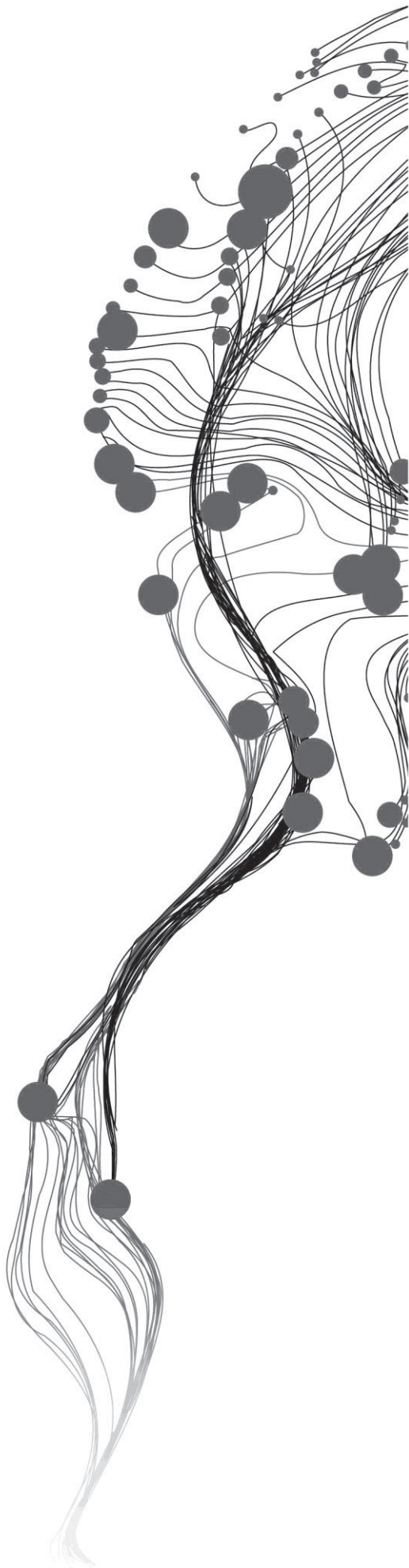


**ASSESSMENT OF GENDER  
EQUITY IN LAND ACQUISITION  
AND THE ROLE OF LOCAL  
GOVERNMENT IN RURAL LAND  
REFORM IN MALAWI**

ARNOLD OKENES THUMBA  
Enschede, the Netherlands,  
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ARNOLD OKENES THUMBA  
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ITC SUPERVISORS:  
Prof. Ir. Paul van der Molen  
Ir. E.M.C. Groenendijk

THESIS ASSESSMENT BOARD:  
Prof. Dr. J.A. Zevenbergen (Chair)  
Prof. Mr. J. de Jong (External examiner, Delft University of Technology)  
Ir. Walter T. De Vries (Observer)

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# ABSTRACT

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Gender issues are an integral part of the overall national development agenda. According (USAID, 2008) to gender inequalities in accessing productive resources, development opportunities and decision making affects economic growth and development of a country. The Gender Development Index for Malawi of 0.374 indicates that large disparities between men and women exist. Women who constitute about 51 percent of the population are marginalized in social and economic spheres such that they are unable to effectively contribute to social, economic and political development of Malawi.

Owing to this, gender equity has achieved respectability as a high-level constitutional or policy commitment in Malawi. Yet concerns remain at the persistent gap between high-level commitments and their translation into policy interventions that actually reach women on the ground. While the commitment to gender equity as a worthy policy goal is formally present in land reform policy document, this principle is not prioritized as a policy objective, nor has serious attention been paid to how to carry through these commitments in practice.

The aim of this research therefore is to assess gender equity in land acquisition by women and the role of local government in rural land reform program in Malawi. More focus is the in identification of reasons or factors hampering the participation of women with regard to land acquisition access and use of spatial information in rural land reform. The study is based on a case study approach. A combination of qualitative and quantitative methods which included interviews, direct observation, focus group discussion and documents were used to collect both primary and secondary data.

The study reveals that the proportion of the female beneficiary households is lower than the national percentage of female-headed households estimated at 31%. Thus, female-headed households are under-represented among the resettled beneficiary groups. This is attributed to several factors which affects women participation in the program. The main factors being fear of settling on unknown land far from family members and ancestors, anticipated heavy workloads, negative rumours about the program and fear of losing control of the current land.

**Key words:** *Gender equity, Community-based rural land reform, land acquisition, spatial information*

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---

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# TABLE OF CONTENTS

---

Abstract.....	ii
Acknowledgement.....	iii
List of tables.....	viii
List of figures.....	ix
Abbreviations.....	x
1. INTRODUCTION.....	1
1.1. General introduction.....	1
1.1.1. Community based Rural Land Development program (CBRLDP).....	2
1.2. Background.....	2
1.3. Problem description.....	3
1.4. Research justification.....	4
1.5. Research objectives.....	4
1.5.1. Main Objective.....	4
1.5.2. Sub Objectives.....	4
1.5.3. Research questions.....	4
1.5.4. Hypothesis.....	5
1.6. Conceptual Framework.....	5
1.7. Methodology.....	6
1.7.1. Documents.....	7
1.7.2. Field work.....	7
1.7.3. Research matrix.....	7
1.8. Organisation of study.....	8
1.8.1. Data analysis.....	9
1.9. Thesis Structure.....	9
2. GENDER EQUITY IN LAND REFORM.....	11
2.1. Introduction.....	11
2.2. Market-assited Land Reform.....	11
2.3. Gender equity in land reform.....	12
2.4. Importance of women’s right to land.....	12
2.5. Women and land in customary system.....	13
2.6. Women’s access to land in customary systems.....	14
2.7. Customaty systems to formal system.....	15
2.8. Participation of women in development.....	16
2.9. Spatial information and land reform.....	16
2.10. Role of spatial information in land reform.....	16
3. LAND REFORM IN MALAWI.....	17
3.1. History of land reform in Malawi.....	17
3.2. Access to land in Malawi.....	17
3.3. Land Tenure security.....	18
3.4. Land rights and gender differences in Malawi.....	18
3.5. Poverty and Land reform.....	19
3.6. Community Based Rural Land Development Program in Malawi.....	19
3.6.1. Capture by the elite.....	20
4. DATA COLLECTION.....	21
4.1. Overview.....	21
4.2. Study areas.....	21
4.3. Interviews.....	22
4.3.1. Interviews with women beneficiaries.....	22

4.3.2. Key informants interviews.....	23
4.3.3. Interviews with Local Government officers .....	23
4.3.4. Interviews with Community Oversight Committee members .....	24
4.4. Focus Group Discussion (FGD).....	24
4.5. Documents and Maps.....	25
4.6. Field/ direct observation.....	25
4.7. Sampling.....	25
4.8. Problems encountered.....	26
4.9. Data processing.....	26
5. FINDINGS AND ANALYSIS OF DATA .....	27
5.1. Socioeconomic characteristics of women beneficiaries.....	27
5.1.1. Age of women beneficiaries .....	27
5.1.2. Marital status of women beneficiaries .....	27
5.1.3. Marriage/inheritance systems .....	27
5.1.4. Education level of women beneficiaries .....	28
5.2. Participation of women beneficiaries in the land acquisition process .....	28
5.2.1. Source of information about the program .....	28
5.2.2. Access and understanding of individual expression of interest forms .....	29
5.2.3. Understanding and clarity of Group expression of interest forms .....	29
5.2.4. Women perception on criteria of selecting beneficiaries .....	30
5.2.5. Formation of Beneficiary Group .....	30
5.2.6. Women perception on how members of the COC/PMCs were selected.....	31
5.2.7. Awareness of the functions of COC/PMC .....	31
5.2.8. Benefits of the project.....	32
5.2.9. Women beneficiaries perception on reasons for other women not joining the program.....	33
5.2.10. Problems faced by relocated women beneficiaries .....	34
5.2.11. Suggestions for improving women participation in the program .....	35
5.3. Women beneficiaries and spatial information .....	35
5.3.1. Spatial information requirements .....	35
5.3.2. Use of spatial information by women .....	36
5.3.3. Women beneficiaries participation in drawing the village sketch land use plan .....	36
5.3.4. Land parcel sub-divisions and sharing .....	38
5.3.5. Education and use of spatial information by women.....	38
5.3.6. Factors affecting the use of spatial information by women .....	39
5.3.7. Distribution of women beneficiaries .....	39
5.3.8. Spatial distribution of women beneficiaries .....	40
5.4. Land acquisition process .....	41
5.4.1. Mobilization of beneficiaries and arousal of interest.....	42
5.4.2. Vetting of individual expression of interest forms and forming of Beneficiary Groups .....	43
5.4.3. Endorsing the COCs and beneficiaries.....	43
5.4.4. Training of COCs and PMCs .....	43
5.4.5. Verifying eligibility of Beneficiary groups.....	43
5.4.6. Identifying farms and negotiating price .....	43
5.4.7. Appraising and approving sub-committees.....	44
5.4.8. Settling and developing farms.....	44
5.5. Role of local Government .....	44
5.5.1. Interviews with District Assembly's officers.....	45
5.5.2. Interviews with Physical Planning officers .....	46
5.5.3. Interviews with Survey office officers .....	47
6. DISCUSSION AND CONCLUSSION .....	49
6.1. Discussion.....	49

6.1.1. Discussion on participation of women .....	49
6.1.2. Discussion on the access and use of spatial information by women.....	51
6.1.3. Discussion on role of local government .....	52
6.2. Conclusion .....	52
6.2.1. Hypothesis testing.....	53
6.2.2. Objective 1: To identify the major factors limiting the participation of women in the land acquisition process.....	53
6.2.3. Objective 2: To assess the use and accessibility of spatial information by women in the rural land reform program.....	53
6.2.4. Objective 3: To describe the land acquisition processes and the role of local government.....	54
6.2.5. Recommendations .....	55
LIST OF REFERENCE.....	57
Annexes.....	60
Annex A: List of respondents .....	60
Annex B: Documents/Photographs of field work.....	61
Annex C: Interview questions .....	62
Annex D: Application forms ( <i>Source: Project Implementation manual</i> ).....	65



## LIST OF TABLES

Table 1: Research questions.....	5
Table 2: Research matrix.....	8
Table 3: Sample distribution of beneficiary groups interviewed.....	25
Table 4: Sample distribution of Government officers interviewed.....	26
Table 5: Ages of women beneficiaries .....	27
Table 6: Marital status of women beneficiaries .....	27
Table 7: Marriage/inheritance systems of women beneficiaries.....	28
Table 8: Access to Individual expression of interest forms by women beneficiaries.....	29
Table 9: Completion of Individual expression of interest forms by women beneficiaries .....	29
Table 10: Understanding and clarity of Group expression of interest forms by women beneficiaries.....	30
Table 11: Women beneficiaries' perception on criteria for selecting beneficiaries.....	30
Table 12: Women perception on how members of COC were selected.....	31
Table 13: Awareness of the functions of COC by women beneficiaries .....	31
Table 14: Benefits accrued from participation in the program.....	32
Table 15: Opinion by women and COC/PMC members on equal access of land .....	33
Table 16: Women perception on reasons for other women not joining the program.....	33
Table 17: Problems faced by relocated women beneficiaries.....	34
Table 18: Women beneficiaries' suggestions on ways of improving participation of women in the program .....	35
Table 19: Level of satisfaction with the role of local government .....	36
Table 20: Use of spatial information by women .....	36
Table 21: Participation of women in drawing land use sketch plan.....	37
Table 22: Participation of women in subdivision of land.....	38
Table 23: Perception of women on fairness in land subdivisions and sharing .....	38
Table 24: Distribution of female-headed beneficiary families (Source District Assembly's offices, Mangochi & Machinga).....	39

## LIST OF FIGURES

Figure 1: Conceptual Framework.....	6
Figure 2: Research process.....	9
Figure 3: Map of Malawi showing CBRLDP areas (Department of Survey).....	22
Figure 4: Interview with women beneficiaries.....	23
Figure 5: The Researcher with a Government Officer displaying some topographic map sheets.....	24
Figure 6: The Researcher interviewing the Chairman of COC.....	24
Figure 7: Bar graph showing education levels of women beneficiaries.....	28
Figure 8: Pie chart showing source of information about the program by women beneficiaries.....	29
Figure 9: Pie chart showing women beneficiaries' perception on Beneficiary group formation.....	31
Figure 10: Functions of COC/PMC.....	32
Figure 11: A woman beneficiary in front of her house and her piece of land (Source: CBRLDP office) ...	33
Figure 12: Opening of new farming land in Traditional Authority Mponda in Mangochi District.....	34
Figure 13: Pie chart showing accessibility to spatial information.....	35
Figure 14: Steps in preparing Beneficiary Group Land use plan.....	37
Figure 15: Bar graph showing education level of women beneficiaries and use of spatial information.....	38
Figure 16: Factors affecting the use of spatial information by women.....	39
Figure 17: Map of Machinga District showing spatial distribution of female-headed households in land relocated areas.....	40
Figure 18: Use case diagram showing actors involved in land acquisition.....	41
Figure 19: Activity diagram depicting land acquisition process.....	42
Figure 20: Sensitisation meeting (Source: CBRLDP office).....	45
Figure 21: Land use map of an estate prepared by Physical planning department (Source: Physical planning offices).....	46
Figure 22: Deed plan for a surveyed estate in Mangochi District (Source: Surveys office).....	48

## ABBREVIATIONS

BG	: Beneficiary Group
CBRLDP	: Community Based Rural Land Development Program
COC	: Community Oversight Committee
DC	: District Commissioner
FGD	: Focus Group Discussion
GOM	: Government of Malawi
LAFD	: Land Acquisition and Farm Development
MASAF	: Malawi Social Action Fund
NGO	: Non-Governmental Organization
NSO	: National Statistics Offices
PMC	: Program Management Committee
PMU	: Program Management Unit

# 1. INTRODUCTION

## 1.1. General introduction

Land reform is a broad term that can have different meanings. Land reform between 1910 and 1970 put emphasis on land redistribution while from the 1980s on; the concern is more on land tenure reform. Land redistribution (Manji, 2006) is defined as the transferring of larger operational holding to those with little or no land while land tenure reform as reforming the terms on which an operational holding is controlled and worked and is attentive to those aspects of tenure which are thought to affect incentives, investments and efficiency.

Proponents of land tenure reforms argue that formal titling and lightly regulated market for land increases the efficiency of land distribution and boosts agrarian productivity. They argue that (de Soto, 2003) the recognition of property rights will reduce poverty and boost capital accumulation in developing countries. With formal titles in hand, the poor will be able to mortgage their property and thereby unlocking their hidden capital assets. Economic benefits are expected to follow from proper recording of private property rights through allocative effects, resulting in more efficient use of land and dynamic effects, resulting in land conservation and improvements (Toulmin & Quan, 2000). However, according to (Toulmin & Quan, 2000) in countries where distribution of land still is extremely unequal and inefficient (often because of power relationships and market distortions), the market alone will not solve this and consequence a land redistribution process, justified by productive efficient and social impact. A more equal pattern of land distribution remains important to promote both more equitable and possibly higher rates of growth, and improved security to land users operating under different forms of tenure; however, comprehensive country wide reforms may not bring the best results, a range of other options needs consideration such as recognition of customary rights into the legislative framework and their registration (Toulmin & Quan, 2000).

Theoretical reasons and empirical evidence suggest that (Deininger, 1999) land reform can provide gender equity and efficiency benefits. A large body of research has demonstrated the existence of a robustly negative relation between farm size and productivity. This suggests that redistribution of land can increase productivity. By enabling the poor to undertake indivisible productive investments measures to improve the distribution of assets could lead to higher aggregate growth, consequently improving both gender equity and efficiency. This apparent potential notwithstanding actual experience with land reform has in many instances fallen short of expectations. Despite-or because of this , land reform remains a hotly debated issue in a number of countries ( e.g. Zimbabwe, Malawi, South Africa, El Salvador, Brazil, Colombia) A mechanism to provide an efficiently –and gender equity enhancing redistribution of assets that would increase overall investment at cost that is comparable to other types of government interventions would be very desirable (Deininger, 1999).

The limits of state-led land reform suggest the need to look for alternatives. One potential alternative emerges from contemporary programs that recognizes the significance of community in process of land reform (Sikor & Muller, 2009). Over the past decades, several reform programs have been implemented with the aims of enhancing farmer productivity, augmenting the assets of the poor, and improving land gender equity, thus alleviating poverty and reducing the potential for social unrest. One such model (Datar, Del Carpio, & Hoffmann, 2009) involves voluntary market-based redistribution of land from larger estates to smallholders, and has been implemented in Malawi, Zimbabwe, South Africa, Brazil, Japan, Taiwan, China, Bangladesh and several former Soviet bloc countries. Market-based reforms have received

significant criticism (Datar et al., 2009) for not truly benefitting those who are most in need, and instead benefitting those with relatively more political power and means to take advantage of the program.

### **1.1.1. Community based Rural Land Development program (CBRLDP)**

An example of a voluntary market-based land redistribution program is the Community Based Rural Land Development Program (CBRLDP) in Malawi. This innovative program is a community-based and voluntary approach to land acquisition in rural Malawi. The two primary components of the program (Datar et al., 2009) are the provision of land and farm development grants to groups of landless or land-poor households. The land provision includes a group-level title, and as part of the farm development component, farmers are offered extension services and assistance managing group-level grants.

The program is being implemented in five districts in the Southern region of the country characterized by overpopulation and shortages of land namely: Mulanje, Thyolo, Machinga, Balaka and Mangochi and one district in the central region, Ntcheu. Mulanje and Thyolo in particular face extreme levels of land inequality. Large tea and coffee estates (Datar et al., 2009) occupy vast tracts of the best arable land, leaving substandard quality land for subsistence farmers. Machinga and Mangochi face the same issues to a lesser extent due to the presence of coffee and tobacco estates. Many of these leasehold tobacco estates are enthusiastic to sell unproductive land in light of the decline of global tobacco prices over the last decade. In contrast, few landowners in Thyolo or Mulanje are willing to sell to their land to CBRLDP. Thus, beneficiaries are being relocated from all four districts to former estates in Mangochi and Machinga.

The Ministry of Lands and Housing (Datar et al., 2009), working through District Assembly offices (local government) in each participating district, conducts sensitization campaign to inform potential beneficiaries about the program. Interested households register with local traditional authorities and are asked to form Beneficiary Groups (BGs) of 10 to 35 households. Village authorities, group leaders and program personnel at the district level verify the eligibility of prospective beneficiaries. Beneficiary groups, with the assistance of District Assembly officers take the lead in the land identification and acquisition process.

The process of land acquisition (Datar et al., 2009) is organized by program officials from Mangochi, Balaka, Ntcheu and Machinga, who contact local estate owners and create a database of owners willing to sell. Groups from Thyolo and Mulanje rely upon the program database to identify potential land and send group leaders to evaluate prospective estates on behalf of the group.

Once the land has been identified (Datar et al., 2009), the BGs enter into negotiation directly with the owner of the estate to agree on a price, and a binding provisional sale agreement is signed by all parties. The field appraisal team work to ensure that the land is suitable on a variety of dimensions that could affect future outcomes (for example: agriculture, environment, social welfare, and so forth).

Each beneficiary household receives approximately two hectares of land (World Bank, 2004), a cash grant held in a group bank account, and title to their land through a group-level title deed. The total amount per household is \$1050, from which 30 per cent is spent on the purchase of land, 8 per cent is given as a relocation allowance prior to resettlement, and the rest of the money is supposed to be applied toward farm development.

## **1.2. Background**

Malawi, (World Bank, 2004) a landlocked country with a current estimated population of 11 million and an average population growth rate of 3.3% per year, is significantly dependent on agriculture. Agriculture contributes about 36 % to GDP, employs 85% of the work force, and contributes 90% of foreign

exchange earnings. Total cultivated area in the past five years has been on average about 2.7 million hectares. About 84 % of agricultural value-added comes from about 1.8 million smallholders farmers who on average own 1 hectares of land. Land pressures are particularly severe in the south of Malawi (where average holdings can be as low as 0.1 hectares) and much less in the North and Centre, where average holdings are 10-15 hectares and 5-10 hectares, respectively. About 1.1 million hectares of land is held in some 30,000 estates, with an average size of landholding ranging between 10 to 500 hectares (World Bank, 2004). The current patterns of land distribution can be attributed to the postcolonial land policies which instead of addressing the iniquities and injustices of the colonial era simply reinforced them (Chinsinga, 2011). In an effort to start addressing access to land the Government of Malawi is piloting a market-assisted, community-driven land transfer program to land-deprived small scale farmers.

### 1.3. Problem description

Gender equity is one of the fundamental footings of sustainable development (Simon, 1987). Gender equity is viewed as fairness of outcomes both now and in future with respect to who benefits or is included in the process of decision-making for program (male or female). There are three elements of gender equity in this context: access, outcome and participation (Brown & Corbera, 2003).

Worldwide, women own only 1–2% of land (Walker, 2002). Most women are active farmers and depend on agriculture. Yet most women remain dependent on the existence and goodwill of male relatives for access to land. In recent years, this gender gap in land access has received attention from development practitioners and activists. In the international arena, the Food and Agriculture Organization of the United Nations, the Convention on the Elimination of Discrimination Against Women, and the UN Human Rights Commission have all called for equal treatment for women and men in access to land and agrarian reform (Keera, 2007). Multilateral and bilateral development agencies, including the World Bank, the Australian Agency for International Development, and Britain's Department for International Development, have also noted the importance of women's land rights. These institutions address women's land rights because they are seen as a tool to promote development. Like other women's issues, such as girls' education, women's land rights are put forth as a way to realize human rights, increase economic efficiency and productivity, empower women, and promote welfare and well-being (Keera, 2007).

Gender issues, (USAID, 2008) are an integral part of the overall national development agenda. Gender inequalities in accessing productive resources, development opportunities and decision making affect economic growth and development (USAID, 2008). The Gender Development Index for Malawi of 0.374 indicates that large disparities between men and women exist (USAID, 2008). Women who constitute about 51 per cent of the population are marginalized in social and economic spheres such that they are unable to effectively contribute to social, economic and political development of Malawi (USAID, 2008).

The CBRLDP in Malawi targets the poor, land poor and food insecure families and ensures there is gender equity in land acquisition by women (World Bank, 2004). Successful programs depend significantly on the involvement of key stakeholders in program design and planning. The failure of policy makers and planners to recognize the different and potentially conflicting interests of stakeholders has frequently led to resistance to policies and programs, which consequently fail to meet their intended objectives (Groenendijk & Dopheide, 2003).

In Malawi, gender equity has achieved respectability as a high-level constitutional or policy commitment. Yet concerns remain at the persistent gap between high-level commitments and their translation into policy interventions that actually reach women on the ground. While the commitment to gender equity as a worthy policy goal is formally present in land reform policy document, this principle is not prioritized as a policy objective, nor has serious attention been paid to how to carry through these commitments in

practice, outside of a small number of dedicated programs (Walker, 2002). There is little reliable qualitative and quantitative data on how gender equity in land acquisition by women fared, on how women accessed and used spatial information and the role of the Local government entities in rural land reform in Malawi.

#### **1.4. Research justification**

Over the past decades, several reform programs have been implemented with the aims of enhancing farmer productivity, augmenting the assets of the poor, and improving land gender equity, thus alleviating poverty and reducing the potential for social unrest (Deininger, 1999). One such model involves voluntary market-based redistribution of land from larger estates to smallholders, and has been implemented in Malawi, Zimbabwe, South Africa, Brazil, Japan, Taiwan, China, Bangladesh and several former Soviet bloc countries. Market-based reforms have received significant criticism for not truly benefitting those who are most in need, and instead benefitting those with relatively more political power and means to take advantage of the program (Datar et al., 2009).

The Gender-related Development Index (GDI) is a composite indicator of gender equality, developed by the United Nations (UN). It is the five indicators used by United Nations Development Programme in its annual Human Development Report (UNDP). It aims to show the inequalities between men and women in the following areas: long and healthy life, knowledge and a decent standard of living. The Gender Development Index for Malawi of 0.374 indicates that large disparities between men and women exist (USAID, 2008).

In Malawi, the rural land reform program assumed that there will be gender equity in land acquisition by women (World Bank, 2004). However none of the studies on the rural land reform has assessed this hence the justification of this research. In addition, by also clearly identifying factors limiting participation of women can help so that timely and appropriate interventions can be identified to enhance women participation in the rural reform program. Further to this, there is little reliable qualitative and quantitative data on gender equity in land acquisition by women, the accessibility and use of spatial information by women and the role of the local government entities in rural land reform in Malawi.

#### **1.5. Research objectives**

##### **1.5.1. Main Objective**

The main objective of this research is to assess gender equity in land acquisition by women and the role of local government in rural land reform program in Malawi. More focus would be in identification of reasons or factors hampering the participation of women with regard to land acquisition, access and use of spatial information in rural land reform.

##### **1.5.2. Sub Objectives**

In order to achieve the above main objective the following sub objectives arose:

1. To identify the major factors limiting the participation of women in the land acquisition process.
2. To assess the use and accessibility of spatial information by women in the rural land reform.
3. To describe the land acquisition processes and the role of local government.

##### **1.5.3. Research questions**

In order to achieve the above stated objectives the following questions have to be answered (Refer to Table 1):

Research sub-objective	Questions
1	<p>What are the factors limiting and supporting participation of women in the land acquisition program?</p> <p>What are the problems faced by female-headed households which have relocated?</p>
2	<p>What are the spatial information requirements for the rural land reform?</p> <p>How do women access and use spatial information in the rural land reform?</p> <p>What are the factors hampering the use of spatial information by women?</p>
3	<p>What are the processes involved in land acquisition?</p> <p>Which local government entities are involved in the rural land reform and what are their roles in the land reform program?</p>

Table 1: Research questions

#### 1.5.4. Hypothesis

The program has achieved gender equity in land acquisition by women in Malawi as 30% of women which is the national percentage of female-headed households (NSO, 2011 ) and as expected in the Malawi Growth and Development Strategy (Government of Malawi, 2006) have acquired land in the rural land reform program.

#### 1.6. Conceptual Framework

Figure 1 below, shows the conceptual framework for the research basing on the main objective of this research which is to assess gender equity in land acquisition by women and the role of local government in rural land reform program. The concern is gender equity in land acquisition and the role of local government entities in the rural land reform. Gender equity will be viewed as fairness of outcomes of the program with respect to who benefits or is included in the process of decision-making for program based on gender i.e. the percentages of women. The key stakeholders of concern in a rural land reform are; landless rural communities, estate owners, local level organizations-including NGOs, Local government entities, and small farmer organizations as identified in the World Bank Appraisal document for the program. All the actors play a role in the implementation of the rural land reform. Successful programs depend significantly on the involvement of key stakeholders in program design and planning. The failure of policy makers and planners to recognize the different and potentially conflicting interests of stakeholders has frequently led to resistance to policies and programs, which consequently fail to meet their intended objectives. However, in this study only the role of one stakeholder, local government entities, will be looked into. This is so because of limited time and resources which has been given to the research. The roles of local government will be determined basing on their involvement in land acquisition processes. The custodian of spatial information is the state (Ministry of lands, Housing and urban Development). These spatial information is made available to the local government entities which have been entrusted to run the rural land reform as part of the decentralisation process.



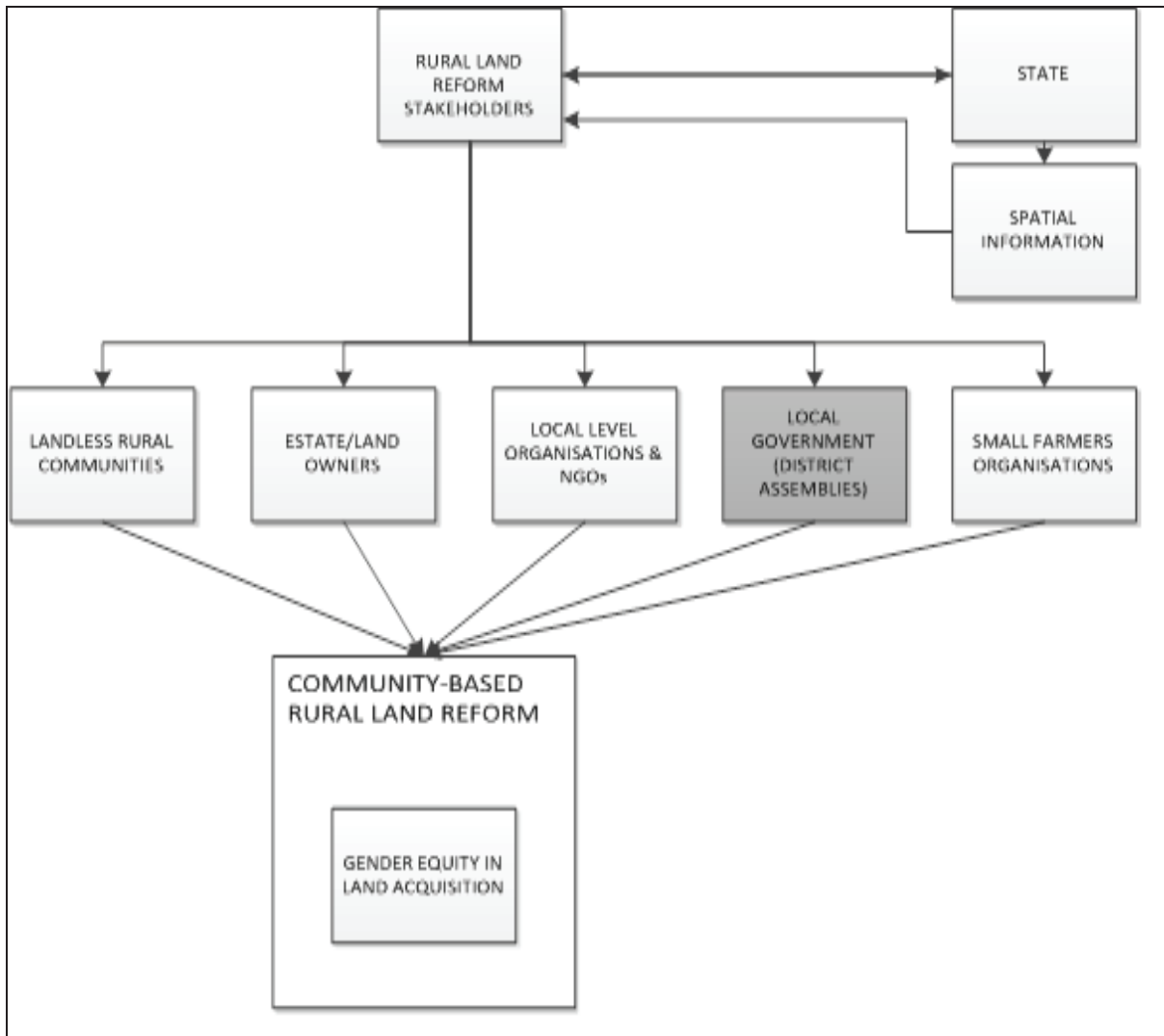


Figure 1: Conceptual Framework

### 1.7. Methodology

Methodology is a general approach to studying research topics and reflect an overall research strategy (Silverman, 2000). Based on the objective of this research, the method adopted was a mixed method approach. This comprised of both qualitative and quantitative methods of gathering data. Two data collection techniques were used; Documents and Fieldwork.

The above mentioned approach was employed because using mixed approaches can capitalise on the strengths of each approach and offset their different weaknesses. It also provides more comprehensive evidence for studying a research problem than either quantitative or qualitative research alone. Researchers are given permission to use all of the tools of data collection available rather than being restricted to the types of data collection typically associated with qualitative research or quantitative research (Creswell, 2003).

Mixed methods also helps answer questions that cannot be answered by qualitative or quantitative approaches alone. For example, “What explains the quantitative results of a study?” (using qualitative data to explain the quantitative results) (Creswell, 2003).

Finally, mixed methods research is “practical” in the sense that the researcher is free to use all methods possible to address a research problem. It is also “practical” because individuals tend to solve problems using both numbers and words, they combine inductive and deductive thinking, and they employ skills in observing people as well as recording behaviour (Creswell, 2003).

#### **1.7.1. Documents**

Literature review from documents provided the theoretical frame to the whole research and a review on the main concepts and definitions related to land reform, gender equity, spatial information, and instruments of land reform policies. Literature review included Thesis, Books, Research papers, Articles, Reports and web references related to the topic.

#### **1.7.2. Field work**

The field work conducted in Malawi was used to collect both primary and secondary data. Fieldwork visits were conducted in the District of Thyolo a sending district and Mangochi and Machinga as receiving districts. Further visits were done to Lilongwe the Capital City where the program office is and Zomba. The techniques proposed to collect data on field are interviews and field observations.

##### **a) Interviews**

An interview is a conversation between interviewer and respondent for the purpose of eliciting certain information from the respondent (Groenendijk & Dopheide, 2003; Yin, 1994). It is a tool for collecting primary data. This was used to collect data on the role of local government entities, women participation and how the women beneficiaries accessed and used spatial information in the program process. Quantitative data was collected through structured interviews which were conducted to women beneficiaries. Qualitative data was collected from semi-structured, open interviews and literature reviews.

##### **b) Field Observation**

In order to facilitate field observation, maps and photographs were taken. In addition, because it was anticipated that not all the enquiries answers would be given, personal observation was used to come up with a sensible answer depending on appearances and informal comments and utterances that were made by people contacted or interacted with.

#### **1.7.3. Research matrix**

Table 2 below shows the research matrix showing the research objective, proposed research method, data collection technique, data source and the expected output

Research Objective	Research Method	Data Collection Technique	Data Source	Expected Output
To identify the major factors limiting the participation of women in the land acquisition process	Documents Fieldwork	Documentary reviews Interviews Field observations	Interviews	Tables and charts on women participation
To assess the use and accessibility of spatial information by women in the rural land reform.	Documents Field work	Documentary reviews Interviews Field observations	Program documentaries Community members Local government entities officials	Description on how women use spatial information. Tables and charts on the use and accessibility of spatial information by women Maps showing spatial distribution of women beneficiaries
To describe the land acquisition processes and the role of local government.	Documents Fieldwork	Documentary reviews Interviews	Program documents Local government entities officials	UML diagram showing the process of community based rural land reform land acquisition Description of roles of Local government entities.

Table 2: Research matrix

### 1.8. Organisation of study

Figure 2 below shows the research process. The pre-field phase put emphasizes on the conception stage of the research and highlights the definition of the research problem, formulation of research objectives and questions. This served as the starting point of the entire research process. The field stage focused on how data was collected to enable us meet the research objectives defined in the pre-fieldwork stage. Both primary and secondary data sources was collected and used in this research. The post-field phase covered the synthesis of the conceptual work and data collected during fieldwork.

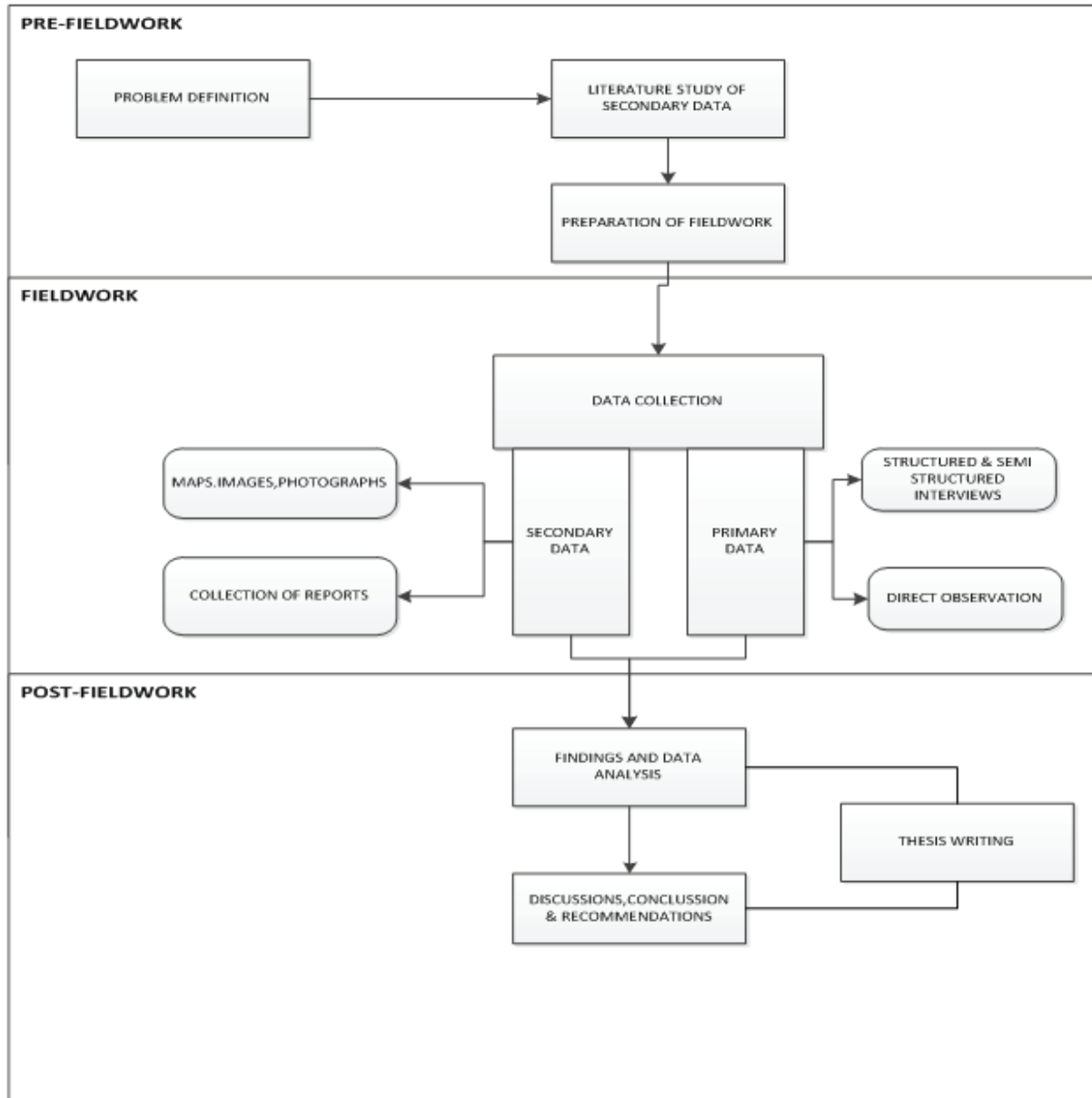


Figure 2: Research process

### 1.8.1. Data analysis

Data from the household interviews was entered in Statistical Package for Social Sciences (SPSS), a data entry statistical package; and analysed in SPSS V16.0 in order to derive at both descriptive and analytical statistics, whilst data from the interviews with local government officials and key informants was coded. In addition to using the (SPSS), Microsoft excels and ArcGIS were also be used for presentation of results.

## 1.9. Thesis Structure

The thesis report is presented in seven chapters. The contents of the chapters are briefly discussed below

### Chapter 1: Introduction

This is the introductory part and gives the insight of the research including the background to the research, research problem, research objectives, research questions and research methodology.

### Chapter 2: Gender equity issues in land reform

In this chapter gender equity issues relating to land reform are discussed. Literature on land and gender issues, women and land, factors hindering women's access to land, participation of women in

development, recent changes in land reform, spatial information and land reform, protecting and improving access to land by Surveyors and removing barriers to access of land by women is reviewed.

### **Chapter 3: Land reform in Malawi**

This chapter discusses land reform issues in Malawi from the secondary data collected during the field work in Malawi. It gives an overview of the history of land reform, access to land and the Community Based Rural Land Reform Program.

### **Chapter 4: Data Collection Methodology**

This chapter describes the study areas and methods used to collect data during field study in Malawi. The field work employed a number of data gathering methods with the ultimate goal of obtaining as much insight as possible into the problem under investigation. These methods were focus group discussion, interviews with women beneficiaries, Community Oversight Committee members, key informants and local government officials, documents and field observations.

### **Chapter 5: Findings and Analysis of Data**

Chapter 5 presents the main findings of the research and analysis of the data. It starts by describing the land acquisition process and the role of local government followed by analysis of data on participation and use of spatial information by women beneficiaries.

### **Chapter 6: Discussions, Conclusion and Recommendation**

This chapter gives a discussion of the findings and analysis of data from the study. It further outlines the conclusion alongside some recommendations from the study.

## 2. GENDER EQUITY IN LAND REFORM

### 2.1. Introduction

Concerns about rising food prices, food security and land grabs (Jacobs, 2009) have focused attention on land redistribution and land reform in recent years. The majority of the rural people and rural poor are women, but the issue of gender within land reform is rarely discussed. Agrarian reforms redistribute land either to collectives or to individual households. Redistributionist land reforms that have state backing are more likely to be concerned with gender equity. In order for such programs to fulfil their democratic potential, smallholder women must gain rights on the same basis as men, and these must be enforced ‘on the ground’ (Jacobs, 2009). Over the past decades, several reform programs have been implemented with the aims of enhancing farmer productivity, augmenting the assets of the poor, and improving land gender equity, thus alleviating poverty and reducing the potential for social unrest. One such model involves voluntary market-based redistribution of land from larger estates to smallholders

### 2.2. Market-assisted Land Reform

The logic behind the World Bank’s market-oriented paradigm arises from its critique of state-led land redistribution (Gauster & Isakson, 2007). The Bank focuses upon the purported inefficiencies of the traditional approach, including its inability to target the most worthy beneficiaries, the loss of economies of scale that comes with the break-up of large farms, and the corruption and rent-seeking behaviour that economists typically associate with government bureaucracy (Gauster & Isakson, 2007). Moreover, World Bank economists (Deininger, 1999) argues that traditional state-led land redistributions are rarely supported by large landowners and, consequently, are characterised by a ‘confrontational atmosphere’.

Instead of top-down, state-led land redistributions that are inefficient and likely to incite protests from powerful landowners, the World Bank maintains that access to land should be mediated via market mechanisms. The ideology of its market-assisted land reform (Gauster & Isakson, 2007) is founded upon the empirical observation that small farms are more productive than large farms and the belief that market ‘imperfections’-especially poorly defined and insecure property rights and the inability of small-scale farmers to obtain credit-prevent land from being redistributed to the more efficient smallholders. Thus the logic is that, by simply correcting the imperfections, a process can be unleashed whereby market forces will induce the redistribution of land to the more productive small-scale farmers, thereby achieving a land distribution that is more equitable and efficient.

The implementation of market-assisted land reform (Gauster & Isakson, 2007) is based upon five key components. First, since poor farmers are not typically deemed ‘creditworthy’, the creation of a land bank that lends to peasants at subsidised rates is considered fundamental to the market-led model. Second, clearly defined property rights are also necessary to facilitate the exchange of land via market mechanisms; thus the model is dependent upon the regularisation of land tenure. And lastly, to ensure that beneficiaries use their newly purchased land efficiently, proponents of the market-led paradigm recommend that farmers wishing to receive credit develop a productive plan for producing market commodities that will allow them to repay their loan, and that beneficiary receives marketing and technical assistance that will allow them to implement their productive plans. Ideally, the providers of technical and marketing assistance will be from the private sector, as this is thought to ensure accountability and minimise corruption. Fourth, to reduce opportunities for corruption and ensure the co-operation of large landowners, land prices should be negotiated directly between potential sellers and buyers and landowners should be paid the full amount of the negotiated value once an agreement has been formalised. Finally,

along with clearly defined and secure property rights, the theory of perfectly competitive land markets is contingent upon having a large number of buyers and sellers.

Despite promises that market-assisted land reform will improve equity while enhancing economic efficiency, the paradigm has been widely criticised. For example (Gauster & Isakson, 2007) quoting (Banerjee, 1999), articulates several theoretical deficiencies of the model, including the limited likelihood that it will benefit the neediest peasants, the fact that it is unlikely to achieve the optimal level of land redistribution, and that it is an unusually costly approach to agrarian reform. In an empirical evaluation of market-assisted land reform in Columbia, South Africa and the Philippines, (Gauster & Isakson, 2007) quoting (Borras, 2003) documents several problems with the model. He confirms Banerjee's hypothesis that the market led strategy tends to exclude the weakest segments of the rural population and that the extension services and overall programmes are costly. He also observes that the land that is exchanged tends to be overvalued and of poor quality; the high prices are partly a result of landlords using their power to capture a share of the loans and cash grants that are intended to assist beneficiaries.

### **2.3. Gender equity in land reform**

Worldwide, women own only 1–2% of land (Walker, 2002). Like men, many women are active farmers and depend on agriculture. Yet most women remain dependent on the existence and goodwill of male relatives for access to land (Walker, 2002). In recent years, this gender gap in land access has received attention from development practitioners and activists. In the international arena, the Food and Agriculture Organization of the United Nations, the Convention on the Elimination of Discrimination Against Women, and the UN Human Rights Commission have all called for equal treatment for women and men in access to land and agrarian reform (Keera, 2007). Multilateral and bilateral development agencies, including the World Bank, the Australian Agency for International Development, and Britain's Department for International Development, have also noted the importance of women's land rights. These institutions address women's land rights because they are seen as a tool to promote development. Like other women's issues, such as girls' education, women's land rights are put forth as a way to realize human rights, increase economic efficiency and productivity, empower women, and promote welfare and well-being (Keera, 2007).

Women have had limited access to land nearly everywhere throughout history (Keera, 2007). Even agrarian reform or resettlement (Keera, 2007) programs have failed to solve this problem - indeed they have aggravated it by allocating land to the head of the family, who is presumed to be a man. Those responsible for the design and execution of such programs have paid little attention to the question of who is really responsible for the household or productive unit.

### **2.4. Importance of women's right to land**

The rights women have to land is a major concern internationally, in part because women are belatedly recognized as forming an important segment of a nation's economic and social capital (Nichols, Ng'ang'a, & Komjathy, 2001). Their labour is a critical element in food production and family maintenance in many countries. Increasingly women are the *de facto* heads of household due to such factors as divorce, migrant labour, war, and general social changes. In developing countries, it is estimated that 50% to 80% of food is produced by women's labour. It has also been shown that women tend to reinvest more resources in the household unit than men and this reinvestment is the basis for nutrition, health, education, and effective poverty alleviation (Nichols et al., 2001).

This recognition of women's rights and their value to the economy and wellbeing of a nation has also been a factor in western countries (Nichols et al., 2001). Social norms and legislation that prevented women from owning property have gradually been replaced. But in most countries this devolution of

wealth, status, and power associated with property was largely a 20th century phenomena. As recently as 10 years ago women with collateral could rarely obtain a bank loan in North America without the guarantee of a male family member (Nichols et al., 2001).

Equal property rights of women and men are fundamental to social and economic gender equality. However, women often face discrimination in formal, informal and customary systems of land tenure. Around the world, women encounter larger barriers due to social customs or patriarchal tenure systems which prevent them from obtaining and holding rights to land (UN-Habitat, 2008).

The commoditization of land and the impact of globalization through unrestricted land markets also disproportionately affect women's land rights. Bringing poor urban women into the urban economy remains a big challenge, and one source of low status and economic vulnerability of women is their limited access to property rights (UN-Habitat, 2008).

Research shows that despite progress towards greater acceptance of women's equal rights to land in laws and policies, their effectiveness runs into significant obstacles, ranging from patriarchal attitudes and cultural practices to general lack of political will and resources (UN-Habitat, 2008). Women suffer from discrimination and injustice under various disguises. War in some countries and HIV/AIDS has disproportionately affected women's land rights. Women in informal settlements and slum, indigenous women, the disabled, elderly and widows and refugees are among the various categories of women who are further marginalized.

Providing secure land rights for women makes economic sense and is critical in fighting poverty. There is a strong correlation between improving women's land rights and reducing poverty. When women control land assets, we see a rise in women's cash incomes, spending on food, children's health and education and household welfare in general (UN-Habitat, 2008).

Female-headed households, a significant proportion of the poor, can benefit enormously from the security, status and income-earning opportunities which secure rights to even a small plot of land can provide (UN-Habitat, 2008). Women who become single heads of household are particularly vulnerable. Since women's access to land is often through their husbands or fathers, they may lose such access after widowhood, divorce, desertion or male migration. Secure land rights for female farmers and businesswomen can improve investment, access to sources of credit and better land use and productivity, with women frequently regarded as at lower risk of credit default than men (UN-Habitat, 2008).

## **2.5. Women and land in customary system**

Most customary tenure systems gave women access to land not in their own right but as their husbands' wives or, in cases of divorce or widowhood, as daughters or sisters of males within their own families. While they may have a right to land through their husbands and other male relatives (Cornhiel-Lastarria, 1995), they have no right to a particular piece of land and may be forced to move from field to field.

Customary tenure systems are heterogeneous and responsive to changing economic and social processes. However, gender is one of the most basic and prevalent factors determining the tenure relations of control and access in customary tenure (Cornhiel-Lastarria, 1995). Family structures, marriage laws, inheritance practices and religion are the most influential factors determining how land is allocated and transferred among households in a community. These same factors decide who has access to and control of land. In contemporary customary systems, transfer of agricultural land is affected through inheritance, borrowing, gifting and leasing and/or sale.



Inheritance is the most common type of transfer. This often implies the transfer of land from 'men of one generation to the men of the next, as female children seldom inherit land.' (Cornhiel-Lastarria, 1995). A major distinction is made between patrilineal and matrilineal societies when discussing inheritance. But, in spite of other variations, in both patrilineal and matrilineal customary tenure systems, land is allocated to males and transferred from men to men.

In patrilineal customary tenure systems (Cornhiel-Lastarria, 1995), both lineage and property are traced through the male line and often land is transferred from father to son. Although men provide cultivation rights to their wives, daughters and other siblings during their lifetimes, at their deaths only sons and other male relatives assume control of land, with wives and daughters seldom inheriting any land allocated to the households. Widows, and especially widows with young children (Cornhiel-Lastarria, 1995), usually retain access and cultivation rights to their dead husbands' land as long as they remain in their husbands' community and until their sons are old enough to inherit the land.

In matrilineal customary tenure systems (Cornhiel-Lastarria, 1995), both lineage and property are traced through the mother's line, but the ownership and control of property remains in the hands of male members of the family—brothers, uncles, nephews, male cousins. Although women are not allocated community land or allowed to inherit such land, daughters tend to have cultivation rights to a parcel of her family land even after marriage. Women lose these rights when their fathers die or if they move away from their communities. However, in cases where women received land as gifts from their fathers, they can retain the land. Similarly, women have the option of reclaiming their cultivation rights if they return to their own communities (Cornhiel-Lastarria, 1995).

## **2.6. Women's access to land in customary systems**

Women's access to land is not equitable as they experience tenure insecurity and do not have equal access to it. Usually this is attributed (Augustinus, 2003) to legal frameworks and policies which are discriminatory and have administratively implemented by institutions in those sectors. In some cases, women may have access to land and land rights but due to their lack of education of the institutional regulations, the interpretation of the rights can be manipulated to their disadvantage leading women to lose their land rights, for example in some cities women can work on or use land but not own it (Amoah, 2011). Even in other cases, certain crops like coffee are considered as man's domain, even in all the tending is done by women. When the land is used for a particular crop, the value of the land is increased because of the nature of the crop. Mostly primary users of the land are women, but when the land is used for cultivation of high demand crops like cocoa or palm trees by women, consequently the value of the land is increased and the men manipulate the ownership rights by redefining them in their favor and hence excluding the women in countries like Benin and Cameroon. This male bias is one way (Amoah, 2011) that women lose access to land and land rights.

Women are often treated differently than men regarding land, maybe not in legislation but rather by cultural and religious traditions (Ericsson, 2002). In some cases, legislation has affirmed women's basic right to land but customary practices and laws limit women's land rights. In other cases, legislation has undermined women's access to land. This is the case, for instance, in many places in Africa: under customary law women were given access to communal or family land (although women often would be deprived of this access through divorce or widowhood) (FAO, 1995). Yet a quarter of the households at the international level is run by women (Ericsson, 2002).

Religious practices are the contributory factors to women's inheritance rights. With regard to Islamic law (Amoah, 2011), a widow is entitled to one eighth of the late husband's estate only if she has no children with the man. If she has children, she gets a quarter; but if there are no sons amongst the children, then a

considerable portion of the estate is given to the male relatives (Amoah, 2011). These religious practices deny a woman who could not bear a son, which is no fault of her from rightful access and control of her land rights.

Another factor hindering women access to land is gender biasness. Many countries do not have specific guidelines on how to deal with traditions that discriminate against women on instances of land ownership, access to land and inheritance. In customary institutions women can lose their land rights if they are found to barren or did not bear a son or when they were even estranged from the husband (Amoah, 2011) and any these could happen to any woman irrespective of her status. Such problems can arise with no fault of the woman and some of these unwanted instances can even be caused by men.

Another avenue that contributes (Amoah, 2011) towards women's loss of land rights is through new government. Instances where women own land under statutory law, there is still a tendency of conflicting situations because the customary or cultural system still has an adverse effect on them when influenced by local structure power. The power of a women or a group of women to claim their land rights may become stronger or enhanced through the economic resources they control (Amoah, 2011), and consequently access to land and its control by women is seen as a way in which to become empowered enough to make claims.

## **2.7. Customaty systems to formal system**

Recent changes in customary tenure systems towards individual and private property regimes have led to an erosion of the few rights women had in both matrilineal and patrilineal societies (Cornhiel-Lastarria, 1995). These changes have not been linear nor have they have affected all women in the same way. Some men have also lost some of their rights as what is called 'bundles of rights in land' gets concentrated in the hands of certain male groups (Cornhiel-Lastarria, 1995). Consequently, matrilineal systems become more like patrilineal systems and, gradually, only sons inherit land. Women become more dependent on husbands and their families for land.

The two key factors (Cornhiel-Lastarria, 1995) that have influenced changes in customary tenure systems in Africa are colonialism and the spread of Islam. The spread of Islam has had mixed effects on women's land rights. In some societies, the response to Islamic inheritance law has been the provision of land as inheritance to sons and movable property to daughters. In the case of northern Nigeria, daughters do have inheritance rights to land. Not only have women succeeded in having their inheritance rights recognized by their brothers and the community in general, but also women who have moved to another community upon marriage were able to claim their inheritance. However, the existence of purdah (seclusion of women) forces them to depend on men for cultivation of the land (Cornhiel-Lastarria, 1995).

In the context of land concentration and land scarcity, customary tenure systems have come under a multiplicity of pressures for change. Women in a large number of countries (Cornhiel-Lastarria, 1995) are losing their 'invisible' secondary rights to land under customary law and practice. In areas where land markets are emerging, women encounter serious constraints, which include lack of property, lack of adequate cash income, minimal political power and a persistent male bias against women owning land. In spite of these obstacles, a small minority of women have been successful in claiming their customary rights to family land, to accumulate capital and invest in land (Cornhiel-Lastarria, 1995).

According to (Agarwal, 1994) the major factors that facilitating women's equal participation in land reform programs include:

- i. existing inheritance laws;
- ii. women's literacy, including legal literacy (knowledge of their legal rights);

- iii. the social legitimacy of women's claim (whether the claim is considered a valid one in the community of which the women's household is a part);
- iv. women's access to government officials who administer land-related matters;
- v. women's economic and physical access to legal machinery (lawyers and law courts);
- vi. women's access to economic and social resources for survival outside the support system provided by contending claimants such as brothers or kin;
- vii. Women's ability to organize and form coalitions with other gender-progressive groups.

## **2.8. Participation of women in development**

Rural women's participation in the development process has been the focus of intensive debates by most international forums in the past years. Among forums (Kongolo & Bamgose, 2002) that have recognized the plight of Third World's women's participation in the development process are the 1995 Nairobi Forward Looking Strategies for the Advancement of Women held in Kenya, the 1995, The Beijing Declaration, and the United Nations Development Fund for Women (2000). According to the philosophy of these forums, each member state should promote women's economic independence, which includes the creation of employment, access to resources and credit, the eradication of the persistent and increasing burden of poverty, malnutrition, poor health and illiteracy on women. Although such declarations have been able to increase an awareness and understanding of the problems facing women and their needs, as such they have not yet resulted in significant development priorities for rural women.

## **2.9. Spatial information and land reform**

Land reform process will be influenced by the economic and political factors but the process must be undertaken so as to achieve sustainable development and food sufficiency based on results derived from spatial information (Bullard, 2001). The spatial data that is required will include some or all of the following; Cadastral surveys which indicate legal boundaries, Topographic maps and plans required for the development process, Land use maps and plans with access to digital data from which they are derived, aerial photographs and remote sensing imagery.

In addition to the spatial data above (Bullard, 2001) there needs to be legal and economic data that can be referenced spatially to each land parcel being included in a land reform program. These will include; Land ownership as recorded in a land registry office, Legislation relating to land parcels including planning and other restrictions, Economic returns, Valuations of land and real estate, Tax schedules including property, road and others.

## **2.10. Role of spatial information in land reform**

A land information system needs to be based on accurate, large scale and up to date property mapping which is based on a reliable national mapping framework founded on a geodetic reference network (Mwenda, 2001). The Bogor Declaration (Mwenda, 2001) emphasized the crucial role played by cadastral maps, either in paper or computer form, in a national spatial data infrastructure. Citing a report for Australia and New Zealand Land Information Council, (Mwenda, 2001) mentions that cadastral data is the major spatial data set and comprises over 25% of all spatial data produced by spatial data suppliers.

Well-defined boundaries and accurate cadastral index maps are necessary for support of land tenure reform programs. Land reforms can utilize both fixed and general boundary surveys. In Kenya (Mwenda, 2001) cadastral index maps in use includes Registry Index maps used in land registries to support issuance of titles, Interim Registry maps which uses general boundaries such as hedges and fences to mark boundaries and sectional maps which support the issuance of title to individual units within high-rise buildings.

## 3. LAND REFORM IN MALAWI

### 3.1. History of land reform in Malawi

Malawi is a small country, heavily dependent on agriculture, with a rapidly growing population. Land tenure issues in Malawi are better understood by describing the historical perspectives that date far back as the 19<sup>th</sup> century. Prior to the creation of the British protectorate of Nyasaland in 1891 (Machira, 2008), European settlers, missionaries, and companies started acquiring land from African chiefs or headmen under a “master–servant” kind of relationship. Under the African Orders in Council 1889 and 1892, the British government appointed a commissioner who was responsible for formalizing these agreements and making new land grants in the name of the Crown. European settlers were provided with “certificates of claim.” They acquired some of the best land, most of it in the Shire Highlands located in the southern part of the country. Through this process, the Crown allocated to European settlers and companies about 15 percent of the total land in Malawi, or 27 percent of the total land suitable for cultivation. According to the Presidential Commission of Inquiry on Land Policy Reform (1998), this process led to the granting of about 73 percent of the granted land to a single company, the British South Africa Company. When Malawi gained independence from Britain in 1964 (Holden, Kaarhus, & Lunduka, 2006), the country inherited “a rural settlement structure in which some of the most fertile and well-watered lands were reserved to white farmers”

Following critical democratic elections in 1994, (USAID, 2010), the government took the first steps toward addressing the increasingly inequitable land situation and established a Presidential Commission of Inquiry on Land Reform. The Commission was tasked with establishing the principles for a new land policy that would be more economically efficient, environmentally sustainable (as much of the estate land was not fully used, and overused small farms were experiencing land degradation), and socially equitable. The Commission’s findings were used to form a new land policy, but subsequent efforts to develop legislation and an enabling land administration have not yet come to fruition. A Community-Based Rural Land Development Program was launched in 2004 with World Bank (and other donor) support to pilot the use of market mechanisms to help land-short farm households secure larger acreages by purchasing uncultivated and/or underutilized estate land (estimated at 600,000 hectares) (USAID, 2010).

### 3.2. Access to land in Malawi

Access is the right or opportunity to use, manage, or control land and its resources. It includes the ability to reach and make use of the resource (Komjathy & Nichols, 2001). Malawians, (USAID, 2010) primarily access land through inheritance (52%) and marriage (18%). Rights to land through marriage and inheritance are governed by one of two customary systems. Under the matrilineal system prevalent in the central and southern regions of the country, land is handed down through the female line. If the husband moved to the wife’s village at marriage, he generally loses rights to use the household land in the event of divorce or his wife’s death. Under the patrilineal system prevalent in the northern region (Chirwa, 2008), land is transferred from fathers to sons. If a woman moves to her husband’s village at the time of marriage, she often loses rights to use the household land in the event of divorce or the death of her husband.

Land allocations from traditional leaders, land leasing, government resettlement programs, and land purchase are additional routes to access land (USAID, 2010). An estimated 20% of landholders obtain land from traditional authorities; roughly 1% of landholders obtain land through purchase. Leases, government land programs, and other means account for the remaining percentage (9%). In urban areas

(USAID, 2010), Local Assemblies and agencies such as the Malawi Housing Corporation allocate plots in the areas within their jurisdiction.

### **3.3. Land Tenure security**

While most holders of customary land believe their rights are reasonably secure, tenure insecurity is evident among a few social groups. Both women of patrilineal (wife moves to husband's village) marriages and men of matrilineal (husband moves to wife's village) marriages express insecurity when considering the potential death of their spouse or the possibility of divorce, because they and their children may be forced to leave the land. The high prevalence of HIV/AIDS among the adult population exacerbates the degree of insecurity that a spouse may experience. Orphans also have insecure property rights; relatives often take the deceased parents' land, dispossessing the children (USAID, 2010).

Tenure security is lowest for women in patrilineal societies, men in matrilineal groups, and orphans. Other groups expressing tenure insecurity are non-citizens and some recipients of land programs and irrigation schemes where the beneficiaries do not receive land title. The 2002 National Land Policy recognizes the importance of tenure security. In order to protect against arbitrary conversion to public or private land and permanent loss of customary land rights, the 2002 National Land Policy recommends surveying and recording customary land. The Land Policy also notes that local governments should be required to identify existing customary land rights as part of developing land-use plans (USAID, 2010).

### **3.4. Land rights and gender differences in Malawi**

According (USAID, 2010) to under Malawi's formal law, women and men have the right to own land, individually or jointly with others, and the Constitution prohibits gender discrimination. However, cultural biases often prevent women from enjoying equal access, control, and ownership of land.

The 2004 Deceased Estates (Wills, Inheritance and Protection) Act according to (USAID, 2010) allows individuals to draft wills that transfer all their interests in their property. If an individual does not have a will or does not dispose of all of his or her property by will, the property will go to providing for the deceased's immediate family. The law also provides that a surviving spouse is entitled to his or her household belongings. Any remaining property shall be passed to the surviving spouse and children, with evidence taken relevant to the shares granted, such as the wishes of the deceased and the need to educate children. If no special circumstances are noted, the law requires equal shares.

For most Malawians (Holden et al., 2006), land ownership and inheritance are governed by customary law and traditional practices. Both matrilineal and patrilineal systems exist. Matrilineal systems of marriage and inheritance are prevalent in the southern and central regions of Malawi where certain ethnic groups dominate. In most matrilineal systems, either the man moves to the woman's village and lineage is traced through the women, or the woman goes to live in the man's village but the children belong to the woman's lineage.

The north is home to ethnic groups that embrace patrilineal customs. Under the patrilineal system, the man's village becomes the marital home, and he pays a bride price to the bride's family. Women do not own property and only the sons, not daughters, inherit property. Payment of bride price leads many men to believe they own their wives and children and that, when they die, their spouses and children become the property of the man's family (USAID, 2010).

Approximately (USAID, 2010), 25% of households are headed by women, and 63% of rural women-headed households live below the poverty line. Typically, women-headed households possess smaller

landholdings and fewer livestock than their male counterparts, and they produce significantly less maize, the main food crop. Widows are vulnerable to property-grabbing by their husbands' relatives.

### 3.5. Poverty and Land reform

According to (Chinsinga, 2009) as much as 41% of the people living in rural areas are poor compared to only 11% of their urban counterparts. Perhaps more critically important is the fact that the incidence of poverty wears predominantly a female face. About 48% of individuals living in female-headed households are more likely to be poor compared to 38% of those in male-headed households.

There could be one critically important missing link in the efforts to fight rural poverty in the country. Studies have consistently shown (Chinsinga, 2009) that Malawi's rural poverty is directly correlated with people's access to land. The single most important conclusion of these studies is that the majority of Malawians are poor because they lack access to productive land, generally acknowledged as the key productive resource. On average (Chinsinga, 2009) every Malawian cultivates 0.22 hectares. The average for poor households is 0.16 hectares while for non-poor households is 0.28 hectares. It is estimated that one in every three smallholder farmers cultivate between 0.5 and 1 hectares of land. And findings from an October 2008 study carried out to assess the political economy of the Community Based Rural Land Reform Program (CBRLDP) raises some interesting insights that may be useful in informing the land reform debates and strategies moving forward. It is important noting that the question of land reform was one of the flagships of the struggle for democracy in the early 1990s. The pro-democracy activists actually promised to undertake sweeping land reforms once ushered into power that would ensure equitable ownership of this very important productive resource, which potentially holds the key to sustainable poverty reduction and prosperity for all. To echo President Mutharika's sentiments: "Democracy is about giving people new hopes for a better future. Democracy is about fulfilling promises made to people. Democracy is about economic growth and transformation and about moving people from poverty to prosperity" (Chinsinga, 2009). However, while the question of land reform was firmly placed on the government's agenda immediately after the May 1994 founding democratic elections, very little has been achieved to date (Chinsinga, 2009). A land policy concluded in July 2002 still remains in draft form, the supportive legislative framework for the policy is yet to be worked out and stakeholders, notably, traditional leaders are still contesting some of the key provisions of the land policy.

### 3.6. Community Based Rural Land Development Program in Malawi

The CBRLDP stands out a major initiative that has been undertaken to address the question of land since the 1967 land reforms (Chinsinga, 2009). In vernacular, this initiative is popularly referred to as the "Kudzikulira malo" program. The CBRLDP is a World Bank sponsored initiative being implemented on a pilot basis in Thyolo and Mulanje designated mainly as sending districts and Machinga, Mangochi, Balaka and Ntcheu designated mainly as receiving districts. The main objective of the CBRLDP is to increase the incomes of about 15,000 poor rural families by providing land to the landless and the land poor (Government of Malawi, 2004).

The CBRLDP was launched in 2004. Under this program (Government of Malawi, 2004), each beneficiary receives a uniform grant of US\$ 1, 050 for land administration and farm development, with 30% devoted to land acquisition, 10% to cover settlement costs and 60% meant for farm development.

While the CBRLDP has enhanced access to land by farmers with little or no land and bolstered their productivity, it has (Chirwa, 2008) also generated quite unanticipated consequences which really provide some food for thought.. The CBRLDP's impact on productivity has been quite unprecedented. The mean maize produced among beneficiary households has increased from 219kgs before the program to 1, 4 11 kilograms after the program. And there are statistically significant differences in maize production between

beneficiaries and non-beneficiaries in favor of beneficiaries with a mean difference of 814kgs per household (Chirwa, 2008).

The CBRLDP has (Chirwa, 2008) also impacted positively on technological adoption particularly in terms of the use of improved seed. Up to about 63% of the beneficiaries devote their landholding to hybrid maize production compared with only 31% of land devoted to hybrid maize by non-beneficiaries. Strikingly, female-headed households adopt advanced farming technologies such as the use hybrid seeds and chemical fertilizers much than male-headed households. Education also plays an important role. Households with higher education adopt improved technologies much more widely than those with low or no education at all. However, differences in productivity levels between beneficiaries and non-beneficiaries are significant only when distinguished by the year of resettlement. It is thus only those beneficiaries that have recently resettled that produce more maize compared to non-beneficiaries. This is attributed to the farming support that new settlers access during the first year of relocation. Once the support is discontinued at the end of the year, productivity levels slump to 'normal' levels (Chirwa, 2008).

### **3.6.1. Capture by the elite**

The implementation of the CBRLDP has (Chinsinga, 2009) been negatively been affected by the institutional framework of the 1967 land reforms. The beneficiaries of the 1967 land reforms have an interest in the existing land tenure patterns. They are not prepared to give up vast tracts of land accumulated under the aegis of the 1967 land reforms that simply perpetuated the colonial land tenure patterns.

There is evidence (Chinsinga, 2011) that the CBRLDP has been captured by local elites, particularly traditional leaders, by steering its implementation in ways that largely benefit them in both sending and receiving communities. Traditional leaders are reportedly influencing the composition of committees tasked to identify and recommend beneficiaries to the program so that they have influence in their decisions; the committees are demanding bribes for households to be included as beneficiaries; and they are prioritizing relatives and friends as beneficiaries primarily to benefit from the resettlement grant. Traditional leaders (Chinsinga, 2011) are protesting against the CBRLDP by not taking their quasi-judicial role seriously in dealing with land disputes involving the new settlers and the local residents. This has resulted in widespread and unresolved land disputes underpinned by a forceful discourse of dispossession that equates rights to land with citizenship. This creates some sort of insecurity among the people about the newly acquired land. These findings raise several important policy implications going forward.

Land reforms (Chinsinga, 2011) are not merely a technically neutral exercise; they are hugely political. The point is that the context in which the reforms are taken and the range of stakeholders involved matters in determining outcomes, successes and failures. Understanding the interface between formal and informal institutions in the context of the reforms is important in terms of anticipating and dealing unexpected consequences. Further to this, land reforms without a well thought out supportive infrastructure in the short to medium terms are unlikely to be sustainable (Chinsinga, 2011).

Finally, a gender balanced selection of beneficiaries would enhance the positive impact of any land reform initiative (Chinsinga, 2011). The participation of female-headed households in the CBRLDP is limited yet the economic analysis reveals that male-headed households invest less in hybrid production compared to female-headed households (Chirwa, 2008). The political climate seems quite propitious to push the land reform agenda to its logical conclusion in a bid to further cement the foundations for Malawi's transformation from a predominantly consuming and importing to a predominantly producing and exporting economy. However, this cannot be fully achieved if the question of land remains unresolved (Chirwa, 2008).

## 4. DATA COLLECTION

### 4.1. Overview

Data collection methodology included a variety of research techniques such as structured, unstructured and semi-structured interviews, field observation, focus group discussion, photographs and collection of documents and maps. In total, spread out over a period of 3 weeks, 52 structured interviews with women beneficiaries and members of the Community Oversight Committee were conducted, with another 7 unstructured key informants interviews and 9 semi-structured interviews with local government officials and 1 focus group discussion were conducted.

The respondents for the structured interviews (women beneficiaries and COC members) were selected in random areas depending on their availability. The respondents to semi-structured interviews (local government officials) were selected basing on their position and role in local government entities. This was supplemented by unstructured interviews with key informants who included, Project Manager, Traditional Authority and village heads.

One focus group discussion on the theme “Participation of women in the program” was conducted with women in Traditional Authority Liwonde, in Machinga District. The group discussion focused on the factors affecting women participation in the program and accessibility and use of spatial information by women.

Lastly, documents from government agencies were asked after each interview that was conducted with local government official and rural land reform program manager. These documents provided more information on the rural land reform program and gender policies and strategies.

### 4.2. Study areas

The Community Based Rural Land Reform Program is being implemented in five districts of the southern region of Malawi, namely, Machinga, Mangochi, Mulanje, Thyolo and Balaka, and in Ntcheu district in central Malawi ( Refer to figure 3). According to a preliminary report of the 2008 Population and Housing Census (Simtowe, Mendola, & Mangisoni, 2011), the total population for Machinga, Mangochi, Mulanje and Thyolo was about 2.4 million in 2008, representing 18.4 per cent of the national population. The total population for Balaka and Ntcheu districts was 623,847. The total population in the rural land reform program areas was about 3.2 million (24.5 per cent of the country’s population). Based on the 2000 population statistics, Mulanje and Thyolo have one of the highest population densities in Malawi estimated at 208 and 268 inhabitants per square kilometre, respectively. It is also reported that the two districts of Mulanje and Thyolo are, coincidentally, also the main tea-growing areas of the country. Most of the good arable land in the two districts is under tea estates, largely owned, by foreign investors. On the contrary, Machinga and Mangochi districts are said to have a much lower density, averaging around 97 people per square kilometre(Simtowe et al., 2011).

Figure 3 is a map of Malawi depicting the CBRLDP areas of Machinga, Mangochi, Mulanje, Thyolo Balaka, and Ntcheu. Although the CBRLDP covers six districts, none of the BGs relocated from the six districts has so far settled in Mulanje and Thyolo, i.e., there are no BGs in Mulanje and Thyolo. Neither the less the study only covered two of the receiving districts (Machinga, Mangochi). These two districts were selected because according to (Simtowe et al., 2011), 95% of the beneficiaries have relocated to these two districts.



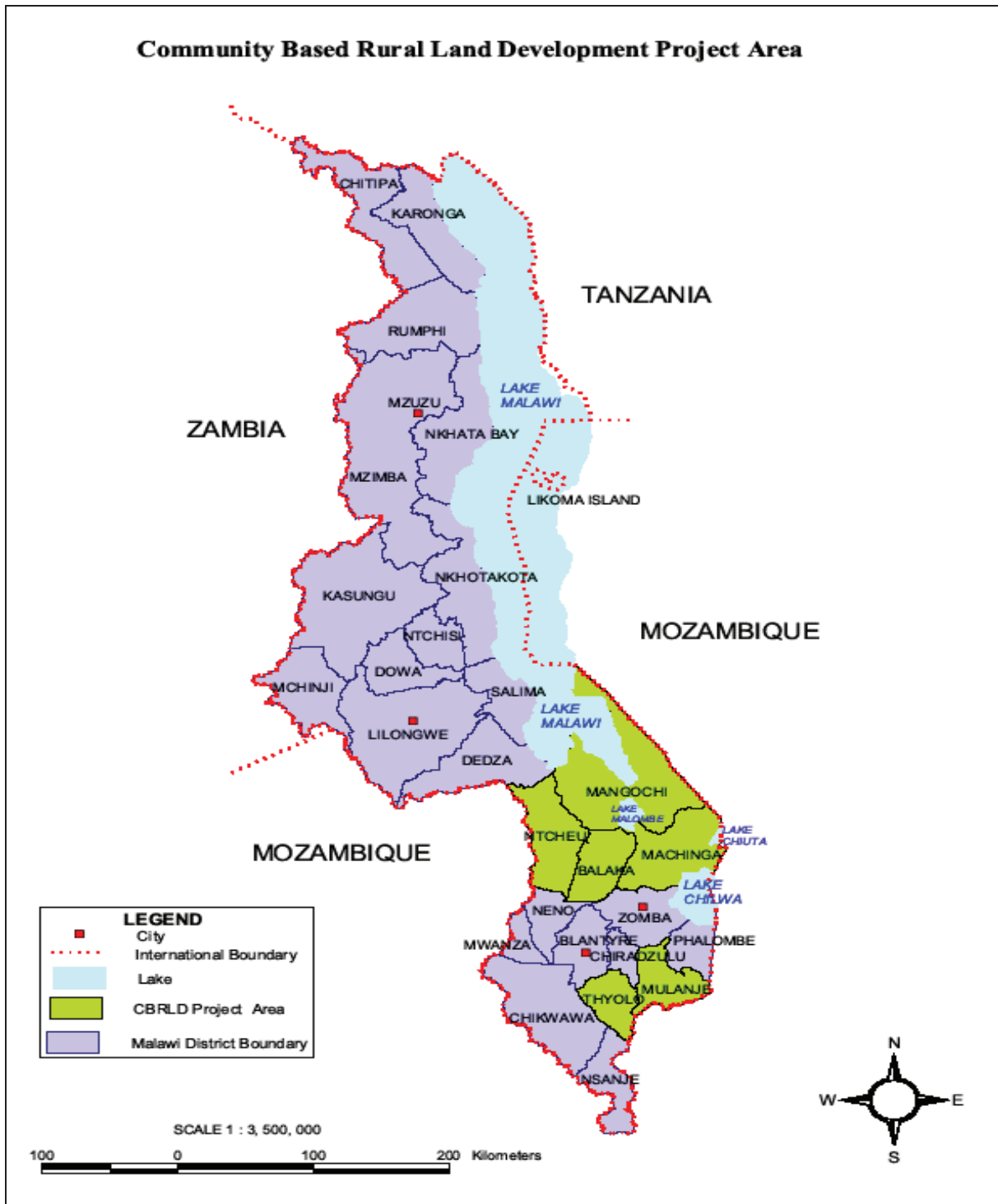


Figure 3: Map of Malawi showing CBRLDP areas (Department of Survey)

### 4.3. Interviews

#### 4.3.1. Interviews with women beneficiaries

Interviews were carried out amongst women in the districts of Mangochi and Machinga who have benefited from the rural land reform program. Structured interviews were conducted to a total of 45 women drawn from seven Beneficiary Groups of Traditional Authority of Bwananyambi, Mponda and Nankumba in Mangochi district and Chiwalo, Liwonde, Nyambi and Chikweo in Machinga district. The questions focused on the following main themes: land acquisition, gender gender equity, use and access to

spatial information, and the role of local government in the program. Interviewees were selected basing on their availability and therefore cannot be considered as statistically representative. This was so because in some beneficiary groups there were no women present as they had either gone to visit relations in their district of origin or have gone somewhere. Efforts were made, however, to reach the widest possible variety of women, and so the final sample included married and unmarried women, young and old. All interviews were conducted through the medium of a local language, Chichewa. Each interview lasted between 30 minutes to 40 minutes.



Figure 4: Interview with women beneficiaries

#### **4.3.2. Key informants interviews**

Key informant interviews were used to obtain information from people with special knowledge about issues of concern to the study. In all, seven key informants who included Traditional Authority, Village Head, and Program Staffs were interviewed. The key informants were identified from a discussion with the CBRLDP program manager. All interviews were conducted through the medium of a local language, Chichewa, digitally recorded, transcribed and translated into English.

#### **4.3.3. Interviews with Local Government officers**

Nine Local government officials were also interviewed. These included officers from the District Assembly's office, District Survey Office and Physical Planning office. The officers were selected basing on their involvement in the rural land reform program. The interviews were semi-structured and focused on their office's role in the program with a particular emphasis on their involvement in land acquisition processes in rural land reform program.



Figure 5: The Researcher with a Government Officer displaying some topographic map sheets

#### 4.3.4. Interviews with Community Oversight Committee members

Seven members of the community overseer committees were interviewed. The focus of the interviews was on how the COC is elected and their role or involvement in the program and how they incorporate issues of gender equity in when conducting their duties in rural land reform program. Similar to interviews to women beneficiaries, questions for Community Oversight committees were structured.

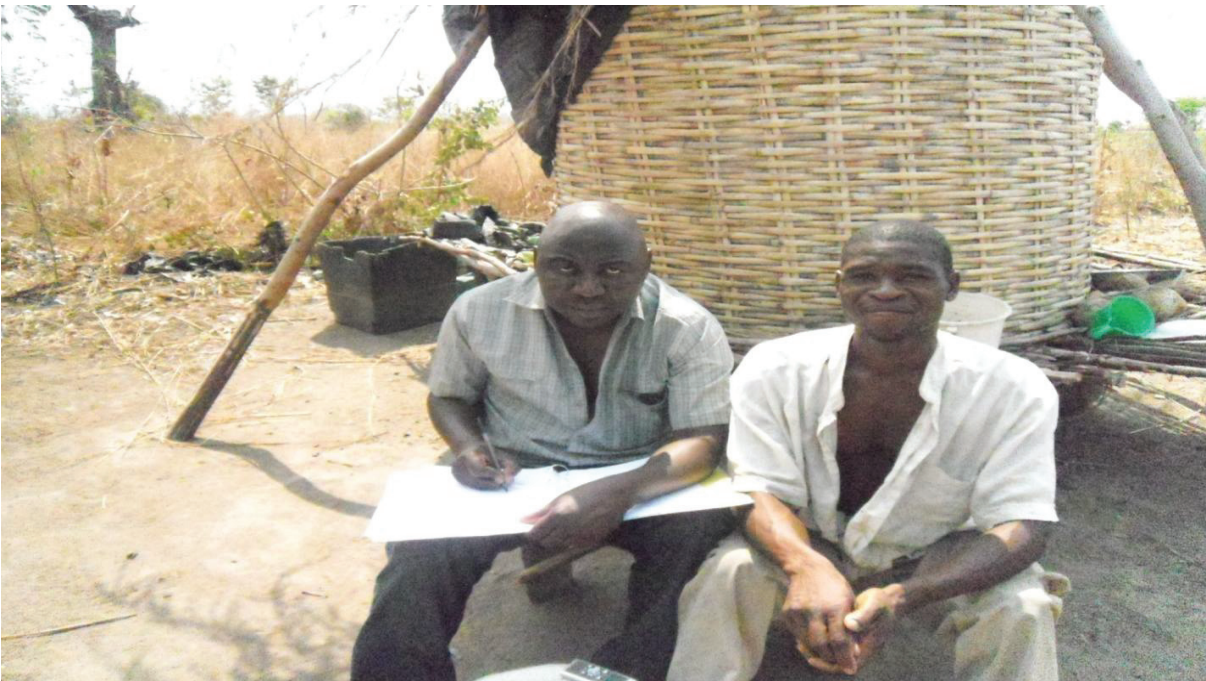


Figure 6: The Researcher interviewing the Chairman of COC

#### 4.4. Focus Group Discussion (FGD)

One focus group discussion on the theme “accessibility of land and use of spatial information by women” was conducted with women in Traditional Authority Liwonde, in Machinga District. The results of were

similarly recorded and transcribed. The group discussion focused on the factors affecting women participation in the program and analyzing how spatial information is accessed and used by women. The focus group discussion was attended by both men and women. They were 13 participants 7 men and 6 women from two beneficiary groups. The focus group was not planned for and only took advantage of a developmental meeting conducted by the District Assembly's office and with permission from the village head a focus group discussion was done and lasted for close to an hour. The FGD was conducted through the medium of a local language, Chichewa, digitally recorded, transcribed and translated into English.

#### 4.5. Documents and Maps

Secondary data supplied by the Department of Land and the program office were also collected. These included study reports, evaluation report, implementation manuals and World Bank Project Appraisal documents (Refer to annex B). Maps were collected at Surveys Offices. ArcGIS data for the estates in Machinga was again collected from surveys office.

#### 4.6. Field/ direct observation

In order to facilitate field observation, maps and photographs were taken during field visits. In addition, because it was anticipated that not all the enquiries answers will be given, personal observation were used to come up with a sensible answers depending on appearances and informal comments and utterances that were made by people contacted or interacted with.

#### 4.7. Sampling

Interviews with women beneficiaries were conducted in two receiving districts of Machinga and Mangochi where 7 beneficiary groups were visited to gather data. The groups were randomly selected from a list that was obtained from the management of the program basing on their accessibility taking into consideration the limited of the field work. In each selected beneficiary group, 2 to 9 household interviews were conducted depending on how many female-headed households were available. In total 45 female headed beneficiary households were interviewed (Refer to table 3).

In additional to the interviews with the women beneficiary from each of the 7 beneficiary, 1 member of the Community Oversight Committee from each of the BGs was again interviewed.

District	Traditional Authority	Number of beneficiary groups visited	Number of female headed households interviewed
Machinga	Chikweo	1	2
	Chiwallo	1	6
	Liwonde	1	9
	Nyambi	1	8
Mangochi	Bwananyambi	1	7
	Mponda	1	5
	Nankumba	1	8
<b>Total</b>		<b>7</b>	<b>45</b>

Table 3: Sample distribution of beneficiary groups interviewed

Interviews with local government officials were done in the two receiving districts of Machinga and Mangochi, 1 sending district of Thyolo and Physical planning office in Zomba. The officers were selected basing on their involvement in the rural land reform program. In total 9 officers were interviewed from 3 different offices (Refer to table 4).

District	Local government Office	Number of officers interviewed
Mangochi	District Assembly	2
	District surveyor	1
Machinga	District Assembly	2
Thyolo	District Assembly	2
Zomba	Regional Commissioner for Physical Planning	2
<b>Total</b>		<b>9</b>

Table 4: Sample distribution of Government officers interviewed

#### 4.8. Problems encountered

Although the random sampling was done on the ground, adjustments and replacements became necessary. This was primarily due to the inaccessibility of some BGs because of transportation problem (fuel crisis had left very few public transport operating) and was raining heavily and using bicycle transport was almost impossible. In some cases, a selected BG did not have female-headed households or household heads of such households were away visiting their homes of origin. Faced with this problem, I had no option but adopt these three options: Firstly, replace the BG, secondly interview those who had arrived in the resettled area as female headed households but later got married (the reasoning being that the decision to relocate was made when it was a female-headed household) and lastly interview more female-headed households from a BG with a high representation of female-headed households.

Another problem faced was that other respondents could not agree to participate in a voiced recorded interview and those that agreed were very cautious of words as they could not believe that the interview was only for academic purposes but thought that their sentiments will be sent to government and will be aired on radio stations or may face reprisal.

In general, participants in FGDs and some respondents to interviews expected to see immediate benefits from the discussions or interviews in the form of material rewards; or change in program policy and procedures.

#### 4.9. Data processing

The study collected both quantitative and qualitative data. Qualitative data generated through interviews with key informants, and local government officials and focus group discussion was analyzed by aggregating responses into common themes. Quantitative data were generated through structured interviews during field work. Processing of this kind of data was by computer software, SPSS version 16.0. A data base was created and appropriate coding was done to the responses and entered into the data base. Using the SPSS functionalities data was analysed and tables and charts were produced. In some cases, Microsoft Excel was used to produce graphical results.

Qualitative data were collected from semi-structured and open ended questionnaires, open interviews, focus group discussion and literature reviews. Because the volume of qualitative data collected was small and manageable, data was processed manually to answer questions and get some clarification for the purpose of this research.

## 5. FINDINGS AND ANALYSIS OF DATA

### 5.1. Socioeconomic characteristics of women beneficiaries

Socioeconomic characteristics of the household affect decisions made at the household level. The objective of this section is to provide an understanding of socioeconomic characteristics of households of the women beneficiaries in the study area. Socioeconomic characteristics examined include age, marital status, marriage/inheritance systems and education level of women beneficiaries.

#### 5.1.1. Age of women beneficiaries

Table 5 below shows that 28.9% of the women beneficiaries were aged below 30 years; 46.7% of the women beneficiaries were aged between 31-40 years; 17.8 % were aged between 41-50 years while 6.7% were aged above 50 years. The responses of participating women beneficiaries suggest that people tend to be reluctant to relocate the older they get. Younger people tend to be more willing than older people to take risks. The general picture emerging from sampled households is that the majority of women beneficiaries were below 40 years of age.

**Age of women beneficiaries (N=45)**

	Percentage
Below 30 years	28.9
31-40 years	46.7
41-50 years	17.8
Above 50 years	6.7
Total	100

Table 5: Ages of women beneficiaries

#### 5.1.2. Marital status of women beneficiaries

Table 6 shows that 37.8% of the women beneficiaries were widowed and 35.6% were divorced. Some 22.2% of the beneficiaries were married and 4.4% were unmarried. Some of the married women beneficiaries came unmarried, divorced or widowed but later on got married. Most women beneficiaries are getting married mainly due to hard labour when opening the farming land which requires man power like cutting of trees as echoed during the focus group discussion.

**Marital status of women beneficiaries(N=45)**

	Percentage
Unmarried	4.4
Divorced	35.6
Widowed	37.8
Married	22.2
Total	100

Table 6: Marital status of women beneficiaries

#### 5.1.3. Marriage/inheritance systems

Table 7 shows that 70% of the beneficiary households followed the matrilineal marriage/inheritance system, while 30% followed the patrilineal system. Families in the matrilineal system inherit land and other property through the female (wife's) line, while those following the patrilineal system inherit through the male line. Discussions with the beneficiary groups indicated that customary procedures for land inheritance are expected to change due to program rules so that rights from customary tenure shift

towards the adoption of what focus group described as ‘shared ownership’ or ‘family owned land’. The characteristic feature of this new tenure system is the equal inheritance rights for a man and his wife. Most groups affirmed this change in their formal group constitution documents.

#### Marriage / inheritance systems(N=45)

	Percentage
Patrilineal	30
Matrilineal	70
Total	100

Table 7: Marriage/inheritance systems of women beneficiaries

#### 5.1.4. Education level of women beneficiaries

Figure 7 below shows that 53.3% women beneficiaries had not attended any education and 28.9% had attended primary education (standard 1 to standard 5), while 13.3% had attended senior primary education (Standard 6 to 8) and 2.2% had attended secondary education up to form 2 and another 2.2% had attended secondary education up to form 4.

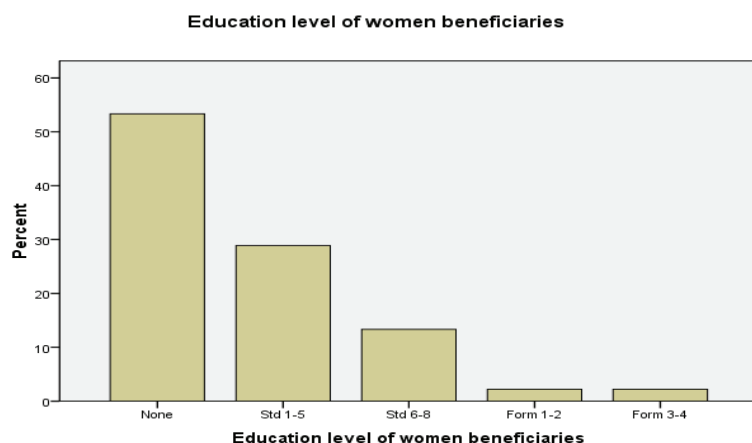


Figure 7: Bar graph showing education levels of women beneficiaries

## 5.2. Participation of women beneficiaries in the land acquisition process

### 5.2.1. Source of information about the program

Most current women beneficiaries reported friends and relatives (37.8%) as the source of program information. Village head came second 26.7% as the source of program information and radio 20.0%. Only 15.6% mentioned program team as the source of program information (Figure 8). This was again indicated during the focus group where beneficiaries mentioned friends and relatives as the major source of information about the program and very least mentioned the program team. Over 95% of the women beneficiaries who indicated the project team as the source of information about the program indicated that they attended a sensitisation meeting organised by District Assembly officials. They also indicated being satisfied with the sensitization process as it provided adequate information and clarity on some issues about the program and relocation processes.

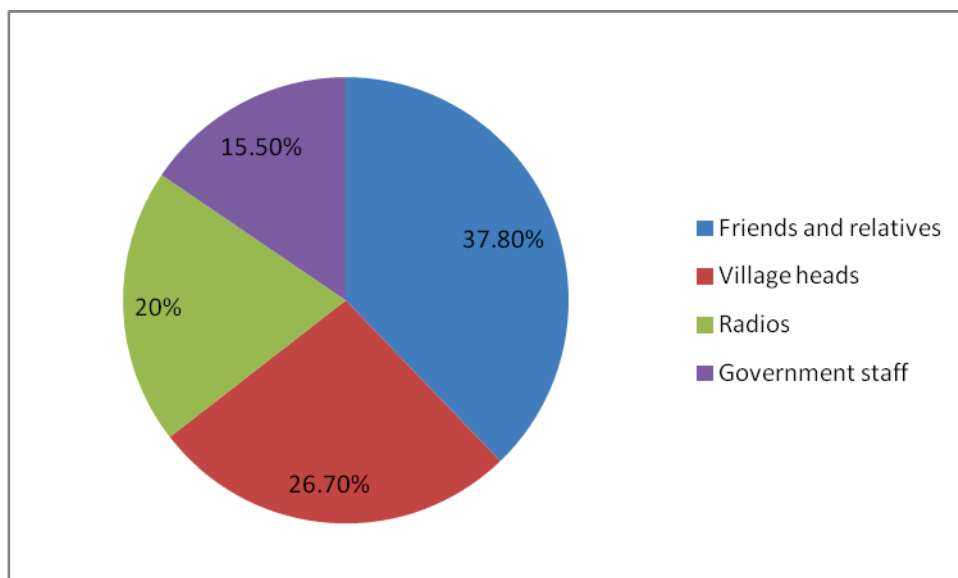


Figure 8: Pie chart showing source of information about the program by women beneficiaries

### 5.2.2. Access and understanding of individual expression of interest forms

Table 8 shows that access to individual expression of interest forms by women beneficiaries were not a problem. Over 95% of the respondents indicated that they had no problems on accessing the individual expression of interest forms. Almost 4% indicated that they had problems in accessing forms. Those who indicated that the forms were not accessible indicated that they had to go to the COC for more than once in order to get the form as each time they went to the COC members the forms were not available. All the women beneficiaries interviewed indicated the COC as the source of the individual expression of interest forms. (Refer to annex D for the individual expression of interest form)

#### Access to Individual Application forms (N=45)

	Percentage
Easily accessible	95.6
Not easily accessible	4.4
Total	100

Table 8: Access to Individual expression of interest forms by women beneficiaries

Table 9 shows that 95.6% of the women beneficiaries had no problems in completing the individual expression of interest forms while 31.1% indicated that they had problems in completing the forms. Those who indicated that the forms were not easy to complete indicated that they cannot read and write and had to seek for help from friends in completing them.

#### Completion of Individual Application forms (N=45)

	Percentage
Easy to complete	68.9
Not easy to complete	31.1
Total	100

Table 9: Completion of Individual expression of interest forms by women beneficiaries

### 5.2.3. Understanding and clarity of Group expression of interest forms

Table 10 shows that 97.8% of the women beneficiaries indicated that the Group Expression of Interest Forms was well understood. Only 2.2% of the women beneficiaries interviewed indicated that they had problems in understanding the Group Expression of Interest Forms and indicated that some of the issues



were not clear to them like how to prepare the farm development plan. (Refer to annex D for the Group Expression of interest form)

#### **Understanding and Clarity of Group Expression of Interest Forms by women (N=45)**

	Percentage
Easily understood	97.8
Not easily understood	2.2
Total	100

Table 10: Understanding and clarity of Group expression of interest forms by women beneficiaries

Both the individual expression of interest forms and group expression of interest form were translated in vernacular and were completed in a group with inputs from several people. The sources of these forms are the COC members and village heads. This was again confirmed during the focus group discussion.

#### **5.2.4. Women perception on criteria of selecting beneficiaries**

Table 11 shows that Poverty and landlessness were the main factors for selecting new beneficiaries 37.8% and 46.7% respectively. This was again confirmed by the interview with Traditional Authority and village heads who indicated that were aware of the selection criteria used in selecting beneficiaries. They provided a list of what they perceived as selection criteria and these were: poverty, landlessness and sharing of idle land. The same results were obtained through interviews with COCs where it was indicated that landlessness was a priority focus area in the selection of program beneficiaries followed by poverty and gender. However, 15.6% of women beneficiaries indicated that no criteria were used in the selection of some of the beneficiaries.

#### **Women perception on criteria for selecting beneficiaries(N=45)**

	Percentage
No criteria used	15.6
Poverty	37.8
Landlessness	46.7
Total	100

Table 11: Women beneficiaries' perception on criteria for selecting beneficiaries

#### **5.2.5. Formation of Beneficiary Group**

Figure 9 below indicates that 64.4% of the women beneficiaries indicated that members chose one another to form a Beneficiary Group, 20% of the women respondents indicated that they came together as a family while 15.6 % indicated that they were assigned to a group by Community oversight Committee members. Although the program ideals of voluntary association and transparency were largely adhered to, there were cases of deviation as for example where Community Oversight Committees allegedly selected their relatives as indicated by some of the beneficiaries who indicated that they were assigned a BG by the COC members.

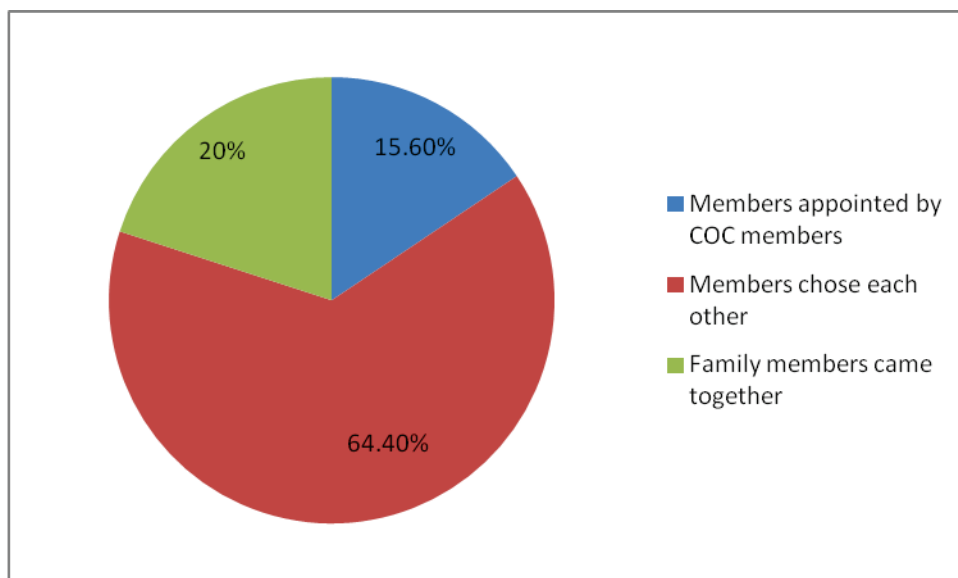


Figure 9: Pie chart showing women beneficiaries' perception on Beneficiary group formation

#### 5.2.6. Women perception on how members of the COC/PMCs were selected

Table 12 shows that the majority (68.9%) of women beneficiaries responded that the Community Oversight Committee (COC) members were selected through consultations with communities and 20% indicated that the COC members were selected by the village heads while 11.1% indicated lack of knowledge on how the COC members were selected.

#### Women beneficiaries' perception on how members of COC/PMC were selected (N=45)

	Percentage
Consultation with communities	68.9
Selected by village heads	20.0
Do not know how they were selected	11.1
Total	100.0

Table 12: Women perception on how members of COC were selected

#### 5.2.7. Awareness of the functions of COC/PMC

Table 13 shows that the women beneficiaries knew the functions of the COC/PMCs (93.3%) while only 6.7% of the women beneficiaries did not know.

#### Awareness by women beneficiaries of the functions of the community oversight committees (N=45)

	Percentage
Aware	93.3
Not aware	6.7
Total	100.0

Table 13: Awareness of the functions of COC by women beneficiaries

Those who knew the function of the COC/PMC indicated verification of eligibility of beneficiaries (40%), keeping records of group information including membership of such group (24.4%) and coordinating land acquisition processes i.e. identification of land (28.9%) as the major function of the COC/PMC. Some

6.7% of the women beneficiaries did not know the functions of the COC/PMC (Figure 10). This was confirmed by the members of the COC/PMU interviewed.

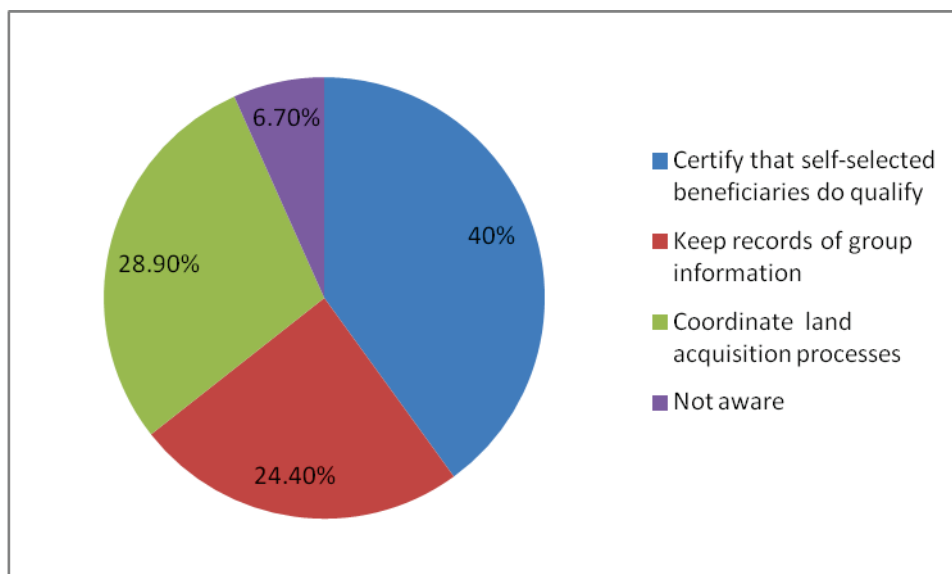


Figure 10: Functions of COC/PMC

### 5.2.8. Benefits of the project

Table 14 shows the benefits accrued by women beneficiaries from participation in the program. Ownership of larger land holdings than they had in their homes of origin was the major benefit 48.9%. The other benefits were ability to produce enough food with surplus to sale 26.7%, received money for farm inputs 20%. These benefits were also confirmed from the focus group discussion as echoed by one of the woman beneficiary. *“I had never dreamed of owning my own piece of land and even of producing 10 bags of maize but I can tell you that last growing season I managed to produce 30 bags of maize.”* *“Despite some of the problems here and there but I think I am very much better off than before.”* These sentiments were agreed by all the 13 participants of the focus group discussion. Figure 11 shows a woman beneficiary in front of her own house and to her left her piece of land under cultivation.

**Benefits from the program (N=45)**

	Percentage
Ownership of larger land holdings	48.9
Ability to produce more food	26.7
Money for farm inputs	20.0
Others	4.4
Total	100.0

Table 14: Benefits accrued from participation in the program



Figure 11: A woman beneficiary in front of her house and her piece of land (Source: CBRLDLP office)

Asked if men and women had equal access to land in the program, the number of women beneficiaries who said 'Yes' were more than twice the number of women who said 'No'. The number of COC/PMC members who said 'Yes' was again more than twice that those who said 'No' as shown in Table 15

Women beneficiaries		COC Members	
YES	33	YES	5
NO	12	NO	2
<b>Total</b>	<b>45</b>		<b>7</b>

Table 15: Opinion by women and COC/PMC members on equal access of land

Those who indicated that there was no equal access of land between men and women indicted that more men have benefited more than women because of the fear women had on the program with regards to the negative rumours about the program.

#### 5.2.9. Women beneficiaries perception on reasons for other women not joining the program

Table 16 shows that female headed household's beneficiaries perceive anticipated heavy workloads 33.3% as the major reason female headed household's families are not joining the program. Negative rumours of the program (like government wants to sell them to the Chinese or they want them to get Islamised) was mentioned by 28.9% as the reason for women not participating in the program while 17.8% indicated fear of settling on unknown land far from family and ancestors. Fear of losing control of their current land was indicated by 13.3% of the women beneficiaries as the reason for women not participating in the program.

#### Women perceptions on reasons for not joining the program (N=45)

	Percentage
Fear of settling on unknown land far from family and ancestors	17.8
Fear of losing control of current land	13.3
Negative rumors of the program	28.9
Anticipated heavy workloads	33.3
Others	6.7
<b>Total</b>	<b>100</b>

Table 16: Women perception on reasons for other women not joining the program

### 5.2.10. Problems faced by relocated women beneficiaries

Table 17 shows problems faced by relocated women beneficiaries. Lack or inadequate social services like safe drinking water and schools as the major problem (40%). In some cases the neighbouring communities do not allow them to use the existing social services like boreholes because of cultural and religious differences as found from the focus group discussion. The neighbouring communities are mostly Muslim and do not eat pork while the beneficiaries are Christians and normally eat pork. Second on the list of problems faced by women beneficiaries and closely related to the first is hostility from the host communities (22.2%) who resent their presence in the community. It was found out in during the focus group discussion that this hostility stems from the perception that the settlers have been given land by the Government which rightfully belongs to the host community. Beneficiaries were even given names like “Aboma” which literally means government people. Heavy workloads (20%) and lack of male labour (17.8%) were again indicated as problems faced by women beneficiaries (female headed households) as echoed during the focus group discussion.

*“For us women without husbands it becomes very difficult to do some of the works which requires man power like felling trees, digging pit latrines etc. It becomes very difficult for us to work alone. Our friends who are married have an advantage. We have no one to help us. This has compelled some of our friends to get married so that they share the work load.”*

*“Our friends who are married are able to accomplish a lot more work on the gardens than those of us who do not have husbands. Those of us who do not have husbands do hire men to do some of the works and every time we are paying and paying.”*

#### Problems faced by relocated women beneficiaries(N=45)

	Percentage
Hostility from host communities	22.2
Inadequate social services like water and schools	40
Heavy workloads	20
Lack of male labor	17.8
Total	100

Table 17: Problems faced by relocated women beneficiaries

Figure 12 shows a new farming land being opened. This is in support of heavy workloads as a problems faced by women beneficiaries.



Figure 12: Opening of new farming land in Traditional Authority Mponda in Mangochi District

### 5.2.11. Suggestions for improving women participation in the program

When the question on what can be done to improve or encourage more women to participate in the land acquisition program was imposed on the current women beneficiaries, there were mixed suggestions. Table 18 shows that 28.9% indicated increase in settlement allowance for women beneficiaries to provide to the lack of male labor. 26.7% indicated continuing of awareness campaigns to dispel negative rumors about the program. Some 24.4% indicated provision of social services while 20% indicated provision of loans for small-scale businesses to women as ways of improving participation of women in the program.

#### Women beneficiaries suggestions for improving women participation in the program (N=45)

	Percentage
Continue awareness campaigns to dispel negative rumors about the program	26.7
Provide social services	24.4
Provide loans for small-scale businesses to women	20.0
Increase resettlement allowance for women beneficiaries	28.9
Total	100

Table 18: Women beneficiaries' suggestions on ways of improving participation of women in the program

### 5.3. Women beneficiaries and spatial information

#### 5.3.1. Spatial information requirements

Spatial information that was required by the communities included cadastral maps which indicated the legal boundaries of the estates, topographic maps and village sketch maps. These spatial information requirements were identified from the interviews with local government officials and COC/PMC members. Out of 45 women beneficiary respondents interviewed 46.7% indicated having accessed cadastral maps (deed plan), 35.6% indicated village sketch maps and 13% topographic maps as shown in figure 13.

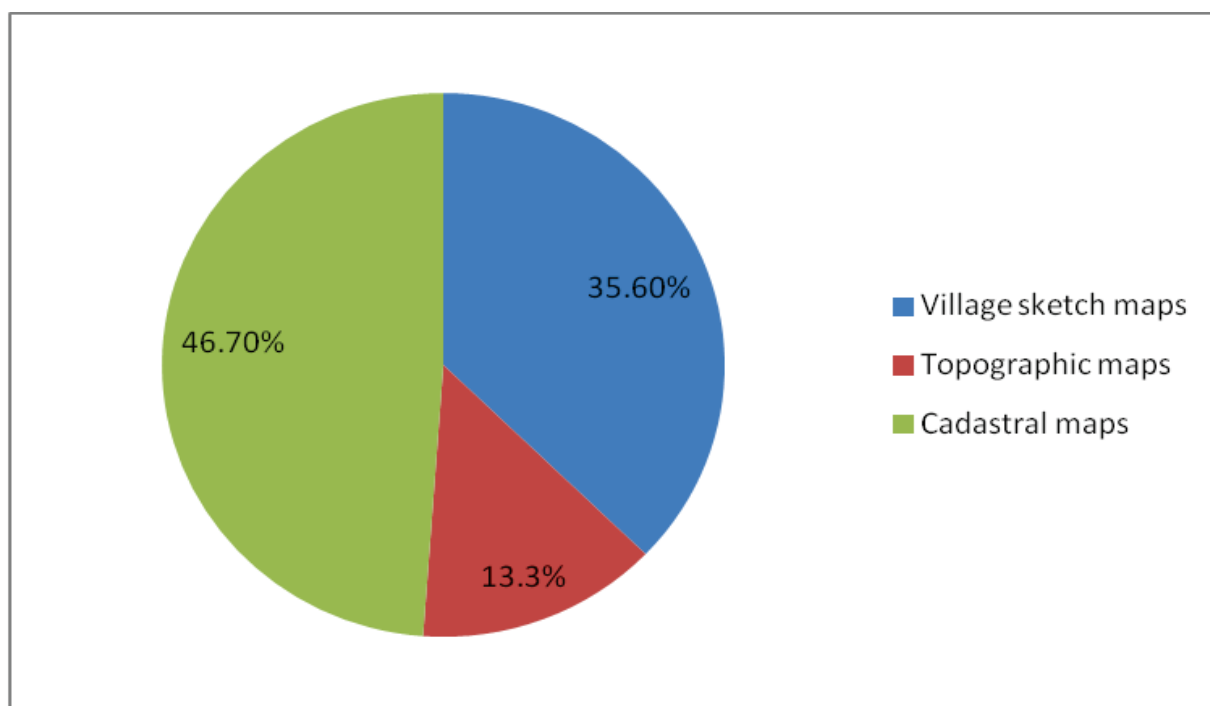


Figure 13: Pie chart showing accessibility to spatial information

The degree of accessibility of spatial information by women was also revealed in the level of satisfaction they had on the role of local government (DC's) office as whether they are satisfied with the role of local government. 55.6% of respondents were not satisfied, 17.8 were satisfied while 26.7% were very satisfied as shown in Table 19. Those who indicated that they were not satisfied with the role of local government indicated that the local government took long and in some cases never even responded to some of the problems the beneficiaries group faced like boundary disputes with the host communities and provision of social amenities. Similar assertions were also made during the focus group discussion.

#### Level of satisfaction with Local Government entities(N=45)

	Percentage
Very satisfied	26.7
Satisfied	17.8
Not satisfied	55.6
Total	100

Table 19: Level of satisfaction with the role of local government

#### 5.3.2. Use of spatial information by women

Table 20 shows that 64.4% of the women beneficiaries had never used spatial information and indicated that it matters less whether to use or not use the 'maps'. *“What matters to us is to get enough land for cultivation to support our families; Men do the identification of our beneficiary group boundaries and we are just told that this is your land and these are your boundaries”* The 35.6% that used the spatial information mentioned the cadastral surveys maps. *“We used maps when we were dividing our land into smaller individual parcels and in the identification of land boundaries for our trust.”*

#### Use of spatial information by women(N=45)

	Percentage
Used	35.6
Never used	64.4
Total	100

Table 20: Use of spatial information by women

#### 5.3.3. Women beneficiaries participation in drawing the village sketch land use plan

Table 11 shows the participation of women in making sketch land use plan/map of their land. The sketch plan referred to as a farm development sketch map indicates common features on the area such as the roads, rivers, settlements, grazing and cultivated fields. These maps are drawn with the assistance of Agriculture Extension Officers using community's knowledge of the area and are attached to the farm development proposal submitted to the District Assembly. 35.6% of women beneficiaries indicated that they took part in making the plan while 64.4% indicated that they did not take part. More women did not take part in drawing the sketch plans. This was again confirmed during the focus group discussion as 4 out of the 6 women who took part in the focus group discussion indicated that they did not take part and that they depended on their male counterpart to do the drawing.

*“The men did the drawing.”* Asked why they just let men do the drawing, this was what they had to say;

*“Men were just born more intelligent than we women.”*

**Participation of women in drawing the Beneficiary Group land use sketch plan (N=45)**

	Percentage
Took part	35.6
Did not take part	64.4
Total	100

Table 21: Participation of women in drawing land use sketch plan

The processes involved when drawing the sketch as discussed during the focus group discussion and confirmed from the interviews with the COC members has been depicted in figure 14.

Firstly, a meeting with the neighbouring communities was called by the COC. The meeting discussed the boundaries of each other's land. Where the communities had agreed on their land boundaries, the BG went ahead in preparing their parcel boundaries. In the event where they did not agree, they referred the matter to the office of the DC. Once the parcel boundaries had been prepared the BG assessed the existing land uses and drafted the existing land uses and discussed the potential land uses. Once agreed the communities did the demarcation using both physical boundaries and pegging and later on did the mapping. The final detailed land use plan was attached to the farm development proposal which was submitted to the District Assembly's office.

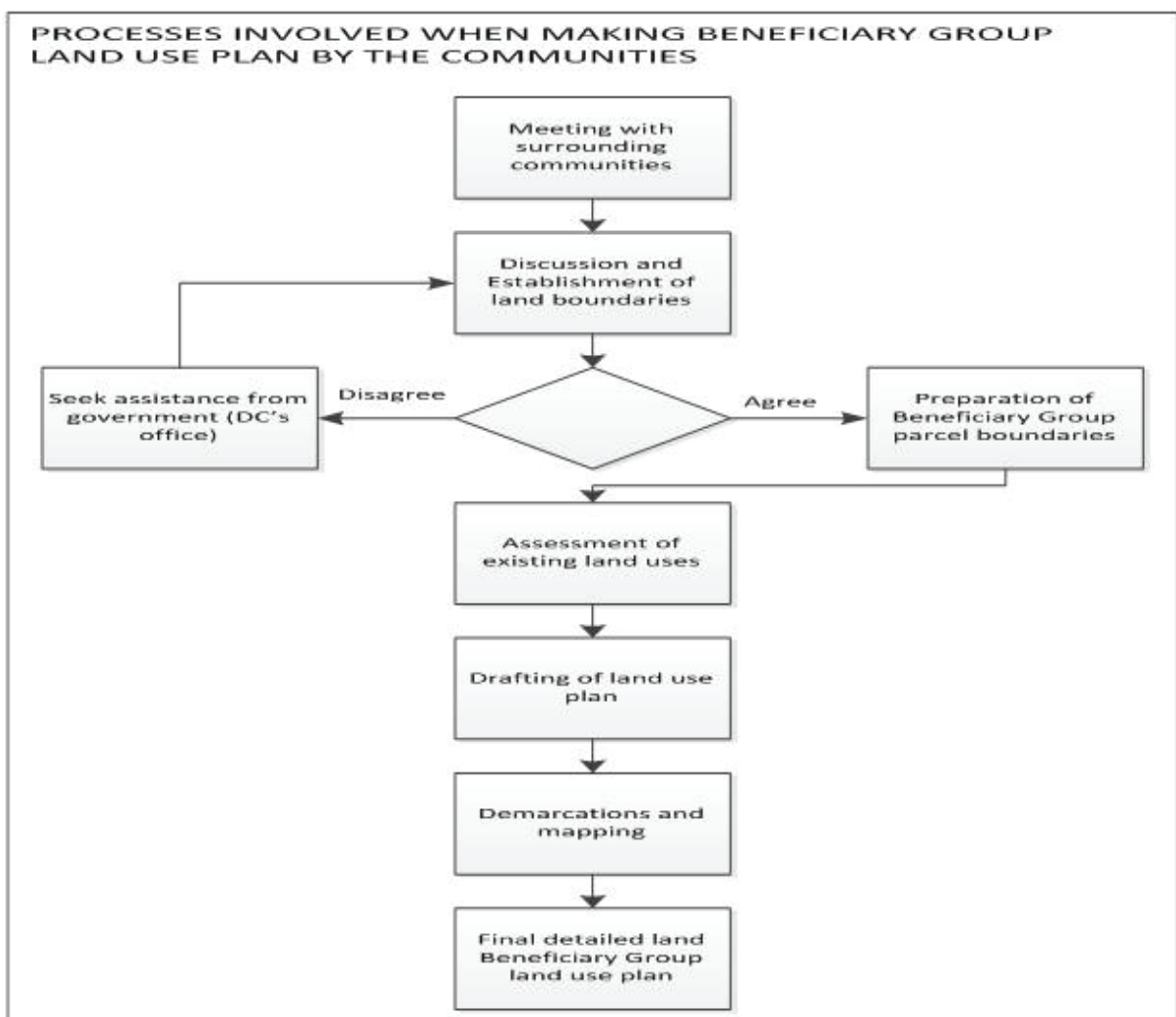


Figure 14: Steps in preparing Beneficiary Group Land use plan



### 5.3.4. Land parcel sub-divisions and sharing

Table 22 shows that 73.3% of the women took part in doing the subdivisions of the land and 26.7% did not take part. The subdivisions as indicated from the interview with the members of COC were done by the communities themselves using 100m rope and each parcel had to be given 2 pieces of land of 1 hectare (100x 100) each. The subdivided parcels were given numbers and the numbers were written on smaller pieces of paper folded and put in box and mixed. Each beneficiary was then asked to pick a single paper and the corresponding number on the paper became his or her land. He/she was again given another turn to pick the second piece of paper.

#### Participation of women in subdivision of land (N=45)

	Percentage
Took part	73.3
Did not take part	26.7
Total	100

Table 22: Participation of women in subdivision of land

Those who indicated that they did not take part in the subdivisions indicated that they depended on their friends especially male friends to do the subdivisions and only took part in the allocations i.e. sharing of the land. Table 23 represents the perception of the women beneficiaries as regards whether they agree that the subdivisions and allocations are done in a fair manner.

#### Perception of women on fairness in land subdivisions and sharing (N=45)

	Strongly agree	Agree	Neither	Disagree	Strongly Disagree	Total
Women Beneficiaries	13	23	2	5	2	45

Table 23: Perception of women on fairness in land subdivisions and sharing

Those who did not agree on fairness in the subdivision process had no reason for that but only wished if the subdivisions were done by the government officials.

### 5.3.5. Education and use of spatial information by women

Figure 15 show that 21% of the women beneficiaries who never attended any education used spatial information while 23% who attained education up to standard 5 used spatial information. Some 83% of the women beneficiaries who attained education up to standard 8 used spatial information whereas all the women beneficiaries who attained education up to secondary level used spatial information.

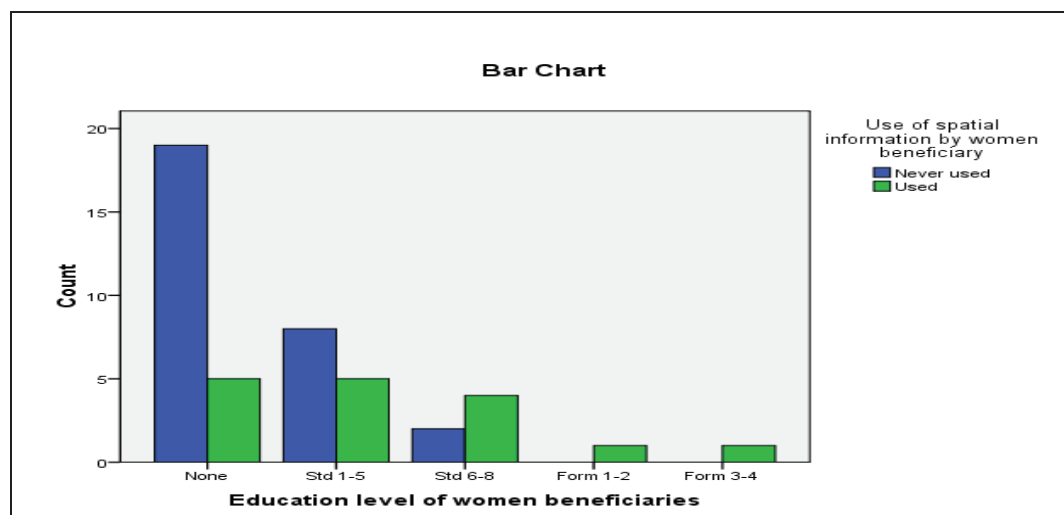


Figure 15: Bar graph showing education level of women beneficiaries and use of spatial information

### 5.3.6. Factors affecting the use of spatial information by women

Figure 16 shows reasons why some women beneficiaries did not use spatial information. The figure shows that 28.9% of the women did not use spatial information because they depended on their male colleagues, 15.6% indicated accessibility while 46.7% indicated that they could not understand or read it where as 8.9% indicated that they saw no importance in using it.

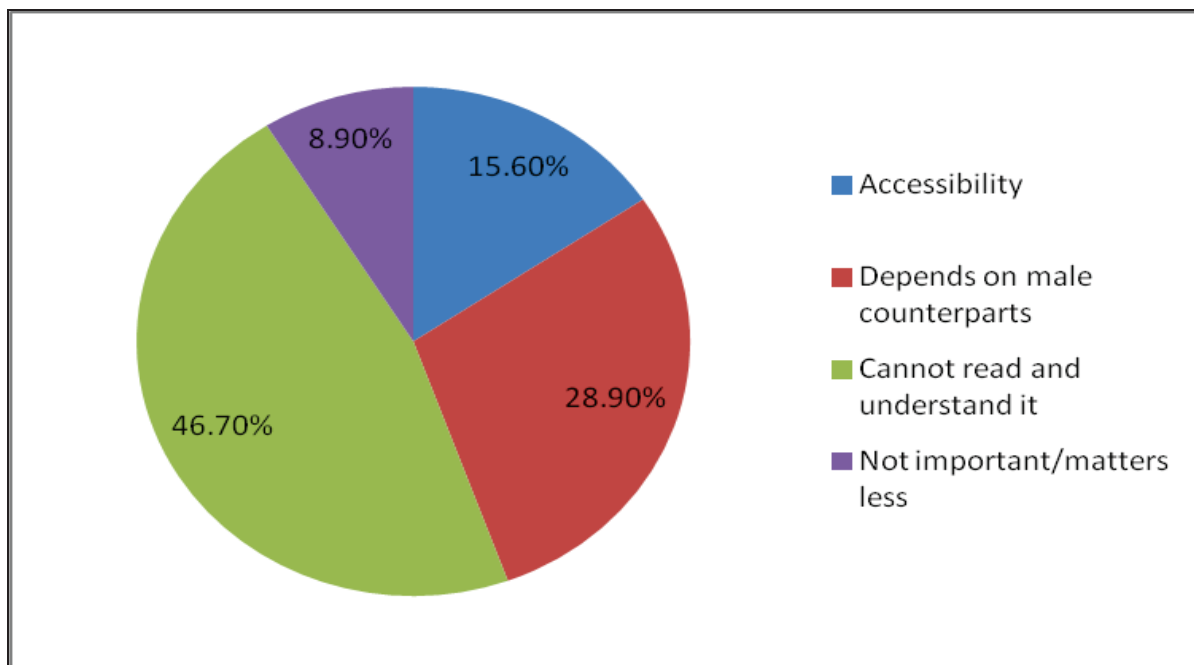


Figure 16: Factors affecting the use of spatial information by women

### 5.3.7. Distribution of women beneficiaries

Table 24 shows the number of women beneficiaries in the 7 visited Traditional Authorities. On average women beneficiaries comprised of 18.23% of the total households among the BGs.

District	Traditional Authority	Number of BGs	Number of families	Number of women beneficiaries	Percentage of women families
Mangochi	Bwananyambi	7	126	35	27.78
	Mponda	3	63	6	9.52
	Nankumba	7	133	23	17.29
<b>Sub-total</b>		<b>17</b>	<b>322</b>	<b>64</b>	<b>19.88</b>
Machinga	Chiwalo	6	114	21	18.42
	Liwonde	3	69	12	17.39
	Nyambi	5	85	13	15.29
	Chikweo	1	30	3	10.00
<b>Sub-total</b>		<b>15</b>	<b>298</b>	<b>49</b>	<b>16.44</b>
<b>Total</b>		<b>32</b>	<b>620</b>	<b>113</b>	<b>18.23</b>

Table 24: Distribution of female-headed beneficiary families (Source District Assembly's offices, Mangochi & Machinga)

### 5.3.8. Spatial distribution of women beneficiaries

Figure 17 shows the spatial distribution of beneficiary groups. It can be seen that most beneficiary groups had less than 14% women representation. There was no general pattern of the spatial distribution of beneficiary groups in relation to the percentage of women beneficiary representation per beneficiary group.

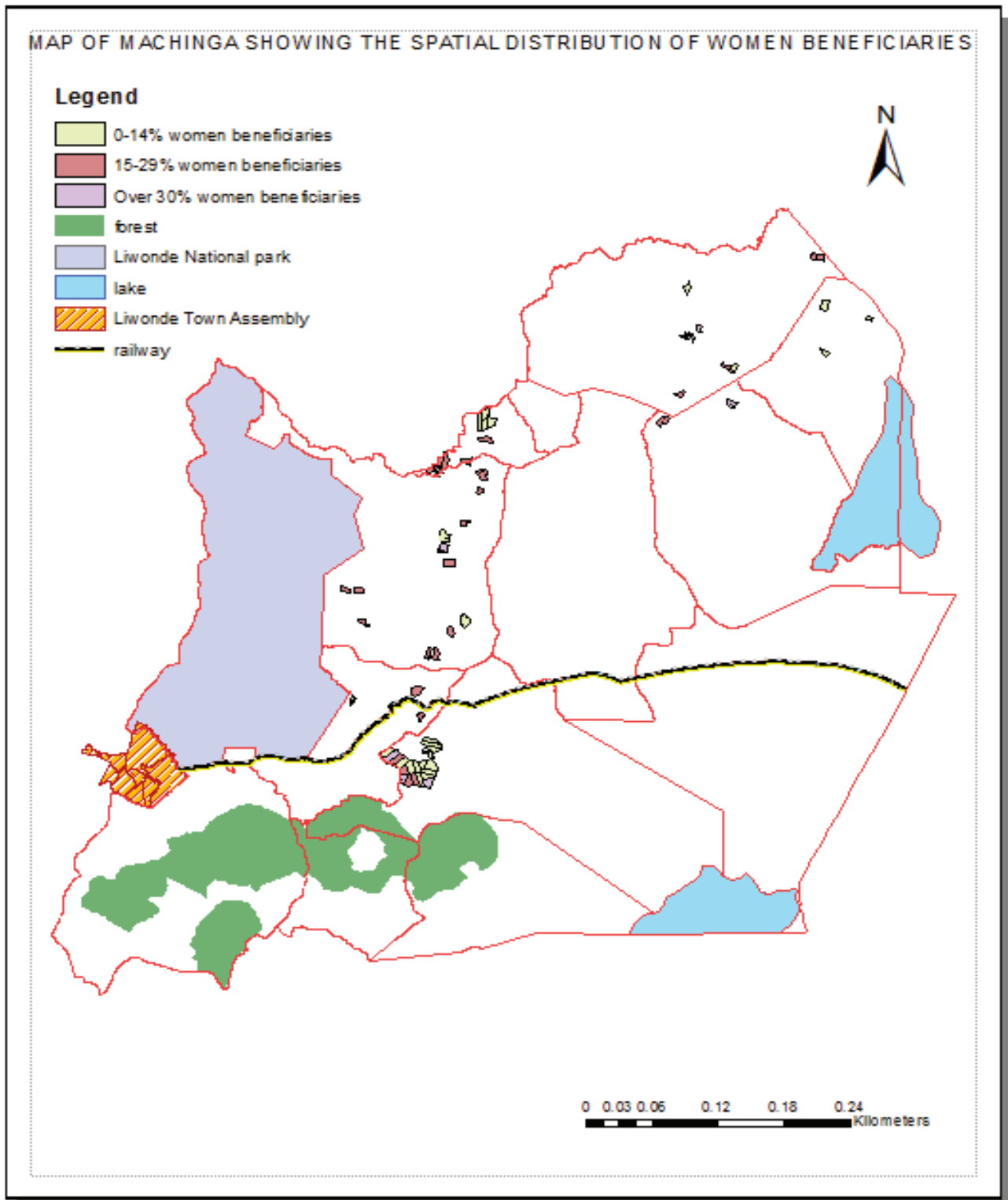


Figure 17: Map of Machinga District showing spatial distribution of female-headed households in land relocated areas

#### 5.4. Land acquisition process

The Land acquisition process involves several components under which different actors play an active role. Figure 18 is a use case diagram indicating the various actors involved in different stages in the land acquisition process. The actors involved in the mobilization of beneficiaries' process are the program team, District Assembly's office official and the communities themselves. In the vetting of individual expression of interest and forming of beneficiary groups the actors involved are the communities themselves and the elected Community Oversight Committees. The Community Oversight Committee is endorsed by the District Assembly's office. In the training of the COCs is the actors involved are the District Assembly's office and the COCs themselves. After the verification of eligibility of the beneficiary groups by the District Assembly's office, in the identification of farms the actors involved are the District Assembly's office which has the list of all farms on sale and the beneficiary groups. The actors involved in the negotiation of price for the farm are the beneficiaries themselves and the farm appraisal actors are the District Assembly's office and the Field Appraisal Team. The final stage of payment and settling, the actors involved are the Malawi Social Action Fund (MASAF) and the communities themselves for settlement.

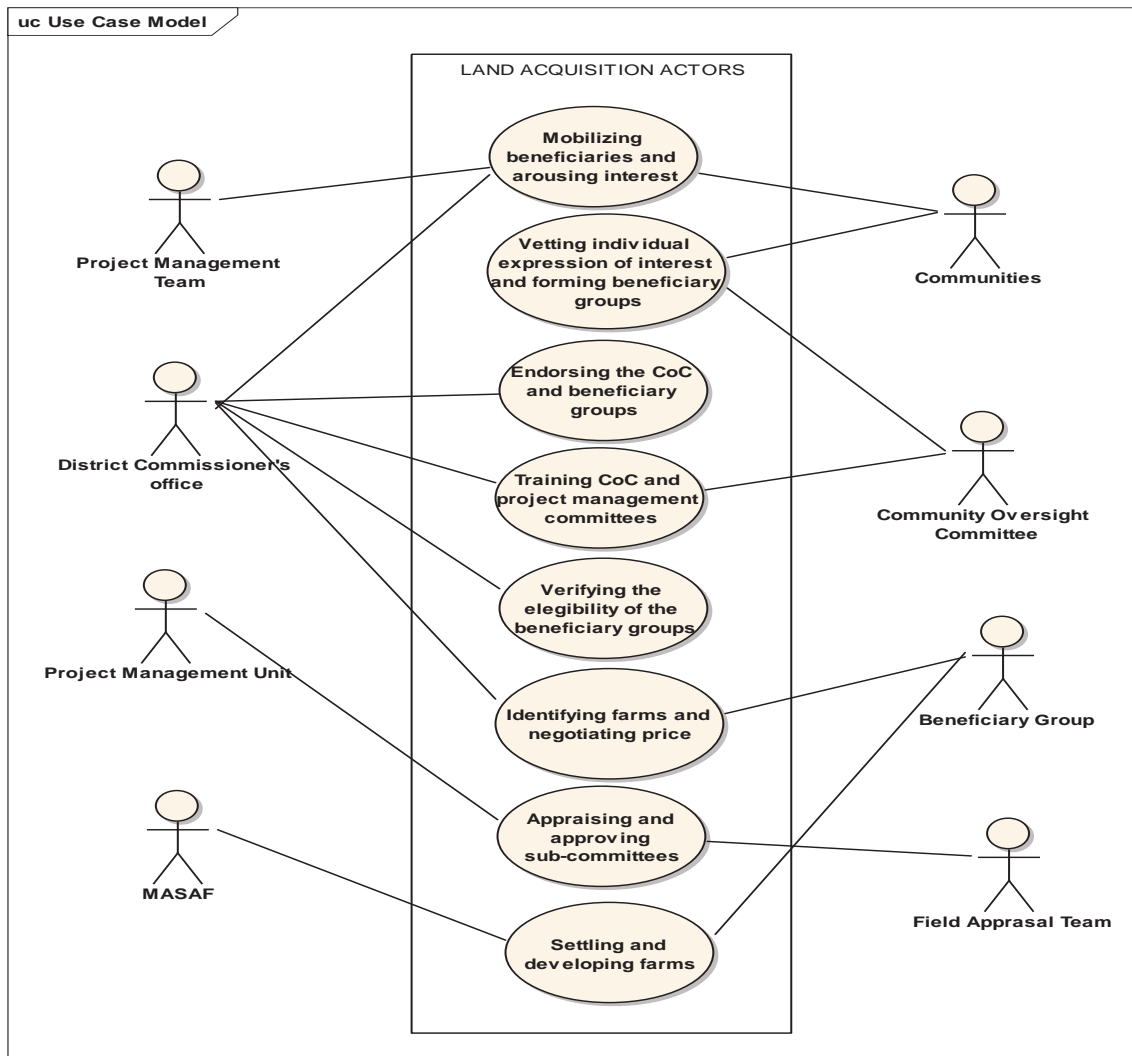


Figure 18: Use case diagram showing actors involved in land acquisition

Figure 19 is the activity diagram depicting the whole land acquisition process. The land acquisition process starts with the mobilization of beneficiaries through sensitisation meetings with the communities. After being sensitized the communities selects members of the Community Oversight Committee and interested individuals completes the expression of interest forms. The expression of interest forms are

vetted by the Community Oversight Committee and are endorsed by the Village heads. Once endorsed the communities form beneficiary groups. District Assembly office endorses both the COC members and the beneficiary groups. Once endorsed the beneficiary groups select the Program Management Committee. The PMC and the COC members are later trained by the DC's office. The DC's office later with the communities themselves verifies the eligibility of the beneficiary groups before identifying suitable farms whose owners are willing to sell. The beneficiary groups choose the farms of their own choice from the list and negotiate the price with the farm owner. Once negotiations are done a provisional sale agreement is prepared and signed by both parties and is sent to the DC's office for onward processing. Malawi Social Action Fund transfers the money directly to the seller and once this is done the beneficiary groups relocate and start developing the farm.

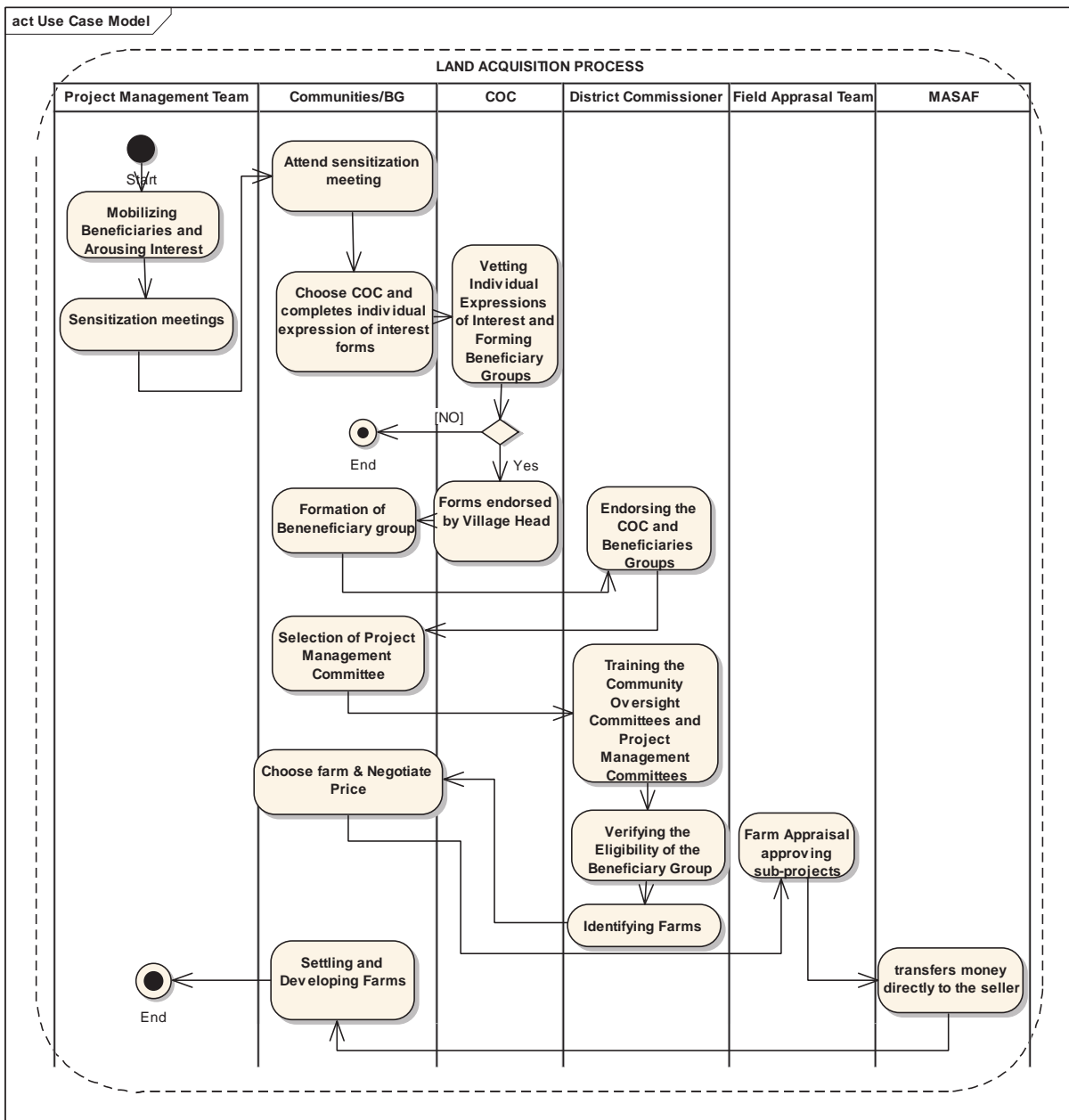


Figure 19: Activity diagram depicting land acquisition process

**5.4.1. Mobilization of beneficiaries and arousal of interest**

The mobilization of beneficiaries and arousing of interest is conducted by the Program Management Team, by holding sensitization meetings with the District Executive Committees in the sending districts.

District Executive Committees holds mass meetings with area development committees, village development committees, and the general public. The communities are sensitized on the program and participation of women and other vulnerable groups is encouraged. The sensitization is also conducted through mass media such as print media, radio and television. Following the sensitization, individual expression-of interest forms are given to group and village heads to distribute to those who wish to participate in the program. From the sensitization meetings it is expected that a lot of women are to participate as most of them are poor and landless. At this stage the public is advised to form Community Oversight Committees (COCs) as subcommittees of village development committees. The committee has to have 10 members of which at least 5 should be women. Among other things, the COC is responsible for distributing individual expression-of Interest forms and vetting applicants at the village level.

#### **5.4.2. Vetting of individual expression of interest forms and forming of Beneficiary Groups**

When the COCs have received and registered all completed individual expression-of interest forms, the forms are checked for eligibility against pre-determined criteria (poor, land poor, food insecure and willingness to farm). Applicants are either accepted or rejected on the basis of those criteria. Women and other vulnerable groups like the disabled are given priority if they are eligible. The accepted forms are submitted to the village headman for endorsement. The COCs advise people whose forms have been approved to form a beneficiary group of 10–35 households. The group then appoints an interim committee comprising a chairperson, a secretary, and a committee member of which at-least 1 should be a woman. This committee completes a group expression-of-interest form. All individual expression-of-interest forms are attached to the group form and sent to the District Assembly's office.

#### **5.4.3. Endorsing the COCs and beneficiaries**

Once the group forms are received, checked, and registered at the District Assembly's office, the Lands Program Officer and members of the District Executive Committee organize meetings with the village development committee. The community members endorse the eligibility of each member of the beneficiary group. When endorsements are completed, the group elects a Program Management Committee (PMC) in a participatory manner, taking into consideration individual trustworthiness and the committee's gender balance. The PMC has at least 30% women representation.

#### **5.4.4. Training of COCs and PMCs**

The COCs and PMCs are trained in their roles which amongst them is selection of beneficiaries and farm identification. Trainings are based on identified needs, and are coordinated by the capacity building component of the program. District training teams play a pivotal role. Training sessions varies in duration, depending on the subject—program cycle, leadership skills, group dynamics, communication skills, conflict management, or gender and HIV/AIDS mitigation.

#### **5.4.5. Verifying eligibility of Beneficiary groups**

When the District Assembly' office receive the group interest forms, a field appraisal team, led by the Lands Program Officer, scrutinized the documents to ensure that all applicants are in compliance with eligibility criteria. This is done in a transparent manner through meetings with communities, village development committees, and extension agents. At these meetings, the eligibility of individual applicants is vetted and applicants' gardens are visited on a sample basis. There is very little which the team does to make sure that there is a gender balance in beneficiary group as participation is on willing basis.

#### **5.4.6. Identifying farms and negotiating price**

Once an estate is offered for sale, the PMU and officials from the District Assembly's office where the estate is located inspect the farm to verify its existence, size, encroachment status, suitability for agricultural production, and the availability of social infrastructure. Estates that are encroached, has dual ownership, or are not suitable for agricultural production cannot be purchased under the Program. The

PMU prepares for the beneficiary group a list of eligible estates and a set of negotiation guidelines that included indicative prices of agricultural land per hectare, with regard to the prevailing economic trend. The group is advised to buy at least 2 hectares per beneficiary household, plus 3 to 5 hectares for communal use, such as afforestation and a school or playfield for children. Once the group chose an estate it is interested in acquiring, its representatives negotiates the price with the owner. When agreement is reached, the owner issues a provisional letter of agreement to sell land to the group. Thereafter, with assistance from Agricultural officers, the beneficiary group prepares a preliminary farm development plan. The group sends its application to the District Assembly where the estate is located, with individual and group expressions-of-interest forms, the provisional letter of agreement, and the preliminary farm development plan attached.

#### **5.4.7. Appraising and approving sub-committees**

Upon receipt of the documents, the Lands Program Officer issues a 21-day public notice. The notice is posted on a public notice board at the District Assembly's building and published in newspapers. The submitted LAFD proposal is circulated to the field appraisal team for scrutiny before field appraisals are made. While the public notice is still in force, the field appraisal team evaluated the estate in the presence of members of the concerned Program Management Committee, the receiving COC, and the general public. The field appraisal team prepares a report and recommendations that are presented to the District Executive Committee for approval. When the committee has approved the report and the team's recommendations, the LAFD proposal is sent to the PMU for consolidation and forwarding to the National Technical Advisory Committee (NTAC) for further review. Finally, it goes to the Office of the Secretary for Lands, Housing and Urban Development for final approval.

#### **5.4.8. Settling and developing farms**

When the LAFD proposal has been approved, the beneficiary group signs the LAFD grant agreement with the Malawi Social Action Fund (MASAF). For land purchases, MASAF transfers money directly to the seller. The amount transferred is equal to up to 30 percent of the LAFD grant. Once settled and after proper orientation, beneficiaries decides to themselves on: (i) the legal entity under which they will hold the land (e.g. association/club, trust, company, individual subdivisions); (ii) the specific property rights regime (e.g. freehold, leasehold, or when the new land law is passed 'customary estate'); (iii) sub-divisions, demarcation of individual lots and common areas; and (iv) the level of precision required (traditional markers, surveying) and level of formalization/registration of property rights.

### **5.5. Role of local Government**

Implementation of the CBRLDP is done through and institutional and management structure deliberately designed to promote effective participation of the beneficiaries in all processes of the program management, to ensure ownership and sustainability of the program. The Government of Malawi decided in 1998 to devolve responsibilities to Local Governments (District Assemblies), increasing their powers for land administration, including valuation, taxation surveying and enforcement of lease agreements as stipulated in the Local Government Act, 1998. In recognition of this, the implementation of the CBRLDP is largely through the District Assembly framework. However, since the CBRLDP is community demand driven, the role of the District Assemblies cannot be emphasized.

The Local Government offices involved in the program are; The District Assembly's offices both in the sending and receiving offices, Physical Planning offices, Surveys as well as the District Agriculture Development officers.

### 5.5.1. Interviews with District Assembly's officers

The main role of the District Assembly's office is to check the eligibility of the Beneficiary Groups by physically visiting the groups and verifying the family's landlessness and poverty levels and participating in the social mobilisation to enable poor communities and women to participate in LAFD activities. During the social mobilisation process, sensitisation meetings are conducted to arouse interest of the communities to participate in the program (figure 20). The sensitization was also conducted through mass media such as print media, radio and television. National Map of Malawi and District maps are used to show interested communities possible areas of relocation. Emphasis is made on the need for more women to participate as they are amongst the most vulnerable in the society. When forming beneficiary groups, communities are encouraged to have at least 30% representation of women both in the group as well as later in the Program Management Committee. However the office is not mandated to reject a beneficiary group basing on not meeting the 30% women representation as participation is on voluntary basis but only checks the eligibility of beneficiaries basing on the eligibility criteria. If the beneficiary is not eligible the office removes the name of that beneficiary a good example was in Thyolo where an aspiring Member of Parliament got registered but his name was removed upon cross checking by the District Assembly's office.



Figure 20: Sensitisation meeting (Source: CBRLDP office)

The office is also involved in identifying farms whose owners are willing to sell and verifies its status like ownership, size, ground rent payments and a prepares a list of eligible farm for the beneficiaries. It also ensures effective participation of beneficiary group in all project cycle stages.

District Assembly offices also provide the Beneficiary groups with spatial information. The information that is provided by the DC's office includes cadastral survey maps which indicate the legal boundaries of the land, topographic maps and plans and land ownership details. These maps are collected and kept by members of the Community Oversight Committee and all beneficiary group members have access to it.

District Assembly officials also plays a leading role in resolving the land disputes. A number of disputes between BGs and surrounding communities erupted over boundaries. Some surrounding communities did not initially recognize estate boundaries. The absence of beacons to mark estate boundaries exacerbated the problem as local communities took advantage of the situation. There were also disputes between the BGs and estate owners whereby some estate owners came back to claim part of the land or some trees on the already paid for land.



So all in all the District Assembly’s office is not involved in the selection of beneficiaries as the selection process is done by the community themselves who forms Beneficiary Groups with the help of the COCs. District Assembly’s office only comes in when cross checking the eligibility of the group.

**5.5.2. Interviews with Physical Planning officers**

The role of the physical planning office is to prepare sketch maps reflecting the size and land use of each Beneficiary Group landholdings within the purchased parcels and boundaries physically marked (figure 21). Data is collected using mobile mapper and processed using ArcGIS. The actual subdivisions are done by the communities themselves using 100meter long ropes. The subsequent allocations is also done by the communities so the Physical Planning office only comes in to help in preparing the sketch plans based on the community’s agreements on their boundaries.

The main purpose of the demarcations is:

- i. That each household should have clearly demarcated farming parcel that is not different from the other beneficiaries
- ii. That each household should have space for constructing a dwelling house as the case may be
- iii. That each household should use the plan for securing land titles in future
- iv. That the entire trust should physically know their boundaries with surrounding communities to avoid encroachments
- v. That each household should use additional land (if any) for community developments, afforestation and irrigation farming.

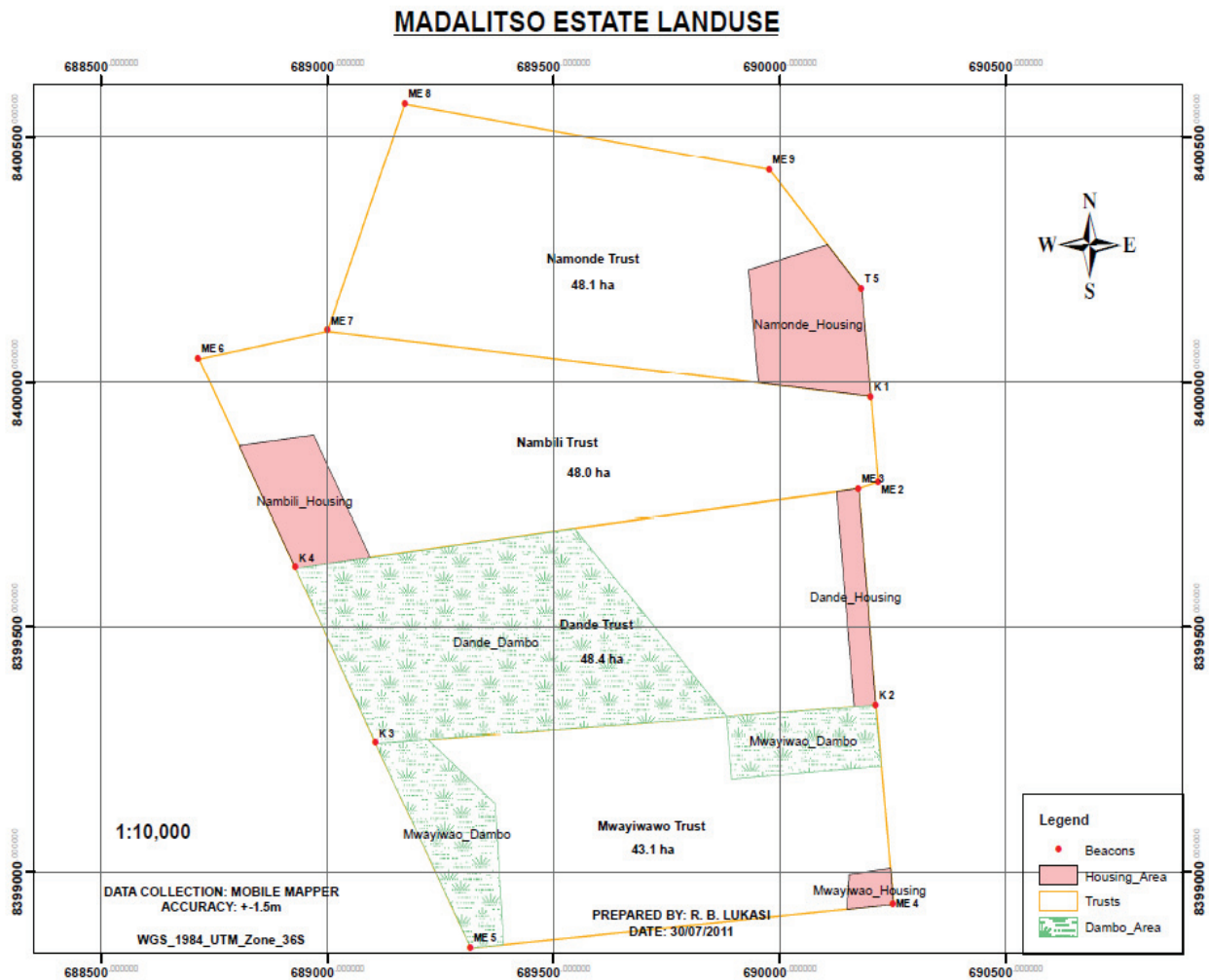


Figure 21: Land use map of an estate prepared by Physical planning department (Source: Physical planning offices)

The demarcation team inquires whether the beneficiaries have already shared the land amongst themselves or not. If they had already shared, they only verify so that if possible, the shape of their land parcels should not be much different from the layout design. Quite often, where beneficiaries have shared the land on their own, there are a lot of differences in sizes of each farming parcels with the under privileged like women getting smaller pieces. In such case, the team proceeds to demarcate based on the principle that farming parcels should be of the same size thereby ensuring that there is gender equity in land acquisition. The beneficiaries choose whether each household will settle within their farming lots or the entire trust wants to settle at one place. The final layout of the estates reflected the will of the beneficiaries.

Field observation however, showed that where beneficiaries refused to have their land demarcated by the planning team, it was largely through the influence of a few who had grabbed the most fertile parcels of land. As such, they did not want the office to know that they had favoured themselves at the expense of the rest of the beneficiaries.

### **5.5.3. Interviews with Survey office officers**

The Department Surveys under the Ministry of Lands Housing and Urban Development is a major producer of spatial information and spatially related information. Information produced within the department includes the cadastral databases, topographical maps in digital format as well as on paper, survey diagrams and the registered title deeds. Other spatially related information that is generated within the department includes information pertaining to Land Reform programs.

In the program design, it was assumed that the estates were already surveyed and therefore had clear boundaries. However, this was not the case. Many leases were issued based on sketch plans, which did not match the ground sizes. This means estates were to be re-surveyed to confirm or establish the size and boundaries (Figure 22). Furthermore there were always some disagreements between BGs and surrounding communities over boundaries when the estates were being re-surveyed. The BGs and surrounding communities were sensitized on the need to respect estate boundaries. Where beacons were removed or far apart, boundaries were re-affirmed and beacons replaced and densitized.

The problems faced by the survey office were the use of traditional survey equipment and inadequate skills in use of modern equipment which affected the delivery of surveying services to the program in particular and the public in general as the speed of delivering survey services was very slow.

The Program in solving the above problems procured six sets of geodetic Global Positioning Systems (GPS) equipment and software for verifying and approving deed plan: four for the Surveys office, one for the Program and the remaining for the Polytechnic under the University of Malawi. The equipment given to the Surveys Department and the Program was used for surveying estates acquired by BGs; while the one given to the Polytechnic was used for training undergraduate surveyors.

The surveys office was again trained in Surveying, the use of GPS; and database design and management to improve the skills.

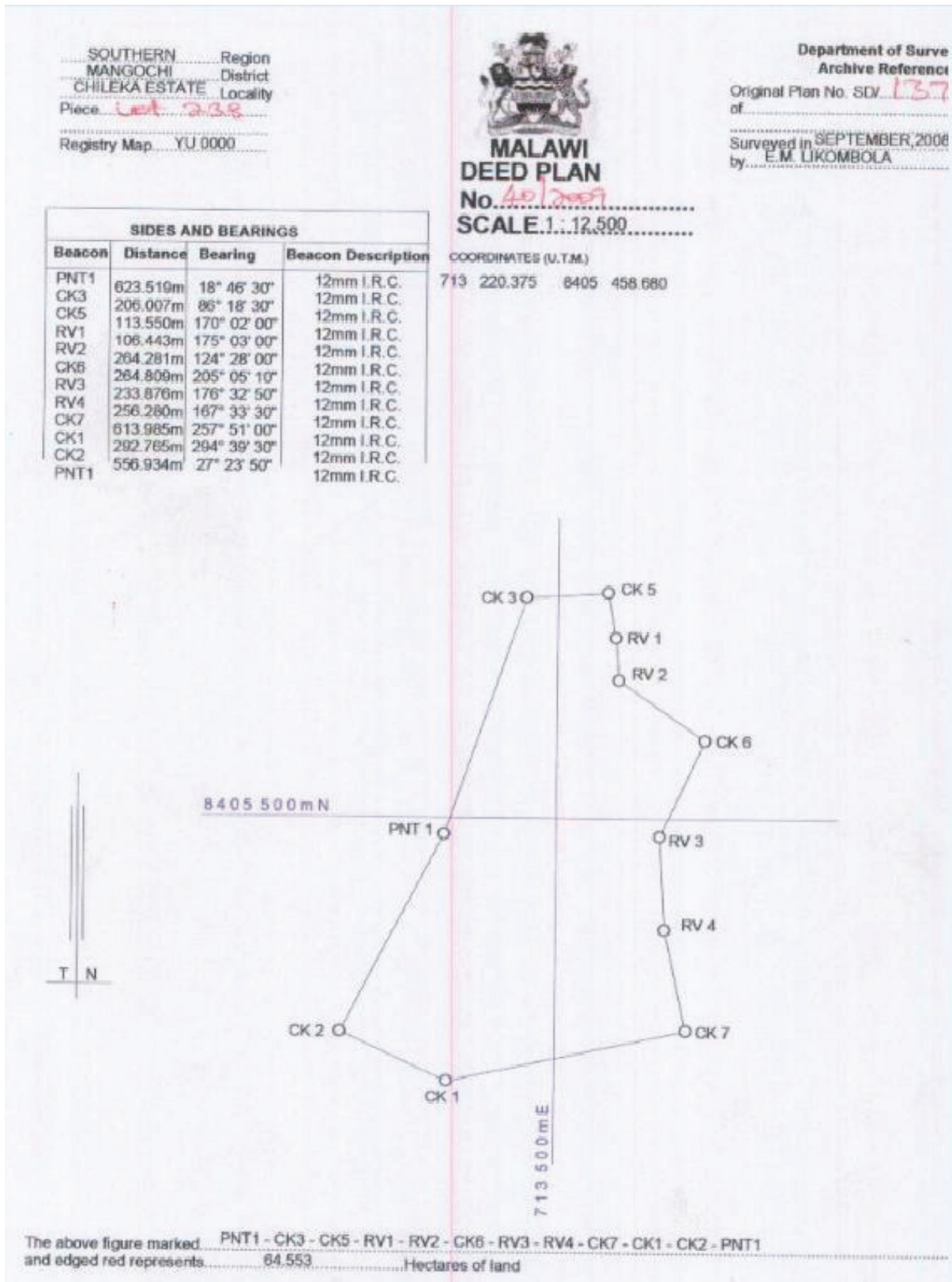


Figure 22: Deed plan for a surveyed estate in Mangochi District (Source: Surveys office)

## 6. DISCUSSION AND CONCLUSION

### 6.1. Discussion

#### 6.1.1. Discussion on participation of women

The findings from this study revealed that the majority of beneficiary households are men with women beneficiary percentage being 18.23% as Table 20 shows. This indicates that women are under-represented among the beneficiary households. This proportion is substantially lower than the proportion of female-headed households in rural areas nationally at 31% (NSO, 2011). The study further revealed that the lower participation is attributed to several factors which limit women's participation in the program. The main factors being fear of settling on unknown land far from family members and ancestors, anticipated heavy workloads, negative rumours about the program and fear of losing control of the current land. Based on these findings, one may urge that the program by-passed female-headed households and failed to address gender imbalance, one of the Millennium Development Goals. These results are similar to the findings of a land reform program in Zimbabwe (UNDP, 2008) where women did not benefit as expected in the reform program. It was noted that since the beginning of the land reform program in that country in 1980, the allocation of land to women remained at an average of 18%. In the Fast Tract Land Reform Program (Zimbabwe) women did not benefit as the majority of the female applicants only benefited from the A1 model (individual residential and arable land with shared common grazing land) rather than from the A2 (commercial model). However taking the two schemes into account, it shows that women fared better in the A1 model as compared to the commercial model. In contrast to the Malawi and Zimbabwe scenario, according to (Lahiff, 2007), land redistribution in South Africa according to Department of Land Affairs's Quality of Life Survey, conducted in 1999, which found that the levels of participation by female-headed households were high (31% nationally).

The study also revealed that women beneficiaries who have relocated to new areas faced a number of problems (Section: 5.2.10). On top of the list of problems faced was lack or inadequate social services like safe drinking water and schools, hostility from the host communities who resent their presence in the community, heavy workloads and lack of male labour. However women beneficiaries indicated that the problems faced are outweighed by the benefits accrued from their participation in the program. The benefits included ownership of larger land holdings than they had in their homes of origin, ability to produce enough food with surplus to sale and the money for farm inputs (Section: 5.2.8). This findings were also confirmed by (Mendola & Simtowe, 2011) who found that land redistribution program has significantly increased land holdings, agricultural output and crop-specific land productivity (i.e. maize and tobacco) of beneficiary groups in the six southern districts in Malawi. Moreover, beneficiary households significantly improved their food security, asset holding and agricultural income. The benefits of increased land holding also confirms a study by (Holden et al., 2006) who found that the general picture for the resettled families was that each had less than 0.5 of an acre before relocation inherited from parents generation. These small plots and increasing pressure on land meant that the children of the settlers in practice would have no land to inherit and thus the resettlement project appeared to have offered more livelihood opportunities now and even for the future. However, as (Chinsinga, 2011) notes, the sustainability of these short-term benefits are threatened by the absence of complementary investments in infrastructure and access to agricultural finance. Many farmers under the programme produced more maize than they require, but they had problems in finding better markets for the excess and as a result sold the maize at give-away prices.

Of importance to this research was the selection of beneficiaries to satisfy the expected 30% women beneficiary representation. The results suggest that the selection of beneficiaries was done according to the

selection of beneficiaries criteria as outlined in the program implementation manual (Poverty, landlessness) as 37.8% of the women beneficiaries indicated poverty and another 46.7% indicated landlessness as a selection criteria (Section: 5.2.4). The beneficiary groups were also screened carefully and some beneficiaries who were not eligible were cancelled as indicated in the interviews with the District Assembly officials (Section: 5.5.1).

The study further showed that women were very much aware of the objectives of the program. This is in contrast to a similar program in Namaqualand, South Africa where the Municipal Commonage Program assists local governments acquire land for use by the poor and marginalized groups, of which women would be an obvious category. According to (Kleinbooi & Lahiff, 2007) women showed little awareness of the Municipal commonage process, and held little expectations of accessing land on the new farms. Many were of the opinion that such land was only available for men, and some felt that it was being dominated by better-off, men in particular. Unlike in the Malawi scenario if women expressed interest in the new farms, it was linked to their husband's involvement. This was attributed to tradition where husband are to dominate.

Further to the above the study also revealed that the beneficiaries were very much involved in the identification of farms of their choice. These results confirms the results from by (Byamugisha, 2008) where Land reform processes in five countries were reviewed, representing three key reform continents - Africa (South Africa and Malawi), Asia (Philippines and Thailand) and Latin America (Brazil) where reform processes focus on land redistribution and land development. The results showed that among the various land reform approaches, the following appeared to have worked:

- There is careful screening of land reform beneficiaries by communities;
- The beneficiaries identify land and plan their farms themselves;
- There is an increased number of family-operated farms;
- Beneficiaries are given unified and flexible grants for land purchase, farm development, housing, community infrastructure, and services development; and
- There is equal attention to land purchase and farm development.

However the findings of this study contradicts the point where beneficiaries are given grants for community infrastructure and services development as 40% of the women beneficiaries indicated lack of social services as the major problem among the list of problems faced by women relocated beneficiaries.

Furthermore, the report by (Byamugisha, 2008) indicated that in all the five countries, the beneficiaries of the land reform process are organized in groups. The review also revealed that in two out of the five countries (Brazil and Malawi), beneficiaries of the land reform programs are either self-selected and/or selected by the communities participating in the reforms processes. Two out of the five countries in the review have decentralized decision making on land reform implementation processes and decisions are community based. This research has confirmed the first two scenarios where beneficiaries form groups and either self-select or are selected by communities.

The findings of this research showed that age had a significant relationship with the participation of women in the land reform program. More than 70% of the women beneficiaries were below 40 years of age. Participation again turned to decrease with age with 6.7% of the women beneficiaries being above 50 years of age (Section: 5.1.1). This could be due to the fact that younger persons have higher capacity to take advantage of most opportunities, including participation in social, political and economic activities and its potential benefits. This finding is an encouraging development because the younger generation has the potential to increase productivity, diversify and sustain livelihoods. However of interest and which requires further investigations is the study on the withdrawal of beneficiaries of the program (Mkamanga & Chimutu, 2008) which showed that the majority of ex-beneficiaries were in the age

ranges 21 – 30 (48% of ex-beneficiaries) and 31 – 40 (30%). Cumulatively 83.1% of the households that withdrew were 40 years old or less.

According to (Kongolo & Bamgose, 2002) women who are illiterate lack initiatives, innovations and self-reliance attitude. Educational level is an important tool, and is needed to stimulate, create, achieve and enhance active participation of rural women in development. The rate of women's participation in development initiatives is strongly influenced by their educational levels. Literacy is a mechanism that can transform and boost women's participation in development, because it can stimulate and enhance individual initiative. Innovation is, by and large, a major way to increase skills to participate in development initiatives, to eliminate dependency syndrome. A lack of initiative as a result of illiteracy has blurred rural women's mind-sets of believing in themselves that they would be the "initiators of their own developments" (Kongolo & Bamgose, 2002). However the study found that in the Malawi's rural land reform the percentage of women beneficiaries who did not attend any education was 53.3% (Section 5.1.4).

Lastly, this research has shown that participation of women beneficiaries from matrilineal marriage/inheritance system in the rural land reform is higher (70%) than that of the patrilineal marriage/inheritance system (30%) (Section: 5.1.3). It can be drawn that marriage systems affected the participation of women in the rural land reform. These findings were also echoed by various researchers. A good example was the research by (Dasthagir, 2009). Findings from that research reveal that the patriarchal social structure and institutions effect gender discrimination in land ownership as women farmers face a glass ceiling in their participation and representation in Water User Association (Cumbum Valley Irrigation System) - nominal membership, notional participation and non-representation are the hurdles that women farmers face.

All in all it this research has revealed that participation of women in the land reform in Malawi fall short below the expected 30% representation. This confirms (Losindilo, Mussa, & Akarro, 2010) that women of southern Africa remains a vulnerable marginalized group that is yet to enjoy equality in status and access to services and resources with their counterparts. Women are found at the "bottom rung of poverty, of illiteracy, of landlessness" and are concentrated in rural areas where facilities and services are scarce. In support of this sentiment (Yigremew, 2008) indicated that, globally, women in general and female-headed households in particular are identified as disadvantaged. Studies and government policy documents identify women in general and female-headed households in particular as belonging to the most vulnerable groups of the society. He indicated that in terms of determinants of poverty in rural areas, female-headed households face 8.9% higher probability of being poor as compared to male-headed households. But of concern is that there is also a trend that female headship is increasing.

#### **6.1.2. Discussion on the access and use of spatial information by women**

The findings of this research showed that the access and use of spatial information (maps) by women was a problem. Only 40% of the women beneficiaries indicated that they had access to spatial information and 35.6% of them used it (Section: 5.3.1&2). The research further revealed that level of education attained by women beneficiaries played an important role in the use of spatial information by women. It was discovered that the use of spatial information was dependent on the level of education (Section: 5.3.5). The more the women beneficiaries attained education the greater the probability of them using spatial information. Education seems to be a key to women participation in developmental activities.

The above findings were also confirmed by (Idrisa, Sulumbe, & Mohammed, 2007) who found that level of formal education had a significant relationship with participation of women in co-operative activities in Gwoza local government, Borno state, Nigeria. Their study confirmed that level of education influenced participation in economic activities including cooperative activities.

The participation of women beneficiaries in the process of drawing the village land use sketch map was 35.6% (Section: 5.3.3). This indicates that a lot of women did not take part in this process of drawing village sketch land use plan. Amongst the reasons given for not taking part was the dependency on their male counterparts. Similar results were also found by (van der Molen, 2001) who found that the women participated less in the activities of irrigation farming in Sri Lanka and felt that it was not their duty to participate actively in discussions or what so ever but that of the male counterparts (rely on male). However, contrary to these findings a lot of women (73.3%) were involved in the subdivisions of the land parcels (Section: 5.3.4).

Women faced a lot of problems in the use of spatial information. Some of the main problems in the use of spatial information by women included accessibility of the spatial information, dependency on their male colleagues, inability of women beneficiaries to understand and interpret the spatial information (Section: 5.3.6).

### **6.1.3. Discussion on role of local government**

On the role of the local government, the research found that local governments are mandated to make sure that the program benefits the targeted vulnerable groups by checking the eligibility of the individual beneficiaries. This is done by physically visiting the beneficiary group and endorsing them together with the communities. The District Assemblies make sure that there is efficient targeting of beneficiaries. It makes sure that the selection process is open and honest and that deserving members have an equal opportunity to participate and those who have not benefited have no reasonable grounds for discontent.

The research also found that the local government (District Assemblies) make sure that there is accessibility of program information by the marginalized and vulnerable groups through comprehensive sensitization campaigns which includes village meetings with all community members where they are made aware of the nature of the program, program objectives, program stages, the limited resources and the need to target the needy. This is in line with the Program Implementation Manual (Government of Malawi, 2004). However the study found that it mentioned the local government as the source of project information (Section 5.2.1). This suggests that the local governments did not reach the poor rural masses as much as possible and undermines their role. This also confirms the finding on the level of satisfaction on the role of local government where 55.6% of the respondents expressed dissatisfaction (Section 5.3.1). As also (Chirwa, 2008) notes, the District Assemblies and CBRLDP officials through sensitization meetings with the communities and radio programs play a critical role in providing information about the opportunities available to the landless for land purchase in the rural districts.

Women beneficiaries expressed two different views on the role of the local government. On the provision of spatial information women beneficiaries expressed dissatisfaction while on the sensitization campaigns, those who attended indicated that the message was very clear and understandable.

But all in all the research found that since the CBRLDP is community demand driven, the role of local government in fostering land acquisition by women cannot be over-emphasized as participation is on a willing basis.

## **6.2. Conclusion**

The main objective of this study was to assess how gender equity in land acquisition by women was fostered and the role of local government in rural land reform program in Malawi. The hypothesis was that the rural land reform program has achieved gender equity in land acquisition by women as 30% of women which is the national percentage of female-headed households and as expected in the Malawi Growth and Development Strategy had acquired land. Three sub-objectives were set from the main

objective: (1) To identify the major factors limiting the participation of women in the land acquisition process and the role of local government and (2) To assess the use and accessibility of spatial information by women in the rural land reform (3) To describe the land acquisition processes and the role of local government. The following paragraphs tests the hypothesis and give answers to the above two sub-objectives.

### **6.2.1. Hypothesis testing**

Women beneficiaries comprised 18.23% of the total households among the beneficiary groups in the study areas. This is less than the expected 30% proportion of women who were supposed to have acquired land in the rural land reform program. Thus, women beneficiary households were under-represented among the resettled beneficiary groups. So the hypothesis that gender equity in land acquisition by women had been achieved in the rural land reform program is tested wrong.

### **6.2.2. Objective 1: To identify the major factors limiting the participation of women in the land acquisition process.**

Under this objective two questions were raised and these were, “What are the factors limiting participation of women in the land acquisition process?”, “What are the problems faced by female-headed households which have relocated to new areas”.

Female-headed households comprised 18.23% of the total households among the beneficiary groups. The proportion of the female beneficiary households is lower than the national percentage of female-headed households estimated at 31%. Thus, female-headed households were under-represented among the resettled beneficiary groups. This is attributed to several factors which amongst the main ones being fear of settling on unknown land far from family members and ancestors. Fear of anticipated heavy workloads is another factor limiting women especially female headed households from moving to new areas. Negative rumours about the program and fear of losing control of the current land are also the other factors limiting women from participating in the rural land reform.

Women especially female headed households which have relocated face a series of problems. These problems are hostility from host communities who resent their presence in the community. This hostility stems from the perception that the settlers have been given land by the Government which rightfully belongs to the host community. Lack or inadequate social services such as schools and boreholes is another problem the resettled families face. Female headed households are more affected by these problems than male headed households as it puts an additional burden on their already high workloads. Changes or even loss of their social network and possible increase in workload to prepare a new land acquired are also the other problems faced by relocated female headed households.

### **6.2.3. Objective 2: To assess the use and accessibility of spatial information by women in the rural land reform program**

Under this objective three questions were raised and these were, “What are the spatial information requirements for the rural land reform?”, “How do spatial information accessed and used by women?”, “What are the factors hampering the use of spatial information by women?”

Spatial information that is required by the communities includes ownership of land, cadastral surveys which indicate the legal boundaries of the estates and topographic maps. This information is mainly provided by the office of the District Assembly through the Community Oversight Committees. Ownership information is mainly used when identifying suitable farms for sale and negotiating with the estates owners while topographic maps are used to visualize the location of the estate for decision making. Cadastral surveys are used to establish the boundaries of the estates and preparing land use sketch plans.



Factors which hamper women beneficiaries not to use spatial information are accessibility of the spatial information, dependency on their male colleagues, in ability of women beneficiaries to understand and interpret the spatial information. This in ability of women beneficiaries to understand and interpret the spatial information can be attributed to lack of education as most women beneficiaries did not attend any formal education.

#### **6.2.4. Objective 3: To describe the land acquisition processes and the role of local government**

Under this objective two questions were raised and these were, “What are the processes involved in land acquisition?”; “Which local government entities are involved in the rural land reform and what are their roles in the land reform program?”.

The land acquisition process starts with the mobilization of beneficiaries through sensitisation meetings with the communities. After being sensitized the communities selects members of the Community Oversight Committee and interested individuals completes the expression of interest forms. The expression of interest forms are vetted by the Community Oversight Committee and are endorsed by the Village heads. Once endorsed the communities form beneficiary groups. The Office of the District Assembly endorses both the COC members and the beneficiary groups. Once endorsed the beneficiary groups select the Program Management Committee. The PMC and the COC members are later trained by the DC’s office. The DC’ office later with the communities themselves verifies the eligibility of the beneficiary groups before identifying suitable farms whose owners are willing to sale. The beneficiary groups chooses the farms of their own choice from the list and negotiate the price with the farm owner. Once negotiations are done a provisional sale agreement is prepared and signed by both parties and is sent to the DC’s office for onward processing. Malawi Social Action Fund transfers the money directly to the seller and once this is done the beneficiary groups relocates and starts developing the farm.

There are three main local government entities involved in rural land reform in Malawi. These entities are; District Assembly’s office, Physical Planning office and Surveys office. These local government entities play different roles in the rural land reform program.

The role of the District Assembly’s office is to check the eligibility of the Beneficiary Groups by physically visiting the groups and verifying the family’s landlessness and poverty levels and participating in the social mobilisation to enable poor communities and women to participate in LAFD activities. The office is also involved in identifying farms whose owners are willing to sell and verifies its status like ownership, size, ground rent payments and a prepares a list of eligible farm for the beneficiaries. It also provides the Beneficiary groups with spatial information. The information that is provided by the DC’s office includes cadastral surveys which indicate the legal boundaries of the land, topographic maps and plans and land ownership details.

The role of the physical planning office is to prepare sketch maps reflecting the size and land use of each beneficiary group landholdings within the purchased parcels and boundaries physically marked. This ensures that; each household has a clearly demarcated farming parcel that is not different from the other beneficiaries ,each household has space for constructing a dwelling house, each household has a sketch plan of their land which can be used for securing land titles in future, the entire trust physically know their boundaries with surrounding communities to avoid encroachments and that each household use additional land (if any) for community developments, afforestation and irrigation farming.

The role of the Surveys office is to produce and provide spatial information and spatially related information. Information produced by the office includes the cadastral databases, topographical maps in digital format as well as on paper, survey diagrams and the registered title deeds. The office is also involved in the re-surveying the estates to confirm or establish the size and boundaries because some of

them did not have clear boundaries or that leases were issued basing on sketch plans. It also helps the beneficiary groups in identifying their boundaries more especially when there are some disagreements between BGs and surrounding communities.

#### **6.2.5. Recommendations**

Based on the findings of the research the following suggestions are made to encourage greater participation of female-headed households in order to achieve gender equity in land acquisition by women:-

- Increased efforts should be made to counter the negative rumours about the program through radio programs and community meetings. These efforts should be complemented by organized visits to resettled areas by selected members in the sending communities. After such visits the selected members should be required to report back through community meetings to the rest of the communities, and clarify any issues regarding the welfare of the relocated households.
- As part of the deliberate effort to attract female-headed households into the program, heads of female-headed households who have relocated should be used as role models of others. Such women could be featured on radio programmes but also in the sensitization campaigns conducted by program officials in targeted communities. The important message should be that women can succeed even where the odds appear to be stacked against them.
- The provision of basic social services and infrastructure such as safe drinking water should become program policy. The host community would benefit from the social services and infrastructure. It is possible that the availability of these social services and infrastructure benefiting both the resettled households and host community, could remove some of the resentment harboured by some members of the host community.
- As part of helping women beneficiaries understand and easily interpret the spatial information the program should consider using enlarged and un-rectified aerial photographs for identification of individual beneficiary group land parcel boundaries and preparation of the beneficiary group land use sketch plan.



## LIST OF REFERENCE

- Agarwal, B. (1994). Gender and Command over Property: a critical gap in economic analysis and policy in South Asia. *World Development*, Vol. 22, No. 10.
- Amoah, Y. A. (2011). *Interest of women by Traditional Authorities on access to land and land right: A case study of Oshana region, Namibia*. Master of Science in Geo-informatio science and earth observation, ITC, University of Twente, Enschede, The Netherlands.
- Augustinus, C. (2003). Handbook on Best Practices, Security of Tenure and Access to Land –Implementation of the Habitat Agenda. In UN-HABITAT (Ed.). Nairobi, Kenya.
- Banerjee, A. V. (1999). *Land Reforms: Prospects and Strategies*. Department of Economics. Massachusetts Institute of Technology.
- Borras, S. M. (2003). Questioning Market-Led Agrarian Reform: Experiences from Brazil, Colombia and South Africa. *Journal of Agrarian Change*, 3(3), 367-394.
- Brown, K., & Corbera, E. (2003). Exploring equity and sustainable development in the new carbon economy. *Climate Policy*, 3(Supplement 1), S41-S56. doi: 10.1016/j.clipol.2003.10.004
- Bullard, R. K. (2001). The Sustainable, Economic and Political Process of Land Reform *International Conference on Spatial Information for Sustainable Development*. Nairobi, Kenya.
- Byamugisha, F. (2008). Redistributive land reform for poverty reduction: emerging lessons from international experience World Bank, Washington DC., USA.
- Chinsinga, B. (2011). The politics of land reforms in Malawi: The case of the Community Based Rural Land Development Programme (CBRLDP). *Journal of International Development*, 23(GEOBASE), 380-393.
- Chinsinga, B. (2009). Land Reforms in Malawi: Where are we? *The Nation, Malawi*.
- Chirwa, E. W. (2008). Land Tenure, Farm Investments and Food Production in Malawi. *Discussion paper, ippg, Number 18*.
- Cornhiel-Lastarria, S. (1995). Policy Guidelines for Incorporating Gender in Natural Resource Tenure. *Wisconsin: Land Tenure Centre*.
- Creswell, J. W. (2003). *Research design: Qualitative, quantitative, and mixed methods approaches* (2nd ed.): Thousand Oaks, CA: Sage.
- Dasthagir, K. G. (2009). Participation of Women in Water Management an Appraisal of Water User's Associations of the Cumbum Valley Irrigation System. [Article]. *Indian Journal of Social Work*, 70(3), 455-466.
- Datar, G., Del Carpio, X. V., & Hoffmann, V. (2009). Can a Market-Assisted Land Redistribution Program Improve the Lives of the Poor? Evidence from Malawi. *SSRN eLibrary*.
- de Soto, H. (2003). *mystery of capital : why capitalism triumphs in the west and fails everywhere else*. New York: Basic Books.
- Deininger, K. (1999). Making negotiated land reform work: Initial experience from Colombia, Brazil and South Africa. *World Development*, 27(4), 651-672. doi: 10.1016/s0305-750x(99)00023-6
- Ericsson, A. (2002). *Women's Access to Land*. Paper presented at the FIG XXII International Congress, Washington, D.C. USA.
- FAO. (1995). Gender and food security. Synthesis report of regional documents: Africa, Asia and Pacific, Europe, Near East, Latin America Viale delle Terme di Caracalla - 00100 Rome: FAO.
- Gauster, S., & Isakson, S. R. (2007). Eliminating market distortions, perpetuating rural inequality: an evaluation of market-assisted land reform in Guatemala. *Third World Quarterly*, 28(8), 1519-1536. doi: 10.1080/01436590701637375
- Government of Malawi. (2004). *Government of Malawi, Community Based Rural Land Reform Development Project: Project Implementation Manual*.
- Government of Malawi. (2006). *Malawi Growth and Development Strategy*.
- Government of Malawi. (2004). Project Implementation Manual. In P. P. a. S. Ministry of Lands (Ed.), *CBRLDP Management unit*.
- Groenendijk, E. M. C., & Dopheide, E. J. M. (2003). *Planning and management tools*. Enschede: ITC.
- Holden, S., Kaarhus, R., & Lunduka, R. (2006). Land Policy Reform: The Role of Land Markets and Women's Land Rights in Malawi (D. o. I. E. a. D. Studies, Trans.): Norwegian University of Life Sciences (UMB).

- Idrisa, Y. L., Sulumbe, I. M., & Mohammed, S. T. (2007). Socio-Economic factors affecting the participation of women in agricultural co-operatives in Gwoza Local Government, Borno State, Nigeria. *Journal of Agriculture, Food, Environment and Extension, Volume 6*.
- Jacobs, S. (2009). Gender and land reforms: Comparative perspectives. *Geography Compass, 3*(GEOBASE), 1675-1687.
- Keera, A. (2007). Do Women's Land Rights Promote Empowerment and Child Health in Nepal? *World Development, 35*(11), 1975-1988. doi: 10.1016/j.worlddev.2006.12.005
- Kleinbooi, K., & Lahiff, E. (2007). "Die man is die hoof en vat voor": Women's attitudes to land and farming in the communal areas of Namaqualand. *Journal of Arid Environments, 70*(4), 799-817. doi: 10.1016/j.jaridenv.2006.08.009
- Komjathy, K., & Nichols, S. E. (2001). Principles for equitable gender inclusion in land administration: FIG guidelines on women's access to land. [FIG International Conference paper].
- Kongolo, M., & Bamgose, O. O. (2002). Participation of Rural Women in Development: A Case Study of Tsheseng, Thintwa, and Makhalaneng Villages, South Africa. *Journal of International Women's Studies, Vol. 4 #1*.
- Lahiff, E. (2007). Land redistribution in South Africa - progress to date. *AfricaFiles*.
- Losindilo, E., Mussa, A. S., & Akarro, R. R. J. (2010). Some Factors That Hinder Women Participation in Social, Political and Economic Activities in Tanzania. *Arts and Social Sciences Journal, 2010: ASSJ-4*.
- Machira, S. (2008). Pilot-Testing a Land Redistribution Program in Malawi: In Agricultural Land Redistribution: Towards Greater Consensus. In H. P. Binswanger, C. Bourguignon & R. van den Brink (Eds.), (pp. 367-394): The World Bank.
- Manji, A. (2006). *Politics of land reform in Africa : From communal tenure to free markets*. London etc.: Zed.
- Mendola, M., & Simtowe, F. (2011). The Welfare Impact of Land Redistribution: Evidence from the Community Based Rural Land Development Project in Malawi.
- Mkamanga, G., & Chimutu, P. (2008). Community Based Rural Land Development Project: Study on the Withdrawal of Beneficiaries from the Project.
- Mwenda, J. N. (2001). *Spatial information in land tenure reform with special reference to Kenya*. Paper presented at the International Conference on Spatial Information for Sustainable Development, Nairobi, Kenya.
- Nichols, S. E., Ng'ang'a, S., & Komjathy, K. (2001). *Measuring and protecting access to land: Development of the FIG guidelines on gender inclusion in Land Administration*. Paper presented at the International Conference on Spatial Information for Sustainable Development, Nairobi, Kenya.
- NSO. (2011). Malawi Demographic and Health Survey 2010.
- Sikor, T., & Muller, D. (2009). The Limits of State-Led Land Reform: An Introduction. *World Development, 37*(8), 1307-1316. doi: 10.1016/j.worlddev.2008.08.010
- Silverman, D. (2000). *Doing qualitative research : a practical handbook*. London etc.: Sage.
- Simon, D. (1987). Our Common Future - Report of The World Commission on Environment and Development. [Book Review]. *Third World Planning Review, 9*(3), 289-290.
- Simtowe, F., Mendola, M., & Mangisoni, J. (2011). Independent Project Impact Evaluation of the Community Based Rural Land Development Project (CBRLDP) in Malawi.
- Toulmin, C., & Quan, J. (2000). *Evolving land rights, policy and tenure in Africa* (Vol. 4). London: International Institute for Environment and Development (IIED).
- UN-Habitat. (2008). Gendering Land Tools: Achieving secure tenure for women and men. *GLOBAL LAND TOOL NETWORK*.
- UNDP. (2008). Land Reform for Poverty Reduction in Southern Africa: Proceedings of a multi-stakeholder conference
- USAID. (2008). Gender Assessment: USAID/MALAWI USAID.
- USAID. (2010). USAID Country profile: Property rights and resource governance-Malawi
- van der Molen, I. (2001). An Assessment of Female Participation in Minor Irrigation Systems of Sri Lanka. Colombo, Sri Lanka: International Water Management Institute.
- Walker, C. (2002). Land Reform in Southern and Eastern Africa: Key issues for strengthening women's access to and rights in land. *Report on a desktop study commissioned by the Food and Agriculture Organization (FAO)* FAO Sub-regional office for Southern and Eastern Africa, Harare, Zimbabwe: FAO.
- World Bank. (2004). Project Appraisal Document on a proposed grant to the Government of the Republic of Malawi for the Community-Based Rural Land Development Project. [Report]. (Report No: 28 188-MA1).
- Yigremew, A. (2008). Rural women's access to land in Ethiopia *Forum for Social Studies*.

Yin, R. K. (1994). *Case study research : design and methods* (Second edition ed. Vol. 5). Newbury Park etc.: Sage.

## ANNEXES

**Annex A: List of respondents**

<b>DATE</b>	<b>ACTIVITY</b>	<b>ORGANISATION</b>	<b>CONTACT</b>
3/10/11	Arrival in Malawi		
4/10/11	Briefing by Program Manager	CBRLDP	Khalapuwa/Likombola
5/10/11	Travel to Thyolo, Meeting with the District Assembly	Thyolo District Assembly Offices	Mbendera Lands Clerk DC
6/10/11	Interview with Land Clerk,	Thyolo District	
7/10/11	Travel to Mangochi		
8/10/11	Meeting with the District Assembly, Interview Lands Clerk, District surveyor	Mangochi District Assembly offices & Department of Surveys	Masamba Kachingwe DC Lands Clerk
9/10/11	Interviews with Traditional leaders	Mangochi District	
10/10/11	Interview with women beneficiaries and COC	Mangochi District	
11/10/11	Interview with women beneficiaries and COC	Mangochi District	
12/10/11	Interview with women beneficiaries and COC	Mangochi District	
13/10/11	Interview with Physical Planning officials	Municipality of Zomba	Lukas Chiutula
14/10/11	Interview with Physical Planning officials	Municipality of Zomba	
15/10/11	Travel to Machinga District		
16/10/11	Meeting with the District Assembly, Interview Lands Clerk, District surveyor	Machinga District	DC Lands Clerk
17/10/11	Interviews with Traditional leaders	Machinga District	
18/10/11	Interview with women beneficiaries	Machinga District	
19/10/11	Interview with women beneficiaries and COC	Machinga District	
20/10/11	Interview with women beneficiaries and COC		
21/10/11	Final meeting with Program Manager	CBRLDP	Khalapuwa/Likombola
22/10/11	Departure for the Netherlands		

**Annex B: Documents**

Program Appraisal Document (PAD)

CBRLDP Operational Manual

CBRLDP M&E Framework

Scale up Concept Paper

Program Implementation Completion and Results Report (ICR)-***Final version after revisions***

Program Progress Implementation Reports (2004-09 and 2004-2011)-***Final after revisions***)

MIS instruments (All program components) & Operationalization of MIS

Quarterly progress reports (2008-2011)

Study reports

***Internal***

-Beneficiary crop production (2007-08)

-2007-08 beneficiary baseline report

-New beneficiary households' food assessment report

-Lessons and experience in implementing a land reform program in Malawi.

***External***

-Socio-economic characteristics report (Dr. Ng'ong'ola)

-Socio-economic baseline report by PWC

-Program Impact Evaluation Report by PWC

-Feasibility of introducing contract farming to program beneficiaries

-Assessment of contract farming profitability to program beneficiaries

-Program beneficiary withdrawal study report

-Use of land vacated by some withdrawn beneficiaries report

-IEG of the World Bank Impact Evaluation Report

-IE-Analytical Review by Italtrend

-IE-Quantitative Analysis Report by Italtrend

-IE-Program Impact Evaluation Report by Italtrend - ***Final report after revisions***



### Annex C: Interview questions

#### QUESTIONNAIRE TO WOMEN BENEFICIARIES

This questionnaire and interview are related to a research on the topic "The role of Local government entities in fostering gender equity in land acquisition by women in rural land reform (Malawi) by Arnold Okenes Thumbwa from Malawi, an MSc student of Land Administration (September 2010- March 2012) at University of Twente, Faculty of Geo-information Science and Earth Observation, ITC, The Netherlands.

#### Ethical Assurance

The privacy of the respondent is maintained, highly respected and acknowledged. The information acquired will only be used for academic purposes in this research and nothing more.

Code of Respondent.....Date.....

Name (Optional).....

1. How old are you? 20-30    31-40    41-50    Above 50
2. What is your District of origin?
3. What is your marital status?            Single    Married    Divorced    Widow
- a) Which marriage/inheritance system do you follow?            Matrilineal            Patrilineal
4. How many children do you have?
5. Did you attend any education and if YES up to what level?  
None    Standard 1-5    Standard 6- 8    Form 2            Form 4
6. How did you get this piece of land?
- b) How did you get the information about the "kudzikulira malo" program?
7. Where did you get the application forms?  
Did you have any difficulties/problems in completing the:-  
Individual Application forms            YES    NO  
Group Application form                  YES    NO  
Explain your answer for the above
8. Who was responsible for choosing beneficiaries?
- a) What do you think was the criteria used for choosing beneficiaries?
9. What is the name of your Beneficiary Group?
- a) How did you form the Beneficiary group?
10. How have you benefited from the program?
11. How were members of the COC/PMC selected?
- a) What are the functions of the COCs?
12. Do you think men and women have equal access to land in the program?  
YES    NO
13. What do you think are reasons hindering women participation in the program?
14. What are the problems you as a women beneficiary are facing?
15. What do you think can be done to have more women participating in the program?
16. Did you have any access to spatial information i.e. maps? If YES what was the source?  
Yes    No
- a) If yes, which of the following spatial information did you use?  

Cadastral surveys	
Topographic maps sheets	
Village sketch map	
17. Which factors prevents/ hinders women from using spatial information?
18. How did you use this spatial information?
19. Do men and women have equal access to spatial information during the reform program?  
Yes    No

a) Briefly explain your answer?

20. Are you satisfied with the way how local government assisted you in the program?

Yes          No

a) Briefly explain your answer?

21. How was your land subdivided and shared?

22. Do you think the subdivisions and the sharing was done in a fair manner?

Strongly agree	Agree	Neither	Disagree	Strongly Disagree

b) Briefly explain your reason for your above?

## QUESTIONS TO MEMBERS OF THE COMMUNITY OVERSIGHT COMMITTEE ON GENDER EQUITY AND THE ROLE LOCAL GOVERNMENT

This questionnaire and interview are related to a research on the topic “The role of Local government entities in fostering gender equity in land acquisition in rural land reform (Malawi) by Arnold Okenes Thumba from Malawi, an MSc student of Land Administration (September 2010- March 2012) at University of Twente, Faculty of Geo-information Science and Earth Observation, ITC, The Netherlands.

### Ethical Assurance

The privacy of the respondent is maintained, highly respected and acknowledged. The information acquired will only be used for academic purposes in this research and nothing more.

Code of Respondent.....Date.....

Name (Optional).....

1. Gender? Male    Female
2. How old are you? 20-30    31-40    41-50    Above 50
3. How many members from COC?
4. How did you come to be a member of COC?
5. What are the criteria for choosing a member of COC?
6. What are the core functions of COC?
7. How does the COC select beneficiaries for the program?
8. Do you think men and women have equal access to land in the program?  
YES    NO
9. How does the COC make sure that men and women have equal access in benefiting from the program?
10. Does the COC have complains from women that they are sidelined in the program?
11. Does the COC use any spatial information?
12. Briefly explain your answer above?
13. How does the COC work with the local government agencies?
14. Are you satisfied with the role local government agencies in the program  
YES    NO  
Explain your reason for the answer above?

**Annex D: Application forms** (Source: *Project Implementation manual*)



