

**WOMEN AND LAND RIGHTS: Gain by the Gender Task Force on Land Bill  
(1998 Land Acts) - A Brief Report Prepared by Tanzania Home Economics  
Association (TAHEA)**

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Tanzania is among the Eastern African countries where the land systems delineate women from usufruct rights and benefits from their inputs on land.

In Tanzania, the former land act and customary laws deny women's rights on control and ownership of land. Patriarchy has structurally excluded women from making political demand on land matters as they have no right of inheritance or ownership. Findings have revealed that a woman under traditional norms has no rights to acquire land because of fear of transferring the land to another clan when she gets married.

Also participation of women in land distribution in the rural areas is very low because they are partially involved in formation of land tribunals at the grassroot levels. Even if they are selected, they remain passive. Many women regard land as an issue which they should not get involved in discussing.

51% of women in rural areas are agricultural producers but they do not have control over the benefit of the land. It is the husbands and clan heads who have final say on control over land. Therefore women have been denied their rights to own land.

Another problem has been the inadequate analysis of the gender dimension of changes in land tenure system. In customary land law women have been caught between cultural/traditional restrictions which deny them independent land ownership rights.

Since women lack control over land and depend on male relatives or hire land in order to gain access to land, their work and contribution in agricultural production are invisible. They have to depend on the good will of others to determine rewards for their labour and what protection they get outside marriage.

Fortunately the 1998 Land Act which has been passed by the Parliament has succeeded to address the problem of women and land ownership. The two bills (Land Bill and the Village Land Bill) which give women equality with men in land access, use, ownership and control were passed and approved by the parliament in February 1999 into Land Act.

Before the Bills were passed several amendments were made due to the efforts of Gender Task Force on Land Bill (GTLB) which was formed in early 1997 by Tanzania Home Economics Association (TAHEA) with other six NGOs: Women's Legal Aid Centre (WLAC), National Organization Children welfare and Human relief (NOCHU), Tanzania Gender Network Programme (TGNP), Women Advancement Trust (WAT), Tanzania Women Lawyer's Association (TAWLA) and Tanzania Media Women Association (TAMWA) in collaboration with the Ministry of Community Development Women Affairs and Children. The objectives of GTLB are:-

- To lobby and advocate for a gender progressive Land Bill
- To sensitise Tanzanians on their land rights so that they can participate in debates on their land rights and in demanding for their rights
- To work together in unity for a wider coverage in order to achieve good results.

The task force is a pressure group that had gone to people at the grassroots and parliamentary levels to impart knowledge and create awareness on the importance for women and youth to acquire and use land. The task force had carried out the following activities:-

- Reading and interpreting the drafted Land Bill
- Identifying gender gaps and issues to be advocated for in the Land Bill draft
- To capacity build GTLB members about the gender issues to be advocated for in the Land Bill
- Sensitisation and mobilisation of the community on the land rights
  - (a) Community involvement in the process of gaining a gender sensitive Land Bill
  - (b) Sensitise and lobby Members of Parliament to advocate for gender sensitive Land Bill
- Information sharing and dissemination throughout the whole country on the issues relating to land rights through Television, Newspapers, Role-play, Kangas (national dress), Hats, T-shirts with special messages on land issues, Radio and Drama groups
- Rally to attract people's attention and send out messages
- To have frequent meetings to discuss and plan activities for continuing with the process
- Meet with drafters, lawyers and other officers in the Ministry of Land directly related to the drafting of the Land Bill to lobby and advocate for a gender sensitive Bill
- GTLB and other people to get involved in parliamentary session in Dodoma to push for the passing of the Bill.

The GTLB and other women's organisations involved in the sensitisation, mobilisation, lobbying and advocacy for the consideration of women's interests in the new Land Act, felt proud by the whole process. It is anticipated that there will be no bias as far as land ownership is concerned because the new Land Law is gender responsive.

But customary and religious laws are yet to be tackled because they contradict with the common law and do not take gender into full account.

The Gender Task force on Land Bill has recommended that there should be further sensitisation of all amendments made on Land Act as far as gender is concerned. As a start TAHEA has already held a capacity building workshop to 45 members to promote awareness of gender issues in relation to the new Land Act which was just approved by the members of parliament in early February 1999. At present the GTLB is carrying out an evaluation of the whole process to analyse its success and failures.

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