RANGELANDS

Pastoral women's rights and leadership forums, Tanzania: experience, impact and lessons learned





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Editor: Fiona Flintan

International Livestock Research Institute













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ABBREVIATIONS AND ACRONYMS

CCRO certificate(s) of customary rights of occupancy

FGD focus group discussion

ILRI International Livestock Research Institute

MI Maliasili Initiatives

NGO nongovernmental organization

PWC Pastoral Women's Council

SRMP Sustainable Rangeland Management Project

UCRT Ujamaa Community Resource Team

URT United Republic of Tanzania

VICOBA village community bank

VLA Village Land Act

VLUM village land use management committee

WRLF Women's Rights and Leadership Forum

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EXECUTIVE SUMMARY

Tanzania has long been a regional leader in terms of constitutional and statutory provisions for equality in women's and men's land rights. In all legal and policy frameworks in Tanzania it is recognized that women have rights to own land and property in the same way and at the same level as that of men, and that they sustain equality in these rights. Land in the pastoral areas of Tanzania is mainly governed collectively and only in some cases individually. Tanzania pastoralists face daily challenges to their land rights and land tenure security is low. In this context, if pastoralist women are able to access individual land holdings promoted by women's rights organizations, then this is one way to improve pastoralist households' access to land and resources.

In an effort to open up opportunities for pastoral women in particular to secure their access to land and resources, the Pastoral Women's Council (PWC), Ujamaa Community Resource Team (UCRT) and Maliasili Initiatives (MI) have been jointly supporting a project in Simanjiro, Ngorongoro and Kiteto districts in northern Tanzania, entitled Advancing the Rights of Pastoral Women in Tanzania. The project is informed by the understanding that women's land rights in Maasai communities in Tanzania are insecure because of pressures and threats from both external and internal forces.

One of the project's purposes is to 'strengthen women's participation and capacity for collective social action on land issues in target communities' in Kiteto and Simanjiro districts and in Loliondo division. Building on experience from earlier work, UCRT (as one of the key partners) facilitates the establishment of Women's Rights and Leadership Forums (WRLFs) with the aim of encouraging women to take a more public and leading role in order to secure resources for their livelihoods especially land.

The study was carried out in 2018 focusing on three villages, Loiborsoit, Sukuro and Engaresero in Ngorongoro and Simanjiro districts. PWC has been supporting WLRFs in Engaresero village and UCRT has been supporting WRLFs and capacity building in Sukuro and Loiborsoit villages. Ngorongoro and Simanjiro districts are found in the Arusha Region of Tanzania. Livestock keeping is the primary source of income in the two districts; however, increasingly crop farming has been established in grazing areas due to encroachment from outside settlers. In addition, some pastoralists themselves have taken up crop farming in order to try and diversify their livelihoods.

WRLFs are forums established with the aim of providing a space for pastoralist women to learn about and defend land rights, strengthen women's leadership and public participation, and enhance women's economic empowerment. A WRLF is made up of 24 people, 20 women and four *Illaigwanak* (Maasai male customary leaders). Activities implemented within WRLFs are geared towards empowering women socially, economically and politically. Training is offered to both women and men on topics such as women's rights to land, while some training is only offered to women such as entrepreneurship and leadership skills. Once trained, the 24 WRLF representatives are expected to transmit the gained knowledge to their fellow villagers. Customary leaders are also trained on different issues surrounding women's social welfare challenges and how these can be addressed. In addition, some WRLF members have also been trained to act as paralegals in their community in order to support women to claim their rights, and that they are respected and protected.

Project staff and community members highlighted a number of key milestones and impacts resulting from the establishment of WRLFs in the area. These included i) an active platform for raising women's voices and rights, ii) the raising of public awareness on women's rights, iii) recognition of women's rights in communities and issuing of individual land titles, iv) changes in perceptions, v) increase in the number of women's leaders in the villages, vi) economic empowerment and viii) improving collectivity, unity and solidarity of women.

Despite the many milestones that the WRLFs have recorded, they are facing some challenges. Indeed, implementing social and cultural change can take time, and if too rushed, those feeling the change can begin to resent the process and sometimes try to stop it. As such, change needs to be carried out at a pace that all feel comfortable with and finding that balance is difficult, and challenges can arise. Some of the challenges that the WRLF face include the application of traditional laws and perceptions in some areas, nonparticipation of women in all land use and management activities, provision of individual tenure rights in a collective tenure system which can challenge the latter and lead to its weakening, challenging functionality and implementation of WRLFs, poor law enforcement, long, bureaucratic and sometimes corrupted procedures to accessing and owning land, and the influence of "external" factors, for example changes in policy and legislation or in administrative procedures that impact land access.

The study concluded that there have been significant benefits and successes of the WRLFs. Other projects such as the Sustainable Rangeland Management Project (SRMP) can learn from the experience of the WRLFs and should consider establishing WRLFs in intervention areas to increase the power of women, and their understanding of and participation in land-related processes. The benefits of such forums should also be shared more widely.

I. INTRODUCTION

I.I Pastoralists and land

Pastoral societies depend upon relatively large territories of land to make the most productive use of a challenging physical environment that has temporally and spatially distributed resources, highly influenced by biotic factors such as plant available moisture. Only parts of this territory are suitable for agriculture due to limitations in water, soil nutrients and structure, and other influences; extensive livestock can make use of lower quality parts of the territory where agricultural production is limited but requires access to more productive areas at certain times of the year.

This type of land use is dependent upon a socio-cultural and institutional system that provides for flexibility of movement and use of the resources (temporally and spatially distributed) based on collective tenure and relations of reciprocity that among other things provide a safety net in times of crises. The system also provides for multiple use of the rangeland, considering and providing protection for the needs of both primary users (livestock herders) and secondary users such as those who harvest grass, hang beehives, collect often highly lucrative gums and resins, and increasingly plant some crops.

The Maasai of Tanzania primarily depend on livestock keeping for their mainly subsistence pastoralist livelihood system, which requires access to grazing land, water and other resources. Mobility is fundamental to control rangeland degradation and to sustain the extensive livestock production system. Current land policy and legislation fails to effectively protect the interests of pastoralists and their livelihood system, and rather have encouraged the privatization or individualization of land and resources, the breakdown of customary management, the limiting of mobility and contributed to often-daily conflicts between pastoralists and farmers.

At the same time, and despite the productive nature of pastoral systems and their comparative advantage in drylands, governments have tried to change pastoralist systems into something viewed as more "modern"—crop farming. This is through both push and pull factors such as by providing services only in village centers and without investing in mobile services, or prioritizing extension services for crop farming and not livestock. This contributes to the challenges that pastoralists face including the loss of key grazing areas, the fragmentation of the rangeland landscape and the blocking of migration routes.

In pastoralist areas collective tenure is the norm, often with complicated arrangements for primary, secondary and even tertiary use, multiple uses and users, and variability across the year or seasons. In many pastoralist communities, customary institutions still play a strong role in the governance of this collective tenure, though in others, such institutions have weakened and/or been replaced by government or more mixed multi-stakeholder organizations and structures. In general, and where it is functioning well, collective tenure protects the rights of all the members of the collective or "group" including men, women, young and old. Often resources are held as "group" resources with "ownership" being an alien concept and/or perceived differently to those that understand ownership to be a formalized land or property holding from which others can be excluded. As such, women as men should not be denied access to group "property" and can benefit strongly from the protection accorded to them as part of the collective.

Many scholars and women's land rights campaigners believe that women's right to land is important. As Carpano (2010) states, land is one of the most fundamental resources to women's living conditions, economic empowerment and to some extent, their struggle for equality and FAO (2006) has defined "access to land" in the context of women as the power of women to acquire property rights through various ways, the rights to use as well as decide how to use the land and enjoy that produced from the land (e.g. livestock keeping, income, food crops, timber, wood).

However, in governance structures led by male-dominated customary institutions, women often have a limited role in the group decision-making processes. As a result, many women's rights or other rights-based organizations argue that women's marginalization in such processes can only be addressed by women securing rights including land rights from outside the customary institution or structure through mechanisms such as individual titling. Though this may indeed benefit women in the short-term, there is the danger that by doing so, the "group" itself may be weakened with the challenging of male authority and the individualization of resources that previously had been collectively owned. In the long-term this may lead to women losing the rights that they previously received from the group or collective tenure system.

In addition and in times of change, the tension between collective governance and individualization processes can be increased. For example, in Kenya when collective group ranches were dismantled and the land divided between those that had been group ranch members, women missed out as it was only the men who received land titles. As such, and as Odoko and Levine (2008) nicely put it: they [women] are 'in danger of falling between two stools', i.e. the "stool" of collective tenure and that of individual tenure and can miss out of both.

Photo 1: Pastoralists in Tanzania engaging in a participatory mapping of rangeland resources (photo credit: ILRI/Fiona Flintan)



1.2 Women's land rights in the Tanzanian context

Before Tanzania was colonized by the British and Germans, land was governed by a specific tribe. With colonization, land ownership began shifting from traditional to statutory tenure and a number of laws and systems were introduced. Land rights were placed under the control of the governor during the British colonial era. After Independence, land was then vested in the president (formalized by the National Land Policy 1997). Today property rights systems (access, control and ownership) in Tanzania fall under two main types, customary and statutory tenure.

Tanzania has long been a regional leader in terms of constitutional and statutory provisions for equality in women's and men's land rights (MI 2012). Tanzania has signed a number of regional and international treaties all in an attempt to secure women's rights to land and properties. Even though many of these conventions do not specifically stipulate land rights, they do mention property rights. For instance, the Convention on the Elimination of Discrimination Against Women of 1985 does not have a specifically articulated right to property. However, several of the convention's provisions have relevance to the protection of property rights. Also, inside the treaties of the regional African human rights system, there are several articles that have a bearing on the protection of the right to property. Article 14 of the African Charter on Human and Peoples' Rights (African Charter) is the principal provision guaranteeing the right to property. The provision states that the right to property shall be guaranteed. Even though the provision does not specify to whom the right accrues, in light of the African Charter's equality provisions in article 2 and jurisprudence of the African Commission, every individual has the right to property (Kapama 2017).

In all legal and policy frameworks in Tanzania it is recognized that women have rights to own land and property in the same way and at the same level as that of men, and that they sustain equality in them. The Constitution of Tanzania (Part III: Basic Rights and Duties; The Rights to Equality), the Village Land Act (VLA) No. 5 Part IV: Village Lands and Part V: Dispute Settlement and the Land Use Planning Act 2007 (URT 2007) all support women's equality. For example, the Land Act recognizes customary land rights and institutions, however it prohibits those that are discriminatory. In addition, the VLA (part II Application of Fundamental Principles of National Land Policy (s3, 2)) stipulates that "the right of every woman to acquire, hold, use, and deal with land shall to the same extent and subject to the same restriction be treated as the right of any man." The VLA of 1999 moves some of the responsibility for protecting rights away from women and vulnerable groups themselves and makes it clear that village councils should protect women's rights (Ikdahl et al. 2005). It also obliges purchasers of land to ensure that the seller's spouse has consented to the transfer of land rights. Finally, it recommends joint registration and titling; unless one party requires to be registered solely, both names should be put on documents as owners of the land (Ikdahl 2008).

In addition, the policies and legislation state that a minimum number of women should participate in the different local village structures. For example, the VLA (Section 5 (I)) says that a village land council shall consist of seven members of whom three shall be women and the quorum at the meeting of the village land council shall be four persons of whom two shall be women. Further, the Ward Tribunals Act of 1985 under the section of Courts (Land Disputes Settlement) 2002 states that, 'Each Tribunal shall consist of not less than four nor more than eight members of whom three shall be women who shall be elected by a Ward Committee as provided for under section 4 of the Ward Tribunals Act, 1985.'

Indeed, the MI (2012) describe how equitable land access and ownership are central to women's economic empowerment and livelihood sustainability. However, in reality, equitable ownership of and access to land is challenging. Pastoral communities vary widely in their specific customs around property rights, inheritance and household decision-making about livestock, land and finances. Moyo (2017) suggests that men control close to 80 per cent of the land solely or jointly and women control about 20 per cent. It is estimated that around 80 per cent of ethnic groups within Tanzania follow patrilineal customary principles of marriage and inheritance, the remainder being based on matrilineal principles (Tenga 1988). In Maasai communities, men and particularly elderly men are

highly respected in terms of governing the society and their decisions are treated as the final say. In the case of conflicts among community members, they are usually resolved locally. Even though the government of Tanzania does not formally recognize the customary leaders, their role in governing the society is still valid and they are highly respected. As one of the respondents commented:

We once had a village boundary conflict with a neighbouring village and through the help of our customary leaders (llaigwanak) we reached consensus and resolved the conflict through negotiations. —Interview W27 Sukuro 2018

As above, land in the pastoral areas of Tanzania is mainly governed collectively and only in some cases individually. Tanzania pastoralists face daily challenges to their land rights and land tenure security is low. Indeed, despite facilitating policy and legislation, land tenure security is lacking across the majority of rural areas with many villages having no village land certificate, village land use planning or capacity to issue certificates of customary rights of occupancy (CCRO) to land users as landholding certificates. This is particularly the case in pastoral areas where pastoralists are often unaware or even deliberately excluded from village decision-making processes so their priorities (such as grazing land) are not taken into account, while often facing corrupt and non-transparent land and resource access allocations. In this context if pastoralist women are able to access individual land holdings promoted by women's rights organizations, then this is one way of improving pastoralists' households access to land and resources. Mixed ownership of land reaches almost 37 per cent, while women alone occupy only a small portion, a little over 15 per cent of the family land (URT 2013).

Odeny (2013) believes that a meaningful representation is an important step towards helping women gain access to established rights. It is not just a matter of placing women in positions to add to numbers, but to ensure that their voices are heard. Women must be an integral part of the implementation of land reform programs. Training community members as paralegals, topographers and conflict mediators can help build community skills and increase the probability that women's concerns will be addressed. Women's organizations can be effective tools in promoting local participation, building consensus and raising consciousness at all levels, especially as women are generally not well represented in decision-making bodies, and they are often instrumental in pressuring for government programs to include women as equal participants.

1.3 Advancing the rights of pastoral women in Tanzania

In an effort to open up opportunities for pastoral women particularly to secure their access to land and resources, the PWC, UCRT and MI have been jointly supporting a project in Simanjiro, Ngorongoro and Kiteto districts in northern Tanzania, entitled Advancing the Rights of Pastoral Women in Tanzania. The project is informed by the understanding that women's land rights in Maasai communities in Tanzania are insecure because of pressures and threats from both external and internal forces. External forces tend to be investment initiatives or state sponsored land expropriation schemes undermining community land rights, while internal forces tend to be customary norms which deny women's rights to land and decision-making, with women only being able to gain the right to land through the discretion of the male head of household (Sorensen 2013).

One of the project's purposes is to strengthen women's participation and capacity for collective social action on land issues in target communities' in Kiteto and Simanjiro districts and in Loliondo division. Building on experience from earlier work, UCRT (as one of the key partners) facilitates the establishment of Women's Rights and Leadership Forums (WRLFs) with the aim of encouraging women to take a more public and leading role in order to secure resources for their livelihoods, especially land.

A review of the project's work up to 2012 was carried out by Carol Sorensen who concluded that in the areas where WRLFs are active, women were speaking in public and had strategically increased their influence in their communities by obtaining seats on village government councils and by collaborating with the customary leadership. Through this engagement, women are challenging leaders on issues of rights and how community matters are handled. Sorensen stated:

WRLFs have gained significant legitimacy in the community, giving WRLFs the basis to develop and create a constituency within the community as a whole. This important achievement means that WRLFs are creating space for a women's customary leadership institution, which is an important new development in these communities as customary leadership was traditionally only for men. Women are using their influence in both customary and local government leadership spheres, strengthening the capacity of these institutions to recognize and protect women's rights. In recognizing that strong leadership is needed to help protect community land, WRLFs have succeeded in mobilizing communities to actively defend their land rights.' (Sorensen 2013)

Women have become more confident and are demonstrating competent and courageous leadership, creating and nurturing unity between the different elements of Maasai society (section, age-set, clan and family) and mobilizing people to take action to protect and enhance their land rights.

I.4 This study

The SRMP works in the Kiteto district of central Tanzania, focusing on the development and upscaling of joint village land use planning as a tool for securing rights of livestock keepers (pastoralists and others) to share cross-village grazing lands. Gender equity is an important component of SRMP and the project takes positive action to ensure that women are part of decision-making processes and have opportunities to contribute to project activities. However, it was felt that the project could do more to build the capacity of women to take stronger leadership roles, challenging the customary norms and values that might otherwise prevent them from doing so.

Having learned of the experiences of PWC and UCRT in overcoming such challenges through the establishment of WRLFs and wishing to learn from them, it was decided to conduct a study on the WRLF initiative in order to understand its process and impact in empowering women, the governance and securing of access and rights to women, and to consider how this could be incorporated into the SRMP. This study would dive in more deeply to some of these key issues than the study carried out by Sorensen in 2013. At the same time, the research would contribute to an ILRI-led research program on pastoral women's land and resource rights, contributing to the CGIAR Research Program on Policies, Institutions and Markets collaborative research program and more specifically, the flagship project on natural resource management (NRM) overnance (led by IFPRI the International Food and Policy Research Institute and CIFOR, the Centre for International Forestry Research) as well as ILRI's flagship on the environment under the CGIAR Research Program on Livestock. Consequently, there would be an opportunity to compare the experiences in Tanzania to similar ones in Ethiopia and India.

1.5 Methodologies of the study

The study was carried out in 2018 focusing on the three villages of Loiborsoit, Sukuro and Engaresero in Ngorongoro and Simanjiro districts. PWC supported WLRFs in Engaresero village and UCRT supported WRLFs and capacity building in Sukuro and Loiborsoit villages. Ngorongoro and Simanjiro districts are found in the Arusha Region of Tanzania. Livestock keeping is the primary source of income in the two districts; however, increasingly crop farming has been established in grazing areas due to encroachment from outside settlers. In addition, some pastoralists themselves have taken up crop farming in order to try and diversify their livelihoods.

The study was undertaken in two parts, a literature review of various reports, books, journals and published thesis/ dissertations, and a case study research in the intervention areas including semi-structured interviews and focus group discussions (FGDs) with women from the WLRFs. Key informant interviews were carried out with selected people from institutions such as the Ingwanak institutions, local government officials including village chairpersons, WRLF leaders and beneficiaries, village land use management committee (VLUM) members, and staff of UCRT and PWC. Interviews were undertaken in order to learn about the contribution, successes and challenges of the WRLFs and to what degree they have impacted women's tenure security together with women's influence in decision-making processes.

The FGDs included open-ended questions for discussion to allow people to be free to explain their views especially on how the WRLF has assisted them in securing land rights and capacitated them in terms of knowledge and building their confidence to be able to speak in public meetings, raising their voices and concerns.

2. WRLFs

2.1 What are WRLFs?

WRLFs are forums established with the aim of providing a space for pastoralist women to learn about and defend land rights, strengthen women's leadership and public participation, and enhance women's economic empowerment (see for example https://medium.com/@Maliasili_org/womens-rights-and-leadership-forums-51d575ffc9e3). PWC and UCRT tend to work in different districts. In the case of Ngorongoro district where they both work, they support different villages.

Initially, UCRT facilitated the formation of WRLFs at the village and ward level in the target villages and provided a number of training sessions to the WRLF groups on land law, procedures, women's rights in relation to land and village governance and so forth. In the second year, UCRT focused on building on the inception year's work by carrying out additional training and awareness-raising activities with some village forums and facilitating collective action on key concerns identified by the forums at village, district and regional levels. At the village and district levels, training was carried out on (among others) women's land rights and property rights, women and leadership plus the role of leadership forums, legislation including the VLA 1999, land administration and transparency, and accountability in leadership.

UCRT has continued to work with the WRLFs in Loliondo (seven villages, seven wards) and Simanjiro (six villages, three wards) and more recently scaled up to Kiteto district (four villages, two wards). Further training has been carried out for three village forums on land and other laws (e.g. marriage legislation, local government legislation) that pertain to women's rights and participation in village governance and decision-making. Training has also taken place with forums at the district level in tandem with traditional leaders. Finally, a regional women's land summit was facilitated that brought together 42 indigenous women from six districts. The summit was comprised of representatives from across all the community-level women's forums, including those established by UCRT previously through other sources of funding, to discuss common concerns around land issues and to develop a common agenda for land reform.

PWC, on the other hand, has supported WRLFs in 15 villages in Ngorongoro and 10 in Longido districts. The approach that they took is similar to UCRT. Before establishing WLRFs, PWC had supported Women's Action Group Committees which were focused more on economic empowerment and interaction with village community banks (VICOBA). Realizing that social empowerment was also important, PWC helped to broaden the focus of the Women's Action Group Committees to include training on leadership and women's land rights and called them WRLFS.

PWC believes that empowering women in leadership and advocating for women's land rights will help address the inequities found in Maasai communities, which have been highly influenced by the strong patrilineal system that has existed for centuries. There are positive changes that show some improvement to women's land ownership and other properties. Involvement of traditional leaders in the WRLF has helped to change the perception of men on gender equality and women's land rights. Accordingly, these traditional leaders are now advocating for gender equality

even in the village meetings. Another key aspect that is used by PWC to advocate for women's land rights is training men so that they train other men on women's land rights. PWC is positive that through peer pressure the negative perceptions held by men will be reduced (Interview W79 23 May 2018).

2.2 WRLF governance structure and activities

In the case study areas visited, a WRLF is made up of 24 people, 20 women and four Illaigwanak (Maasai male customary leaders). As explained by the PWC program manager, PWC feels it is important to include the customary leaders because they 'are very influential in decision-making, therefore their involvement was necessary for the success of the forums...if the perception of customary leaders are successfully transformed they are very useful in advocating for women's land rights' (Interview W79 23 May 18).

The 20 women are elected by the community members and represent each sub-village. In each forum, there is a chairperson, secretary and treasurer who are elected by their fellow members though a majority vote. After the election of the women, PWC conducts capacity building on different topics including public speaking skills, importance of actively attending village meetings and basic awareness skills on land and women's land rights. PWC also brings together traditional leaders and conducts a discussion with women on social norms that oppress women and how they can be addressed. They also raise issues on land tenure security as well as encourage women to participate in applying for land when the village government announces land distribution activities.

Activities implemented within WRLFs are geared towards empowering women socially, economically and politically. Training is offered to both women and men including women's rights to land, while some training is only offered to women such as entrepreneurship and leadership skills. Once trained, the 24 WRLF representatives are expected to transmit the gained knowledge to their fellow villagers. Customary leaders are also trained on different issues surrounding women's social welfare challenges and how these can be addressed.

In addition, some WRLF members have also been trained to act as paralegals in their community in order to support women to claim their rights, and they are respected and protected. The training involves land rights issues, rights of education for girls, human rights and marriage laws. With training, the paralegals are expected to help other women claim their rights. The training is aimed to create awareness among women and ensure that when legal support is needed women know where to turn. Training and capacity building activities implemented by the WRLFs are usually decided and agreed upon by the communities. The participation of the women in these activities is very high because they directly benefit.

2.3 Challenging customary leadership

Traditionally, women's right to participate and make decisions (particularly public decisions) has been limited in Maasai communities. In order to change this, a lot of persuasion and capacity building is needed among the community members, especially the customary leaders for them to see the importance of involving women in decision-making processes. This is something that UCRT and PWC have done and one of the initial steps in this regard was the inclusion of customary leaders in the forums. Decisions made by customary leaders are highly respected within Maasai communities and their decisions regarding community issues are usually treated as a "final say"—if they support the initiative, so will others. Through working closely with these customary leaders, their own perception towards women's rights has become more positive. 'Their support in advocating for women's rights and land rights contributed to the recognition and giving of more power to the WRLFs in the communities.' (Interview W79 Arusha 2018)

In all case study areas, as across Tanzania, the village council is vested with the overall daily responsibility for administering village land and according to local government legislation, (VLA No. 5 1999; Wily 2003) the village council must be comprised of at least one quarter of female members. Furthermore, the VLA states that at least four of the nine members of the elected village adjudication committee, which investigates and determines boundaries prior

to land registration, should be women, and at least three of the seven members of the village land council, which deals with dispute settlement, should be women. Similar provisions can be found for women's representation at the higher-level ward tribunals and district land and housing tribunals (Wily 2003; URT 2002).

As such, women have the statutory right to be part of village land governance bodies though this does not guarantee their active participation. Indeed, during FGDs, women's participation was ranked as being "low" in most of the villages, due to inadequate knowledge on their rights to participate in them and confidence to do so. This is attributed to cultural custom and belief that women's representation will be made through their husbands or male relatives in such meetings. Other factors that may contribute to a low level of participation of women in village land use planning processes are remoteness of areas, the distance covered during land administration activities when surveying and protecting the different portions of the land for example, and women's other commitments such as looking after the household or children which prevents them from attending meetings.

3. WOMEN AND TENURE SECURITY

The research was conducted in two areas, one where PWC is implementing the project (including Engaresero village), and one where UCRT is doing the same (including Loiborsoit and Sukuro villages). The main ethnic group in both area is Maasai, making up 80-95 per cent of the population. Pastoralism is the main livelihood system in the area with almost 80 per cent of the community owning livestock and the remaining 20 per cent farming, operating a small business and/or mining.

Land tenure security

As is normal across the country today, the main community governance structure found in the three case study villages consists of the village general assembly, village council and various committees. The customary land tenure system accounts for more than 75 per cent of land governance decision-making.

There is a process to follow in cases when a person wants to own land and the village council is the entity entitled to provide land certificates to individuals. Before the presence of PWC and UCRT in the villages, only a few women applied for land as most women did not see the importance of owning land or did not know what to do in order to apply to own land. UCRT and PWC offered several training sessions to women with regards to land. According to the 2017 WRLF report, 242 women were allotted land plots by their village governments after the training. The report indicated that more women were asking for support to obtain land titles. Women were also encouraged to participate in applying for land when the village government announces land distribution in a settlement area or zone.

Generally, agricultural land is family owned in all the studied villages—women use the land to cultivate crops but give little attention to sustainable land management investments in it. When asked why they are not investing, women said that they have no power over the use of the land and therefore cannot invest. Meanwhile, married women raised the issue that women are not always entitled to inherit land, i.e. when their husbands die the land and resources can be taken away from them by the husband's relatives.

In an interview, a widow of Sukuro village was asked what happened to her land when her husband died. She responded that when she lost her husband, his relatives denied her rights to keep and own the land and other properties she earned with her husband and took them away. When the WRLF members heard about her situation, they assisted her by giving her information about her rights, while reporting the case to the rightful institutions as per the law. They managed to get her land back to her. This is a good example of how WRLFs can work across the villages on different issues. WRLFs also help build feelings of unity and solidarity among women, which has become stronger as they continue to fight to support each other and uphold women's rights.

Through the FGDs, the women in the three villages were asked to rank their perceived level of tenure security. WRLF members of Sukuro village said that the tenure security of women is "medium" since there are some community members who still lack knowledge on women's land rights, and the issue of allowing women and girls to inherit land is still a major problem. In Loiborsoit village, women said that their land tenure security is "good" as their security is

guaranteed through the possession of certificates of CCRO. The Loiborsoit situation is similar to Engaresero village, where women said that they felt secure with the CCRO in their custody. When the women were asked, 'what does such security mean to you?' they said that they feel more empowered and more in control of their lives and that they feel free to invest on it however they see fit for their growth.

3.2 Land use change

The study area has seen significant changes in land use over the last five years. Some of the changes recorded are land scarcity due to over population with demands for land for settlement and increased numbers of livestock which has raised a demand for more grazing land. In addition, drought and increased demand for land for investment purposes has aggravated the land situation. However, the villages have developed and set by-laws for protecting land use management. Sukuro village has divided the village into various zones depending on their use as part of the village land use planning process and have also elected land and pasture areas management committees to ensure proper use and management of the land. However, in some areas the enforcement of these by-laws is not effective, and people are trespassing on grazing land and encroaching upon reserved areas with cultivation. There is no serious land conflict recorded, though several community members complained that wild animals enter into people's fields and destroy planted crops. It was admitted, however, that cattle tend to go into protected areas and this has caused major rifts between community members and protected area authorities.

Photo 2: Pastoralist women are key knowledge holders and as such should be participants of efforts to map these resources and secure rights to them. (Photo credit: ILRI/Fiona Flintan)



Land management

The participation of women in land use management activities in Sukuro village was rated low compared to men, due to various challenges encountered such as the distance covered in surveying and protecting the different portions of land with women finding it difficult to travel. However, when asked to compare the participation of women in land use decision-making processes before and after the WRLFs intervention in their areas, the women said that they are now more actively involved. It was said that this is because of the capacity building training that they received from PWC and UCRT where they gained confidence in raising their views and concerns in public meetings, and articulating land issues (Women's FGD Sukuro 2018).

3.4 WRLF interventions in the area

Though the cost for individual land survey for titling is high (approximately 300,000 Tanzania shilling or around 150 United States dollar), PWC has managed to support the issuing of individual CCROs to 107 women. High costs for the individual land survey was mentioned as a factor contributing to land tenure insecurity because the communities cannot afford to pay for the survey costs. Of those women who have been given land, some of them have invested in it like constructing houses which is an improvement for them and seen as a major milestone for the project (Interview W79 Arusha 2018).

The WRLF is important in strengthening the local governance systems. This governance system is the foundation for the long-term sustainability of the project in the area. As much as possible, all women are involved in the activities. UCRT has played a supporting role to these processes. They have also tried to challenge some of the prevailing inequitable practices, for example, one female staff member attended meetings of customary leaders to talk about women's participation in community development issues. Though some men were hostile to her presence, following the event, many leaders asked her when she was going to join the meeting again.

4. IMPACTS OF WRLF

Project staff and community members highlighted a number of key milestones and impacts resulting from the establishment of WRLFs in the area. These included i) an active platform for raising women's voices and rights, ii) the raising of public awareness on women's rights, iii) recognition of women's rights in communities and issuing of individual land titles, iv) changes in perceptions, v) increase in the number of women's leaders in the villages, vi) economic empowerment and viii) improving collectivity, unity and solidarity of women.

4.1 Establishment of a platform for raising women's voice and rights

Across all villages, the study found that the WRLF movement established a strong and influential platform, recognized by the village councils not only for its representation of women but especially for Maasai women. The establishment of the WRLFs has clearly increased women's participation in public meetings including for village land use planning and management. It was said that for many years, women were silent in such meetings due to the customs and norms of the traditional pastoral societies. However now women feel empowered and confident to speak out in meetings. As a member of WRLF described:

Today, if a woman wants to speak at a public meeting, she can easily do so with no problems as she does not feel inferior anymore, her confidence is very high, thanks to WRLF for the trainings and capacity buildings that we experienced. We are not keeping quiet on issues that are concerning our welfare anymore. —Interview W43 Loiborsoit 2018

The interviewee continued to explain that before the introduction of the WRLF in their village, if a woman wanted to make her concerns heard in meetings, she was forced to ask a man sitting next to her to present her views rather than speak herself (ibid).

On another note, WRLF has supported women to raise their voices and fight against domestic violence. It was reported that in 2017 in Ngorongoro district there were about 40 reported cases of domestic violence, with seven cases reaching the court. In one case, a woman was beaten by her husband and his parents, and she decided to poison herself and her children. Fortunately, she was rushed to the hospital and her life was saved. WRLF intervened and reported the case to PWC who assisted the woman who now lives in her own boma, separated from her husband (Interview W78 Arusha 2018).

4.2 Raising public awareness

A key objective of the WRLFs is to raise understanding and awareness of women's rights, including land rights. Through the FGDs conducted for this study, it was clear that community members and customary leaders do have a high level of awareness of women's rights, human rights, girls and boys rights to education, women's land rights, and

the need for increased positive change in social norms and practices on women rights. As noted above, customary leaders are a part of the WRLFs composition, and this has assisted the forums to become stronger and gain status and recognition within the society.

Furthermore, the government is also involved in the implementation of WLRF activities as some of the training and meetings organized by the forums are held in government buildings and often village government officials such as the village chairperson and village executive officer attend the meetings. Building such linkages are purposeful in order to ensure the sustainability of the WRLFs, and the continuing cooperation between the government, customary leaders and the WRLFs including advocating for women's land rights. Government officials have access to larger and bigger audiences hence, when they receive training, they can convey the received knowledge to other members of the communities. At the same time, the government leaders can put the new knowledge into practice by implementing the gender-equity provisions in land-related policies and legislation (Interview W75 Arusha 2018).

Another major milestone that the WRLFs have recorded is for the platform(s) to be recognized by their village councils thereby gaining legitimacy and respect from community members. This achievement is not only for women but especially for those Maasai women who previously faced oppression under the dominance of the male leadership structure (Interview W75 Arusha 2018).

4.3 Recognition of women's rights in communities and issuing of individual land titles

Another impact is the general recognition of and increased support for women's land rights within communities.

Communities are now fully aware of the activities of the forum as one of the WRLF leaders in the study village states:

Involvement of all community members in the trainings has helped even our husbands and now they trust the forum. They thought that we were participating in selling the village land, but once they attended the meetings and found out the truth, they were relieved. —Interview W55 Engaresero 2018

For an individual to own land (by allocated land with an individual CCRO), they must write a letter to their village council, where it will be discussed and taken to the village assembly for a final decision. For the village to proceed with the process of issuing the individual CCRO, the village must have a village land certificate and have undertaken village land use planning. So far, PWC has issued 107 individual CCROs to women in Engaresero village and there are another 300 applications waiting approval in the same village (interview W79 Arusha 2018).

When some of these women were asked how they felt about having their own CCRO, the WRLF said that they felt that being able to own land and having the CCRO made them feel more empowered and liberated in terms of investing in the land and deciding on its use; previously, they had had to ask their husbands for permission to use it. Women now feel capacitated and empowered to fight against discrimination over land ownership (Women FGD Engaresero 2018). Comparing the situation before the introduction of the WRLF in their villages, one member said:

Before WRLF came to our village we were facing difficulties in accessing and owning land easily. It was even worse when a woman loses her husband; the land that she had been using with her husband when alive can be taken away by her husband's relatives together with other properties. The society is still of the opinion that women cannot inherit land and other resources she has earned with her husband after his death, and that all resources should go back to the family of the husband and in some cases, they may sell the land slowly until it is all gone. The worst-case scenario is when the woman was not fortunate to bear a boy child, so she and the daughters are not allowed to inherit anything since they will be married away to another family and by providing her with the family resources it is like giving another family the right to own such properties which they did not earn. —Interview W63 Engaresero 2018

Men and women have the same access to land now. The situation in their villages has improved, and women know that they have equal rights to own land and invest in it. This has encouraged women to make other claims as described by a WRLF member (Interview W65 Engaresero 2018). One WRLF member added:

We think it is high time now that we also own other resources apart from milk and chickens which are traditionally female-owned resources. However, we are quite aware that it is not going to be easily accepted by men. —Interview W65 Engaresero 2018

4.4 Changes in perceptions of men

The perceptions of men towards women has also changed since the WLRF interventions. Men are taking greater notice and advice from women. During the FGD the women commented:

If the meeting starts even at 8:00 am, men in Engaresero allow their wives to attend since they have witnessed the achievements of WRLFs in transforming the lives of their wives especially on the aspect of economic empowerment.

—Women FGD Sukuro 2018

The intervention has been able to train male village government leaders on women's land rights so they themselves are the champions to implement this agenda, with men taking more notice of them. It was reported that there is also a decrease in domestic violence due to the increased awareness of women's rights and human rights more generally, as well as an increase in the reporting of domestic violence cases—a practice that was not in place before the existence of WRLFs. Last year, across the villages where WRLFs are supported there were about 40 cases of domestic violence reported, of which seven cases reached the courts (interview W75 Arusha 2018).

4.5 Increase in number of women leaders in the village

A PWC program manager said that one of her major milestones in the project is the increase in the number of women in leadership and decision-making bodies and positions. She said in Engaresero, the WRLF chairperson has recently been elected as a member of the village council, together with another nine seats for women elected out of the 25 seats available. She compared this with the situation before WRLF was established when women only secured four seats. She feels that these elected council representatives are well placed to represent women's issues and defend their rights when needed (Interview W79 Arusha 2018). Discussions in council meetings have included women's domestic abuse and education rights of a girl child. Women are attending meetings at a higher number and are able to contribute and raise their views concerning issues affecting their welfare as a village leader confirmed:

Women now attend and participate actively in village meetings in high number, compared to the previous statistics, I think now it's almost 100 per cent of the women attending meetings. —Interview W30 Loiborsoit 2018

4.6 Economic empowerment

WRLFs have also played a role in improving women's financial standards and entrepreneurship skills which has led to reduction of gender disparity more generally in the society. For example, in all the studied villages, women have received business and entrepreneurship skills training. However, women are also taking on increased burdens, as a WRLF member in Sukuro village said:

Nowadays women are the one taking care of the family's needs: it is like men have left that responsibility to women and it is difficult for women to play this role well if they do not have resources to do so. —Interview W10 Sukuro 2018

The WRLF has brought women together and provided entrepreneurship skills training so many women have started establishing small businesses such as selling of bead jewelry and setting up small shops. This has assisted a good number of women in caring of their families including the formal education of their children. Women said that they are now able to pay school fees for their children while carrying out other economic activities and earning income to take care of their families (Women FGD Engaresero 2018). Other members of WLRFs in Sukuro village said that their husbands refused to pay for the porridge provided by the school as a meal to keep the children full and be able to focus in their studies, but with greater financial stability the women gained from WRLF, the women pay for the porridge themselves. Additionally, women can now support their children in further education (Women FGD Sukuro 2018).

4.7 Improving collectivity, unity and solidarity of women

Unity and solidarity have been other important gains recorded among the members of the WRLFs across the three studied villages. Women stated that their confidence to demand their rights as a group (as well as individually) has significantly amplified; their skills in lobbying and advocating for their rights have improved and for example, this resulted in women from Sukuro village acquiring a maize-grinding machine as a group venture through the village council. In addition, the women in Sukuro village assisted one of its WRLF members, a widow, to challenge her late-husband's relatives from taking her land and other properties. This working together as a group is something new for many pastoralist women who can often lead isolated lives. The women have seen the benefits of group power and teamwork. Friendship, solidarity and unity have been built so that they prioritize supporting each other. As a PWC staff member said:

I think the only person who can help women are women themselves. The women forums have empowered women to empower other women. When they see improvements done by other women they are inspired. —Interview W78 Arusha 2018

5. CHALLENGES IN IMPLEMENTING WRLFS

Despite the many milestones that the WRLFs have recorded, there are some challenges that they face. Indeed, implementing social and cultural change can take time, and if too rushed those feeling the change can begin to resent the process and sometimes try to stop it. Such change needs to be carried out at a pace that all feel comfortable with and finding that balance is difficult; challenges can arise. Some of the challenges that the WRLF face include the following.

5.1 Some traditional laws and perceptions still apply

Despite the great improvements in knowledge and in many cases implementation of women's rights including land rights, some traditional laws and perceptions still apply. Inheritance is one problematic area and it is still difficult for men to accept that women and daughters should inherit land and other properties. A key reason for this is the local practice that women tend to move to a village (or at least location) in order to marry. If a woman has inherited land or possessions including livestock prior to marriage, it is difficult for her to take these assets with her because moving them to another village is a loss to the original clan, family or area. As such, it is believed that giving women land is like losing land to their in-laws.

In addition, many men still believe that women should not own land because by owning land women will despise their husbands and their marriages will break down. In addition, women are still not allowed to attend traditional (male) meetings. Further, the WRLFs are still relatively new and many traditional leaders are suspicious of their motives, resulting in some men refusing to permit their wives to attend WLRF meetings.

5.2 Nonparticipation in all land use and management activities

Women's participation in land use and management activities is still a challenge. During an interview with a VLUM, the respondents agreed that there is still a gap in women participating in land management and particularly in rangeland activities. Some highlighted the issues of distance of the land from the homestead, as most of the areas set aside for grazing are far and women are unable to go there; men are the ones responsible for cattle and they are the ones who lead them to the pastures. Furthermore, there are some women who have accepted that it is not their position to own land and therefore choose not to take part in any decision-making processes concerning land since their husbands and male relatives can represent them.

As such, women themselves do not yet feel comfortable with all the changes taking place and are not willing to challenge men aggressively. For example, one person interviewed said:

I think that for a woman to be a village chairperson there must not be any man in the village.

Even those trained have not fully committed to women's equality and their position as leaders. Although there is an improvement in awareness of women's land rights, in leadership roles women are still behind. For example, there was

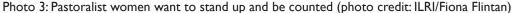
a case of a woman in Sukuro village who was competing with a man for the leadership position in the village and she was discouraged not only by other men but by her in-laws. Such attitudes are deeply rooted in the social norms of the Maasai, both men and women, and will need time to change fully.

5.3 Provision of individual tenure rights in a collective tenure system

A broader issue is that there can be dangers in providing individual tenure rights in a system that was and is still mainly a collective tenure system. During interviews, it was observed that there are differing views on the trends of increasing individual land ownership in pastoral communities with some interviewees and FGD discussants not in favour of this practice, arguing that the distribution of land to individual women may have impacts on their community and the collective land ownership system (Interview W28, W29, W30, W31 Loiborsoit 2018; FGD Loiborsoit 2018). It is believed that by encouraging individual land ownership in their society it will bring challenges to the pastoral livelihood system by reducing available grazing resources and water (increasingly needed for crop farming as livelihoods diversify), and the breakdown of the pastoralist society.

While one cannot resist changes that happen as part of social development and especially the changes that bring positive impacts to local communities such as increased awareness on women's rights, women's land tenure, women's empowerment and economic development, it is also necessary to consider the potential trade-offs of such actions and in some cases the negative impacts that these changes might bring to the society. By encouraging individualization of what had previously been common property resources, this may indeed challenge the collective nature of the society including the management of land and resources, and the implications of this need to be recognized and mitigated. In order to have a win-win outcome, trade-offs existing between communal land ownership and land tenure individualization should be analyzed and effective mechanisms that will benefit both women and men in the short and long-term should be strengthened.

Staff of UCRT and PWC are aware of these challenges, highlighting that they do not encourage individual ownership of land in communal areas. Women need to be aware of the need for communal lands and participate more in their management (Interview Paine Mako 24 May 2018).





5.4 Functionality and implementation of WRLFs

There are challenges that WRLFs face in terms of implementation. Finances are not adequate to support forum meetings and the demand for activities, as one FGD participant said:

We wish to receive more trainings regarding land rights and women's empowerment, but we have limited funds that cannot accommodate all of our needs. —Women FGD Sukuro 2018

Another challenge is the distance from one sub-village to another when conducting forum meetings; some members find it difficult to attend the meetings regularly and as required. Some of the WRLF members claimed that it is costly for persons to attend forum meetings since they must take a boda boda (motorcycle) from their home to a meeting point and back. Saving money in VICOBA has helped some women in this regard. However, the WRLF claimed that the absence of the members in meetings is holding their forums back in terms of progress. Another challenge is that the WRLFs are facing a high rate of illiteracy among Maasai women and they can be easily manipulated into selling their land especially to those that have acquired it already (Women FGD Engaresero 2018). Also, some of the women feel that because they do not know how to read and write they should not attend the WLRF meetings even though they are perfectly capable of contributing (Catherine Losurutia, UCRT gender officer, interviewed on 24 May 24 2018).

5.5 Poor law enforcement

Another challenge that WLRFs face is poor law enforcement. The National Land Act 1999 states clearly that every person has the right to own land, but its implementation is not promising. Some of the governance structures that are responsible for these laws are not well equipped. PWC is working to link these legal structures with the WLRFs, especially the magistrates, in order to assist in building up the capacity of some of the structures to improve law enforcement. Weak implementation of the stated policies coupled with lack of awareness from the public were noted to be a major setback for WRLF achievement (Interview W79, W78 Arusha 2018). Another key challenge was that in some of the village committees only men sit to resolve the disputes even if the law states that there should be women representatives hearing a case for the judgment to be valid; the absence of women is still a big challenge not only in the Maasai community but also in other communities in Tanzania (Interview W75 Arusha 2018). Aiming to reduce these challenges, PWC links the gender desk at the regional office, the office of magistrate and the community development officer in Ngorongoro district with the WRLF to ensure that all legal issues are dealt with effectively and accordingly. Moreover, PWC confirmed that they get full support from the community development officer on gender issues. This linkage is necessary since many cases of matrimonial and inheritance distribution occur and WRLF channels them to these respected offices in the district. Accordingly, involvement of these officials will enhance law enforcement in the participating villages and improve public awareness on women's land rights and gender issues.

5.6 Long, bureaucratic and sometimes corrupted procedures to accessing and owning land

Despite women's legal rights regarding the acquisition of land, they face many challenges in working through the necessary processes in order to secure it, e.g. through the issuing of a CCRO. In fact, this is not something specific to women, and is a problem for all communities seeking to undertake village land use planning and certify their land. Bulky bureaucratic procedures need to be followed in the process and there are often various delays requiring ongoing follow-up. This is time-consuming and costly. Also, sometimes women are not provided with land as the "powers-that-be" say that the husband already has land allocated, so the woman is excluded. In some cases, there is also corruption among some village leaders that makes processes hard to follow, and extra time is needed to circumnavigate or challenge them.

5.7 Influence of "external" factors

The success of WLRFs is also dependent on factors that are "external" to and beyond the control of local communities. For example, there may be changes in government policy and legislation or in administrative procedures that impact land access. There may be land tenure support programs which enhance the performance of the forums compared with the villages with no land related projects, and even here the life of projects and the support they provide can be short-lived. In some villages of Simanjiro, the forums are very strong compared with those in Loliondo where there are no such supporting activities. With population growth, large farms' investments and land grabbing, land access and ownership is a challenge for all pastoralists, not just women. Addressing such challenges is often beyond the scope of local communities, particularly women. Though WLRFs can go some way in building the capacity of pastoral women to address such problems, there is still much work to be done.

6. OPPORTUNITIES FOR WRLFS WITHIN SRMP

As described above, a key objective of this research was to determine opportunities for developing WRLFs in the intervention areas of the SRMP. A key goal of SRMP is to support more equitable access to land and resources, including for women. This study has shown the benefits and successes of WRLFs, which could clearly fill a gap in terms of women's representation and empowerment in the SRMP-supported villages. As has been shown, this would not only be from a rights-based perspective, but also in terms of improving the sustainability of the joint village land use planning and rangeland management that SRMP is supporting.— If women are better included and capable of participating in decision-making and management processes, then these efforts are more likely to be successful and sustainable.

SRMP should investigate opportunities to support WLRFs. Some key areas where WLRF could build capacity would be to improve knowledge on land rights, policy and legislation, as it has been observed that many women in the project area do not have the necessary knowledge on land matters including their rights and/or how to demand such rights. Land has been treated purely as a legal and technical issue, and with the high rate of illiteracy among Maasai women, it becomes more complex and difficult for women to understand the details. More effort should be taken to simplify information such as land laws and regulations to a point where an illiterate Maasai women can understand and be able to converse about them. This would also increase their interest in land issues and will give them confidence to participate in land-related decision-making processes. This might not only help married women but also daughters who are intensely marginalized when it comes to inheritance of land and properties from their families.

Awareness creation or sensitization on the importance of co-titling among spouses can be another area of opportunity for SRMP whereby women's power to negotiate with their husbands and/or the community can be improved. There should also be sensitizing of men including fathers to register land (where individual) under the names of their daughters. Even though in some areas girls might inherit pieces of land from their parents, what they inherit is often smaller than that of their brothers and/or of lower quality.

SRMP works closely with village governance bodies in the land use planning processes, and there is significant room for WRLFs to improve the understanding of these bodies on gender equity. As above, the percentage representation of women in these bodies might be enshrined in law, but they are often not met in reality. These governance bodies can also be change agents and advocates for promoting women's equality with men throughout land planning, access, management and development processes. This should also be in relation to communal land holdings as well as individual ones, and particularly for SRMP to focus on the planning, access, management and development of the shared grazing lands.

As such, it is recommended that SRMP invest in the development of WRLFs within the project's intervention areas, as well as highlight the benefits of such forums more generally through the International Land Coalition National Engagement Platform to which SRMP contributes. SRMP also has a good working relationship with the Ministry of Livestock and the National Land Use Planning Commission, and thus can share the experiences and benefits of WRLFs with them, as well as more widely.

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The Rangelands Initiative of the International Land Coalition (ILC) is a global programme facilitating learning between and providing technical support to different actors who are working to make rangelands more tenure secure. The programme works through ILC members and partners, and ILC commitment-based initiatives in Africa coordinated by RECONCILE (Resource Conflict Institute) Kenya, in Latin America coordinated by FUNDAPAZ (Foundation for Development in Justice and Peace) Argentina, and in Asia coordinated by JASIL Mongolia and MARAG (Maldahari Rural Action Group) India. The global component is lead by a group of core partners—ILRI, UNEP, IFAD, FAO-Pastoralist Knowledge Hub, CIRAD, ICARDA, IUCN, WRI, and the US-based Rangelands Partnership, and coordinated by ILRI.The Rangelands Initiative supports ILC members and partners to develop or influence enabling policy and legislation, and to improve the implementation of policy and legislation in a manner that protects rangelands resources and supports productive and sustainable rangeland use. A key input to this is the joint identification of solutions based on innovation and good practice, through research, knowledge generation, and experience sharing. This series of Research Reports documents and shares some of the experiences, information, and knowledge generated during these processes.





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