“The Matrilineal Puzzle”
Women’s Land Rights in Mozambique
– Case Study: Niassa Province

Karin Lidström
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Abstract
This thesis aims to shed light on issues related to women’s rights to access and benefit from land in matrilineal communities in rural, northern Mozambique. It portrays the environment in which organisations working with implementation of land rights operate as well as proposes conclusions on the core obstacles to their work. A qualitative study was conducted and forms the basis of the study and is complemented with previous research on this topic.

Women in rural, matrilineal communities in northern Mozambique are not equal with their male counterparts and they hold a lower social position despite the alleged matrilineal structure. However, they appear to be less marginalised than women in southern, patrilineal Mozambique, which suggests that the matrilineal structure does have a positive effect on the lives of the rural women. Furthermore, this study shows that the obstacles when implementing women’s land rights can be summarised as: (i) strong patriarchal attitudes, (ii) an insufficient level of education that excludes women from decision-making and (iii) a too narrow understanding of the gender-power relations.

Keywords: Sustainable development, Mozambique, women’s rights, land rights, gender and development, matrilineal community

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Summary  
This thesis aims to contribute new information and understanding to the already existing body of knowledge concerning women’s rights to land tenure in Mozambique. It also emphasises the importance of further research on this topic as well as the need for better understanding of gender-power relations in general.  

Research shows that secured access to land tenure is of high importance for poverty alleviation but yet a disturbingly high number of Mozambican women do not enjoy their rights to land. Several organisations concentrate their work on land rights in Mozambique and there is indeed an obvious positive effect of their work to be seen, but yet they struggle with some aggravating circumstances that prevent the full success of their work. This study portrays the environment in which these organisations are operating and gives a brief description of the legal circumstances. It also further introduces the reader to some of the implications and obstacles in the work of implementing women’s land rights. To do so, a field study has been conducted in northern Mozambique, where women living from small-scale farming in rural communities were interviewed in order to provide an understanding of their situation. The geographical area where these women live is characterised by a matrilineal societal structure, in contrast to the globally more common patriarchal structure, which suggests that they should hold a stronger social position.  

This study shows that the women in rural, matrilineal communities in northern Mozambique are not equal with their male counterparts and they hold a lower social position despite the alleged matrilineal structure. However, they appear to be less marginalised than women in southern, patrilineal Mozambique, which suggests that the matrilineal structure does have a positive effect for rural women. Furthermore, this study shows that the obstacles when implementing women’s land rights can be summarised as: (i) strong patriarchal attitudes, (ii) an insufficient level of education that excludes women from decision-making and (iii) a too narrow understanding of the gender-power relations.  

Despite the fact that the investigated topic is complex and somewhat difficult to fully understand, this thesis has at least contributed with a few more pieces of knowledge to the matrilineal puzzle.  

Keywords: Sustainable development, Mozambique, women’s rights, land rights, gender and development, matrilineal  

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### Acronyms and key concepts

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
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<tbody>
<tr>
<td>CEDAW</td>
<td>UN Convention to Eliminate All Forms of Discrimination against Women</td>
</tr>
<tr>
<td>DUAT</td>
<td>Direito de Uso e Aproveitamento de Terra</td>
</tr>
<tr>
<td>Frelimo</td>
<td>Frente de Libertacao de Moçambique</td>
</tr>
<tr>
<td>FM</td>
<td>Forum Mulher</td>
</tr>
<tr>
<td>Machamba</td>
<td>Family-owned piece of arable land</td>
</tr>
<tr>
<td>NGO</td>
<td>Non-governmental organisation</td>
</tr>
<tr>
<td>OMM</td>
<td>Organização da Mulher Moçambicana</td>
</tr>
<tr>
<td>Regulo</td>
<td>Local (male) chiefs in traditional communities</td>
</tr>
<tr>
<td>UCA</td>
<td>União das Cooperativas e Associacções de Lichinga</td>
</tr>
<tr>
<td>UN</td>
<td>United Nations</td>
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<tr>
<td>UNAC</td>
<td>União Nacional de Camponeses</td>
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</tbody>
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1. Introduction

This study has been made at request of the organisation We Effect, together with whom the topic and course of action have been agreed upon. We Effect is an aid organisation working towards the vision of a sustainable and just world free from poverty (We Effect, 2014). There will be reason to reconnect to their work later on. To enable this thesis, a field study has been carried out in Mozambique during 10 weeks and to facilitate the visit, the author received a scholarship from the Swedish International Development Cooperation Agency (Sida).

Access to land is, together with access to water, expected to become one of the greatest challenges of the future. The global community is starting to show interest in the issue but to find a way to overcome the challenges and secure the right to access land, we must first understand the power structures that have created the unequal distribution in the first place. Unjust distribution of arable land and insecure access to land as a source of income is a growing problem in Mozambique and the issue has great implication for social, economic as well as environmental development. This study will focus on some of these implications.

Mozambique has, during the last ten years, had a large annual growth but despite the remarkable economic success, many Mozambicans still live in unacceptable poverty and the national growth is far from inclusive. As secured access to food is a prerequisite for survival and a vast majority of the Mozambican people live from agriculture, it is of great importance to realise all promises about all Mozambicans being guaranteed access to land. While there is no absolute shortage of land in the country, nor a bigger group of landless peasants, there is a skewed distribution of rights and control over land and we see an increasing competition for fertile land between family farming communities and foreign investors (UN-HABITAT).

The question of land distribution is currently a widely debated topic in Mozambique, and considering the large number of farmers that are now fighting for their rights to have access to and benefit from land and are bringing light to the way these rights are neglected, one can identify a widely spread dissatisfaction. The livelihood of the farmers is threatened by foreign investors whose intention is to cultivate the land for production of food crops or bio-fuel for the purpose of export. This is an example of land grabbing where the intention is to ensure the world’s access to a cheap and reliable source of food and fuel. The Mozambican farmer’s fight is therefore indeed global and this thesis aims, for that reason, to put their struggle in such context and connect it to an inclusive and sustainable development.

It is highly appropriate to study the implication of land rights in Mozambique as agriculture employs four out of five Mozambicans and also because of the fact that land rights are still not secured despite ambitious attempts to formulate the land law in a way so that would ensure access to arable land. The vast majority of the farmers in Mozambique are women and even where men also work with agriculture, women have the greater responsibility. As the issue of land rights has not been prioritised and the problems and threats are not taken seriously enough, women constitute, in a higher degree than men, victims of poverty. Poverty should not be the monopoly of women, and it is therefore of high relevance to study land rights from a gender perspective to reveal the gender-power relations. Furthermore, explicitly giving consideration to gender inequality when working for poverty alleviation is a necessity in order to have any chance to create a sustainable development as excluding a significant part of a population will never lead to positive and long-lasting results. It is thus of great importance to continue studying and mapping the power structures between men and women in areas where development work is intended to take place to create a better chance for
contributions to be successful. This study aims to contribute with knowledge in this particular field with hopes to facilitate further development work.

It is of particular interest to study women’s situation and rights in northern Mozambique due to the fact that the area is known to be of matrilineal societal structure, which implies that descent is traced through the mother and the maternal ancestors. An unmitigated matrilineal societal structure also involves the inheritance of property and land titles belonging to one’s “matriline”, the mother’s lineage. An individual, of either sex, is considered to belong to his or her mother’s descent group and this is what is called a matrilineal descent pattern (UN-HABITAT, 2005). This fact could imply a stronger social position for women, but whether it does or not remains to be found out. As the title of this thesis implies, there are many pieces that need to come together to understand the full picture. The expression “The matrilineal puzzle” has often been used to describe the complexity of known matrilineal societies, as if their structure were beyond our understanding, and it was coined by Audrey Richards in her essay on the Central Bantu (Richards, 1950).

1.1 Purpose and research question

The issue of land and land rights is a highly relevant topic to study, particularly in a post-conflict society in development such as the Mozambican. Although there has already been presented a large amount of research on the topic, the purpose of this study is to contribute with new information and understanding to the already existing body of knowledge concerning women’s rights to land tenure in Mozambique as well as to emphasise the importance of the topic.

There are several non-governmental organisations working with land issues in Mozambique that are focused on implementing land tenure and are trying to establish a more secure regulation. They do not only target women but rather, in most cases, have a gender-mixed group as beneficiaries. As a background, this thesis will portray the environment in which these organisations are operating and give a brief description of the legal circumstances. The thesis will then further introduce the reader to some of the implications and aggravating circumstances in the work of implementing women’s land rights.

More specifically, the research questions that this study aims to shed light on are the following:

*What are the land rights that rural women enjoy in practice in Niassa province?*

*To what extent are women in Niassa province aware of the laws and regulations concerning women’s land rights?*

*What significance does it have for women in Niassa province to receive the formal (and effective) right to own land?*

*Does the matrilineal structure of the communities in Niassa province secure women’s human rights and/or rights to land?*

*What are the obstacles that organisations meet when working with the implementation of women’s land rights in Niassa province?*
1.2 Outline

This thesis has a double purpose. While giving a structured description of the environment in which organisations working with the implementation of land rights in Mozambique are operating, it also aims to specifically shed light on the five questions that were just mentioned.

The present chapter has served to introduce the reader to the topic, while chapter 2 accounts for the theoretical points of departure that constitute the foundation of the study. Chapter 3 introduces the reader to the Mozambican context, with focus on the land tenure law, women’s rights and Niassa province. Chapter 4 clarifies the methodological framework and the strategy that was used to conduct the study. Thereafter, the findings of the study are presented in chapter 5, followed by an analysis of those in chapter 6. Finally, conclusions of the study are summarised in chapter 7 and the author’s acknowledgements are presented in the very last chapter 8.
2. Theoretical points of departure

This chapter outlines the foundation for this thesis. It explains and to some extent discusses previous research in the particular field of gender and development and the role of civil society organisations in poverty alleviation.

2.1 Gender and development

Studying gender and gender differences and inequalities has become more common during recent years and the concept of gender is by now widely known in all sciences as well as working areas. This is a result of several parallel women’s movements, global as well as national, for gender equality. The gender theory simply defines the differences between femininity and masculinity as socially and culturally constructed, in contrast to the biological differences between sexes. Rather than discussing individuals and sexes, the concept of gender highlights the different power structures between the sexes and their role in society. In all parts of society, gender is formed from traditions and expectations and it is for this reason constantly recreated and differences are thereby maintained. Gender systems also vary greatly between different cultures and contexts and there is a vast diversity of gender patterns across cultures and down history. One can nevertheless state that most gender orders around the globe privilege men and disadvantage women, although the degree of gender inequality varies (Connell, 2009). In brief, this thesis devolves from the feminist view that gender is socially and/or culturally constructed.

Signe Arnfred (2002) presents a comprehensive examination of gender and development and points out, among many findings, the switch of language use when including gender aspects and women’s rights in development. After women’s subordination was addressed and the need for strengthening women eventually was introduced in aid and development work, it was first as WID (women-in-development) programmes and later transformed into GAD (gender-and-development) programmes. As the name change implies, there has been a switch from activities focusing only on women’s situation to a broader view where all involved are included, no matter gender nor sex. As this change was seen as a minor victory and a step in the right direction, Arnfred sees the possible threat of this language becoming the language of development agencies and not the one of political struggle, which threatens the grass-roots movements’ role in formulating women’s issues. However, the debate that resulted in this change of perspective originated from the critique that WID to a large extent strived to introduce women in a patriarchal world order, whereas GAD rather challenges any gender ordination (Ibid). Furthermore, even this approach that encourages gender mainstreaming has been criticised. Nighat Khan (1998) argued that “gender analysis had become a technocratic discourse, in spite of its roots in socialist feminism, dominated by researchers, policy-makers and consultants, which no longer addressed issues of power central to women’s subordination. (…) The focus on gender, rather than women, had become counter-productive in that it had allowed the discussion to shift from a focus on women, to women and men, and, finally, back to men” (Baden & Goetz 1998, p. 5-6). Another point on the topic is made by Vivienne Taylor (2000) who lifts the question whether it even seems reasonable to believe that we could introduce women’s issues and a gender perspective into frameworks that in the first place have resulted in women being systematically excluded from society and people living in poverty being marginalised from it too (Taylor, 2000).

In a report that the World Bank (2001) conducted on gender, the position is clearly taken that inequality is inefficient and costly as it inhibits development and economic growth when half
of a country’s work force suffers from limitations. Inequality means a cost to productivity and
growth as potential wage labourers (women) are left out. Better integrated women in the
market economy would result in higher GDP (World Bank, 2001). Arnfred (2002) shares the
perception that this is a common approach in gender theories, as a result of a widespread neo-
liberal political trend all over the world since early 90s. She further argues that this political
direction is “...not gender neutral: They tend to promote the power positions of men, while
many aspects of the kind of work that women usually do, and which are unrelated to the
market – e.g. food production from self-grown crops and taking care of children – are
rendered invisible”. One can interpret this approach as if gender mainstreaming is crucial to
the agenda of neo-liberalism (Arnfred, 2002).

2.2 A rights-based approach

When working with community development programmes, a rights-based approach situates
human rights at the very centre of the course of action and the process will pay full attention
to the realisation of human rights. This approach can be taken in every attempt to combat
poverty, marginalisation, conflicts or other injustices. It is a strategy with a clear ambition to
develop the capacity of communities and individuals to realise their rights and it takes a step
away from charity only based upon peoples’ immediate needs. In addition, it also aims to
strengthen the ability of the states to let human rights permeate their work too. A rights-based
approach also pays attention to inequality as an unjust power distribution and as the core
obstacle for sustainable development (HRBA, 2006).

A rights-based approach is suitable when studying land issues since the rights to such a core
resource is a human right, which has been ratified by the Mozambican government and taken
into account when formulating the land law.

The Swedish International Development Cooperation Agency (Sida) formulate their use of a
rights-based approach as follows:

It is…
- A shared pool of values based on the international convention on human rights,
- A clear division of responsibility based on principle on the state’s obligations and the
  individual’s human rights,
- A process in which participation is a fundamental principle, and
- A holistic view of the individual person’s problems and potential, as well as of
  society’s power relationships and power structures, which form the framework within
  which individuals act, alone or in a group,
- An analytical tool which facilitates and contributes to the identification of target
  groups, problem areas, power relations and structures, and thereby leads to more
  efficient collaboration with co-operation partners and countries,
- A measuring instrument and indicator that facilitates a clearer scrutiny of which gains
  have been made (Sida, 2001).

2.3 Civil society organisations

This study partly deals with the role of non-governmental organisations (NGOs) in civil
society for poverty alleviation and it is therefore of interest to clarify how NGOs have
developed within civil society since they first appeared. Civil society, sometimes referred to
as the third sector, is an aggregation of institutions and organisations that stand outside the
governmental sphere and that manifest the interests of citizens in a society. Civil societies in different countries have, for obvious reasons, very diverse possibilities to have impact on politics, direction of development and poverty reduction. Theories concerning civil society organisations and their contribution to development are of relevance to replicate in this study, firstly due to the fact that Mozambique is known to be a “donor baby” as a large number of international organisations are active in the country and secondly because several organisations operating in the Mozambican civil society have contributed to this study with their experiences and knowledge in the area of women’s land rights in Mozambique. This will form the basis of facts from which the question regarding obstacles and facilitating circumstances will be answered. As context is key to civil society, it must also be respected when analysing and trying to understand it (Edwards, 2011), and for that reason respect will be given to the Mozambican context when interpreting the role of civil society.

In many developing countries where inclusive development has failed due to poor governance and corruption, we have since the 1970s seen an increase of the importance of NGOs in the development sector. As civil society plays an increasingly predominant role and NGOs continue to rise in prevalence and prominence, the organisations do not only drastically grow in numbers but also in size. This trend is seen particularly in South Asia where Grameen Bank1 and BRAC2, both originating from Bangladesh, are good examples of successful organisations that justify the rising interest in NGOs as an alternative to count upon in the development sector. As mentioned earlier, the context in which these organisations operate must be understood before one can understand their expansion (Banks & Hulme, 2012). The box below summarises the development of a rising interest for civil society organisations.

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**Box 1. The rising prominence of NGOs**

**Until late 1970s:** A limited number of small NGOs receive little external support constitute the NGO sector. Most are northern-based with a southern presence, often based on religious assistance and/or in short-term relief.

**Late 1970s to 1980s:** ‘The NGO decade’ takes place amidst the Western pursuit of neoliberal agendas, with NGOs emerging as a promising development alternative.

**Late 1990s:** Alongside emergence of the good governance agenda, the first concerns surrounding NGOs take off alongside a focus back on the role of the state.

**2000s:** A new international aid regime promises greater consultation and focus on non-growth factors. NGOs with their people-centred, rights-based, and grassroots-driven approaches are well-suited to continue riding the NGO wave.

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1 The Grameen Bank provides micro credits to the poorest people of rural Bangladesh, without any collateral. Its origin can be traced back to 1976.

2 BRAC is a development organisation, founded in 1972 in Bangladesh, dedicated to alleviate poverty by empowering the poor, and helping them to bring about positive changes in their lives by creating opportunities.
Although the box states that the introduction of NGOs in civil society mainly took place in the 1980s, Africa experienced its boom of such organisations first a decade later and in that particular region it has been said that their presence has been characterised by a strong political influence.

Although light is often shed on the necessity of NGOs as civil society organisations, they have not escaped criticism and scrutiny. NGOs rose as service providers and advocates of the poor as well as to encourage popular participation. They offered a bottom-up, participatory and people-centred approach for development and poverty reduction and their work is thereby characterised by the needs and wants of local communities and of the disadvantaged groups in society. Banks & Hulme (2012) present the criticism towards NGOs as a concern of the serious dependence of NGOs on donors, as this fact might jeopardise their connection to the grassroots and result in weakened autonomy. Also NGOs working closely linked to governments towards mutual goals are subject to criticism as there is a fine line between having a positive relationship and running their errands and thereby receive an advantage. A certain distance from the political power is a prerequisite to effectively challenge power structures. The unique position of the NGOs has thus been scrutinised but the common view is yet that they provide effective targeted aid as a result of their closeness to people in need, as long as political or commercial interests do not distract their work (Ibid).
3. Mozambique

The complexity of land distribution in Mozambique and the patriarchal structure that permeates it can be traced back to pre-colonial times when a seed was planted for the structures that still characterise the society. The Mozambican population was organised in tribes under traditional leaders and lived from what the soil could give them. Mozambique was first colonised by the Portuguese in 1505 and the “codigo civil” was introduced, giving obvious advantages to men by encouraging patriarchal structures. When the colonial power took control over the country, Portuguese settlers were, to begin with, concentrated in towns and not until mid 1900 did they make efforts to rule the rural areas more firmly. They did so by starting to provide infrastructure and sub-division of fertile land. At this time, men were systematically dislocated to the capital or to South Africa to work at the ports, in factories or in the mines, while women generally remained in the rural areas as peasant farmers (UN-HABITAT, 2005).

Already in early years of colonisation, the local population had very limited legal rights to acquire land. Land in the rural, traditional communities was allocated by local (male) chiefs, known as regulos, an arrangement that was allowed under the colonial law and gave farmers the right to use a piece of land, i.e. a kind of land tenure. However, as such user rights were not juridically defined as ownership, the Mozambican farmers could at any time be evicted from their land. Even then, access to land was insecure and a patriarchal structure permeated the society, which was encouraged by the colonial power. For very long, the Portuguese authorities neglected the indigenous population’s rights to land and infrastructure. Finally, there was a first attempt made to provide them with such in the late 1960s. The attempt was in vain though, as the local Mozambican population could not be kept quiet much longer (Ibid).

The recent history of Mozambique has been quite dramatic and its population has suffered from colonial oppression, almost three decades of civil war, political instability and starvation as a consequence of severe droughts and floods. Mozambique saw the first signs of a movement for independence in 1964 when the Liberation Front of Mozambique (FRELIMO) appeared and launched their struggle for liberation. At independence in 1975, the Portuguese settlers abandoned the country and left a poor, exploited and badly educated population behind, as a result of inhuman treatment and severely restricted educational opportunities for the Mozambican population. FRELIMO became the governing party in the country and began their time in power by realising a number of changes in the agricultural sector, such as a nationalisation of all land, with the intention to speed up industrialisation and increase agricultural production. A number of circumstances hampered their success, such as a badly planned and too enthusiastic strategy, sanctions from the government of the neighbouring apartheid South Africa and repeated droughts and floods. When also the civil war broke out in the mid 1980s, the economic crisis was inevitable and not until 1992 did the war come to an end. FRELIMO that started as a Marxist-Leninist party had now heavily reduced state control and accepted the World Bank and International Monetary Fund’s Structural Adjustment Programmes and was about to introduce a market economy and allow foreign investments (Ibid). These adjustments have certainly contributed to a remarkable economic growth with an annual average increase of GDP of 7,5 % (Francisco & Sales, 2013), but it has also resulted in a concentration of wealth to the capital and extreme differences between rich and poor. In short, the economic success has not gained the average rural Mozambican.
3.1 Land tenure and “lei de terras”

It is formulated in the Mozambican Constitution of 1990 (Constituição da República de Moçambique) that all ownership of land shall vest in the State and may not be sold or otherwise disposed nor mortgaged or subject to attachment. Land is seen as a universal mean for the creation of wealth and of social wellbeing and the use and enjoyment of land shall be the right of all the Mozambican people. The State determines the conditions under which land may be used and enjoyed (Article 109, Mozambican Constitution of 1990).

The land law, “lei de terras”, from 1997 was formulated through a process that was open and participatory as well as characterised by discussions and consensus. It is known in the southern African region to be one of the best-formulated land laws as it carefully takes traditional law and customs into account and legitimises community leaders, the earlier mentioned régulos. The reason why the new land law needed to respect customary law, in order to be of any practical value, is that before the law was introduced, 90% of the land in Mozambique was under customary land practices. It was expected, when introduced, to give the peoples of the local communities secured rights to use and benefit from land and although the law itself does not contain any specific protective measures for women or other vulnerable groups, it was indeed aimed to secure their wellbeing too. The law was introduced in 1997 as an updated and improved version of the previous Land Law of 1979 and the Land Law Regulations form 1986. The following are the main changes in comparison with the earlier legislation:

- A rights-based approach was introduced
- Community use of land/natural resources was recognised
- There is a stronger degree of tenure security for existing land occupiers and users
- The law reiterates that all land is the property of the state, and cannot be sold or mortgaged
- The law recognises rights for both women and men to use and benefit from land – as individual or groups such as local communities
- The law recognises rights for both women and men to use and benefit from land – regardless of their marital status (UN-HABITAT, 2005)

3.2 DUAT

The right to use and benefit from land is confirmed by the gaining of a DUAT, “Dereito de Uso e Aproveitamento da Terra”. The following are the three ways in which a DUAT can be acquired:

- Occupation by individuals/local communities in accordance with customary norms (provided that these do not contradict the constitution)
- Occupation by individual nationals in good faith, provided that he or she has used the land for at least 10 years
- Formal authorisation of an applicant submitted by individuals or groups/organisations

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3 “Dereito de Uso e Aproveitamento da Terra” is Portuguese for “Rights to Use and Benefit from Land”.
Receiving a DUAT means that you have the right to use the land for the creation of wealth and social wellbeing and it was created as a way to formalise usage of land to avoid conflicts over ownership.

3.3 Women’s rights

The people of Mozambique suffer from a serious gender inequality that permeates the whole society, although the capital tends to be somewhat more open to female participation and women’s empowerment as it is more influenced by the international community. If looking at the very formal societal level, it does not seem too bad. Women and men are guaranteed equal rights and treatment by law where it is stated that men and women shall be equal before the law in all spheres of political, economic, social and cultural life (Article 36, Mozambican Constitution of 1990). Also, the Mozambican government has, as in most African countries, ratified the Convention to Eliminate All Forms of Discrimination Against Women (CEDAW)4.

During the national liberation struggle and the civil war, FRELIMO made sure to include women in the armed struggle and the message was clear that women too must be liberated and the fight for women’s emancipation was equally important as the revolution itself. A women’s organisation, Organização da Mulher Moçambicana (OMM), was launched already in 1973 when the first conference of the OMM was held as a promising step for Mozambican women. During the war, men and women came together on equal terms in a way that corresponded to the new ideas on gender equality that Frelimo had introduced, but these grand ideas seem to have vanished when new challenges were faced, such as the task of building a new, free and modern nation (Arnfred, 2011). Since then, the struggle for women’s liberation has continued and the Mozambican women saw a huge success when The Family Law came in 2004, which is a progressive document that clearly eliminates the concept of the “male family head” and also recognises the right of women to own land. The new law also allows joint registration of property and recognises customary law marriages and non-formal unions, which gives woman that have married under custom the right to claim property.

Despite the fact that some important improvements in legislation have been made, application of the laws is inconsistent and women still risk discrimination as the majority of judges are male and tend to interpret the law in the interest of their own sex. Additional obstacles for women wanting to defend their rights in court are the high illiteracy rate, lack of juridical knowledge, high costs and the fact that many of the rural women do not speak Portuguese. If looking further at women’s formal representation, Mozambique still has a long way to go as only 32 % of the members in the legislative assembly are women and also the percentage of women in senior positions in both national and provincial governments is very low.

4 The CEDAW convention was adopted in 1979 by the UN General Assembly and defines what constitutes discrimination against women and sets up an agenda for national action to end such discrimination. The Convention defines discrimination against women as "...any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field." (UN WOMEN, 1979)
It is easy to theoretically and formally acknowledge men and women’s equal rights but the only change that counts is the change that takes place in practice. In Mozambique, the patriarchal attitudes remain as a huge obstacle. Men have always been the heads of homes and documental evidence of ownership or occupancy of land and housing has always been given to men. The main challenge is to break down the patriarchal attitudes and change the norm that describes both men and women’s place in life, in the family and in the society as a whole. One tradition that strongly supports the patriarchal attitudes and structures is the “lobolo”, the bride price found in the patrilineal southern Mozambique. It is practiced as a part of the traditional marriages as a way to inform the ancestral spirits about the new union and also to clarify where the children belong. The man’s family pays the “lobolo” to the woman’s family, and if she in a later phase wants to divorce the man, she must return the payment, which for many women is easier said than done. Also, the man and his family can reject a woman and give her back to her family if she does not perform her “duties” in the family, such as taking responsibility for the domestic work and bear children (UN-HABITAT, 2005). The practicing of bride price is yet another way to restrain women’s self-determination and the wedding is in many cases an agreement between the (male) heads of two families rather than a union of mutual desire, love and respect (Arnfred, 2011).

While this study was conducted, the Mozambican National Assembly was gathered to consider a proposed revision of Criminal Code, which contained an article that would enable rapists to escape prosecution by marrying their victim. Such law violates the right of access to justice, bodily integrity, non-discrimination and the right not to be subjected to torture, cruel, inhuman and degrading treatment of women and girls in Mozambique (Amnesty, 2014). This is an example of a law that implies the view of women as vulnerable objects that do not necessarily deserve respect but must be taken care of, as if they were minor citizens. A woman marrying her rapist is not justice; it is a violation of human rights and a mockery of her dignity. Luckily, this law did not get accepted due to heavy critique and pressure from international NGOs but it serves as an example of how women are considered even in the legislative assembly.

3.4 Level of education

The level of education in Niassa and Mozambique in general is low in comparison to international standards. Education is an invaluable asset to people in every society, which is why the UN made it the second of the eight Millennium Development Goals to “ensure that, by 2015, children everywhere, boys and girls alike, will be able to complete a full course of primary schooling” (UN, 2000).

With education comes the ability to read and write, which in most geographical areas is a prerequisite for taking part in the society and have a chance to influence the societal changes. Also, those who can use literacy skills to defend their legal rights have a significant advantage over those who cannot, which, we will see later, is a relevant aspect to the issue of Mozambican woman’s right to use and benefit from land. Being literate is a crucial asset, which is why it is considered every person’s right according to the Universal Declaration of Human Rights. The UNESCO definition of “functional literacy” from 1978 is that “a person is functionally literate who can engage in all those activities in which literacy is required for effective functioning of his group and community and also for enabling him to continue to use reading, writing and calculation for his own and the community’s development” (UNESCO, 2006).
3.5 The province of Niassa and a matrilineal structure

Niassa province is located in the very north of Mozambique and boarders with Malawi in the west and Tanzania in the north and has a stretch of coastline to Lake Malawi, which is a healthy lake that provides the people of Niassa with fish. Niassa is the most rural province of the country and is referred to, by many Mozambicans, as “o fim do mundo” (the end of the world), which is a nick name that gives a quite good conception on what the area is like.

![Lichinga and the Zambezi River are marked on the map. Source: National Geographic](image)

The area of northern Mozambique has an ancient Muslim tradition that dates back to the early previous millennium but is nowadays well integrated with the traditional African religions. We find both matrilineal and patrilineal societies in Mozambique. Roughly speaking, the matrilineal ones are concentrated north of the Zambezi River and the patrilineal system is predominant in the rest of the country. In Niassa province, the communities are characterised by a matrilineal structure, which implies that descent is traced through the mother and the maternal ancestors. An unmitigated matrilineal societal structure also involves the inheritance of property and land titles belonging to one’s “matriline”, the mother’s lineage. An individual, of either sex, is considered to belong to his or her mother’s descent group and this is what is called a matrilineal descent pattern. The globally more common patrilineal type of societal structure is the opposite and is, for instance, the cause of the male’s surname often being taken when a new family is started. A marriage can be either matrilocal, meaning that the man moves to the house of the woman, or patrilocals, meaning the opposite (UN-HABITAT, 2005).

The fact that the villages of Niassa province are known to be matrilineal makes them particularly interesting to study. There is only a limited research on what impact the matrilineal factor has on women’s situation, but it is stated from many that gender relations are not necessarily in favour of girls and women, even under matrilineal conditions. However, women generally receive a level of protection in a matrilocal society, since they stay close to their parental family. It is important to bear in mind that societies are seldom all through matrilineal or patrilineal but more often a degree of both (Ibid).

One of the organisations working to implement women’s land rights in Niassa province is UNAC, a farmers union targeting both women and men and working on several societal levels. Among their activities we find for example participation in community level debates and meetings as well as individual contacts with farmers.
3.6 Living off the “machamba”

A *machamba* is a family owned piece of land that secures the subsistence of the family. Women generally take the greater responsibility for the everyday work at the machamba, where both food- and cash crops are cultivated. Food crops, such as cassava, maize and beans, are aimed to provide the family with their basic need of nutrition, while cash crops, such as cotton, tobacco and cashew nuts, may be sold and give the family a small income. Around 85% of the Mozambican population live from this type of small-scale, family agriculture and their machambas vary greatly in size.

3.7 Food sovereignty

Land is closely connected to food, for the simple reason that food derives from the land. Women in southern Africa have traditionally had the main responsibility to provide the family, including their husbands, with nutrition, and anyone walking through a rural area in Mozambique will thus find hard working women on the fields.

The human right to food sovereignty is not only the right to absence from hunger but also the right to feed in dignity. So it is not only about having access to food, it is rather to actually have the power to decide over food production structures, such as what to produce, in what quantity and how to use distribute the outcome. Food sovereignty on a societal level means to have the power to nationally decide on what type of food is appropriate to produce but also to be spared from other countries dumping their unnecessary food on the domestic market.

A threat towards women’s food sovereignty in Mozambique is the emergence of big scale agricultural businesses that displace women from agriculture when the resources are concentrated in the hands of a few multinational companies. Needless to say that men generally dominate the boards of these companies.

3.8 Chikweti Forests

Many international investors have taken place in the area of Niassa and they are known to threaten the local population’s access to arable land but it is seldom revealed which ones actually in practice conquer land that already serves as someone’s source of food and income. A number of the forest companies even purport to settle down in the area with the aim to help the local community and contribute to a sustainable development.

The Swedish church is, since the year 2006, involved in a sustainability project where an investment fund finances activities of the *Chikweti Forests*, a forest company operating in Niassa and that is engaged in commercial forest plantations with fast-growing species, mainly pine and eucalyptus. The company has been given much attention lately and have been widely criticised for their unresponsive actions. They purport to only have the intention to contribute positively to the communities in Niassa province but have inevitably upset many of the small-scale farmers in the area. The farmers claim that they have lost sources of income when Chikweti started to cultivate land that has belonged to the local communities for generations (Västmanlandsnytt, 2012).

The project run by the Chikweti Forests is brought up as an example of how, despite their good intention, the local population are negatively affected by foreign investment in
agriculture. According to Rita João Rezuane, representative of UCA in Lichinga, the company should have a look at the promises that were once given to the local communities. As they intend to mainly cultivate pine and eucalyptus, they must remember firstly that the elected land already belongs to the people and secondly that they cannot feed from these produces. They must further respect that in the forests where they now cultivate pine, the people of Niassa used to gather fire wood, either to sell or for their own use and the plantations have in this way had a major impact on their lives and possibility to maintain their livelihood as they must now walk very long distances to collect fire wood.
4. Methodological framework

The method used will now be presented. The study has a qualitative approach chosen to match the aim and its theoretical points of departure. It has enabled the author to deal with the above stated research questions.

4.1 A qualitative case study

A field study was carried out during the months of February to March 2014 in northern Mozambique with the aim to collect material to deal with the research questions. An overall target is to contribute new information and understanding to an already existing body of knowledge, which suggests a qualitative approach as a suitable course of action. The chosen method facilitates finding satisfying explanations to a societal issue and the ambition is to develop and improve already existing theories on the topic, in contrary to a method that tries to prove, with empirical research, whether a certain theory or predetermined idea is applicable (Esaiasson. *et al.*, 2004).

The study aims to explain the context and make a swoop in one particular community to illustrate the specific circumstances in which its inhabitants live. A qualitative interview is suitable when wanting to give an insight in the participant’s experiences, thoughts and feelings regarding a specific topic (Dalen, 2007), which is why interviews were determined to be an appropriate method for this study.

4.2 Participants

As the study aims to gather a sample that can describe the situation for peasant women living in rural Niassa, the inclusion criteria were simply being a woman living from small-scale farming in rural Niassa. To get in contact with the presumptive participators, *We Effect* facilitated a contact with one of their local partner organisations, *União de Camponeses de Lichinga* (UCA), and one of their representatives helpfully identified presumptive participants. Women in one community in the outskirts of Lichinga, the capital of Niassa, were asked to volunteer. Finally, ten women in rural Niassa were identified and asked to participate. They were all asked by a representative from UCA and all approved to participate. All interviewed women were at the time living in Naossa, a community of 3500 inhabitants, approximately 30 kilometres outside of Lichinga. A driver and an interpreter were hired to assist during the visits in the community.

4.3 Data collection and procedure

To gather data for this thesis, individual interviews with 10 women were conducted. The interviews were semi-structured, which means that a skeleton of questions was followed while there was still an opening for flexibility in every interview. An interview guide (see Appendix 1) had been carefully prepared and it was structured in a way so that the introducing questions concerned simple and non-sensitive information in the periphery of the core issue. Thereafter the interview moved on to more sensitive questions central to the theme, in accordance with the established rules of interviewing (Dalen, 2007).

The visit started with a gathering where everyone present was introduced and a place for the individual interviews was set up. It was made sure that the position was a calm place with
some distance from where the others were at the time. Before starting the interview, the participant was clearly informed about the purpose of the interview and the study that it will contribute to and she was also guaranteed that her answers would not be possible to trace back to her. She was also asked again if she was still willing to participate and to permit tape-recording of the conversation. Thereafter, recording was set up and the interview started. The participant, a female representative from UCA, a male interpreter and the author of this thesis were present during the interviews and the spoken languages were Yao, Portuguese and English.

As a complement to the interviews, direct observations were made to find additional information on the research topic. An observation is, literally, an attentive experience and what is distinctive is that it does not focus on verbal data but rather pays attention to what people do. This method is particularly appropriate when studying processes, structures or social interactions that might be difficult to describe with only words. And, as mentioned by Esaiasson et al., (2014), the term “field study” often serves as an umbrella term for studies based on both observational studies and interviews of various kinds, which is precisely how this study is constructed. The environment targeted for this study was primarily settings in the area around Lichinga in Niassa province, where the author visited communities and markets to observe an every-day environment and make small conversations with people there. The fact that the author in total has spent nearly a year in Mozambique has also contributed to a broad pre-understanding for the Mozambican society and the issue of land rights.

To further complement the interviews made with rural women and the field observations, interviews were also conducted with several representatives of different organisations working with the issue of land rights and the implementation of such. These interviews were also semi-structured and varied greatly in length and depth and they were not recorded but notes were taken carefully. The purpose of conducting these interviews was to gather additional information to the field observations and discuss some of the findings from the field visits.

4.4 Ethical consideration

Ethical aspects were carefully respected throughout the interviews during the field visit. The aspects given special notion were the following: voluntary participation and consent, proper information, confidentiality and respect to socially vulnerable group (Dalen, 2007).

To ensure the participant’s security and comfort, they were all asked to give informed consent a few days before the interviews were to take place. Upon the time of the interview, the participant was again asked if she was still willing to participate and this way, it was made sure that participation was completely voluntary and without external pressures or expectations. Before the interview started, the participant was fully informed about the aim of the study and in what way she would contribute to it and she was thereby properly informed about all, to her, relevant circumstances. Furthermore, all information about the participants is treated with respect and confidentiality and they are guaranteed that the information that they have shared during the interviews will not be possible to trace back to them and that it will all be treated honestly and without distortion. The confidentiality requirement is thereby met. As all the interviewed women are included in a socially and politically marginalised group and are in a vulnerable situation, the women and the information that they shared was carefully met with respect, not to jeopardise their comfort and safety.
4.5 Method of analysis

Each interview was, with the permission of the interviewed woman, recorded and later transcribed in order to facilitate the analytical process. When all data was gathered, a qualitative content analysis was applied to understand and draw conclusions from the findings. As a first step, all interviews and field notes were read through several times. All data was coded systematically in a line-by-line analysis. The primary focus of this coding procedure was to find information that could contribute to the final conclusion on each research question. Up to this stage, the field notes and the interviews were analysed separately.

The codes for all participants were then compared with one another as well as with the field notes to identify similarities and differences between them. They were then grouped together on a more general level. During the analysis, all emerging themes were constantly compared with the data obtained from the interviews and with the field observations to ensure they were based on the interviews and the observations.

In the final step, the relationships between the themes were investigated to enable a full-picture view of the context in which the rural women of Niassa live and where the organisations working with implementation of land rights are operating.

In the fifth chapter of the thesis, the findings from the interviews are presented and sometimes illustrated with quotes directly taken from the participants’ formulations. The following ones were elected to serve as suitable examples:

- Quotes that capture the essence
- Quotes that can serve as an example for many
- Quotes that rarely occur (Dalen, 2007)
5. Findings

The results of the interviews and field study will be summarized in this chapter. As already clarified, ten women in rural Niassa were interviewed in March 2014. All interviewed women were at the time living in Naossa, a community of 3500 inhabitants, around 30 kilometres outside of Lichinga, the capital of Niassa Province. 9 out of 10 interviewed women were at the time of the interviews between 34 and 47 years old and had between 4 and 8 children each. One woman was at the time 23 years old and had no children, due to the sad loss of two children in early age. The women attended school for 0 to 5 years.

In addition to interviewing the women in Naossa community, conversations have also been held with representatives of We Effect, UCA and Forum Mulher as well as with others who in one way or another are involved with land rights in Mozambique. The quotes that are presented in this chapter have all emerged from these personal meeting and were chosen to represent the experiences of the participants.

5.1 Women living off the “machamba”

The situation for small-scale farmers, both women and men, in Niassa is in many ways difficult, but a comprehensive support to them has already been initiated and the course of action has been settled, resulting in a focus on enlightening the farmers on the rights that they have but still do not fully enjoy in practice. A special focus is given to women, as they in many ways constitute the most vulnerable group.

“We work for the rights of small-scale farmers, for example by offering courses and group meetings where both men and women meet. Women are the most important ones to work with and they must be included in development work.”

Interview with representative of UCA

“We talk to people about the rights that they have to enlighten them on this and explain why it is important for them to be aware. This is a way for them to be able to stand up for themselves. We teach them the advantages of having a delimited piece of land and make them prepared to communicate if any outsider wants to enter.”

Interview with representative 2 of We Effect

Another interviewee emphasizes that by supporting women, also children’s rights are secured.

“Who cultivate the land? The women! Women’s rights is what is most important for this country’s development. Women cultivate the land, they sell the products and they are responsible for the children. Only a few men work on the machamba. It is important to focus on women’s right to land since they have the responsibility for all agriculture. If they are weak and do not know their rights, they cannot stand up to the foreign investors that come to take the land. When women get rights, also children get indirect rights because women have the responsibility for them. They suddenly get rights to health, to nutritious food, to education and to be happy. The father can also provide that, but it is not the same.”

Interview with representative of UCA
Another focus is to help out with land delimitation and demarcation. Land delimitation basically means clarifying the limits of the community, which are not always known for everyone. Not even the people who live in the communities know where its boundaries are because they never before needed to know. By clarifying theambits of the communities, the land is secured and conflicts can be avoided. After a delimitation process, which gives documents on the formal right to use the land, others cannot enter without negotiating. Land demarcation, on the other hand, is a process that can be done within the area of a community and it gives individual DUAT’s. The demarcation process is more difficult and very time-consuming and such DUAT’s are therefore not distributed to any large extent, especially not to women. When the boundaries of an area are set, a committee that usually consists of 9-12 people is created to represent that specific area. We Effect strive to have an equal representation of men and women in the committees as they consider it an obligation, but it is difficult to always make this come real.

“It’s problematic because many men do not want women in the committee or men do not want their wives to go to the committee meeting because she will meet other men there, which is very sensitive. Another disadvantage and a reason why women are not that often in the committees is that many of them do not have an identification card. To join the committee, you must have an ID since you are supposed to be registered, but it’s always the man who has the ID, since he is the one leaving the house to meet people and run errands or do business while she only stays in the house or works on the machamba.”

Interview with representative 2 of We Effect

“I don’t know (why they do not have ID’s). They never needed it, they never understood the use of it. No one has told them that they should have one. The education level among these women is very low, most of them haven’t attended school, and the ones that cannot read or write will definitely have problems getting an ID. But it’s like this, women barely do anything else but work in the agriculture and stay at their houses, taking care of children and cooking for the family. The fact that women don’t have ID results in that the land being registered in the name of the man, he has the title.”

Interview with representative 2 of We Effect

This shows that a central issue that prevents women to fully enjoy their right to self-determination is the lack of education, which results in them missing out on the opportunity to receive valuable information as well as the chance to contribute with thoughts and knowledge in the community committee.

5.2 Decision-making

One thing is having the formal right to use land, another one is to actually receive the effective right to do so and a third thing is to, on a private level, be the one who takes decisions concerning it so that the use of it suits your own and your family’s needs. During the interviews, not one of the interviewed women answered that she, alone, takes decisions concerning the land that she cultivates.
“It’s my husband who takes decisions and he is the one who makes the plans for what we shall cultivate and what we’re going to do. It would be good if I were the one who took the decisions, but let him first decide about the land.”

Interview with “Fátima”

“Always the man is the one who takes the decisions, and the wife is the second.”

Interview with “Joice”

Despite that some expressed that they would like to take decisions to a greater extent, there seems to be an ingrained acceptance of the current order, which the two examples above demonstrate. Not all participants understood the question whether a different division of decision-making would be preferable, meaning that she would decide more things about the land. As an answer to that question, a number of participants said that how they presently divide things concerning the machamba is a collaboration between husband and wife that functions well. We were also informed that many of the women are part of an association, a collective, where they share a piece of land and take decisions concerning that particular land collectively, while she also cultivate another piece of land with her husband.

“My own land doesn’t have DUAT. The land that does have DUAT is the one that belongs to the association. But I have a document... In one area, all of us can take decision, but in the other area, who takes decision is my husband. So there is no area where I take decisions.”

Interview with “Argentina”

In addition to taking decision over the common land, the man also decides over the children, according to “Lúcia” and some of the other participants. Considering that the answers to this particular question varied, it seems that this division is somewhat more flexible.

“It’s my husband who takes the decisions about the children, but I am the one who gives them food and clothes.”

Interview with “Lúcia”

5.3 Collective responsibility and protection

All the interviewed women are members of different associations within which they also belong to discussion groups. Overall, the women gave a solely positive image of what they gain from being a member of an association.

“I joined the association because I saw that we have enough land here and if we joined forces, we can work better and try to reduce poverty. I feel like I speak freely in the community and in the association. I do not have barriers.”

Interview with “Maria”

“Sometimes we have difficulties at home, and if we join the association it helps us to overcome some difficulties that we have. Because if you stay single, sometimes you cannot overcome some difficulties. So if we are joined forces, it gives us more opportunities to share what we have.”

Interview with “Fátima”
These are two voices that describe what being a member of an association can actually mean for a small-scale farmer. The associations are not only good in a practical sense through fair and reliable distribution of produce; they also provide a forum for discussion of other important topics. Some of them are gender-mixed groups and some are divided. Both have their advantages and disadvantages, but “Fátima” is happy with how her group is structured:

“It is good to be only women because if men are in, they will take more than us. How can I say? Sometimes men like to get more than women.”

Interview with “Fátima”

The association is a forum where the aim is to make sure that every member’s voice is heard but also to offer security through collective responsibility and protection. Although the participants in many ways express that they feel protected by the collective and that their family’s access to food is secured by it, the majority also mention that they do not wish for their children to continue as farmers when they reach adulthood.

“I would not like my children to continue working in the farm. I’d like my children to work in town and get real jobs, like teacher or so.”

Interview with “Lúcia”

5.4 Secured access

Having access to land is not limited to only having the possibility to care for a piece of land and its crops today, it must be extended to knowing that you may continue to rely on its produce during many years to come if you want to. This is why an important aspect when discussing land rights is to investigate whether access is secured in a long-term view. The interviews with the women in Niassa show that their access to land is indeed threatened by changes in their marriages and their family condition.

“In practice, the family of the dead husband can take both the land and the children from the woman. The man owns the land and if he dies, his parents will take the decisions of the land. But the family of the woman can go to the family of the man to ask for permission for her to continue cultivate the machamba. When he is alive, a couple own the land together but if they are separated or if he dies, the land is seen as his property so she must go to the house of his family to ask them.”

Interview with “Maria”

“What happen is that I must leave the land because my husband or his family would say “just leave this land” but the children can continue. You go back home! If my husband dies, I must leave and go back home. (...) Yes, it’s his land. Or, while he lives, the land belongs to all of us. But if he dies, I lose this right.”

Interview with “Joice”

Only one participant answered that she would take over the control of the machamba in case her husband would die.

“If my husband would die, it’s myself who take decisions about the land.”

Interview with “Lúcia”
It was interesting to understand that although the women themselves formulated that they, as the wife, risk ending up without land as a way to make a living if their husbands would die, but still they did not appear worried for that event.

5.5 Implementation and obstacles

The Mozambican Land Law from 1997 is known for its unique way of merging formal legislation with customary law and it has received lots of attention for this. It is now known that actually implementing the land rights is anything but a smooth process.

“When the law came, it was very welcomed and we had high expectations since it seemed so thought-through and waterproof. The problem with the law is the implementation of it. It is for example a very complicated and timewise inefficient process to receive a DUAT.”

Interview with representative of UCA

The data collection for this study shows clearly that there is a lack of tools for the implementation of women’s land rights. Identifying the main obstacles is thereby an important task in order to overcome those obstacles and enhance a more successful strategy. The representatives of the organisations that work with land rights implementation share the experience that the biggest obstacle is that not all things can be discussed. Trying to penetrate a society with information and knowledge about the importance of women’s participation and women’s rights where such topics, according to the prevailing norms, are not discussed, is a huge challenge. Women are systematically excluded from the decision-making over land and other natural resources as it is always the man who takes such decisions only because of the fact that he is the man. This structure seems unquestionable and it is therefore a huge challenge to try to change the perception of this and make women and men understand women’s value and rights. Again, insufficient or no education lays the ground for this problem, as better access to schooling would result in a more open mindset and facilitate the assimilation of knowledge. Another consequence of lacking education is that it prevents from getting identification cards, which is a must to apply for a DUAT and in the case where only the man in a family has an ID, he will also receive the DUAT. Not having an ID therefore instantly excludes women and prevents them from taking part in the societal changes and development, as they are not enough informed. For example, there are 52 “station workers” in Lichinga whose work is to share knowledge in the communities and only one is a woman out of these 52. The same issue that goes for women taking place in the community committee is an obstacle here; women are not supposed to talk to men from outside of the community and they therefore cannot participate in this work. A representative of We Effect emphasises that it would be preferable to have women do that work, as this would be a way to reach women in the communities and provide them with new knowledge and instructions, which could encourage them to develop new thinking and new ideas. An aggravating factor for that is that boys are, to a larger extent than girls, sent to school since they are more likely to get an employment and make money. This is a vicious circle that prevents women from leaving the home.

Despite all obstacles that stand in the way of women’s emancipation, the discussion groups that the interviewed women take part in have proved to be very appreciated and seem to have encouraged them in new thinking and to starting to understand their value and rights. The two following quotes show how valuable it can be to start a trend in the community and that when an association and its way of working is established, many will follow. It also creates
openness to new thinking and to new cultivation methods, which results in a request for new means of production to improve agriculture and its produce.

“I joined the association because I saw that if I get there I will get more production. And also, I saw people who are older than I am who joined the association. That’s why I wanted to follow them.”

Interview with “Lúcia”

“And also that my opinion was that those foreign people who come here to cultivate, it would be good if they helped us with some means of production. Because it’s very hard to cultivate the land without means.”

Interview with “Sheila”

5.6 Awareness and threats

One of the main tasks that the NGO’s hold is to spread awareness of the land law and of women’s rights, and the discussion forum is a tool to realise that. This task is though easier said than done and it takes patience and understanding. Not knowing about the land law or the threats against their access to land is in itself a threat as it puts them in a weak position in the case of negotiation with speculators interested in acquiring land in the area.

“I know of the land law, and I know that according to the law, the land belongs to the country. I also know that here in this community, we have the right to use this land for our own activities. So I know something about the law.”

Interview with “Maria”

“What we discuss is that this land belongs to us and no one can come and threaten us and say that he wants to use the land. We have the right to use the land. It’s our land. Also, because we have the DUAT, that gives us the right to use the land. No one can threaten us.”

Interview with “Sheila”

This work is only initiated and although awareness seems to have started to spread, the discussing position of uneducated women in rural communities is still feeble.

“The greatest threat to any small-scale farmer in Niassa is foreign investors coming to take over the land that they cultivate.”

Interview with representative of UCA.

“I am aware about the land law but I would like something more. When someone come from elsewhere to get land here in our community, the first thing... the government will question us first about if the land could be given to those people. But what we see, sometimes people from somewhere come and they are given some land here in our area while we are not aware of that. And that is not good! So that’s my opinion.”

Interview with “Sheila”

A representative of UCA confirms the value of having discussions with rural women as a way to encourage them.
“The women are what is most important for development, if we cannot reach them, we cannot reach development. Before, women never spoke. Now they are open and free and can take decisions. They are not afraid. Now women and men feel that they have the same rights.”

Interview with representative of UCA

5.7 Women's participation and social position

A topic of discussion in the association where the women are members is women’s rights, and they were therefore asked about whether they consider this an important matter to talk about. All interviewed women answered that it is indeed important and they showed that they are aware of their rights, but very few could share any thoughts on why or in what way.

“We talk about women's rights and we know now. For example, if I lose my husband, I have the right to benefit from what I have done.”

Interview with “Irene”

“So in the meetings, we discuss topics like we have to feel like we have our own rights. When we work together, we have right to participate in the decision about what we can produce and what we get from the land, if we want maize or beans or anything. What we should sell and what should come back home for feeding the family. And the women must participate, because we have the right to participate in the decisions about what is good for us. The men don’t respect us as women and that’s why we need to discuss this to give us some advantage and take the front and take the power to take decisions. The men say that women don’t have any value so we have to talk about this to encourage other women because they cannot say this to us. So this is what we discuss in the meetings.”

Interview with “Dalila”

“We discuss topics like what we get from our work belongs to all of us. The men don’t have to try to get more than us because it’s for all of us. So that’s what we discuss during the meetings. For example, we must divide 50 % of the profit. As men used to be cleverer, they can try to get 60 % and 40 % for the women. But we don’t believe in this because we have the same right.”

Interview with “Dalila”

A comment that repeatedly came up concerned the right to marry a man, just as if marrying a man was the key to ensuring other rights and above all, the key to safety and respect.

“We just discuss the right to marry a man, but we don’t specifically talk about women. I mean, we don’t talk about something that only benefit one part of the group, the women. But we discuss respect between man and wife at home. And we also talk about the right to marry a man, but not specifically about women only.”

Interview with “Joice”

The apparent fact that the interviewed women are aware of their right to equal participation but yet have a very limited chance to take decisions concerning their land and that they do not have an equal social position to men leaves the author puzzled. This finding implies that the matrilineal structure does not secure women’s rights. Representatives of the NGOs working with land issues confirmed this observation.
“You would not expect it to be like this in a matrilineal society, but that structure is only in theory. Women have theoretical power in a matrilineal society, men have actual power in a patrilineal society.”

Interview with representative 1 of We Effect

The matrilineal structure means that if a woman marries a man from another community, he will be moving to her village, while in a patrilineal structure, it will be the other way around. In the patriarchal rural societies, the woman is the slave of the man while there is at least a possibility for equality here, although women are still in a weak social position. It is clear that even the matrilineal communities are influenced by the patriarchal structures, and they are therefore not purely matrilineal. Also, one should not underestimate the fact that these women were allowed to individually sit down with a stranger from outside the community and talk about their situation and share their point of view.

“That these women were even allowed to talk to you says something, that they have a somewhat better social position than women in the patrilineal communities in southern Mozambique.”

Interview with representative 1 of We Effect

There is also a general perception that even in the cases where a man has moved to another community to marry a woman and join her family, the one who has actual power is her brother. This is an apprehension that has been conveyed by external voices. The women were not asked about this and it will therefore not be further investigated in this thesis.

5.8 Representation

An unexpected and touching discovery was that all interviewed women showed an open and sincere gratefulness for being asked to participate in this study. They expressed the feeling of being listened to and respected as well as encouraged to keep on struggling for emancipation.

“I would only like to thank you for coming here and I hope you will come more times. This visit makes us remember things that we sometimes forget. We try to concentrate our ideas and then we try to remember what is important for ourselves. So you should visit us more times.”

Interview with “Maria”

“I just have to thank you for coming and it was good because if you remind us, that means you are going to give us force to continue working. We are trying to concentrate us about what we are doing.”

Interview with “Fátima”

“We just feel good because when you come and ask us these questions, we feel like you are asking it to the people who are cultivating the land and we feel encouraged to continue working and struggling.”

Interview with “Argentina”

“That you are coming here means that you remember about us, so it means a lot.”

Interview with “Irene”
5.9 Review

The following can be shortly stated about the answers that were given:

- All of the interviewed women have DUAT’s, in most cases the collective type.
- 9 out of 10 interviewed women answered that in the case of the husband’s death; their land would become the property of his parents and thereafter of their (hers and her husband’s) children. Some of them added that she could ask his parents for their permission to access and make use of the land until the day the children were old enough to take over the agriculture. One woman answered that she would herself continue the agricultural work in the case of her husband’s death.
- In case of divorce, the husband would keep the machamba and in some cases, even the children.
- None of the interviewed women answered that she, herself, takes decisions concerning her land. The majority answered that their husbands take all decisions and a few answered that they jointly discuss issues concerning the land and agriculture.
- The majority of the interviewed women answered that they would like to participate more in taking decisions concerning their land. (All did not get the question)
- The majority of the interviewed women answered that they have debated “lei de terra” as well as women’s rights in their associations in which they are members, and they answered that these are two important topics to discuss. Few of them, though, could give any example of why they are important or in what way nor express an opinion about it.
- All interviewed women answered that the feeling of belonging to a group was important for them and that the collective makes them feel secure and assured that they will gather enough produce and money to support their families. They have a shared responsibility, both in success and difficult times.
- 8/10 of the interviewed women answered that they feel safe from any threat that could make them lose their land, apart from the case of the death of their husbands or divorce. One woman answered that she is worried that foreign investors will come and take her land from her and question her if she really needs it. She knows that this is happening in the area and her machamba is located between the lands of two foreign companies, which makes her worried that they might want to expand their land by taking over hers.
- The majority answered that they do not want their children to continue as small-scale farmers. They would rather see that they educated themselves and got “real employments”. The ones who answered that they do want their children to stay in agriculture seem to believe that there are no other options and that they need to help in the agriculture to help support the family.
- The majority of the interviewed women answered that it was an uncomplicated process to receive the DUAT. (Which the majority received through UCA. Not clear though if the DUAT grants are individual or collective.)
- All interviewed women answered that they feel free to speak their minds and come up with ideas during their group meetings. (Most of the groups consist of only women.)
- All interviewed women answered that their machambas were located close to their homes and that they mainly cultivate maize, beans, onions, potatoes and sweet potatoes. A few also cultivate cassava, carrots and cabbage. They have all worked on their machamba every day as far back as their memory goes.
- All interviewed women answered that they sell a part of what they cultivate.
6. Analysis

The results from the data collection will be reviewed in this chapter and analysed in the light of the aim that was formulated for the study as well as in consideration of the theoretical points of departure.

6.1 The role of non-governmental organisations

NGOs play and will continue to play an important role for assuring women’s rights in Niassa. The study shows that their contributions have helped, or at least planted a seed for future successes. The development work in Niassa contributes to the spread of awareness in the communities and encourages societal participation. This finding verifies the arguments of Banks and Hulme (2012) that were mentioned in the theoretical chapter, that NGOs do retain the important task of emerging civil society that in its turn contributes to creating a balanced relationship between the government, the markets and the citizens. The NGOs approach is participatory and people-focused and their work aims to be directed with respect to the needs and the wants of the local communities, all in order to become the advocates of the poor. The NGOs that have contributed with information to this study all have a responsibility to satisfy a range of actors with the result of their work, such as private donors, development authorities, governments and especially the disadvantaged groups whose lives they intend to improve. This is in most cases positive, as it pressures them to work in well-targeted and efficient ways, but there is nonetheless always a danger of losing autonomy with too many diverse interests wanting to influence the course of action. It is for this reason advantageous to keep distance from governmental dependence, as such relationship is very sensitive to political changes. The Mozambican OMM serves as a good example, as it faced major defeats and obstructions when the political orientation changed within governing FRELIMO and women’s emancipation, that was once a priority, lost its importance to the politicians.

The people-centred development work that is practiced in Niassa has a rights-based approach, which was carefully explained in the theoretical chapter and which one can identify as it is built up from the internationally agreed human rights as well as from a holistic viewpoint. It also has the clear target of developing the capacity of individuals and the community as a whole to ensure that they receive the tools to fight their own struggle. The work also acknowledges and focuses on the unjust power distribution as a core obstacle to development, which is also consistent with a rights-based approach.

6.2 Implementing women’s land rights

This study shows that it is not the land law in itself that creates the obstacles of implementing it; it is rather the complex societal structures where it shall be received. The small-scale farmers in Mozambique have for too long been exploited by the global society by being systematically marginalised and threatened to lose their land, and their way of living and structuring their lives is in many ways not compatible with the globalised and capitalist world that surrounds them. As the rural communities to some extent now are subjects of integration into a “civilised” society, it is not surprising that some clashes and obstacles arise along the way.

One major challenge before Mozambican women can have a chance to fully enjoy their human rights and right to access land is to change the patriarchal attitudes in the society. As the patriarchal structure is deeply rooted, this change will need time and well-targeted work.
This study has given some examples of how the oppressive structures can be altered, such as establishing awareness in the community through discussion groups, but further research must be done on this area to reveal the core of the unjust power distribution between women and men. Both women and men must be fully aware of how equality is desirable for all in a society and that everyone gain something from it.

Another major obstacle is the illiteracy rate and low education among rural women. We understand from the interviewed women that they have not all gone to school and we can therefore assume that not all of them know how to read and write. We have also learnt from information from the representatives of We Effect and UCA that illiteracy in fact is a huge obstacle towards implementation of land rights as it prevents women from assimilating knowledge on their rights and possibilities. As they are not fully aware of their oppression, they are less likely to rise against it, which is a result of legal illiteracy where women obey under a customary system that they are familiar with, but yet is discriminating against them. Being illiterate means not being an acknowledged participant of a written language community. To only be capable of oral expression in a written language means that you are not a full member of the community that uses it, and you may be misinformed (if informed at all) about crucial knowledge. The other way around, you can only be heard of those who are within hearing-distance from you and what you have to share is not likely to reach much further than that. For these reasons, UNESCO calls being literate a human right and we have seen in this study in what way it indeed is essential. Worth mentioning is that it is more common among the younger participants to have attended school and also their children do or have done so, which shows a positive development that in the future will facilitate for this group of people to receive, understand and make use of important information and knowledge.

We cannot conclude, based on the interviews, exactly what significance it has for women in Niassa to receive the formal and effective right to have access to land, but we can speculate on the basis of some of the answers that they gave. We can interpret that it does improve women’s lives significantly, in particular when implementing land rights also means that women get access to new knowledge about their own rights and value. When they absorb this information, they can start demanding their right to become equal citizens in their community. Awareness creates the desire to participate in societal changes and this study shows that women in rural Niassa are already partly introduced into these issues. The more knowledge and encouragement they get, the more will they be able to gain control over their well-being. For example, the current farming system in the communities is outdated and thereby quite complex as a result of limited access to new, more profitable technology, which leads to unnecessary harvest losses. If women were more clearly tied to their land and had the possibility to make decisions over it, they would be more easily reached and maybe even prone to take in information, if they knew they could make reality of the new knowledge that they have gained. Receiving the formal and effective right to land could hence result in a greater openness to new technology. Thus, having the formal and effective right to access land in combination with accurate awareness does have great significance for women in rural Niassa.

Hence, the obstacles that organisations working with implementation of women’s land rights in Niassa Province can be summarised as: (i) strong patriarchal attitudes, (ii) an insufficient level of education that excludes women from decision-making and from receiving and making use of knowledge, and (iii) a too narrow understanding of the gender-power relations.
6.3 Gender and development

This study confirms the feminist viewpoint that gender is socially and/or culturally constructed and it also enhances the notion that gender orders generally privilege men and disadvantage women, although the degree of gender inequality varies. What is surprising and somewhat appalling is that this order is applicable even in a matrilineal structured society.

Although the societal structure in the villages of Niassa that were observed in this study were all characterised by a matrilineal structure, which one could have expected to imply a strong female societal position, the study shows that women do not fully enjoy their human rights in this area. The interviews with women in Niassa showed that they are somewhat satisfied with their access and possibility to benefit from land, as they answered that they do not directly feel threatened to lose their land. What is baffling is that they also share the information that they do not alone take any decisions concerning their land and that if a husband dies, the wife cannot be sure that she will be allowed to continue cultivate their land. Furthermore, a few interviewees also mentioned, at second thought, that there is a possible threat from foreign actors wanting to take over land in the area and invest in large-scale agriculture. Women in matrilineal northern Mozambique may better enjoy their right to land than women in the patrilineal south, but a deeper analysis suggests that men still have the final say in decision-making on how the family’s land is utilised and accessed and women are thereby still not equal to their male counterparts. One possibility is that the matrilineal structure does not necessarily imply secured women’s rights, but that it rather implies a greater societal and family responsibility for women as they do run but do not decide over the agriculture.

As stated in the theoretical chapter and throughout this thesis, conducting gender studies is a necessity for a successful development work that includes the needs of both women and men, and policy-making must give respect to such research. The women that were interviewed for this study had clearly been in contact with a language intended to treat gender issues, which was interpreted by their subtle way of using “buzzwords” that show awareness and which they have most likely picked up from external training. When they were asked to describe “how” or “why”, their answers were quite limited. This is not necessarily a warning, it might only be that they are in the beginning of learning about issues that are new to them, but it could also confirm the fear of gender analysis becoming a technocratic discourse moving away from the people it concerns. This finding does at least confirm Arnfred’s (2002) notion that the use of a certain language has great importance for the understanding and performance of knowledge.

It seems like the matrilineal societies have puzzled many researchers for a very long time. Already the Portuguese, the former colonial power in Mozambique, had not understood the complexity of these societies as they were described as primitive and backward as well as reluctant to conform to international development, nor to the Christian religion. This must indeed have provoked the Portuguese. I think that the reason why matrilineal societal organisation is difficult to grasp is that we tend to try to see it through our patriarchal glasses and therefore we cannot fully imbibe its meaning and it is a trap in the process of describing matriliney to try to picture it as the mirror image of patriliney, which it is not. One reason why this to some extent remains a puzzle is that it has not been given enough research for the simple reason of not being enough interesting. In the light of where it occurs, mainly in rural African communities, it is seen as outdated and as a remaining from an earlier stage of development and is therefore expected to eventually disappear. As matrilineal communities are considered an abnormality, they are of little interest to decision- and policy makers.
When trying to master the matrilineal structure, one is easily blinded by a western and patriarchal viewpoint where certain things are given value and certain commitments are given respect and seen as important. In a matrilineal society, we find that other parameters are given value and seen as the core of society. The findings of this study support the view that different structures of values are what make the matrilineal societies less prone to adapt to the neoliberal trend that characterises the global society, where there is a shift towards money, which is under male control, while the traditionally matrilineal societies tend to centralise food, which is under the female domain.

6.4 Methodology discussion

The method used to conduct the study for this thesis has proved to be appropriate for its aim. The study has a clear qualitative approach rather than a statistically descriptive one because of its aim to look deeply into a societal structure and not to generalise in the statistical sense. One step in the methodological process that could have been made differently is the shaping of the interview questions, where only open questions were asked but an alternative would have been to apply numerical scales. Such approach could have included questions such as “To what extent do you take decision concerning your land, on a scale from 1-5?” or “How secure do you feel your access to your land is, on a scale from 1-5?” This approach sure would have given interesting results to analyse, but from the conditions we had it might have complicated the interviews to an extent where the interviewees would no longer feel comfortable. A number of the questions they were asked were already challenging enough.
7. Conclusions and recommendations

7.1 A way out of poverty

Mozambican farmers, women and men, are all in a vulnerable situation and threatened by a number of internal as well as external factors. One reason why their voices are not fully respected and listened to may be the actual fact that the vast majority of them are women. As seen all over the world, any issue that mainly concerns women will not be prioritised nor have a given spot on the political agenda, which is also the truth for Mozambican farmers. In practice, the farmers’ situation has hence not been taken seriously and they have not had the possibility to claim their rights as human beings. This study has brought light to the fact that women are disproportionately affected by the insecurity of access to land, as it lies under their responsibility to run, but not decide over, the agriculture as well as feed the members of the family.

Securing women’s rights to access and benefit from land is a way to reduce poverty in Mozambique, as its positive effects are not limited to only the women themselves but also spills over to the whole family and the wellbeing of the children.

7.2 “The matrilineal puzzle”

To conclude on the overarching question regarding how a matrilineal structure in a society affects the lives of its inhabitants, I must admit the fact that this remains a puzzle.

There seems to be a global consensus that northern Mozambique is one of a few matrilineal societies in the world, which immediately tells us a number of factors that we can expect from the lives people live there. When such consensus has been reached, there is little room left for other conclusions and for challenging the assumption. This study shows that a matrilineal structured community does not ensure women’s unthreatened access to land. I cannot make any conclusions from policies or strategies that are designed to match the conditions in Niassa, as such have not been analysed, but I wish for the gender relations and power structures in northern Mozambique to be further scrutinized and not only assumed. If policies do not match the lives of the people they aim to improve, they are very unlikely to be successful and have a positive outcome. Only with the insight that gender patterns and power structures need to be further investigated, will we see a creative rethinking of gender which will give development strategies a better chance to match reality. Hence, this result calls for further research on women’s land rights in matrilineal structured communities.

It is a somewhat surprising result that even in a matrilineal structured society, men have the greater power and are in position to take decisions for the family. This finding calls for continuing persistent work for globally improving women’s rights and realising women’s emancipation.

7.3 Sustainable development

Supporting the women in Niassa in their struggle for self-determination and to fully enjoy their human rights is of great importance for a sustainable development. It is most important to keep a holistic point of view when studying land rights in order to identify all circumstances that affect the situation of the small-scale farmers. The farmers in rural
Mozambique are not limited to their own bubble where the outer world cannot reach or have impact on them and the same goes the other way around. This fact does imply some difficulties as these communities that were once quite isolated are under the process of being fused with the world outside them. The complication lies in the fact that they are to be included into a world that created their exclusion in the first place. There is possibly a looming clash between international political and economical trends and the traditional communities in rural Mozambique (or Africa in general), which stems from the differences in core values. While capital accumulation globally has a given focus and is considered a goal in itself, having access to land and the possibility to produce enough food for the whole family is highly valued in the rural communities. Not to forget, though, that several of the participants expressed a will for their children to devote their adult lives to something else but agriculture, to have “a real job”, which indicates a desire and curiousness for the world outside their own.

All of the interviewed women answered that they sell a part of what they cultivate, as a way to afford to buy goods that their machamba does not give them. In order to protect Mozambican farmers from unjust competition from foreign investors in agriculture, a suggestion would be to strengthen their position on the market by creating new relations between the producers and the consumers to ensure that there is an equal power distribution. For example, one suggestion would be to introduce policies in governmental public procurement that are favourable for small-scale farmers, as a way to support their livelihood. Further action could be to establish better ties between private companies and farmer’s associations, possibly with the help of NGOs. These connections are currently quite poor and an improvement could ensure stronger financial services as well as improve infrastructure in rural areas. But again, such actions would enable rural men and women to become a cogwheel in the market economy, which might not be the ideal solution in order to ensure sustainable development. The challenge would be to put these suggestions into practice in a way so that it works to protect, both men and women, from the harshness of the market forces instead of letting it exploit them.

To conclude, the greatest threat to any small-scale farmer in Niassa seem to be foreign investors coming to take over the land that they cultivate. Women constitute the majority of farmers working in family agriculture and if they do not stand strong and united and are aware of their rights, they will easily be neglected and run over. Continuing working with education and creation of awareness is therefore crucial and will hopefully at last enable women to enjoy their right to land.
8. Acknowledgements

Throughout this study, I have several times, as its title implies, felt puzzled and confused when repeatedly realising how complex and multifaceted my chosen topic is. But above all, I have felt gratitude to the people who have helped me along the way and made the process possible. My wish is to somehow thank the women and the whole Naossa community for receiving me with such sincerity and for sharing their life stories with me. This is unfortunately not my opportunity to do so, as I do not share a language with them (although “thank you” happens to be the one word I remember of Yao), but mainly because most of them will never know how to read these lines. That is a pity, but it also is the reason why the vulnerable situation of these people must be acknowledged, seen and taken seriously to finally put an end to their exposure. It is also the reason why I with this thesis wanted to shed light on women’s land rights, as the right to access and benefit from land is a fundamental need and a prerequisite for wellbeing in rural Mozambique. Academic research as well as development work must continue in these areas and not be given up until these women, together with women and men in all other countries, are equal citizens that fully enjoy their human rights.

Furthermore, I must explicitly thank the workers at We Effect Mozambique for facilitating the interviews, for sharing their knowledge and for guiding me through the jungle of issues connected to women’s land rights in Mozambique. I would also like to express another word of gratitude to Sida for making the field study possible through a generous scholarship.

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Karin Lidström
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We Effect
www.weeffect.org
Appendix 1. Interview guide

What is your age?
What is your family situation?
What do you do for a living?
For how long have you cultivated crops?
What do you cultivate?
Where is your machamba located? About how far from your home?
How big is your piece of land?
How big part of it is in cultivation?
Do you sell any of what you cultivate?
Do you own your land? Do you have a DUAT? Since when?
How was it before your received it? From what did you live before you received the DUAT?
How did you get yours?
Do you have an identification card?
Can you explain the process of getting the right to cultivate land in this area?
Do you, alone, take decisions concerning your machamba?
In your family, who has the main responsibility for the land?
In your family, who has the main responsibility for your children?
Do you want your children to continue cultivate crops?
Tell me about your childhood. When you grew up, what did you wish to do as a grown up?

In case of divorce or death, what happens to the piece of land that a couple owns together?
Do you think that any woman in your community could receive the right to cultivate a plot of land if she wants to? How about men?

Are you member of an organisation? Which one?
Why did you join?
What is the advantage for you to be a member? What do you benefit?
Do you feel that you contribute on your meetings? In what way?
Are the groups mixed women and men?
According to your experience, who speak the most?
Is it good that the groups are mixed?
Do you feel free to speak you mind?
Have you discussed women’s rights in your group?
In your view, do you think women are key players for agricultural development in Mozambique?
Have you discussed women’s land rights in your group?
Are women’s land rights important?
Are you aware of the land law?
Have you discussed the land law in your group?
What is your opinion about it?
Is it fair for both men and women?
Do you feel that there is a threat towards you that could make you lose your machamba?
Would you like to comment anything that we have discussed?
Any other thoughts or questions?