women indicated that although they were married they enjoyed a certain amount of independence since they lived apart from their husbands. Apparently, this gave them the freedom to manage their enterprises independently. It is interesting, however, that no similar cases of entrepreneurship were recorded for single, divorced, or widowed women farmers in the sample.

4.3 The Need for Land Tenure Security

All women farmers expressed interest in securing title to the land, which they were cultivating, especially because some of them felt rather insure about the future in view of some of the experiences they had gone through.

For instance, a 31-year old Lozi widow who had been given about 6 ha. to cultivate by her husband in 1980, suffered misfortune when the husband passed away in August 1994. The relatives of her late husband grabbed her field for a year. During this season, she had to borrow land from her elder brother. However, a year later the field was given back to the surviving children and so the widow was able to recultivate it.

Her 'sister' in the polygamous marriage, a 58-year-old mother of eight, had the same experience. As the senior wife, she was given about 10 ha, but after her husband's death, the land was grabbed without due consideration of the expenses she incurred in developing the land over the years.

Thus, this elder widow expressed the view that 'I would be very interested in applying for title so that I can have security. At the moment I don't feel secure because if my late husband's relatives feel that I should go next year because they are jealous of my good harvest, then they will grab the land again.'

Another Tonga widow, whose husband died in June 1995, stated that her late husband, who was one of the earliest settlers, had been given about 76 ha in 1978 by the headman. Before he died, all his three wives were given portions of the land to cultivate while the rest was for himself.

However, when the man died, the traditional leaders participated in grabbing some land from the estate and gave it to the relatives of the deceased man, who came from outside Chinena village. When she requested the headman to give part of this land, which was grabbed, to her only female child, the request was turned down. The headman told the widow that her daughter should go and ask for land from her husband who resided in the other section of the village.

She then lamented that 'as for me, the first widow, I was told to go back to my home in Monze and ask for land. Anyway, I am still cultivating part of the land, which my late husband left, although I am not secure. I only hope that the land has been given to me.'

Concerning the need to apply for secure title she indicated that she would also be interested in applying, but raised fears that the headman might not allow widows to do so, since the land is considered to belong to

the surviving children. She added, however, that she would be happy to assist her daughter to obtain such title.

According to a 44-year old Lenje divorcee, 'getting title is a good idea which the government has introduced since it means that the land can now be registered in a farmer's name.' She added that with title, 'there is no pack and go' - referring to the insecurity caused by the fear of eviction by a traditional leader. Thus she expressed the view that 'if people in the village start obtaining title to their land, I will also apply so that I am not left out.'

4.4 The Need for More Information on How to Obtain Title to Land

The Lands Act of 1995 states, "any person who holds land under customary tenure may convert it into a leasehold not exceeding ninety-nine years on application.... The conversion of rights from customary tenure to a leasehold tenure shall have effect only after the approval of the chief and the local authorities in whose area the land to be converted is situated...." (GRZ 1995, 274).

Moore and Vaughen (1994) point out that while many small-scale farmers and return migrants in the Northern Province of Zambia obtain land by approaching the local chief and headman, some go further to apply for title deeds to be granted. They state, however, "this course of action tends to be taken only by those who are educated and wealthy enough to be aware of the advantages that can accrue from registration, or by those who wish to be able to bequeath their land to particular individuals...." (Moore and Vaughen 1994, 210).

They pointed out further that in the Northern Province, there have been situations which could be referred to as 'land grabbing' in the sense that wealthy and educated return migrants are able to use their money to persuade traditional leaders to give them large tracts of land over which they obtain title, while the rest of the rural community assumes that everybody still has the same customary rights over land as themselves (Moore and Vaughen 1994, 21).

What is happening in the Northern Province could be taking place in other parts of the country as well. It is therefore necessary to educate small-scale farmers and especially women (who are less literate than men), on the advantages of applying for title to the land, which they presently hold under customary tenure. This is necessary in view of the 1995 Lands Act, so that women can also be empowered and not be left out of the process of modernization and commercialisation of agriculture.

In an interview with the Senior Headman for Chinena Village, it was learnt that a meeting of headmen, plus some small-scale farmers, and attended by the Senior Chief Mukuni (Liteta) at Keembe Farming Institute

on 27th November 1996, was held to discuss the implications of the 1995 Lands Act with respect to conversion of land and the issuing of title deeds to the customary land. He explained that it was agreed that if a person was Zambian and loyal, he or she could approach the headman requesting for such conversion; the headman could then recommend to the chief via the Advisory Committee of the chief. This committee could give final approval at the level of traditional leaders before the application is submitted to the Council and then to the Commissioner of Lands who approves such applications on behalf of the President.

The headman, however, added that he had not yet held a meeting in his village to inform his subjects about this important decision. Therefore, when the women farmers were asked to indicate whether they were aware of the 1995 Lands Act and its provisions granting title deeds to small-scale farmers who were cultivating traditional land, 29 (83.3%) replied that they were not aware or had not heard about it. Only 5 (14.7%) of the sample said that they were aware of the Law.

At this point, the researcher briefly explained the implications of having title to land especially in terms of security, which would flow from such legal entitlement. It was explained that the advocates of title argued that a small-scale farmer who is empowered with title deeds feels more secure on the land and can therefore use it more intensively and undertake improvements such as building permanent houses, sinking boreholes and even fencing the dambo gardens. Furthermore, it was pointed out to the farmers that title deeds could be required as a collateral for securing agricultural loans from lending institutions.

After such an explanation, the women were then asked to indicate whether they would be interested in future, to apply for such title to the headman if they heard that other farmers were doing so and the traditional leaders were processing such application. The replies were all in the affirmative. The women were of the view that they would be interested in applying for title deeds, as it was a good thing to obtain.

The research, however, shows that there is a lot that needs to be done by both national and traditional leaders to mount public awareness campaigns targeted at small-scale farmers, especially women so that they can be made aware of the provisions of the 1995 Lands Act and how they can go about obtaining such conversion if they are interested. Furthermore, there is a need for experts to explain certain technical issues such as whether title can be granted even to those with smallholdings within the village. One female farmer raised this issue.

4.5 The Need for Cooperation from Traditional Leaders

The Lands Act of 1995 states that the President "shall not alienate any land situated in a district or an area where land is held under customary tenure without taking into consideration the local customary law on land

tenure...[and] without consulting the chief and local authority in the area in which the land to be alienated is situated...." (GRZ 1995, 271).

These provisions would seem to strongly suggest that the views of the traditional leaders will have to be taken into account, and that the cooperation of such traditional leaders will need to be solicited in order to make the conversions possible.

Headman Edward Chinena, who is also a senior headman over 14 villages and the secretary for the committee of seven Lenje chiefs, emphasized that as far as the traditional leaders are concerned, applications for conversion will be carefully scrutinized so that title is given only to loyal and cooperative citizens, both male and female.

It was the view of the senior headman that as far as the traditional leaders were concerned 'if a tenant with title does not respect tradition, the chief should be able to repossess the land since it still belongs to the chief. He added that senior headmen have been instructed to address meetings in order to explain this decision by Senior Chief Mukuni (Liteta) and the Chief's Advisory Committee.

It was emphasized that traditional leaders also have their own fears, which must be addressed. It is generally feared that if title is granted to individuals, such persons will in future refuse to respect the headmen and participate in community work since they were now 'independent and answerable only to the President who grants title.'

The senior headman emphasised that there is a need for further explanation by the government on how title can be made to work in favour of the holders as well as the traditional leaders, who fear that lending institutions and foreigners will end up possessing the land especially of those who will default on loans and other obligations.

The sentiments expressed by the senior headman and other traditional leaders in Chibombo do suggest that there is a need to develop values over title to land which are harmonious with the local village culture so that the issuance of such title does not destabilise rural society by pitting the holders against traditional rulers, or women against men.

Efforts must be made to accommodate the sentiments raised by the senior headman about the fears of traditional leaders. If the sentiments are taken care of, for instance, by inserting a 'protective clause' about repossession in an amendment to the 1995 Lands Act, then we could probably create a situation where local culture would be promoting rather than hindering land reform and agricultural development.

There is a need to be sensitive to local stakeholders so that both individual titleholders and traditional leaders are harmoniously carried along to ensure sustainable land reform and agricultural development. In this way, both the new titleholders, including women farmers and the traditional leaders, could be transformed into mediators between modernity and tradition (Lloyd 1972).

In their countrywide research 'Women and Law in Southern Africa' (WLSA 1997) found that in Zambian families it is usually the men who are in a position of controlling access to critical resources, which include land. Among the Lozi, who are said to believe that 'a woman is always on the move', land for women is usually accessed through males, either through the father or brother or husband. This provision is common among other ethnic groups in Zambia, including the Lenje in the case study. However, when women try to break this cycle, sanctions may be applied (WLSA 1997, 97 and 101).

It was also found that in many rural areas of Zambia, control over resources was tied to certain values such as the maintenance or perpetuation of the kinship group, the protection of the elderly and "to keep the control of resources under male hands" (WLSA 1997, 106). This was found to be true especially among cattle-keeping groups since men, rather than women, were responsible for keeping or looking after cattle.

On sharing resources, it was noted by these feminist researchers that in many parts of the country, there has been a gradual shift from matrilinealism towards patrilinealism. Thus, males prefer that their estates be inherited by their children rather than by their nephews and nieces, as was traditionally the case under matrilineal groups. The researchers therefore observed that the trend towards patrilinealism among matrilineal groups means that nieces and nephews are denied access to certain resources, and the state law sanctions this situation.

In discussing the need to guarantee the human and personal rights of women in terms of access to and control of resources in the family and the rural communities, WLSA argues that the Lands Act of 1995 is silent on gender; thus its promotion of individual land tenure rights may lead to discrimination, whereby male land rights will be entrenched at the expense of female land rights. This seems to be what has happened in some land titling programs in East Africa (Birgegard 1993).

In Tanzania, the debate on land issues in the post-Ujamaa period seems to suggest that the government would like to democratise the ownership and administration of land, and give security of tenure to peasants and pastoralists through their village assemblies (Shivji 1996). In order to achieve this, village landowners under customary tenure will have their land registered with the Village Land Registry, and on registration, the owner, whether an individual, a family or a clan head, will be issued with a simple

certificate. In order to avoid the disenfranchisement of women, it is proposed that both the names of the owner of the parcel of land and that of the spouse or spouses will be included on the certificate. To avoid over accumulation of land by individuals, which may create landlessness in the villages, the Commission of Inquiry into Land Matters in Tanzania has set a statutory ceiling of 200 acres of ownership in the village (Shivji 1996).

Manji (1998) has observed that with the introduction of Structural Adjustment Programs (SAP), the Tanzanian government has recognized that its land policies since independence, and especially the process of forced villagization, had been a failure. This realization led to the appointment of a presidential commission in 1991 to look into land matters. She adds that the government now sees an opportunity to institute land reforms which can create a type of land tenure "which would facilitate and create a land market, and therefore an enabling environment for investors" (Manji 1998, 649).

According to the Lands Act of 1998, a number of reforms have to be undertaken in Uganda. For instance, all Mailo land (which was granted to Bunganda in the Uganda Agreement of 1900), was to be converted to freehold land; customary tenants on public land were to apply for freehold; and all leases on public land were to be converted to freehold. In addition, the 1995 constitution recognised customary land and made provision that all citizens owning land under customary tenure may acquire a certificate of customary ownership; and this certificate may be leased, mortgaged and pledged, where the customs of the community allow (Mwebanza 1999). Thus, the customary certificate holder now has "the right to lease the land or any part of it, permit a person usufructuary rights over the land, mortgage, or pledge the land, subdivide the land...transfer the land... or dispose of the land by will" (Mwebanza 1999, p5).

However, Nsamba-Gayiiya (1999) cautions that in order to implement such land reforms in Uganda, there is need for flexibility over time. She argues that the process should avoid going too fast; it should be carefully thought out and be sustainable, and all institutional stakeholders should be fully consulted and involved.

While the reform of customary land tenure in Kenya, post-Ujamaa Tanzania and Uganda gives allowance for individual accumulation by the peasantry, suggesting the acceptance of peasant based agrarian capitalism as the basis for transforming agriculture, the situation in Ethiopia, according to Tolossa and Asfaw (1996), seems to be socialist oriented. The two authors state that among the Oromo people, the Oromia government is of the view that there should be no concern for security of tenure since the customary use rights are adequate. Furthermore, sale of land, which is an attribute of

private ownership, is discouraged if not abolished (since the 1974 Revolution), since it is seen as a way of dispossessing the peasantry.

It would seem, therefore, that the empowerment of women in Chinena Village and elsewhere in rural Zambia, so that their rights to land and other resources may be guaranteed in law and are implemented on the ground, requires a re-examination of the institutions that are responsible for land allocation at the local level and the underlying values upon which law is based.

Although there is a need to incorporate views or sentiments expressed by traditional leaders as argued above, the experiences of other African countries on land titling, would suggest that in Zambia, where a market economy is being promoted, new institutions have to be created. For instance, it will require the creation of democratic institutions in which all stakeholders at the local level are represented, including women. Such institutions should then be given the task of allocating land to both men and women. In this way, both sexes will have a say in the sharing of resources and such institutions should be enshrined in the land law of the country, as was the case in Tanzania.

Such provisions could promote genuine empowerment of small-scale women farmers, and probably lead to a situation in which power relations between men and women within the households and the community could be altered in such a way that women's (and children's) (land) rights will be protected so that they also enjoy a sense of individual liberty (Mannathoko 1992).

Furthermore, these changes should include the gradual transformation of patriarchal relations at the various levels, which prevent small-scale women farmers from effective participation in agricultural production (Koopman 1995), especially by either being denied access to land or by being marginalized in land titling programs.

It could be assumed that only when women are adequately empowered with resources such as land will rural poverty be alleviated and sustainable livelihood promoted among rural households whose major means of sustenance is based on agricultural production. This assumption flows from the realisation that the empowerment of women with the means to improve their incomes through changes in laws and customs will ultimately improve family well-being (Moghadam 1990).

However, these transformations in both customary and statute law and the creation of new institutions at the local level to empower women and guarantee their rights to land and other resources have to be done democratically and in a peaceful manner, as part of a gradual process so that relationships in households and communities are not destabilized or dislocated.

Therefore, there is a need for the state, donors, the church and Non-Governmental Organizations (NGOs) to sensitise communities and promote continuous dialogue in local communities through village meetings and other participatory approaches, on how resources should be shared, based on new values and new institutions. It is essential to ensure dialogue because the power imbalance that exists between men and women, and individuals and their traditional leaders in the control of land and other resources, could qualify to be categorized as a contradiction among the people, which is non-antagonistic and, if handled carefully, can be resolved by peaceful means (Mao Tse-tung 1968).

The paper has so far attempted to present the results of the field work which was conducted in Chinena Village with respect to the status of women farmers and access to agricultural land under customary tenure. The results show that most women farmers (61.8%) who were sampled were able to access land through their husbands or other male relatives, while it was customary for men to be allocated land directly by the headman, although both men and women can obtain land by other means such as inheritance.

The paper further shows that women farmers suffer from insecurity in the tenure of customary land which they cultivate. This is especially the case for widows and divorced women. These findings are in agreement with the literature on the subject. Because of this, women in the study area expressed interest in obtaining more information on the possibilities of acquiring title deeds to their land, when the researcher asked them whether they were aware of the 1995 Lands Act, which provides for empowerment with secure tenure by converting customary land to a leasehold.

This need for more information on titling has come in the wake of new government policies which intend to empower small-scale farmers with secure tenure in the context of the liberalized economy where land has a market value, as opposed to the previous arrangement in which the state controlled land and discouraged entrepreneurship and individualization of customary tenure.

However, the literature on land titling in general and as it affects women, seems to suggest that a continuing debate does exist on the merits and demerits of converting customary land to individual titles especially through wholesale or radical individualization, as was the case in Kenya. Okoth-Ogendo (1996) suggests that more indirect methods of gradually transforming customary tenure in order to promote agricultural commercialisation should be adopted, rather than making radical changes. This is seen as a way of reducing the conflicts, which are likely to arise due to the dislocation of traditional society when relations on land are radically

altered. He argues that such radical changes usually disenfranchise women who become landless.

In the case of Zambia, there has emerged a perception since the introduction of multi-party politics and the introduction of SAPs in 1991 that customary tenure needs to be gradually transformed so that small-scale farmers acquire more secure tenure through conversion to leaseholds, than that which prevails under ordinary usufruct conditions. In this regard, the Lands Act of 1995 makes provision for such gradual transformation, and makes an allowance for the consent of traditional leaders to be sought, before conversion into a leasehold title for 99 years after the land has been surveyed.

It is felt that in this way, individuals will be more motivated to make substantial investments on such land, which they can use as collateral to obtain credit for the purchase of agricultural inputs and machinery, and thus lead to the advancement of peasant production. It is also contended that private investors, both local and foreign, can also undertake such investments in rural areas. Thus, Chinene et al (1998) contend that there is a general agreement that traditional tenure rules in Zambia and elsewhere in Sub-Saharan Africa do not provide the necessary enabling environment for agricultural development because land rights are not registered, and are thus not sufficiently secure for long term investment. This state of affairs exists at a time when land is becoming scarce due to rapid population growth and increased commercialisation of agricultural activities.

This perception for empowerment seems to be deep rooted among the grassroots, as the results of this study among women farmers shows. Women farmers who were interviewed in the sample expressed the view that they were also interested in obtaining secure title to the land which they cultivate, just like their male counter parts, if the government gives the go ahead. This need for title to the land is strongly felt among small-scale farmers especially in those areas, which have experienced increased commodity production (Kajoba 1994).

It would seem therefore that while it is necessary and prudent to take into account experiences on the reform of customary tenure which have taken place elsewhere in Sub-Saharan Africa as reviewed above, each country will have to devise policies which are relevant to its internal conditions. In this case, Zambia will require to work out policies and programmes of empowering women small-scale farmers with title to land according to overall objectives which define the vision of what kind of economy and society the government and the people would like to create, and work out the modalities of how to navigate towards such a vision. This process will not only have to take into account the concrete conditions on the ground, but will also require showing sensitivity to the transformations in the regional and global economies of which Zambia is an integral part.

This gradual empowerment process may have the prospects for success only if it leads to the establishment of new institutions that will have the mandate of allocating land to all stakeholders: men, women and the youth, plus other entrepreneurs who have investment potential. In creating such institutions, the current traditional authorities who allocate land at the village level will have to be incorporated as stakeholders as well in order to minimize the destabilization of rural society and find an interface between the forces of modernization and the positive values of African life.

5. CONCLUSION AND RECOMMENDATIONS

The paper has attempted to bring out the current status of women farmers in Chinena with respect to the five issues discussed above. It can be concluded that as per the literature, women farmers tend to obtain or have access to land through their husbands, parents or other male relatives. However, it is worth noting that in Chinena, an effort is made by the headman to allocate land to women heads of households on their own merit. Thus 20.6% of the sample indicated that the headman allocated them land.

It should be emphasized that although all the 34 female farmers had access to land, 52.9% stated that they did not have enough land on which to grow food for subsistence. Although land scarcity is a general problem in the village due to continuous in-migration, insufficient land and lack of implements and other assets such as cattle, complications which arise from being widowed create further food insecurity in these female-headed households.

What is remarkable is that the female farmers have devised creative ways of coping with food insecurity, which includes borrowing land; hiring animals and implements from neighbours; doing piecework to raise money to buy grain, and engaging in small-scale enterprises to raise cash with which to sustain themselves. This adaptability is crucial for sustained independence and viability, as some women farmers are quite successful.

The paper has also shown that women farmers do not enjoy security in the land, which they cultivate. Land has been grabbed from widows upon the death of the husband. Therefore, the women welcomed the 'good news' about the provisions of the 1995 Lands Act in terms of granting title deeds to small-scale farmers including women.

However, rural cultivators, and especially women, need more information about the changing land tenure legislation and situation. In order to empower women farmers with secure title, the government, women's organizations and NGOs in general, need to sensitise the women farmers and provide them with the necessary information with which to

take informed decisions about their future and the changing land tenure situation.

Furthermore, there is a need to create new democratic institutions at the local level which can ensure that both men and women are adequately represented in the allocation and sharing of land and other resources. Such institutions must be enshrined in the land law so that small-scale women farmers are not marginalized when land titling takes place on traditional land.

Finally, but not least, the paper has argued that for these transformations in land tenure to take place successfully, there is a need for dialogue to enlist the cooperation of traditional leaders, especially headmen, chiefs and other stakeholders. It is necessary to create new values during empowerment so that the new titleholders and traditional leaders in the new institutions form a new synthesis that promotes modernization and democratic land reform, without destabilizing rural society and rural households.

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