

Equal Access to Land Ownership Between Men and Women in Tanzania: Does the Legal System Matter?

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Abstract

This paper examines how people perceive the legal system on equal access to land ownership in Tanzania. Cross-sectional data from an Afro barometer survey, round seven (7) with 2,400 observations were analysed to find the effect of how people perceive the legal system on equal access to land ownership in Tanzania by using a Probit regression analysis. The outcome of the study shows that, when courts make a binding decision, people are more likely to agree that women have equal land rights ($p = 0.037$), obeying the law positively influences women to have equal rights to land ($p = 0.003$). In terms of the effects of empowering women on equal right to land, it was found that when men and women have equal chances of earning income, this positively influences the likelihood of women to have equal right to land. The study further found that there is a gender disparity in matters related to land ownership as men do not believe that women have equal land rights. The findings imply that the efforts which are geared towards strengthening the rule of law and legal compliances could help to promote gender equality by emphasizing respect for women's land rights. Measures taken to increase awareness, change of attitude and understanding of the rule of law when effectively implemented would lead to advancing gender equality and women's land rights. Efforts which promote and protect women's land rights will result in advancing gender equality and women's economic empowerment. An effective legal system is crucial in promoting and protecting women's land rights. Gender equality in society's economic opportunities can have a positive effect on women's land ownership rights and lastly addressing gender disparities in land ownership promotes women's land rights. Among other recommendations, the study recommends that the Government, Civil Societies and Non-Governmental Organizations should cooperate in enhancing more legal reforms in Tanzania in strengthening laws and policies which protect women's right to own and inherit land. The Government should take the lead in enforcing and publicizing the laws which help to raise awareness of women's right to land ownership in the communities. Men and boys should also be educated on the benefits of gender equality and the negative impacts of gender discrimination.

Keywords: *Probit Regression, Land Ownership, Legal System, Land Tenure, Women*

1.0 INTRODUCTION

Land ownership in Tanzania is governed by the Land Act of 1999 and the Village Land Act of 1999. The government owns all the land in the country, and individuals or organizations can obtain rights to use and occupy the land through various forms of tenure, such as leasehold, freehold, and customary rights. The Tanzanian Land Act has provided categorically the categories of land as reserved land, village land, and general land. Reserved land includes land set aside for specific purposes, such as national parks, game reserves, and forest reserves. Village land is land that is owned and managed by village governments and is typically used for subsistence farming and grazing livestock. General land is land that is not classified as reserved or village land and can be used for a variety of purposes, including commercial farming and urban development. Individuals and organizations can apply for rights to use and occupy land in Tanzania through a process known as "land registration". Land registration involves paying a fee, providing proof of ownership or occupancy, and obtaining approval from the government.

Customary land rights are also recognized in Tanzania, which allow the people who have been using land for a long period to apply for the rights to use and occupy it. In 2020, Tanzania was declared a middle lower-income country as a result of an increase of its per-capita Gross National Income from \$1,020 in 2018 to \$ 1,080 in 2019. To remain in the category of lower-middle-income countries, Tanzania needs to sustain its economic growth (Battaile, 2020). This sustainable economy should also have inclusive growth shared equally among men and women. Inclusive economic growth is on the agenda of the Sustainable Development Goals (SGD) (Elson and Seth, 2019).

In Tanzania, traditional land tenure systems tend to favour men over women. Under these systems, men are typically considered the primary landholders and decision-makers, while women's rights to land are often secondary and dependent on their relationship with men. The Village Land Act of 1999 and the Land Act of 1999, which govern land ownership in Tanzania, do not discriminate against women in terms of access to land, but in practice, women face significant barriers to obtaining land rights. This is due to cultural, social and economic factors, such as lack of knowledge of the laws, lack of resources to pay for land registration and discrimination in decision-making processes. Additionally, women are often not included in village land use planning, a decision which limits their ability to participate in land use decisions and access to land. The Government of Tanzania has taken some steps to address the issue of land ownership disparity among men and women by establishing the National Land Policy of 2002 which, among other things, aims at promoting gender equality in land ownership and use. Moreover,

there has been in-depth involvement of some organisations and Non-Governmental Organizations (NGOs) which are working tirelessly to empower women by providing them with education and support on land rights and by advocating for policy changes that promote gender equality in land ownership and use.

The gender disparity problem of land ownership in Tanzania is still a complex and multifaceted issue mostly influenced by a variety of factors such as legal, cultural, and economic considerations. Furthermore, a lack of clarity and consistency in the laws and regulations governing land ownership exacerbates the gender disparity in land ownership. This situation has led to confusion and disputes over land rights particularly in cases where traditional land rights are not recognized, respected, and discriminate against women. Women often face significant barriers to obtaining land rights due to cultural, social and economic factors, such as lack of knowledge of the laws, lack of resources to pay for land registration, discrimination in decision-making processes and lack of participation in land use planning. Many marginalized groups, including women and indigenous peoples, are not included in village land use planning, which limits their ability to participate in land use decisions and access to land as well as land grabbing where there have been cases of foreign and domestic investors acquiring large tracts of land for commercial purposes, often at the expense of local communities including women who depend on the land for their livelihoods. It has been observed that these problems can lead to a range of negative consequences especially to marginalized groups of people, including the poor, those with food insecurity, displaced women, and marginalized communities. Moreover, it can lead to the loss of cultural heritage. The government and other stakeholders need to work together to address these issues and ensure that land ownership and use are fair and equitable for all.

Women's economic inclusion involves reducing the gender gap in the economy and its benefits. There are several barriers which exclude women from enjoying the benefits of economic growth. Idris (2018) identifies several barriers including lack of assets and access to financial services. Many women lack income of their own which limits their ownership of capital assets. Elson and Seth (2019) argue that, for economic growth to benefit both women and men equally, the gender dimensions of inclusive growth should be explicit, and policies for inclusive growth should deliberately aim to improve women's well-being while addressing gender gaps. Equal ownership of different resources is important for an inclusive economy. Recently, it has been advocated that women should own assets like land, and should also exercise control over them because ownership of assets

such as land and a house provide them with security and tends to moderate men's violent practices against women. Women who are economically empowered are likely to have greater access to economic assets like land (Panda and Agarwal, 2005).

Other initiatives which are likely to improve women's ownership of land is the implementation of land reform purposely to change ways in which land is held or owned. Land reform is meant for reform of the tenure system or redistribution of land ownership rights. Land reform is usually introduced by government initiative or in response to internal and external pressures to resolve or prevent an economic, social or political crisis. Therefore, reform may be considered a problem-solving mechanism in different societies. In addition, land reforms abolish feudalism and capitalism, which means decreasing the power of the landlord class and redistributing the ownership of land to many. The results of land reform include improvements in the peasants' social conditions and status and decreasing the level of poverty. The primary objective of land registration and reforms at this point is not to secure land rights or interests of the majority poor but to make more land available for commercial and other foreign-backed investments.

Land reforms usually come with a land tenure system whereby individuals, communities, or organisations have the right to use, occupy, or manage land. Land tenure systems can vary widely depending on countries or regions, and may include different types of rights and obligations. They can have significant impacts on people's access to land, their ability to use it productively, and their capacity to improve their livelihoods and protect the rights of vulnerable groups, including women and indigenous peoples. However, land tenure systems can also create challenges and conflicts, particularly where there is a lack of clarity or consistency in the laws and regulations governing land tenure, or where traditional land rights are not recognized or respected.

2.0 LITERATURE REVIEW

This part highlights empirical underpinnings which explain inequality in access to land resources. In many communities, gender disparities about access to and control of land resources are linked to a norm that men, as heads of households, should control and manage household property items (United Nations, 2013). The problem becomes more pronounced when it comes to the control and ownership of agricultural land. Moyo (2017), FAO (2011), World Bank, FAO and IFAD (2009), UN-HABITAT (2006), Tsikata (2003) and USAID (2013) pointed out that although there has been an increase in recognition about the

importance of securing women's land and inheritance rights, evidence from a gender perspective has shown that most land tenure systems in Africa favour men and, in most cases, women are granted these rights through a father, husband, brother or son.

Further investigations have shown that, under customary land law and traditions in many developing countries, women are given usufructuary rights (Leavens and Leigh, 2011). The usufructuary right is a legal right accorded to a person or party that confers the temporary right to use and derive income or benefit from someone else's property. It is a limited real right that can be found in many mixed and civil law jurisdictions. A usufructuary is the person holding the property by usufruct. A good example of usufructuary law is in Maasai society in Tanzania where women are not allowed to inherit any property and are more likely to lose land and even livestock if their husband dies without leaving a male child (Tiaré Cross, 2013). On the other hand, in some parts of the rural Kilimanjaro region in Tanzania, it has been found that inherited traditions and customs are reported to play a decisive role in limiting women's access to and control over land, among other resources (Ernest, 2014; Asantemungu, 2011). This situation is similar to the case in the Gambia where women, like most women in Sub-Saharan Africa, do not inherit land, nor do they generally receive land allocations from community authorities (World Bank, FAO and IFAD, 2009).

Although there have been many institutional reforms in Africa and Tanzania in particular, a lot of challenges persist as regards women's land ownership. This situation has been attributed to many factors including marriage, divorce and inheritance rights which are still governed by customary law (Cao, 2016).

Furthermore, women do not share incomes with their husbands in most of the Western parts of Africa. Women normally keep separate budgets and have different spending responsibilities (Djuikom and van de Walle, 2018). In addition, it has been found that in Cameroon, some men refuse to give land to their wives fearing that they may lose their wives' labour on their farms or that women may become income earners on their land and thus become independent (Hilhors, 2000). However, in many African societies particularly in Tanzania, customary land tenure systems are experiencing profound changes, as a result of dramatic structural changes in economies and societies (Cotula and Toulmin, 2007). The changing roles of extended families as land management units provide the principles of social stability and the moral economy of the lineage group which can offer relatively secure land rights to women (Quan, 2007).

3.0 METHODOLOGY

Data Type and Sources

In determining whether the legal system matters in equal access to land ownership between men and women in Tanzania, cross-sectional data from the Afro barometer survey, round seven (7) with 2,400 observations were used to analyse the effect of how people perceive the legal system on equal access to land ownership in Tanzania. The dependent variable was a binary variable indicating whether women had equal right to land ($y = 1$) or not ($y = 0$). The exogenous variables included the variables that are related to the legal system, specifically obeying the law, courts making binding decisions, treating people unequally, and paying bribes to register land of which they do not own. The set of control variables included the variables that capture women's empowerment such as equal chances of earning incomes between men and women, electing only a male person as a leader against women as leaders and household heads which captures who makes household decisions. Other control variables were education level, sex, location and number of adults in the household. Since the dependent variable took only two values, "1" if women had equal land rights and "0" otherwise, we can express this as:

$$\text{Women have equal right to land} = \begin{cases} 1 & \text{if } Agree \\ 0 & \text{otherwise} \end{cases}$$

By using the index function approach, the dependent variable is observed if a latent variable y^* satisfies certain conditions, say:

$$y = \begin{cases} 1 & \text{if } y^* > 0 \\ 0 & \text{if } y^* \leq 0 \end{cases}$$

Where:

$$y^* = X\beta + \varepsilon$$

Probit regression was used to analyse this model. The interest was to find the probability of observing that a woman had equal right to land ownership, given the characteristics X (set of explanatory variables that influence equal right to land), that is:

$$\Pr(y = 1 | X) = \Pr(y^* > 0 | X) = F(X\beta)$$

Specifically, the empirical model that was estimated was as follows:

$$\begin{aligned} \text{WER2land} = & \beta_0 + \beta_1 \text{Courts_binding} + \beta_2 \text{Obey_law} + \beta_3 \text{Treated_u_equally} \\ & + \beta_4 \text{Opbribe_pay4L} + \\ & \beta_5 \text{Rp Bribe_pay4L} + \beta_6 \text{Gender} + \beta_7 \text{Ern_Income} + \beta_8 \text{Household_head} \\ & + \beta_9 \text{AGE_COND} + \beta_{10} \text{ADULT_CT} + \end{aligned}$$

$$\beta_{11}EDUC + \beta_{12}Location + \beta_{13}Leadership + \varepsilon_i$$

The description and measurement of the variables that were included in the model is provided in Table 1.

Table 1: Description and Measurements of the Variables

Variable	Description of the variable	Type and Measurement of the variable
WER2land	Women have equal rights to land	Binary 0 "Disagree", 1 "Agree"
EDUC	The education level of the respondent	Ordinal 0 "No formal education", 1 "Primary" 2 "Secondary", 3 "Post-secondary"
Earn_Income	Women and men have equal chances to earn income	Binary 0 "Disagree", 1 "Agree"
Location	Urban or rural primary sampling unit	Binary 0 "Urban", 1 "Rural"
Leadership	Men only as leaders vs. women leaders	Binary 0 "Men only as leaders" 1 "Women leaders"
Court's_binding	Courts make binding decisions	Binary 0 "Disagree", 1 "Agree"
Obey_law	People must obey the law	Binary 0 "Disagree", 1 "Agree"
Treated_unequally	How often people are treated unequally	Binary 0 "Never", 1 "Treated unequally"
Op_bribe_pay4L	Ordinary persons pay bribes to register land, not theirs	Binary 0 "No", 1 "Yes"
Rp_bribe_pay4L	Rich persons pay bribes to register land, not theirs	Binary 0 "No", 1 "Yes"
Household_head	Household head	Categorical 0 "Respondent", 1 "Respondent's spouse", 2 "Other male relatives", 3 "Other female relatives"
Gender	Gender of respondent	Binary 0 "Female", 1 "Male"
AGE_COND	Age	Ordinal "1" 18-25, "2" 26-35, "3" 36-45, "4" 46-55, "5" 56-65, "6" Over 65
ADULT_CT	Number of adults in the household	Continuous/Numerical value

4.0 FINDINGS AND DISCUSSION

The descriptive analysis results in Table 2 show that half of the respondents in the data set were female and 88.53% of all females agreed that women had equal land rights. This is slightly higher than the males who perceive the same, 81.23%

of all males. The Chi² test for the association between women having equal rights to land and some legal-related variables was also performed. The results showed that there was a strong positive association between courts making binding decisions and the perception of women having equal land rights (Pearson chi²(1) = 20.0684, P-value = 0.000). Also, the results revealed that 86.29% of those who agreed that courts make binding decisions, also agreed with women having equal land rights. These were 10.87% higher than those who disagreed that courts make binding decisions but agreed with the perception that women have equal land rights.

The findings also revealed that there was a strong positive association between obeying the law and the perception that women had equal land rights (Pearson chi²(1) = 14.5004, P-value = 0.000). It was found that 86.23% of those who agreed that people must obey the law also perceived that women have equal land rights. This was 7.88% higher than those who disagreed with the notion that people must obey the law but agreed with women having equal land rights. From the results, women's equal right to land was not associated with how people are treated unequally (Pearson chi²(1) = 0.6719, P-value = 0.412). However, the results revealed that 86.35% of those who said that people were never treated unequally also supported the notion that women have equal land rights. This was 1.61% higher than those who perceived that people were treated unequally, but they agreed that women had equal land rights.

Women having equal land rights was strongly positively associated with women and men having equal chance to earn income (Pearson chi²(1) = 18.8966, P-value = 0.000). Also, it was found that 85.75% of the people who perceived that men and women had equal chances to earn income also perceived that women had equal rights to land. This was 14.44% higher than those who disagreed that women and men had equal chances to earn income but agreed that women had equal land rights. Moreover, there is a strong and positive association between women having equal rights to land and leadership (Pearson chi²(1) = 65.7295, P-value = 0.000). The majority of the people who agreed that women were leaders (88.30%) also agreed with the perception that women have equal land rights. This is 14.01% higher than those who disagreed that women were leaders but agreed that women had equal land rights.

Table 2: Descriptive Statistics

Variable	Women have equal rights to land			
	Disagree		Agree	
Gender	Frequency	Percent	Frequency	Percent
Female	136.00	11.47	1,050.00	88.53
Male	222.00	18.77	961.00	81.23
Total	358.00	15.11	2,011.00	84.89

Women have equal rights to land	Courts make binding decisions			
	Disagree		Agree	
	Frequency	Percent	Frequency	Percent
No	59.00	24.58	281.00	13.71
Yes	181.00	75.42	1,768.00	86.29
Total	240.00	100.00	2,049.00	100.00

Pearson chi2(2) = 20.0683, P-value = 0.000

Women have equal rights to land	People must obey the law			
	Disagree		Agree	
	Frequency	Percent	Frequency	Percent
No	76.00	21.65	267.00	13.77
Yes	275.00	78.35	1,672.00	86.23
Total	351.00	100.00	1,939.00	100.00

Pearson chi2(1) = 14.5004, P-value = 0.000

Women have equal rights to land	How often people are treated unequally			
	Never		Treated	
	Frequency	Percent	Frequency	Percent
No	55.00	13.65	273.00	15.26
Yes	348.00	86.35	1,516.00	84.74
Total	403.00	100.00	1,789.00	100.00

Pearson chi2(1) = 0.6719, P-value = 0.000

Women have equal rights to land	Women and Men have equal chance to earn income			
	Never		Treated	
	Frequency	Percent	Frequency	Percent
No	35.00	28.69	317.00	14.25
Yes	87.00	71.31	1,907.00	85.75
Total	122.00	100.00	2,224.00	100.00

Pearson chi2(1) = 18.8966, P-value = 0.000

Women have equal rights to land	Men only as leader's vs Women only as leaders			
	Men only		Women leaders	
	Frequency	Percent	Frequency	Percent
No	145.00	25.71	209.00	11.70
Yes	419.00	74.29	1,577.00	88.30
Total	564.00	100.00	1,786.00	100.00

Pearson chi2(1) = 65.7295, P-value = 0.000

Table 3 and Table 4 present results of probit regression and marginal effects respectively. It was found that when courts make a binding decision, it positively influences women to have equal land rights. Those who agreed that courts make a binding decision were 9.79%, and they were more likely to agree with the fact that women have equal rights to land as compared to those who did not agree that courts make a binding decision. From these findings, it is argued that courts have to stand firm and be very rigorous in making decisions. This will enable people to treat each other fairly without breaching the law. In supporting this argument, it was also found that obeying the law positively influences women to have equal land rights. People who agreed that they should obey the law were 4.33% more likely to agree that women have equal rights to land as compared to those who disagreed with the notion that people should obey the law. Thus, to achieve equality between men and women in terms of the right to land, legal systems have a vital role to play. Other legal-related variables such as paying bribes to acquire land which is not owned by a person, who is either rich or poor, did not significantly influence the likelihood of the women having equal land rights, although these variables had a negative sign. Furthermore, treating people unequally did not significantly affect women to have equal right to land.

In terms of the effects of empowering women on women having equal land rights, it was found that when men and women have equal chances of earning income, it positively influences the likelihood of women having equal land rights. Those who agreed that men and women have equal chances of earning income were 14.19% more likely to consider that women had equal rights to land as compared to those who disagreed that men and women had equal chances to earn income. Also, women being the leaders had positive and significant effects on women having equal land rights. Those who favoured women to be the leaders were 12.62% more likely to agree that women have equal rights to land. Moreover, when the woman is in charge of making household decisions it favours women to have equal land rights. Thus, when the household head is another female relative, the likelihood of the women having equal land rights is 6.7% higher than when the head of the household is the respondent.

There was a gender disparity on matters related to land ownership as men did not believe that women had equal land rights. It was found that men were 6.42% less likely to agree that women had equal land rights. This has been the case due to traditional and cultural setups whereby women are not allowed to own land in most communities.

Table 3: Probit Regression Results

WER2land	Coef.	St.Err.	t-value	p-value	[95% Conf	Interval]	Sig
<i>Education: base</i>							
Primary	.196	.119	1.66	.097	-.035	.429	*
Secondary	.065	.137	0.48	.633	-.204	.335	
Post-secondary	.242	.19	1.27	.203	-.13	.615	
<i>Eq_Ern_Income</i>							
Agree	.542	.141	3.85	.000	.266	.819	***
<i>Location</i>							
Rural	.021	.08	0.27	.787	-.134	.177	
<i>Leadership</i>							
Women leaders	.526	.078	6.78	.000	.374	.678	***
<i>Court_binding</i>							
Agree	.400	.112	3.57	.000	.181	.62	***
<i>Obey_law</i>							
Agree	.192	.099	1.94	.052	-.002	.387	*
<i>Treated_unequally</i>							
Treated_un	.006	.098	0.07	.947	-.185	.198	
<i>Opbribe_pay4L</i>							
Yes	-.017	.079	-0.22	.827	-.172	.137	
<i>Rpbribe_pay4L</i>							
Yes	-.078	.101	-0.77	.441	-.277	.12	
<i>Household_head</i>							
Respondent's Spouse	.013	.123	0.11	.91	-.227	.255	
Other males relat	.190	.135	1.41	.157	-.074	.455	
Other female relat	.363	.181	2.01	.045	.008	.719	**
<i>Gender</i>							
Male	-.305	.108	-2.82	.005	-.518	-.093	***
<i>Age: base 18-25</i>							
26-35	.064	.107	0.61	.545	-.145	.274	
36-45	.283	.12	2.36	.018	.048	.519	**
46-55	.238	.141	1.70	.09	-.037	.515	*
56-65	.428	.177	2.42	.016	.081	.775	**
Over 65	.560	.193	2.91	.004	.183	.939	***
ADULT_CT	-.019	.021	-0.94	.345	-.061	.021	
Constant	-.404	.281	-1.44	.15	-.955	.146	
Mean dependent var		0.854	SD dependent var			0.354	
Pseudo r-squared		0.080	Number of obs			1989	
Chi-square		132.938	Prob > chi2			0.000	
Akaike crit. (AIC)		1566.885	Bayesian crit. (BIC)			1689.984	

*** $p < .01$, ** $p < .05$, * $p < .1$

For the age groups, those of 26 – 35 years were not significantly different from those of 18 - 25 years. The other age groups were more likely to agree that women had equal rights to land. The age group 36 - 45 was 6.1% more likely to agree

that women had equal rights to land as compared to those with the age group 18 - 25. The age group of 46 - 55 were 5.33% more likely to give women equal rights to land as compared to the age group of 18 - 25. It was found that those in the age groups 56 – 65 and over 65 were more likely to agree that women have equal right to land as compared to those aged 18 – 25 years by 8.72 and 10.68% respectively. Other control variables; education, location and the number of adults in the household were not found to significantly influence the likelihood of the women having equal land rights.

Table 4: Marginal Effects

	Delta-method					
	dy/dx	std. err.	z	P>z	[conf.	interval]
<i>EDUC</i>						
Primary	0.044	0.028	1.560	0.118	-0.011	0.098
Secondary	0.015	0.033		0.636	-0.048	0.079
			0.470			
Post-secondary	0.052	0.040	1.310	0.189	-0.026	0.131
<i>Eq_Ern_Income</i>						
Agree	0.142	0.043	3.270	0.001	0.057	0.227
<i>Location</i>						
Rural	0.005	0.017	0.270	0.788	-0.029	0.038
<i>Leadership</i>						
Women leaders	0.126	0.021	6.150	0.000	0.086	0.166
<i>Courts binding</i>						
Agree	0.098	0.031	3.160	0.002	0.037	0.159
<i>Obey law</i>						
Agree	0.043	0.024	1.830	0.068	-0.003	0.090
<i>Treated_unequally</i>						
Treaded_un	0.001	0.021		0.947	-0.039	0.042
			0.070			
<i>Opbribe_pay4L</i>						
Yes	-0.004	0.017	-0.220	0.827	-0.036	0.029
<i>Rpbribe_pay4L</i>						
Yes	-0.016	0.020	-0.790	0.430	-0.056	0.024
<i>Household head</i>						
Respondent's spouse	0.003	0.027	0.110	0.910	-0.050	0.056
Other male relatives	0.038	0.026	1.490	0.137	-0.012	0.089
Other female relatives	0.067	0.029	2.310	0.021	0.010	0.124

<i>Gender</i>						
Male	-0.064	0.023	-2.830	0.005	-0.109	-0.020
<i>AGE_COND</i>						
26-35	0.016	0.026	0.600	0.547	-0.035	0.067
36-45	0.062	0.027	2.330	0.020	0.010	0.114
46-55	0.053	0.031	1.730	0.083	-0.007	0.114
56-65	0.087	0.033	2.660	0.008	0.023	0.151
Over 65	0.107	0.032	3.370	0.001	0.045	0.169
ADULT_CT	-0.004	0.004	-0.940	0.345	-0.013	0.005

Note: dy/dx for factor levels is the discrete change from the base level

5.0 CONCLUSION AND RECOMMENDATIONS

This paper examined whether the legal system matters in equal access to land ownership in Tanzania between men and women. The outcomes of the study imply the following to the policymakers in Tanzania; the efforts which are geared towards strengthening the rule of law and legal compliances could help to promote gender equality by emphasizing respect for women's land rights. Measures taken to increase awareness, change of attitude and understanding of the rule of law when effectively implemented would lead to advancing gender equality and women's land rights. Efforts which promote and protect women's land rights will result in advancing gender equality and women's economic empowerment. An effective legal system is crucial in promoting and protecting women's land rights. Gender equality in society's economic opportunities can have a positive effect on women's land ownership rights. Addressing gender disparities in land ownership promotes women's land rights.

The study recommends that the Government, Civil Societies and Non-Governmental Organizations should cooperate in enhancing more legal reforms in Tanzania in strengthening laws and policies which protect women's right to own and inherit land. The Government should take the lead in enforcing and publicizing the laws which help to raise awareness of women's rights of land ownership in the communities. The Government, Civil Societies and Non-Governmental Organizations should engage in providing education and awareness to women themselves, especially in educating them on their rights to own and inherit land and on the importance of land ownership for economic empowerment. Men and boys should also be educated on the benefits of gender equality and the negative impacts of gender discrimination. Lastly, the study recommends that women should be assisted by the Government, Civil Societies, Non-Governmental Organizations and the Private Sector in accessing resources and credit which could be used as a tool to improve their productivity and increase their chances of owning land.

REFERENCES

- Asantemungu, E. (2011). Women and Land Ownership Rights in Kilimanjaro: A Tension between Women Land Ownership Rights and Culture: A case of Moshi Rural District Tanzania. (Unpublished M.Phil. Thesis), Norwegian University of Science and Technology, Norway.
- Battaile, W. G. (2020). What does Tanzania's move to lower-middle income status mean. *Africa Can End Poverty blog*, 5.
- Cao, L. (2016). *Culture in law and development: nurturing positive change*. Oxford University Press.
- Cotula, L. & Toulmin, C. (2007). Conclusion. In: L. Cotula (ed.) Changes in customary land tenure systems in Africa. pp. 15-14, IIED, Stevenage, Hertfordshire.
- Djuikom, M. A., & van de Walle, D. P. (2018). Marital shocks and women's welfare in Africa. *World Bank Policy Research Working Paper*, (8306).
- Elson, D., & Seth, A. (Eds.). (2019). *Gender equality and inclusive growth: Economic policies to achieve sustainable development*. UN Women.
- Ernest, A. R. (2014). Women and Land Ownership Rights in Kilimanjaro. *A Tension between Women Land Ownership Rights and Culture. A case of Moshi Rural District Tanzania* [<http://ntnu.divaportal.org/smash/get/diva2:542513/FULLTEXT01>] site visited, 28(10).
- FAO (2011). The State of Food and Agriculture 2010–11. Rome, Italy
- Hilhorst, T. (2000). Women's land rights: current developments in Sub-Saharan Africa. *Evolving land rights, policy and tenure in Africa.*, 181-196.
- Idris, I. (2018). Barriers to women's economic inclusion in Tanzania.
- Leavens, M. K., Gugerty, M. K., & Anderson, C. L. (2019). Gender and agriculture in Tanzania. *Gates Open Res*, 3(1348), 1348.
- Moyo, K. (2017). *Women's access to land in Tanzania: The case of the Makete District* (Doctoral dissertation, Kungliga Tekniska högskolan).
- Panda, P., & Agarwal, B. (2005). Marital violence, human development and women's property status in India. *World Development*, 33(5), 823-850.
- Tsikata, D. (2003). Securing women's interests within land tenure reforms: recent debates in Tanzania. *Journal of Agrarian Change*, 3(1-2), 149-183.
- Quan, J. (2007). Changes in intra-family land relations. *Changes in "Costumary" Land Tenure*
- Tiaré Cross, M. (2013). Grassroots Development: Case Studies from Tanzania. The Flora Family Foundation (FFF) Publication, Tanzania.
- UN-HABITAT (2006). Progress Report on removing Discrimination against Women in Respect of Property & Inheritance Rights: Tools on Improving Women's Secure Tenure, Series 1, No. 2. United Nations Human Settlements Programme (UN-HABITAT), Nairobi.

United Nations. Office of the High Commissioner for Human Rights, & Women,
U. N. (2013). *Realizing Women's Rights to Land and Other Productive
Resources*. UN.

World Bank, FAO & IFAD (2009). *Gender in Agriculture Sourcebook*.
International Bank for Reconstruction and Development/The World Bank,
Washington DC.