

6 Advancing Women's Position by Recognizing and Strengthening Customary Land Rights: Lessons from Community-Based Land Interventions in Mozambique

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6.1 Introduction

A growing body of research demonstrates the importance of women's ownership of and control over land as a livelihood asset for a range of development outcomes (Quisumbing and Maluccio, 2003; Meinzen-Dick *et al.*, 2019). Previous studies have found consistent associations between women's land rights (WLR) and bargaining and decision-making power on household consumption, spending (for instance on children's education), investment and intergenerational transfers (Federici, 2011; Harari, 2019; Meinzen-Dick *et al.*, 2019). However, in Africa and globally, pervasive gender inequalities exist in the ownership and control of land resources (Doss *et al.*, 2015). These inequalities constrain the potential of development interventions, including those that aim to strengthen women's tenure rights. However, a dearth of data concerning the differential impacts of land reform on women makes it difficult to produce practical recommendations on gender-transformative land governance (de Villiers, 2003; Chigbu, 2020).

This chapter argues that gender-sensitive lessons from recent land programmes and projects are critical to the planning, design and modification

of new and continuing efforts of land programmes, to achieve transformative development outcomes, for both women and men. We propose three important considerations for understanding the opportunities and constraints for gender-sensitivity in land programmes: (i) the context of gendered land tenure and livelihood systems; (ii) the increase in private-sector agricultural investments for economic growth and national development in Africa, and (iii) the actors and methods involved in delivering land and development programmes to rural communities. Using three recent cases from Mozambique, this chapter explores how these factors shape the interaction between development organizations and local communities creates tension between land programmes and private investors, and women's empowerment in the context of their households and communities. The chapter draws on two locally specific tenure projects and one wider national programme, all of which received financial and technical support from the UK's former development agency, the Department for International Development (DfID). Each intervention aimed to secure customary land rights as an important condition for achieving transformative outcomes in agricultural and natural resource-based development.

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Next, we briefly summarize existing literature on gender dimensions of land tenure in Africa and followed by a description of the national land tenure policy and gendered development context in Mozambique. In Section 6.4, we describe the three cases of land tenure interventions in Mozambique. We identify the impacts of land tenure programmes on women's economic and social development options and consider the dynamic interaction with gendered local livelihood contexts and with agricultural investments and development programmes. We then examine the gendered objectives and methods used by programme delivery organizations, and the immediate and potential longer-range outcomes these interventions have had for women, based on practical insights and available project data. Section 6.5 discusses the impacts of these land programmes on development opportunities for women, the local contexts that influences impacts of land programmes, and the key design and management lessons for tenure projects and programmes to generate gender transformative outcomes. A brief conclusion summarizes lessons learned, the opportunities to apply these lessons in future land tenure interventions, and the implications for programme design and implementing partner's organizational strategies in Mozambique and elsewhere in sub-Saharan Africa.

6.2 Women's Tenure Security in Africa

Common conceptualizations in the women's land rights literature categorize use, control and ownership of land as a bundle of land rights (International Food Policy Research Institute, 2013; Johnson *et al.* 2016). Security of land rights is of particular importance in poverty reduction. Yet the evolving gender and land tenure security literature has been conceptualized and analytically framed in multiple, often ill-defined, categories, making comparisons across studies challenging (Arnot *et al.*, 2011; Meinzen-Dick *et al.* 2019). In practice, land rights, statutory or customary, are applied and sanctioned through formal and informal mechanisms, not only described by a bundle of rights, but also involving 'a bundle of powers', of which women

systemically have an inequitable and secondary share (Ribot and Peluso 2003; Chigbu, 2020). While men and women can benefit from land resources without formal or secure land property rights, marginalized groups, such as young widows without children, single mothers, young and non-married men, and migrants frequently face widespread land discrimination and disputes (Holger, 2011). On the other hand, state-level land formalization programmes, for example in Ethiopia and Rwanda, have paid particular attention to ensure that women's names are included in registration documents. However, for formalization of rights to have an impact, a shared understanding among women and men of what formalized rights entail, how these changes can influence on existing local social-cultural practices, and the changes involved is needed (Federici, 2011, Doss *et al.*, 2014, Meinzen-Dick *et al.*, 2019).

Since the 1960s, decades of efforts to formalize land rights have advanced aims of land tenure security unevenly. Since then, proponents of context-informed understanding of land governance have promoted the role of multiple forms of land rights and levels of tenure security in pathways to reduce poverty (Lastarria-Cornhiel, 1997). Statutory acknowledgement of customary land governance and resulting plural legal jurisdiction have highlighted the complexities of implementation and practice of land governance reforms. Policy makers and practitioners are urged to integrate gender-sensitive analysis into the assessment of land governance institutions (Po *et al.*, 2019), and the local power relations that become levers of resource distribution (Daley and Lanz, 2016).

Beyond recognizing the different matrilineal and patrilineal kinship structures that continue to influence contemporary tenure systems, previous research has shown that gender relations had evolved historical and culturally with significant impacts on women's ownership and control of land. For example, Adichie (2018) found that women of the Igbo ethnic group in Nigeria owned property until top-down colonial policies were enacted where male dominance within a conventional Western hierarchy had led to land registration under men's names only. In the eastern part of the continent, Kenyan customary marital practices, such as polygamy (Po and Zipporah, 2016), have continuing impacts

on contemporary, customary access to land. Moreover, women's entry into informal and formal land markets have led to an uptick of land registered and secured in their male children's names (Po and Hickey, 2018).

The growing complexity of land tenure security and policy discourse is further compounded by significant pressures of demographic changes, large-scale agricultural land investments, internal migration, and the presence of development agencies, and private companies. For most subsistence land users and small-scale farmers the time and resource-intensive process of acquiring formal tenure security is out of reach. In the interim, communities adapt to less secure access to land and forest resources through less formal institutional, relational, and structural mechanisms (Ribot and Peluso, 2003). For instance, groups have shown resourcefulness and agency to engage in alternative income-generating activities, participate in training in improved agricultural technologies, sustainable natural resource utilization and management, build entrepreneurial and leadership skills, as illustrated in the case studies in this chapter.

6.3 The Land Tenure and Gender Context in Mozambique

Women in Mozambique are disadvantaged by low levels of education, high maternal health risks, pressure to marry at a young age, limited economic prospects, gender-based violence, and discriminatory cultural norms. Although the 1997 Land Law confirms the constitutional principle that women and men have equal rights to occupy, use, and inherit land, in a predominantly patriarchal system, rights to access land are derived from men and women's position in the family. Throughout southern and central Mozambique, under predominantly patrilineal systems, only men inherit land. In much of northern Mozambique, matrilineal inheritance and matrilocal marriage are practised. Although the transmission of land through the female line affords widows greater security, and daughters greater access, land allocation is largely controlled by male relatives and family heads. Across most of Mozambique, typically men use land to produce for the market and have greater access to the most valuable and

productive land (Raimundo, undated) while women provide 63% of the agricultural workforce, principally responsible for subsistence, family food production (USAID, 2019).

Constitutionally, all land remains the property of the Mozambican state. However, the Mozambican legal framework permits Mozambican nationals to acquire tenure rights through inheritance, peaceful occupation, or customary channels. Under the 1997 Land Law, which has been regarded as one of the most progressive in Africa (Toulmin and Quan, 2000; Tanner and Baleira, 2006; Norfolk and Tanner, 2007), citizens, associations of small-scale producers, and corporate bodies can enjoy a bundle of land tenure rights (use, access, maintenance and benefit) although they are not allowed to buy and sell land. In other respects, these usufruct tenure rights, known by the Portuguese acronym 'DUAT' (*Direito de Uso e Aproveitamento da Terra*), are equivalent to ownership. Community groups can formally register customary land rights or rights established by occupation of ten years or more, and the law states that where land rights have not been formally registered, oral evidence of neighbours and community members can be accepted as legal proof of established land use rights.

Like most postcolonial states, Mozambique relies on a national cadastral system, organized centrally, which in this case is operated at the provincial level. Most formal land administration functions, such as registration of land rights, are carried out by the provincial cadastral services or by urban municipal authorities. However, the cadastral database has been consistently judged not to be fit for purpose and out of date. In practice, it is primarily local community leaders who uphold customary tenure rights, make land allocations to community members, and resolve community disputes according to locally established customary principles. Although the law recognizes in principle the long-established rights of customary land users, the vast proportion of customary rights held individually and collectively remain largely undocumented, and thus vulnerable to dispossession by the state.

The 1997 Land Law was also intended to stimulate economic development partnerships between rural communities and the private sector. Investors seeking to lease land in Mozambique are legally required to conduct and participate in consultations with host and neighbouring communities to

agree on the release of community areas for development, an approach referred to as an 'open borders model' (Norfolk and Tanner, 2007; Quan *et al.*, 2013). Since 2005, Mozambique has experienced a wave of interest in large-scale land acquisition among foreign investors. Between 2005 and 2014, 63 investment projects in Mozambique were identified, totalling over 2.1 million hectares (Schoneveld, 2014), one of the largest areas of land transferred from public and community control into private hands in sub-Saharan Africa. Although the biofuels sector was initially viewed as a main driver of land acquisition (Nhantumbo *et al.*, 2010), biofuel investments have experienced very high failure rates and accounts for only a small proportion of private land allocations. Most investors have focused on grains or horticulture crops (Di Matteo and Schoneveld, 2016), or on the plantation forestry sector, estimated to occupy over 1 million hectares in land concessions, largely in areas otherwise under long-term customary occupation and use. The minerals and extractives sector has also occupied rural land, leading to displacement of customary users and curtailment of existing natural resource dependent livelihoods across significant areas. New public-private spatial development initiatives have further encouraged large-scale acquisition of farmland, together with land allocation for infrastructure development. Several high-profile investments have been implicated in accusations of land grabbing and speculation (Norfolk and Hanlon, 2012; German *et al.*, 2016), with most large private agricultural and forestry investments subsequently failing, amid poor planning and conflicts with local people. Since 2011, contract farming arrangements and support to Mozambican smallholders and producers¹ have received greater policy emphasis however.

The approach of community land delimitation, with associated community development support was promoted and undertaken largely by civil society organizations working in partnership with provincial government, financed by bilateral donors and some international NGOs. The government welcomed this approach as a means of enabling communities to take ownership of development opportunities, and a basis for participation in public-private partnerships. Securing land rights on a collective basis offered a legal and cost-effective basis to protect the *de facto* land rights held by communities and their members,

but provides no guarantees of tenure security for individuals' land rights beyond the rules prevailing in local customary practice. In the absence of systematic land rights mapping and certification of the rights of individuals (Norfolk *et al.*, 2020), it remains extremely difficult and prohibitively expensive for rural Mozambicans to secure official land titles which requires travel to distant provincial capitals, and compliance with a series of bureaucratic steps, in most cases beyond their means.

Prior to 2015, Mozambique's national cadastre included only official DUAT titles that registered individuals, or commercially oriented smallholders, and corporate bodies granted concessions by government or delimited community land holdings. In 2015, *Terra Segura*, a five-year government programme on land security, was launched with the aim to deliver 5 million DUAT titles. In practice, between 2013 and 2019 a series of donor-supported land administration and rural development programmes delivered approximately 375,000 titles to individual households. Information on the numbers of women and female-headed households who have formalized land rights through *Terra Segura* was not available at the time of writing. With World Bank support, the Mozambican government aims to expand household land registration, strengthen land administration capacity, update the National Land Policy, and revise the existing Land Law, and to strengthen the legal and regulatory framework to enable rural communities to contribute to and benefit from natural resource management. Although official policy recognizes rural communities as key actors in managing land use changes, challenges remain to ensure that women are fully engaged in these processes.

6.4 Case studies

Below we present two local tenure projects and a national land initiative in Mozambique, all of which aimed to strengthen existing communities' land rights as a basis for economic development partnerships. The cases highlight the importance of cultural contexts, livelihood diversification opportunities, and methods of engagement by land programme delivery organizations in transforming gender relations.

Community Land Rights and Women Baobab Harvester Clubs in Manica

In the north of Manica province, highly variable rainfall, frequent droughts and seasonally dry savanna woodlands subject the area to uncontrolled fires. Seasonal male migration for temporary work in regional towns or local logging operations was common. Women were traditionally responsible for household food production. Frequent burning, together with uncontrolled logging were increasing pressure on the resource and the primary livelihoods for women. The Micaia Foundation, an NGO working to support community livelihoods and sustainable natural resources management, runs an impactful project in this fundamentally patriarchal region of Manica province in which polygamy is widely practiced, teenage girls are married off at an early age, and men control household decision making. (Kingman, 2018). Women have little access to cash income and are reliant on sales of peanuts and baobab fruits. However, profits from baobab sales were generally marginal due to the low prices paid by traders. Growing demand and profitability of baobab products have raised the importance of women's continued access to and income from baobab, yet this important livelihood avenue for women and their families received little recognition by customary authorities. In recent years, access to the baobab trees, usually in communal areas, is increasingly threatened due to illicit logging, deforestation, and forest fires (Wardell and Fold, 2013; Kingman, 2018).

In response, the project worked to empower women by strengthening their involvement in sustainable trade of baobab products, community decision making, communal land rights, forest management and natural resource planning. Women's baobab harvester clubs were established as a basis for women's in capacity strengthening and participation in land use planning activities. These aimed to protect their access and user rights of baobab in 20 contiguous village land areas. These clubs were then linked to Baobab Products Mozambique or BPM in 2015 to develop new natural resource-based domestic and export value chains. Two lead harvesters from each club were trained in legal procedures required to formalize rights to the resources, basic literacy, numeracy and business skills to manage group sales to BPM, and to train other

group members. Micaia also established a registered baobab harvesters association involving all of the village-base harvester clubs, which holds a 20% share in the BPM business and has a significant voice in natural resource and landscape management in the Zambezi valley region.

Micaia's approach was to work with the traditional hierarchy of male community leaders to facilitate cross-community land use planning that would increase the recognition of baobab's value and safeguard resource for women and the community. Detailed forest inventories, land cover and land use zoning maps were also established to identify the largest areas of baobab forest to be considered as common land, and the occurrence of other potentially marketable plant resources. Rather than registering formal DUAT titles to designated village baobab collection zones, the chiefs opted to follow customary practice by allowing harvester groups access to one another's forests to ensure that groups from neighbouring communities can access baobab trees, in a context of considerable local and seasonal variation in baobab productivity.

The project saw several positive impacts on women and their communities. By eliminating intermediary traders, BPM created a lucrative and inclusive market for local baobab harvesters. BPM sells baobab pulp and seed oil directly to certified organic baobab traders and has developed new urban markets for baobab flour. Since partnering with BPM, women had more reliable income, which doubled their previous revenue. Increased cash income enabled small-scale household investments, school-related expenses, access to healthcare services and food purchases during hunger seasons. Almost half the women surveyed by the project reported that they had achieved greater influence over household and community affairs in an otherwise male-dominated context (Kingman, 2019). An active landscape-wide baobab harvesters' association that is led by and largely comprises women, contributed to broader economic development and sustainable natural resource utilization prospects in the community. Micaia's efforts in bringing male community leaders on-side with the project directly enhanced women's participation in new economic opportunities, control over their resource rights, and leadership capacity in the community.

Strengthening Customary Land Rights in an Investment Zone in Zambezia

In Zambezia Province, northern Mozambique, land is generally passed down the maternal line and matrilineal marriage is generally practised. Women have somewhat greater control over land than in patrilineal, patrilocal contexts. Although women occasionally act as customary community leaders, these roles are generally occupied by men. In the fertile areas, men and women lead semi-subsistence agricultural livelihoods. Settlement and land holding is increasingly fixed, and historical land use practices, for management of grazing and forest land, agricultural land rotation and fallowing practices, are slowly changing. Population growth and increasing small-scale commercial farming and large agricultural investments have increased demands for land.

In this context, ORAM (Associação Rural de Ajuda Mútua), a national civil society organization (CSO) founded in 1992, led a successful land mapping and registration initiative using participatory methods. ORAM's work supports rural communities in land rights registration, sustainable utilization of natural resources, and agricultural projects. With the support from specialized land service provider Terra Firma, ORAM used digital technologies to document village and household parcel boundaries in 20 communities. The data was incorporated into comprehensive map records and utilized to generate land rights certificates for households.

To enhance gender sensitivity of its programmes, ORAM actively recruited male and female outreach officers from the region to ensure that both men and women in the community participated in interpretation of imagery and maps in relation to their land holdings and features they were familiar with. Participants came to an agreement on parcel boundaries and claims, which in turn created a sense of ownership over the process and results. Importantly, land certificates were issued directly to women, recognizing their customary matrilineal inheritance rights, and securing their land tenure. The initiative recognized and protected women's *de facto* rights, often ignored in land titling processes. Notably, 67% of land parcels (approximately 2100 parcels) were registered solely to women, with a further 3% registered as joint

spousal co-titles. Some women co-registered land with their daughters or sisters to ensure that inheritance rights were maintained in the event of death, separation or divorce, as women's family land may be exposed to counterclaims from men (Norfolk *et al.* 2020). Between 2017 and 2019, ORAM supported the mapping and certification of over 66,000 ha of community land and over 10,000 family and individual land parcels.²

In addition, the land delimitation process also acted as a key entry point to establish community land associations. ORAM registered 20 community land associations and organized tailored training for women to strengthen their capacity in local land management. As a result, the women and the communities were better prepared when negotiation took place with a plantation forestry investor who was granted a large-scale concession in Zambezia. The delimitation process revealed that there was little 'unused' community land available for investors, as most of the rural land was legally occupied by families and households, or used for communal sacred forests, schools, and roads. Maps and data were shared with the forestry investor, and ORAM was able to identify overlaps between community members' land claims and areas ceded to the company by chiefs and elders through hasty consultation exercises promoted by the government. This helped to establish a basis for communities to negotiate with the company from a position of strength, as their legitimate customary land rights were thoroughly documented. As a result, the company shifted its approach and promoted out-grower partnerships with individual farmers, including women, as an alternative to establishing large contiguous plantation blocks.

Challenges of Organizational Culture and Scale: Enhancing Gender Strategies in Community Land Delimitation

The Community Land Initiative (*Iniciativa para Terras Comunitárias*, or iTC) was established in 2006 to facilitate community and small-scale farmer participation in land delimitation and demarcation processes as defined by the 1997 Land Law. Until 2019, iTC was funded by a group of donors, led initially by DFID and subsequently the Netherlands. It operated as the principal umbrella programme financing rural tenure

security interventions. Over a 12-year period, iTC mapped and registered the collective land rights of rural communities and producer associations. In addition, it funded and collaborated with local CSOs and private service providers to deliver a wide range of local projects focused on community development, capacity building, legal awareness, and local land use planning. Begun as a pilot programme in three provinces, the Community Land Initiative gradually expanded to eight of Mozambique's ten provinces. In each province iTC funded, organized, and strengthened the operational capacity of local delivery providers, such as ORAM.³

Under pressure from its donors, iTC funded a Gender and Diversity Audit in 2006 to review the status of women's participation and benefits from land delimitation. The audit found a lack of gender expertise and women's participation across iTC, service providers organizations, beneficiaries and government agencies concerning land (Forsythe and Chidiassamba, 2006). The main recommendations from the audit were to mainstream gender-responsive approaches in community engagement activities to address neglected practical gender needs, such as setting the time and location of community-based trainings that is amenable to child-care and domestic work schedules, generally carried out by women and using local languages and female facilitators. Moreover, the audit underscored the need for further integration of quantitative and qualitative gender-relevant indicators into monitoring and evaluation (Forsythe and Chidiassamba, 2006). As a result, iTC developed a Gender and Diversity strategy, which underscored the importance of gender-specific outcomes of community land delimitation and identification of lessons learned, routinely at each end-of-funding-cycle review (Forsythe and Chidiassamba, 2010).

The strategy aims to strengthen women's effective and meaningful participation in iTC activities: secure access to land and resources, training in local land management, strengthen producer organizations, and access to new livelihood opportunities. Gender specialists, hired as consultants, collaborated closely on *mainstreaming* gender into existing iTC community engagement methods and tools⁴ (Forsythe and Chidiassamba, 2010). A cascade training approach was then implemented in 2012 to strengthen capacity among iTC staff and service

providers in implementing the strategy. One problem found with the cascade training was that central coordination by iTC was not sufficiently focused on local or provincial gender contexts. Hence, the capacity to generate gender-sensitive outcomes or to capture gender-specific needs through monitoring was also limited (Forsythe and iTC Gender Working Group, 2013). Moreover, the gender mainstreaming approach was only really applied by iTC management of community land rights delimitation processes, as opposed to more transformative and context-specific gender activities focusing on women's rights (e.g. initiatives on women's empowerment or challenging perceptions and gender norms around land inequality). As a result, iTC was more accepting of recommendations that involved pragmatic measures applicable in all contexts, such as reaching out to women in information and awareness campaigns, using local languages, as women are less likely to speak Portuguese, and recruiting female community facilitators where possible. Like Micaia, sensitizing and working with male community leaders was an important activity to promote women's engagement with the Community Land Initiative.

Despite the lack of commitment to gender transformative efforts in iTC, there were some positive outcomes. Between 2015 and 2019, iTC delivered 1049 community land delimitations and 784 collective DUAT titles to small-scale village-based producer associations. Women's participation in awareness campaigns was found to be higher than 30% and participation in community natural resource committees to be 'improving' (EDG, 2014). A DFID project report (2019) found that across the national programme, women's overall representation in community decision-making bodies was 20%, with a similar percentage (21%) occupying leadership positions.

However, there were notable differences across provinces in relation to male labour migration to South Africa. Gender-related improvements were fragmented and depended on location and service provider. For example, women's position in resource management committees were mainly treasurers, with limited inputs to decision making (Topsøe-Jensen *et al.*, 2017). A DFID review of pre-2014 iTC community land delimitations identified a decrease in women's representation in these bodies (DFID, 2019), indicating a need for more sustainable strategies.

DFID (2019) reported 'some success in overcoming some of the traditional attitudes that limit women's participation', but that there was still a long way to go.

6.5 Discussion

In this section, we highlight the lessons learned from the cases presented, focussing on three principal aspects:

- The interplay of land programmes with local livelihoods, land use and tenure systems, population growth, seasonal and longer-term migration, and the gendered socio-economic and cultural contexts in which these take place.
- The influence of broader agricultural development programmes and land-based investments on the land rights, natural resources, and the opportunities available to women.
- The strategies, approaches, and methods used by organizations engaged in delivering land tenure projects for community engagement, land rights mapping, documentation and formalization, and their effectiveness in engaging women and promoting their interests.

Interplay of Land Interventions with Gendered Livelihoods, Tenure Systems and Cultural Practices

Comparing provinces north of the Zambezi river with the south provinces in our first two cases, we find that customary matrilineal or patrilineal inheritance and land allocation practices remain influential on women's access to land. The cases also show the importance of agroecological contexts in shaping livelihood strategies, for example, leading to out-migration or livelihood diversification. Moreover, the presence of land-based investment projects influences the opportunities or barriers that delivery organizations face to facilitate gender transformative change.

In the northern provinces where ORAM works, there are increasingly fixed agricultural holdings within family lands. While customary

matrilineal inheritance is practised and women's customary land rights readily enabled their formalization processes to secure women's rights cannot be taken for granted. In fact, the case of iTC suggests that women's *de facto* rights are at risk of being undermined in gender-blind land tenure programmes, resulting in greater barriers for women's access to productive resources and sustainable livelihoods. This is particularly the case in high population areas where competition for resources, including with private investors, is considerable.

In the central province of Manica where Micaia operates, land and natural resource uses tend to be more extensive and more variable. Frequent forest burning, together with uncontrolled logging were undermining the integrity of land-based resources. In this context, given the lack of fixed land holdings, the scope to formalize women's rights to agricultural plots as a basis to develop women's agricultural skills and incomes was limited. Instead, on the basis of secure community land rights over baobab collection areas, there were opportunities to promote sustainable baobab harvesting and forest management. Baobab products became a sustainable off-season source of income, directly increasing the level of respect for women in the communities.

In addition, migration trends have influenced women's land rights security, as seen from iTC's work in different parts of the country. In Gaza province, in southern Mozambique, men are the primary land holders in a patrilineal system, and women's access to land is dependent on husbands and male relatives. However, longer-term male migration, mainly to the mines and urban areas of South Africa or to Maputo, has significantly influenced women's land rights. Women have become *de facto* heads of households and market-oriented farmers. In this context, women's land use was vulnerable to encroachment, and women lacked agency in developing agricultural business: for example, there were cases where women had to wait for their husband's permission to participate in activities. In this context, iTC demarcation of specific land areas for use by women-led and female majority farmer's associations provided women with land security and opportunities to make plans for longer term investments in the land.

The Place of Agricultural Development Programmes, Land-Based Investments and Natural Resource-Based Value Chains in Shaping Outcomes for Women

In Mozambique and elsewhere in Africa, agricultural development programmes and land-based investment have emerged as key factors shaping women's land rights and broader development opportunities. While government programmes increasingly target small-scale commercial farmers, usually men, the private sector is now widely engaged in delivery of agricultural production and marketing support alongside government extension agents. In many cases, this assistance is linked to larger-scale private investments in production, processing, infrastructure and value chain development. However, these approaches require that farmers have prior formal access to land, secured by land title or other forms of legally recognized documentation. Targeting well-functioning farmers groups or individual landowners may, however, risk marginalizing more vulnerable groups. For women without documented land rights, this is particularly problematic. Women may be unable to access credit, even where the land is not used as collateral against loans, or to participate in private-sector-led out-grower or contract farming schemes.

Nationally, iTC's approach to securing rights at community level, wherever possible linked to production support and market development, has offered significant opportunities for smallholders, but was only able to respond to women's economic needs by providing collective title to producer associations in which women were active participants. This was a notable feature of iTC's work in Gaza province, which also built capacity for women-led farmer associations to make productive use of irrigable land areas, formerly occupied by large-scale state farms and cooperatives. To spread the benefits more widely, however, women farmers and female-headed households need opportunities to register their own individual land rights, as, for example, facilitated by IFAD in southern Mozambique under the Terra Segura programme, and linked directly to agricultural development support for promising crops and small-scale livestock production.

Where government had decided that private investment should be the principal driver

of economic development, as in the Zambezia case, the use of an independent spatial data platform, as deployed by ORAM for land rights mapping and provision of certificates to land users, offers a practical alternative to recognize both women's and men's customary land rights in the absence of the coverage by official cadastre. However, access to new economic opportunities was largely reliant on support offered by the forestry investor that was also interested in accessing community land for its own purposes. A transformation following the consultations that were hastily arranged by government with unrepresentative and overwhelmingly male groupings of customary leaders, land was handed over for tree-planting without consultation of the actual land users, many of whom were women. Nevertheless, these created widespread demand for land rights documentation by residents. In this context, ORAM's land rights project transformed the situation to one in which the company, anxious to be seen to comply with national law and accepted international principles, was required to negotiate with the legitimate occupiers and users of land parcels, and to engage directly with women counterparts, not only with male community leaders.⁵ The project also enabled women to play a significant role in the community land associations it created, and in anticipated negotiations with the investor, which responded by suspending acquisition of new land and shifting to a less ambitious production strategy which it reframed as investment in a sustainable agroforestry landscape mosaic, based on small-scale woodlots and out-grower contracts. The company also doubled its initial investment of US\$5 million in a development programme including agricultural extension support, improved seeds, income-generating projects and provision of wells and grain stores reaching approximately 6000 families.

For investments like this, to succeed in making good use, good documentation of customary land rights is necessary to enable the people directly affected, including both women and men, to consent to the new developments and allow their participation in new economic opportunities the investment may create. In regions with lower agricultural potential, where commercial investments and public agricultural development programmes are likely to be absent, such as the

north of Manica province where Micaia's project operated, clarification of land and natural resource rights can also support investments in community-based enterprise and livelihood diversification. In this case, where agriculture is subsistence-oriented and women are more reliant on natural resources and off-farm activities for income-generation, Micaia's approach shows how investments in new natural resource-based value chain, such as baobab, can directly benefit women.

Similarly, iTC supported a variety of women-led and mixed associations producing ceramics, handicrafts, honey, cashew nuts or other useful tree products for sale. Such initiatives founded on secure collective rights registered on a village community basis need, however, to be backed by adequate arrangements for land and natural resource use planning, engaging with and influencing traditional resource management practices of male leaders, to ensure that women have clear use and access rights and associated economic opportunities.

Although iTC identified positive outcomes for women from new economic activities like these, linked to community-based land rights formalization, these interventions generally fell short of being transformational. Although iTC projects included assistance to women in producing their own crops or handicrafts, marketing fish or taking up opportunities to produce and market goods traditionally associated with men, such as honey, the organization's *modus operandi* was only to initiate rather than provide sustained support for new local economic initiatives. This meant that the organization felt it could not directly influence gender norms constraining women's independent participation and access to cash returns and benefits, or to ensure that these were fully sustainable and equitable. This contrasts with the more sustained, in-depth and localized approach adopted by Micaia in northern Manica, focused on transforming gender relations, and benefiting from direct collaboration with a commercial business partner working actively to develop new value chains accessible to poor and marginalized women.

Importantly, areas that were particularly restrictive to women's involvement in land-related activities but had positive outcomes for women, particularly in the case of Micaia and iTC in Gaza province, often required separate spaces for

in-depth engagement with women – such as through women's groups, associations, and harvester clubs – within the context of broader community support. Programmatic initiatives can make visible women's contribution to household livelihood and social status to create more secure rights for overall community well-being. In this sense simply confirming women's land rights through a formal registration process alone would not be enough. It is necessary to work directly with women and men to promote their awareness of gender roles and norms, and the importance of strengthening women's basic skills and independent livelihoods.

The Central Role of Organizational Culture and Gender-Sensitive Methodologies in Engaging Women

The methods and approaches used by organizations delivering land tenure projects for community engagement, land rights mapping, documentation and registration also provide important lessons in securing women's land rights. ORAM's approach of using initial delimitation of village land holdings as the entry point for household parcel mapping, identification of the relevant customary leaders, and their involvement in training and awareness sessions facilitated the accurate identification of local land rights, involvement of the relevant community members in mapping exercises, as well as wider community discussions, and the formation of community land associations. In practice, women played active roles in these processes. Furthermore, their use of an independent spatial data platforms and hand-held devices for data collection not only promoted an efficient, low-cost mapping process, but also an inclusive one. A detailed, nuanced picture of everyone's land rights could be built up in the absence of any official government land documentation process. ORAM's achievements in registering existing family or individual land use rights has had a notably positive effect in clarification and recognition of women's *de facto* rights to land in a matrilineal region of Mozambique, which were otherwise at risk due to large-scale government-promoted commercial investment.

Micaia's approach of mapping and documenting dispersed community land areas, as

opposed to household registration, was a practical approach to securing land rights as in a context in which agricultural land use was not fixed. Micaia sought synergies between better environmental stewardship and women's empowerment, targeting women as principal beneficiaries for their baobab initiative. In a strongly patriarchal context, it was important that Micaia worked with the communities as a whole in the first instance, building trust among community members and increasing awareness of different gender roles regarding land and natural resource use. Facilitators then worked with women to discuss their common circumstances, their roles in the baobab trade, and identify their livelihood and well-being needs. The meetings served as the basis to support the development of women's baobab collectors' clubs and fed into Micaia's wider assessment of the gendered character of local livelihoods and natural resource use across the project landscape. Micaia's approach emphasizes raising awareness of gender differences and demonstrating the economic benefits of promoting women's engagement in land and natural resource management to community leaders and the broader community. This involved expanding and improving the conditions and remuneration of women's work and introducing new skills and organization that not only increased women's incomes and autonomy, but also brought benefits for men and the whole community. Whereas if women's independent entitlements to land, natural resources and income opportunities were the primary focus, the project would have likely met greater resistance among men. As an integral part of community land delimitation of village lands, women's clubs were directly engaged in addition to male community elders, in the identification and mapping of wild produce collection areas. The engagement with the male-dominated hierarchical authority structure to facilitate the full acceptance by the community of the women's baobab business and value chain development work.

In contrast, as a national programme, iTC's facilitated incorporated standardized tools to facilitate community discussions on gender roles and issues. However, service providers lack capacity in understanding how to use that information to design context-specific and tailored solutions to inequalities and monitor progress. This type of capacity needs to develop over the

long term, and although the cascade training approach was designed to provide this, iTC lacked capacity to provide direct support or supervision of training conducted at project and community levels. iTC's relatively short-term engagements with local community land formalization projects also constrained continuity and further development of income generating activities. The programme's national scope and centralized planning limited its ability to understand and address deeply entrenched but location-specific gender discriminatory norms and practices. This was compounded by low representation of women and gender expertise within iTC itself and service provider organizations. More importantly, a generalized cultural resistance within a male-dominated organization contributed to views that women were difficult to support and gender norms were too strong to change. Taken together, the cases demonstrated that it requires intensive, long-term engagement with an explicit management objectives and sufficient dedicated field capacity to apply gender sensitive methods at the field level to achieve more transformative outcomes for women.

Furthermore, the extent to which women's participation was meaningful or active is also difficult to discern from the available project data due to constraints in obtaining consistent monitoring data (Topsoe-Jensen *et al.*, 2017). This was a struggle for iTC service providers to evidence. Often service providers would base the number of beneficiaries on community or association population figures, which was not reflective of meaningful engagement. iTC was overly focused on quantitative targets around women's participation, partly driven by donor-set requirements. In turn, the monitoring and evaluation process neglected qualitative measures on how women worked to challenge their status during the iTC community land delimitation interventions.

Despite the significant potential of iTC and its gender strategy which was also formally adopted by the national government in 2018, in practice its principles were diluted leading to limited impact. Underlying this is a political culture within iTC and the land sector, which resist the perceived 'feminization' of what had previously been a very masculine domain. There is a tendency to dismiss the emphasis placed on gender as a westernization of African culture. This issue aside, the two local cases of land projects

by ORAM and Micaia, which took place in the same overall Mozambican sociopolitical context suggest that the principal success factors are the capacity to apply locally devised approaches, suitable gender expertise, sustained engagement to understand and influence gender dynamics. As a result, explicit commitments to address gender in these ways are required to achieve more transformational outcomes.

6.6 Conclusion

The interplay of local gender dynamics, demographic change and commercial land investments with land tenure programmes have significant implications for gender and socially and economically related outcomes. In this chapter we have sought to demonstrate three important dimensions that are essential for a gender-responsive impact in land tenure projects and programmes: first, the local livelihoods and customary tenure context, gender relations and migratory dynamics; second, the locally specific gendered impacts of agricultural development programmes and land-based investments; third, and perhaps most importantly, the organizational culture of implementing agencies and the technical approaches used. Together, these interrelated factors are relevant to the development of higher level and operational guidance to improve gender equity in development practice.

Using the three Mozambican cases of land tenure interventions, this chapter illustrates the importance of systematic engagement with both women and men in local communities, and with community leaders in gaining a fuller acceptance of land interventions and fuller understanding of local gendered dynamics. While each case represents a unique combination of existing evolving local context and livelihood practices within distinctive agroecological and development landscapes, they have common features relevant to the broader rural African context. These specific cases also illustrate some key differences between women's positions, rights and opportunities in terms of land access, ownership and decision making, which are at risk in both matrilineal and patrilineal cultural contexts. As a result, it becomes important both to confirm women's *de facto* rights where these are socially

recognized, and to clarify and strengthen women's rights and roles in areas where these have traditionally been weaker and dependent on the consent of male relatives or customary leaders.

However, while understanding and responding to the differences between customary practice in matrilineal and patrilineal systems is pertinent, other factors, including increasing population and commercial land use pressures, wider gender power relations in society, gender-blind government policies, and the roles of new actors, including private business and development agencies, tend to have an overriding influence on the realization of women's land rights in rural communities. Attention to women's positions and options, the use of gender-responsive methods to identify gender needs, as well as working with men and male customary leaders is critical to programme success. Strengthening community organizations and making effective links between women's newly clarified land and resource rights, their participation in value chains and the wider economy were found to be necessary and effective for bolstering women's land rights and for women's social and economic empowerment. In addition, the cases illustrate the need to combine expertise on land and gender with capacity to engage with private-sector actors to secure a positive place for women in dynamic investment context.

Although the rationale for linking approaches of securing land rights, conceptually strengthening arrangements for effective land and natural resource governance, and commitment to transformative gender outcomes is clear, this remains challenging to achieve in practice. Poor gender balance and weak incorporation of gender-responsive methods in the staffing of implementing organizations, and general cultural resistance against a perceived feminization of the programme, as found in ITC's operations, proved to be significant constraints. Programme funding, design and delivery modalities employed by donors and development agencies need to prioritize the strengthening of local skills and capacity to engage with complex, diverse and invariably gendered development processes. If this can be done successfully, land programmes can strengthen tenure security, strengthen women's agency in governance and build their participation in new economic projects in multiple and diverse locations.

Effective monitoring of the quality of local outcomes and the ability to learn and design iteratively from longer-term engagements with rural communities are fundamental to scale-out gender transformative outcomes. While there are significant lessons from these cases for the design and delivery of continuing land tenure

programmes in Mozambique itself, designing land tenure interventions to create the capacity for context-specific understanding of and engagement with gendered tenure and diversified livelihood systems can provide a way forward for greater transformative change for women's land rights in other African countries.

Endnotes

¹ A Strategic Plan for Development of the Agrarian Sector (PEDSA) targeted a core group of up to 800,000 dynamic small/medium farmers with larger than average land holdings secured mainly on a customary basis.

² Although the project was not able to register formal title to each land parcel which requires incorporation in the national cadastre, the data can potentially be used to issue formal DUAT titles by the state. Meanwhile the process of land registration and certification provides individual community members with a first level documentary proof of land rights that has legal force under the 1997 Land Law.

³ When donor funding ended in 2019, iTC sought to establish itself as an independent national foundation that could work in partnership with the private sector and started to integrate individual household level and community-based land registration and titling.

⁴ Gender and diversity learning tools on gender analysis and develop gender-friendly economic-development projects; baseline, monitoring and reporting tools to capture qualitative and quantitative data on gender and diversity indicators; revisions to key iTC operational documents, including the operations manual, social preparation guidelines, proposal evaluation, staff job descriptions, and development of the iTC project monitoring database.

⁵ The Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT) and associated Responsible Agricultural Investment (RAI) principles require identification of a consultation with all legitimate local land holders affected and adoption of a gender-sensitive approach to land governance.

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