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Changing land tenure regimes in a matrilineal village of South Eastern Tanzania

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ABSTRACT

Social and cultural factors governing access to land in a village of matrilineal peoples of South Eastern Tanzania were analysed through group interviews and the life stories of 13 women. Land has become scarce with increasing population density. Access to land is mainly obtained through family relations, where people from clans claiming first occupancy of the area have access to more and better land. When relatives cannot provide land, clan members or village government officials are approached. Although clan membership is still defined by maternal line of descent, inheritance happens according to a bilineal pattern and marriages tend to be patrilocal. Women and men have equal rights of ownership, but it is harder for women to keep control over their land when marriages are patriloccal. With the new land law, which recognizes customarily-obtained land as fully legal, jurisdiction over land is vested in the village government. This raises the concern that socio-economically weaker people may further lose control over land. However, the new land law could prove positive for sustainable land management by better securing land rights of better-off people.

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Introduction

In many African countries, statutory land tenure systems ignored customary law and have often proven inadequate (Kirk 1998). Secure access to land, particularly secure land rights, are of prime importance for sustainable land management. Farmers who have secure land rights are, for example, more likely to invest in soil and water conservation, as has been shown in numerous studies (e.g. Dondeyne et al. 1995; Shaka et al. 1996). Despite a century of purposeful penetration by non-customary tenure ideology and legal provision, unregistered, customary land tenure is still by far the main form of tenure in eastern and southern Africa (Alden Wily 2000).

Women and men are reported to be affected differently by land tenure regimes. In a case study in north eastern Tanzania, Lema (1995) found that, although both women and men have access to land, it is essentially controlled by men. According to Warioba (1997), women in Tanzania have only usufructuary land rights under customary land tenure regimes, while men have ownership and control over the land women operate on. Koda (1998) claims that the root causes of the gender imbalance are traditional cultural norms leading to discrimination against women. Swantz (1998), however, states that there is still much confusion about women's land rights and that more research needs to be done to clarify the present social system.

This study was carried out in the framework of a project aimed at developing a village land-use plan for soil and water conservation in Chiwambo (Dondeyne et al. 1999). It was felt that a better understanding of social and cultural aspects which govern access to land would be important for the development of a land-use plan. Chiwambo, a village at the foot of the Makonde escarpment, plays an important role in the water supply of its surrounding villages. It was established during the villagization period and consists of the sub villages Namajani, Somanga and Chiwambo proper. With a population density⁵ of 140 persons per km², the area is relatively densely populated. People are mostly Yao

⁵ Authors' calculation based on the 1988 population census (Tanzania 1991)

with minorities who are Makua and Makonde. The aim of this paper is to document the actual, customary, land tenure regimes in rural communities of south eastern Tanzania and to analyse these against their cultural background as well as against the background of the current land reform. Particular attention is given to women, as they are reported to be the most disadvantaged. Finally, an assessment is made of the implications of the current trends in land tenure regimes for land management.

Peoples of south eastern Tanzania

The peoples of south eastern Tanzania are cultivators depending mainly on maize, cassava, sorghum, rice and various legumes. Poultry, goat, sheep and cattle play a secondary role in farming systems. The main cash crops are sesame and cashew nuts. Whereas sesame, an annual crop, has been an important export commodity since pre-colonial times (Koponen 1988), the widespread planting of cashew trees started only after 1945 (Topper et al. 1998). Most of the ethnic groups of south eastern Tanzania, in particular the Makonde, Yao, Makua, Mwera, Machinga and Matumbi, share many cultural traits and are part of a wider belt of matrilineal peoples extending from the coast of East Africa to Central and West Africa. Traditionally, marriage is matrilineal, that is, the husband comes to live in the village of his wife and inheritance of property follows maternal relationships (Wembah-Rashid 1975). Both women and men own property, but access to land is controlled by the clans. Individuals have usufructuary rights over the land they cultivate. When a person dies, the immediate relatives take over both crops and the land. A mother was succeeded by her children, mainly female, as they would happen to be living in the village where the land was. A father would leave his land to his wife and children. Matrilineal systems have been under pressure to change through the influence of Islam and, from the second half of the nineteenth century, by the patrilineal Ngoni people who dominated the region. Later, the influence of the Christian missions and government policies have added to this pressure (Wembah-Rashid 1995, Koda 1998).

Land reforms in Tanzania

The land tenure regime in independent Tanzania was taken over, virtually unaltered, from the Land Ordinance passed by the British in 1923. In essence, this was based on giving the state a free hand to control and alienate indigenous land. However, the colonial state had to legitimize its laws and actions as being in the interests of the native population, as required by the Trusteeship Agreement (Shivji, 1998). The Land Ordinance sought to do this by:

- declaring and defining customary tenure regimes without securing and statutorily entrenching, customary titles and rights;
- authorizing the Governor to make land grants in the form of rights of occupancy limited in time, which in practise meant alienating indigenous lands to settlers and foreign corporations and
- preserving the overarching control of the state over land by vesting the radical title in the state.

After Independence, all lands declared to be public lands were vested in the President in place of the Governor (Shivji 1998).

Like many other countries of sub Sahara Africa Tanzania embarked on a major land reform with the publication of the Village Land Act, 1999 and the Land Act, 1999. The process started in 1991 with the appointment of a Land Commission, which was mandated not only to review laws and policies concerning the allocation, tenure, use and development of land and to make recommendations for reform, but also to examine the nature of the disputes that had arisen and to propose measures for their solution. The report of the Land Commission (Shivji 1994) contained some controversial proposals and spurred a wider debate on land matters (e.g. Coldham 1995, Manji 1998, Shivji 1998). One of the main factors which led to the establishment of the Land Commission were the many serious land disputes emanating from the villagization policy, which were likely to result in social, economic and political disruption (Coldham 1995).

Villagization, as Coldham (1995) explains, dates from the Arusha declaration in 1967. The aim was to encourage people to live in villages and to farm the land collectively. This was expected not only to facilitate the provision of public services, but also to allow for the possibility of

large-scale farming. It was also expected to prevent and reverse the emergence of inequalities and relations of exploitation in rural areas. Villagization was implemented more systematically in south eastern Tanzania than in other parts of the country. People who were used to live in scattered settlements now had to live in villages, with little regard paid to existing customary land tenure regimes (Shivji 1994). It can be seen that clan members, who had a traditional claim over the land the new village was established on, were in a stronger position than people who had been moved in from further away.

Under the new land law, the Village Land Act 1999, customarily-obtained land is recognized as fully legally-tenured, in whichever form and with whatever characteristics they currently possess. The community itself may conduct the adjudication, recording and titling processes and in this way, Alden Wily (2000) argues, local tenure regimes are empowered.⁶

Research procedure

The field study was conducted in 1997. First, group interviews were held with separate groups of young men, young women and elderly women. They were asked to comment on the following hypothetical situations:

- A young person from the village wants to start farming. How does he or she get a field?
- A young person from another village, wants to settle in the village. How does he or she get land?
- A young person comes back to his or her home village after having stayed for years in town. How does he or she get land?
- What if a widow decides to reside in the village of her late husband?
- What if a widow returns to her home village?
- How are the belongings distributed in cases of inheritance?

⁶ When discussing in Aug. 2001, a draft of this paper with village leaders of Chiwambo, they were found to be totally unaware of the existence of the new land law

To verify the extent to which the general portrait obtained from the group interviews correspond with, or deviate from real world "life cases", 13 women were asked to narrate their life story and to relate major events in their life to changes in access to land. The women were randomly selected while walking along a transect line through the village. Additionally, informal interviews were held with elderly men to cross-check the information.

Results

Group interviews

As there were no substantial differences between the answers provided by the different groups, a general synthesis is presented here.

A person from the village wants to start farming. Land in Chiwambo can be obtained in four ways: as a gift, or by borrowing it, through inheritance or purchasing it.

Gifts. In former times, anybody could get a piece of land, permanently and free of charge. Nowadays, one can only get land free as a gift from a relative. If you want to acquire land without involving relatives, you have to see the Village Secretary. You will get a document, so that if anybody else claims the field, you can prove that it is yours.

Borrowing. You can borrow land to build on, or for growing vegetables or arable crops. In the latter case you have to give part of the harvest to the owner. Under this arrangement it is not difficult to get arable land. But, it is difficult to get land with cashew trees on. You can get this only from a relative.

Inheritance. When both parents die all the legal children get an equal share of the properties. Even fallow land can be inherited if many people know that the area belonged to the deceased. If the father dies with children outside the legal marriage, his properties are immediately divided into two equal parts; a part for his wife and a part for the children. The latter part is again equally divided between the legal children and the children outside the marriage. If the

marriage was childless, the properties are given to a family member. Either the couple themselves has chosen their heir before their death, or the person is chosen by an uncle or another family member. The latter case often leads to difficulties.

Purchase. Land can be bought in three cases:

- a land owner in need of money looks for a potential buyer or
- a potential buyer has seen a place which they would like and comes to an agreement with the owner or
- you want to build your house on a piece of land planted with perennial crops. So you buy the plot to avoid later conflicts.

According to the origin of your clan it can be easy or difficult to acquire land. The “strong” clans have larger areas of better land. People from the “weak” clans have either very small plots, infertile land or even nothing. They can ask someone from a strong clan for a good field but this is usually refused. If, nevertheless, you were able to get a field, they will claim it back as soon as you have a good harvest.

The young men mention the Akuchisanga as the strongest clan in the village. It is a large and rich clan which was the first to take possession of the land. They live mainly in Chiwambo sub village, but are welcomed in all other parts of the village. If a member of a strong clan comes to live in another part of the village, he will easily be chosen as chairman of that sub village or as a ten-house cell⁷ leader.

If a young person from another village settles in Chiwambo. Both men and women have to contact the Village Chairman and the Village Secretary. If the latter agree, they will show the settler a place where he or she can live and establish a field. But normally, such a newcomer would already know some of the villagers and would have asked them for land. Once the Village Chairman gives permission, the settler will be lent a field. The villagers keep an eye on newcomers to make sure they do not have bad intentions. If the settler is a good villager and a good farmer, he or she can get land permanently.

⁷ The smallest subdivision in villages of Tanzania, consisting of approximately ten houses

A young person who stayed for years in town returns to his home village. Such men or women will first contact their parents. If they have enough land, they will give their offspring a field and a plot to build a house on. If the parents do not have enough land, other family members are asked to contribute.

A widow⁸ who lived in the village of her late husband. After the death of her husband, a woman has to stay for four months⁹ with her parents-in-law. During this period she is not allowed to remarry and she is secluded from company. When this mourning period is over, her parents-in-law will bring her back to her own parents. A widow gets half the belongings, including land and livestock, of her deceased husband; the other half is for his family. After the mourning period, the woman can live in the village of her late husband only if she marries another man from the village. It often happens that a widow marries the brother of the deceased man and he will also look after her children.

Life stories

The life stories are presented in Annex. The names of the respondents have been altered in order to protect their identity. The 10 interviewees who revealed their age were between 21 and 75 years old. Of the 13 women, four had rather insecure access to land (cases 1–4). Three women identified themselves as Makua, seven as Yao; one belonged to the Akuchisanga clan, the “strong” clan. One stressed that she belonged to the clan of her father (Angelina, case 1), while five made it clear they belonged to the clan of their mother. One woman was unmarried, four were widows. All the others were married or cohabiting, of whom two had been divorced. Only two of the marriages were matrilocal (Adina, case 8; Mariam, case 10). Properties are inherited from both parents and divided among all the direct descendants and women and men get equal shares.

⁸ From the informal interviews it appeared that a similar procedure would apply to a widower

⁹ Elderly men explained that this is in fact 40 days, according to their own tradition, to which three months are added, according to an Islamic rule

Table 1: Access to land, at the time of interview, of 13 women in a village of matrilineal peoples of south eastern Tanzania

Case Name	Mode of access to land
1 Angelina	one field borrowed from the village government, one field owned by brother, one bought from grandmother, one field owned by mother
2 Mwanahawa	one field owned by husband, who inherited it from parents
3 Dhalia	one field borrowed from village government, one field borrowed from parents-in-law
4 Rukia	one field owned by maternal uncle
5 Subira	two fields borrowed from father-in-law, one field borrowed from village government, but with the intervention of father-in-law
6 Fatu	one field given by maternal uncle
7 Rose	cashew fields owned by husband, inherited from parents, one own field in Lulindi inherited from parents, other fields borrowed from family
8 Adina	one own field, one cashew field given by father, in common with brothers and sisters, one field borrowed from stepfather, one field bought together with husband
9 Zainabu	several cashew fields inherited from father, cashew fields from husband, inherited from his father, land bought by husband
10 Mariam I	field given by parents, land husband inherited from father
11 Labia	one field given by father, one field bought by husband
12 Kasembe	fields inherited from parents
13 Mariam II	inherited from deceased husband

The modes of access to land of the interviewees at the moment of the interview are summarized in Table I. Of the women with rather insecure access to land, two had not established a firm family yet: Angelina (case 1) was not married yet, Rukia (case 4) had lost Saidi, with whom

she was living without being legally married. The role of the village government in reallocating land is illustrated by the stories of Angelina (case 1) and Dhalia (case 3). The story of Subira (case 5) is similar, but also illustrates the strong influence of the clan.

Discussion

With the increase in population density, land has become a scarce resource. Nowadays, land can only be obtained as a gift, a loan, or by inheritance and purchase, while one or two generations ago, it could have been obtained simply by clearing a part of the forest. This was explained during group interviews and is confirmed by the stories of Zainaby (case 9) and Kasembe (case 12). Wijffels (1997) reported this practice still to be common in the nearby district of Liwale, where the population density is very low (less than three persons per km²). Bennett et al. (1979) reported that there were no landless labourers in the area in the late 1970s but the group interviews suggest this is no longer the case. Working in a village of the neighbouring district of Lindi, Killian (1998) also reported that poor people were landless.

Access to land is, in the first place, obtained from close relatives such as spouses, parents, parents-in-law, brothers or sisters and even stepfathers (see Table I for an overview; see the life stories in Annex for details). Alternatively, land can be obtained temporarily from the village government as appears from the stories of Angelina (case 1), Dhalia (case 3) and Subira (case 5). Obviously, families belonging to clans who have access to more and better land are in an advantageous position. The role of the clan can be seen from the stories of Rukia (case 4) and of Fatu (case 6) who obtained land from their maternal uncles. The story of Rose (case 7), who belongs to the "strong" clan and who has clearly access to ample land, is also revealing.

Clans claim "ownership" of the land based on the right of first occupancy. However, during the group interviews, the elderly women remarked that "ownership" is not a proper term for land. "Land can only be called the property of God", they said. This is in line with the point made by Okoth-Ogendo (1998) that the term "ownership" is not a useful framework in which to analyse African land tenure regimes. The issue

is, rather, who has access to and control over the land. Access is guaranteed by being a member of a clan, while control is an attribute of the sovereign status of the clan. One can, however, only speculate how this may evolve in the future now that land is becoming a tradable commodity. It may be feared that those who are better off, mostly from the "strong" clans, will buy even more land. The story of Mwanahawa (case 2) illustrates how one can lose access to land by selling it out of economic necessity. More research is required to establish whether, with the liberalization of the economy (Seppälä 1996) and the recovery of the cashew industry (Seppälä 1998; Topper et al. 1998), wealthy villagers are buying and acquiring more land from poorer people.

The matrilineal system is clearly undergoing major transformations. Clan membership is normally still defined according to the maternal line of descent. This was explained by the elderly men as well as by Fatu (case 6). It can therefore be assumed that many women did not explicitly mention the clan to which they belong, as they felt this to be obvious once they had mentioned their mother's clan. Angelina (case 1), however, explicitly identifies herself with the clan of her father and justifies this by referring to the influence of the Arabs and the British. The elderly men also commented that the custom of matrilocal marriages was being abandoned as "this was putting men in too unfavourable a position, making them virtual slaves of their family-in-law". Indeed, whereas traditionally marriages have been matrilocal, all but two of the reported marriages are clearly patrilocal. Even the older women, Fatu (case 6), Zainabu (case 9), Kasembe (case 12) and Mariam (case 13), were living in the village of their husbands. The locality of the marriage seems to exist even in small-scale relocations. Some women moved from their home village to the village of their husband, as in the case of Dhalia, (case 3) and Rose (case 7); others, as in Zainabu's story (case 9), moved for some other reason to the village where they later got married.

The locality of the marriage can also be significant within the same village, as illustrated by the story of Subira (case 5), who moved from the sub village of her parents to the sub village of her husband and the story of Mariam (case 13), who, although from the same sub village as her husband, still lives close to the homestead of her parents-in-law.

Adina's marriage (case 8), is matrilocal although Chiwambo is, strictly speaking, not her home village and the story of Mariam (case 10) shows that people may make opportunistic choices based on who has the most favourable access to land. As most of these marriages are patrilocal, this could indicate that men generally have better access to land. Another way to look at it is that, due to various social pressures, marriages became patrilocal, putting women in a less favourable position to keep control over their land.

Inheritance happens according to a bilineal pattern, which could be a consequence of the predominantly patrilocality of the marriages. Land and other belongings are divided equally amongst all direct descendants, including children born out of wedlock. A similar evolution from a matrilineal to a bilineal system has been reported for the Zaramo people living around Dar es Salaam (Swantz 1998). The rule that children of a widow may be looked after by their paternal uncle, whom the widow may remarry, is a characteristic of patrilineal systems.

The claim that women are discriminated against under customary land tenure regimes cannot be immediately confirmed by this study. Women have the same rights as men of access to land and, more generally, ownership of property. Angelina (case 1), for example, shows that women can definitely own land when she reports that her brother bought land from her grandmother and that she works on a field owned by her mother. Some inequalities could be seen in the rule that properties are equally shared between widow and family-in-law, as reported during the group interviews.

The stories of Fatu (case 6) and Labia (case 11) show that one should also take into account the fact that the family-in-law paid a dowry and often provides the couple with land and other assets. The story of Rukia (case 4) is somewhat disconcerting. She felt obliged to give part of the harvest of her own field to her "family-in-law", even though she was not yet legally married. This, however, may be a way of expressing her gratitude for having been accepted in the family and a way of ending a relationship in an amicable way. In cases of divorce, properties are, normally, equitably divided (see the story of Fatu, case 6; and the parents of Adina, case 8).

However, by moving to the home of their husband, women lose control over their land, especially when their home village is too far away to continue cultivating it. Such fields are left under the custody of a relative (as in the story of the sisters-in-law of Rose, case 7 and the mother of Zainabu, case 9) and women invest in fields owned by their husband or by his relatives in their new home, (as in the story of Dhalia, case 3 and Subira, case 5), or in fields they acquired together (such as during second marriage of Fatu, case 6 and the story of Adina, case 8). Although women receive compensation for these investments in cases of divorce or the death of their husbands, it implies that they have to start all over again in a new location.

As the Village Land Act, 1999, gives legal status to the local tenure regimes, conflicts are likely to emerge where customary rights are in discordance with recently-obtained rights. Although provision is made for protecting land allocated by the village government, including the land allocated during villagization, it is hard to see how cases are going to be settled where different land users from different households and different clans operate on the same plot of land. The point is illustrated by Angelina (case 1) when she speculates that the field she has on the communal land will be reclaimed by the original owners as soon as "the government abandons the project". As, according to the new land law adjudication, registration, entitlement and land-dispute resolution fall under the jurisdiction of the village government, such cases will have to be settled within the village. By giving people in need access to communal land, the village government has been able to attenuate some of the existing inequalities. This emanated from a central government policy and is completely in line with the spirit of the villagization period. Now that some feel that this policy is being abandoned, it can be feared that members of "weaker" clans will be disadvantaged in land disputes, as members of "strong" clans have clearly more political power (as mentioned during the group interviews and confirmed by the stories of Subira, case 5 and Zainabu, case 9).

The life stories revealed that different farmers may work on a same field, where one farmer grows annual crops between cashew trees owned and tended by another farmer. Sulphur is commonly used as a fungicide

in cashew, which has the potential of acidifying soils (Ngatunga et al. 2001). This may have unforeseen repercussions as most of the intercrops are more sensitive to soil acidification than cashew. A cashew farmer may unwittingly affect the food production of fellow farmers. If, with the new land law, such a cashew farmer gained full control over the land, he might become more sensitive to the environmental consequence of using sulphur.

Cashew, as a perennial crop, is grown only on land to which people have secure access. This seems to be a prerequisite for people to make long-term investments on land. Gully erosion is a major problem for Chiwambo (Dondeyne et al. 1999) and its control requires major investments. If the new land law results in people of the "strong clans" increasing their control over land, they may also be more willing to make such investments, which could be beneficial to sustainable land management. On the other hand, it could exacerbate existing disparities in access to land which could lead to bigger social tension.

Conclusions

Increasing population density has led to increasing land scarcity, resulting in some people becoming landless. Access to land is in the first place obtained from close relatives; when they fail to provide land, the intervention from village government officials or clan members is solicited. The matrilineal system is clearly changing: clan membership is still determined by matrilineal descent, but inheritance happens according to a bilineal pattern while marriages are now mostly patrilocal. Women have the same rights of access to land as men: however, as marriages tend to be patrilocal, they may find it more difficult to keep control of their land.

Disparities in control over land between clans, partly enhanced by the villagization programme, is the major source of social inequality in access to land. Considering the social history of a village such as Chiwambo, the new Village Land Act bears the risk of exacerbating these inequalities. If the new land law results in more secure access to land this may result in the sustainable management of the land.

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Annex: Life stories

1) Angelina

I was born in 1973 in Lilongo. My mother is a Yao of the Mnamba clan, my father a Makua from the Mkuele clan. I am myself a Makua and belong to my father's clan. The matrilineal system of the old days has changed since the time of the Arabs and the British.

I came to live in Somanga with my older sister. I am not married yet and do the housekeeping for my sister. I farm three fields. One is an ONJAMA field,¹⁰ on which I have cassava and pigeon peas. I also farm a cashew field intercropped with cassava and pigeon peas, which is owned by my brother. He bought it from our grandmother. I can cultivate it as he is not living in the village and I share the harvest with my mother. When my brother established the field, he demarcated it together with the neighbours. I also farm a field owned by my mother. When my mother dies, the field will be divided amongst her children.

The ONJAMA fields in Chiwambo actually belong to a few rich villagers. The village government claimed these fields for the ONJAMA project. If the government abandons this project, the fields will be returned to the original owners. I have only the usufructuary right; I can keep the harvest of annual crops, while the harvest of the cashew trees is for the previous owner.

2) Mwanahawa

I was born in 1960 in Luagala. I am the fifth child out of eight. My mother is a Makua of the Chisanga clan, my father is a Makua from the Mrope

¹⁰ ONJAMA fields, from "Ondoa NJAa Masasi" or "remove hunger from Masasi", are collective fields established by the government in the early 1980s after a famine due to drought

clan. I belong to the clan and tribe of my mother. In 1973 I married a man from Chiwambo. This man chose me: it was not an arranged marriage and we have four children together.

I own no fields. Before, my father used to have a big area of land. But one of his sons went to secondary school and he sold many fields to pay the school fees. There is only one field left now. My mother is still working on it. My father has died. When my mother stops working or dies, her children will decide on the use of this field.

My husband has fields in the village which he inherited from his parents. I work on these fields with him. If he dies, all our children—male and female—will inherit an equal plot. If I am still alive, the children normally wait before dividing of the land. They will all work together on the inherited fields. A piece of land is inherited, together with its annual and perennial crops.

3) Dhalia

I was born in 1974 and I come from Chinolo, along the road to Mkululu. Both my parents are Yao of the Milasi clan. I came to live in Namajani when I got married. My husband is a Milasi as well; his father is a Makonde of the Mnang'unda clan. We farm on two fields: an ONJAMA field and a field given to us by my parents-in-law. On this last one we grow pigeon peas, maize and some other crops as intercrops of the cashew trees owned by my parents-in-law. If we want more land, we could ask the parents of my husband or my own parents, even though I do not live in my home village.

4) Rukia

I was born in 1976 in Lulindi where I grew up with my parents. I am a Yao of the Milasi clan. I went to school from 1987 to 1993 in Lulindi. In 1996 I came to live here with Saidi, whose first wife was Labia (case 11). We were all living together until he died last September. We were not married yet. After finishing school I borrowed a piece of land in Lulindi. It is owned by my maternal uncle. I kept working on it while living in Chiwambo. This year's harvest has to be divided among myself and my

“family-in-law”. After four months of mourning, I will return to my own family.

5) Subira

I was born in 1967. My father is a Makonde and my mother a Yao of the Katambo clan. I grew up in Somanga, but did not go to school. At 17 I went to Mtwara to work as a house-girl. One year later I married a man from Kitangari. He is a Makonde from the Mnambunga clan. We lived in Kitangari where we built a house and where we cultivated cassava and sorghum on a field of my parents-in-law. But we separated because of my husband's bad behaviour.

I was really fed up with the situation and decided to leave my husband and everything with him. I was one month pregnant when I returned to my parents in Somanga. I borrowed a field from my maternal grandfather, on which I farmed alone. Two years later, I left that field when I remarried, this time a man of Namajani. He is a Yao of the Milasi clan. We live in Namajani and now we have three fields. These consist of two fields my father-in-law inherited and which he lends to his son, together with an ONJAMA field. Many of the ONJAMA fields in Chiwambo belong to my father-in-law and he took care that we were given one of them.

6) Fatu

I was born in 1943 in Chiwambo. My mother was a Yao of the Milasi clan, my father was a Mwera of the Nakang'omba clan. I am a Yao of the Milasi clan as well. Traditionally, you follow your mother's tribe and clan because of the strong uncle, the brother of your mother.

I started school in Ndwika in 1953 and completed Standard 4 in 1959. The same year, I married for the first time. My husband came from Lulindi. He was the younger brother of my maternal grandfather. He worked in Lindi, where we went to live. He was really a bad husband and used to beat me every day. After one year, my parents allowed me to divorce him. I returned to my parents and they gave back the dowry.

In 1962, I married for a second time. That was a good marriage. Those days I was working in the youth section of the party in Masasi. He was working for the party as well; that is how we met. We married and lived

in Nachingwea for many years. We had three children. We had a lot of fields together: two big cashew fields with many trees, two maize fields and one rice field of about eight acres. There was plenty of land in Nachingwea. We just took over the fields, without paying and started cultivating them. This practise was encouraged by the government. We also built a six-room house in Liwale.

After many years of marriage, my husband wanted to take a second, younger wife. I did not agree to this and we separated. He built a house for me in Chiwambo and in 1983 I came back to my home village with the children. I got one of our cashew fields, one of the maize fields and half of the rice field and sold them all. Back in Chiwambo my clan gave me a plot of land. It was my maternal uncle who showed me the plot. I hired people to clear the field and started cultivating.

In 1990, I married a man of Mkululu and went to live in Mkululu, until my mother got very old and needed help. I came back to Chiwambo to take care of her but she died in 1995. I stayed here, while my husband is still living in Mkululu, as I want to spend time with my four grandchildren. My husband has a cashew field in Mkululu which he intercroops with cassava and maize. When I was living in Mkululu, I used to work on that field. When I returned to Chiwambo, I got part of the cassava and maize harvest. If my husband dies, I will not inherit any of that land, as he started cultivating it with another wife. When I die, all my belongings will be equally distributed among my three children.

7) Rose

I was born in 1954 in Lusonje. I am a Yao of the Akuchisanga¹¹ clan. My father is a Yao of the Mpande clan. I am married to Sirili, a Yao of the Milasi clan. We lived first in Lulindi before moving to Somanga, the home village of my husband. We have four children: two boys and two girls.

We live on the land of my husband which he inherited from his parents. He also inherited cashew trees; all the children got 16 trees

¹¹ This is the "strong" clan, who claims to be descendants of the founders of the village.

each after the death of their parents. We grow cashew trees which we intercrop with pigeon peas and cassava.

My two sisters-in-law live with their husbands outside Chiwambo. Their fields in Chiwambo can be cultivated by anybody from the family. There are also cashew trees on these fields. Relatives weed these fields to protect the trees from bush fires. One of my sisters-in-law lives nearby in Lulindi and comes to do the harvesting. The other one lives in Masasi and, as she does not come to harvest the crop, it is divided among the relatives.

I also have a field of my own in Lulindi, which I got from my parents, where I grow cassava, bananas and cashew. All the revenue from this field, as well as from other fields I cultivate without owning, is spent on the household.

My parents are still alive. When they die, I shall inherit another field. Their belongings will be equally distributed among my three sisters, six brothers and myself. When my husband and I die, our land will be equally divided among our children. The children will inherit even the usufructuary right of the fields we borrow from our family. If one of our children decides to leave the village and comes back only after a couple of years, he or she will easily be given a plot of land when he or she returns.

8) Adina

I was born in Mpopo in 1977 and came to live in Namajani because of my mother's second marriage. My father was a Yao of the Milasi clan. My parents separated when I was nine. The belongings were equally divided between my mother and my father. I have one brother and one sister. After the divorce, we first lived in Mpopo. My father lived there as well, but in a separate house. We farmed my mother's land. When we came to live here, we left the field in Mpopo to my brother and my sister. I also have my own field in Mpopo. In the end, my father's fields will also be given to us, the children. Our father has already given us one cashew field and we divide the harvest equally among the three of us.

The family of my stepfather lent me some land, with no cashew trees on, in Namajani. Last year I married a man from Newala. His parents are

separated as well. His father still lives in Newala, his mother lives in Chiwambo. We live with my mother and stepfather. My husband and I bought a field near the Makonde escarpment where we grow groundnuts, maize, cassava and pigeon peas.

9) Zainabu

My parents moved from Kachulu to Namajani, because I was very sick when I was young. They believed that the neighbours in Kachulu, with whom they had a lot of trouble, had bewitched me. They came to Namajani because my father's mother lived here. My parents still own fields in Kachulu. My parents are both Yao, my mother is a Milasi, my father a Achinankuto.

After a couple of years living in Namajani, my parents separated. My mother returned to Kachulu, her home village. She took the two youngest children with her. My elder sister was already married to someone from Namajani and I wanted to stay with her. When my mother was living in Namajani, her sister (my aunt) cultivated my mother's fields in Kachulu. When my mother came back, the fields were given back to her. She grew rice along the river and also had cashew fields.

My father was given land by his parents and he himself established fields. This was easy in those days as there was plenty of land. He also bought a cashew field in Lisimalyoya. After the divorce, the fields in Namajani were his property, the ones in Kachulu were my mother's. We children could inherit from both sides.

I got married a long time ago to a man from Namajani. He is a Yao, of the Akumataja¹² clan on his father's side and the son of the brother of the present village chairman. We have two sons and two daughters. We have cashew fields with intercrops, which I inherited from my father. My husband has cashew fields in Chiwambo which he inherited from his father and land he bought in Chisinde. In Namajani we have cashew trees we planted ourselves.

¹² This is a subclan of the Akuchisanga clan, the "strong" clan

10) Mariam I

My parents were both from Somanga. My father is a Makua from the Mkulia clan, my mother is a Yao from the Amalika clan. I married an electrician from Lindi. My husband came to live in Somanga because he did not have any land in his home village. He left employment and became a farmer. We were given land by my parents. We grow maize, pigeon peas, cassava and a few cashew trees. My husband recently inherited a piece of land from his father. His brothers are well-off and have a lot of fields; so he was the only heir. He mainly grows bananas on these fields, intercropped with maize and sesame. I frequently travel with him to his home village to farm.

11) Labia

I was born in 1975 in Mbuyuni. My father has two wives and eight children. I am a Yao of the Achinamembe clan. I was my mother's first child and my father's second. In 1983 I started primary school in Mbuyuni, which I finished in 1990. I lived in the village of my parents until 1994 when I met Saidi, a man from Chiwambo. He was a Makua of the Amirashi clan. As he was not able to pay the agreed dowry, I came to live with him and his family in Namajani. After one year he had earned enough money to pay the dowry and we got married in 1995.

We worked on a field in Mbuyuni which we got from my father. We grew sesame on it for cash and maize and cassava as food crops. My husband had his own field which he bought in Chiwambo and on which we grew maize, cassava, cowpeas and buffalo beans. The cashew seedlings on it were eaten by ants. In 1995 my husband and I started a small shop in Chiwambo which was like a joint venture.

Last September my husband died of cancer. My brother-in-law and the maternal uncle of my late husband advised me to stay here for another four months. Afterwards I will return to my own family. I can either marry again, or live with my parents. As for the fields, my family-in-law will value both plots of land. I would choose, if possible, to have the field in my home village. If that field is valued higher than the one in Chiwambo, I will have to bring part of my harvest at the end of this season to my family-in-law. If the field in Chiwambo is valued higher, I

shall get a part of that harvest. As for the cashew trees, they are also divided into two equal shares. I can either decide to keep them or I can sell my share. As for the shop, the joint venture continues with my brother-in-law. When I will leave Chiwambo, the value of the shop will be divided equally.

12) Kasembe

I was born in 1922 in Mwitika, Masasi district. I am a Makua from the Wamarate clan; my father was a Makua from the Katambo clan. I have one brother and one sister. I got married in Chiwambo to Musa, a Yao of the Akuchisanga clan. We did not have any children. I am a widow now but continue to live in the village of my late husband. This was possible as I was already living in Chiwambo before my marriage. My grandparents and parents moved to this village. I have my own fields here, which I inherited from my parents. They got them from my grandfather, who came to live in Chiwambo when there was still plenty of land. Most of my land is bush, some of it with cashew trees on. When I will die the land will be distributed to the children of my brother. I still cultivate the fields myself together, with the son of my brother.

13) Mariam II

I was born a very long time ago. I am a Yao of the Achichungu clan and the mother of the present chairman of Somanga. My husband was also born in Somanga and we are living close to the homestead of his parents. When my husband died, I inherited the cashew fields. The belongings of my husband were divided between my children, the children of his second wife and myself. The second wife did not inherit any land, as my husband had established the fields with me. I am still farming, but when I stop, or when I die, the fields will be divided among my children.

