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IN SONGWE REGION, TANZANIA

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Abstract

Access to land is a crucial factor affecting women's socio-economic status, security, and overall well-being as has increasingly been acknowledged on a global scale in recent years. However, the access and ownership of land by women in sub-Saharan Africa are continually debated, especially in terms of exclusion. The study assessed the extent of women access to customary land titles (CLTs) in Mbozi District, Songwe Region, Tanzania. A cross-sectional research design was used in the study alongside non-probability sampling to purposively select 8 villages. Snowball sampling was used to select 290 women beneficiaries of CLTs in each village for the study. Primary data collection involved a survey questionnaire, in-depth interviews, and focus group discussions. Content analysis was used to assess verbal and written information to get an interpretation of their meaning. The Statistical Package for Social Science (V. 20) was used in the analysis of the quantitative data and summary of the responses into frequencies and percentages. In general, the access of women to CLTs seemed to be on an upward trend in the study areas as acknowledged by 85.6% of the study participants. However, the control of land resources was still dominated by men in most cases. Decision-making by the women of their lands was also on an upward trajectory. Nevertheless, patriarchal domination and customary laws still affected women's access to CLTs. The present findings are relevant for land governance in Tanzania and other parts of SSA because they evoke the voices of the marginalized gender on land ownership matters.

Keywords: Customary land, Women, Tanzania, Customary land titles.

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1. INTRODUCTION

The International Development Agenda focuses on the advancement of women's land rights. This is highlighted in at least two SDG goals and connected to the accomplishment of many others. However, there exists no guidance on how to monitor the progress of land rights, especially in circumstances where individual property rights and customary tenure systems coexist and vast amounts of agricultural land remain unregistered, as in Sub-Saharan Africa (SSA) (Slavchevska et al., 2021). It is important to measure gender inequality in land ownership as it provides for progress assessment in women's economic empowerment, traces the influence of progressive laws on actual practice, and monitors SDG 5 on gender equality. This is related to women's access to land which implies "gaining physical availability to land parcels and making decisions on land and natural resources for use or enjoyment of the rights embedded therein" (Chigbu, 2019). Land tenure governs three fundamental rights of access to land: the ability to use, control, and transfer land. Land tenure involves "how the rights, restrictions, and responsibilities that people have on the land (and property) are held" (Chigbu, 2019).

Globally, owing to land reforms, approximately 1.5 billion people now have access to farmland and are less impoverished (Akinola, 2018). However, in low-income nations, enormous, unproductive land and land inequality persist with more re-emerging (Lipton, 2009). Establishing women's property rights is thus critical to Africa's socio-economic progress as it has many low-income nations (Garvelink, 2012). The United Nations SDG 3, which promotes gender equality and women's empowerment, emphasizes the need to enact laws and policies that eliminate the social-economic and political exclusions of women. Additionally, global non-state entities also continue to fight for gender equality in the land sector. Examples of such entities include the World Bank, the United Nations Food and Agriculture Organization (FAO), and the Convention on the Elimination of all Forms of Discrimination against Women.

Tanzania is among the most underdeveloped countries in the world, where gender disparities regarding land issues is a key problem (Moyo, 2017). The country's land tenure is operated under four systems. Village land rights are collectively owned by villages and might be communal or personalized, as well as registered and certified (Deininger et al., 2007). Customary rights of possession are granted for village land which is controlled by customary laws. These rights are permanent. However, they may be passed down by inheritance or sale, even to individuals who are not native to the community, but with the approval of the village council. General land (including forests, rangelands, and urban and peri-urban regions not protected for public use) and protected land are both granted occupation rights (public use land such as parks and wildlife reserves). They are valid for a duration of up to 99 years. Leasehold is the fourth category. Leasing allows holders of both permitted and customary rights of occupation to transfer their rights. Statutory rules provide men and women equal property ownership rights but fail to protect women from discriminatory customary practices.

Although Tanzania's marriage system is progressive, all marriages must be registered, and all married women are entitled to possess property separately, with the approval of the husband required for transfer. Customary practices, a lack of legal understanding, and societal norms all make it difficult to exercise such rights. Women may lose possession of land if their marriage is annulled (Peterman, 2011). Sharia law has an additional impact on the property rights of one-third of all Muslim women. While land reforms in Tanzania have provided the platform for addressing women's access to land, much remains unknown regarding what extent this has led to improved land access and security for women and communities (Goldman et al., 2016). It is against these disparities that the present study assessed the extent of women's access to CLTs in the Mbozi district in the country's Songwe region. This was important to assess the extent of changes in various aspects concerning women's access to individual or jointly owned CLTs. This was evaluated in terms of the rates of women's access to CTLs, land resources management by women, and their decision-making concerning customary lands. The theoretical framework on the extent of women's access to CLTs is analysed in Section 2 while the research methodology is described in Section 3. Sections 4 and 5 respectively describe the results and discussions and the last section is the conclusion of the study.

2. THEORETICAL REVIEW ON THE EXTENT OF WOMEN'S ACCESS TO CUSTOMARY LAND TITLES

This section presents the study's theoretical frameworks reviewed in an attempt to link theories and the actual practice on the ground concerning the extent of women's access to customary land. In this review, numerous theories such as the sustainable livelihoods framework, institutional theory, the neo-classical theory of land reform, and the constraint-driven theory have been reviewed to guide the study. The theories have been applied in this study in different ways and in their contexts (de Haan, 2016). These theories have been considered useful to capture the pertinent issues affecting the extent of women's access to and ownership of assets for improved well-being among women. While all these theories are generally relevant to this paper, the Institutional theory, Neo-classical theory of land reform, and constraint-driven theories have been selected to guide this paper.

Concerning the institutional theory, this has been included in efforts to better understand how access to and ownership of assets is influenced and complied with by the regulatory framework for sustainable development practices. The theory asserts that authoritative guidelines for behaviour are created and adopted over a given period (Scott, 1995). Kraft and Furlong (2019) contend that the institutional theory is a policy-making mechanism that emphasizes those formal and legal aspects of government directives should be followed or complied with. Viewed in the context of the present study, this theory is ideal as most

of what is happening in the community in Tanzania is regulated, survives, and thrives under the rules, norms, and values of the country.

The Neoclassical Theory of Land Reform argues that although land reform has been used as both strategy and policy to achieve economic development (Zarin & Bujang, 1994), the tendency to exclude other factors like inequality, poverty, and unemployment in economic growth, cannot achieve the best of same. Therefore, economic development needs to include both provision of production opportunities and improving human capacity to exploit the resources to reduce inequality, unemployment, and poverty. In addition, the study has employed the constraint-driven gaps theory. This theory states that women's access to resources is primarily constrained by gender-based barriers that consequently undermine enterprises' development for their well-being. Some barriers that hamper female enterprises' development includes limited access to and assets ownership, difficulties to access financial resources, and information, limitation to mobility, and time limit spent in running enterprises (Idris, 2018). Furthermore, Ravazzini and Chesters (2018) contend that social and cultural norms also constrain female ownership of productive assets, which widens asset ownership and the wealth gap. Collectively, these challenges seriously impede the development of female-owned enterprises (Bardasi et al., 2011). The theory provides valuable insight into how asset ownership affects women's economic development and thus limits women's meaningful economic empowerment. It is generally contented that women are disadvantaged in the acquisition of high-return productive assets and also women are encouraged to undertake household-centered enterprises and low-level technological enterprises because they are risk-averse. Given the above, the highlighted theories are considered useful in examining the factors affecting access to and assets ownership such as land, and their implications on women's well-being for meaningful empowerment resulting from enhanced gender equality in resource allocation.

3. RESEARCH METHODOLOGY

3.1. Research area and Research Design

The study was conducted in Mbozi District in Songwe Region, Tanzania. The district was purposively selected due to its long history of implementing the scheme for the Village Land Act No. 5 of 1999 of Tanzania as a pilot district since 1999 (Fairley, 2013; Pedersen & Haule, 2013). A cross-sectional study design was used in the collection of data at a single point in time (Creswell, 2014). The design was adopted to objectively, accurately, and economically obtain the overall 'picture' of the topical issue under study as it stands at the time of the study.

3.2. Sampling procedure and sample size

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Non-probability sampling procedure was employed to purposively select 8 villages (Ipunga, Igamba, Mbozi, Halungu, Idiwili, Ihanda, Msanyila, Msiya) out of 121 in Mbozi district council based on beneficiaries of certificates of customary right of occupancy projects.

**TABLE 1. THE SAMPLE SIZES FROM DIFFERENT VILLAGES IN MBOZI DISTRICT OF
 TANZANIA FOR THE STUDY**

Village	Number of respondents	
	CLT Beneficiaries	Non-CLT Beneficiaries
Ipunga	17	23
Igamba	32	17
Mbozi	12	16
Halungu	18	24
Idiwili	4	29
Ihana	10	14
Msanyila	9	16
Msiya	43	6
Total	145	145

Source: Researcher, 2020

In each village, a snowball sampling technique was employed to obtain women beneficiaries of CLTs. Based on this sampling method, 290 women respondents from the Mbozi district were selected for the study, 145 being beneficiaries of CLTs and another 145 being non-beneficiaries of CLTs (Table 1) for comparison of accessibility to land ownership among different households in the project area.

3.3. Data Collection

The research collected data using both quantitative and qualitative methodologies. Primary data on the demographic, social, and economic information of the women respondents were collected using structured and open-ended survey questionnaires. Data collection also involved focus group discussions (FDGs) with 3 sets of respondent groups with 6-8 members in only two with and without CLTs project villages making a total of six (6) groups. Such groups were composed of men only, women only, mixed men and women with due consideration of the essential characteristics of being married, unmarried women and men, widows, and separated household heads. The groups provided their views relating to women's access to CLTs, control over land resources, and decision-making. Lastly, primary data collection also involved in-depth key informant interviews with guiding questions to representatives of ministers of responsible ministries, district officials, village executives, ward executive leaders, representatives of non-governmental organizations, and community members.

3.4. Data Analysis

Qualitative data analysis methods were used to analyse the data after the elementary analysis in the field was done. In view of this, content analysis was used to analyse verbal and written information collected from FGDs and in-depth interview with key informants to get an interpretation of their meaning regarding the extent of women's access to customary land titles. The content of the messages is summarized and used to make inferences and conclusions. Quantitative data were analysed using Statistical Package for Social Science (SPSS) software version 20 in which descriptive statistical analysis was performed to summarize responses into frequencies and percentages in cross-tabulations.

4. RESULTS AND DISCUSSIONS

4.1. Demographic characteristics of respondents

The demographic characteristics of the women respondents involved in the study are shown in Figure 1 below.

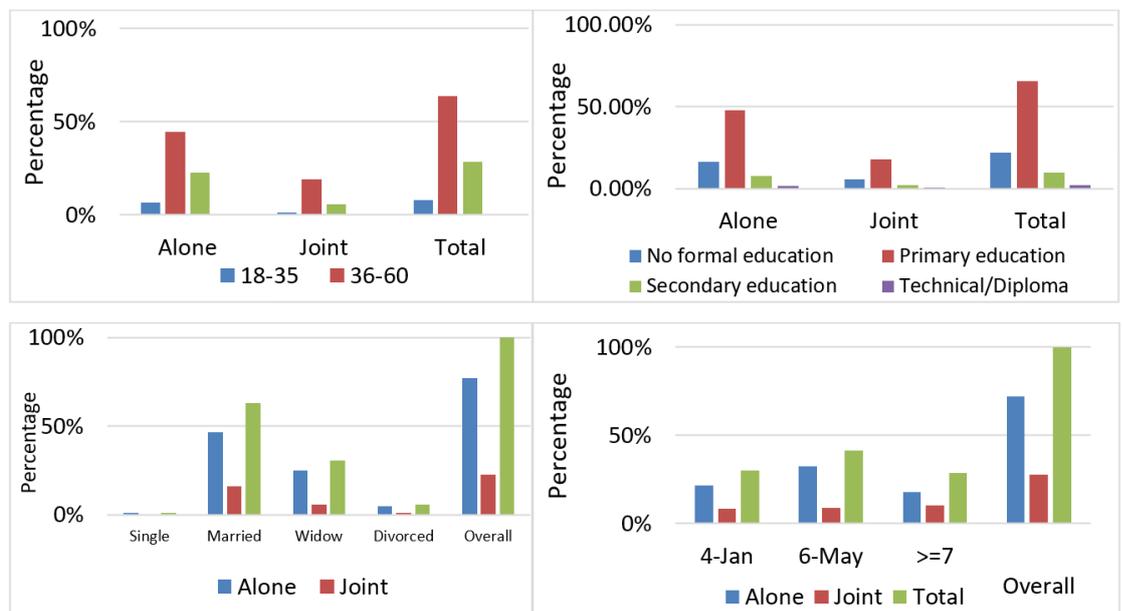


FIGURE 1. DEMOGRAPHIC CHARACTERISTICS OF THE WOMEN RESPONDENTS IN MBOZI DISTRICT

Source: Field Survey

A majority (63%) of the women respondents who had access to CLTs were middle-aged (36-60 years). Although all age categories were covered, very few women (7.8%) who had access to land titles occurred in the lower age group (18 – 35 years). Customary land titles were mostly accessed by married individuals (62.9%), then widows (30.5%). These results may also suggest that families of married women were more knowledgeable on land property ownership. According to Yngstrom (2002), in the African culture, marriage offers safe land access, however, “separated” women may access their lands as long as they stay

unmarried. However, this is an ongoing debate. The study also showed that women who were single and/or divorced had less access to land titles. This may be attributable to the customary laws on land ownership whereby women are dispossessed of marital lands upon separation in several African communities (Tsikata, 2003). Similar results were obtained in another study conducted in Ghana by Kuusaana et al. (2013) where it was established that women who remarry outside their ex-husband's family may have difficulties gaining access to the land of their dead ex-husbands if they fail to find legal methods of claiming the land. The study however showed that respondents of all literacy levels had an access to land titles. These results are similar to those obtained by Moyo (2017) in the Makete district where women's education level seemed to have less influence on their understanding of property rights.

The distribution of CLTs appeared to have fair distribution among the size of households. Neither the women who owned CLTs nor those who didn't dominate in terms of household sizes. This could be an indication that household sizes had no relation whatsoever to women's access to CLTs. Generally, across all demographic variables, the women that attained CLTs as individuals were more (> 70%) than those that had joint ownership. Because of this, individual ownership of CLTs was mostly favored among the women in the study area. This could be because individual CLTs offer a lot of control and use of land by owners. Tanzanian law provides that women can own land individually or jointly with their spouses. Contrastingly, only 26.4% of the land titles were owned jointly. Although previous research by Doss et al. (2014) revealed that like in other developing countries like India and Malawi, it is more common for women to be joint owners than individual owners of land in Tanzania, this is slowly easing as more and more women are now owning land titles singly and independent of their spouses. This contradicts prior studies in Tanzania indicating minimal improvement in women's land ownership individually (Sikira & Kashaigili, 2017). Similarly, an increasing number of feminist activists and scholars are now advocating for individual titling as one important mechanism of securing access for women to land and land rights (Doss et al., 2014; Goldman et al., 2016).

4.2. Rates of access to customary land titles by women

The main objective of this research was to evaluate the scope of women's land access in the Mbozi district, Tanzania. This was first assessed by the rates of access to CLTs in the study region before and after the introduction of customary land ownership rights. The results showed that a majority (80.6%) of the respondents acknowledged increased access to CLTs by women (Table 2). This was mostly realized by those who owned land titles as individuals, corresponding to 62.6% of the respondents. This shows that women who owned lands individually had better chances of accessing the lands as opposed to those with joint ownership. This could be because access to land also confers authority over goods, industrial methods, and land usage (Moyo, 2017). The increased rates of access by women to land can generally be

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attributed to various efforts by the Tanzanian government to establish equal land ownership rights for both women and men. Like other African countries, Tanzania has made efforts to enhance women's rights to property, including land access, for example, through the Tanzania Land Policy that offers equal land rights to women and men.

TABLE 2. RATE OF ACCESSIBILITY TO CUSTOMARY LAND TITLES BY WOMEN IN TANZANIA

Response		Type of CLT Owned		Total
		Alone	Joint	
Increased	N	87	25	112
	%	62.6%	18.0%	80.6%
No change	N	13	7	20
	%	9.4%	5.0%	14.4%
Decreased	N	4	3	7
	%	2.9%	2.2%	5.0%
Total	N	104	35	139
	%	74.8%	25.2%	100%

Source: Field Survey, 2020

Some of the respondents (14.4%), however, reported no changes regarding the access of women to CTLs since the program was introduced in Tanzania. Similarly, some (5%) reported decreased rates of women's access to CTLs, probably owing to the unavailability of information disseminated about the progress of ownership of CTLs by women in the study area.

Typically, the land is the most valuable family asset for agricultural productivity and economic security. Evidence indicates that secure land tenure is strongly linked to higher productivity and investment levels in agriculture, and thus to higher incomes and better economic well-being. In this context, secure land rights for women are commonly associated with better outcomes in terms of greater bargaining abilities at the community and household levels, better child nutrition, and reduced levels of gender violence (Daley and Park, 2013). Land access implies the ability to secure property rights in a variety of ways, including the freedom to use and determine how to utilize land and consume land products such as food, income, and timber (FAO, 2013). The right of women to access land and other resources is essential to safeguard their right to fair and appropriate living standards. These materials promote women's independence and self-sufficiency, provide for their daily family requirements, and equip them to face some of life's toughest obstacles (UN, 2020).

According to Moyo (2017), land access is critical for battling discrimination, and women who lack access to land tend to be underprivileged and powerless economically. Where notable changes have not been observed relative to women's access to customary lands, customary laws may be undermining and discriminating against women as evidenced in this study. Nevertheless, the study also shows that women are gradually getting ownership of CLTs. During the FGDs, one respondent said:

"In previous years, the land was only owned by males but is now being titled jointly, and in most cases, individually for women who hold the rights."

This response shows that the traditions and customary laws are slowly easing and allowing women to own land just like their male counterparts. Similar findings were also established by Bayidenge (2018) in the Busanze district in Rwanda. Tanzania's land reforms during the 1990s introduced major changes to the land system and prescribed equal rights between men and women (Newman, 2011). The 1995 Tanzania National Land Policy became the first major land reform to mandate equal rights for both genders.

Women's access to land is a relevant property rights problem that has attracted significant global attention. Like other developing countries, gender inequalities concerning land accessibility are central problems in Tanzania. Land tenure by women often relies on several factors including their age, marital status, and even the kind of marriage (e.g., civil, religious, or customary). Property ownership by women may also be affected by the gender and age of children, such as when widows are authorized to maintain the land as guardians for their boys but have less claim if they have girls (Doss & Meinzen-Dick, 2020). Therefore, it might be claimed that the present legal regulations regarding women's access to land or customary land ownership by women are insufficient.

The fundamental source of land-access discrimination against women is mainly a result of the deep-rooted gender stereotypes and patriarchy which are widespread in Tanzania and create political, legal, and economic hindrances to the advancement of women. During the FGDs, the Ihanda village chair said:

"Although the Tanzania Land Policy allows both men and women to own customary land, women land-owners are very few due to lack of awareness and patriarchal domination. Traditional practices promote land ownership by sons/men only."

This response demonstrates that despite the provisions for access of women to land in the Tanzania Land Policy, the practices on the ground still limit this right and are fueled by the existing traditional discriminative stereotypes. Despite these deep-rooted traditional setbacks to access by women. According to Moyo (2017), males are opposed to change in certain clans and continue to determine women's unequal property rights via customary law. Nevertheless, significant global efforts have been undertaken to expand women's property rights, including land access. The 1995 Tanzania National Land Policy provides for land ownership by women and impartial dissemination and land by all citizens. Additionally, the policy

recognizes the problems connected with women's land rights and provides a policy framework for bolstering women's land rights. This policy's implementation to the latter can therefore be handy in addressing the gender gaps that still exist in Tanzania concerning accessibility and ownership of customary lands.

4.3. Control over land resources by women

The present study also investigated the extent of access by women to land by assessing their control over land resources before the introduction of CLTs ownership was not noticeable and perhaps low. The results are portrayed in Table 3.

TABLE 3. RATE OF CUSTOMARY LAND CONTROL BY WOMEN IN THE STUDY AREA

Response		Type of CLT Owned		Total
		Alone	Joint	
Increased	N	93	26	119
	%	66.9%	18.7%	85.6%
No change	N	9	6	15
	%	6.5%	4.3%	10.8%
Decreased	N	2	3	5
	%	1.4%	2.2%	3.6%
Total	N	104	35	139
	%	74.8%	25.2%	100%

Source: Field Survey, 2020

A majority (85.6%) of the responses favored an increase in the management of land resources in women-owned titles, particularly for the individually-owned CLTs. This generally shows an upward trend regarding the rates of control of customary lands by women, similar to the recent study by Moyo (2017) in the Makete district of Tanzania. Independent resource management choices are growing in all study villages, probably due to the increase in female-headed households. A majority of those who responded that the rate of customary land control by women had increased were those who owned CLTs alone as opposed to those who owned CLTs jointly with their spouses. Perhaps, these relate to the possibility of being disinherited from those parcels of land upon the death of their spouses. Studies by Fitzgerald (2017) in Manyoni and Singida Districts, Shimwela (2018) in Mbozi District, and Marwa (2015) in Rorya District also established that each formal land registration empowered rural individuals to change land use in their entirety.

A few respondents still reported decreased or unchanged rates of control of customary land by women. Like in most African countries, the land rights of women are entrenched in the land laws and constitutions, this does not present feasible outcomes concerning impartial access and control over land due to

inadequate enforcement and implementation (Odeny, 2013). The study *“Improving access to land and strengthening women's rights in Africa”* by Odeny (2013), acknowledges that though international, regional, and national human rights documents have been championing and advocating for gender equality in property rights, men continue to monopolize access to and control over vital natural resources, particularly land. The inequality in land control and ownership represents the single most critical contributor to the gender gap existing in the economic status and empowerment of women (Agarwal, 1997).

Gender equality in land rights implies that men and women should have equal rights to equal parts of the land and equal chances to access land (Daley & Englert, 2010). Although the law provides for joint property ownership for married people (Doss et al., 2013; Jacobs & Kes, 2015), men may still have full rights, but they must provide land to their families for the cultivation and support of children which have been established in other parts of the world (Lambrecht, 2016; Pradhan, 2018). Therefore, most women may access land for cultivation purposes, nevertheless, they do not influence production, access, or inheritance rights. According to Twyman et al. (2015), even where women own land, they lack control over land usage or the required farming resources. These trends and prejudices must be reversed to advance women's land rights in Tanzania.

Having control over land means having the right to choose how to use it. This includes choices over whether to plant crops or keep them barren, which crops to grow, which inputs to utilize, and harvest time (Kaaria & Osorio, 2018). In SSA, women are generally and strongly differentiated regarding possession and control of land, despite them being the major contributors to agricultural production (Osabuohien et al., 2019). The ownership of CLTs by women can substantially increase the control of land resources by women. Improved control over land by females is normally advanced as a means of increasing agricultural productivity, promoting their bargaining powers, raising their incomes, and generally empowering them in society (Djurfeldt et al., 2018). In this regard, the control of land resources by women should be advocated for by the government and non-governmental organizations to improve the welfare of women. The SDGs identify that to eliminate poverty, it is essential to guarantee equal rights regarding land possession and control, and equal rights to inheritance (Goal 1: Target 1.4). To attain gender equality and empower all girls and women, the SDGs demand legislative changes and policies that provide them equal rights and access to property ownership and management (Goal 5: target 5a). In this context, enhancing women's land rights is a well-recognized objective of the international development agenda as a crucial means of achieving gender equality and reducing poverty.

4.4. Women's decision making before and after access to customary land ownership

Access to land also includes control over land and decision-making over the land. Therefore, the present study also assessed the extent of women's decision-making before and after access to customary land

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ownership. The results revealed that the introduction of joint and individual ownership of land titles by women both enhanced their decision-making rights at the household level (Table 4). This was reported by a majority (85.5%) of the women respondents as they received wide participation in making decision-making rights to manage the land including the plan for planting seasonal crops as well as financial management accrued from farming products. However, it was clearly stated whether that empowerment would have impacted decisions on reproductive health decisions in women individuals and those who jointly owned with spouses. In many African cultures, women's land rights are mostly considered a meager right to use, without the aspect of making decisions over land resources (Sikira & Kashaigili, 2017). Due to cultural and power inequalities between women and men, women are often underrepresented in decision-making about problems involving natural resources such as land.

TABLE 4. DECISION MAKING OF WOMEN BEFORE AND AFTER OWNERSHIP OF CUSTOMARY LAND TITLES

Response		Type of CLT Owned		Total
		Alone	Joint	
Increased	N	93	25	118
	%	67.4%	18.1%	85.5%
No change	N	8	9	17
	%	5.8%	6.5%	12.3%
Decreased	N	3	0	3
	%	2.2%	0.0%	2.2%
Total	N	104	34	138
	%	75.4%	24.6%	100.0%

Source: Field Survey, 2020

Nevertheless, this is slowly changing due to the ownership of CLTs. According to Berhmen (2017), although women's individual or joint land possession is linked to their increased participation in household decision-making, their sole land ownership is associated with increased involvement in reproductive health decision-making while joint land ownership with their husbands may be negatively associated with such involvement. As reported by the Agricultural Extension Officer of Ipunga village aged 34 interviewed on 20/11/2020, CLTs have provided a voice and confidence to women within the households and before fellow women and they tend to become influential at the family level and to the public, including in women's meetings, hence empowerment to them and their families.

Some women reported that the decision-making power of women had decreased or remained the same even regardless of the ownership of CLTs. Such results have also been established in Ecuador where there are gendered views of land ownership and agricultural decision-making in households, relating to gender differences and decision-making over land owned by women (Twyman et al., 2015). Due to cultural

and power inequalities between them and males, women are often underrepresented in land-related decision-making (Alananga, et al., 2019). According to Massay (2017), despite laws guaranteeing them equal participation rights, Tanzanian women often participate less actively in decision-making procedures such as Village Assembly meetings than males. In essence, these organizations are controlled by males who often make decisions affecting the land rights of women. Due to their familial and domestic duties, rural women seldom have the opportunity to attend these gatherings. Even when they attend, chances to make major contributions are uncommon.

According to Daley et al. (2013), Women whose property rights are uncertain or nonexistent have less negotiating power in the home and seldom participate in decision-making. In a publication titled 'The family farms together, the decisions, however, are made by the man' – Djurfeldt et al. (2018) articulate the findings from rural Malawi which also reveal the lack of decision-making by women concerning customary lands is still limited in most African countries. This underlines that even though women have the right to utilize land, they cannot transfer it by sale, rental, or leasing. Women's agricultural choices may be influenced by their land ownership rights. Consequently, this may affect their economic well-being and autonomy (Slavchevska et al., 2021). This is per a study carried out by Slavcheska et al (2016) that pointed out that, in Tanzania, where occupancy rights can be sold, leased, and mortgaged, there is a greater overlap between reported ownership and the right to sell – for 85% of sole male-owned plots and 76% of sole female-owned plots, the identified owners can sell the plots or use them as security to obtain loan facilities. As a result, although the legal structure promises equal transfer rights to men and women, women owners are less likely to enjoy these rights in reality. Furthermore, 68 % of jointly held plots may be sold by both owners, 23% by the male owner alone, and just 1% by the female owner alone. There is not just a gender imbalance in the transfer rights but women joint owners are invulnerable as the men have the right to transfer land without their input.

5. CONCLUSIONS

As nations advance toward gender equality in inheritance laws, it is critical to monitor whether the rules have decreased the gender gap in property ownership or have been inhibited by regressive societal norms. The current research examined the degree of women's access to CLTs in the study area, including rates of access, management of land resources by women, and decision-making before and after access to customary land ownership. The study findings showed that although the rates of women's access to CLTs had increased, the control of land resources was still dominated by men in some instances. Decision-making by women was however established to be on the rise after customary land ownership. The African culture recognizes the property rights of males or men-dominated kinship groupings,

restricting women's capacity to claim, possess, or inherit land. Because these traditions perceive women as incapable of exerting authority over landed property, their social legitimacy is highlighted as a barrier to the achievement of women's property rights.

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